

In March , the Railroad Control Act was passed into law. It stated that within 21 months of a peace treaty, the railroads would be returned by the government to their owners and that the.

ROSB is responsible for enforcing both state and federal laws, regulations, Commission General Orders, and directives relating to the transportation of persons and commodities by rail. Federal Law Federal law establishes a close relationship between states and the Federal Railroad Administration FRA and affirms the commitment both entities share toward ensuring rail safety. Under California Public Utilities Codes, CPUC rail safety inspectors are federally certified to enforce both state and federal laws, regulations, orders, and directives related to rail transportation. Public Utilities Code sections: SED shall advise the commission on all matters relating to rail safety, and shall propose to the commission rules, regulations, orders, and other measures necessary to reduce the dangers caused by unsafe conditions on the railroads of the state. SED shall exercise all powers of investigation granted to the commission, including rights to enter upon land or facilities, inspect books and records, and compel testimony. The commission shall employ sufficient federally certified inspectors to ensure at the time of inspection that railroad locomotives and equipment and facilities located in class I railroad yards in California are inspected not less frequently than every days, and all main and branch line tracks are inspected not less frequently than every 12 months. SED shall, with delegated commission attorneys, enforce safety laws, rules, regulations, and orders, and to collect fines and penalties resulting from the violation of any safety rule or regulation. The activities of the consumer protection and safety division that relate to safe operation of common carriers by rail, other than those relating to grade crossing protection, shall also be supported by the fees paid by railroad corporations. GO B, Resolution ROSB Section The commission shall investigate the cause of all accidents occurring within this State upon the property of any public utility or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the commission, investigation by it, and may make such order or recommendation with respect thereto as in its judgment seems just and reasonable. GO B Section The commission shall annually determine a fee and is permitted to expend funds for specified purposes. The commission shall hire four additional operating practices inspectors who shall become federally certified. Section Whenever the commission finds that rules, practices, equipment, appliances, facilities, or service of any public utility are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the commission shall fix the rules. GO B Section The commission shall dedicate sufficient resources necessary to adequately carry out the State Participation Program for the regulation of rail transportation of hazardous materials as authorized by the Hazardous Material Transportation Uniform Safety Act of P. On or before July 1, , the commission shall hire a minimum of six additional rail inspectors who are or shall become federally certified, consisting of three additional motive power and equipment inspectors, two signal inspectors, and one operating practices inspector, for the purpose of enforcing compliance by railroads operating in this state with state and federal safety regulations. On or before July 1, , the commission shall establish, by regulation, a minimum inspection standard to ensure, at the time of inspection, that railroad locomotives, equipment, and facilities located in class I railroad yards in California will be inspected not less frequently than every days, and inspection of all branch and main line track not less frequently than every 12 months. Commencing July 1, , in addition to the minimum inspections undertaken, the commission shall conduct focused inspections of railroad yards and track, either in coordination with the Federal Railroad Administration, or as the commission determines to be necessary. The focused inspection program shall target railroad yards and track that pose the greatest safety risk, based on inspection data, accident history, and rail traffic density. Section The commission may, after a hearing, require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. The commission may prescribe, among other things, the installation, use, maintenance, and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices at grade crossings or junctions and block or other systems

of signaling. The commission may establish uniform or other standards of construction and equipment, and require the performance of any other act which the health or safety of its employees, passengers, customers, or the public may demand. Section Requires a railroad to place appropriate signage to notify an engineer of an approaching grade crossing and establishes standards for the posting of signage and flags, milepost markers, and permanent speed signs. Permits the commission to conduct inspections to facilitate the review, and permits the commission to order a rail operator to improve, modify, or change its program to comply with the requirements of this article. Permits the commission to fine a rail operator for failure to comply with the requirements of this section or an order of the commission pursuant to this section. Precludes every rail operator from leaving locomotive equipment running while unattended or unlocked, from using remote control locomotives to move hazardous materials over a public crossing, unless under specified circumstances. GO Section Section Requires every railroad that transports hazardous materials to provide a system map showing mileposts, stations, terminals, junction points, road crossings, and location of pipelines in its rights of way. Section Requires the commission to provide annual report to the Legislature on hazardous sites. Requires the commission to identify local safety hazards on California railroads, and to report on recent California railroad accident history. Specifically, the commission is to list all derailment accident sites in the state on which accidents have occurred within at least the past five years, and indicate whether the accidents occurred at or near sites that the commission has determined to pose a local safety hazard. Requires the commission to collect and analyze near-miss data. Search here to read full text of Public Utilities Codes General Orders General Orders GO cover regulatory requirements such as the reporting of accidents on railroads, clearances on railroad and street railroads as to side and overhead structures, parallel tracks and crossings, and posting of railroad timetables and changes. Reports of accidents on railroads GO D Clearances on railroads and street railroads a to side and overhead structures, parallel tracks and crossings Filing and posting of railroad timetables and changes Uniform standards for grade crossing construction GO D Uniform standards for warning devices for at-grade crossings to reduce hazards associated with persons traversing at-grade crossings Construction, reconstruction and maintenance of walkways and control of vegetation adjacent to railroad tracks Requirements for the contents of First-Aid kits provided by common carrier railroads Occupancy of public grade crossings by railroads Rules and regulations governing the transportation of hazardous materials by rail Commission Decisions and Resolutions The Railroad Citation Program and Appeal Procedure ROSB establishes a civil penalty citation program for enforcing compliance with safety requirements for railroad carriers throughout California.

Chapter 2 : United States Railroad Administration - Wikipedia

Federal control extended over the steam and electric railroads with their owned or controlled systems of coastwise and inland water transportation, terminals, terminal companies, terminal associations, sleeping and parlor cars, private cars, private car lines, elevators, warehouses, and telephone and telegraph lines.

The societal and economic dangers of monopolies are clear. To combat the effects of these large corporations, the government has tried, through both legislation and court cases, to regulate monopolistic businesses. Though the strategies that the US has followed have varied, the aim of curbing market hegemony has been relatively constant. Though examples of attempts at government regulation are widespread, three stand out from the rest: Most regulation in its early history revolved around the railroad industry. At first, the responsibility of control of public industries fell on the individual states. However, the ineffectual legislation that was passed and the inability to control railroad monopolies made the need for federal regulation painfully apparent. The passage of the Interstate Commerce Act in created the first interstate regulatory committee. Though this group was not extremely effective in curbing the practices of the railroad, the precedent for federal regulation had been set. Later legislation, such as the Sherman and Clayton Anti-Trust Acts had more of an effect on large businesses. The latter bill created the Federal Trade Commission , which is the major regulatory body of monopolies today. The important question that arises from regulation is: Why does the government feel that it must control big businesses? Does this not violate the principles of freedom outlined in the Constitution? Indeed, the government never tried to stifle a corporation simply because it was strong. Instead, regulation exists to preserve competition and the freedom for smaller companies to enter the market. If one company controls the market share, smaller groups will never be able to flourish. For example, the dominance of Microsoft in recent years has raised the question of whether its practices are monopolistic. Because the corporation controls the majority of the market in nearly all of its markets, there is an overwhelming social pressure for regulation. The earliest regulatory measures were not as focused on competition, however. The goal was to protect the consumer. For example, the Grangers 19th Century farmers felt that they were being oppressed by unfair practices of the railroads. There was great social unrest in this population because of the practices of large corporations. To avoid revolt and turmoil, the state government passed the Granger Laws. This group of legislation was essentially an attempt to appease the troubled farmers. It was not until the end of the 19th Century and the beginning of the 20th that regulation made the turn toward preserving competition. Another trend in regulation is the unfortunate tendency of legislation to have little effect. Most of the laws created to control railroads were simply ignored by the large corporations. Similarly, the action of the Federal Trade Commission against Microsoft is often viewed as a trifle. Judge Stanley Sporkin rejected the June decision regarding the Microsoft monopoly, saying that the ruling was a mockery and that stricter control must be taken. Most attempts at federal regulation have been mediated, modulated, or amended until they lose much of their original bite. Clearly social and governmental history has shown an ever-present desire to curb the growth of corporations. The dangers of allowing one company to assume supremacy over a market have frightened the government into regulation. Though, in many instances, the legislation fails to achieve its original goal, governmental regulation has become a standard in interstate and international commerce. America was founded on the principle of free trade and freedom of competition. Therefore, the government has assumed the responsibility of preventing the formation of monopolies and curbing unfair practices of large corporations.

The Federal Railroad Administration (FRA) today announced that it is hosting a webinar on Monday, June 4, to aid eligible entities seeking funding for positive train control (PTC) system deployment under a recently issued \$ million Notice of Funding Opportunity (NOFO).

Custom Search Railway Control Act [March 21,] An Act To provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes. That any railway operating income accruing during the period of Federal control in excess of such just compensation shall remain the property of the United States The average annual railway operating income shall be ascertained by the Interstate Commerce Commission and certified by it to the President. Its certificate shall, for the purpose of such agreement, be taken as conclusive of the amount of such average annual railway operating income Every such agreement shall also contain adequate and appropriate provisions for the maintenance, repair, renewals, and depreciation of the property, for the creation of any reserves or reserve funds found necessary in connection therewith, and for such accounting and adjustments of charges and payments, both during and at the end of Federal control as may be requisite in order that the property of each carrier may be returned to it in substantially as good repair and in substantially as complete equipment as it was in at the beginning of Federal control, and also that the United States may, by deductions from the just compensations or by other proper means and charges, be reimbursed for the cost of any additions, repairs, renewals, and betterments to such property not justly chargeable to the United States The President is further authorized in such agreement to make all other reasonable provisions, not inconsistent with the provisions of this Act or of the. If the President shall find that the condition of any carrier was during all or a substantial portion of the period of three years ended. That every railroad not owned, controlled, or operated by another carrier company, and which has heretofore competed for traffic with a railroad or railroads of which the President has taken possession, use, and control, or which connects with such railroads and is engaged as a common carrier in general transportation, shall be held and considered as within " Federal control," as herein defined, and necessary for the prosecution of the war, and shall be entitled to the benefit of all the provisions of this Act: Provided, however, That nothing in this paragraph shall be construed as including any street or interurban electric railway which has as its principal source of operating revenue urban, suburban, or interurban passenger traffic, or sale of power, heat and light, or both That if no agreement is made, or pending the execution of an agreement, the President may nevertheless pay to any carrier while under Federal control an annual amount, payable in reasonable installments, not exceeding ninety per centum of the estimated annual amount of just compensation, remitting such carrier, in case where no agreement is made, to its legal rights for any balance claimed to the remedies provided in section three hereof. Any amount thereafter found due such carrier above the amount paid shall bear interest at the rate of six per centum per annum That all claims for just compensation not adjusted as provided in section one shall, on the application of the President or of any carrier, be submitted to boards, each consisting of three referees to be appointed by the Interstate Commerce Commission, members of which and the official force thereof being eligible for service on such boards without additional compensation The President is authorized to enter into an agreement with such carrier for just compensation upon a basis not in excess of that reported by such boards and may include therein provisions similar to those authorized under section one. Failing such agreement, either the United States or such carrier may file a petition in the Court of Claims for the purpose of determining the amount of such just compensation, and in the proceedings in said court the report of said referees shall be prima facie evidence of the amount of just compensation and of the facts therein stated. Proceedings in the Court of Claims under this section shall be given precedence and expedited in every practicable way. That the just compensation that may be determined as hereinbefore provided by agreement or that may be adjudicated by the Court of Claims, shall be increased by an amount reckoned at a reasonable rate per centum to be fixed by the President upon the cost of any additions and betterments, less retirements, and upon the cost of road extensions to the property of such carrier made by such carrier with the approval of or by order of the

President while such property is under Federal control. That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ended. Provided, however, That such carriers as have paid no regular dividends or no dividends during said period may, with the prior approval of the President, pay dividends at such rate as the President may determine. The President may also make or order any carrier to make any additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other equipment necessary or desirable for war purposes or in the public interest on or in connection with the property of any carrier. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other necessary equipment so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced. Any loss claimed by any carrier by reason of any such additions, betterments, or road extensions so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section three hereof. From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the utilization and operation of canals, or for the purchase, construction, or utilization and operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways, and may in the operation and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall deem in the public interest. That for the purpose of providing funds requisite for maturing obligations or for other legal and proper expenditures, or for reorganizing railroads in receivership, carriers may, during the period of Federal control, issue such bonds, notes, equipment trust certificates, stock, and other forms of securities, secured or unsecured by mortgage, as the President may first approve as consistent with the public interest. The President may, out of the revolving fund created by this Act, purchase for the United States all or any part of such securities at prices not exceeding par, and may sell such securities whenever in his judgment it is desirable at prices not less than the cost thereof. That the President may execute any of the powers herein and heretofore granted him with relation to Federal control through such agencies as he may determine, and may fix the reasonable compensation for the performance of services in connection therewith, and may avail himself of the advice, assistance, and cooperation of the Interstate Commerce Commission and of the members and employees thereof, and may also call upon any department, commission, or board of the Government for such services as he may deem expedient. But no such official or employee of the United States shall receive any additional compensation for such services except as now permitted by law. That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control. In determining any question concerning any such rates, fares, charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition. After full hearing the commission may make such findings and orders as are authorized by the Act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said Act. That moneys and other property derived from the operation of the carriers during Federal control are hereby declared to be the property of the United States. Unless otherwise directed by the President, such moneys shall not be covered into the Treasury, but such moneys and property shall remain in the custody of the same officers, and the accounting thereof shall be in the same manner and form as before Federal control. Disbursements therefrom

shall, without further appropriation, be made in the same manner as before Federal control and for such purposes as under the Interstate Commerce Commission classification of accounts in force on. That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for a reasonable time hereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace- Provided, however, That the President may, prior to. The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished, SEC. That nothing in this Act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transportation of troops, war materials, Government supplies, or the issue of stocks and bonds. That this Act is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof. Approved, March 21, 1918. Explore our complete time lines of major events in American history as well as World History. Research our special sections on diverse subjects ranging from presidential elections to naval history. Whatever aspect of history you wish learn about, you will find it at Historycentral.

Chapter 4 : Railway Control Act [March 21,]

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Nashville, Chattanooga, and St. Louis railroad depot in Chattanooga. Railroads Written by Edward A. Johnson 12 minutes to read Tennesseans considered railroads as early as 1795, when a rail connection between the Hiwassee and Coosa Rivers was proposed. The general assembly granted six charters in 1800 for railroad construction, but these early efforts failed when financial support did not materialize. Early railroad fever struck hardest in East Tennessee. Beginning in 1817, Dr. Ramsey of Knoxville advocated a rail connection between South Carolina and Tennessee. In the Rogersville Rail-Road Advocate possibly the first railroad newspaper in the United States favored an Atlantic connection through Virginia. West Tennesseans also envisioned connections to the Atlantic coast. Another scheme attempted to link Memphis with Baltimore. When the state-stock system stumbled after the Panic of 1837, the ironic outcome was completion of Middle Tennessee turnpikes rather than railroads. The state aid laws were repealed in 1840 under Governor James K. Polk. Although in force only a few years, the state internal improvement laws spurred some railroad developers to action. The Hiwassee Railroad did not qualify for the state subscription but began construction in 1838 near Athens. The LaGrange and Memphis Railroad was the only railroad to qualify for state subscription, and in 1838 it became the first railroad to actually operate a train in Tennessee. A few months later the county sheriff took possession due to unpaid court judgments. Incorporated in 1838, it reached Chattanooga by 1842. It was the only state-aided railroad to avoid financial loss to the state. Associated branch lines were completed in the 1840s: Construction began at Hickman, but the line had been extended eastward only to McKenzie by the Civil War; the eastern end ran only a few miles from Nashville, where it was captured by the Union army, who continued it to Johnsonville on the Tennessee River the remaining gap was completed after the war. Running from Dalton via Athens and Loudon to Knoxville by 1842, it was the second railroad completed in Tennessee. A more direct route between Cleveland and Chattanooga was completed in 1845. Nashville gained rail access to the North through Kentucky. Competitive subscriptions among local governments determined its Tennessee route. Completed in 1845, it hosted an excursion intended to preserve the Union. Several other Middle Tennessee railroads provided Nashville connections. Memphis also established railroad access to Louisville: Tennesseans took preliminary steps to begin a transcontinental route through Memphis, Little Rock, and El Paso, but the Civil War dashed any hopes that the South would participate in a railroad to the Pacific. Tennessee railroad equipment of the 1840s was primitive. Railroad track mostly unballasted consisted of light T-section wrought-iron rail on untreated crossties. Tennessee track adopted the usual Southern broad gauge of five feet. The typical steam locomotive was the American type, characterized in the Whyte system as the four leading wheels, four drive wheels, no trailing wheels. Colorfully painted and picturesquely named, they were wood fueled, requiring a distinctive balloon smoke stack. Rolling stock utilized wooden construction, link-and-pin couplers, cast iron wheels, and hand brakes. Freight cars were limited to boxcars, flatcars, and gondolas. Passenger cars were crude open air coaches equipped with wood stoves, kerosene lamps, and hand-pumped water. Antebellum railroad depots in larger cities were substantial brick buildings, but elsewhere they were simple wooden structures, often lacking protective canopies for passengers or freight loading ramps. Southern railroads represented only about 30 percent of the total national rail mileage, and they were comparatively small organizations with inferior equipment running on lighter rail. Johnston realized that Nashville was indefensible and retreated toward Murfreesboro. Plans to evacuate supplies from Nashville faltered when panicked citizens and bridge washouts overwhelmed southbound railroads. Johnston, aware that he could not defend both Middle Tennessee and the Mississippi, decided to protect the river and Memphis. Using railroads extensively, Johnston concentrated troops from all over the Confederacy at Corinth. Meanwhile, Federal General Ulysses S. Grant gathered his forces at nearby Pittsburg Landing on the Tennessee River. The two forces met in a major battle near Shiloh Church in April 1862. Johnston was killed, and the Confederates retreated, leaving Union forces in control of the

only Confederate rail line between Virginia and the Mississippi River. The outcome disabled Confederate rail transport west of Chattanooga and north of Vicksburg and permitted Union rail access southward to Alabama and Mississippi and eastward to Stevenson, Alabama, near the important rail junction of Chattanooga. Grant was assigned to guard the railroads providing communication with the Mississippi, and General Don Carlos Buell was assigned to take Chattanooga. Forrest and John H. Grant created a defensive railroad triangle encompassing Memphis, Humboldt, and Corinth. The Confederates decided to concentrate additional forces at the center where Bragg and Rosecrans were evenly matched. In a remarkable transportation feat, Confederate troops traveled by rail from Virginia 1,000 miles by a difficult indirect route, necessary because Federals had taken Knoxville, while others marched from Mississippi. Rosecrans recklessly pursued Bragg until the Confederates delivered a severe blow at Chickamauga, forcing the damaged Federal army to retreat back to Chattanooga. With Federal forces reduced to near starvation, Secretary of War Edwin Stanton devised an ambitious plan for the massive railroad transport of Federal troops from Virginia to relieve the siege of Chattanooga. Thomas who had replaced Rosecrans and Grant used these forces to conquer Chattanooga, effectively delivering all of Tennessee to Federal control. This amazing transportation feat proved that, under the control of strong centralized authority, railroads could project substantial military force across great distances within a short time. In Confederate General John B. Hood conducted raids against the Federal rail lines to Chattanooga. Hood invaded Tennessee, hoping that the Federals would follow him to supposedly advantageous terrain. Sherman sent Generals Thomas and John Schofield to Tennessee, where they defeated the Confederates at the battles of Franklin and Nashville in late 1864. Although the Confederate railroads had served their military forces well, when Federal forces secured control of the Southern railroad network, they solidified access to the superior manufacturing capabilities of the North, which ultimately led to Union victory. However, widespread corruption among legislators and railroad officials led to fraudulent use of the funds. Investigative committees had little effect, and suggestions of repudiating bonds were silenced by threats of military reconstruction by Washington Radicals. Brownlow was succeeded by DeWitt C. Senter, who eventually abandoned Radicalism and worked with the Conservative legislature to reverse Radical measures. In the general assembly and Governor Albert S. Marks uncovered the flagrant corruption of railroad and government officials. Especially during the 1850s, Tennessee railroads expanded substantially. The railroad network nearly tripled its antebellum size to a substantial 3,000 miles by 1860. Simultaneously, railroad track and equipment evolved into more sophisticated forms for more effective passenger and freight transportation. Amazingly, these three large systems would continue to maintain their corporate identities for nearly a century! The Southern Railway Security Company, controlled by the Pennsylvania Railroad, pioneered use of a holding company to consolidate Southern railroads: The Pennsylvania abandoned its southern initiative after the Panic of 1857. These companies entered receivership in 1862, and J. Morgan reorganized them by 1865 to form the long-lived Southern Railway. A massive effort converted the antebellum Southern broad gauge track five feet between rails to the national standard gauge four feet, eight and one half inches, eliminating many costly transfers at junction points. Track was ballasted and made more robust, and steel rail was introduced in the 1860s. Railroads began to use creosote on wooden bridges and trestles cross-ties remained untreated, and metal components appeared on large bridges. Locomotives grew larger and used more efficient coal fuel. Specialized freight locomotives such as the Mogul in the 1850s and the Consolidation in the 1860s appeared, and by the 1870s, Ten Wheeler passenger engines had begun to ply the tracks. Wooden construction still dominated rolling stock, but refinements included air brakes in the 1850s, steel-tired wheels about 1860, and automatic couplers required by the Federal Safety Appliance Act of 1865. By the 1870s passenger cars acquired gas lighting, enclosed vestibules, and steam heating. By the 1880s passenger cars had wide vestibules, air-pressured water supplies, and electric lights powered by axle generators and batteries. The Railway Post Office car appeared in 1862, and sleeping cars invented in the North in 1865, but slowly adopted in the South became more common. Freight cars increased in capacity, some utilizing steel underframes as early as the 1850s. Ice-bunker reefers for refrigerated fresh produce appeared in the 1870s. Depots acquired formal stylistic traits, although there was a divergence between urban and rural stations. Many rural depots displayed Carpenter Gothic features, while others exhibited Stick, Eastlake, and Queen Anne characteristics. Some railroads adopted standardized designs and color schemes for their buildings. The

mountainous topography of East Tennessee led to the creation of unusual lines which were uniquely configured to accommodate sharp curves and steep grades. These railroads adopted narrow gauge three feet track and geared locomotives to access valuable but remote resources. The first two decades of the twentieth century involved moderate growth for Tennessee railroads, culminating in the all-time maximum state rail mileage of 4, miles in Creosote treatment previously confined to bridges and trestles finally was extended to crossties around More powerful locomotives evolved, including the Mikado for freight and the Pacific for passenger use. Passenger cars obtained steel underframes, and by all-steel coaches and diners appeared. Freight cars grew in size and developed steel-framed superstructures. Sophisticated signaling and control systems evolved, contributing to both efficiency and safety. A centralized system which consolidated operational activities and facilities during the war replaced rivalry between competitors.

A version of this archives appears in print on July 7, , on Page 2 of the New York edition with the headline: FEDERAL CONTROL OF RAILROADS.; Several Bills Offered in the Senate to Prevent.

Director General of Railroads v. Certiorari to the Supreme Court of New York to review a judgment for damages recovered by the respondent from the petitioner in an action for false imprisonment. The judgment was affirmed by the Appellate Division, and leave to appeal to the Court of Appeals was denied. Supreme Court Director General of Railroads v. The judgment was affirmed by the Appellate Division of the Supreme Court, and a motion for leave to appeal was denied by the Court of Appeals of the state. The brief for petitioner on the merits states the single question to be: Twenty-one tubs of butter were taken from a freight car of the Lehigh Valley Railroad in Buffalo. A trolley car of that city, late at night, collided with a horse and wagon, and, in the wreck which followed, the stolen tubs of butter were discovered. Two men who had been driving the wagon escaped. The detective force of the railway company sought to discover the owner of the horse, and thought they had traced the ownership to Kastenbaum, who was a huckster. They took him to a police station, and kept him there overnight and until he was released the next day on bail. He was brought to a hearing before an examining magistrate on a charge of grand larceny and burglary. After four or five adjournments at the instance of the prosecution, the magistrate discharged Kastenbaum. His horse proved to be one of another color. Under the charge of the court, the jury were permitted to return only compensatory damages. Section 10 of the Federal Control Act provides: Actions at law or suits in equity may be brought by and against such carriers and judgments rendered as now provided by law, and in any action at law or suit in equity against the carrier, no defense shall be made thereto upon the ground that the carrier is an instrumentality or agency of the federal government. As we said in *Missouri Pacific R.* The gist of it is an unlawful detention, and, that being shown, the burden is on the defendant to establish probable cause for the arrest. The want of probable cause, certainly in the absence of proof of guilt or conviction of the plaintiff, is measured by the state of Page U. It means the absence of probable cause known to the defendant when he instituted the suit. The question is not whether he thought the facts to constitute probable cause, but whether the court thinks they did. Holmes on the Common Law, Probable cause is a mixed question of law and fact. The court submits the evidence of it to the jury, with instructions as to what facts will amount to probable cause if proved. Counsel for petitioner contends that, in an action against the sovereign government, it must be conclusively presumed that good faith existed upon its part so far as it is responsible for the arrest, and therefore that a complete defense of probable cause on its part is always made out. But, as we have seen, good faith is not enough to constitute probable cause. Such a corporation would clearly be responsible for an arrest of the kind here shown if without probable cause and made by one of its detectives employed to protect the property entrusted to its care as a common carrier. It is within the scope of the agency of such an employee to discover the perpetrators of crime against the property in order to recover it and to procure the arrest of supposed offenders and their prosecution and conviction in order to deter others from further depredations. If, in the field of such employment, the agent acts without probable cause and an illegal arrest without judicial warrant is made, the corporation Page U. Director General of Railroads, Mass. We have not before us the question whether the Director General might be held for exemplary damages in a case like this under the restrictions of Order No. Justia case law is provided for general informational purposes only, and may not reflect current legal developments, verdicts or settlements. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or information linked to from this site. Please check official sources. Justia Annotations is a forum for attorneys to summarize, comment on, and analyze case law published on our site. Justia makes no warranties or guarantees that the annotations are accurate or reflect the current state of law, and no annotation is intended to be, nor should it be construed as, legal advice. Contacting Justia or any attorney through this site, via web form, email, or otherwise, does not create an attorney-client relationship. Receive free daily summaries of US Supreme Court opinions.

Chapter 6 : Federal laws, State laws, and CPUC General Orders on Railroads

The Federal Railroad Administration (FRA) is responsible for overseeing railroads' (including commuter railroads') implementation of positive train control (PTC) by December 31, PTC is a communications-based train control system designed to prevent certain types of accidents and involves the installation, integration, and testing of.

Sponsored Links Railway Control Act March 21, An Act To provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes. That any railway operating income accruing during the period of Federal control in excess of such just compensation shall remain the property of the United States The average annual railway operating income shall be ascertained by the Interstate Commerce Commission and certified by it to the President. Its certificate shall, for the purpose of such agreement, be taken as conclusive of the amount of such average annual railway operating income Every such agreement shall also contain adequate and appropriate provisions for the maintenance, repair, renewals, and depreciation of the property, for the creation of any reserves or reserve funds found necessary in connection therewith, and for such accounting and adjustments of charges and payments, both during and at the end of Federal control as may be requisite in order that the property of each carrier may be returned to it in substantially as good repair and in substantially as complete equipment as it was in at the beginning of Federal control, and also that the United States may, by deductions from the just compensations or by other proper means and charges, be reimbursed for the cost of any additions, repairs, renewals, and betterments to such property not justly chargeable to the United States The President is further authorized in such agreement to make all other reasonable provisions, not inconsistent with the provisions of this Act or of the If the President shall find that the condition of any carrier was during all or a substantial portion of the period of three years ended That every railroad not owned, controlled, or operated by another carrier company, and which has heretofore competed for traffic with a railroad or railroads of which the President has taken possession, use, and control, or which connects with such railroads and is engaged as a common carrier in general transportation, shall be held and considered as within "Federal control," as herein defined, and necessary for the prosecution of the war, and shall be entitled to the benefit of all the provisions of this Act: Provided, however, That nothing in this paragraph shall be construed as including any street or interurban electric railway which has as its principal source of operating revenue urban, suburban, or interurban passenger traffic, or sale of power, heat and light, or both Section 2 That if no agreement is made, or pending the execution of an agreement, the President may nevertheless pay to any carrier while under Federal control an annual amount, payable in reasonable instalments, not exceeding ninety per centum of the estimated annual amount of just compensation, remitting such carrier, in case where no agreement is made, to its legal rights for any balance claimed to the remedies provided in section three hereof. Any amount thereafter found due such carrier above the amount paid shall bear interest at the rate of six per centum per annum Section 3 That all claims for just compensation not adjusted as provided in section one shall, on the application of the President or of any carrier, be submitted to boards, each consisting of three referees to be appointed by the Interstate Commerce Commission, members of which and the official force thereof being eligible for service on such boards without additional compensation The President is authorized to enter into an agreement with such carrier for just compensation upon a basis not in excess of that reported by such boards and may include therein provisions similar to those authorized under section one. Failing such agreement, either the United States or such carrier may file a petition in the Court of Claims for the purpose of determining the amount of such just compensation, and in the proceedings in said court the report of said referees shall be prima facie evidence of the amount of just compensation and of the facts therein stated. Proceedings in the Court of Claims under this section shall be given precedence and expedited in every practicable way. Section 4 That the just compensation that may be determined as hereinbefore provided by agreement or that may be adjudicated by the Court of Claims, shall be increased by an amount reckoned at a reasonable rate per centum to be fixed by the President upon the cost of any additions and betterments, less retirements, and upon the cost of road extensions to the property of such carrier made by such carrier with the

approval of or by order of the President while such property is under Federal control. Section 5 That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ended Provided, however, That such carriers as have paid no regular dividends or no dividends during said period may, with the prior approval of the President, pay dividends at such rate as the President may determine. The President may also make or order any carrier to make any additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other equipment necessary or desirable for war purposes or in the public interest on or in connection with the property of any carrier. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other necessary equipment so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced. Any loss claimed by any carrier by reason of any such additions, betterments, or road extensions so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section three hereof. From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the utilization and operation of canals, or for the purchase, construction, or utilization and operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways, and may in the operation and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall deem in the public interest. Section 7 That for the purpose of providing funds requisite for maturing obligations or for other legal and proper expenditures, or for reorganizing railroads in receivership, carriers may, during the period of Federal control, issue such bonds, notes, equipment trust certificates, stock, and other forms of securities, secured or unsecured by mortgage, as the President may first approve as consistent with the public interest. The President may, out of the revolving fund created by this Act, purchase for the United States all or any part of such securities at prices not exceeding par, and may sell such securities whenever in his judgment it is desirable at prices not less than the cost thereof. Section 8 That the President may execute any of the powers herein and heretofore granted him with relation to Federal control through such agencies as he may determine, and may fix the reasonable compensation for the performance of services in connection therewith, and may avail himself of the advice, assistance, and cooperation of the Interstate Commerce Commission and of the members and employees thereof, and may also call upon any department, commission, or board of the Government for such services as he may deem expedient. But no such official or employee of the United States shall receive any additional compensation for such services except as now permitted by law. Section 10 That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control In determining any question concerning any such rates, fares, charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition. After full hearing the commission may make such findings and orders as are authorized by the Act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said Act Section 12 That moneys and other property derived from the operation of the carriers during Federal control are hereby declared to be the property of the United States. Unless otherwise directed by the President, such moneys shall not be covered into the Treasury, but such moneys and property shall remain in the custody of the same officers, and the accounting thereof shall be in

the same manner and form as before Federal control. Disbursements therefrom shall, without further appropriation, be made in the same manner as before Federal control and for such purposes as under the Interstate Commerce Commission classification of accounts in force on Section 14 That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for a reasonable time hereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace- Provided, however, That the President may, prior to The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished. Section 15 That nothing in this Act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transportation of troops, war materials, Government supplies, or the issue of stocks and bonds. Section 16 That this Act is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof.

Chapter 7 : Interstate Commerce Act of - Wikipedia

NEC FUTURE is the Federal Railroad Administration's (FRA) comprehensive plan for improving the Northeast Corridor (NEC) from Washington, D.C., to Boston, MA. Through NEC FUTURE, the FRA has worked closely with NEC states, railroads, stakeholders, and the public to define a long-term vision for the corridor's future.

Oldest railroads in North America A railroad was reportedly used in the construction of the French fortress at Louisburg, Nova Scotia in 1765. It was used until 1768, when it was temporarily replaced by the Leiper Canal, then is reopened to replace the canal in 1770. This is the first railroad meant to be permanent, and the first to evolve into trackage of a common carrier after an intervening closure. In Massachusetts incorporated the Granite Railway as a common freight carrier [6] to primarily haul granite for the construction of the Bunker Hill Monument; operations began later that year. The Americans closely followed and copied British railroad technology. The Baltimore and Ohio Railroad was the first common carrier and started passenger train service in May 1827, initially using horses to pull train cars. This program enabled the opening of numerous western lines, especially the Union Pacific-Central Pacific with fast service from San Francisco to Omaha and east to Chicago. West of Chicago, many cities grew up as rail centers, with repair shops and a base of technically literate workers. Canals and rivers were unavailable in the winter season due to freezing, but the railroads ran year-round despite poor weather. And railroads were safer: The railroads provided cost-effective transportation because they allowed shippers to have a smaller inventory of goods, which reduced storage costs during winter, and to avoid insurance costs from the risk of losing goods during transit. For the common person in the early 19th century, transportation was often traveled by horse or stagecoach. The network of trails along which coaches navigated were riddled with ditches, potholes, and stones. This made travel fairly uncomfortable. Adding to injury, coaches were cramped with little leg room. Travel by train offered a new style. Locomotives proved themselves a smooth, headache free ride with plenty of room to move around. Some passenger trains offered meals in the spacious dining car followed by a good night sleep in the private sleeping quarters. In the heavily settled Corn Belt from Ohio to Iowa, over 80 percent of farms were within 5 miles. A large number of short lines were built, but thanks to a fast developing financial system based on Wall Street and oriented to railway securities, the majority were consolidated into 20 trunk lines by 1860. The canals and steamboats lost out because of the dramatic increases in efficiency and speed of the railroads, which could go almost anywhere year round. The railroads were faster and went to many places a canal would be impractical or too expensive to build or a natural river never went. Railroads also had better scheduling since they often could go year round, more or less ignoring the weather. Long distance transport of goods by wagon to a canal or river was slow and expensive. A railroad to a city made it an inland "port" that often prospered or turned a town into a city. Rail was strategic during the American Civil War, and the Union used its much larger system much more effectively. Practically all the mills and factories supplying rails and equipment were in the North, and the Union blockade kept the South from getting new equipment or spare parts. The war was fought in the South, and Union raiders and sometimes Confederates too systematically destroyed bridges and rolling stock and sometimes bent rails to hinder the logistics of the enemy. Most transports was by boat, not rail, and after the Union blockaded the ports in and seized the key rivers in the South, long-distance travel was difficult. The outbreak of war had a depressing effect on the economic fortunes of the railroad companies, for the hoarding of the cotton crop in an attempt to force European intervention left railroads bereft of their main source of income. For the early years of the war, the Confederate government had a hands-off approach to the railroads. Only in mid 1862 did the Confederate government initiate an overall policy, and it was confined solely to aiding the war effort. Conditions deteriorated rapidly in the Confederacy, as there was no new equipment and raids on both sides systematically destroyed key bridges, as well as locomotives and freight cars. Spare parts were cannibalized; feeder lines were torn up to get replacement rails for trunk lines, and the heavy use of rolling stock wore them out. Ceremony for the completion of the First Transcontinental Railroad, May 1869. The Southern states had blocked westward rail expansion before 1862, but after secession the Pacific Railway Acts were passed in 1862, [24] allowing the first transcontinental railroad to be completed in 1869, making possible a six-day trip from

New York to San Francisco. Other transcontinentals were built in the South Southern Pacific , Santa Fe and along the Canadaâ€”US border Northern Pacific , Great Northern , accelerating the settlement of the West by offering inexpensive farms and ranches on credit, carrying pioneers and supplies westward, and cattle, wheat and minerals eastward. In railroads carried less than half as much freight as inland waterways, by railroads carried 5 times as much freight than waterways. During the Reconstruction era , Northern money financed the rebuilding and dramatic expansion of railroads throughout the South; they were modernized in terms of track gauge , equipment and standards of service. The lines were owned and directed overwhelmingly by Northerners. Railroads helped create a mechanically skilled group of craftsmen and broke the isolation of much of the region. Passengers were few, however, and apart from hauling the cotton crop when it was harvested, there was little freight traffic. Many lines went bankrupt or were barely able to pay the interest on their bonds, and workers were laid off on a mass scale, with those still employed subject to large cuts in wages. This worsening situation for railroad workers led to strikes against many railroads, culminating in the Great Railroad Strike of 1877. The strike lasted for 45 days, and ended only with the intervention of local and state militias, and federal troops. Expansion and consolidation [edit] J. Morgan played an increasingly dominant role in consolidating the rail system in the late 19th century. He orchestrated reorganizations and consolidations in all parts of the United States. Morgan raised large sums in Europe, but instead of only handling the funds, he helped the railroads reorganize and achieve greater efficiencies. He fought against the speculators interested in speculative profits, and built a vision of an integrated transportation system. He was heavily involved with railroad tycoon James J. Hill and the Great Northern Railway. In response to monopolistic practices and other excesses of some railroads and their owners, Congress passed the Interstate Commerce Act and created the Interstate Commerce Commission ICC in 1887. Morgan set up conferences in and that brought together railroad presidents in order to help the industry follow the new laws and write agreements for the maintenance of "public, reasonable, uniform and stable rates. It was the result of railroad overbuilding and shaky railroad financing, which set off a series of bank failures. Acquisitions of the bankrupt companies led to further consolidation of ownership. As of 1890, two-thirds of the rail mileage in the U. Hill joined forces with Morgan and others to gain control of the Northern Pacific. United States and the railroads had to go their separate, competitive ways. By that time Morgan and Hill had ensured the Northern Pacific was well-organized and able to survive easily on its own. See Resurgence of freight railroads. Continuing concern over rate discrimination by railroads led Congress to enact additional laws, giving increased regulatory powers to the ICC. President Woodrow Wilson issued an order for nationalization on December 26, 1917. Memories of the panic, the continuing proliferation of railroad companies, and duplicative facilities, fueled this concern. To an extent, the need to nationalize the system during the war was an example of this inefficiency. These concerns were the impetus for legislation to consider improvements to the system. Ripley of Harvard University. Many small railroads failed during the Great Depression of the 1930s. Of those lines that survived, the stronger ones were not interested in supporting the weaker ones. The rise of the automobile led to the end of passenger train service on most railroads. Trucking businesses had become major competitors by the 1920s with the advent of improved paved roads, and after the war they expanded their operations as the Interstate highway network grew, and acquired increased market share of freight business. In 1940, Congress created the Federal Railroad Administration , to issue and enforce rail safety regulations, administer railroad assistance programs, and conduct research and development in support of improved railroad safety and national rail transportation policy. The safety functions were transferred from the ICC. In 1970 Congress created a government corporation, Amtrak , to take over operation of Penn Central passenger lines and selected inter-city passenger services from other private railroads, under the Rail Passenger Service Act. State and local government transportation agencies took over the passenger operations and acquired the various rights-of-way from Conrail in 1981. Beginning in the late 1970s Amtrak eliminated several of its lightly-traveled lines. Ridership stagnated at roughly 20 million passengers per year amid uncertain government aid from 1980 to about 1990. More railroad companies merged and consolidated their lines in order to remain successful. These changes led to the current system of fewer, but profitable, Class I railroads covering larger regions of the United States.

Chapter 8 : U.S. government takes over control of nation's railroads - HISTORY

Termination Act of , the Federal Railroad Safety Act of , and the Noise Control Act of The state and local issues examined in this section are limited to those that are primarily related to land use.

Background[edit] Although the carriers had made massive investments in the first years of the 20th century, there remained inadequacies in terminals , trackage , and rolling stock. Inflation struck the American economy , and when in Congress empowered the Interstate Commerce Commission ICC to set maximum shipping rates, [2] the rail firms had difficulty securing revenue sufficient to keep pace with rising costs. The ICC did allow some increases in rates, however. The national railway investment of Terminal facilities in these cities were not designed to handle the resulting volume of export tonnage, and thousands of loaded railroad cars were delayed awaiting transfer of their contents to ships. This resulted in a shortage of railroad cars to move normal freight traffic. United States declaration of war on April 6th , increased rail congestion by required movement of soldiers from induction points through training facilities to embarkation points. To avert a strike, President Woodrow Wilson secured Congressional passage of the Adamson Act , which set the eight-hour work day as the industry standard. Also, government departments sought priority for shipment made on their behalf, and congestion in freight yards , terminals, and port facilities became staggering. The takeover measures were to go beyond simply easing the congestion and expediting the flow of goods; they were to bring all parties' management, labor, investors, and shippers' together in a harmonious whole working on behalf of the national interest. President Wilson issued an order for nationalization on December 26, The railroads were organized into three divisions: East, West, and South. Uniform passenger ticketing was instituted, and competing services on different former railroads were cut back. Duplicate passenger services were reduced by eliminating more than trains from eastern railroad schedules to allow increased numbers of freight trains to use crowded lines. Costly and employee-heavy sleeping car services were cut back and extra fares applied to discourage their use. Giving priority to coal trains reduced shortages of locomotive fuel. Ordering all empty box cars to be sent to wheat-producing areas improved the flow of food to European Allies. All railroad companies serving those metropolitan areas were given trackage rights over all lines entering the area and equal access to terminal facilities. Available railroad rolling stock inventory of 61, locomotives, 2,, freight cars, and 58, passenger cars were augmented by new production. Before the new USRA standard locomotive types were built and released, locomotives that builders had on hand were issued to various railroads. The USRA leased these locomotives. It also guaranteed compensation for the use of their assets at the average operational income of the railroads in the three years previous to nationalization. This act laid down in concrete that the nationalization would be only a temporary measure; before, it was not defined as necessarily so. Signed by the Director of Railroads. There was support among labor unions for continuing the nationalization of the railroads after the war. However, this position was not supported by Wilson nor the public generally. Because the United States was not a party to the Treaty of Versailles ending the war in , which would have been the legal basis for returning the railroads to private ownership under the Railway Administration Act, legislation was drafted to effect the return. The government also made financial guarantees to the railroads after control was handed back to them, to ensure their financial survival after the restoration of control.

Chapter 9 : History of rail transport in the United States - Wikipedia

The Interstate Commerce Act of is a United States federal law that was designed to regulate the railroad industry, particularly its monopolistic practices. The Act required that railroad rates be "reasonable and just," but did not empower the government to fix specific rates.