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power to levy tolls for travel or transportation is the power to levy taxes. It perhaps follows that as the government says to the railroad, "you can have my power of eminent domain and go forth and take private property over which to construct your track," that the power to collect rates for transportation is likewise a government function the same as the power to levy tolls or taxes. This is the contention of such eminent writers as ex-Governor Larrabee in his excellent book "The Railway Question," (page 135), and the same is conceded by Stickney, a railroad president, in his book "The Railroad Problem."

However the legal question may be solved the people know that there is no tax which lays its avaricious hand so universally upon their property as that of transportation charges. The element of transportation cost enters into every thing we use. There are articles of manufacture which the tariff does not affect, but freight cost is added to almost everything we purchase. By this means the money is provided to pay interest on the cost of construction as well as much watered stock at the rate of five and six per cent, when the people are able to borrow money at two. The people pay for the maintenance of expensive lobbies to defeat their own measures. They furnish the money to defeat their own will at each election. They pay the money necessary to elect senators and other officers to carry out not their will but that of the corporations. This power of taxation for all these legitimate as well as vicious purposes is in the hands of less than one hundred men, and the number is rapidly growing less. The tax which they levy is four times as great as that of the government. When this power delegated by the government to corporations has been so long and persistently abused, shall we hesitate to recall it? For fifteen years we have had a law prohibiting rebates (Sec. 2, Int. St. Com. Act), and enforceable by heavy penalty. For many years we have had the Sherman anti-trust law. What virtue is there in the proposed laws over and above these? Can we hope to have attorney generals and other officers so skillful as to detect and so vigilant as to enforce these statutes? I trust it may be so, but there is nothing in history to give any ground for such a hope. If you had a servant to whom you had delegated an important part of your business, and he abused his trust you would not be content to have him arrested and put in jail every time he robbed you, but you would discharge him at once and resume control yourself.

Just a word as to the price to be paid for the railroads. Switzerland paid \$120,000 per mile for its roads. England, if she should purchase today would have to pay over \$250,000 per mile. The average price as measured by stocks and bonds of European railways is about \$110,000 a mile including the narrow gauge railways, some as narrow as a gauge of 3½ feet. Perhaps the broad gauge railways average \$140,000 per mile. The entire capital stock, bonded and floating debt of the railroads of the United States is about \$63,000 per mile. Switzerland has demonstrated that she can pay for her roads in sixty years. Australia has made a saving of one-fourth the purchase price already. If therefore our government went upon the stock market and purchased the railroads at market prices they would cost much less than half Switzerland paid, for none of the bonds are much above par and the stock averages much below par. The whole of them, of a nominal value of twelve billions, could be bought no doubt for ten billions of dollars. Our war debt was three billions when we had not half so many people and perhaps not one-fourth the real natural resources and wealth. The war debt was represented by no asset. The price paid for the railroads would

be offset by an asset rapidly growing in value and would be self-sustaining if not a source of great revenue from the start.

The attempt to control railroads by a commission is as conspicuous a failure in England as in this country. The boasted results to flow from publicity in the present interstate commerce law is a grim omen of the failure it will be as a remedy for trusts.

The general demand now existing for criminal statutes concedes the inefficacy of less stringent methods of controlling railroads and trusts, but the people know that criminal statutes will amount to nothing, they are contrary to the spirit of our institutions and repugnant to every sense of the dignity with which this great country should approach the settlement of important questions.

Furthermore, everybody knows criminal statutes are the very hardest to enforce. Facts must be proved not by a preponderance of evidence but beyond the reasonable doubt. The criminal law is technical. It is full of delays and its judgments are more easily avoided than civil decrees. The criminal law, as a remedy for trusts and transportation exortions is an ignis fatuus of the most delusive kind. Who would give the carrying of the mails back into the hands of private parties? Who could be heard to say that the handling of the mails by the government is a socialistic measure? The ready dissemination of the necessities of life is more of a government function than the dissemination of information. It is vastly more proper for the government to engage in carrying clothing, coal and bread stuffs to the people than to engage in delivering to them their letters.

Our people want to avoid the necessity of taking any radical or revolutionary steps such as were contemplated by the Jenkins resolution. They want to avoid stringent and dangerous temporary expedients by having a permanent policy which will make such alarming contingencies impossible. There has been but one remedy which is at once certain to remove all these evils and render the recurrence of these deplorable conditions impossible and that is the government ownership of railways. It is a policy which means something. There is nothing to be inferred. It means government ownership of railroads and nothing else. It is not a measure of doubtful efficiency. It would not be like an anti-trust law which would depend upon its enforcement for its value. Its greatest benefit would be its efficacy as a remedy for the greatest evil of the day, the rebates and discriminations by which trusts are created and thrive, cities are built or ruined, and communities made prosperous or otherwise at the will of some railway syndicate.

Chairman Knapp, in the article above referred to, says: "Government ownership would undoubtedly remove these discriminations. It would insure open and stable rates applied to all alike without variation or exception. The price of transportation would be as certain and unquestioned as the price of postage stamps."

It would remove railroad influence from elections, particularly that of the United States senators, and scores of evils I have not space to enumerate. Its advantages would be without number. Government ownership is all but an accomplished fact. It is an inexorable decree of development. It is the inevitable solution of the many difficulties which confront us. Its complete triumph awaits only the inevitable break in the policy of private ownership in England or the United States. This may occur any day. It can not long be delayed.

With these facts before us, with the tremendous problems of trusts, rebates, railway extortion and class legislation confronting and perplexing us,

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