
Editorial

Words and Freight Rates

LANGUAGE, particularly English, is rapidly acquiring the nature of a fluid commodity. The meaning of each word-unit takes a new form upon application of the slightest pressure. Among outstanding exponents of ways and means of applying such pressure are to be found, of course, our lawyers and lawmakers. Business and commerce throughout the country must be subjected to numerous restrictions and burdens because of disagreements among legal experts as to the proper interpretations of simple English words.

Our complicated railroad freight tariff regulations afford numerous examples of phraseology which may, and often does, give rise to almost indefinitely extended discussions and disputes concerning the true meaning of ordinary words, as used in the regulations. For instance, the records of hearings before the Interstate Commerce Commission and of court proceedings will reveal many hundreds of pages of testimony and argument on the question: "Are cross-ties lumber?"

At the present time a similar controversy is agitating the shortening industry. Railroad tariffs in different parts of the country differ slightly in their descriptions of shortening material and of related products, with the result that various shippers of these products have submitted dissimilar descriptions for freight-billing purposes. The inevitable result of such practice has now ensued. Hearings before the

Interstate Commerce Commission have been initiated and we may hope that after the lapse of some years and the compilation of volumes of testimony before the commission and in the courts, we will be able, for business purposes, to supplement Webster with official delineations of the meaning of such words as "solid," "liquid," "compound," and their like.

All of the expense incidental to such proceedings must be borne by the country's business. To an impartial observer, in considering means of simplifying the procedure, the first step appears to be the coordination of all the country's freight tariff agencies, with rigid insistence that identical commodities be identically described in all the tariffs. As a second clarifying measure, it might be stipulated that no freight tariff should become effective until there should be filed with the Interstate Commerce Commission written evidence that the producers of at least seventy per cent of the country's output of the affected commodity had subscribed to and accepted such definition and delimitation of the tariff's wording as the framers of the tariff should propound (with the assistance of the producers of the commodity). Such methods might be expected to have the effect of "consulting the lawyer before, instead of after the dispute," and surely should eliminate at least half of the present endless litigation between shippers and carriers over the meaning of material designations as embodied in freight rates.
