

to be used by railroad and street railroad corporations, or other common carriers which are subject to its supervision, or may classify the said corporations and other carriers and prescribe a system of accounts for each class, and may prescribe the manner in which such accounts shall be kept. It may also, in its discretion, prescribe the form of accounts, records and memoranda to be kept by common carriers, including the accounts, records and memoranda of the movement of traffic, as well as the receipts and expenditures of moneys. The system of accounts established by the commission and the form of accounts, records and memoranda prescribed by it as provided shall conform, as nearly as possible, to those from time to time established and prescribed by the interstate commerce commission under the provisions of the act of congress entitled "An Act to Regulate Commerce," approved February fourth, one thousand eight hundred and eighty-seven, as amended by the act approved June twenty-ninth, one thousand nine hundred and six, and amendments thereto. The commission shall at all times have access to all accounts, records and memoranda kept by common carriers and other corporations subject to the provisions of this sub-title, and may prescribe the accounts in which particular outlays and receipts shall be entered, and may designate any of its officers or employees, who shall thereupon have authority under the order of the commission to inspect and examine any and all accounts, records and memoranda kept by such corporations. When the commission has prescribed the forms of accounts, records and memoranda to be kept by such corporations, it shall be unlawful for them to keep any other accounts, records or memoranda than those so prescribed, or those prescribed under the authority of the United States. Any employee or agent of the commission who divulges any fact or information which may come to his knowledge during the course of any such inspection or examination, except in so far as he may be directed by the commission, or by a court or judge thereof, or authorized by law, shall be guilty of a misdemeanor.

See notes to sec. 346.

An. Code, 1924, sec. 379. 1912, sec. 438. 1910, ch. 180, sec. 26 (p. 368). 1929, ch. 448.

388. No common carrier, railroad corporation, or street railroad corporation, shall begin the construction of a railroad or street railroad, or any extension thereof, or exercise any franchise or right under any provision of the railroad law, or of any other law not heretofore lawfully exercised, without first having obtained the permission and approval of the commission. The commission shall have power to grant the permission and approval herein specified whenever it shall, after due hearing, determine that such construction or such exercise of the franchise or privilege is necessary or convenient for the public service.

No franchise, nor any right to or under any franchise to own or operate a railroad or street railroad, shall be assigned, transferred or leased, nor shall any contract or agreement with reference to or affecting any such franchise or right be valid or of any force or effect whatsoever, unless the assignment, transfer, lease, contract or agreement shall have been approved by the commission. The permission and approval of the commission to the exercise of a franchise under this section, or to the assignment, transfer or lease of a franchise under this section, shall not be construed to revive or validate any lapsed or invalid franchise, or to enlarge or add to the powers and privileges contained in the grant of any franchise or to waive any forfeiture.