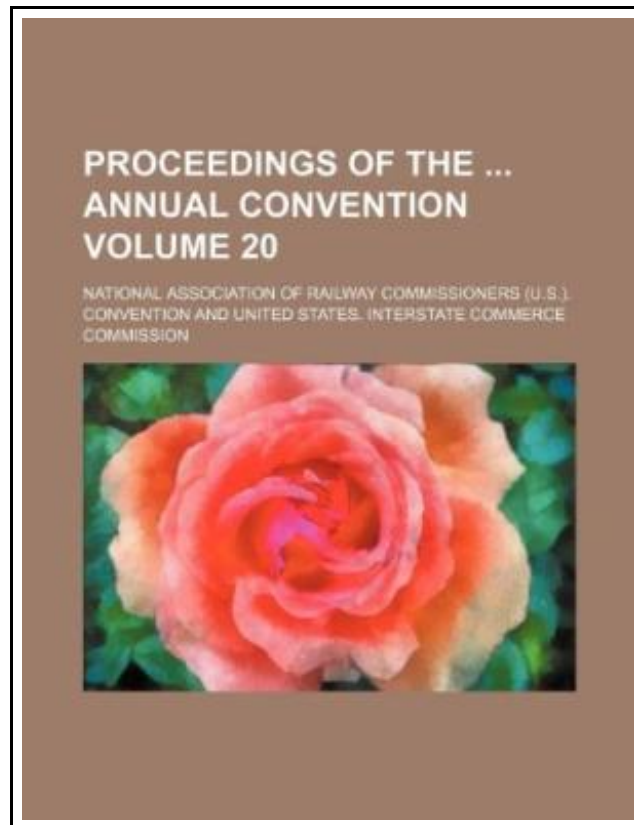


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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1909 Excerpt: .to find for or against the rule, but, as noted above, it has since been condemned in the recent case of Baltimore Ohio Railroad Company v. Pitcairn Coal Company. The net results of these decisions may be fairly summarized as follows: (1) The carrier is under a legal duty to furnish cars to shippers upon reasonable request therefor. (2) All cars on the carrier s tracks--with the possible exception of the carrier s own fuel cars--must be regarded as part of its commercial equipment, distributable among shippers without discrimination. (3) In time of car shortage the requirements of each shipper must be fairly ascertained, and the available car supply prorated accordingly (4) Private or individual cars must be regarded as a part of the carrier s commercial equipment and therefore chargeable against the distributive shares of the shippers using them. (5) Foreign fuel cars must be regarded as part of the carrier s commercial equipment and chargeable against the distributive shares of the mines using them. (G) The decisions are not harmonious with respect to the status of the carrier s own fuel cars, but the United States Circuit Court of Appeals for the Fourth Circuit and the Interstate Commerce Commission have ruled that these cars must be regarded as part of the carrier s commercial equipment and chargeable against the distributive shares of the mines to which they are assigned. (7) The courts are not agreed as to the proper basis for rating the capacity...



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