

each. The second class ride in slower trains and in cars costing from seven hundred to a thousand dollars each. While emigrants go in large numbers and require only the cheapest kind of cars with wooden seats, and they sometimes even stand up in open cars closely packed together and attached to freight trains; though this latter is an European rather than an American fashion. Now it cannot be for a moment, supposed that the Legislature ever intended, that this Company should furnish accommodations for only first class passengers, and thus excluded second class and emigrant passengers from the road, or that they should furnish accommodations, only for second class or emigrants, and thus oblige first class passengers to put up with slow trains and very inferior accommodations for the purpose of making the fare uniform to all classes. The more rational supposition is that the Legislature contemplated that there would be different classes of passengers over this road, as there are, and always have been over other roads, and that the prices charged should be the same to each class. Besides the classes enumerated before, there are other classes, to wit: Way passengers from each end of the road to some way station, and way passengers from one way station to another way station between the termini of the road. There are also through passengers who go from one end of the road to the other end, and through passengers over this road who go on to other roads with which this connects, and thereby forms a great Railroad system. Thus this road is part of a system of Railroads between New York and Charleston, S. C., and the traveller going from New York to Charleston, belongs to a different class from the traveller going from Philadelphia to Baltimore. Again, this road is a part of a system of roads between New York and Washington, and the traveller going from New York to Washington belongs to another class still of passengers. This road is a part also of a system from New York to the Great West, in connection with the roads between New York and Philadelphia, and with the Baltimore and Ohio Railroad and from the nature of the case, the passenger going from New York to the Great West over this road and the Baltimore and Ohio Railroad, belongs to a still different class of passengers from any before enumerated. To undertake to charge alike for all these different classes of passengers would be to undertake to do what never has, and never can be done, on any line of Railroad, either in this or any other country. The common sense interpretation, therefore of the law referred to, is that the same rates should be charged to the same classes. This is the view of the law that has been taken by the officers of this Company, and they believe it to be consistent with the provisions of the law and with the best interests of this Company, and to the public who want to use the road, the city of Baltimore and the State of Maryland. In further illustration of this position it may be remarked: