

CHAPTER LV.

Tariff on Dispatches in America—Words Chargeable and Free—Arrangement of Local Tariffs—Qualifications of Employés—Protection of the Telegraph—Secrecy of Dispatches—Penalty for Refusing to Transmit Dispatches—Patent Franchise Inviolable—The Right of Way for Telegraphs.

TARIFF ON TELEGRAPHIC DISPATCHES.

THE tariff of charges on dispatches transmitted on the telegraph lines in the United States and the British provinces, is not determined by length of line, but by the expense of things in life. Thus, in the Eastern States, a man can live much cheaper than he can in the Southern States. Each company adopts its own tariff. Sometimes the local charges are higher than the through charges; such as on messages coming from other lines and destined for other lines beyond. In the former charges, the expense of copying, stationery, messenger, and registration, are items to be considered. The latter, or through messages, coming from and going over other lines, only require the registration of number and amount. But few lines in America can pay any interest on its capital, out of its revenue from local business. Owing to this well-established fact, every company aims for through business, and in the past, much rivalry has been exhibited by different companies for the business of their respective ranges or sections of country. The lines as to ranges extend northeastward from New-York to Halifax, Nova-Scotia. Another range extends from New-York, northward to Montreal and Quebec, in Canada; another, northwestward along the great Lakes, to Cleveland, Chicago, and Milwaukie; another from New-York, westward to Pittsburg, Cincinnati, St. Louis, and Leavenworth city; another from New-York to Washington, Charleston, Mobile to New-Orleans; and another from New-Orleans, northwestward, along the Mississippi Valley to St. Louis and northward. The tariffs on these respective ranges differ. The rates in the East are the least, and in the South, the highest. This difference is caused, as I have said before, by the general expense of living. In the East, a good operator can be employed at from six hundred to a thousand dollars per annum. In the South, it is from one thousand to fifteen hundred dollars per annum. Board ranges in the East, at about three dollars per week; in the South, the same board would be seven dollars per week. The cost of labor is in like proportion. The same may be said of

all kinds of materials needed in the affairs of life. With a view of further explaining this difference in the tariffs, I will give the charges on parts of the respective sections. From New-York to Boston the distance is about 250 miles, and the tariff on a message of ten words is forty cents, and for each additional word over ten, three cents. From New-York to Washington, about 250 miles, on a message of ten words, the tariff is fifty cents, and five cents for each additional word. From New-York to Pittsburg, about 350 miles, on a message of ten words, seventy-five cents, and six cents for each additional word. From New-Orleans to Savannah, Georgia, about 800 miles, on a message of ten words, \$1 40, and seven cents for each additional word. From New-Orleans to Jackson, Mississippi, about 200 miles, on a message of ten words, seventy-five cents, and five cents for each additional word. From St. Louis to Leavenworth city, Kansas, about 360 miles, on a message of ten words, sixty cents, and five cents for each additional word. From New-Orleans to Louisville, about 950 miles, the tariff is \$1 40, for a dispatch, and eight cents for each additional word. From Louisville, east to New-York, about 850 miles, the tariff is \$1 for a single dispatch, and six cents for each additional word over ten. Side or lateral lines connecting with these leading ranges, have tariffs upon the same scale. Each company gets whatever tariff it charges, except in some cases the rates are reduced to get business from other routes. As a general thing, the tariffs, throughout the whole country, have been increased within the past year, and lines, companies, and ranges, have been consolidating their interest and making each more effective for public accommodation.

The tariff on news for the press, is a fraction less than for ordinary messages. The newspapers have formed an association with a general agent in New-York, who has power to appoint all sub-agents throughout the country. This general agent manages the entire telegraph news department for the Associated Press. In the transmission of news by the telegraph, a cipher is used, and by special contracts made with the respective ranges of lines, the news is a very heavy expense to the American press. In former years the telegraph lines made a deduction of fifty per cent. on the press news, but at the present time the companies charge about the same for news sent to or from the news agents as the charge for like service to others. The lines and the agents generally assist each other, and reciprocity in service redounds to the welfare of the newspapers and the public, whose weal the

ambition of all strives to promote, that ulterior good may be shared by the meritorious.

WORDS CHARGEABLE AND FREE.

A message throughout the United States and British provinces is scaled to ten words, beyond which the price for each word is generally about twenty per cent. less. On the line from Savannah to New-Orleans it is fifty per cent. less for each added word; from Boston to New-York, twenty-five per cent. less; and from St. Louis, westward, sixteen per cent. less. The average may be considered at twenty per cent. discount on all words over the first ten. No charge is made for signature or address. Thus, a message may be transmitted:

TREMONT HOUSE, *Boston, Massachusetts, January 1st, 1859.*
 To JOHN JAMES DOE, Esq., No. 500 William-street, third story, room No.
 25, New-York City.

Purchase for me one thousand barrels of flour, and ship to me at New-Orleans, immediately. 44. 33.

WILLIAM RICHARD ROE.

The above is the form of a message usual on the American lines. There are fifteen words. According to the tariff herein before given, for the first ten words the charge is 40 cents, and the 5 added words three cents each, or 15 cents—total, 55 cents. The figures 44 means "Answer immediately by telegraph," and the figures 33 means "Answer paid here." These figures, as stated herein before, are free. The word New-Orleans, being the name of place, is counted as a compound word. The address and signature make 36 words, all of which are transmitted free. Each figure is counted as a word. The telegraph companies in the United States and the British provinces solicit particulars as to address, and the policy is good. In Europe many men locate and remain a lifetime in the same building and in the same business. Like cases rarely occur in America. In the former country, a brief address is sufficient, but in the latter, particulars are necessary. Experience has taught that it is best for the telegraph to encourage its patrons to be full in address. In the form given, fifty-one words are transmitted in one dispatch for 55 cents. There is no charge for delivery. The telegraph encourages explicitness in the writing of a message, and discourages the use of ciphers formed by letters or figures. And for the purpose of discouraging laconic dispatches, the companies have adopted the liberal discount in the tariff on all words over ten in a message. It encourages the patrons to write their dispatches full and intelligible.

ARRANGEMENT OF LOCAL TARIFFS.

Each telegraph company arranges its tariff of charges, and supplies its offices with printed schedules, which are also transmitted to all other companies. The tariff is prepared in the following form, viz. :

	New-York.	Philadelphia.	Baltimore.	Washington.
New-York.....		25.2	40.3	50.5
Philadelphia.....	25.2		25.2	40.3
Baltimore.....	40.3	25.2		25.2
Washington.....	50.5	40.3	25.2	

Each station has a tariff thus arranged to all other offices on its line, and when messages are received for stations on other lines, by adding the two tariffs, the whole is known. Suppose a message is offered at Baltimore for Boston. The tariffs from Baltimore to New-York, and thence over another line to Boston, are added together, and the charge, 80 cents, and 6 cents for each additional word, is the price of the message. Baltimore receives the 80 cents and transmits the dispatch to New-York, where it is written out in full, and it is then, with the 40 cents, delivered to the New-York and Boston line. Lines occupying the same building have facilities in matters of accounts and the transfer of messages from line to line. In former years, when rivalry was at its highest, the companies would deliver the message and the money to the next in course, in the same manner as the public. No accommodation, no favor of any kind, nor any association between the agents of the companies, was entertained. Feuds between rival companies, however, are fast passing away, and it is to be hoped that ere long the misfortune will cease to exist forever.

The tariff of charges on messages in the Canadas, Nova-Scotia, Newfoundland and New-Brunswick, are established in the same manner as upon the lines in the United States. In the provinces, where a monopoly has been enjoyed, a higher and more remunerative tariff has been charged from the first organization of the lines.

QUALIFICATIONS OF EMPLOYES.

There have been no fixed rules determining the qualifications of persons proposing for employment on the telegraph lines in

America. Each company exercises its own judgment in the engagement of its agents, and the general rule has been, to select the person most fitted for the place in view. Thus, in employing an operator for a small local station, doing but little business, an expert in manipulation has not been considered as necessary. In localities where the line may need much repairing, a man best fitted for such service is selected. At stations where great expertness is necessary for celerity of business, superiority of manipulation is regarded as of the greatest importance. With the explanations just given, it will be seen that the qualifications required on the American lines are but ordinary, and may be considered as follows, namely: a moderate English education, that is, to read, write, and cipher; and to spell well, is the most important. While the reader may consider the education demanded by the lines in Europe, as too great for the requirements of the service, it must be admitted that a superior education can not be regarded as an injury and if a sufficient corps, at moderate expense, can be employed, the system will be operated nearer to a state of perfection. Difficulties experienced on many lines in America, originating from the ignorance of operators, cannot take place where the education is as required on the French lines. It is to be admitted at once, that on the American lines the French rules could not possibly be enforced, for the reasons, that the compensation given will not command the talent, and the revenues are not sufficient to justify such an enormous expenditure as would be necessary for the engagement of the highest order of talent. Besides the question of economy, many may doubt the actual necessity of requiring more than a sufficient education for the positions occupied; that is to say, by way of illustration, a blacksmith would be benefited by a thorough knowledge of chemistry, so that he could fathom the mysterious agencies in nature, concerning metals; yet this knowledge is not indispensable, nor even necessary, to teach him how to shoe a horse.

The organization of society in Europe requires, in most of pursuits, *forms*, and within its rules is embraced the qualification of candidates for service on the telegraph. In America, there are no such necessities existing. Labor, in whatever branch, cannot be superior to that of another. This equalization is a fundamental and cardinal virtue in American institutions. The society of the respective continents, therefore, has *different elements of existence*.

Without boasting, and without the possibility of practical contradiction, I can state that, as an average, the American ope-

rator has no superior, and he can receive and transmit a greater number of dispatches than I have ever seen attained, or claimed, by the operators of other countries. This subject, however, will be discussed in another part of this work.

The qualifications, therefore, demanded of a candidate for employment on the American lines, are but few, and very simple, viz., a moderate English education, honesty, energy of character, and a few months' practical service as a manipulator.

PROTECTION OF THE TELEGRAPH.

In most of the American states, penal laws have been adopted, from time to time, for the protection of telegraph lines. At the opening of the courts, the judge embraces the question in the charge to the grand jury, requiring that body to indict every person who may be guilty of a violation of the law. For the honor of the people, however, but few cases have occurred requiring the exercise of the duty. In the early history of telegraphing, the most formidable objection to overground lines, was the liability of interruption by malicious and mischievous persons, in the breaking of the lines, &c. Experience has proven that the people do more to maintain the lines in order than to disturb them. The penal laws adopted are more or less severe, and it cannot be doubted, but what they have had a salutary influence. The laws are of the following form and tenor, viz. :

" Any person or persons, who shall intentionally and unlawfully injure, molest, or destroy, any of the lines, wires, posts, instruments, abutments, or any of the materials or property of any telegraph company, association, or owner, or shall by any means whatever, interrupt the working of any line of telegraph in the transmission of despatches or otherwise, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by fine not less than \$500, nor more than \$1,000, or imprisonment in the penitentiary for a term not less than one year, nor more than three years, or both, at the discretion of the court having cognizance thereof."

SECRECY OF DISPATCHES.

Penal laws have been very generally adopted, to secure the secrecy of messages transmitted over telegraph lines. The ordinary rules of the companies upon this subject, have been sufficient, however, in a general sense, to protect the public in this respect. The following is an extract from one of the penal statutes, viz. :

" Any person connected with any telegraph company in this state, either as clerk, operator, messenger, or in any other capacity, who shall

wilfully divulge the contents, or the nature of the contents, of any private communication intrusted to him for transmission or delivery to any person, other than the one to whom it is addressed, or to his agent or attorney, or who shall refuse or neglect to transmit or deliver the same, shall, on conviction before any court, be adjudged guilty of a misdemeanor, and shall suffer imprisonment in the county jail in the county where such conviction shall be had, for a term of not more than three months, or shall pay a fine not to exceed five hundred dollars, in the discretion of the court."

PENALTY FOR REFUSING TO TRANSMIT DISPATCHES.

In most of the States, penal laws have been enacted, relative to the transmission and reception of dispatches, by the telegraph companies. Any dispatch, with the money for its transmission, offered at a station, cannot be refused by the telegraph company, except in cases where the transmission would be in violation of the patent rights of another company. No one can be excluded from sending messages over any line and by any route, that he wishes, except in the case above cited. From one of these acts I extract the following, viz. :

"Every such company, and every owner or association, engaged in telegraphing for the public by electricity, in this State, shall receive dispatches from and for other telegraph lines, companies and associations, and from and for any individual; and on payment of the usual charges for transmitting dispatches, according to the regulations of such company, owner or association, shall transmit the same faithfully and impartially, and in the order in which they are received; and for every willful neglect or refusal so to do, the company, owner or association, as the case may be, shall be liable to a penalty of not more than one hundred dollars, with costs of suit, to be recovered in the name and for the benefit of the person or persons, association or company, sending or desiring to send such dispatches."

Such enactments as the above, originated some years ago, when one of the leading companies refused to receive dispatches from or for lines holding rival positions. The rejecting of these dispatches caused those in rival interest to memorialize the respective legislatures for the passage of laws of the nature as above given. The legislatures promptly passed the necessary laws, though for a combination of reasons they have not been practically effective, owing to the patent laws of the land, limiting their enforcement. Upon the expiration of the patent franchises held by the companies, then the special law with its penalty can be enforced. The common law will guarantee the right to any one to command the transmission of his dispatch, equally with all others, on its presentation with the money at any telegraph station.

PATENT FRANCHISE INVIOLEABLE.

I will further explain the exception mentioned, relative to patent franchise, before referred to. Suppose A purchases the patent monopoly to transmit all messages between the cities B and C. The United States patent laws will protect A in the enjoyment of that franchise. It is the property of A, and he has the right to use it or not, in such manner as he pleases. Suppose D constructs another line, either by a more circuitous or direct route between the cities B and C, dispatches cannot be sent over the line of D, originating from either of the cities cited to the other, in violation of the rights purchased by A. If the law was otherwise, a patent would be worthless, and an inventor could not hope for any compensation for the toil and time devoted toward the achievement of his invention, however grand in its consummation. Having due regard for the exception given, no company can refuse to transmit a message offered, and in such manner as directed by the sender. For example, suppose a merchant in New-Orleans presents a dispatch and the money for its transmission to any telegraph line, directed to a merchant in London, to be mailed in New-York, or to be sent by the Azore Atlantic telegraph route, or by the Newfoundland and Ireland Atlantic telegraph route, or by the Greenland and Iceland Atlantic telegraph route, the telegraph company cannot refuse to receive the message and send it in the manner specified upon the face of the dispatch. Even at the present time, during the existence of the patent franchises, the dispatch offered in New-Orleans in the example given, could not be refused. In some cases companies form an association to give each other business originating on the one, for places on the other, but no such compact can take from a member of the public the right to transmit his dispatch by any given route he may wish. In further illustration of this common and statute law, I give the following diagram :



Letter A is New-Orleans. B, Cincinnati. C, New-York. D, London. Figure 1 represents the telegraph line from A to B. Fig. 2, the telegraph line, via Buffalo to New-York. Fig. 3, the line via Pittsburg to New-York. Fig. 4, the line, via Baltimore to New-York. Fig. 5, the Greenland and Iceland Atlantic telegraph route. Fig. 6, the Newfoundland and Ireland Atlantic telegraph route. Fig. 7, the direct Atlantic

telegraph route; and fig. 8 the Azore Atlantic telegraph route. The merchant in New-Orleans can present his dispatch to be sent to B, and thence by line 2, 3, or 4, as he may prefer, to New-York, and thence by either 5, 6, 7, or 8, to London. Neither the company receiving the message at New-Orleans, nor any intermediate company, can change the route from the one directed by the sender.

I have written that the public has the right to transmit messages by such route or routes as it prefers; *provided*, the lines proposed to be employed in the transmission of the message, by such an act, do not violate the purchased rights of others. In the diagram above given, if line 3, or either of the others, has purchased the *exclusive right* to transmit messages between B and C, originating at those places and along that route, and also all messages from points beyond B and C respectively, destined to B and C and points beyond respectively, then lines 2 and 4 would violate the rights of line 3 by the transmission of business originating as specified, and the line cannot be compelled to thus involve itself. If, however, line 3 has only purchased *the right* to send dispatches, and has not the *exclusive right*, there will be no violation of the patent franchise of 3 by the sending of messages over the lines 2 and 4, which have also *the right* by purchase, to transmit dispatches between B and C in common with other lines.

In case the route is not specified by the sender, the company can transmit the message by such lines as may be in its particular combination. As a general rule, it may be admitted, that every company will be glad to send the message by the route that can do the business the most prompt, and all combinations fettering the efficient line with the inefficient, will fail in execution, and sooner or later cease to exist. The interest of the line is the better subserved by the greatest promptness in the dispatch of business. By these remarks, it will be seen that the common and statute laws, the interest of the telegraph, and the rights of the public, harmonize one with the other, each aiming for "the greatest good to the greatest number."

THE RIGHT OF WAY FOR TELEGRAPHS.

In nearly all the States laws have been passed, giving the free right of way to any and all telegraph companies, to build lines over the public lands and highways. The following is an extract from one of these statutes:

"Any telegraph company may construct lines of electric telegraphs upon and along any of the highways and public roads, and across any of

the waters within the limits of this State, by the erection of necessary fixtures, including posts, piers, or abutments, for sustaining the wires of such lines; *provided*, the same shall be so constructed as not to incommode the public use of said highways or roads.

"If any person over whose lands any telegraph line shall pass, upon which said posts, piers, or abutments, shall be placed, shall consider himself aggrieved or damaged thereby, it shall be the duty of the county court, within whose county such lands are, on the application of such persons, and on notice to the association or individual owning such telegraph line, to appoint three discreet and disinterested persons as appraisers, who shall severally take an oath, before any person authorized to administer oaths, faithfully and impartially to perform the duties required of them by this act. And it shall be the duty of said appraisers, or a majority of them, to make a just and equitable appraisal of all the loss or damage sustained by said applicant, by reason of said lines, posts, piers or abutments, duplicates of which said appraisement shall be reduced to writing, and signed by said appraisers, or a majority of them; one copy shall be delivered to the applicant, and the other to the president or other officers of said association, or corporation, or owner of such telegraph on demand; and in case any damages shall be adjudged to said applicant, the association, or corporation, or telegraph owner, shall pay the amount thereof, with costs of said appraisal; said costs to be liquidated and ascertained in said award; and said appraisers shall receive for their services two dollars for each day they are actually engaged in making said appraisement."