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RAILROADS AND RAILROAD COMMISSIONS

No. 5.

To those who have read the four preceding articles on this subject it must be apparent that we need in North Carolina some law by which, 1. All charges made for services by railroad companies must be reasonable and just.

2. Forbidding the charging or collecting for any service rendered a greater or less compensation from any one than from any other for a like and contemporaneous service.

3. Forbidding the giving of any undue or unreasonable preference as between persons or localities, or kinds of traffic or the subjecting any one of them to undue or unreasonable prejudice or disadvantage.

4. Requiring reasonable, proper and equal facilities for the interchange of traffic between lines, and for the receiving, forwarding and delivering of passengers and property between connecting lines.

5. Forbidding discrimination in rates and charges as between connecting lines.

6. Forbidding the charging or receiving any greater compensation for the transportation of passengers or the like kind of property under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the shorter being included within the longer distance.

7. Forbidding contracts, agreements or combinations for the pooling of freights of different and competing railroads, or dividing between them the earnings of such railroads.

All charges made for services by railroad companies should be reasonable and just.

The great difficulty which the people have to contend with is the idea of the owners of railroads that they have the same right to control their property that is accorded to other people as to the management and control of what is their own. There never was a greater fallacy. Railroads are built for the benefit of the public. For and in consideration of the benefit which the people will derive by way of cheap and quick transportation of passengers and property the people have from time to time granted to certain persons the exclusive right to carry freight and passengers along certain lines and to condemn to their use what ever private property may be necessary for the purpose of building and operating the different lines of railroad. Some person may own a piece of land along the line which perhaps on account of its associations he would not be willing to part with at any price; but because of the benefit which it is supposed will accrue to the public he is compelled to give up this land. So he loses his land, he is put to great expense and trouble in protecting his cattle from danger; or perhaps his little farm is so damaged that he has to seek some other home and give up the associations of a life time.

And all this is proper, because that should always be done which will result in the greatest good to the greatest number though a few should suffer in consequence.

A grist mill run by water is for the same reason subject to the control of the legislature, and no one has ever complained because of any law regulating their tolls or the price to be charged for grinding corn and flour. There was a law regulating the prices of liquor, diet and lodging at public taverns and the public at least in some of the sections in this State, might be more comfortably cared for if such law was still in force.

That the people have a right to demand that all charges by railroads shall be reasonable and just there can be no doubt, and that in many cases such charges are unreasonable and unjust no man who is at all informed will deny.

What is reasonable and just depends in great measure upon the amount of capital invested in the railroad and the amount of business done by it; for while it is true that the State has a right to control and regulate the railroad, it is also true that this legal right ceases to be a moral right when the road is so regulated and controlled as to prevent its owners from realizing a fair income on the capital invested.

But who is to say when these charges are reasonable and just? If the State should declare that all charges by railroads for transporta-

tion of passengers and freight shall be reasonable and just would not this law be useless if the State did not go further and provide some economical and speedy means by which shippers and travellers could seek redress against the violations of this law? If every shipper or passenger should have to seek redress in the courts every time he was charged a few dollars too much, and if in every case a petty jury should have to decide whether or not in that particular instance the charge had been reasonable and just, the law would be of no practical benefit and the railroad companies would be free to charge, as they do now, whatever in their opinion they thought proper.

Are the charges of the different railroad companies in the State for transportation of passengers and freight always reasonable and just? If they are then no law is needed to make them so.

If these charges are sometimes unreasonable and unjust, and the remedy, if any, law provided is economical, speedy and practicable, then no further law is required.

It is for you, my readers, to answer this question. You are the sovereigns of this republic; and by your commands must your servants, the members of the legislature, be guided.

Railroads, as before stated, are built for the benefit of the public, and there is an implied contract between the State and the railroad companies that all people shall have reasonable and equal facilities for transportation of persons and freight. It needs no argument to show the injustice of charging one person more than another for the like service. All persons are equally interested in the railroad, and in a qualified sense it belongs to all the people. Those persons who have by their labor and capital built and equipped the road are beyond dispute entitled to manage it in what ever way they may think proper; and whatever profits are derived from it belong solely to them, *provided, however*, that the road is so managed as to give to all its patrons reasonable and equal facilities and conveniences. I can charge for the use of my horse in conveying a traveller from Halifax to Weldon whatever price I please or I can charge one person one price and another person another price, and no one can complain; because the horse is in the fullest sense my exclusive property, and I did not obtain this property or ownership of the horse through the aid of a grant from the people, and I because, as I have not the exclusive right of hiring horses to passengers between Halifax and Weldon and if the traveller does not wish to pay the price asked by me, he can hire a horse from any other person.

But this is not true of railroads, if the Wilmington and Weldon railroad company should charge enormous prices for carrying cotton from Halifax to Weldon and any other person should wish to build a railroad between these two points so as to carry cotton at reduced but still remunerative prices he could not do so, because he has no power to take from its owners land upon which to build the road and because the Wilmington and Weldon company has the exclusive privilege of transporting along this line cotton by rail. This privilege has been granted to this company by the people in consideration of an implied promise of equal facilities to each and every one of the people. Unless this were so the railroad company might require one cotton merchant in Halifax to pay twenty-five cents per bale for carrying cotton, and at the same time require from another Halifax cotton merchant for the same service only ten cents per bale, and thereby build up and enrich the one at the expense and ruin of the other. That this would be oppressive, unjust and illegal requires no argument to prove; and but for the grasping, lordly and tyrannical conduct of at least some of the railroad companies there would be no necessity to adopt means to prevent it.

A statute of this State provides that railroads shall not make any unjust discrimination in the rates of charges for toll or compensation for the transportation of passengers or freights of any description; and so there is no doubt of the illegality of such discrimination. Yet this law is of no practical or real benefit to the people and is violated with impunity.

A. ships from Scotland Neck to

Weldon by rail one bale of cotton for which the railroad company makes him pay twenty cents, and B. ships at the same time another bale of cotton from and to the same place for which he is compelled to pay fifty cents. This is clearly an unjust discrimination, and B is entitled to actual damages; but in order to recover these damages he must employ a lawyer to sue the railroad company. The claim is resisted by the railroad company, the suit slowly progresses from court to court, and after much loss of time and money B finally recovers from the railroad thirty cents.

It is well known that it is the policy of the railroad companies to litigate, and resist in every possible way, all demands for damages with out regard to the justice of the claim, so as to prevent suits against them and thereby avoid the payment of just demands for the non-performance of duty. They keep in their constant service the ablest and most skillful lawyers, and the contest between them and the people is unequal.

Companion Pictures.

Another handsome reminder of the continued enterprise of *The Youth's Companion*, the favorite family paper, has come to us in the form of a Colored Announcement Card, printed in fourteen colors. It is folded in the centre, and has on either cover companion pictures.

Spring is represented by a beautiful maiden who is returning through the fields, her hands filled with trailing arbutus—that delicate spring flower which grows so plentifully in many localities. On the companion page, the farmer's daughter is pictured coming through the harvested grain, carrying a well-filled pith and basket. The bearer of the noon day lunch is a welcome sight to the hungry resper. The interior of the card contains an array of authors and articles for the coming volume unsurpassed by any paper.

This beautiful Card is only an indication of the great enterprise of *The Companion* which has made it a National Family Paper, with more than 450,000 subscribers. Nowhere can there be obtained so much entertainment and instruction for so little money (only \$1.75 a year).

The publishers offer to send specimen copies and this Colored Announcement Card free. Address *The Youth's Companion*, Boston, Mass.

Jefferson Davis spent the last year of his life in literary work. He wrote an article on Andersonville for the North American Review, exonerating the Confederate Government from the charge of wanton cruelty toward Federal prisoners. On the publication of his reply to Lord Wolcley in the North American (which Mr. Davis charged, was mutilated by the American editor in the interest of the English Government) Mr. Davis refused to permit the North American to publish his article on Andersonville unless the editor should agree to publish it unaltered. The editor refused to give that pledge, Mr. Davis thereupon withdrew his article and transferred it to Belford's Magazine. It will appear in the January number. In the same issue Belford's will publish a brief autobiography of Mr. Davis, written a short time ago. A few weeks before his death Mr. Davis completed for the Belford Company "A short History of the Confederate States." It will be issued at an early date.

Periodic Headache and Neuralgia; cold hands and feet, and a general derangement of the system, including impaired digestion, with torpor of the liver, &c., are, in certain localities, invariably caused by Malaria in the system in quantity too small to produce regular chills. Many persons suffer in this way and take purgatives and other medicines to their injury, when a few doses of Shalenger's Antidote for Malaria would cure them at once. Sold by druggists.

Sick headache, biliousness, nausea, costiveness, are promptly and agreeably banished by Dr. J. H. McLean's Liver and Kidney Pills (little pills). For sale by E. T. Whitehead & Co.

Dizziness, nausea, drowsiness, distress after eating, can be cured and prevented by taking Dr. J. H. McLean's Liver and Kidney Pills (little pills). For sale by E. T. Whitehead & Co.

Put Yourself in his Place.

Press and Carolinian.

We are not going to lecture you about smoking; for that will do no good, but we wish in a mild and friendly manner to ask all smokers to make a self-examination, and consider the right and the wrong of non-smokers. It may seem strange to you that smoke is offensive to any one, but such is the fact, and it is even injurious to many weak and sensitive lungs. These people have a right to inhale the pure, fresh, unpoisoned air and legally it is wrong for you to deprive them of the God-given blessing. A moment's reflection will tell you as a gentleman it is wrong for you to do it. Some of these non-smoking weak-lunged persons are working in a tightly closed office. You go in there on business or to chat with the boss, and don't think your cigar is almost killing the poor fellow near you, but it is, and he is afraid of offending you and losing his job if he complains. Put yourself in his place and reflect a moment. You go into a lawyer's office to see him on business. You want his clearest-headed advice, while you fill his lungs and muddle his brain with your cigar smoke. He wants your case and submits to your smoke imposition rather than act what you might consider discourteous to your habit. Put yourself in his place and answer honestly, do you think you treated him right? The smoke habit has grown so general and so universally tolerated by the great majority that he who protests is called a crank, and his request not to be thus wronged is "sooner said than done." The man, or boy, who smokes in the presence of his wife or sister thinks, of course, he can do the same thing in the presence of all ladies. He thinks his wife or sister as good as anybody, but he doesn't consider that they have become accustomed to his habit, while others have not. A very prominent politician in the State, now holding high office, once came into the first-class coach, containing many ladies, with his half-used cigar in his fingers, chatted a moment to speak to a friend and passed out. A gentleman in a seat with a lady, asked: "Who was that?" We answered: "A gentleman from the West," and the reply came: "He's no gentleman!" This shows the severe criticism to which men, universally admitted to be gentle, men, thoughtlessly subject themselves by an enjoyment which others call a nuisance. We know a gentleman would not intentionally thus offend, but they sometimes forget, and the non-smoker must endure or take the chance of giving offense and being called a crank. Put yourself in his place and say if you are doing to him as you would have him do unto you under similar circumstances.

More Such Girls Needed.

(Carolinian.)

A young man from Caldwell and a young lady from Lincoln went up to Lenoir last Saturday night with intention to get married. She mentioned him of the danger of her changing her mind if she found out that he drank. With reckless disregard of these words on Sunday he got food drunk and she saw it. On Monday morning she took the train for home and he went along trying to persuade her to reconsider. He was recourting but with what luck we have not heard.

Happy Hoosiers.

Wm. Timmons, Postmaster of Idaville, Ind., writes: "Electric Bitters has done more for me than all other medicines combined, for that bad feeling arising from Kidney and Liver trouble." John Leslie, farmer and stockman, of same place, says: "Find Electric Bitters to be the best Kidney and Liver medicine, made me feel like a new man." J. W. Gardner, hardware merchant, same town says: "Electric Bitters is just the thing for a man who is all run down and don't care whether he lives or dies; he found new strength, good appetite and felt just like he had a new lease of life." Only 50c. a bottle, at E. T. Whitehead & Co. Drug Store.

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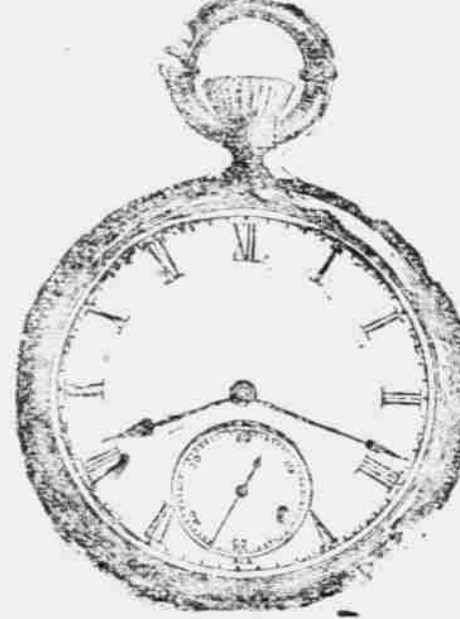
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J. C. WILLIAMS, UNDERTAKER.



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AT MY OLD STAND IN SCOTLAND NECK, ON THE 20TH DAY OF AUGUST, 1889, I SHALL OPEN IN MY NEW UNDERTAKING ROOMS A FULL LINE OF

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My stock will be complete. With thanks to my friends for their support in the past, I trust by square dealing to merit their confidence in the future.

Yours truly,
J. C. WILLIAMS

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