

HOUSE . . . . . No. 628.

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HOUSE OF REPRESENTATIVES, Feb. 8, 1895.

[Introduced on leave by Mr. BLISS of West Springfield. Read and referred to the committee on Mercantile Affairs.]

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**Commonwealth of Massachusetts.**

In the Year One Thousand Eight Hundred and Ninety-five.

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**AN ACT**

To establish a Board of Telephone Commissioners.

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

1 SECTION 1. The governor by and with the consent  
2 of the council shall appoint three citizens of this Com-  
3 monwealth, who shall constitute a board of telephone  
4 commissioners, and the governor shall designate the  
5 chairman thereof. Said board shall have a clerk to be  
6 appointed by the governor with the consent of the  
7 council, who shall keep a full and faithful record of its  
8 proceedings, and shall serve such notices and perform  
9 such other duties as the commissioners may require,  
10 and shall be sworn before entering upon the discharge  
11 of his duties.

1   SECT. 2. One of said commissioners shall be ap-  
2 pointed for one year, one for two years, and one for  
3 three years from the first day of July, eighteen hundred  
4 and ninety-four, and annually thereafter the governor  
5 shall appoint, as hereinafter provided, one commissioner  
6 to serve for three years from the first day of July, in the  
7 year of his appointment, and until his successor is  
8 appointed and qualified. If a vacancy occurs by resig-  
9 nation or otherwise, the governor shall in like manner  
10 appoint a commissioner for the residue of the term, and  
11 may, with the consent of the council, remove any com-  
12 missioner for cause after notice and hearing.

1   SECT. 3. Said commissioners shall be sworn to the  
2 faithful performance of the duties of their respective  
3 offices before entering upon the discharge of the same ;  
4 shall not be in the employ of or own any stock in any  
5 telephone company or be in any way directly or in-  
6 directly interested pecuniarily in the manufacture or  
7 sale of telephone instruments, or any article or com-  
8 modity used by telephone companies or used for any  
9 purpose connected with the manufacture and sale of  
10 telephones.

1   SECT. 4. The annual salary of the chairman of the  
2 board shall be three thousand dollars, and that of the  
3 other commissioners two thousand five hundred dollars,  
4 each to be paid monthly from the treasury of the Com-  
5 monwealth. The commissioners shall be provided with  
6 an office in the state house or in some other suitable  
7 place in the city of Boston in which their records shall  
8 be kept.

1   SECT. 5. The board may expend a sum not exceed-  
2 ing one thousand dollars annually in procuring neces-  
3 sary books, statistics and stationery, and in defraying

4 expenses, incidental and necessary to the discharge of  
5 their duties; and a sum not exceeding two thousand  
6 dollars annually in defraying the compensation and  
7 expenses of their clerk, payable monthly from the treas-  
8 ury of the Commonwealth.

1    SECT. 6. The annual expenses of the commissioners  
2 and clerk, including salaries, shall be borne by the  
3 several telephone companies in proportion to their gross  
4 earnings, and shall be assessed and recovered in the  
5 manner provided for the assessment and recovery of the  
6 expenses of the railroad commissioners.

1    SECT. 7. Every telephone company shall annually  
2 make a return to said board in a form and at a time  
3 prescribed by said board, setting forth the amount of its  
4 authorized capital, its indebtedness and financial con-  
5 dition on the first day of January preceding, and a  
6 statement of its income and expenses during the pre-  
7 ceding year, together with its dividends paid or declared,  
8 and a list containing the names of all its salaried officers  
9 and the amount of the annual salary paid to each; and  
10 said return shall be signed and sworn to by the president  
11 and treasurer of said company and a majority of its  
12 directors. Every such company shall also at all times  
13 on request furnish any statement or information required  
14 by the board concerning the condition, management and  
15 operations of the company and shall comply with all  
16 lawful orders of said board.

1    SECT. 8. Said board shall have the general super-  
2 vision of all corporations engaged in the manufacture  
3 and sale of telephone instruments and in the operation  
4 of telephone lines, and shall make all necessary exam-

5 inations and inquiries and keep themselves informed as  
6 to the compliance of the several corporations with the  
7 provisions of law.

1 SECT. 9. Upon the complaint in writing of the  
2 mayor of the city or the selectmen of the town in which  
3 a telephone line is in any part operated or located, or of  
4 twenty customers of any telephne company, either of  
5 the character and quality of the service, or of the price  
6 for the use of telephone instruments, or of messages sent  
7 by telephone, the board shall notify the company of such  
8 complaint by leaving at their office a copy thereof, and  
9 shall thereupon, after notice, give a public hearing to  
10 such petitioner and such company, and after said hear-  
11 ing may order, if they deem just and proper, any  
12 reduction in the price for the use of telephone instru-  
13 ments or improvement in the quality of service, or may  
14 order any reduction in the price of messages sent by  
15 telephone, and they shall pass such orders and take  
16 such action as are necessary thereto, and a report of the  
17 proceeding and the result thereof shall be included in  
18 their annual report to the legislature.

1 SECT. 10. The board, whenever any such company  
2 violates or neglects in any respect to comply with the  
3 provisions of any law or refuses or neglects to comply  
4 with any lawful order of the board, shall give notice  
5 thereof in writing to such corporation and to the attor-  
6 ney-general, who shall take such proceedings thereon  
7 as he may deem expedient.

1 SECT. 11. Any court having jurisdiction in equity,  
2 in term time or vacation, may, on the application of

3 said board, by any suitable process or decree in equity,  
4 enforce the provisions of this act and the lawful orders  
5 of said board.

1   SECT. 12. The board shall make an annual report  
2 of its doings to the legislature in January, with such  
3 suggestions as to the condition of affairs or conduct of  
4 the telephone company as may be deemed appropriate.

1   SECT. 13. This act shall take effect upon its passage.





