

SEC. 7. Penalty—enforcement. Any person or corporation who string or maintain any wire across any railroad track in this state at a different height or in a different manner from that prescribed by the said board of railroad commissioners shall forfeit and pay to the state of Iowa the sum of one hundred dollars (\$100) for each separate period of ten days during which such wire is so maintained, said forfeiture to be recovered in a civil action brought in any court of competent jurisdiction in the name of the state of Iowa, by the attorney-general, or by the county attorney of the county in which such wire is situated, at the request of the said board of railroad commissioners, and it is hereby made the duty of the said attorney general and county attorney to bring such action forthwith upon being so requested.”

Approved April 6, A. D. 1907.

CHAPTER 110.

REPORTS AND INVESTIGATIONS OF ACCIDENTS ON RAILWAYS.

H. F. 318.

AN ACT providing for reports and investigations of accidents on railways. [Additional to chapter six (6) of title ten (X) of the code.]

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

SECTION 1. Railroad commissioners to investigate accidents—report. That upon the occurrence of any serious accident upon any railroad within this state, which shall result in personal injury, or loss of life, the corporation operating the road upon which the accident occurred shall give immediate notice thereof to the board of railroad commissioners whose duty it shall be, if they deem it necessary, to investigate the same, and promptly report to the governor the extent of the personal injuries, or loss of life, and whether the same was the result of mismanagement or neglect of the corporation on whose line the injury or loss of life occurred. Provided, that such report shall not be evidence or referred to in any case in any court.

SEC. 2. In effect. This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 111.

JOINT FREIGHT RATES.

H. F. 282.

AN ACT to repeal sections two thousand one hundred and fifty-three (2153) and two thousand one hundred and fifty-five (2155) of the code, relating to joint freight rates over two or more connecting lines of railway between points within this state, and relating to the power and duties of the board of railroad commissioners, and to enact substitutes therefor.

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

SECTION 1. Repealed—joint rates over connecting lines. That section

two thousand one hundred and fifty-three of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"SECTION 2153. Every owner or consignor of freight to be transported by railway from any point within this state to any other point within this state shall have the right to require that the same shall be transported over two or more connecting lines of railway, to be transferred at the connecting point or points without change of car or cars if in carload lots, and with or without change of car or cars if in less than carload lots, whenever the distance from the place of shipment to destination, both being within this state, is less over two or more connecting lines of railway than it is over a single line of railway, or where the initial line does not reach the place of destination; and it shall be the duty, upon the request of any such owner or consignor of freight, made to the initial company, of such railway companies whose lines so connect, to transport the freight without change of car or cars if the shipment be in a carload lot or lots, and with change of car or cars if it be in less than carload lots, from the place of shipment to destination, whenever the distance from the place of shipment to destination, both being within this state, is less than the distance over a single line, or when the initial line does not reach the point of destination, for a reasonable joint through rate. This section shall apply to interurban railways and their connection with ordinary steam railways."

SEC. 2. **Repealed—schedule of joint rates.** Section two thousand one hundred and fifty-five of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"SECTION 2155. The board of railroad commissioners shall, within ten days after this act takes effect, notify in writing every railway company owning or operating a railway within this state that it will, upon a day named in such notice, which day shall not be more than thirty days after giving said notice, take up for investigation the subject of establishing joint through rates, as herein provided, between the railway lines in this state. It shall also give a similar notice, directed "To whom it may concern", and so publish the same that it will have general circulation throughout the state. All corporations, partnerships and persons interested in the subject may present themselves at the hearing and be heard, under such rules and regulations as the board may prescribe. At the end of the investigation, which shall be carried on with all due diligence, the said board of railroad commissioners shall make and publish a schedule of joint through railway rates for such traffic and on such routes as in its judgment the fair and reasonable conduct of business requires shall be done by carriage over two or more lines of railway, and will promote the interests of the people of this state. In the making thereof, and in changing, revising or adding to the same, the board shall be governed as nearly as may be by the preceding sections of this chapter, and shall take into consideration, among other things, the rates established for shipments within this state for like distances over single lines, the rates charged by the railway companies operating such connecting lines for joint inter-state shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing such rates for shipments in less than carload lots, in cases where at the connecting point or points in the line of shipment the connecting railways have not and are not required to have a common station or stopping place for loading or unloading freight, the board shall make such lawful regulations as in its judgment will be fair and just respecting the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The joint through rates thus established shall be promulgated by mailing a printed copy thereof to each railway

company affected thereby, and shall go into effect within ten days after they are so promulgated; and from and after that time an official printed schedule thereof shall be *prima facie* evidence, in all the courts of this state, that the rates therein fixed are just and reasonable for the joint transportation of such freight between the points and over the lines described therein. The said board shall deliver a printed copy of said schedule to any person making application therefor. The share of any railway company of any joint through rate shall not be construed to fix the charge that it may make for transportation for a similar distance over any part of its line for any single rate shipment or the share of any other joint rate. The board, upon such reasonable notice as it may prescribe, may, upon its own motion or upon the application of any person, firm or corporation interested therein, revise, change or add to any joint through rates fixed or promulgated hereunder; and any such revised, changed or added joint rates shall have the same force and effect as the rate or rates originally established. The said board is empowered to authorize, upon proper hearing, any railway company whose line connects the point of shipment with the point of destination but requires a longer haul than the joint haul over which a joint rate has been established, to charge the joint rate without affecting the charge upon any other part of its line, except that the charge for a like kind of property must not be greater for a shorter than for a longer distance over its railroad, all of the shorter haul being included within the longer. This section shall apply to interurban railways and their connection with ordinary steam railways."

SEC. 3. **In effect.** This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 30, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 112.

FREE TICKETS, PASSES, TRANSPORTATION OR DISCRIMINATING REDUCED RATES.

H. F. 379.

AN ACT to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of chapter ninety (90), laws of the Thirty-first General Assembly.

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

SECTION 1. **Issuance or acceptance of free passes—what prohibited.** No common carrier of passengers shall, directly or indirectly, issue, furnish or give any free ticket, free pass or free transportation for the carriage or passage of any person within this state except as permitted in the second section hereof. Nor shall any common carrier, in the sale of tickets for transportation at reduced rates, discriminate between persons purchasing the same, except the persons described in the second section of this act. Nor shall any person accept or use any free ticket, free pass or free transporta-