doctrine, was later expanded to allow the ICC to set rates not just where interstate and intrastate carriers ran parallel lines, but, also where the competing carrier's lines originated from different places, as long as the disparity in rates burdened the commerce of one state over another.[857]

Congressional Regulation of Labor in Interstate Rail Transportation.—Federal entry into the field of protective labor legislation and the protection of organization efforts of workers began in connection with the railroads. The Safety Appliance Act of 1893,[858] applying only to cars and locomotives engaged in moving interstate traffic, was amended in 1903 so as to embrace much of the intrastate rail systems on which there was any connection with interstate commerce.[859] The Court sustained this extension in language much like that it would use in the *Shreveport* case three years later.[860] These laws were followed by the Hours of Service Act of 1907,[861] which prescribed maximum hours of employment for rail workers in interstate or foreign commerce. The Court sustained the regulation as a reasonable means of protecting workers and the public from the hazards which could develop from long, tiring hours of labor.[862] Other legislation and litigation dealing with the organizational rights of rail employees are considered below.[863]

Most far-reaching of these regulatory measures were the Federal Employers Liability Acts (FELAs) of 1906[864] and 1908.[865] These laws were intended to modify the common-law rules with regard to the liability of employers for injuries suffered by their employees in the course of their employment, under which employers were generally not liable. Rejecting the argument that regulation of such relationships between employers and employees was a reserved state power, the Court adopted the argument of the United States that

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[857] *See* Wisconsin R.R. Comm'n v. Chicago, B. & Q. R. Co., 257 U.S. 563 (1922). *Cf.* Colorado v. United States, 271 U.S. 153 (1926), upholding an ICC order directing abandonment of an intrastate branch of an interstate railroad. *But see* North Carolina v. United States, 325 U.S. 507 (1945), setting aside an ICC disallowance of intrastate rates set by a state commission as unsupported by the evidence and findings.

[858] 27 Stat. 531, 45 U.S.C. §§ 1–7.

[859] 32 Stat. 943, 45 U.S.C. §§ 8–10.

[860] Southern Ry. v. United States, 222 U.S. 20 (1911). *See also* Texas & Pacific Ry. v. Rigsby, 241 U.S. 33 (1916); United States v. California, 297 U.S. 175 (1936); United States v. Seaboard Air Line R.R., 361 U.S. 78 (1959).

[861] 34 Stat. 1415, 45 U.S.C. §§ 61–64.

[862] Baltimore & Ohio R.R. v. ICC, 221 U.S. 612 (1911).

[863] *See* discussion under Railroad Retirement Act and National Labor Relations Act, *infra*.

[864] 34 Stat. 232, held unconstitutional in part in the *Employers' Liability Cases*, 207 U.S. 463 (1908).

[865] 35 Stat. 65, 45 U.S.C. §§ 51–60.