

LAWS OF WASHINGTON.

CHAPTER I.

[H. B. No. 243.—Session of 1891.]

REGULATION OF FREIGHT RATES.

AN ACT regulating and fixing railroad freight rates in the State of Washington.

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

SECTION 1. No individual, company or corporation, owning, operating, managing, or leasing any railroad, or part of a railroad in this state, shall charge for or receive a greater or higher rate for carrying wheat, barley, flour, or other mill stuffs, potatoes, melons, or hay, than eighty-five per centum of the rates actually charged for carrying said articles or commodities on the first day of December, 1890: *Provided*, That no greater rate than five dollars (\$5.00) a ton shall be charged for carrying the articles or commodities hereinbefore enumerated for a haul of five hundred miles or less.

Rates on farm
and mill
products.

SEC. 2. The maximum rates of freights on all railroads in this state other than on those articles or commodities enumerated in section 1 of this act shall be the rates that were in existence on the first day of December, 1890.

Maximum
rates.

SEC. 3. Any individual, company or corporation, owning, operating, managing or leasing any railroad in this state, feeling that the rates established by sections 1 and 2 of this act are unreasonably low, shall have recourse to courts of competent jurisdiction, which shall grant such relief as may appear just and reasonable.

Relief.

SEC. 4. The maximum rates of freights on all railroads constructed in this state after the first day of December, 1890, or whose rates of freight may be established after

Conformity of rates. the first day of December, 1890, shall be fixed as near in conformity with sections one and two of this act as may be or as is practicable.

Forfeiture of compensation. SEC. 5. In no instance shall any such individual, company or corporation, lessee or other person, charge or receive any greater rate of compensation for carrying freight than hereinbefore provided, and any individual, company or corporation, violating or in any way evading the provisions of this act shall forfeit all right to recover or receive any compensation whatever for the service rendered wherein such violation is attempted, and every agent of any such corporation, lessee, or other individual, operating any railroad within this state who shall refuse to receive for transportation over the railroad for which he is agent, in the usual way, any of the articles hereinbefore mentioned on account of the compensation hereinbefore prescribed being too low, or receiving any such articles of freight, shall charge, or attempt to charge, for the transportation of the same any greater sum than herein allowed, or shall in any manner violate or evade the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine of not exceeding five hundred dollars (\$500.00) for each and every offense, and the injured party shall have a right of action against the railroad company, or other person operating the railroad, or both, in which he shall be entitled to recover the amount taken or received from him in excess of the rates prescribed by this act, together with attorneys' fees and costs of suit. And in all prosecutions for violations of this act by any person, company or corporation, such person, company or corporation making the complaint is authorized to sue in any court of competent jurisdiction in this state.

Penalty.

Who may sue.

Passed the house February 26, 1891.

AMOS F. SHAW,
Speaker of the House.

Passed the senate March 3, 1891.

E. T. WILSON,
President pro tem. of the Senate.

[*Indorsed.*]

HOUSE BILL No. 243, an act regulating and fixing railroad freight rates in the State of Washington.

January 16, 1893.—Special order for January 30th at 10 A. M.

January 30, passed over governor's veto. Ayes 70, nays 2.

T. G. NICKLIN, *Chief Clerk.*

IN THE SENATE.

Made special order for Thursday, February 2d, 10 o'clock A. M.

Passed over governor's veto February 2d. Ayes 30, nays 4.

ALLEN WEIR, *Secretary.*

NOTE BY THE SECRETARY OF STATE.—Filed by the governor, together with his objections thereto, in the office of the secretary of state, March 14th, 1891, being within ten days after the adjournment of the legislature, and laid by the secretary of state before the legislature at its next session on the first day thereof.

J. H. PRICE,
Secretary of State.

CHAPTER II.

[S. B. No. 1.]

LEGISLATIVE EXPENSES.

AN ACT making appropriation for the expenses of the third legislature of the State of Washington.

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

SECTION 1. That there be and there is hereby appropriated out of any money in the treasury of the state, not otherwise appropriated, the sum of sixty thousand dollars, or so much thereof as may be necessary, to pay the per diem and mileage of the members and the salaries of the officers and employes of the present session of the legislature of the State of Washington, and the other expenses of this session.

SEC. 2. This act shall take effect and be in force from and after its passage and approval by the governor.

Approved January 16, 1893.