

68TH CONGRESS
1ST SESSION

H. R. 7877

IN THE SENATE OF THE UNITED STATES

MAY 12, 1924

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. PITTMAN to bill (H. R. 7877) making appropriation for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, viz: On page 96, after line 6, insert a new paragraph to read as follows:

1 “That paragraph (1) of section 4 of the Interstate
2 Commerce Act, as amended, is amended to read as follows:

3 “(1) That it shall be unlawful for any common car-
4 rier subject to the provisions of this Act to charge or receive
5 any greater compensation in the aggregate for the trans-
6 portation of passengers, or of like kind of property, for a
7 shorter than for a longer distance over the same line or
8 route in the same direction, the shorter being included within
9 the longer distance, or to charge any greater compensation

1 as a through rate than the aggregate of the intermediate
2 rates subject to the provisions of this Act, but this shall not
3 be construed as authorizing any common carrier within the
4 terms of this Act to charge or receive as great compensation
5 for a shorter as for a longer distance: *Provided*, That upon
6 application to the commission a common carrier by rail
7 may, after public hearing, be authorized by the commission
8 to charge less for longer than for shorter distances for the
9 transportation of passengers or property only in a case
10 where the route via the applicant rail carrier or rail car-
11 riers is longer than via the route of some other rail carrier
12 or rail carriers between the same points; but in exercising
13 the authority conferred upon it in this proviso the commission
14 shall not permit the establishment of any charge to or from
15 the more distant point that is not reasonably compensatory
16 for the service performed; and if a circuitous rail line or route
17 is granted authority to meet the charges of a more direct
18 rail line or rail route to or from competitive points and to
19 maintain higher charges to or from intermediate points on
20 its line, the authority shall not include intermediate points
21 as to which the haul of the petitioning line or route is not
22 longer than that of the direct line or route between com-
23 petitive points: *Provided further*, That the commission may,
24 with or without hearing, upon its own motion or upon appli-
25 cation of carrier or shippers, in cases of emergency, such as

1 drought or disaster, authorize during the continuance of
2 said emergency any common carrier or carriers to charge
3 or receive a greater compensation for a shorter than for a
4 longer distance.

5 “Where any common carrier has, or common carriers
6 have, in effect any rate, fare, or charge which is less for
7 the longer than for the shorter distance between two points
8 (the shorter being included within the longer distance),
9 and which has been authorized by the commission or as to
10 which application was filed with the commission on or
11 before February 17, 1911, and not yet acted upon by it, such
12 rate, fare, or charge shall not become unlawful (except by
13 order of the commission) until after twelve months following
14 the passage of this amendatory Act; nor shall such rate,
15 fare, or charge in effect via circuitous rail carrier or rail
16 carriers become unlawful if it shall have been authorized by
17 order of the commission, after public hearings, based on no
18 less a showing than that upon which the commission is
19 herein authorized to grant relief: *Provided*, That nothing in
20 this section contained shall prevent the commission from
21 authorizing or approving departures from the provisions of
22 this section in so far as applicable to import or export
23 rates, including rates applicable to traffic coming from or
24 destined to a possession or dependency of the United States,
25 or to a block system of express rates established by order

1 or with the approval of the commission, or permitted by
2 it to be filed.'

3 "Paragraph 2 of section 4 of the Interstate Commerce
4 Act, as amended, is hereby repealed."

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