

## CHAPTER 14.

[S. F. No. 46.]

## AN ACT TO PROVIDE FREEDOM OF TRAFFIC IN THE STATE OF MINNESOTA.

70-14  
42-nw 2270-14  
40-M. 353*Be it enacted by the Legislature of the State of Minnesota:*Shall provide  
ample facilities  
for  
transferring.

SECTION 1. All railway companies doing business in this state shall provide ample facilities for transferring cars from their track to any other joining, crossing or intersecting railway track, except in special cases where the interests of the public does not demand it, and such cases shall be determined by the railroad and warehouse commissioners.

Rates.

SEC. 2. All railway companies doing business in this state shall receive and transport freight over such route or routes as the shipper shall direct at reasonable rates; car-load lots shall be transferred without unloading from the cars in which the shipments were first made unless transferred into or upon the connecting railway's cars at actual cost and without unreasonable delay to the shipper.

Commission  
may adjust  
rates in case of  
disagreement.

SEC. 3. When the route selected requires the use of the tracks of more than one railway company, the rate of transportation for the entire distance shall not exceed the rate for an equal distance over the tracks of a single company, except the addition of a reasonable rate of transfer. Where the different railway companies cannot agree upon the division of the earnings arising under this act, the board of railroad and warehouse commissioners shall adjust the same, taking into consideration the value of terminal facilities and all the circumstances of the haul, but in no case shall the aggregate cost to the shipper be increased, but where the several railway companies making up the through route have different schedule of rates over their respective lines, the through rate shall be based upon the average of the schedule of rates on their respective lines.

Penalty.

SEC. 4. Any railway company willfully and maliciously refusing or neglecting to comply with the provisions of this act shall be fined not less than five hundred (500) dollars nor more than one thousand (1,000) dollars for the first offense and not less than one thousand (1,000) dollars for the second offense.

Duty of county  
attorney to  
prosecute.

SEC. 5. Whenever any railway company shall violate the provisions of this act, it shall be the duty of the county attorney in whose county such offense is committed to institute proceedings against the offending company in the district court in the name and at the expense of the state to enforce the provisions and penalties of this act.

SEC. 6. Any railway official who willfully or maliciously refuses or neglects to comply with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one thousand (1,000) dollars.

Deemed guilty of a misdemeanor for non-compliance with this act.

SEC. 7. Whenever the provisions of section six (6) of this act are violated, proceedings against the offender may be instituted upon information by the county attorney or by indictment of the grand jury in the county where the offense is committed.

SEC. 8. All fines accruing from the enforcement of this act shall be covered into the state treasury for the benefit of the school fund.

SEC. 9. This act shall take effect and its provisions shall be in force on and after the first (1st) day of June, eighteen hundred and eighty-seven (1887).

When act to take effect.

Approved March 5th, 1887.

## CHAPTER 15.

[H. F. No. 245.]

### AN ACT REQUIRING RAILWAY COMPANIES TO BUILD AND [KEEP IN] REPAIR HIGHWAY CROSSINGS.

71-15  
130 . . . 89  
39-nw 157

71-15  
43-M . 524

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That all railway companies operating a line or lines of railways in this state, shall build or cause to be built and kept in repair good and sufficient crossings over such line or lines of railway at all points where any public highway is now or may hereafter be intersected by such line or lines of railway.

Shall build and keep in repair good crossings.

SEC. 2. A good and sufficient crossing as required to be built and kept in repair as denominated in section one (1) of this act, shall be, and is hereby construed to be as follows, to wit:

*First*—Of a grade of earth on one or both sides of the railroad track as the location may require, a grade or grades of earth which shall extend along such track for a distance of not less than thirty-two (32) feet, the middle point of which shall be at the middle point of the highway, and such grade shall be of such slope as shall be deemed necessary by the chairman of the board of supervisors or other officer or officers having charge of the highways in the town, district or village where such intersection is located.

Crossing defined.