CIVIC CLUB LETTER.

Written by Mr. T. O. Spelling for Intercollegiate League of Civic Clubs.

The second of the series of letters written by prominent men for the Intercollegiate League of Civic Clubs is an article by Mr. Thomas C. Spelling. Mr. Spelling is the author of many works on social and political subjects but is perhaps most widely known as the General Manager of the Pennsylvania Railroad. Mr. Spelling is President of the Federation of Labor of which Samuel Gompers is President.

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True Nature and Misuse of Franchise Privileges.

The law books have never given the meanings of these words, but clearly every intelligent layman could understand it. It is the granting of a right to one which absolutely and perpetually of a particle of sovereignty. To illustrate, it is the duty of government to protect the persons of citizens from assault and their property from depredations. If you go so far as to say that the board is the exercise of a delegated function of sovereignty. Again, it is the right of government to protect the persons of citizens from assault and their property from depredations. It does this ordiarily through a police force and other peace officers. It is an act of violence to arrest any one person to arrest any one person on the part of committing a felony. Here is another instance of the delegation of sovereignty.

So when a child is born, or a corporation is created, or a bill becomes a law, or the right to dig up the streets of the city or to lay pipes and wires therein, or to erect a bridge or railroa on the ground, or to lay permanent tracks in, under, or over them is granted, is this also the delegation of sovereignty? It is a farming out to one that which is public and free to all. No individual or any one person can lawfully do any of these things without a surrender or abdication on the part of sovereignty, that is to say, a dispensation in favor of common right. When such a surrender and dispensation is made in favor of a private corporation, it obtains what is called a franchise.

But the franchise, or permit, to do these works, is not a franchise of any value. Any other function of government usually accomplishes this, and can do it, and it can be profitorably use the structure or improvement made under the franchise, after it is granted. It is also a sovereign prerogative, because of its essentially monopolistic and industrial character. Every other person or company desiring to engage in that business, no matter how easily he could do it under the government franchise. So, where one company has already laid its gas mains or electrical conduits in the streets, and its wires or pipes in all or most of the houses of a given territory.

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