

RAILROADS (EXCERPT)
Act 300 of 1909

462.25 Rates; classification and regulations prescribed by commission to be prima facie lawful; express companies.

Sec. 25. All rates, fares, charges, classification and joint rates fixed by the commission and all regulations, practices and services prescribed by the commission shall be in force and shall be prima facie, lawful and reasonable until finally found otherwise in an action brought for the purpose pursuant to the provisions of section 26 of this act, or until changed or modified by the commission as provided for in section 24 of this act.

(a) It shall be unlawful for any express company operating or doing business in the state of Michigan to charge or collect a greater amount for the transportation of merchandise or other property within this state than the rates and charges set forth and contained in the schedule of rates, tariffs and classifications on file at each station and office to or from which said rates, tariffs and classifications are intended to apply; a copy of which said schedule of rates, tariffs and classifications shall be filed with the railroad commission by the issuing carrier or some duly authorized agent or representative of such carrier;

(b) It shall be unlawful for any express company operating and doing business in the state of Michigan to discriminate in favor of or against any shipper or shippers or to refuse or fail to receive and transport proffered merchandise or other property, providing such merchandise or other property is a proper subject for shipment by express and in proper condition at the time of presentation for shipment from any point where such express company shall maintain or conduct an office or station, or to or from any junction point or points where the line of such express company intersects with the line of any other express company or to or from any common terminal to any point on its own line, and the charge and compensation for the transportation of such merchandise or other property by 2 or more express companies shall not exceed by 30 per cent the maximum charge for the same distance on any 1 line, such maximum charge being determined as hereinafter prescribed;

(c) All express companies operating within this state shall publish and continue in force and effect through or joint rates between all points at which offices are maintained on the line of all express companies operating within the state of Michigan: Provided, That such express companies may divide charges for transportation in such a manner as to allow participating carriers an agreed minimum proportion when the division of such charges on a mileage basis would not allow a sufficient minimum;

(d) The following schedule of rates shall be the present maximum basic general merchandise schedule chargeable within the state of Michigan:

1 to 55 miles inclusive, 50 cents per 100 pounds;
56 to 75 miles inclusive, 55 cents per 100 pounds;
76 to 85 miles inclusive, 60 cents per 100 pounds;
86 to 95 miles inclusive, 65 cents per 100 pounds;
96 to 105 miles inclusive, 70 cents per 100 pounds;
106 to 130 miles inclusive, 75 cents per 100 pounds;
131 to 150 miles inclusive, 80 cents per 100 pounds;
151 to 170 miles inclusive, 85 cents per 100 pounds;
171 to 190 miles inclusive, 90 cents per 100 pounds;
191 to 210 miles inclusive, 1 dollar per 100 pounds;
211 to 230 miles inclusive, 1 dollar 10 cents per 100 pounds;
231 to 250 miles inclusive, 1 dollar 20 cents per 100 pounds;
251 to 275 miles inclusive, 1 dollar 30 cents per 100 pounds;
276 to 300 miles inclusive, 1 dollar 40 cents per 100 pounds;

(e) The graduated table or schedule of charges now in force relating to shipments of merchandise or other property in quantities less than 100 pounds shall continue in operation except as hereinafter provided;

(f) The Michigan railroad commission shall have control and supervision over all express companies operating within this state, and upon complaint made to it or upon its own motion and after hearing had thereon, in accordance with the rules now in force relative to hearings on complaints by and against common carriers, may from time to time within its discretion change, alter and amend the maximum schedule of rates hereinbefore set forth, and may from time to time upon proper application or upon its own motion and hearing had thereon, as above prescribed, change, alter and amend any graduated table or schedule of charges on merchandise or other property transported or to be transported, the weight of which is less than 100 pounds;

(g) Any express company operating or doing business within the state of Michigan, upon receipt of any property or merchandise, providing such property or merchandise is a proper subject for shipment by express and in proper condition at time of presentation, shall unless otherwise requested by the shipper forward same

via the nearest and most practical route, having in mind the frequency of train service at different junction points.

History: 1909, Act 300, Eff. Sept. 1, 1909;—Am. 1911, Act 139, Imd. Eff. Apr. 25, 1911;—CL 1915, 8133;—CL 1929, 11041;—CL 1948, 462.25.