

THE HEPBURN BILL

The Hepburn bill, relating to the interstate commerce commission, is just now attracting widespread attention. Newspaper dispatches recently declared that this measure had the approval of President Roosevelt. It is only fair to the president to say that he has, so far, said nothing to justify this claim. The fact that the Hepburn bill seems to have the approval of many gentlemen conspicuous in railroad management, even though that bill was not drafted, as some correspondents assert, under the watchful eyes of Mr. Blythe, the Burlington attorney, and the fact that men who are generally believed to be sincere in their efforts to bring about reform are opposed to that bill, suggests, at least, that the measure should be carefully examined.

The bill is full of defects, and Governor Cummins of Iowa points out some of these defects. Governor Cummins says that the Hepburn bill should be defeated. He says that some of the objectionable features are as follows:

"First—It enormously and unnecessarily increases the judiciary of the United States and adds an immense burden of expense altogether unwarranted. Section 20 provides for the appointment of an additional judge in each of the judicial districts of the United States. I can hardly believe that Colonel Hepburn intended this, for it would add about one hundred new circuit judges, as there are about that number of 'judicial districts.' It must be that he meant judicial circuits, of which there are nine.

"Assuming that he meant 'circuits,' it is still true that we have no need of nine more federal judges. Those we have can do all the work that is to be done, including all cases that may arise under the interstate commerce act, and still have abundant time to take long and restful vacations. Federal judges are not overworked.

"Second—It creates a new court composed of five judges, with its retinue of clerks, bailiffs, stenographers and messengers, which, instead of clearing up things, will serve simply to still further entangle our complicated judicial system.

"It goes without saying that the orders of the interstate commerce commission or any other commission must be reviewable by the courts, but we have plenty of them already organized, with all their machinery in motion, operating upon principles well understood, and I sincerely hope that they will be permitted to administer justice in the usual timehonored way.

"Third—Section one is unfair because it delays the operation of the rate established by the commission for sixty days and then allows the railway company to indefinitely postpone or suspend it if the court is of the opinion that the 'order or requirement' is 'unreasonable or unlawful.'

"I fear that in practice the suspension would occur as a matter of course upon filing a bond and I do not consider a bond as of any practical value to the shipper.

"I think that the only just provision on this subject is to declare that the rate made by the commission shall go into effect as soon as the new rate can be published and remain in effect until annulled by the final decree of the court unless the commission is restrained by preliminary injunction issued according to the established rules of a court of equity.

"The section is further unfair because it provides that the railway company can, in substance, appeal from the action if the commission refuses the relief prayed for. The sauce for the goose ought to be sauce for the gander as well.

"Fourth—I think the bill is peculiarly unfortunate in demanding at this time, under all the circumstances, a new interstate commerce commission. I agree that the salary should be sufficient to command the highest type of men who have learning enough and breadth enough to do justice to the great interests involved; but we do not need a larger commission than we now have nor should it be changed in the manner suggested by the bill.

"Fifth—To sum the matter up, it is my

opinion that the bill proposed by Colonel Hepburn would give no relief.

"It rests upon a theory which is radically wrong.

"It is at war with all our notions of the relation between the legislative and judicial branches of the government. It introduces substantially the practice of appealing from the exercise of legislative power to a judicial power.

"My own view is that congress should invest the commission with power to make a rate after hearing and investigation, and to put the rate into operation.

"If the commission abuses its power or exceeds its authority, then let the courts we have correct the abuse or restrain the excess, using the processes with which we are all familiar—just as they would do if any other board or commission exercising quasi legislative functions should commit a wrong."

Those who desire to carefully study the efforts to bring about reform on the railroad question, will do well to fix their attention on the statement made by Governor Cummins to the effect that the first section of the Hepburn bill is unfair because it delays the operation of the rate established by the commission for sixty days and then allows the railway company to indefinitely postpone or suspend that rate if the court is of the opinion that the rate is "unreasonable or unlawful."

When the interstate commerce commission fixes the rate, that rate should stand until the court of last resort, after full and complete adjudication, has abolished it.

If the present movement for a reform on these lines is worthy of the support of any intelligent man, it will not be a sham battle. The people are suffering because of railroad discriminations. The favored few are prospering at the expense of the many. The people of the United States have grown weary of meaningless efforts along reform lines, just as the people of Russia seem to have grown weary of imperial manifestoes which promise much but provide nothing in the way of relief.

If anyone doubts the importance of this movement he has but to observe the fact that men of all political parties are rushing to the support of President Roosevelt, under the impression that the president is sincere in his expressed determination to provide a real remedy.

The people cannot expect relief from any measure having the sanction of the men against whose impositions that measure is presumed to be directed.

We have no reason to doubt the president's sincerity. He has every incentive to carry this great fight to a finish. The people, regardless of political prejudice, are behind him, lined up, as it were, in solid phalanx, in defense of their rights. They have been patient and long-suffering under grievous wrongs. Measures like the Hepburn bill will not satisfy them. The battle has proceeded too far for the so-called "public clamor" to be quieted by the adoption of measures emanating from railroad headquarters.

The people are demanding genuine relief, and if anyone who has taken the lead in this great fight is ever tempted to sound a retreat, he will find that on his journey to the rear he will be without a respectable following.

The Honor League

President R. H. Jesse of the Missouri State University is enlisting the students of that institution in the Honor League—the aim of which is to cultivate honesty and truthfulness among those who are attending institutions of learning. He thus addressed them upon the reopening of school:

I wish every student of the university a happy and prosperous new year.

I have mailed to every student a copy of the Missouri Honor League—College Section.

There is room left for the signature in case the student chooses to sign the paper. If he chooses to throw it in his waste basket, he has a right to do this also. If he signs the paper perhaps he will use it as a bookmark in that volume which he holds most sacred.

I should be glad if every student of the uni-

versity would sign the pledge in secret before God, and keep it openly before man, without publishing whether he has signed or refused to sign. That is strictly a personal question. It is nobody's business to know what any student has done with this piece of paper.

If you do not see fit to sign it with a pen, sign it in your heart, with the resolution of a man, and keep it day by day.

January 7, 1905.

R. H. JESSE.

As all the rules and regulations of a college are made for the good of the student it ought not to be hard for a pupil to conform to them, but cheating and untruthfulness in act if not in word are sometimes resorted to. Such conduct is as harmful to the character as it is to the mind and President Jesse is to be commended for bringing the matter to the conscience of the students. Honesty in thought and act—truthfulness in word and deed—these are more important to the student than education.

Good Work

The Commoner's special subscription offer is growing in favor.

A Douglas, Kan., reader of The Commoner, under date of Jan. 19, writes: "Enclosed find draft for \$6.60 for eleven yearly subscriptions to The Commoner. I expect to continue to work in the interests of The Commoner, and I think I can get fifty subscriptions if not more."

A Valley Falls, Kan., reader, under date of Jan. 23, writes: "Find enclosed check to cover the enclosed list of thirty new subscribers. This list is a result of one hour's work in this vicinity."

A Walnut, Kan., reader, under date of Jan. 20, writes: "I received yours of late date and the sample copies of The Commoner all O. K. I thought I would see what I could do for the Commoner. I received your letter at three o'clock Saturday. I started out at four o'clock, got six new subscribers. On yesterday I got six more, so I send you seven dollars and twenty cents for the club."

A Fayette, Mo., reader, under date of Jan. 21, writes: "About forty-five minutes of this afternoon were devoted to securing the enclosed list of new subscribers to The Commoner, from each of whom the special club rate of 60c was collected, the pleasure of disseminating true democratic principles being ample compensation for the time thus devoted. Find enclosed list of ten subscribers with money order in the sum of \$6.00 to cover the same."

This shows what may be accomplished with a little effort on the part of those who sympathize with the work The Commoner is doing.

Every reader of The Commoner is invited to lend a hand on the lines of the Commoner's special subscription offer. According to the terms of this offer, cards, each good for one year's subscription to The Commoner, will be furnished in lots of five, at the rate of \$3 per lot. This places the yearly subscription rate at 60 cents.

Anyone ordering these cards may sell them for \$1.00 each, thus earning a commission of \$2.00 on each lot sold, or he may sell them at the cost price and find compensation in the fact that he has contributed to the educational campaign.

These cards may be paid for when ordered, or they may be ordered and remittance made after they have been sold.

The coupon is printed below for the convenience of those who desire to participate in the effort to increase The Commoner's circulation.

THE COMMONER'S SPECIAL OFFER

Application for Subscription Cards

5	Publisher Commoner; I am interested in increasing The Commoner's circulation, and desire you to send me a supply of subscription cards. I agree to use my utmost endeavor to sell the cards, and will remit for them at the rate of 60 cents each, when sold. Name Box, or Street No. P. O. State Indicate the number of cards wanted by marking X opposite one of the numbers printed on end of this blank.
10	
15	
20	
25	
50	
75	
100	

If you believe the paper is doing a work that merits encouragement, fill out the above coupon and mail it to The Commoner, Lincoln, Neb.