COMMISSION FOR 2-CENT PASSENGER RATE ON BIG ROADS

(Continued from First Page.)

as possible, and to bring about uniformity as to such on all lines.

Fight Long Drawn Out.

Both the cases just decided have been pending before the commission for a long time, that relating to freight rates having been commenced nearly a year ago. Some of the strongest lawyers in Virginia have appeared on either side, and the fight has been waged with great determination by the railroads on the one hand and by the State on the other. Attorney-General Anderson and Hon. A. C. Braxton appeared for the State in the freight-rate case, while that relating to passenger rates was prosecuted by the Attorney-General for the State and Mr. Braxton for the Travelers' Protective Association.

The date fixed for the new regulations to go into effect is July 1, and the railroads will have to act prior to that time in order to get into the courts.

The commission which formulated and prescribed the new classifications and rates is composed of Judge Beverly T. Crump, president; Henry C. Stuart and Joseph E. Willard.

The General Assembly passed a two-cent rate bill, and it was held to be unconstitutional. The commission, by its own initiative, took up the case and rendered its own findings after due process of law.

DECISION AS TO PASSENGER RATE

Commission Considers Conditions at Length and Announces Its Opinion.

The opinion of the commission covers forty pages of typewritten matter in the passenger rate case, and some ten pages in the freight rate case. As provided by the constitution, the matter was adjusted under due process of law. The jurisdictional questions are all discussed and disposed of in the passenger rate case, as are also all matters of a purely statistical nature—it being understood at the hearing of these two cases that any evidence taken in either could be heard in both.

The decision in the freight rate case adopts and makes a part thereof so much of the passenger rate case, including jurisdictional questions and statistics, as are applicable thereto.

Question of Jurisdiction.

The first decision goes exhaustively into the question of jurisdiction of the commission and answers the constitutional objections raised by counsel for the transportation companies. The first of these objections goes to the very consultional existence of the commission itself, claiming that since the commission is endowed by the constitution with all three of the co-ordinate powers of government—to-wit, legislative, judicial and administrative—it must, in the exercise of all three of these rights destroy that balance between these three powers and that independence of each other which the law intends to provide, and which is necessary under a republican form of government.

This objection, however, has already been overruled by the supreme court of Virginia in the case of the Baltimore and Ohio railroad against the town of Strasburg.

In this case the court holds that the commission can validly exercise the legislative, judicial and executive powers of the State of Virginia.

The second objection was based upon a line of old statutes beginning as early as 1837 and coming on down to 1904-5, in which the legislature had undertaken to exempt the several railroads of Virginia from any rate legislation by the State until the profits arising from their business had reached a certain per cent. The railroads claimed that by virtue of these statutes they held a contractural relation with the State such as could not be legally impaired, and that to violate the terms of these statutes would be in effect that impairment of the obligations of the State's contract. The commission discusses this objection at length and dismisses it as being wholly untenable, holding that a contract of this character (if it be a contract at all) between the State and a railroad company, has no validity for the reason that one legislature cannot make such a contract as will prevent subsequent legislatures or constitutional conventions from the exercise of police power, that the State of Virginia through the corporation commission has the right to exercise unfettered the police power inherently residing in the State government, and that all railroads received their franchises subject thereto.

Relations Defined.

The decision then deals with the relations between the State and the railroads with respect to the exercise of rate-making power. The commission plants itself on the high ground that a carrier has the right to earn its operating expenses and a fair return upon the value of the property used in the service.

It then goes into an exhaustive and elaborate analysis of the earnings of the principal railroads and of the value of the property used in producing these earnings.

It separates the intrastate earnings from the interstate earnings, and presents a statement of comparative net profits arising to the railroads in these two branches of earnings.

It here goes extensively into the evidence and undertakes to show that the percentage of profit in intrastate earnings is as great as the percentage of profit in interstate earnings. It argues as follows:

"Having shown the net earnings per mile of the roads named respectively, on their entire Virginia business, and that no greater percentage of the company's plant is employed in earning a dollar of interstate gross revenue, it follows that, if the net earnings of the companies from all their Virginia business, yield them a certain return upon a given valuation of their property employed in earning that revenue, then the net earnings upon the intrastate branch of that business must also yield the same return upon a similar valuation of the property employed in earning that intrastate revenue."

The commission then shows, by a number of tables, the Virginia earnings of several of the principal railroad companies of the State.

It shows in these tables that the Norfolk and Western Railway Company shows gross earnings for the year ending June 30, 1906, on all its Virginia business, of $15,413.43 per mile, and net earnings on the same business of $5,870.68 per mile, all based upon the freight and passenger rates in effect during that fiscal year. From this it appears that the net income of this line is a little more than 5 7-8 per cent. on a valuation of $100,000 per mile of its 1,054 miles of track located and operated in Virginia.

Figures of Roads.

That the Chesapeake and Ohio Railway Company, for the same year, figured on the same basis, shows gross earnings of $12,974.73 per mile, and net earnings of $4,933.33 per mile, giving a net increase of approximately 5 per cent. on a valuation of $100,000 per mile on its 736 miles of track located and operated in Virginia, some eighty-five miles of which is mere trackage rights over the lines of the Southern and Washington Southern railroad companies from Orange to Washington.

That the Atlantic Coast Line Railroad Company, for the same year, figured on the same basis, shows gross earnings of $15,033.10 per mile, and net earnings of $5,115.91 per mile, giving a net income of approximately 5¼ per cent. on a valuation of $100,000 per mile of its 137 miles of track located and operated in Virginia.

That the Seaboard Air Line Railway Company, for the same year, figured on the same basis, shows gross earnings of $10,362.79 per mile, and net earnings of $3,718.33 per mile, giving a net income of approximately 3¾ per cent. on a valuation of $100,000 per mile of its 157 miles of track located and operated in Virginia.

The Southern Railway Company, for the same year, figured on the same basis, shows gross earnings of $7,712.52 per mile, and net earnings of $2,649.76 per mile, giving a net income of approximately 2 2-3 per cent. on a valuation of $100,000 per mile on 965 miles of track located and operated in Virginia, the expenses of some seventy-five miles of which, from Orange to Alexandria, are partly borne by the Chesapeake and Ohio Railway Company.

The Richmond, Fredericksburg and Potomac Railroad Company shows gross earnings of $21,212.22 per mile, and net earnings of $7,640.16 per mile, or approximately 7 2-3 per cent on $100,000 per mile of its eighty-three miles of track located and operated in Virginia.

That the Washington-Southern Railway Company shows gross earnings of $23,167.94 per mile, and net earnings of $5,387.49 per mile, or approximately 5 3-8 per cent. on $100,000 per mile of its thirty-six miles of track located and operated in Virginia, after deducting a grossly exorbitant charge for its interstate traffic over the Potomac river bridge which, as well as the Washington-Southern railroad, is controlled by the Pennsylvania Railroad Company.

That the New York, Philadelphia and Norfolk Railroad Company shows gross earnings of $16,823.11 per mile, and net earnings of $5,192.37 per mile, or approximately 5 1-5 per cent. on $100,000 per mile, after making many unusual and unwarranted deductions from net income. * * *

"Assuming, for the moment and for the purpose of comparison, that 6 per cent. is an adequate net return on the value of the property of the roads above enumerated, it appears that this rate is being earned by the several roads on the following valuations per mile respectively, stated in round figures:

Norfolk and Western Railway Company, 6 per cent. on $98,000 per mile.

Chesapeake and Ohio Railway Company, 6 per cent. on $82,000 per mile.

Atlantic Coast Line Railroad Company, 6 per cent. on $85,000 per mile.

Seaboard Air Line Railway Company, 6 per cent. on $62,000 per mile.

Southern Railway Company, 6 per cent. on $45,000 per mile.

Richmond, Fredericksburg and Potomac Railroad Company, 6 per cent. on $127,000 per mile.

Washington-Southern Railway Company, 6 per cent. on $90,000 per mile.

New York, Philadelphia and Norfolk Railroad Company, 6 per cent. on $85,000 per mile.

They then deal with the question of valuation of property used in producing these earnings and discuss at length.

Unreliable and Untrustworthy.

The bond and stock basis has been suggested; but this is probably the most unreliable and untrustworthy of all measures of value of the property.

The cost of original construction has also been suggested; but this method is subject to various objections, among which is the consideration that the facts from which to determine original cost are usually too remote to be available.

Since the roads, by their accounting methods, charge enormous sums annually to maintenance of roadway and structures, and to maintenance of equipment, the aggregate of which sums is annually deducted from the gross revenues in arriving at the reported income, and has been deducted in each case from the net incomes above given, it would seem that they have protected themselves and are continuing to protect themselves financially against the consequences of natural depreciation of their property.

Under the laws of this State it was, for many ears, the duty of the board of public works, composed of the governor, the auditor of public accounts and the treasurer of the Commonwealth, to assess for taxation the value of all railroad property in this State; for four years past this duty has devolved upon this commission, which, in the performance thereof, has made caretul personal inspections of all the railroad property in the State, and availed itself of every practical source of information as to the true value of that property, and have assessed it as the facts and circumstances of the case would, in their opinion, justify, with a view of deriving therefrom for the State the fair amount of taxes to which, under th claw, it was entitled.

The assessmnet of railroad property in Virginia under the old board of public works was in no single instance more than $15,000 per mile, and, under this commission, has never been, up to and including the year 1906, more than $16,000 per mile on single track roadway proper, and in may instances it is much less.

After discussion of the principles governing valuation, this general statement is made:

"By this process the commission has arrived at the conclusion that the entire Virginia property of no railroad company assessed by it is really worth more than $50,000 per mile for the entire mileage in this State, while the property of most of such companies is worth less * * *"

In the exercise of this discretion, the commission deems it the height of unwisdom and mistaken policy to restrict the railroad companies to the utmost point legally permissible or anywhere near that point. On the contrary, the commission deems it manifestly wise and proper that the railroads, as one of the greatest engines of civilization and prosperity, on the successful operation of which practically every industry and every community is largely dependent, should be given every reasonable encouragement and dealt with as liberally as the public interests and the welfare of their patrons will permit.

Decision of Commission.

The commission, therefore, in its final action in these proceedings has been guided by these considerations and has decided upon the reduction in the maximum limit to passenger fares wrich it orders only after assuring itself that, even if such reduction is not fully compensated by the consequential increase in business the roads will still be left, upon their intrastate Virginia business, such a margin of profit upon any fair value of the property employed as will enable their business to compart favorably in profitableness with any of the large, or standard, businesses of the country, and not even approach anywhere near the legal limit of confiscation.

After a careful study of the evidence and of the entire railroad situation in this State, the commission believes, under the maximum limit of passenger fares as prescribed by it in this proceeding.

First. That the revenues of the railroad companies affected will not be necessarily diminished as compared with their existing revenues, but may be increased;

Second. That, if their revenues be in fact diminished thereby, they will not be sufficiently diminished to work any unjust or unreasonable reduction in their net earning; and

Third. That since the effect of such maximum limit will not be to work a greater reduction in the companies' net earnings than they could be justly and reasonably called upon to bear, such reasonable reduction should be applied as far as practicable to such rates as are best able to bear it and most generally affect public interest. Applying this principle to the evidence in the case, so far as adduced, we reach the conclusion, and there is little if any evidence to the contrary, that it is proper to make the bulk of reduction in passenger fares, especially since such reduction will be more surely and readily compensated for by increased business, than if a similar reduction had been made in other classes of traffic. The increased passenger revenues which must necessarily result from the withdrawal of free transportation under the operation of recently enacted lawc, may be an item worthy of consideration in this connection.

The commission is of opinion that a maximum rate of two cents per mile for the transportation of all intrastate passengers is not unreasonably low for the roads enumerated, considering the proportionate value of the property used by them in intrastate business and the character of service rendered to intrastate passengers.

This conclusion is based upon the business of the roads respectively, as shown by the evidence in this case, and by the operating reports for the years 1905 and 1906.

It is true that the net earnings of the several railroads enumerated in this group are variable as to amount, and the presumption might arise that the roads showing the smaller earning power should not be classed wit hthose showing the larger. We feel that this view is defeated by the fact that the larger earning roads, with one or two exceptions, are using property of much greater value per mile than that used by the smaller earners.

Earnings Increased.

It has been urged by the carriers that the prices of material and labor have greatly increased during the period of this investigation and are continuing to increase since the evidence in the case was taken. Examination shows, however, that, in practically all cases, the gross earnings of the roads are also increasing, and that the most that can be said as to this claim, when properly analyzed, is that the profits on increased gross earnings are being absorbed by increased charges for labor and material, though the commission is not prepared to find that even this is wholly true.

In the case of some of the roads, such, for instance, as the Southern, it is found that they are failing to accept and carry much of the intrastate Virginia traffic originating on their lines, or tendered to them by connecting lines, and which is now making urgent demand upon them for transportation. This failure to transport traffic tendered, and naturally tributory to them, is not found to exist on those roads which are conducting the largest amount of business, but on the roads which are handling along their tracks a valume of traffic below the average.

It would appear from the evidence that if many of the roads which complain of lack of revenue would utilize fully, as they should, the improved facilities now owned by them, both of power and equipment, in the transportation of traffic already offered to them, the profit arising from increased business would soon take care of any increase in the cost of material and labor.

The State of Virginia and the whole South is throbbing with energy and enterprise, and teeming with traffic as never before. The field of opportunity for railroad companies has widened and continues to widen beyond the most sanguine expectation of their official heads and admittedly far beyond their present state of preparedness.

We have shown that the net profit arising from the handling of this greatly increased and increasing traffic, even under the reduction herein ordered, will be equal to, if not greater than that enjoyed by other standard and legitimate business in the country.

It is inconceivable that the carriers should, under these conditions, find themselves unable to command the financial credit necessary to the performance of their public duties and to the provision of such increased facilities in the nature of track, terminals and equipment as may be necessary to keep pace with the expansion of traffic of which they are to become the beneficiaries.

Order Issued.

Commonwealth of Virginia, at the relation of the State Corporation Commission against Steam Railroad Companies.

In the matter of prescribing a maximum passenger rate.

City of Richmond, April 27, 1907.

The state corporation commission having carefully considered all the proceedings herein and all the testimony, exhibits and statements adduced and filed before it in this proceeding, and having put its conclusions in writing, which are made a part of the record herein, the commission, in order to cary out said conclusions, now makes the following order and regulations and prescribes the following maximum rates to be observed by all the steam railroad companies operating in the State of Virginia in the transportation of passengers.

1. It is ordered, That on and after the first day of July, 1907, the following steam railroad companies, viz.: Norfolk and Western Railway Company, Chesapeake and Ohio Railway Company, Atlantic Coast Line Railroad Company, Seaboard Air Line Railway Company, Southern Railway Company, Richmond, Fredericksburg and Potomac Railroad Company, Washington-Southern Railway Norfolk Railroad Company, Virginia and Southwestern Railway Company, Louisville and Nashville Railroad Company, shall put into effect and observe a maximum rate of two cents per mile in the intrastate transportation of passengers in Virginia, said maximum rate to be observed whether the transportation be entirely over the line of one of the said railroad companies or joint transportation over the lines of two or more companies; and on and after the said date it shall be unlawful for the said railroad companies, or any of them, to charge or collect a greater sum than two cents per mile for the transportation of passengers over the lines controlled and operated by them respectively, except as otherwise allowed in this order or from time to time by the state corporation commission.

2. It is ordered, that a maximum rate of two and one-half cents per mile for the interstate transportation of passengers be fixed and prescribed to go into effect on and after the first day of July, 1907, on the following divisions, or branches, of the Southern Railway Company, which are now excepted from the operation of the maximum rate of two cents per mile hereinabove fixed:

Norfolk division, extending from Pinner's Point to Danville, 204 miles, exclusive of so much of the said division as may be in the State of North Carolina; Franklin branch, extending from Franklin Junction to Rocky Mount, 37 miles; Claremont Branch, extending from James River Junction to Claremont, 50 miles.

From and after the said date it shall be unlawful for the Southern Railway Company to charge or collect a greater sum than two and one-half cents per mile for the intrastate transportation of passengers over these divisions or branches, unless otherwise directed or allowed by the commission.

3. It is ordered, that on and after the first day of July, 1907, the following steam railroad companies, viz.: Chesapeake-Western railway, Cumberland Valley and Martinsburg Railroad Company, Danville and Western Railway Company, Indian Creek and Pound River Railroad Company, Marion and Rye Valley Railway Company, Nelson and Albermarle Railway Company, Valley Railroad Company of Virginia, Virginia-Carolina Railway Company, Virginia Southern Railroad Company, Winchester and Potomac Rail-Company, Winchester and Strasburg Railroad Company, Norfolk and Southern Railway Company, shall put into effect and observe a maximum rate of three cents per mile in the intrastate transportation of passengers in Virginia, and on and after the said date it shall be unlawful for the said railroad companies, or any of them, to charge or collect a greater sum than three cents per mile for the transportation of passengers over the lines controlled and operated by them, respectively, except as otherwise allowed from time to time by the State Corporation Commission.

4. It is ordered, that on and after the first day of July, 1907, the following steam railroad companies, viz.: Big Sandy and Cumberland Railroad Company, Black Mountain Railway Company, Interstate Railroad Company, Lick Creek and Lake Erie Railroad Company, Mt. Airy and Eastern Railway Company, New River, Holston and Western Railroad Company, Potomac, Fredericksburg and Piedmont Railroad Company, Surry, Sussex and Southampton Railway Company, Tidewater and Western Railroad Company, Virginia Anthracite Coal and Railway Company, Virginia and Kentucky Railway Company, Wise Terminal Company, shall put into effect and observe a maximum rate of three and one-half cents per mile in the intrastate transportation of passengers in Virginia, and on and after the said date it shall be unlawful for the said railroad companies, or any of them, to charge or collect a greater sum than three and one-half cents per mile for the transportation of passengers over the lines controlled and operated by them, respectively, except as otherwise allowed from time to time by the State Corporation Commission.

Minimum Rate.

5. It is further ordered, that in applying the foregoing maximum passenger rates prescribed for the several railroads in Virginia the railroad companies may charge and collect a minimum rate of ten cents per passenger for any single haul.

6. The payment of fares subject to the maximum rate herein prescribed shall entitle the passenger to the same transportation of baggage as now allowed by the carriers under and in connection with the present rates, and no steam railroad company operating in Virginia shall change or alter the rules governing the rights of passengers with respect to the transportation of baggage in Virginia, without the consent of the commission first obtained.

7. Steam railroad companies operating in Virginia may charge and collect in addition to regular ticket rates the fixed sum of ten cents from all cash fare passengers who had been afforded reasonable opportunity for purchasing ticket before boarding train; provided that the conductor shall in all such cases deliver to passengers a receipt for the amount collected redeemable at any ticket office of the company within thirty days from date of issue.

It is ordered, that the clerk of the commission do forthwith publish this order in full in one of the newspapers of general circulation published in the city of Richmond, once a week for four successive weeks, as required by law.

UNIFORM FREIGHT RATES ORDERED BY COMMISSION

Virginia Only State in Which Two Classifications on Interstate Business are Used Extensively and Sometimes Interchangeably.

Commonwealth of Virginia, at the relation of the State Corporation Commission against Atlantic Coast Line Railroad Company, the Chesapeake and Ohio Railway Company, Norfolk and Western Railway Company, Seaboard Air Line Railway Company, Norfolk and Southern Railroad Company, Baltimore and Ohio Railroad Company, Southern Railway Company, Valley Railroad Company of Virginia, Louisville and Nashville Railroad Company, New York, Philadelphia and Norfolk Railroad Company, Virginia and Southwestern Railroad Company, Winchester and Potomac Railroad Company, Winchester and Strasburg Railroad Company

In the matter of prescribing a uniform freight classification and rates thereunder.

Conclusions of the Commission.

The commssion has had pending before it for some time two proceedings which have been considered somewhat in the nature of companion cases.

The first proceeding was instituted against the above-named leading steam railroad companies doing business in Virginia, made parties to the proceeding by name.

The notice in this case called upon the railroad companies to show cause why a single uniform classification with a system of class rates applicable thereto, and certain exception sheets and commodity rates, should not be put into effect.

The said classification which had been theretofore formulated by the commission was designated as Virginia Classification No. 1, and was, together with the tariffs of the class rates and commodity rates and several circulars, printed and served upon the defendant railroad companies, together with the original notice in this proceeding.

The defendant companies filed written or printed answers in which several legal objections were made to the consideration of this matter by the commission and in which, for the reasons stated in the several answers respectively, it was claimed that the putting into effect of the said classification and class rates thereunder and commodity rates proposed, would unreasonably reduce their freight revenue.

The passenger rate case originated in an order of the commission summoning all of the steam railroad companies doing business in Virginia before it by publication as required by law, to show cause why a maximum passenger rate of two cents per mile should not be prescribed for the intrastate transportation of passengers in Virginia. Answers were filed by the leading steam railroad companies in the passenger rate case, in which the same legal objections were made as are se tup in the answers in the freight rate case.

Several months have been occupied in taking testimony in each of these cases. While the cases were heard separately an dthe testimony taken separately in each proceeding, it has been agreed that any of the testimony taken in either proceeding may be considered by the commission in passing upon the issues in each of these cases respectively.

The commission has prepared and filed an opinion of some length in the passenger rate case, and a copy thereof is to be filed in this proceeding as a part of the record herein. Supplementing that opinion and dealing now altogether with the issues raised in the freight rate case, the commission files the following additional opinion in this case containing its conclusions upon the issues presented herein:

In viewing the question of the rates under which the freight traffic of Virginia is now being moved, the commission has not lost sight of the equally important question of facilities necessary to this movement. Virginia, in her present stage of development, is oroginating traffic far beyond the present seeming capacity of the railroads to transport. Her various industries and her people generally are calling for materials of all kinds to be delivered from place to place within her borders, which comes but tardily, thereby greatly hindering and hampering enterprises of every kind.

Almost every commodity which is either produced, consumed or in any way handled by the people of Virginia, whether it be viewed as intrastate or interstate traffic, is now in brisk demand at fairly remunerative prices. Business of all kinds seems at a stage of almost unexampled activity and is being conducted generally on a basis of profit which is reasonably satisfactory. The possibilities of all kinds of industrial enterprises with respect to volume and expansion of trade are now largely measured by the capacity of the carriers to furnish transportation, so that it is no exaggeration to say, in a general way, that the question of facilities for transporting traffic promptly, has, for the time being, overshadowed the question freight rates.

While rates are required to be, in and of themselves, reasonable, having respect to the net returns which they yield the carriers and the value of the service rendered to the shippers, still, if the facilities for the transportation of traffic be inadequate or insufficient, the public must suffer.

Interests in Harmony.

Adequate facilities can only be provided and maintained by rates which are reasonably remunerative to the carriers, who are necessarily dependent upon their revenue for the provision of facilities necessary to keep pace with the development of the country. To a certain important extent, and within proper limitations, the interest of the railroads and the interest of the people served by them are in harmony.

A fair and reasonable participation by the railroads in any general prosperity which the State is enjoying should be allowed them. As the volume of business increases in the country, so the volume of business of the railroads must necessarily increase, and they should not be denied the means of providing themselves with facilities in keeping with the demands which the business of the country makes upon them. Where freight rates are adjusted upon principles of fairness, and where they are shown to be free from unjust and unreasonable discrimination against persons, localities and classes of traffic, and especially where these rates are responsive to well defined and well established laws of trade, and have become the bases upon which have been built large industries, and out of which have grown important trade centers and trade relations, there seems to be no good and sufficient reasons for a disturbance of them.

The exhaustive investigation conducted by the commission convinces us that many, in fact, the great bulk of the rates now in effect on the railroads in Virginia, can stand the test of fairness in revenues already made in passenger rates; such rates will be deemed, and hereinafter referred to as standard rates for the purposes of this opinion and order, and will be confirmed and approved as such by the commission. There are cases, however, in which railroads, operating under substantially similar circumstances and conditions, are carrying rates widely varying from each other on the same articles of commerce, creating inequalities of opportunity between persons and localities engaged in the same business and frequently in a sense in competition with each other; a fair and uniform level will be found for rates of this class.

There are also cases in which roads are carrying short haul rates which are so high on certain kinds or traffic in comparison with their own long haul rates and the long haul rates of other roads on the same kinds of traffic, as to amount to discrimination against certain Virginia products and to a denial to the Virginia producers of the right to trade advantageously in Virginia markets; this class of rates will be so adjusted as to eliminate any element of unfairness to Virginia products.

There are other roads whose entire scheme of rates(either as to classification or scale or both) is considerably above the general level of standard rates on representative Virginia lines operating under similar circumstances and conditions; these rates will be reduced to the level of the standard rates.

There may be other classes of rates which are unfair or discriminatory from other considerations; if so, they, too, will be subject to correction. In order to put into effect the policy of the commission in dealing with freight rates as thus announced, it is the opinion of the commission that a uniform classification is absolutely essential.

The testimony shows that Virginia is the only State in which two classifications on intrastate business are used extensively and sometimes interchangeably. The difficulties of rate regulation under suc ha system are manifest. Several of the higher traffic officials of the railroads admitted that unfirmity of rates on the several lines operating under similar circumstances and conditions could not be established and maintained under two separate and distinct classifications, and that no State had ever attempted through any instrumentality to prescribe freight rates under such conditions. The evidence in the case, and the experience of the commission itself, proves conclusively that a uniform classification is necessary to the intelligent exercise of not only the rate-making power, but to the further intelligent exercise of that supervisory power which alone will preserve and maintain the results originally produced by a uniform classification.

The law requiring the railroads to publish and keep on file at its stations full and complete schedules of rates for public inspection fails to a large extent in its intended purpose where the rates are governed by different classifications, and where, as is frequently the case, shipments are required to move partly under the Southern and partly under official classification, thus making it impossible in many cases for even the local agent, to say nothing of the shipper, to ascertain from the published rate themselves the amount charged for transportation of certain kinds of traffic.

The commission, therefore, prescribes a uniform classification applicable to the freight traffic of the several defendant railroads in this case, as fully set out in the order accompanying this opinion.

Having heretofore prescribed a maximum passenger rate of two cents per mile, and having herein prescribed a uniform classification under which the commission will be enabled to deal intelligently with rates from time to time, we are of opinion, all things considered, that no material reductions in freight rates should be made at this time, except such reductions as necessarily result from the application of the policy of the commission as hereinbefore stated.

The commission appends to this opinion a copy of the order which will be entered in this proceeding carrying out these views of the commission.

In this order a method is provided by which the defendant railroad companies may put into effect the Virginia classification No. 1, apply it to their rates, and give practical effect to the foregoing conclusions of the commission.

Freight Rate Order.

Commonwealth of Virginia, at the re-

(Continued on Fifth Page.)

ONE MILLION SAMPLES

OF THE GREAT KIDNEY MEDICINE
WARNER'S SAFE CURE,

SENT ABSOLUTELY FREE

Thousands of people have kidney disease and do not know it. Our doctors have met with many cases in their experience where the kidneys had become so impregnated with disease that they would be called incurable by most doctors, yet the patient was not aware that his kidneys were diseased.

Warner's Safe Cure has been tested for many years, and found to be an absolute cure for all forms of kidney and bladder disease.

Warner's Safe Cure, to begin with, is purely vegetable, and contains no harmful drugs; it is a most valuable and effective tonic; it is a stimulant to digestion and awakens the torpid liver, putting the patient into the very best receptive state for the work of the restorer of the kidneys. It goes right at its work, and does it with absolute method, preparing the tissues, soothing where soothing is needed, stimulating the enfeebled organs and healing at the same time. It builds up the body, gives it strength, and restores the energy that is or has been wasting under the baneful suffering of kidney disease.

The one great fact that stands out is that Warner's Safe Cure cures.

Bright's disease, gravel, liver complaint, pains in the back, rheumatism, rheumatic gout, bladder trouble, dropsy, eczema, blood diseases, too frequent desire to urinate and painful passing of urine are all caused by diseased kidneys, and can be speedily cured by Warner's Safe Cure, which has been prescribed by leading doctors for twenty-five years.

FREE SAMPLE BOTTLE.

To convince every sufferer from diseases of the kidneys, liver, bladder and blood that Warner's Safe Cure will cure them, a sample bottle will be sent absolutely free to any one who will write Warner's Safe Cure Co., Rochester, N. Y., and mention having seen this liberal offer in The Times-Dispatch. The genuineness of this offer is fully guaranteed. The medical department of Warner's Safe Cure Co. is in charge of the most learned specialists of kidney disease the world has ever known. These doctors give their advice free and send a medical booklet containing symptoms and treatment of each form of the disease and samples of thousands of testimonials received from patients who have been cured of all forms of kidney disease.

Are you languid, low spirited, weak and flabby, have you a constantly drubbing ache in the small of your back? Have you chills, scalding pains when you urinate and a frequent desire to urinate? If so, your kidneys are diseased.

This is the supreme moment when you should begin to do something to arrest all these unnatural feelings and conditions, for they are the unmistakable symptoms of kidney disease. And they tell you that your kidneys have been diseased for a long time, for kidney troubles seldom put out such symptoms as the victim recognizes until they have been working several months. You have every reason to be alarmed, and you should take Warner's Safe Cure at once.

Taken at this stage your kidneys will get relief from the free trial bottle almost from the first dose.

WARNER'S SAFE CURE

is put up in two regular sizes and sold by all druggists at 50c and $1.00 a bottle. Refuse substitutes. There is none "just as good as" Warner's Safe Cure. It has cured all forms of kidney disease during the last thirty years. It is prescribed by all doctors and used in the leading hospitals as the only absolute cure for all forms of disease of the kidneys, liver and bladder.

Do it Now! Don't Wait Until It's Too Late!

KEEP your body clean!

Most people are very neat and clean in their outward appearance, but how about the inside?

Are you clean inside?

And if not, how can you face the world with clean thoughts, clear intelligence, a fair, just, bright mind and get your full share of capacity for work and enjoyment?

* * *

Neglect of exercise, rich over-feeding and carelessness about stools, often leave the delicate internal mechanism in a nasty mess.

The small intestine is compelled to absorb the poison of decaying matter instead of wholesome nourishment.

The liver gets inactive; the bile doesn't "work off"; the eyes get yellow; the skin gets dead like putty and pale like dough, disfigured with boils, pimples, blackheads and liver-spots.

* * *

There's only one solution to the problem: Keep clean inside all the time. That's the answer.

If you can not diet, or keep your mechanism going by proper exercise, take Cascarets, the sweet, fragrant, harmless little vegetable tablets, that "act like exercise" on your bowels, and gently but powerfully clean out and disinfect the whole digestive canal.

A Cascaret every night before going to bed will "work while you sleep" and make you "feel fine in the morning."

If you have been neglecting yourself for some time, take a Cascaret night and morning and break up the "constipated habit" without acquiring a "cathartic habit."

* * *

Cascarets are sold by all druggists, 10c, 25c and 50c. The 10c size trial box is a neat fit for the vest pocket or lady's purse.

Be sure to get the genuine with the "long-tailed C" on the box and the letters "CCC" on each tablet. They are never sold in bulk. 744

COFFEE DELIRIUM.

Child Lies Awake Nights and Talks to Himself.

To be active during the day and keep in good health requires sound sleep at night.

This is especially true of children, when mental and physical development is more rapid than later on.

An intelligent mother discovered that coffee was harmful, not only to herself and husband, but that it was doubly so to her boy. She writes:

"For more than twenty-five years I have been a great coffee drinker, have often tried to give it up because it made me nervous, constipated, and I could not go to sleep for several hours after retiring.

"About six months ago I finally quit coffee and began to use Postum. Now we use it three times a day; I am entirely cured of constipation, can sleep all night, and do not get those nervous spells. While under the coffee habit I was pale and sallow; now everv one tells me I have such a healthy complexion. Postum has certainly won the victory in our house.

"There are two persons especially who have been greatly benefited by drinking Postum instead of ordinary coffee. One, a gentleman who has been cured of dyspepsia, the other my own little boy, was cured of a most annoying affliction, without our even consulting a physician.

"Whenever he took tea or coffee he would lie awake at night probably three or four hours, with his eyes wide open, talking to himself and grasping at imaginary objects in the air.

"We commenced giving him Postum in place of tea or coffee. He is now a robust boy, and is entirely free from those spells of wakefulness." Name given by Postum Co., Battle Creek, Mich. Read "The Road to Wellville," in pkgs. "There's a Reason."

Boys' Indigo All-Wool Blue Serge Suits

A Suit that is guaranteed to be absolutely all wool, will not fade and must give exceptional wear, or we will "make good," and the price only $5.00.

Our entire second floor is devoted to the "little folks." We show hundreds of styles at

$1.48, $1.98, $2.98, $3.98, $5, $6, $7.50.

In Wash Suits our stock is the largest and most complete in the city. Prices range from

48c to $2.48

Flyer Complete Baseball Outfit—Shirt, Pants, Cap and Belt. The Pants are padded and quilted, - - - $1

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