

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No.

966

Session of
1919.

INTRODUCED BY MR. COLDSMITH, MARCH 17, 1919.

REFERRED TO COMMITTEE ON JUDICIARY SPECIAL,
MARCH 18, 1919.

AN ACT

To amend an act approved the twenty-second day of April one thousand nine hundred and seven (Pamphlet Laws ninety-six) entitled "An act to confer upon street railway companies and the lessees or operators thereof the right to do an express business and to transport light freight and property and to charge and collect reasonable compensation therefor"

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 *section one of an act approved the twenty-second day of*
5 *April one thousand nine hundred and seven (Pamphlet*
6 *Laws ninety-six) entitled "An act to confer upon street*
7 *railway companies and the lessees or operators thereof the*
8 *right to do an express business and to transport light*
9 *freight and property and to charge and collect reasonable*
10 *compensation therefor" which reads as follows*

1 "Section 1 Be it enacted by the Senate and House
2 of Representatives of the Commonwealth of Pennsylvania in
3 General Assembly met and it is hereby enacted by the
4 authority of the same That the right and privilege to
5 do and express business and to transport and carry farm
6 produce garden truck milk merchandise and other light
7 freight and property upon along and over all street rail-
8 ways and to charge and collect a reasonable compensation
9 therefor is hereby extended to and conferred upon all
10 street railway companies including every kind of street rail-
11 way suburban street railway or interurban street railway
12 whether their lines of railways are to be and are main-
13 tained either at the surface or above or below the sur-
14 face of the earth and by whatever power their vehicles
15 are to be and are transported and upon all companies
16 duly authorized to become the lessees or operators of such
17 railways heretofore or hereafter incorporated under the laws
18 of this Commonwealth even though the said street railway
19 companies may have been heretofore restricted as to the
20 kind of power to be employed or in such transportation
21 or may have been forbidden to transport freight or other
22 property Provided That the transportation of said express
23 matter light freight and property and other articles of
24 merchandise mentioned in this act shall be subject to such
25 reasonable regulations as shall be prescribed by the re-
26 spective local authorities of the several cities boroughs and
27 townships through which or within which any street rail-
28 way company may exercise the rights and privileges con-
29 ferred by this act And provided further That the reason-

1 ableness of such regulations shall be subject to the super-
2 vision of the court of common pleas of the county or
3 counties through which or within which any street railway
4 company may exercise the rights and privileges conferred
5 by this act the jurisdiction of which court shall be in-
6 voked by petition of the complaining party or parties”
7 is hereby amended to read as follows

8 Section 1 Be it enacted by the Senate and House
9 of Representatives of the Commonwealth of Pennsylvania in
10 General Assembly met and it is hereby enacted by the
11 authority of the same That the right and privilege to
12 do an express business and to transport and carry farm
13 produce garden truck milk merchandise and other light
14 freight and property upon along and over all street rail-
15 ways and to charge and collect a reasonable compensation
16 therefor is hereby extended to and conferred upon all
17 street railway companies including every kind of street
18 railway suburban street railway or interurban street rail-
19 way whether their lines of railway are to be and are
20 maintained either at the surface or above or below the
21 surface of the earth and by whatever power their vehicles
22 are to be and are transported and upon all companies
23 duly authorized to become the lessees or operators of
24 such railways heretofore or hereafter incorporated under the
25 laws of this Commonwealth even though the said street
26 railway companies may have been heretofore restricted as
27 to the kind of power to be employed or in such trans-
28 portation or may have been forbidden to transport freight
29 or other property Provided That the transportation of said

1 express matter light freight and property and other articles
2 of merchandise mentioned in this act shall be subject to
3 such reasonable regulations as shall be prescribed by the
4 respective local authorities of the several cities boroughs
5 and townships through which or within which any street
6 railway company may exercise the rights and privileges
7 conferred by this act Such regulations shall be subject to
8 supervision modification and control by the Public Service
9 Commission upon petition of any party or parties con-
10 cerned therein

11 Section 2 All such contracts heretofore or hereafter en-
12 tered into by any street railway company which prohibit
13 limit or restrict the rights and privileges extended and
14 conferred by the first section of this act shall be void
15 and of no effect It is hereby declared as a legislative
16 intent that such contracts shall be considered as in re-
17 straint of trade and against public policy