

Amount limited to population. of more than Ten Thousand and up to Fifteen Thousand population, according to the last preceding census, such compensation shall not exceed Seven Hundred and Fifty (\$7.50) Dollars. And in Cities of more than Fifteen Thousand and up to Twenty Thousand population, according to the last preceding census, such compensation shall not exceed One Thousand (\$1,000.0) Dollars per-annum. And for Cities over twenty thousand not to exceed \$1,500.00 per-annum, which amount shall be in full compensation of all services of such Mayor of every kind and character whatsoever connected with his official duties.

Certain payments legalized. SEC. 2. That in all cases where any such City has heretofore by ordinance or resolution of its City Council paid its Mayor compensation either as such Mayor or as Chief of Police of said City or otherwise, such payment is hereby legalized and made valid.

Publication. SEC. 3. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Iowa State Register" and "Des Moines Leader," Newspapers published at Des Moines, Iowa.  
Approved March 29, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 2, and *Des Moines Leader* April 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 17.

### JOINT RATES ON RAILWAYS.

H. F. 37. AN ACT to Amend Chapter 28 of the Acts of the Twenty-Second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this state and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

*Be it enacted by the General Assembly of the State of Iowa:*

Chap. 28 acts 22 G. A. defined as to joint rates.

SECTION 1. That chapter 28 of the acts of the twenty-second general assembly be and the same hereby is amended as follows: That said chapter 28 of the acts of the twenty-second general assembly shall not be construed to prohibit the making of rates by two or more railroad companies for the transportation of property over two or more of their respective lines of railroad within this state, and a less charge by

each of said railroad companies for its portion of such joint shipment than it charges for a shipment for the same distance wholly over its own line within the state, shall not be considered a violation of said chapter 28 of the acts of the twenty-second general assembly, and shall not render such railroad company liable to any of the penalties of said act, but the provisions of this section shall not be construed to permit railway companies, establishing joint rates, to make by such joint rates any unjust discrimination between the different shipping points or stations upon their respective lines between which joint rates are established, and any such unjust discrimination shall be punished in the manner and by the penalties provided by Chapter 28 of the acts of the 22nd General Assembly.

Charges may be reduced on joint rates.

Unjust discrimination between points forbidden.

SEC. 2. All railway companies doing business in this state shall, upon the demand of any person or persons interested establish reasonable joint through rates for the transportation of freight between points upon their respective lines within this state, and shall receive and transport freight and cars over such route or routes as the shipper shall direct. Car load lots shall be transferred without unloading from the cars in which such shipments were first made, unless such unloading in other cars shall be done without charge therefor to the shipper or receiver of such car load lots, and such transfer be made without unreasonable delay and less than car load lots shall be transferred into the connecting railway's cars at cost, which shall be included in and made a part of the joint rate adopted by such railway companies or established as provided by this act.

Demand for reasonable joint through rates.

Cost of transfer.

When shipments of freight to be transported between different points within this state are required to be carried by two or more railway companies operating connecting lines, such railway companies shall transport the same at reasonable through rates and shall at all times, give the same facilities and accommodations to local or state traffic as they give to inter-state traffic over their lines of road.

The same accommodations to local as to inter-state traffic.

SEC. 3. In the event that said railway companies fail to establish through joint rates or fail to establish and charge reasonable rates for such through shipments, it shall be the duty of the board of railroad commissioners and they are hereby directed, upon the application of any person or persons interested, to establish joint rates for the shipment of freight and cars over two or more connecting lines of railroad in this state, and in the making of such rates and in changing or revising the same, they shall be governed as near as may be, by all the provisions of Chapter 28 of the acts of the twenty-second general assembly, and shall take into consideration the average of rates charged by said railway companies for shipments within this state for like distances over their

Failure of companies to establish through joint rates.

Chap. 28 acts 22 G. A. to govern commissioners in making rates.

- Commissioners' rate to take effect. respective lines, and rates charged by the railway companies operating such connecting lines for joint inter-state shipments for like distances. The rates established by the board of railroad commissioners shall go into effect within ten days after the same are promulgated by said board, and from and after that time the schedule, of such rates shall be prima facie evidence in all of the courts of this state that the joint transportation of freight and cars upon the railroads for which such schedules have been fixed.
- Railway companies interested to be notified. **SEC. 4.** Before the promulgation of such rates as provided in Section 3 of this act, the board of railroad commissioners shall notify the railroad companies interested in the schedule of joint rates fixed by them; and they shall give said railroad companies a reasonable time thereafter to agree upon a division of the charges provided for in such schedule, and, in the event of the failure of said railroad companies to agree upon a division and to notify the board of such agreement, the board of railroad commissioners shall, after a hearing of the companies interested, decide the same, taking into consideration the value of terminal facilities and all the circumstances of the haul, and the division so determined by the board shall in all controversies or suits between the railroad companies interested, be prima facie evidence of a just and reasonable division of such charges.
- Hearing of the companies in interest. **SEC. 5.** Every unjust and unreasonable charge for the transportation of freight and cars over two or more railroads in this state is hereby prohibited and declared to be unlawful, and each and every one of the companies making such unreasonable and unlawful charges, or otherwise violating the provisions of this act, shall be punished as provided in chapter 28 of the acts of the twenty-second general assembly for the making of unreasonable charges for the transportation of freight and cars over a single line of railroad by a single railroad company.
- Unjust, and unreasonable charges prohibited. **SEC. 6.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.
- Punishment. Approved April 8th, 1890.
- Publication.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and the *Des Moines Leader* April 12, 1890.

FRANK D. JACKSON, *Secretary of State.*