WHO SHOULD PAY

For Abolishing Grade Crossings and Reconstructing Long Bridge?

OUR RAILROADS ARE DEBTORS

To Uncle Sam in Large Amounts—They Can Foot Every Improvement Bill and Still Owe Money to the Public—Washington Ought Not Pay a Penny.

Under the skillful management of Senator McMillan the railroad lion and the District lamb are to lie down together. No amount of confidence in the senatorial lion tamer can prevent, however, a certain uneasiness on the part of the lamb, combined with a sheepish wonder whether the lion will not in the end feast upon lamb chops, Senator McMillan to the contrary notwithstanding.

Both of the local roads have now indicated a willingness to make extensive terminal improvements for their own and the public's welfare.

It is understood that the Baltimore and Ohio asks no money contribution from the United States or District. Wherever its proposed loop may be located its creation involves a donation to the road of the use of much additional and valuable street space, the property of the public. The right to use steam on its main line within the city expires in 1910. The present legislation offers it a balancing of the account of the public against it for past infractions of its charter, a practically permanent rechartering with full privileges, a land grant, unsurpassed terminal facilities and relief from the cost, annoyance and discredit of its present barbarous conditions. It can well afford to spend one or two million dollars in reducing its street occupation, in abolishing its grade crossings, in providing convenient passage for the public over or through its station loop, so that the latter may not become a nuisance of obstruction, and in erecting an imposing and creditable station building. Grade crossings are to be avoided by elevating the tracks. The elevated structure of the Berlin arched masonry type is approved as the best on both sides of the water. Its adoption by the Baltimore and Ohio, as suggested in an article in THE STAR of January 9, will save the construction of numerous bridges across slightly depressed tracks with long approaches that are ugly, obstructive and that inflict damages upon the residents of the streets occupied by them. Every cent of the money applied by the Baltimore and Ohio upon the improvements indicated will be justly and profitably expended.

THE CHANGES IN THE B. AND P.,

which are necessary in the public interest, take the shape of an entire reconstruction of Long bridge and its approaches across the reclaimed flats, substantially according to the plans of Col. Hains, the elevation or depression of the tracks, abolishing grade crossings, and the relief of 6th street by throwing the tracks, elevated or depressed, upon a strip of the adjacent mall, and the accomplishment of extensive station improvements. Ought any part of the cost of these works to be imposed upon the District or the United States? Is there anything in the case of the Baltimore and Potomac which equitably entitles it to greater consideration, pecuniarily expressed, than the Baltimore and Ohio?

It is interesting to note on what terms such improvements are secured in other cities.

WHO PAYS IN GERMANY?

In Germany before the roads almost universally passed under state management the law gave municipalities no power to compel these improvements at the railroad's expense, but they were obtained by coupling them as conditions with legislation needed by the railroad. Prof. A. Goering, in charge of the department of railroad engineering in the Polytechnicum at Berlin, says in a report of November, 1888:

"It is true that, according to the statutes, the roads could not be compelled to undertake, at their own cost, any subsequent alterations in their works in cases where they, for their part, contemplated or desired no change. It was, therefore, not possible, without further provision, to require the roads to separate their grades in the case of highway grade crossings, simply because the traffic over the highway or street had increased since the construction of the railroad or the city extended out beyond the railroad. Yet means were almost always found to require the road to carry out such improvements.

"In the first place, according to the statutes, it was always considered that the railroad was bound to properly protect all its works, and that any increase in the means of protection necessary was brought about by the railroad, and the local government boards could therefore require an increase in such means of protection or in the number of gate tenders, sometimes to such an extent that, at wide grade crossings with many tracks, two or even four tenders were frequently required to be continually on duty. Not only might in this way the annual expense of maintaining such a crossing become so large that it represented the interest of a considerable sum, but, moreover, such an increase in highway traffic occurred either at crossings of city streets in the neighborhood of stations, or in places where the city had grown out beyond the railroad and entirely new streets had been laid out across the original tracks, and in such cases, frequently, the necessities of the railroad itself, in the way of new tracks for switching or making up trains, &c., had simultaneously increased to such an extent that such an enlargement or reconstruction of the stations and yards and the arrangement of additional tracks had become almost imperative.

"Such extensions of stations and yards almost always affected the streets or crossings in the immediate neighborhood; that is to say, precisely the ones which, on account of the increase in street traffic, most required a separation of grades. Now, as soon as the railroad company proposed to carry out such an alteration or extension, the opportunity was found for the local government board to require the reconstruction of the streets in question, and the separating of the grades, as a condition for the execution of such project, so that in this way the railroad was obliged to bear the entire cost for the same.

"As a rule, therefore, the city governments were in a position—and are still—to wait until the roads themselves proposed some such extension of their stations or yards, and they then applied to the local government boards for a simultaneous improvement in the matter of separating grades at certain crossings, thus securing the same at the entire expense of the railroads. Indeed, in many cases coercion exerted by the authorities upon the managements of the private roads was carried considerably further, and as a condition for permission to carry out extensions or alterations at one place other changes were required which referred to entirely different portions of the railroad and which therefore stood in no relation whatever to the works proposed by the company."

THE GERMAN METHOD PROPOSED FOR WASHINGTON.

This German method of securing improvements was proposed in behalf of the city to the last Congress, when the Baltimore and Potomac was seeking to legalize tracks which it had constructed without authority on public property and for which it was under indictment, and to enlarge its side-track and freight-yard privileges. But Congress could not then be induced to see that the time to secure concessions from a railroad is when you are granting concessions to it. Congress preferred to give unconditionally to the railroad what it asked and to run the risk of being called upon for a new consideration when the desired improvements are finally made by the railroad. It gave away for nothing the use of public property and other valuable privileges, which would now, if available in barter, go far to meet any claim from the railroad, based upon the proposed changes. The railroad has, however, other and new necessities to be met—it has other illegal tracks to be cared for, and the government can find ample material to barter for the relief of public grievances if it is so inclined.

The German rule of causing the expense in such cases to fall almost entirely upon the railroad was adhered to, on the principle of equitable apportionment, even when the government obtained control of most of the roads, and indirect coercion was no longer possible.

THE RAILROADS STILL PAY IN GERMANY.

The great internal improvements in German cities, which have been heretofore referred to and to some extent described in THE STAR, were paid for almost entirely by the government as railroad owners, and not by the cities. Prof. Goering says on this point:

"Thus in Germany vast terminal improvements, costing millions of dollars, involving both the elevation of tracks for long distances and the creation of magnificent stations, were accomplished without expense to the municipalities."

WHO PAYS IN AMERICA?

Some of the American states now call upon the municipalities for a small contribution to the expense of such works upon the same principle of equitable apportionment that prevails in the later German practice. The Massachusetts railroad commissioners in their report of 1889 say:

"Prior to 1872 the (Massachusetts) law contemplated that railroad corporations should pay all expenses incurred in separating grades. But in 1872 provision was made for an equitable apportionment of the expense between the railroad company and the cities, towns and counties interested. Since that time numerous amendments of detail have been adopted, some of them having been passed since the revision of 1882.

"The principle of apportionment is supported by the board of railroad commissioners of the state of New York. The following is an extract from their report of the case of the petition of the city of Buffalo for relief from the inconveniences and dangers of grade crossings:

'In cities it is the growth of railroad business that creates the difficulty, and hence when a change becomes necessary to relieve the streets the railroad ought to pay the most of the expense. On the other hand, cities are justly liable for a portion of the expense of carrying out some proper plan of relief, because, first, they have invited, or at least without protest have permitted railroads to expend vast sums upon the grade crossings and the rails systems adapted thereto, and in the change this amount becomes a loss; second, the people and their business can well afford to pay something to be relieved from a burden partially self-imposed; third, when tracks are elevated or depressed the city and its people become reinvested with the exclusive right to the street and the railroad surrenders such rights as it had acquired under the consent given to it to lay rails in the street and to use them.'

"Since the 1st of June, 1887, the railroad commissioners of Connecticut have ordered a separation of grades at sixty-one crossings at an estimated cost of $443,000, or an average cost of $7,272, and the total amount apportioned to the towns has been $49,000, or between 12 and 13 per cent of the whole.

HOW IT PAYS TO ABOLISH GRADE CROSSINGS.

"The principal considerations which will influence a railroad company in determining whether a separation of grade crossings at any crossing is desirable are, on the one hand, the present and the probable future expense attending the crossing, including the pay of flagmen, the care of gates, the possible legal expense and damages growing out of accidents, and the possible danger to traffic on the road, and, on the other hand, the cost and the financial condition of the company.

"The cost of a flagman per annum is $500 or $600. If a flagman is required night as well as day the cost will be nearly double, or $1,000; and if, as in the case at some crossings, two flagmen or gatemen are required all the time, the cost is again doubled. A railroad in good financial standing can borrow at from 4 to 5 per cent per annum. To such companies the separation of grades at a crossing where the company is obliged to keep a single gateman or flagman would be a measure of economy if it could be accomplished at a cost to the railroad of not exceeding $10,000; and if a day and night gateman or flagman was required the company could afford to pay as much as $20,000; if two were required all the time, $40,000. The liability to accident and the damages with which a railroad might suffer in consequence thereof would somewhat increase these figures. There are many crossings in the state at which flagmen or gatemen are, or soon will be, required, where the grades should be separated as a simple measure of economy, without regard to either convenience or safety.

"Although most of the expense falls upon the railroad companies they are more anxious than the towns to undertake the work of abolishing grade crossings, and if provision is made so that they can capitalize the expense there is reason to believe that some of these roads which can issue capital stock to advantage will set a good example without delay."

It thus appears that in the states of Massachusetts, New York and Connecticut, where the principle of equitable apportionment (most favorable to the railroads) prevails, the roads, especially in the cities, meet the bulk of the expense, though not all of it, as they did in Massachusetts prior to 1872.

WHO OUGHT TO PAY IN WASHINGTON?

Application of the teachings of the practice in Europe and America to the case of the B. and P. would indicate that some small claim might be made against the city on account of certain parts of these improvements, but this claim is far more than counterbalanced by the peculiar donations and privileges bestowed upon the road in this city, for which it would be compelled to pay vast sums of money elsewhere.

"The proof of these flagrant abuses is so abounding as to show that the Baltimore and Potomac Railroad Company has willfully broken its so-called charter and would justify its forfeiture under the most summary process by the courts, but full power having been specially reserved to alter or amend it is inconfestable that the road is now as amenable to the discretion of Congress as it would be if now for the first time it were asking permission to enter the District."

Congress granted something to the road with notice that it might revoke or modify the grant at any time, and no legal damages can be claimed for such modification in pursuance of a condition of the grant.

The bill to be presented to the government by the railroad on the German and American principle of equitable apportionment would in respect to the two items under consideration be almost imperceptible. The only considerable item on the railroad's side of the account would be a possible charge for building the public highway part of the new Long bridge.

THE RAILROAD AS A DEBTOR.

To offset this amount the legislation means much for the railroad. A report of the committee on bridges to the board of trade, unanimously adopted by that body February 23, 1892, says on this subject:

"In balancing the accounts between the public and the railroad it is to be remembered that the latter secures from the former in connection with this legislation: (1) Release of claim for rental for the admittedly illegal use and occupation of streets and certain reservations for lo! these many years. An act of the last Congress legalized the occupation and use of six small reservations which had for years been used without legal authority. The road has occupied and still occupies the large reservation at the intersection of Maryland and Virginia avenues, which Mr. A. G. Riddle, when attorney for the District, reported to be held only by virtue of 'squatter sovereignty.' It has paid nothing for its long illegal use of the streets and reservations as storage depots and shifting yards. (2) Legalizing the alleged illegal tracks along Maryland avenue between 9th and 6th streets if a route along this avenue is agreed upon. (3) An increase of the number of its legal tracks on the conditions hereinafter mentioned, that portion of the mall lying between B street southwest and B street northwest, and between 6th street and a line drawn parallel therewith and 225 feet west thereof.

Sec. 4. That along the entire line forming the west boundary of that portion of the mall, the use of which is granted as aforesaid, the said Baltimore and Potomac Railroad Company shall construct and maintain a suitable stone wall eight feet high, and shall also build and maintain behind the said wall an earthen screen, the top of which shall be sixteen feet above the top of the rails of the said railroad. The slope, construction and maintenance of said screen shall be satisfactory to the engineer officer in charge of public buildings and grounds in the District of Columbia. Also, the said railroad company is hereby required to construct and maintain, at such a point as the engineer officer aforesaid shall designate, a bridge over the tracks of said railroad, and also over 6th street. The said bridge shall be of a design and character suited to a park, and shall be so built that the usual travel shall be properly and reasonably protected from accident arising from the use of said railroad and according to the plans hereto annexed.

Sec. 5. That in depressing its tracks as hereinbefore authorized through the city of Washington the said railroad company is hereby required to support the sides of the excavations thus made necessary by proper retaining walls of stone and to protect the said excavations by building the side walls to a height of three feet above the grade of the street in which the excavation is made and by the erection of an iron railing thereon.

Sec. 6. That in order to enable the changes, revisions and improvements to be made in the said railroad as hereinbefore prescribed the Commissioners of the District of Columbia are hereby authorized to make the necessary arrangements and to enter into the necessary contracts with the said Baltimore and Potomac Railroad Company and with other parties and to change the grades of the said streets, as shown upon the said plans, and construct the necessary wing walls and approaches to the said bridges, as shown upon said plans, and the said company is hereby required to do the work herein authorized to the satisfaction and approval of the Commissioners aforesaid, and the said Commissioners are authorized to exercise such supervision over the same as may be necessary to secure the proper construction and maintenance of the said work.

Sec. 7. That in order to enable the said railroad company to carry into effect the purposes hereinbefore recited, the following streets and crossings are hereby vacated in the said city of Washington:

I street where it crosses New Jersey avenue and the said railroad.

F street where it crosses said railroad near Virginia avenue.

First street southwest and E street southwest where they cross the said railroad.

Third street from a point on the north side of the said railroad to the north house line of E street.

Virginia avenue on the north side of the said railroads between 4½ and 7th streets.

D street southwest between 4½ and 6th streets.

C and B streets southwest between 6th and 7th streets.

Tenth and 11th streets where they cross the said railroad, except so far as the foot bridges for the accommodation of passenger traffic hereinbefore referred to are concerned.

Maryland avenue between 12th and 14th streets, the railroad company being required in lieu thereof to purchase the necessary property and widen D street thirty feet on the south side thereof between 12th and 14th streets.

Thirteenth and 13½ streets between D and E streets southwest.

And that G street southeast and H street southeast, where they cross the said railroad are hereby stricken from the city plan of Washington.

Sec. 8. That the cost of the entire work shown upon the plans and profiles hereto annexed, so far as the depression of its road, construction of abutments for bridges and of the bridges between said abutments, and any work upon the sixth six feet covered by its right of way are concerned, shall be borne entirely by the said Baltimore and Potomac Railroad Company; but so far as the wing walls and approaches to the bridges are concerned or any work beyond its own right of way, the work necessary to be done and all damages arising from the change of the grades of the streets or otherwise shall be borne by the District of Columbia.

Sec. 9. That the said Baltimore and Potomac Railroad Company is hereby authorized, in order to carry into effect the improvements aforesaid, to purchase the following properties, use the same for railroad purposes, construct the necessary tracks thereto and thereon, and make the necessary improvements thereto, namely:

That portion of block 462 lying between B street southwest and Maryland avenue, and between 6th street and a line drawn parallel therewith 250 feet west thereof, and the whole of blocks 463, 463 south and 493.

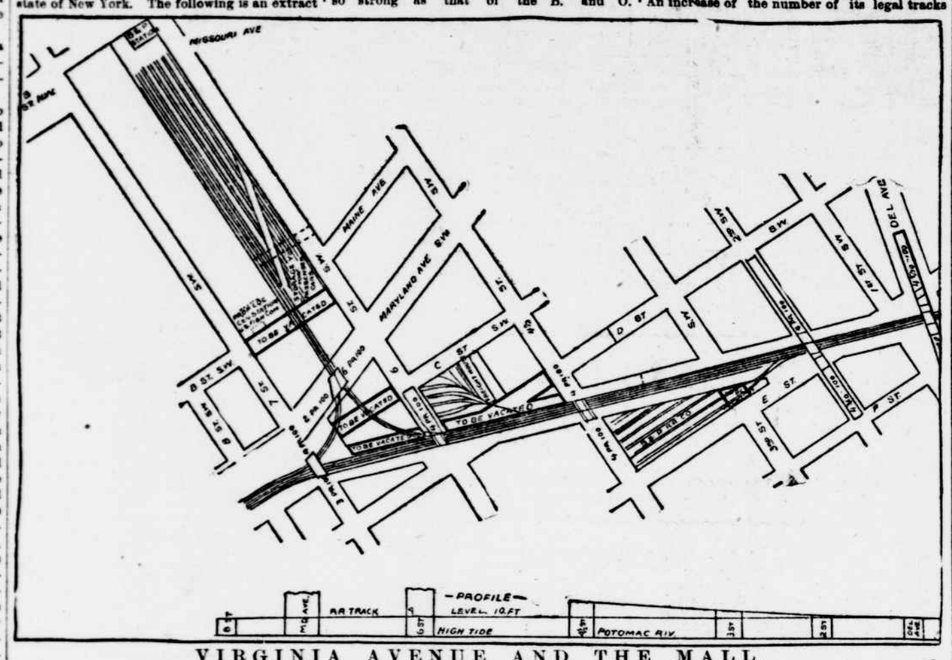
That if the said Baltimore and Potomac Railroad Company cannot agree with the owner or owners for the purchase, use or occupation of the lands aforesaid the same may be acquired by the said company in the manner provided by sections 648 to 663, both inclusive, of the Revised Statutes relating to the District of Columbia.

Sec. 10. That the said railroad company be, and it is hereby, further required to construct a double track on the Long bridge over the Potomac river and the island in the said river, and to build on the Virginia side of the said river two additional spans each 140 feet long, in consideration whereof the said company shall be, and it is hereby, freed and relieved from the obligation to maintain the said railway bridge in good condition for ordinary highway travel; it being hereby understood and agreed that a proper highway bridge shall be provided at the expense of the United States or of the District of Columbia, between the foot of 14th street, in the city of Washington, and the Virginia shore at such point as may be determined upon as most suitable therefor by the Commissioners of the District of Columbia.

Sec. 11. That the said Baltimore and Potomac Railroad Company is hereby authorized, whenever the growing traffic of the eastern part of the city of Washington shall require the abolition of the grade crossings over the said railroad east of 2d street southeast, to revise its line so as to abolish the grade crossings between the said 2d street southeast and the mouth of its tunnel upon the same general plan as laid down in this bill, the cost of the said improvement and revision to be borne in like manner by the railroad company so far as its own right of way is concerned, and the cost of that portion outside of its own right of way and the damage arising to property by reason of the change of grade of the streets to be borne by the District of Columbia, as provided in this act.

Sec. 12. That duly authenticated copies of the plans and profiles referred to in the within act shall be filed with the engineer of public buildings and grounds and with the Commissioners of the District of Columbia.

Sec. 13. That Congress reserves the right to alter, amend or repeal this act.

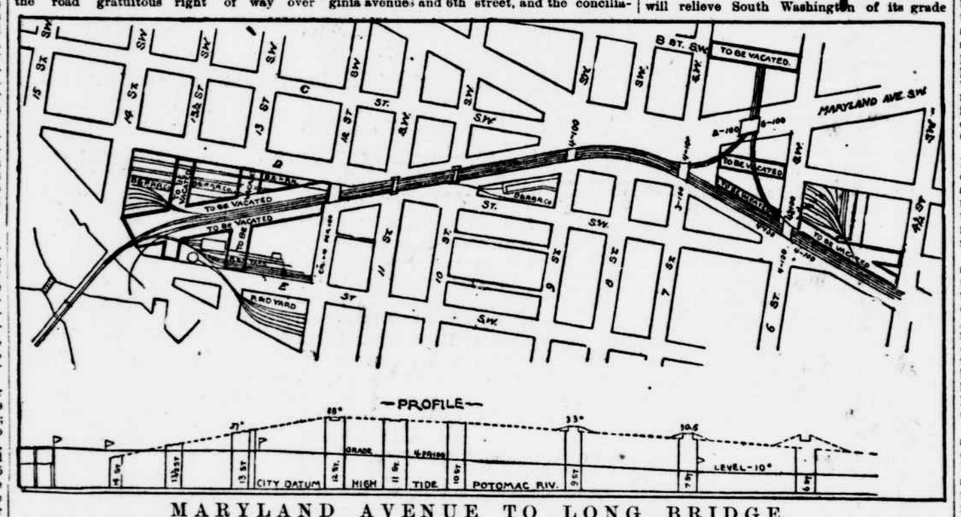


VIRGINIA AVENUE AND THE MALL.

(SHOWING STREETS TO BE VACATED, LOCATION OF TRACKS ON THE MALL AND BRIDGES OVER TRACKS.)

THE RAILROAD AS CREDITOR.

If Long bridge is reconstructed on Col. Hains' plans the road might perhaps be credited with an amount representing the cost of the public highway part of the bridge structure proper, and some consideration for the use of the railroad's piers. In establishing the equity of a slight contribution from cities in the removal of grade crossings, regard has been had to heavy expenditures by the roads in creating the existing conditions and the surrender to the public of vested rights in establishing the new conditions. But the Baltimore and Potomac cannot make much of a showing on either of these points. The smallest possible expenditure has been made by it upon the parts of the road affected by the improvements proposition. Instead of spending millions, as in Baltimore, Philadelphia and Jersey City, its outlay has merely been sufficient to enable it to use the surface of streets as free right of way, a portion of the mall as a free temporary station site and to enjoy the practically free use of Long bridge. It was to pay taxes during its occupation of the station site and keep Long bridge in repair. Notonly has its expenditure been trifling, but the legal rights which it has acquired have been very fragile. Its position in this regard is not nearly so strong as that of the B. and O. The latter holds its station by virtue not only of legislation, but through formal contract with the District authorities, and in most of its legislation no right of repeal is formally reserved. This is not by any means the case with the B. and P. The legislation permitting it to sever and disfigure the mall with tracks is expressly subject to repeal by its terms, and in theory these tracks were merely temporary, to be withdrawn when the then unpromising ground was needed for a park. In respect to other parts of the line in the city, the act of February 5, 1867, in giving the road gratuitous right of way over the public streets, provides that "the level of said road shall conform to the present gradation of the streets, unless Congress shall authorize a different level," and Congress has also the right to repeal or amend the entire grant. Evidently Congress has the power to authorize a different level for the road or to remove it entirely from the streets which it now occupies, and if the road has any claim for damages it will be merely an equitable one against the United States government, to be resisted by counter claims on the government's part. Senator Morrill said once in the Senate, after describing the road's infractions of its charter and its admitted trespasses upon public property:



MARYLAND AVENUE TO LONG BRIDGE.

(SHOWING PUBLIC STREETS TO BE CLOSED. THE PROFILE SHOWS DEPRESSION OF TRACKS BELOW STREET GRADE.)

"The present station site is to be found on the Pennsylvania's whole system, will in effect cause the temporary grant of right of way from Virginia avenue to the free station site on the mall to become permanent. It will then be impossible to loosen the railroad's grip upon the park. The value of this benefit to the railroad is almost incalculable. Some time ago Senator Ingalls estimated the value of the mall privileges, for which the railroad would have to pay elsewhere, as at least $500,000. They are worth more now. This estimate indicates only the pecuniary value of the acquisition, and allows nothing for the injury and practical destruction of the continuous park from the Capitol to the White House, which our forefathers planned and which is necessary as an in-the-city breathing place for those who have neither the means nor the time for a suburban outing. If the city's magnificent original plan is to be permanently altered and disfigured for the railroad's benefit let the latter pay handsomely for this desecration as well as for its land grants. If the æsthetic, sentimental and sanitary considerations which plead for the uninterrupted mall of L'Enfant's plan are to be buried beyond hope of resurrection and the issue is reduced to the business-like question of dollars and cents let the dollars and cents of compensation also be exacted on strictly business principles. If a part of the city's birthright is to be disposed of for a mess of pottage let those who are responsible for the transfer at least see to it that the municipal stomach enjoys every particle of pottage justly due. The proposition of the public by the erection here, as virtually promised, of the finest station to be found on the Pennsylvania's whole system, will in effect cause the temporary grant of right of way from Virginia avenue to the free station site on the mall to become permanent. It will then be impossible to loosen the railroad's grip upon the park. The value of this benefit to the railroad is almost incalculable. Some time ago Senator Ingalls estimated the value of the mall privileges, for which the railroad would have to pay elsewhere, as at least $500,000. They are worth more now. This estimate indicates only the pecuniary value of the acquisition, and allows nothing for the injury and practical destruction of the continuous park from the Capitol to the White House, which our forefathers planned and which is necessary as an in-the-city breathing place for those who have neither the means nor the time for a suburban outing. If the city's magnificent original plan is to be permanently altered and disfigured for the railroad's benefit let the latter pay handsomely for this desecration as well as for its land grants. If the æsthetic, sentimental and sanitary considerations which plead for the uninterrupted mall of L'Enfant's plan are to be buried beyond hope of resurrection and the issue is reduced to the business-like question of dollars and cents let the dollars and cents of compensation also be exacted on strictly business principles. If a part of the city's birthright is to be disposed of for a mess of pottage let those who are responsible for the transfer at least see to it that the municipal stomach enjoys every particle of pottage justly due. The railroad's direct gain, when the temporary loan of its mall privileges becomes a permanent gift, will be so vast that, without the aid of the other items enumerated, it will be sufficient to outweigh any claim against the District, however exaggerated, on account of the abolition of grade crossings and the reconstruction of Long bridge."

BALANCING THE ACCOUNT.

The railroad, in view of these acquisitions, can afford and ought to elevate or depress and bridge its tracks and reconstruct Long bridge without charging the city or government a single penny. If any further contribution were to be exacted from the public it should take the shape of the grant of additional public property to facilitate an enlargement of the cramped space which the road can now legally occupy for station purposes, and not a money payment toward building long, ugly approaches to bridges across the tracks, toward changing the street grades to cross such bridges or toward paying damages to property owners injured by these approaches.

SUPERIORITY OF BERLIN ELEVATED STRUCTURE.

It is possible for the railroad as well as the public to avoid these classes of expenses. Instead of using depressed tracks part of the way in girder tunnel, the railroad can, perhaps, better solve the grade crossings problem by the construction of an elevated structure of the Berlin type, described and commended for local adoption in THE STAR, and possibly to be used by the Baltimore and Ohio. Before the last Congress the railroad insisted that an effective depression of its tracks was impracticable, would create a ditch or canal in South Washington and would be incompatible with the desired elevation of the tracks at Long bridge. These objections are not tenable in view of the evidence of the engineers, but in the light of the teachings of Berlin the elevated structure of a certain type seems to be better both for railroad and public, and the former's last year indications of preference for elevated tracks may well be permitted to prevail. The public will, doubtless, heartily indorse the construction of an arched masonry viaduct, which will not disturb the grade of streets or street car lines, and under which there will be convenient passage at all points.

The railroad has, however, apparently reversed its views of last year, favoring an elevated structure, and advocates the hitherto despised "submerged track and canal scheme," upon the consideration, possibly, that a greater demand can plausibly be made upon the District for a contribution to the expense of the bridge approaches than for meeting any part of the cost of a masonry viaduct. If Congress should decide that all the money expense in any event is to fall upon the railroad the latter may possibly return to its former view of the superiority of the elevated structure.

If, however, a depression of the tracks is provided—and that is far better than no relief from grade crossings—they should be lowered to high-water mark, and run in a girder tunnel wherever possible, with street crossings on a level wherever practicable. In estimating the amount of depression which will be necessary to permit a street to cross the tracks on a level bridge a suggestion of the railroad commissioners of Massachusetts in their report of 1889 is significant. They say: "The general adoption of the train brake on freight trains would facilitate the work of abolishing grade crossings, since the highway need not then be more than fourteen or fifteen feet in the clear above the tracks, and the saving of three or four feet in height would materially diminish the cost."

Both railroads promise fine new stations. It is hoped that in building them hotels on the London plan and a great convention hall as advocated in THE STAR may be constructed in connection with one or both of them.

THE RAILROAD'S PROPOSITION.

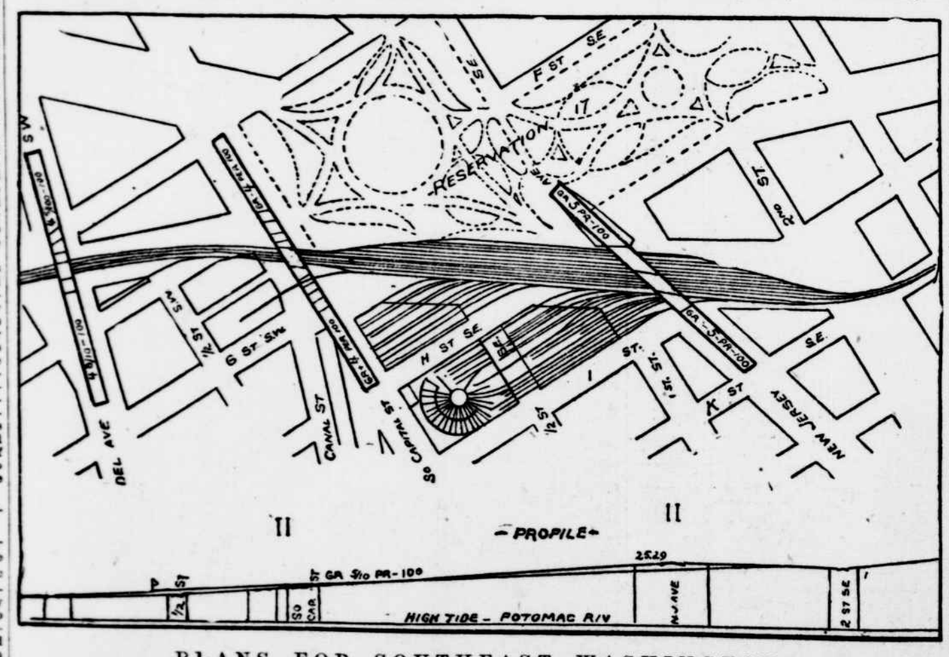
What the Pennsylvania Company Wants With Plans to Make Its Desires Perfectly Plain.

Congress will soon be called upon to give consideration to a measure which, it is expected, will relieve South Washington of its grade crossings and remove that dangerous dam known as the Long bridge. Up to this time the only proposition that has assumed legislative shape is the one made by the Pennsylvania Railroad Company in Senate bill 3477. Framed by the company this bill was introduced last July in the Senate and will soon come up for amendment by the Senate District committee. Just what changes will be made cannot now be foreshadowed, for the subcommittee is waiting for the opinions of the War Department and the District Commissioners. When these opinions have been received they will be carefully discussed, and out of the consultation is expected a measure which will be satisfactory to both the city and the railroad company. The plans which are printed herewith are those submitted by the company in connection with the bill, and the bill—which, it must be remembered, is simply a declaration of what the company wants to do and have done—is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Potomac Railroad Company be and it is hereby authorized and required to revise, change and improve its line within the city of Washington by depressing its tracks and constructing bridges over the same, so as to do away with grade crossings, so called, all in accordance with plans and profiles attached hereto, it being the purpose of this act that the grade of the said railroad shall be revised and readjusted, as shown upon the said plans, in such a manner that New Jersey avenue, South Capitol street, Delaware avenue, South 2d street, 4½ street, 6th street, Maryland avenue, 7th street, 9th street and 12th street shall be carried over the said railroad on iron and steel bridges with stone abutments, said bridges to be the full width of and substantially parts of the streets named as to paving and sidewalks; such bridges to have a clearance of seventeen feet six inches above the rails of said railroad. Also, upon the line of both 10th and 11th streets foot bridges, each twelve feet in width, shall be constructed over the said railroad for the accommodation of pedestrians.

Sec. 2. That the said Baltimore and Potomac Railroad Company be and is hereby required to remove its present western connection between its tracks on 6th street and its line on Virginia avenue, via Maryland avenue, and to change and revise the location of its tracks, as shown upon the plan hereto attached, so that they shall curve to the north from a point on its main line on Virginia avenue just east of the bridge authorized by this bill to be constructed on the line of 6th street, and shall run under the bridge to be built on the line of Maryland avenue, alongside of the two tracks, shown on the attached plan, that start from a point on the main line about 100 feet west of 7th street and curve to the north therefrom, the said four tracks to continue north from said Maryland avenue and to occupy a strip of ground not to exceed the width of seventy-five feet from B street southwest to B street northwest.

Sec. 3. That the Baltimore and Potomac Railroad Company be and is hereby required to remove entirely its tracks on 6th street north of Virginia avenue and to restore said portion of said street to the uses of the public; and upon the removal of its tracks to make such repairs to the paving as shall be required by the Commissioners of the District of Columbia, in order to conform the paving upon the portion of the street so relinquished to that of the remainder of the street. In lieu of the use of said portion of 6th street for railroad purposes, and in order to accommodate the increasing passenger, mail and express traffic in the city of Washington, the said Baltimore and Potomac Railroad Company is hereby authorized to occupy and use, that they can capitalize the expense there is reason to believe that some of these roads which can issue capital stock to advantage will set a good example without delay."



PLANS FOR SOUTHEAST WASHINGTON.

(SHOWING PROPOSED BRIDGES OVER TRACKS.)

It thus appears that in the states of Massachusetts, New York and Connecticut, where the principle of equitable apportionment (most favorable to the railroads) prevails, the roads, especially in the cities, meet the bulk of the expense, though not all of it, as they did in Massachusetts prior to 1872.

WHO OUGHT TO PAY IN WASHINGTON?

Application of the teachings of the practice in Europe and America to the case of the B. and P. would indicate that some small claim might be made against the city on account of certain parts of these improvements, but this claim is far more than counterbalanced by the peculiar donations and privileges bestowed upon the road in this city, for which it would be compelled to pay vast sums of money elsewhere.

"The proof of these flagrant abuses is so abounding as to show that the Baltimore and Potomac Railroad Company has willfully broken its so-called charter and would justify its forfeiture under the most summary process by the courts, but full power having been specially reserved to alter or amend it is inconfestable that the road is now as amenable to the discretion of Congress as it would be if now for the first time it were asking permission to enter the District."

Congress granted something to the road with notice that it might revoke or modify the grant at any time, and no legal damages can be claimed for such modification in pursuance of a condition of the grant.

The bill to be presented to the government by the railroad on the German and American principle of equitable apportionment would in respect to the two items under consideration be almost imperceptible. The only considerable item on the railroad's side of the account would be a possible charge for building the public highway part of the new Long bridge.

THE RAILROAD AS A DEBTOR.

To offset this amount the legislation means much for the railroad. A report of the committee on bridges to the board of trade, unanimously adopted by that body February 23, 1892, says on this subject:

"In balancing the accounts between the public and the railroad it is to be remembered that the latter secures from the former in connection with this legislation: (1) Release of claim for rental for the admittedly illegal use and occupation of streets and certain reservations for lo! these many years. An act of the last Congress legalized the occupation and use of six small reservations which had for years been used without legal authority. The road has occupied and still occupies the large reservation at the intersection of Maryland and Virginia avenues, which Mr. A. G. Riddle, when attorney for the District, reported to be held only by virtue of 'squatter sovereignty.' It has paid nothing for its long illegal use of the streets and reservations as storage depots and shifting yards. (2) Legalizing the alleged illegal tracks along Maryland avenue between 9th and 6th streets if a route along this avenue is agreed upon. (3) An increase of the number of its legal tracks

First Blood for Lasker.

The first game in the series between Lasker and Showalter at Logansport, Ind., resulted in a victory for the former after a hard battle which lasted over eleven hours. No clocks were used. On the thirty-fifth move Showalter proposed a draw, which, however, Lasker rejected. The Kentucky player displayed splendid resources and repeatedly got out of difficulties by ingenious tactics.

The Cowcatcher Principle.

From Puck.

Wheeler—"Little idea of my own. No more running over dogs and breaking one's neck, see?"

(He saw.)

THE NATIONAL GUARD

A New Proposition is Presented to Gen. Ordway's Brigade.

BATTALION TEAMS TO TRAMP.

Rifle Practice Plans for '93—A Great National Camp at the World's Fair—Will Congress Appropriate the Necessary Funds?—A Cavalry Shoot—Turkey Shoot Next Friday.

AS THE NATIONAL Guard of the United States, and especially of the District of Columbia, becomes more and more practical the various commands will follow the good example set them by some of the European volunteers. In several respects the National Guard is more practical than any of the English volunteer commands, for the troops in several of the states have seen active service and in the majority of instances acquitted themselves creditably, but there are lines of instruction on which the British citizen soldier has distinguished himself that have not been touched by the American militiaman. One of these is long-distance marching. Competitive efforts of that description are by no means uncommon across the Atlantic and there is no good reason why they should not speedily become popular here as soon as they have been properly introduced. In this it may be the privilege of the District National Guard to lead the way and thus add to its already brilliant reputation for careful attention to the exacting details of the soldier's work. *The Army and Navy Journal* tells the story of a recent contest in England as follows:

The long-distance marching competition among the regulars, militia and volunteers of the East Surrey regimental district was commenced on Saturday morning, November 5, concluding in the earlier hours of Sunday morning, November 6, in a generally satisfactory manner. The competition had been organized by a committee of officers belonging to the East Surrey regiment, with Capt. Wynyard assecretary, the conditions being that any number of teams, each consisting of eight men, with a non-commissioned officer in command, representing the regulars at the depot, the militia and the volunteer battalions attached to the East Surrey regiment, should march from Kingston to Guildford and back, by way of Camberley, two teams being dispatched every hour from 6 a. m. to 2 p. m., one to Guildford via Camberley, the other direct to Guildford and thence to Camberley on the return journey. It was provided that no straggling be permitted—in the event of a man falling out the team to halt until he rejoined it—the dress to be what is known as "field-day order," every man having his great coat rolled on belt behind, canteen on top water bottle, haversack, and two pouches containing forty rounds of ball cartridge and an officer to accompany each team as umpire. The trial was regarded as a very severe one, the distance from Kingston through Camberley and Guildford being reckoned at fifty-four miles. There were eighteen teams entered. One team was composed of regulars, two of militia, and fourteen of volunteers, and all of these started except one.

Eight out of the seventeen teams performed the task, the best having made a little more than three miles an hour and the worst nearly two miles and a half, including stoppages. And not one of the nine teams which were obliged, from one cause or another, to give in, had covered, it is said, less than thirty miles of ground before doing so. The teams took the road at hour intervals up to 2 in the afternoon, in order that all might be sufficiently apart to prevent anything like racing. No running was allowed. The condition of the roads had been greatly affected by the recent rains. The first prize (£40) was won by Kingston men, No. 4 team of the 3d V. B. East Surrey, led by Color Sergt. Warren, who, starting at noon on Saturday and marching through Camberly first, and thence by Guildford home, had completed the distance in 17h. 36min., an average of about three miles one furlong an hour. The second prize fell to the team of the 4th (militia) battalion (Sergt. Beasley), which, going to Guildford first, finished in 17h. 48min., only twelve minutes behind the best squad; and the third to No. 3 team of the 3d V. B. (Sergt. Williams), 18h. 28min. The times of the other squads which competed are: No. 2 of the 1st Surrey, 19h. 15min.; 3d V. B., East Surrey, 19h. 37min.; No. 1, ditto, 20h. 44min.; No. 6, ditto, 21h. 25min., and No. 1, 1st Surrey, 21h. 47min. The ages of the nine members of the volunteer team which won the first prize averaged a fraction more than 28—the eldest man being 41 and the youngest 20.

It will be noticed that the volunteers defeated the regular troops. It is not at all improbable that a similar competition will be arranged for battalion teams of the D. C. N. G. some time during the present winter. The first race would hardly be for more than ten or fifteen miles.

STIRRING THEM UP FOR '93.

Interest in rifle practice was very thoroughly aroused by the fall competitions, and unless all the signs fail there will be more shooting done in the gallery this winter than ever before. Consequent upon a satisfactory gallery season will be better scores, and more of them, when the range is opened for the outdoor work of 1893, and there will, therefore, be a determined effort made to get every man in the brigade to do his share in the practice, an effort that will commence as soon as the new year opens. There will be rewards for the faithful. Just what these will be cannot be definitely stated at this time, but it would seem as though a medal will be given the officer or enlisted man who in the regular ordered practice—gallery and range—makes the greatest aggregate score. In addition to this there will be a decoration for the enlisted man who reaches the top notch under the same conditions. Capt. Cash's plans for the encouragement of the first regiment have not yet been fully formulated, but Capt. Bell's program is about complete. The following circular, which has been sent to each of the captains in the second regiment, explains itself:

Dear Sir: The high standard of the skill of the riflemen of the second regiment is a matter of pride, in which every man of the command has a just share, and as an evidence of that standing it is only necessary to state that when skill and knowledge of rifle shooting is in demand this regiment is called upon to furnish the talent. As one evidence of this fact I will instance the three battalion inspectors of the first regiment and the lieutenant commanding the rifle platoon of the engineer corps, who were all taken from the active service of the second.

Our qualified marksmen and sharpshooters for 1891 numbered within a fraction of three times as many as were qualified by the other commands of the brigade combined. With five companies less than last year we have a total of forty-one sharpshooters and eighty-eight marksmen, which is over 40 per cent of the entire regiment.

This point of excellence was attained by the united efforts of the officers and enlisted men, prompted, I have no doubt, by the pride which each felt in the desire to maintain the well-earned title to the name of the Shooting Regiment of the Brigade.

It should be our aim in the coming season to qualify every man in the regiment, and I feel warranted in the belief that not less than 90 per cent will be either marksmen or sharpshooters at the end of 1893. To attain this point I ask the co-operation of the entire command, and as a first step in this direction I would like you to appoint from your most enthusiastic riflemen a rifle committee of three, whose duty it shall be to see that every man fires his regular scores and to keep the record of the rifle matters of the company.

Please send me the names of the men as soon as they are selected, that I may call them together for consultations upon the matter which we have in hand. As an incentive to induce the attendance of the men at the regularly scheduled company rifle practice, both gallery and range, during the season of '93 it has occurred to me that we should offer two medals, one for each battalion, to the men whose aggregate scores are the largest. (Of course, voluntary practice scores will not be considered in this connection.) If this idea meets your approval I ask that you hand me a contribution of $2, on the part of the company, which with other amounts I am satisfied will be contributed will enable the purchase of two beautiful medals to cost $15 each.

I wish you would give these matters early and favorable consideration that arrangements may be made and a perfect understanding had before the commencement of the new year.

I would suggest, for the information of the