

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 334

In Senate, Feb. 18, 1913.

Came from the House referred to the Committee on the Judiciary, and on motion by Senator Packard of Knox, laid on the table for printing, pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to regulate moving freight on railroads.

Be it enacted by the People of the State of Maine, as follows:

Section 1. When freight in proper condition, either in
2 carloads or less, is tendered to a railroad company for a
3 point on its own road, or for a point beyond its road to
4 which it forms a part of a through route, and correct ship-
5 ping instructions given, the railroad agent must imme-
6 diately receive the same for shipment and issue bills of
7 lading therefor. When so received, shipments must be
8 carried forward over each road which handles them at the

9 rate of not less than seventy (70) miles per day of twenty-
10 four hours, computing from seven o'clock A. M. the day
11 following receipt of shipment at point of origin; but
12 where the length of haul over any railroad is less than
13 seventy miles, the allowance of time for movement over
14 such railroad shall not be less than twenty-four hours.
15 For failure to receive and transport such shipments, within
16 the time prescribed, the railroad company or companies so
17 offending shall forfeit and pay to the consignee, or his
18 assignee in writing having a substantial interest, for time
19 during which delay continues, the sum of \$2.00 per car per
20 day, or fraction thereof, on all carload freight, and one
21 cent per hundred pounds per day, or fraction thereof, on
22 freight in less than carloads, with minimum charge of five
23 (5) cents for any one package, upon demand in writing
24 by such claimant. In computing the time of freight in
25 transit, there shall be allowed twenty-four hours at each
26 junction point where transfer from one railroad to another
27 is involved (said time to be equally divided between the
28 roads affected); and twenty-four hours for the rehandling
29 of freight at any other point from one car to another, where
30 necessary. The Saturday half-holiday shall not be de-
31 ducted under this rule.

The period during which the movement of freight is sus-
33 pended on account of accident, or for necessary repairs at
34 junction points where transfer from one railroad to another
35 is involved, or any cause not within the power of the rail-

36 road company to prevent, shall be added to the free time
37 allowed in this rule, and counted as additional free time.

Sect. 2. Claims for delays in shipments moving over
2 more than one line shall first be filed with the terminal line,
3 and, if that line denies responsibility for the delay or any
4 part thereof, it shall report promptly to the claimant all the
5 particulars of the movement over its own line; and, if it
6 appears from such report that the delay or part thereof
7 occurred on some other line or lines, the claimant may file
8 separate claim or claims against such other line or lines
9 apparently responsible for the delay, and may recover from
10 the line or lines found to be responsible, the amount or
11 amounts due under these rules, or any of them.

Sect. 3. Railroad companies shall, within twenty-four
2 hours after arrival of shipments, give notice by mail or
3 otherwise, to consignee of the arrival of shipments, together
4 with the weight and amount of freight charges due there-
5 on, and where goods or freight in carload quantities arrive,
6 such notice shall contain also identifying numbers, letters
7 and initials of the car or cars, and if transferred in transit,
8 the number and initials of the car in which originally
9 shipped. Any railroad company failing to give such no-
10 tice shall forfeit and pay either to the consignee, or his
11 assignee in writing having a substantial interest, the sum
12 of \$1.00 per car per day, or fraction of a day's delay on
13 all carload shipments, and one cent per hundred pounds per
14 day, or fraction thereof, on freight in less than carloads,

15 with minimum charge of five (5) cents for any one pack-
16 age, after the expiration of the said twenty-four hours;
17 provided, that not more than one dollar per day be charged
18 for any one consignment not in excess of a carload.