

and their families, nor to prohibit any common carrier from carrying passengers or property free with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitation; nor to prohibit any common carrier from transporting persons or property as incident to or connected with contracts for construction, operation or maintenance, and to the extent only that such free transportation is provided for in the contract for such work; nor to prevent any common carrier from transporting children under five years of age free.

Provided, further, that nothing in this sub-title shall prevent the issuance of mileage, excursion, school commutation or commutation passenger tickets, or half-fare tickets for the transportation of children under twelve years of age, or joint interchangeable mileage tickets, with special privileges as to the amount of free baggage that may be carried under mileage tickets of one hundred miles or more. But before any common carrier, subject to the provision of this sub-title, shall issue any such mileage, excursion, school commutation, commutation passenger tickets, half-fare tickets, or joint interchangeable mileage ticket, with special privileges as aforesaid, it shall file with the commission copies of the tariffs of rates, fares or charges on which such tickets are to be based, together with the specifications of the amount of free baggage permitted to be carried under such joint interchangeable mileage ticket, in the same manner as common carriers are required to do with regard to other rates by this sub-title.

An employee of an express company doing business along the line of a railroad may lawfully accept gratuitous passage on the railroad in accordance with the express terms of this section. Held that a demurrer to a declaration for personal injuries to such employee while on a train, should have been overruled. *Smith v. Northern Central Ry. Co.*, 119 Md. 484.

See notes to sec. 368.

An. Code, sec. 428A. 1912, ch. 734.

**366.** Any person or persons or any corporation running or using steamboats in the excursion business from the city of Baltimore to any place or places within the State of Maryland shall be permitted to give transportation between said places in exchange for services rendered in advertising said excursion business. This section to apply only during the months of May, June, July and August of each and every year.

An. Code, sec. 429 1910, ch. 180, sec. 17 (p. 360).

**367.** No common carrier or any officer or agent thereof, or any person acting for or employed by it, shall assist, suffer or permit any person or corporation to obtain transportation for any passenger, freight or property between points within this State at less than the rates then established and in force in accordance with the schedules filed and published in accordance with the provisions of this sub-title and the order of the commission, by means of false billing, false classification, false weight or weighing, or false report of weight, or by any other device or means. No person, corporation, or any officer, agent or employee of a corporation who shall deliver freight or property for transportation within the State to a common carrier shall seek to obtain, or obtain transportation for such property at less than the rates then established and in force therefor, as aforesaid, by false