## The Charlotte

Published Daily and Sunday by THE NEWS PUBLISHING CO. C. Dowd. President and Gen. Mgr

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> SUBSCRIPTION RATES The Charlotte News.

Daily and Sunday. Siz months .......... Three months ...... One, month One week ...... Sunday Only

One year
Six months
Three months Times-Democrat. Semi-Wookly.

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SUNDAY MORNING, OCT, 15, 1911.

MAYOR WHO COUNTS.

The average mayor of a city has perhaps. several terms, he has an opportunity that his pen still writes, and there his authority begins and ends. His task usually is to act as social go between. He must theoretically turn the key of the city over to visiting conventions. He must eloquently portrav the city's history-if it has any -and dwell feelingly upon its "past achievements" and "future possibiliquarters of progress and the opening gate to all that is to be, he is likely to be fired. He must appear the children jokes. He must also ride in the landau with the governor-if His Excellency happens to scarcely noticed in its little niche.

scheme of matrimony. the procession into the big show.

groom. He is but an unnoticed, yet

necessary fixture in the general

get down into the real scramble of as follows:

together and forced up prices on than 100 per cent. farm produce and other edibles en-joyed by the populace under his summer, as opposed to about 1,000 in theoretical charge. This was not to 13 states two years ago. his liking. He decided to revolt. He saw something crooked in this kind contained in a report by Surgeon of a deal, and it was but a short Wyman, of the general public health time until the mayor of Indianapolis sum of \$50,000 will be asked from developed into a produce buyer. He the next congress. Dr. Lavinder, permitted visitors to go unwelcomed. now in charge of the Savannah hos-The tale of the potato had to be pital, was sent to Italy last year by solved. Mr. Shank found that he there, and made a valuable report. could buy potatoes at 65 cents per bushel, and this is what he didbought them in large quantities, and ern states where the ravages of the big gobs, and sold them to his charge at cost. Of course middlemandom rose this year, are Virginia, Georgia, North up in revolt, but there were no Carolina, South Carolina, Florida, Alafeathers on this Shank and the may bama, Mississippi, Tennessee, Louisor let them understand that so long iana, Texas and Kentucky. It is reportas he was head of Indianapolis his lage, where there are less than 300 foster children should pay no more inhabitants, 200 cases of pellagra have for potatoes than potatoes were sprung up this summer, and one North

as the potato mayor—the friend of was discovered there six years ago. the ultimate consumer—the only may-

He is the sort of an ornament worth having around a town.

Statesvillian, still insisting that Octo. and, possibly, in Illinois. ber and frost not infrequently usher in the happy period of piggish decima-

Governor Coai Blease became insulted because the Spartanburg Journal suggested a political melo-drama with the governor as "villian." A challenge was immediately issued to "lick and most popular of state newspaper the editor" for calling the governor a "villain." It would seem that Coleman has fallen to the idea of assuming dertaking, as it has in his past caman has fallen to the idea of assuming dertaking, as it has in his past cathe role without even waiting for the reer.

if the Times passed out with Simms? mon boom.

THE SOUTHERN RAILWAY COM-

The Southern Railway Company reports a successful year's business. Cotton goods markets have gone to smash and mills have curtailed, but the Southern has flourished like green bay tree. It has wethered Roosevelt panic and emerges with a strong hold on the situation. Even the reduction in passenger rates in North Carolina has failed to put it

revenue has increased. The Southern has our congratulations and best wishes. Some of the facts set forth in President Finley's annual report are of interest to the public. One source of gratification to railroad officials should be the amicable manner in which ail 1.00 disputes with its employes have been settled. Arbitration usually was the method employed, and the company comes through the year without a strike. President Finley takes occasion to praise the Erdman act as providing a satisfactory method for settling disputes between capital and

> labor. While the figures offered in his annual statement are voluminous we reproduce a few facts of general interest, which tend to show the excelent condition of the road under present management:

"The taxes of the company this tear are \$1858,863.52 in excess of last year, amounting now to 212.967.87. The company operates 8.22 miles less of road than it did in 1910. Its gross operating revenues increased \$3.050.554.05. The total operating expenses increased \$2,291,044.14. The net revenue showed an increase of \$698,502.05. The total gross income OUT OF THE WASTEBASKET. showed an increase of \$571,239.91. The total dividends were \$1,200,000. The balance carried to profit and loss showed a decrease of \$500,6878.-92. As to the matter of dividends, President Finley says:

"The financial condition of the comferred stock of the company was declared and paid in April, 1911, and rovision has been made for the pay ment in October of a similar dividend out of net income earned during the year. It was considered that, as a fair recognition, under all the circumstances, of the just expectations of the holders of its preferred stock who had received dividends for a series of years until the conditions which culminated in the financial panic in the fall of 1907 and the subsequent business depression necessitated their suspension, a reasonable proportion of the comany's resources could properly be devoted to the ayment of dividends. It is the expectation of the board of were it absent, but which is directors that, with a continuance of favorable conditions, the rate of dividend may gradually be increased until the full dividend can again be properly paid."

PELLAGRA. This is the ordinary mayor we are According to the Greenville News, coming trains of boosters and lets be far more prevalent than was first supposed. The News has heretofore Indianapolis, however, has one of urged upon local physicians the necesname is Shank, but he is not to be to the establishment in this city of have forgotten; into conditions as one ton of freight 75 miles. blamed for that. Mr. Shank, tired of headquarters for the proposed invesacting as a sort of social ointment tigations. Certainly the needs justify upon the body politic and decided to the means. We quote official figures that other class of men who have not

"It is said that the malady is in-During his reign middlemen got creasing annually at the rate of more

"This is the remarkable statement and marine hospital service. The the service to study the disease "Surgeon General Wyman's report goes on to say that the 11 Southdisease are fiercest, and where there are approximately 1,300 new cases Carolina physician has estimated that Mr. Shank chould be heralded afar there have been 50,000 pellagra cases

"Few Northern states have been or in captivity of his kind-onew ho shouldered with any prevalence of deals in prices rather than plati- the disease, though Illinois has furnished several of the most interesting subjects of study and has a greater number of cases than any Northern state, New York has had a few cases and the Dis-Judge Clark, of the Statesville Land- trict of Columbia has had several, mark, takes us to task, in a ponderous though most of those discovered in reprimand, for an inoffensive observa. the District could be traced directly tion, "Hog killing time in Dixie." As to some point further south. In the disease has been reported from an authority on pig-pen lore we stand 31 states though the problem has nevready to accord all honors to the er become serious except in the South,

> We have perused in vain the volumilooking to a settlement of the difficulty between the insurgent and regular wings of the G. O. P.

The Raleigh Times has not produced star attractions at the state fair next posin in several weeks. Are we to week and we are expecting the News nfor that the erstwhile sweet singer and Observer to issue a red hot Har-

dents of the past "swinging around the circle" to tell the people what great things they had done! Modesty transformation would still be on the appears to be an unknown quantity in political circles of today.

President Taft and Colonel Bryan met recently at a banquet and nothing the financial storm following the whatsoever was said regarding the lapse of time between drinks.

Mr. Lewis W. Parker is one cotton manufacturer who believes in revisout of business. On the contrary, its ing all schedules alike which are in need of revision.

> Moving picture people have taken pictures of Columbia, S. C., probably other half live.

Among the exhibits of state forests at the state fair next week one will look in vain for displays of senatorial timber.

The "swing around the circle" to be undertaken by Senator LaFollette way be in the nature of a "chaser."

Mesers. Mathewson and Bender are coming large as presidential possibili-

ies just now. the press is mightier than the lungs.

Senator Simmons is likewise enjoying a "swing around the circle."

Turkey is beginning to appreciate Sherman's definition of war. Occasionally China gives evidences

of real life.

"Strangers in a strange land are the best critics of its beauties and customs," is a brilliant set to the same music as the epigram, "A prophet is not without honor save in his own pany having so improved as to make country." "Familiarity breeds consuch action entirely consistent with tempt," is a sister thought. In the a sound and conservative policy, a authority of these truisms, the impulse dividend of 1 per cent on the pre to write of first impressions can be years ago. considered neither abnormal nor presumptuous.

Newspaper Hazing. Positively, there is no analogy to the experience wherewith a cub reporter, fresh from the green fields of inexperlence, breaks into newspaper harness. If you will take my word for it there is just one other transformation which is in any particular comparable to the process.

All men are freshmen either twice in their lives or not at all. That statement is a truth which holds good die after the beginning and before the completion of their college course. When men step from the conditions of every day city or country life into the items are as follows: secluded, private, model-life habits and manners of colleges or universities they find themselves handicapped by inexperience. On acount of this inex- of freight 2 miles. perience they are named freshmen, and for it they pay a price which in of freight 2 miles. college vernacular is termed hazing. college life. Then they are thrown back one ton of freight 20 miles. strange as four years anteceding had been college conditions; and forsooth they are freshmen again. Obviously, passed in and out the campus gates have no hope of achieving freshmanship at either end of the opportunity. What of these men who become reshmen for the second time? Do they pay again the price of inexperience? Echo answers in full chorus,

they do! Freshmen again; hazed again! This in general; but what, particularly, of those men who through mishap or choice find themselves cubs, that is, newspaper freshmen? Is the newspaper brand of hazing so peculiar and especial a quality as to warrant the statement that there is no analogy to the experience thereof? Answe echoes again — though in smaller chorus, as you would expect—'tis so! Of the innumerable stock examples of the cub's first story the most popular is that in which he is assigned by the city editor to cover a small uptown fire. His report as turned in to the city editor invariably begins: "Fire! Fire!! The dread alarm sounded over the frightened city! In an incalculably short time the brave fire-laddies dashed upon the scene! The lurid flames were leaping Heavenward through rolling clouds of smoke!" And so on for about a column. The city editor is supposed always to glare at the description, and the acount as rewritten and inserted reads: "Fire this morning at the dwelling in the amount of \$200. The origin of the blaze could not be

determined. The loss is fully covered by insurance ' Personally, I have always thought that these typical cub stories were exaggerated burlesques. At any rate, I had determined that when my first assignment came I would make no such exaggerated blunder There would be no brilliant flashes or jutting figures when I went to report a fire. I would profit by the experience of a two-hour course in ournalism which I had elected at the University, I was to tell "what, where, when, and why" in the very beginning. Thus I planned to avoid a portion o the cub's hazing. It was much the nous discourse of the president on "ar- same sort of thing as trying to escape bitration treaties" for some suggestion a blacking crowd by jumping out the looking to a settlement of the difficulty window. I put in all my choicest adjectives and smoothest expressions on wings of the G. O. P.

Mr. Crowson, one of the best known

Mr. Cro

eer.

Governor Harmon will be one of the tar attractions at the state fair next

happy mean between productiveness and diction. It is one thing to learn this, and quite another to profit by it.

The slow process of acquiring the ability to rattle on page after page of acquiring the a distracting noise of the office goes on about you is a more tedious course

Think of some of the great presi- of hasing than a collegiate freshman

If this was all to the cub's breaking easy side. Not only must he become accustomed to doing his best work amid he confusion of the crackle of the linotypes, the click of the typewriters and the rattle of the telegraph sounder. In respect to his habits, he must adapt himself to the practice of compressing a day's work into half a day's ime. In respect to his pride, he will will have to apologize. In respect to one "hot-dog" do what two "hot-dogs" with the view of showing how the other half live.

must assimilate the notion that a news the great educational crusade in making has reached the point of curbon which McIver, Aycock and Joyner and the editor's chief function is to have been leaders, is yet but had large combinations of capital, if it has ropolitan dailies are clipped for to-morrow's paper, and are printed with the dates moved up, a few "wases" changed to "has beens" and the "to-liped for to-days: North Carolina, 101; United States, 155; North Atlantic States, 179; South Central States, 123; North

stick. It takes a strong heart as well as an extraordinary combination of qualities. But if the cub is made of 123; Louisiana, 130; Texas, 128; Artha right cub is made of 123; Louisiana, Some of those that start in the race the right stuff he will get his second kansas, 98; Oklahoma, 140. Judge Clark is of the opinion that wind, after a season. The time will come when he is no longer reproached with being the new man; when his copy is no longer the joke of the composing room; when the force looks on him as one of the boys. And about this time he will discover that the newspaper boys are as clever, jolly. care-free a bunch as he ever struck in with. He even begins to realize that he has been admitted to the soph omore rank. Far off in the distance coms up the possibility of a juniorship. Seniors? Well, mighty few of us ever get a diploma in this school.

# Random Shots

"The great cost in business is waste." John D. Rockefeller once said these words and showed his genius and

Ten years ago shops were fewer and factories less, profits greater and last two diseases to appear in this demand plenty. The waste in this and role are hookworm and pellagra. that department in those times could When scientists first began to talk be borne easier, and the seemingly hookworm the whole country laughed. small waste unnoticed, but in this day of hustle, hot and close competition, and in private conversation it was increased cost of producing, shorter profits and crowded markets, all business establishments must check on the waste if they would pay dividends and set aside a surplus.

Realizing "waste" as the heaviest tax of all, one of the great railroad systems of the west have had printed with the exception of those men who distributed and posted throughout their entire system cards of cost information and advocating economy among their employes. Some of the

1 2-cent postage stamp equals hauling one ton of freight 3 1-2 miles. lead pencil equals hauling one ton

1 track spike equals hauling one ton 1 track bolt equals hauling one ton

freshman state. Finally, as seniors, 1 pound of waste equals hauling one they are supposed to have acquired ton of freight 10 1-2 miles.

an entirely different stripe. His sity for starting a movement looking without apology into a life which they 1 red lantern globe equals hauling

1 lamp chimney equals hauling one ton of freight 10 1-2 miles. 1 station broom equals hauling one ton of freight 35 miles.

1 station water pail equals hauling one ton of freight 35 miles. 1 lantern complete equals hauling one ton of freight 100 miles.

1 gallon signal oil equals hauling one ton of freight 60 miles.

there is a prominent manufacturer who possible eradication. Back in a little North Carolina town a few years ago was just a shoe drummer working the trade of East Tennessee and Western North Carolina with a heavy hack loaded with trunks make these shoes at home instead of going to Boston for them?" was a meal in some shape as a daily diet. They eat it and have eaten it for thought that came to this man and as he is a man of action he was not long in bringing his thoughts into realization. He leased a vacant factory building (afterwards bought it) that had two good tudbing water wheels and a grandfathers' fath-sumers but proposes to put in meters of the south's inhabitants use corn and diet of the south's inhabitants use corn addiet. It has no competition. The complaint alleges that to prevent competition the alleges that to prevent competition the alleges that to prevent competition the defendant reduced its rates largely to certain parties who threatened to establish a rival company, but not only tablish a rival company, but not only did not make a corresponding reduction to the plaintiffs and other continuate. Which cannot be sustained two good tudbing water wheels and a grandfathers' fath-sumers but proposes to put in meters of the south's inhabitants use corn all these competition. The complaint wille and Winston, the only towns which own their water which own their water works."

"The allegations of fact that the rates are unreasonable and, oppressive at the corresponding reduction to the plaintiffs and other continuation. The complaint is alleges that to prevent competition to effect alleges that to prevent competition to the allegations of fact that the rates are unreasonable and, oppressive and the defendant reduced its rates largely to certain parties who threatened to establish a rival company, but not only did not make a corresponding reduction to the plaintiffs and other continuation. The complaint is alleges that to prevent competition to the allegations of fact that the rates are unreasonable and oppressive and the defendant reduced its rates largely to certain parties who threatened to establish a rival company. making coarse shoes with a capacity of 36 pairs a day. Being a small manufacturer and competing with the giant it took a long time to get in its of the plaintiffs if they do not pay the rates charged. Smythe vs. Ames, corporations of the east, he had to not work. and shipped to the larger factories who were prepared to use them. The busi-217 B- street damaged the roof of ness prospered and after three years a tannery was added and hair, hoofs and horns from the hides were "saved" and sold to plaster makers and glue factories. Lots of leather came from enough pdofit in selling this leather to harness makers so he installed machines for making harness and collars-saving the wasted profit. He was "wasting" the profit in the hair coming from the hides so he began useing it in making saddles and collar pads. Every particle of waste around the largest in the South of the old one and is today using the spent tan bark, that has been wasted

will tell you that his waste—the great cost in business—has been converted into profit, and converted into profit by "saving."

## FROM OTHER SANCTUMS.....

State Still Far Behind in Education That the average child outside North Carolina has a 50 per cent longer school term, a 50 make mistakes for which the paper better chance for an education, in spite of our decade of educational his salary, he must learn to make progress, than the average boy or girl inside North Carolina; that the have done. In respect to his ideals, Japanese, with one-tenth our wealth, he will discover that the business are giving their country children ten manager censors the editorials. In remonths' schools, while North Carospect to his philanthropic purpose, he lina doesn't give five; in short, that see that the linotypes never get out of won—such was the basis of Mr. Clar- not proceeded to the stage of absolute copy. In respect to his morals, he ence Poe's "Founder's Day" address will be shocked to discover that day at the State Normal and Industrial class of enterprise known as public before yesterday's specials to the met-College in Greensboro Thursday. crossed out:—The list of his Central States, 164; Western States, ations is long.

"Virginia, 181; South Carolina, 98 "These figures , show the average urban

term for both city and schools," says Mr. Poe. "As far our North Carolina country boys and and said citizens shall have good servgirls—our white boys and girls on the farms—they are getting only 93 days, less than five months, whereas, when I enquired of the national bureau of education in Japan a year ago this fall, I was told that the average school term furnished the country boys and girls of that socalled 'heathen country, in ten months. More than this, I was told that the attendance is 98 per cent of the boys and girls between 6 and

4 years of age. And yet it is but fifty years since a North Carolina secretary of the navy planned the expedition that opened up this so-called 'heathen' country to the world."— Morganton News Herald.

Pellagra in the State.

Every few years a new disease makes its appearance, or else an old attention of the medical world. The party. last two diseases to appear in this It seemed a huge joke, and in print the butt of ridicule. But by degrees the laughter died down and people began to take a more serious view of the matter, for under experiments

to improve. They had called their had consumed nostrums of many kinds for its cure, all without ef- of such Boards to deal with such sub- ly with any other." fect; and now, under the scientific diagonis and care they found themselves on the road to health. The cause of the hookworm was located with the discovery of the disease; but this was not true of that other

modern malady, pellogra. of this trouble in our state that the last legislature made an appropriation for a commission of five men of science to study its cause and its spread in the state of Tennessee. The last legislature made and its spread in the state of Tennessee. The last legislature made and its spread in the state of Tennessee. The last legislature made and its spread in the state of Tennessee. The last legislature made and its spread in the state of Tennessee. The last legislature made and lights to revocation, and indeed in the state of Tennessee. This commission has lately made tered rights and privileges conferred provision (Stone vs. Farmer's Co., 116 full experience in, and knowledge of 1 white lantern globe equals hauling public its report to the effect that by the law-making power, in part for U. S. 307 R. Co., vs. Miller, 132 U. S. college life The law-making power, in part for U. S. 307 R. Co., vs. Miller, 132 U. S. college life The law-making power, in part for U. S. 307 R. Co., vs. Miller, 132 U. S. 418.

the use of corn meal as part of their them, in the absence of legislative au- onable and discriminating) since the This seems a good headway for a comparatively new trouble, and emphasizes the wisdom of the commisphasizes the commisphasizes the wisdom of the commisphasizes the wisdom of the commisphasizes th

phasizes the wisdom. The result of by Judge Dillon in his work on munici- rates are binding upon the company as the investigation has been to arouse pal corporations, is that of Griffin vs. a maximum simply because acting for a very general interest in the subject Goldsboro Water Company, 122 N. C., itself it had the power to accept the and set physicians all over the state 206. The opinion is by Chief Justice franchise upon those conditions to work to watch its coming and its Walter Clark, and is unusually able The fact that 95 per cent of those

persons who are affected use corn Igive it in toto. were coarse shoes. "Why not in fact, almost a hundred per cent under a franchise granted by the city. Charged consumers in Wilson, Ashemake these shoes at home instead of of the south's inhabitants use corn lt has no competition. The complaint ville and Winston, the only towns two good tudbine water wheels and a ers ate corn and drank corn from sumers but proposes to put in meters criminate, which cannot be sustained. line shaft, and installed machines for early colonial times, but pellagra was whereby the rate to plaintiffs and oth-

only watch the cost of manufacture but "the great cost-waste." He arranged to save the waste and has watched this end of his business from the beginning. The leather cost of manufacture are too widely scattered to present and those charged the plaintiffs are unjust and unreasonable. The defend-unjust and unreasonable. The defend-unjust and unreasonable are as a matter of fact, that ginning. The leather scraps he baled tion of others. The majority of these and chirmed to the plaintiffs are untion of others. The majority of the same delices, as a matter of the same occurs as to the true value of the inpoorer class who pay small attention reasonable and contends, as a proposipoorer class who pay small attention of law that the company's rates to the rules of hygiene. Their premises were left uncleaned, and they dipped their drinking water from wayside springs. Only a few cases wayside springs. Only where health ule of rates contained in the contract it may be that the work was extravathis tannery that was not shoe leather regulations prevailed. But even these but the best of harness leather. This few cases seem a partial contradiction of the sanitation explanation, manufacturer could not see great tion of the sanitation explanation, the defendant cornoration explanation of the sanitation of the sanitation explanation. and throw the burden back on food

alike are puzzled to know the truth. this time except the spent tan bark. Three years ago a modern brick shoe and leaves the way open to furner factors the spent tan bark. study, and effort at a method of Lynchburg, was built, dear the site of cure for those already afflicted, and for protection for the large mass of people tow hom the disease is for several years, firing the bollers in the new factory. This manufacturer peal.

Seven consecutive coupons, which appear in The News each day, a brought to The News office, accompanied by 85 cents, will an hen brought to The News office; accom title any reader of the News to Rand-McNally's 1910 Census Atlas of the World, as advertised. Out-of-town readers must add 25c to cover transportation charges. Value of the Atlas \$5.00.

OCTOBER 15

# As Regards High Gas And Water Rates -- The Law

Public interest centers in the hearing next Thursday night before executive board on light and gas rates. The law

fully set forth-The meanderings of modern lawmaking has reached the point of curbing in the absence of legislative regula. control. This is especially true of that

The legislature of 1909 enacted a law applicable only to Charlotte by which it vested in the executive board of this city the power to regulate and supervise all public utility corporations or rates, and an injunction will issue to quously public utility corporations where the cutting off water supply with the exception of eteam roads) where the customer offers to pay a which operate or do business in the reasonable rate and the company de-City of Charlotte, as to all matters mands an unreasonable one." exclusively in the City of Charlotte, to the end that all the citizens of Charlotte shall receive from the said pub- 29 A. & E. Enc. 19 it is said; "The lic utility corporations equal treat acceptance by a water company of its treatment; and also to the end that franchise carries with it the duty of ice and just and reasonable rates of its mains, without discrimination, from any and all said public or quasi with the commodity which it was orpublic utility corporations." It is fur-ganized to furnish. All persons are ther provided that the executive board entitled to have the same service on "shall have power to make and estab-equal terms and at uniform rates." If lish just and reasonable rules and reg- this were not so, and if corporations ulations governing the public utility or existing by the grant of public franquasi public utility corporations which chise and supplying the great convenoperate" in said city. Any violation of lences and necessities of modern city the action of the executive board subjects the offender to a penalty of Ffty street cars and the like could charge Dollars for each offense. The Executive any rates however unreasonable, and Board "upon the complaint of any could at will favor certain individuals person, firm or corporation residing or with low rates and charge others exordoing business in said city that any bitantly high or refuse service altopublic service corporation is charging gether, the business interests and the an unjust or unreasonable rate, or of its own motion after due notice and be at their mercy. They could kill the hearing, shall have the power to de-business of one and make alive that clare what shall be just and reasona. of another and instead of being a pubble" in the matter under investigation. lic agency created to promote the pub-An appeal to the corporation commisshould have set thousands thinking malady comes into prominent notice sion of the state from a decision of the tions would be the masters of the cities years ago.

Should have set thousands thinking malady comes into prominent notice is allowed either they were established to serve. A few

In Express Co., vs. R. R. Co., 111 N. C., 463, the supreme court has held that "the general assembly may, without delegating its law-making power, establish a commission with authority to fix reasonable rates \* \* \* prevent unjust discriminations and exercise a condition is averred in this complaint. reasonable supervision and control" in The law will not and cannot tolerate such matters. This would indicate that discrimination in the charges of these the powers mentioned in the foregoing quasi-public corporations. There must and the new treatment persons who act constituting the Executive Board be equality of rights to all and special had been afflicted for years began a commission to hear and determine privileges to none, and if this is viothese matters are perfectly constitu- lated, or unreasonable rates charged, ailment by some other name and tional and regular. This case definitely the humblest citizen has the right to settles the proposition as to the right invoke the protection of the laws equaljects, and to compel compliance with their mandates.

In the case of R. B. Turner vs.

thority to do so."

"The defendant corporation is the

in the same and throw the burden back on feed and throw the burden back on feed transmission.

Indeed, so contradictory is the evidence that scientists and laymen alike are puzzled to know the truth. alike benefit of the right of eminent to take benefit of try from its first colonization, it has will be read with interest by those who been customary to regulate ferries, are interested in our local water situ-common carriers, hackmen, bankers, ation; still one can readily see by anmillers, public wharfingers, auction alogy, that it also directly applies to ters of like nature, and, where the own-er of property devotes it to a use in and compel the signing of a contract which the public has an interest, he in that will work a hardship upon the alfeet grants to the public an interest ready over burdened citizen. in such use and must to the extent As this is the first complaint brought of that interest submit to be controlled under the Act above referred to I have

es, with us are the public mills whose tells are fixed by statute, and rail-fairly as I have found it to be road, telegraph and telephone companies, for the regulation of whose onduct and charges there is a state ommission, established by law. There are been reiterated decisions in the trine laid down in Munn vs. Illinois, New York Sun.

affected with a public use, among others, water companies. Spring Valley vs. Schottler 110 U. S. 347. The right of fixing rates is a legislative function which the courts cannot exercise, but it is competent for the courts, certainly tions, to protect the qublic against ex. action of oppressive and unreasonable charges and discrimination. "The franchise of laying pipes through the city streets and selling water to the inhabitants being in the nature of a public use, or a natural monopoly, the oppressively, but must supply water to all impartially and at reasonable rates, and an injunction will issue to where the customer offers to pay a Pri. Corp., Sec. 834 Munn vs. Illinois: Lumbard vs., Stearns 4 Cush. 60. in the supplying persons along the lines domestic comfort of every man would lic comfort and welfare these corporawealthy men might combine and, by threatening to establish competition, procure very low rates which the company might recoup by raising the price to others not financially able to presist -the very class which most needs the protection of the law-and that very

supra, and as to every class of interest

"While the defendant cannot charge more than the rates stipulated in the ordinance granting it the franchise be-Southern Power Co., 154 N. C., 131, cause granted upon that condition, that went up from this county, in those rates are not binding upon the which Mr. Turner was severely burned consumers who have a right to the in attempting to turn on a small elec- protection of the courts against un-So much had been said and written tric light in his store in this city, and reasonable charges. Since the constithere were cases in 67 of the 96 the public benefit, are quasi public 75; Chicago vs. Munn 134 U. S. 418; counties. All told there are 316 cas- corporations, and may not stipulate Ga. vs. Smith 70 ga. 694; Winchester es, and 95 per cent of these people against their own negligence or trans- vs. Croxton 98 Ky. 739) still less can thus afflicted have been addicted to fer the obligation incumbent upon these rates bind consumers (if unreastown had authority to grant the fran-The leading case on the subject of chise but not to stipulate for rates

"Singularly enough it appears inciand comprehensive even for so noted dentally in the evidence furnished by a judge. As it is comparatively short the defendant that in the towns in North Carolina which do not own their own water works, the maximum rates the average mind, since the same owner of a plant which supplies was charged consumers are from 100 to 400 may be said of any other disease.

In cur state the cases of pellagra their great injury; that the rates charg, preme court, 1898. The evidence offertion of law, that the company's rates happens, that the bonds and stocks are not required to be uniform and are watered. Nor is the evidence of that it can discriminate in the rate it the cost of construction and operation charges. It also relies upon a shed-conclusive, as has often been held, for

keepers and many other mat- the attempt of the Charlotte Power

comed it of interest to the general bably the most familiar instance public to sate the law as it is, and in ng so have set it forth fully and

THOS. W. ALEXANDER. Would Never Do.

Mrs. Knicker-"What is the mat-

United States supreme court and in Bride "The recipe is for cottage pudding and ours is a bungalow?"