

## CHAPTER 136—S. F. No. 39.

*An Act relating to railroad freight rates in the State of Minnesota and defining certain duties of the railroad and warehouse commission.*

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

**Commodities defined.**—Section 1. For the purposes of this act the commodities hereinunder named are classified as follows: Wheat, flaxseed, broom corn seed, hemp seed, millet seed, popcorn, castor beans, Hungarian seed, buckwheat, buckwheat flour, potato flour, wheat flour, prepared flour and all uncooked grain or cereal products manufactured from wheat, shall constitute class eleven (11); corn, oats, rye, barley, alfalfa feed, alfalfa meal, bran, brewers' grits, brewers' meal, brewers' refuse (dry), chopped feed other than wheat chops, corn flour, corn meal, cottonseed cake, cottonseed hulls, cottonseed meal, gluten feed, gluten meal, grain screenings, hominy feed, kaffir corn, linseed cake, linseed meal, middlings, shorts, sorghum seed, speltz, wild mustard seed, oat groats, rolled oats, oat dust, oat hulls, oatmeal, rolled rye, rye flour, malt, pearl barley and all uncooked grain or cereal products manufactured from corn, oats or rye shall constitute class twelve (12); lumber, lath, shingles, sash doors and blinds shall constitute class thirteen (13); sheep (when carried in double-deck cars) and cattle shall constitute class fourteen (14); sheep (when carried in single-decked cars) and hogs shall constitute class fifteen (15); hard coal shall constitute class sixteen (16); soft coal shall constitute class seventeen (17th).

**Reasonable maximum rates prescribed.**—Sec. 2. The following are hereby established and declared to be the reasonable maximum rates to be charged by railroad companies as common carriers of property in the state of Minnesota for the transportation, in carload lots, of the commodities belonging to the classes named in section one (1) of this act, between stations in the state of Minnesota for the distances named in the following schedule, to-wit:

Distance in miles.	Rate for Commo- dities in Classifi- cation No. 11 in cents per 100 lbs.	Rate for Commo- dities in Classifi- cation No. 12 in cents per 100 lbs.	Rate for Commo- dities in Classifi- cation No. 13 in cents per 100 lbs.	Rate for Commo- dities in Classifi- cation No. 14 in cents per 100 lbs.	Rate for Commo- dities in Classifi- cation No. 15 in cents per 100 lbs.	Rate for Commo- dities in Classifi- cation No. 16 in dollars and cents per ton.	Rate for Commo- dities in Classifi- cation No. 17 in dollars and cents per ton
5	2.7	2.7	2.7	4.4	4.9	.54	.44
10	3.3	2.8	3.3	5.0	5.5	.62	.49
15	3.8	3.4	3.8	5.5	6.3	.63	.51
20	4.4	3.8	4.4	6.3	6.8	.65	.52
25	4.6	4.0	5.4	6.7	7.6	.69	.54
30	4.8	4.2	5.6	7.4	8.3	.70	.57
35	5.0	4.5	5.8	7.9	9.0	.72	.58
40	5.2	4.6	6.0	8.6	9.7	.74	.59
45	5.4	4.8	6.3	9.2	10.3	.75	.61
50	5.7	5.0	6.5	9.8	11.0	.77	.62
55	5.9	5.1	6.8	10.0	11.3	.81	.64
60	6.1	5.3	7.0	10.2	11.5	.83	.65
65	6.3	5.5	7.4	10.5	11.8	.85	.69
70	6.5	5.8	7.5	10.7	12.0	.87	.70
75	6.7	6.0	7.7	10.9	12.3	.89	.72
80	7.0	6.2	8.1	11.1	12.5	.93	.74
85	7.2	6.3	8.3	11.3	12.7	.95	.75
90	7.4	6.5	8.5	11.5	13.0	.97	.77
95	7.6	6.7	8.7	11.8	13.3	.99	.80
100	7.8	7.0	9.0	12.0	13.5	1.01	.82
105	7.9	7.0	9.2	12.2	13.7	1.04	.83
110	8.1	7.0	9.3	12.4	13.9	1.06	.84
115	8.2	7.2	9.4	12.6	14.3	1.07	.85
120	8.2	7.2	9.4	12.8	14.5	1.08	.86
125	8.3	7.3	9.5	13.0	14.7	1.10	.87
130	8.4	7.4	9.6	13.3	14.9	1.11	.88
135	8.5	7.4	9.8	13.5	15.3	1.12	.92
140	8.5	7.5	9.8	13.7	15.5	1.16	.93
145	8.6	7.6	9.9	13.9	15.7	1.17	.94
150	8.7	7.6	10.0	14.2	15.9	1.19	.95
155	8.8	7.7	10.1	14.4	16.2	1.20	.96
160	8.8	7.8	10.1	14.6	16.4	1.22	.98
165	9.0	7.9	10.4	14.8	16.7	1.24	1.00
170	9.0	7.9	10.4	15.0	16.9	1.29	1.01
175	9.1	8.1	10.6	15.3	17.2	1.31	1.05
180	9.1	8.1	10.6	15.5	17.4	1.33	1.07
185	9.3	8.2	10.7	15.7	17.6	1.35	1.09
190	9.4	8.3	10.8	15.9	17.9	1.37	1.10
195	9.5	8.3	10.9	16.1	18.2	1.42	1.12
200	9.6	8.4	11.0	16.3	18.4	1.44	1.16

Distance in miles.	Rate for Commo- ditites in Classifi- cation No. 11 in cents per 100 lbs.	Rate for Commo- ditites in Classifi- cation No. 12 in cents per 100 lbs.	Rate for Commo- ditites in Classifi- cation No. 13 in cents per 100 lbs.	Rate for Commo- ditites in Classifi- cation No. 14 in cents per 100 lbs.	Rate for Commo- ditites in Classifi- cation No. 16 in cents per 100 lbs.	Rate for Commo- ditites in Classifi- cation No. 16 note previous page	Rate for Commo- ditites in Classifi- cation No. 17 note previous page
210	9.7	8.5	11.1	16.6	18.6	1.48	1.19
220	9.8	8.6	11.2	16.8	18.8	1.54	1.22
230	9.9	8.7	11.4	17.0	19.1	1.58	1.28
240	10.0	8.8	11.6	17.2	19.4	1.63	1.31
250	10.2	8.9	11.8	17.4	19.6	1.68	1.34
260	10.3	9.1	11.9	17.6	19.8	1.72	1.37
270	10.5	9.3	12.0	17.9	20.2	1.78	1.42
280	10.6	9.4	12.2	18.1	20.4	1.82	1.46
290	10.8	9.5	12.4	18.3	20.6	1.87	1.49
300	10.9	9.6	12.5	18.5	20.8	1.92	1.54
310	11.0	9.7	12.6	18.7	21.1	1.94	1.56
320	11.1	9.8	12.8	19.0	21.4	1.96	1.57
330	11.2	9.9	12.9	19.2	21.6	1.99	1.59
340	11.3	9.9	13.1	19.4	21.8	2.02	1.60
350	11.4	10.0	13.2	19.6	22.1	2.04	1.63
360	11.5	10.1	13.3	19.8	22.3	2.06	1.66
370	11.7	10.2	13.4	20.0	22.6	2.08	1.67
380	11.8	10.3	13.5	20.3	22.8	2.11	1.69
390	11.9	10.5	13.6	20.5	23.1	2.13	1.70
400	12.0	10.6	13.7	20.7	23.3	2.16	1.72

**Schedule for unspecified commodities.**—Sec. 3. When the exact distance which a commodity is transported is not given in the foregoing schedule, the carrier may charge the rate specified in the said schedule for the next greater distance. In order to constitute a carload, within the meaning of this act, the weight of the commodities in any one car shall be at least as follows: Class eleven (11) and class twelve (12), twenty-four thousand (24,000) pounds; class thirteen (13), twenty thousand (20,000) pounds; class fourteen (14), nineteen thousand (19,000) pounds; class fifteen (15), fifteen thousand (15,000) pounds; classes sixteen (16) and seventeen (17), thirty thousand (30,000) pounds.

**Schedule in section 2 declared maximum.**—Sec. 4. No railroad company, which is a common carrier of property within the state of Minnesota, shall charge, take or receive any greater sum for carrying within this state, between stations therein any of the commodities named in this act than the respective amounts set forth and provided in section two of this act for the respective distances named therein.

**Power of railroad and warehouse commission.**—Sec. 5. This act shall not in any manner affect the power or authority of the railroad and warehouse commission, except that no duty shall rest upon the railroad and warehouse commission to enforce any rates specifically fixed by this or any other statute of this state. Whenever in a proceeding regularly pending before the railroad and warehouse commission, it shall be made to appear to the satisfaction of said commission that the rates herein prescribed are unreasonable, it may, by order fix higher or lower rates for the transportation of any of the commodities herein mentioned over the line of any railroad in this state, and such rates when so fixed, shall supersede the rates herein prescribed upon said line of railroad, and shall be enforced as prescribed by the law relating to such orders, but until such order shall have been made by said railroad and warehouse commission the rates herein prescribed shall be the exclusive legal maximum rates for the transportation of the commodities herein enumerated between points within this state.

**Railroad companies to adopt, publish and put into effect, rates.**—Sec. 6. Every railroad company transacting the business of a common carrier within this state shall adopt and publish and put into effect rates not exceeding the charges specified herein for the transportation by it between stations upon its line of road in this state of the commodities named in this act; and every officer, director, traffic manager or agent or employe of such railroad company, exercising any authority or being charged with any duty in establishing freight rates for such railroad company, shall cause the adoption, publication and use by such railroad company of rates not exceeding those specified in this act.

**Act not to be construed as raising rates.**—Sec. 7. If, at the time of the taking effect of this act, any railroad is maintaining a rate between any two stations in this state that is less than the rate herein prescribed for the same distance, this act shall not be construed as authorizing the raising of such rate.

**To operate as a continuation of chapter 232, General Laws 1907.**—Sec. 8. This act is intended to operate as a continuation of chapter 232 of the Laws of 1907, and not as a repeal thereof, except that the provisions of said chapter 232 contained in section six thereof, prescribing penalties for the violation thereof, are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 3, 1909.