

HOUSE No. 376.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 23, 1872.

The Committee on Railways, to whom was recommitted the report "inexpedient to legislate" on several Orders relating to the regulation of fares and freights on railroads, report that they have considered the subject, and are unable to agree upon any Bill which, in their judgment, can, satisfactorily to the public and in conformity to the existing laws, regulate the rates of freights or fares on railroads; they therefore renew their report that it is inexpedient to legislate thereon.

For the Committee,

WILL'D P. PHILLIPS.

Commonwealth of Massachusetts.

MINORITY REPORT.

The undersigned, of the Joint Standing Committee on Railroads, being aware that a very great number of the people of this Commonwealth have been for years, and are now, earnestly desirous that there may be a reduction in the fares and regulation of the freights of railroads, and an establishment of cheap trains; and believing that the wishes of the people in this respect should be regarded by the legislature, reports the accompanying Bills for the consideration of the general court.

A. B. ELY.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Two.

AN ACT

Relating to cheap Morning and Evening Railroad Trains to and from Boston.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 Every railroad corporation or party owning or con-
2 trolling a railroad running out from Boston, shall fur-
3 nish each day a morning train in and an evening
4 train out, or suitable cars attached to other trains,
5 and reaching and leaving Boston at about six o'clock
6 in the forenoon and afternoon, or at such hours as
7 may be fixed by the railroad commissioners, for dis-
8 tances not exceeding fifteen miles, for mechanics,
9 artisans and others, to whom, for such trains, they
10 shall furnish yearly season tickets at a rate not ex-
11 ceeding three dollars per mile per year, good once a
12 day each way for six days in a week, and quarterly
13 tickets not exceeding one dollar per quarter per
14 mile: *provided*, that the number of such mechanics,
15 artisans and others shall not be less than two hundred.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-
Two.

AN ACT

Relating to Railroad Fares.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. All and every corporation, person or
2 party owning, controlling or operating any railroad or
3 portion of a railroad, within this Commonwealth,
4 shall at all times furnish single passenger tickets,
5 over their respective roads, for a price not exceeding
6 three cents per mile per passenger, for distances not
7 less than three miles; and, for any less distance than
8 three miles, not exceeding ten cents in all.

1 SECT. 2. All and every such corporation, person
2 or party shall at all times furnish single passenger
3 tickets, at a rate not exceeding two and a half cents
4 per mile, for the round trip from any one station to

5 any other station not less than two miles distant on
6 their respective roads, and return.

1 SECT. 3. All and every such corporation, person
2 or party shall at all times furnish single passenger
3 coupon or package tickets, at a rate not exceeding
4 two cents per mile, for not less than four miles:
5 *provided*, that the number of tickets or coupons pur-
6 chased at one time shall not be less than twelve, and
7 the amount paid not less than five dollars.

1 SECT. 4. All and every such corporation, person
2 or party shall furnish single commutation or season
3 passenger tickets, once a day each way for six days in
4 a week, at a rate not exceeding ten dollars per mile
5 per year for five miles and under, and eight dollars
6 per mile per year from five to ten miles, and seven
7 dollars per mile per year from ten to fifteen miles,
8 and ranging from seven to four dollars per mile per
9 year according to distances from fifteen to fifty miles.

1 SECT. 5. All and every such corporation, person
2 or party shall at all times furnish any and all tickets
3 by them respectively kept and sold, whenever the
4 same may be called for at the open ticket office.

1 SECT. 6. Any ticket sold by any such corporation,
2 person or party, and any railroad ticket sold in this
3 Commonwealth by any railroad corporation, or party
4 controlling a railroad, or their agents, shall be good
5 to the party holding the same for the whole distance,
6 and to the destination for which the same was pur-
7 chased, whether it be used at one continuous trip or

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8 at intervals between stations, and any ticket shall be
9 good either way between the terminal stations for
10 which it was purchased.

1 SECT. 7. Whenever railroad tickets are sold within
2 this Commonwealth by any railroad corporation, or
3 party controlling a railroad, or their agents, accom-
4 modations corresponding with the character of the
5 ticket shall be furnished the party holding the same,
6 at all places where such ticket is available; nor shall
7 any such party be compelled to pay any further sum
8 for any superior accommodations for lack of such as
9 the ticket contemplates, under penalty, to the party
10 selling the same, of ten times the value of the ticket
11 sold, to be paid to the party purchasing.

1 SECT. 8. No person shall be ejected from a rail-
2 road car who produces a ticket or check which he
3 believes entitles him to a ride, and who shall give his
4 name and residence; but the conductor shall take his
5 name and residence, and he shall be liable to arrest
6 and prosecution if he have been guilty of any infrac-
7 tion of the law.

1 SECT. 9. All and every corporation, person or
2 party owning, controlling or operating any railroad or
3 portion of a railroad within this Commonwealth,
4 whose net earnings or dividends, or whose rate of pay-
5 ment for the use of any railroad or portion thereof,
6 shall be equal to eight per centum per annum upon
7 the capital stock of the railroad or portion thereof so
8 owned, controlled or operated, shall at all times fur-
9 nish single passenger tickets, at a rate not exceeding

10 two cents per mile for the round trip from any one
11 station to any other station not less than two miles
12 distant, and return, upon the several railroads owned,
13 controlled or operated by them respectively

1 SECT. 10. All and every corporation, person or
2 party named in the last preceding section, shall at all
3 times furnish single passenger coupons or package
4 tickets, at a rate not exceeding one and a half cents
5 per mile, for distances not less than four miles: *pro-*
6 *vided*, the number of coupons or tickets purchased at
7 one time shall not be less than eight, and the amount
8 paid not less than five dollars.

1 SECT. 11. All and every corporation, person or
2 party named in the last two preceding sections, shall
3 furnish single commutation or season passenger tick-
4 ets, once a day each way for six days in a week, at a
5 rate not exceeding eight dollars per mile per year for
6 five mile and under; six dollars per mile per year
7 from five to ten miles; five dollars per mile per year
8 from ten to fifteen miles; and ranging thence from
9 five to three dollars per mile per year, according to
10 distances from twelve to fifty miles, for a yearly ticket.

1 SECT. 12. All and every corporation, person or
2 party owning, controlling or operating any railroad
3 or portion of a railroad within this Commonwealth,
4 shall furnish accommodations equal to the reasonable
5 wants and requirements of the people living on the
6 line of the same, and shall provide such stations,
7 trains and cars, and at such places and times, as shall
8 meet the reasonable demands of such people. In

9 case the inhabitants of any city, town or village, living
10 on the line of any railroad, shall require additional
11 accommodations, and the same be not furnished upon
12 proper representations, they may petition the railroad
13 commissioners: *provided*, such petition be signed by
14 not less than one hundred such inhabitants; and the
15 commissioners, after hearing the parties, may pass
16 such order as the circumstances may require, and the
17 same shall be binding upon the parties. If either
18 party is dissatisfied with such order, they may appeal
19 to the supreme judicial court, or any judge thereof, at
20 any time, and such court or judge shall appoint three
21 commissioners who shall hear the parties, and their
22 decision, approved by the court, shall be final.

1 SECT. 13. Any breach of any of the provisions of
2 this act shall subject the offender to an action for any
3 damage accruing to any party by reason thereof, and
4 also to a fine of not less than twenty-five dollars, nor
5 more than one hundred dollars for each offence, to be
6 recovered by complaint before any court of competent
7 jurisdiction, and paid, one-half to the complainant
8 and one-half to the Commonwealth.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-
Two.

AN ACT

Relating to Railroad Freights.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. All and every corporation, person or
2 party owning, controlling or operating any railroad
3 or portion of a railroad, in this Commonwealth, shall
4 receive, transport and deliver all freights brought to
5 them, with despatch and for a reasonable compensa-
6 tion; but no such corporation, person or party shall
7 charge or receive for the transportation of freight for
8 any distance on their roads a greater sum than the
9 price which is at the same time charged or received
10 for like freight and quantities transported over any
11 like or greater distance on the same roads.

1 SECT. 2. Whenever any party shall furnish, with
2 reasonable regularity, a car-load, or will pay for such

3 car-load, the corporation shall furnish cars for the use
4 of such party, or the party may furnish his own cars,
5 for the transportation of his freight; and no such
6 railroad corporation, person or party shall discrim-
7 inate as between different parties furnishing similar
8 kinds of freight in car-loads or loaded cars within the
9 Commonwealth; and any person receiving freight
10 cars shall unload the same with reasonable despatch,
11 and he shall be liable to a reasonable charge per day
12 for any unreasonable delay in the unloading.

1 SECT. 3. Any party furnishing freight to any such
2 corporation, person or party, shall have the right to
3 provide and furnish his own freight cars, which shall
4 be received and hauled, and the freight handled and
5 delivered (and reloaded, if freight be furnished), and
6 returned to the owner with despatch. In the mean-
7 time, such cars shall be in the custody and care of
8 such corporation, person or party, who shall employ
9 the same for the exclusive use of the owner thereof,
10 and shall be responsible for the proper use and care
11 of the same while in their charge. For the freight
12 transported for any distance in such or any other
13 cars, such corporation, person or party shall receive
14 no greater sum or sums per car-load than the price
15 which is charged for any like work done, for any
16 other party, for any like or greater distance on the
17 same road, except in cases where *pro rata* rates or
18 through freights are established in connection with
19 other railroads, for not less than five hundred miles.

1 SECTION 4. In the construction of this act, and
2 of sections one and two of chapter three hundred and

3 sixty-three of the acts of eighteen hundred and sev-
4 enty-one, a train load, or one hundred and fifty tons,
5 shall be the largest quantity in the determination of
6 rates of transportation.

