

No. 7521.  
**MEEKER & COMPANY**  
*v.*  
**CENTRAL RAILROAD COMPANY OF NEW JERSEY.**

Submitted April 21, 1915. Decided March 4, 1916.

The complaint alleges that the rates applicable on anthracite coal in carloads from Mocanaqua, Pa., and other points in the Wyoming coal region of Pennsylvania to Elizabethport, N. J., f. o. b. vessels for reshipment, are unreasonable; *Held:*

1. That reasonable maximum rates for the future have been prescribed in *Rates for Transportation of Anthracite Coal*, 35 I. C. C., 220.
2. That the question of reparation be held in abeyance for determination in a supplemental proceeding.

*R. D. Jenks, W. A. Glasgow, jr., and J. A. Garver* for complainant.  
*J. E. Reynolds* for defendant.

REPORT OF THE COMMISSION.

BY THE COMMISSION:

Complainant is Henry E. Meeker, an individual engaged in the coal business under the name of Meeker & Company, with his principal office at New York, N. Y. By complaint, filed November 28, 1914, he alleges that the rates charged by defendant for the transportation of anthracite coal from the Melville colliery at Mocanaqua, Pa., and from other collieries in the Wyoming coal region of Pennsylvania to tidewater at Elizabethport, N. J., f. o. b. vessels for reshipment, are unreasonable and unjustly discriminatory. Reparation is asked on all shipments made within two years before the complaint was filed. The testimony adduced relates principally to the rates from the Melville colliery, but the briefs filed and the oral argument show plainly that complainant does not seek different rates from Melville colliery than from the Wyoming region, and the case will be considered as involving the rates from the Wyoming region.

The rates assailed, per gross ton, delivered free on board vessels are as follows:

On prepared sizes.....	\$1.55
Pea.....	1.40
Buck No. 1.....	1.20
Buck Nos. 2 and 3 or smaller sizes.....	1.10

Complainant alleges that these rates are unreasonable and unjustly discriminatory to the extent that they exceed 90 cents per gross ton on prepared sizes with corresponding rates on the other sizes. The parties agreed at the hearing that certain portions of the evidence in Docket No. 4914, *Rates for Transportation of Anthracite Coal*, since reported in 35 I. C. C., 220; in Docket No. 6189, *Red Ash Coal Co. v. C. R. R. Co. of N. J.*, since reported in 37 I. C. C., 460; and in Docket No. 6770, *Dodson & Co. v. Same*, 38 I. C. C., 206, should be considered in this case also.

Just and reasonable maximum rates governing traffic of the kind involved from the coal region affected were prescribed in *Rates for Transportation of Anthracite Coal*, *supra*, and no reason appears in this proceeding for any modification of our order in that case. We reserve the question of reparation which calls for the consideration of matters such as were put in evidence in the *Anthracite Case*, *supra*. Further hearing will be had accordingly, and in the meantime no order will be entered.

38 I. C. C.