

LIGHT ON LAWS

Assemblyman Williams Sees Virtues in Doubtful Railroad and Refunding Bills

Editor Las Vegas Age: In response to your invitation, I wish to submit a few facts and explanations relative to the Railroad rate law, and the Lincoln county refunding bill. Each of these measures have been commented upon, somewhat adversely, in recent issues of the Age.

Railroad Measure

The railroad rate law, commonly known as the Boyd-Syphus bill, provides numerous rules and regulations for the railroads of Nevada. The term, "railroad," is also made to include sleeping car and other private car companies, express companies, telegraph and telephone companies. It also provides for the appointment of a board of three railroad commissioners, to enforce the provisions of this law. They are authorized and required to prevent and abolish all unequal charges, rebates, or discriminations, and, whenever either a freight or passenger rate is found to be too high, they must set aside such rate and make, in lieu thereof, a rate that is fair and reasonable. The rates so made are to remain in effect, in case the railroads appeal to the courts, until the final ruling of such courts, and in law, the commission shall be held, in rate, to be just and reasonable, and in full force and effect, until the courts decide differently. It is the duty of this commission to go into court and champion the cause of the humblest complainant, and at no cost to himself, and the Attorney General of Nevada shall act as counsel for the commission.

All these duties are made binding and mandatory upon these commissioners and any neglect or evasion of such duties renders their offices vacant and themselves liable to prosecution.

For the further guidance and assistance of this Commission, this law provides a schedule of maximum freight rates for all the different classes of freight, above which they must not allow the railroads to charge.

It further provides that narrow gauge railroads may be permitted to charge one hundred and fifty per cent more than the maximum freight rates and that the Commission is not required to apply the maximum freight rates to new railroads, until two year's after completion.

It is a great mistake to think this proviso exempts the new railroads from either passenger fare or freight rate regulation. As expressly provided in Section 3, and in subdivision "d" of section 7, all rates found to be excessive must be reduced to a reasonable rate, and nothing in this act is to be construed as to hinder the Commission from reducing the rates below the maximum, when conditions warrant it. This exemption clause regarding narrow gauge and new railroads was inserted simply to allow the Commission necessary latitude in arranging rates that would be fairly remunerative to the three narrow gauge railroads of Nevada, which are doing a small amount of business, under very adverse conditions, and one or two new railroads, as, for instance, the V. and T. extension from Carson City to Minden. On the other hand in the case of the Hazen cutoff, or the line between Tonopah and Rhyolite, it may be necessary for the Commission to fix a rate even below the maximum, in order to comply with the duties imposed upon them in Section 3. We must always remember that the vital and all important feature of this law is the one embodied in Section 3, which requires the Commission to fix freight and passenger rates, regulations and charges, which are to be just and reasonable both to the railroads and to the public. The maximum freight schedule, the above mentioned exemptions, and all other provisions in the bill, are but ways and means for accomplishing this desirable result. I consider the two year exemption for new railroads, at the discretion of the Commission, a very necessary and commendable feature of the new law.

Not all new roads are built with an enormous traffic ripe and ready for them, as in the case of Tonopah and Goldfield. Oftimes new roads are built into very indifferent and undeveloped sections, with the hope and expectation of creating and developing business that could not otherwise exist. For the first two years, the business of such roads is liable to be quite small, and, without this clause, the Commission could not fix a rate which would be fair to the builders.

A few days before adjournment, I and my colleagues in the lower house, and Sen. Campbell, each received a telegram from citizens of Las Vegas, stating that they had a candidate for railroad commissioner, and that a petition in his favor would be forwarded us by mail. The telegram did not give the man's name, and the petition did not arrive while we were in Carson, consequently we could do nothing in the matter. I did not learn who the candidate was until I returned to Gold Springs, three weeks ago. Previous to receiving these telegrams, applications in behalf of various candidates had been presented from every county in the state, yet we would have proffered the name of the Las Vegas candidate, had we known it.

However, I think we have a very good railroad commission. Two of them, I have the pleasure of knowing, personally. The chairman, Ex-congressman Bartine, we can rightfully claim as a resident of Southern Nevada, he has

lived in Goldfield for the past two years. Mr. Bartine is a veteran of the civil war, and a resident of Southern Nevada, since 1868. He is a man of ripe experience and a character above reproach. There is not another man in Nevada in whom the people have more faith and confidence.

Prof. Thurtell was, for several years, an instructor in the State University. For the past two years, he has been State Engineer, which has brought him in contact with the people in every county in this state, and his good sense and absolute fairness have been thoroughly tested in settling the many disputes over water rights. The professor has many warm friends in Lincoln county. I have never met Mr. Shaughnessy, but he was spoken of in Carson as a competent and honorable man.

Refunding Bill

The Lincoln county refunding bill was introduced by Senator Campbell, and passed both houses unanimously. It authorizes the county commissioners to refund our county debt by an issue of bonds not to exceed 65 per cent of the old debt, including unpaid interest. This will mean a bond issue amounting to about \$446,000 with interest not to exceed 4 per cent. This is approximately \$46,000 more than the maximum allowed in his bill of the 22nd session, but the interest is 1 per cent lower, so it will amount to about the same, in the end. I sent copies of this bill all over Lincoln county, and kept it in committee until our constituents could be heard from.

The only objection came from a gentleman in Las Vegas, who feared that the bill was so drawn as to permit the sale or exchange of the bonds for less than par. It seemed to our delegation, however, that such a construction was impossible. In Section 2, lines 9 and 10, it is stated, positively, that no bonds shall be sold for less than par, and, in lines 17 and 18, of the same section, it expressly provides against the exchange of bonds for less than par. It did not seem that the English language could make it any plainer. After careful study, Governor Sparks took this view of the case, and signed the bill.

Within a few months I hope to see this enormous debt finally refunded, by our board of county commissioners, and on terms which will not be burdensome to the county. This is a case in which the interests of the largest and smallest taxpayers are one and identical. We all desire to see the debt refunded on the best possible terms to the county, and yet honorable to ourselves and fair and just to the bond holders, and such are the terms of the refunding bill.

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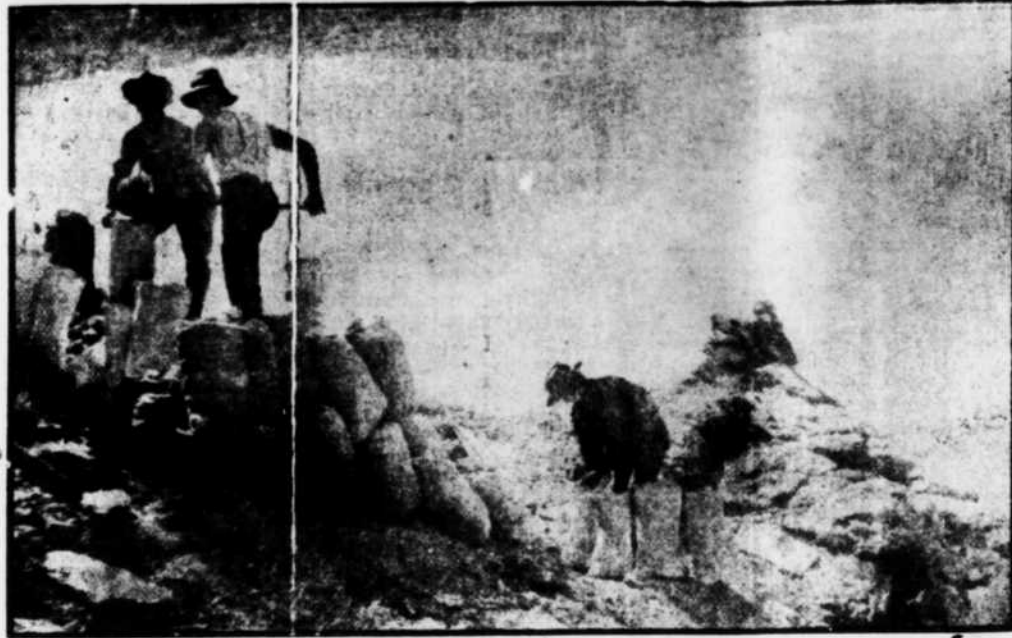
Dr. U. V. Withee of this city, president of the Withee-Read-Pike company, has just returned from a two months' visit in New York and Boston, where he effected an important deal in mining property. This was the sale of the controlling interest in the Wild Rose district, Inyo county. The sale was on a basis of \$300,000 for the entire property at once.

In connection with the purchase of the Inyo county property the concern has purchased a valuable group of claims near Needles, on which rich copper outcroppings have been found. Within sixty days a shipment of ores from these claims will be made to the Needles smelter, seven miles distant.

ABOUT NEVADA

All Rivers of the State Sink or Evaporate

Typographically the State of Nevada may be briefly described as a series of mountain ranges and sagebrush covered valleys, the general trend of which is northerly and southerly. Geologists tell us that in bygone ages what are now valleys were lakes, the shores of which have been traveled by expeditions sent by the government under the direction of the geological survey. Those ancient lakes have been named and mapped in the reports of the geological survey. None of the rivers which rise in Nevada or flow into the State from the Sierra Nevada have a visible outlet to the sea, except a few streams in the extreme southern part of the State, which discharge their water into the Colorado, and streams in Northern Elko, which have their



SACKING RICH ORE AT WILD ROSE MINE

Stocks of these mines will be listed in both Boston and New York. After the purchase of the properties a meeting of the stockholders was held in Boston the stock was reorganized, and the following officers elected: Edward E. Babb, president; Carl A. Scott, vice president; W. W. Curtis, secretary and treasurer; A. W. Mansur, Edward E. Dodge, L. S. Read, J. W. Pike, directors.

President Babb is connected with well known wholesale institutions of Boston; Mr. Scott's name is a household word in Massachusetts educational circles; Mr. Curtis is a graduate of Bowdoin college and for many years general agent for the Providence office of the New York Life insurance company; A. W. Mansur of Mansur & Co., is secretary and fiscal agent of the American Chlorine company of Boston; Edward E. Dodge is well known in manufacturing circles of Providence; L. S. Read was for many years identified with successful wholesale business operations in Los Angeles, and J. W. Pike is a well known attorney, formerly of Salt Lake City and now of Los Angeles.—Los Angeles Evening News

origin north of the watershed which divides the Great Basin from the Columbia river.

The principal rivers, such as the Humboldt, the Truckee, the Carson and Walker, all discharge into lakes or sinks, though sinks seem to be a misnomer, as the water evaporates during the dry season, except Pyramid lake at the mouth of the Truckee, and Walker lake at the mouth of the Walker river.

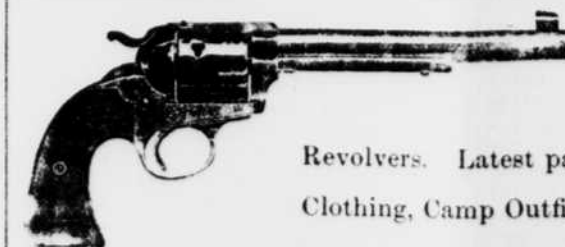
Western Pacific

The Utah Construction company of Ogden has received the contract for building the remaining 321 miles of the Western Pacific line from Deeth, Nevada, to the Nevada-California line, at an approximate cost of \$6,000,000. This amount, added to the same company, brings the aggregate sum to \$20,000,000 and the mileage to 725. The contract for the construction of the entire line from Salt Lake to the coast has now been let. That portion to be built by the Utah Construction company extends from Oroville California, in the Sacramento valley to the Salt Lake terminus.

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