

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-

tion except the persons described in said section. The words "free ticket", "free pass", "free transportation" as used in this act shall include any ticket, pass, contract, permit or transportation issued, furnished or given to any person, by any common carrier of passengers, for carriage or passage, for any other consideration than money paid in the usual way at the rate, fare or charge open to all who desire to purchase.

SEC. 2. What permitted. The persons to whom free tickets, free passes, free transportation and discriminating reduced rates may be issued, furnished, or given are the following, to-wit: (a) the officers, agents, employes, attorneys, physicians, and surgeons, of such common carriers of passengers whose chief and principal occupation is to render service to common carriers of passengers; (b) to the families of the persons included in sub-division "a" hereof; (c) the general officers of any such common carrier; (d) employes on sleeping cars, express cars, and linemen of telegraph and telephone companies, railway mail service employes, postoffice inspectors, customs inspectors and immigration inspectors, newsboys on trains, baggage agents; (e) persons injured in wrecks and physicians and nurses attending such persons; (f) passengers traveling with the object of providing relief in cases of railroad accident, general epidemic, pestilence, or other calamitous visitation; (g) necessary caretakers of live stock, vegetables and fruit, including return transportation to forwarding station; (h) the officers, agents or regularly accredited representatives of labor organizations, composed wholly of employes of railway companies; (i) inmates of homes for the reform or rescue of the vicious or unfortunate, including those about to enter and those returning home after discharge, and boards of managers, including officers, and superintendents of such homes; (j) superannuated and pensioned employes and members of their families and widows of such members; (k) employes crippled and disabled in the service of a common carrier of passengers; (l) policemen and firemen of any city wearing the insignia of their office within the limits of such city; (m) ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; (n) indigent, destitute and homeless persons, while being transported by charitable societies or hospitals, and necessary agents, employes in such transportation; (o) school children to and from public or parochial schools; (p) the state fish and game warden, and his car and necessary assistants therewith, when engaged in the performance of official duties.

In any prosecution under this act if it is claimed that a free ticket, free pass or other transportation was wrongfully issued or given to physicians or surgeons, attorneys, agents, employes, it shall be incumbent upon the defendant to prove the character of the service rendered, or to be rendered. The provisions of this act shall not be construed to prohibit the interchange of passes for the persons to whom free tickets, free passes, or free transportation may be furnished or given under the provisions of this section. Nothing in this act shall operate to repeal the provisions of section two thousand one hundred fifty (2150) of the code so far as said section refers to the members of the national guard, nor shall it operate to repeal section two thousand one hundred fifty-one (2151) of the code. Nothing in this act shall be construed to invalidate any existing contract between a street railway company and a city where a condition of a franchise grant requires the furnishing of transportation to policemen, firemen, and city officers, while in the performance of official duties.

SEC. 3. Testimony—immunity from prosecution. No person, within the purview of this act shall be privileged from testifying in relation to anything

herein prohibited, but no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony.

SEC. 4. Penalty. Any common carrier, its officer, agent or representative, violating any of the provisions of this act shall be fined in a sum not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000) for each offense, or in the discretion of the court shall be imprisoned in the county jail for not less than thirty (30) and not more than ninety (90) days; and any person other than the persons excepted in the second section of this act, who accepts or uses any free ticket, free pass or free transportation for carriage or passage within this state shall be subject to a like penalty.

SEC. 5. Names of free pass beneficiaries reported. Every common carrier of passengers within the provisions of this act, shall on or before the first day of February of each year, file with the executive council of the state of Iowa, a sworn statement showing the names of all persons within this state to whom, during the preceding calendar year, it issued, furnished or gave a free ticket, free pass, free transportation or a discriminating reduced rate, except wage earners of common carriers in their ordinary employment and families of such wage earners, and disclosing such further information as will enable the council to determine whether the person to whom it was issued, was within the exception of this act.

SEC. 6. Repealed. When this act takes effect, it shall repeal chapter ninety (90), laws of the thirty-first general assembly, and all acts and parts of acts inconsistent with this act.

Approved April 10, A. D. 1907.

CHAPTER 113.

WEIGHING OF COAL TRANSPORTED IN CAR LOAD LOTS.

S. F. 237.

AN ACT providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to chapter seven (7), title ten (X) of the code.

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

SECTION 1. Amended. That chapter seven, title ten, of the code, be, and the same is hereby amended by adding thereto the following:

"SEC. 2. Track scales—where located—weight certificates. That every person, firm or corporation engaged in operating any railroad within the state of Iowa shall equip the line of its track and thereafter maintain thereon in good order, track scales of sufficient capacity to weigh all carloads of coal that may be transported over the said railroad, and shall weigh the same at the request of any owner, consignor or consignee of such commodities, and furnish written certificates of such weights to such owner, consignor or consignee as hereinafter provided. Such track scales shall be so installed and maintained at all division stations along the line of such railroads within the state of Iowa, and at such other stations as the board of railroad commissioners shall from time to time direct.

"SEC. 3. Weighing of coal at point where shipment originates. That every person, firm or corporation engaged in operating any railroad within the state of Iowa, over which coal, in carload lots shall be transported for hire, shall weigh such coal at point where such shipment originates unless covered