

PEOPLES MEASURE

The Anti-Pass Bill Well Fulfills the Party Pledge

COMMISSIONERS GIVEN CONTROL

Heavy Penalties Imposed Upon All Railroads Failing to Comply With the Law

From our staff correspondent Geo. W. Kline

An anti-pass bill, comprehensive in its provisions, has been introduced into the legislature. It is expected that the bill will pass as a people's measure. Ministers of the gospel, secretaries of the Y. M. C. A., charity workers of all kinds, attorneys and surgeons whose only fees from the railroad are annual passes will have to pay or walk. At a meeting of the joint railroad committee the bill of the sub-committee, with a large number of exceptions, was pruned and a bill excepting only bona fide employees and caretakers of live stock was adopted for recommendation to the houses of the legislature. Penalty will be attached to the giving or receiving of passes from the railroads. The fine is to vary from \$100 to \$1,000 for any giver or receiver who is convicted of the offense. Attorneys and surgeons who do not receive \$500 annually from the railroads for their services are excluded from being classed as employees of the railroad. Among the employees specifically noted are linemen of telegraph companies, express agents, sleeping car porters and newsboys and attorneys and surgeons on regular salary of more than \$500. Representatives Knowles and Marsh will endeavor to have old soldiers, charity workers and Y. M. C. A. secretaries included in the above list. It probably will be insisted that a list of all passholders be filed with the inspection of the public.

The railway commission bill has been introduced and its main provisions were outlined last week. The joint committee has made some minor changes and the provisions of the bill has been summarized as follows:

Almost absolute powers are conferred on the railroad commission. Rates either in passenger or freight traffic may be fixed by this commission, either on its own motion or that of any complainant, and should any railroad or its agents refuse to obey the order of the commission, any interested party or the commission may secure from the district court a writ enjoining obedience to the rule of the commission. Should the railroad or its agents refuse to obey this writ, it shall be deemed guilty of contempt of court and shall be punished by a fine of \$1,000 per day, the officers and agents of the corporation shall be deemed guilty of a misdemeanor and shall be imprisoned from ten to thirty days. In no case will the appeal to the supreme court act as a stay of the issuance of execution to collect this fine.

Within thirty days after the act goes into effect every railroad company in the state is required to file all freight and passenger schedules with the commission. The commission is then required to make a complete schedule of freight and passenger rates and to send a printed copy to every railroad in the state and notify them of the date at which the rates are to go into effect. The schedules are to go into effect not less than thirty nor more than sixty days after being mailed by the commission. Any railroad complaining of the rates thus established must file its complaint with the commission before the rates become effective or forever keep its peace.

Should a railroad complain, the commission will grant it a public hearing. The rates become effective in spite of the hearing or of an appeal to the district court from the findings of the commission. A copy of the official schedule is to be accepted by any court as prima facie evidence that the rates are those fixed by the commission and that the rates are prima facie just and reasonable.

Wide scope is given to the investigation of the commission in any hearing. Evidence concerning the rates charged by any complaining railroad on any of its lines outside of the state may be considered by the commission and the lowest rates charged anywhere on its lines are to be considered prima facie reasonable rates.

Appeal can be taken to the district court and thence to the supreme court by either party to the controversy in the district court. Either in the district court or the supreme court, such appeals shall have precedence over all other actions.

The favorite weapon of corporations, the injunction, can only be granted by any court upon a proper showing that such writ is necessary to prevent positive injustice. All of the evidence presented in the hearing before the commission must be gone over by the judge of the district court before he shall have power to grant an injunction against the commission.

Each commissioner is to have an annual salary of \$3,000, while the secretary of the commission is to be paid \$2,500 and the two clerks each \$1,200. Traveling expenses also to be paid by the state. The commission is empowered to examine the records of any railroad in the state and is deemed refusing this publicity shall be subject to a fine of \$1,000 to \$5,000.

commission is required to inspect from time to time the condition of the roadbed, bridges, etc. Each year, in January, the commission is required to make a full report of its doing and of the conditions under which the railroads are working.

Should the commission deem it necessary to establish emergency rates for the purpose of preventing interstate rate wars, it may do so. Complaint and appeal in the case of these rates are to be the same as in the establishment of the regular schedule.

If any railroad attempts to charge a higher rate than that established by the commission, it commits a misdemeanor and is subject to fine from \$1,000 to \$5,000.

Speaker Hopewell, Jesse L. Root and E. B. Quackenbush returned from Topeka where they went to attend a meeting of the oil convention and hearing. The states of Nebraska, Illinois, Iowa, Colorado and Kansas and the territories of Oklahoma and Indian Territory were represented by duly accredited delegates. The independent refiners and producers of oil were also present, but took no part other than to furnish information when requested.

From the information furnished and an inspection of official data the committee are convinced that intelligent and concerted efforts on the part of the legislative and administrative departments of the above states will result in great practical benefits to the people. The state of Kansas, through its railway commission, will file complaint with the interstate commerce commission for the purpose of securing just rates on interstate shipments of crude oil and its products.

The committee recommends that the Nebraska railway commission either appear and join in that complaint or in some manner make manifest the interest of this state in securing an equitable readjustment of those rates.

Cone of Saunders has bill 286 which will have all goods or merchandise owned or sold within this state in the original package plainly printed thereon in the English language the net weight or volume contained thereon; providing a penalty for the violation hereof; defining the meaning of the term "original unbroken package"; giving the food, dairy and drug commission, its deputy or inspectors specific authority to take possession of such original packages needed for evidence; providing that this act may be enforced by any court of competent jurisdiction and serving notice upon the world that the merchants of Nebraska further refuse to take money under false pretenses.

Senator McKesson of Lancaster has probably discovered a technical loophole which may debar corporations from appeals to the federal courts. This discovery was made by accident. McKesson had introduced a bill to prevent insurance companies from taking their litigation into the federal courts on penalty of being refused a license to do business. The attorneys in the senate charged the measure with unconstitutionality. McKesson retorted that he could find a federal decision which would make the law effective. He flashed a case from the Wisconsin reports, the suit being against the Home Insurance Co. of New York. The court held the law unconstitutional, the statute being similar to the McKesson measure. The bill was referred to the judiciary committee and an effort will be made to extend the provisions of the law to all foreign corporations.

The regulations of the liquor traffic has been a matter of much discussion. Senator Patrick has taken an advanced stand in this matter. He introduced a bill to compel saloon petition signers to share in the financial liability of any damage the saloon-keeper might do. This bill was killed after a red hot discussion in the committee of the whole. Those who voted in favor of the bill were Burns of Lancaster, Epperson, Glover, Holbrook, McKesson, Patrick, Root, Sackett, Wilcox, Wiltse, and Wilson—11. Those who voted against the bill were Aldrich, Ashton, Buck, Byrnes, Clarke, Dodson, Gibson, Goodrich, Gould, Hanna, King, Latta, Luce, O'Connell, Phillips, Randall, Saunders, Sibley, Thomas, Thomson, Thorne, Wilsey—22.

Advocates of county option and the defenders of the brewers were before the senate last week. Senator Patrick made sensational statements concerning the retail liquor dealers' association. He accused that organization of paying judgments of saloon-keepers and of dabbling in politics. Ex-State Senator Currie of Custer advocated the passage of the county option measure as did County Attorney Rawls of Cass. Representative Thiessen probably made the hit of the evening telling a story at the expense of York.

Both the senate and the house are committed against capital punishment legislation. Bills to repeal the death penalty laws have met with a cold reception. In the house Raper's measure was defeated by a vote of 60 to 25, while in the senate Clarke's bill was allowed to go on the general file merely out of courtesy to the Adams county man.

A bill introduced in the senate by Gibson of Douglas county provides that no person shall be eligible to an elective or appointive office who is indebted to the state, county, school district or city, nor unless he is a qualified voter, and no one shall be a qualified voter who does not present a receipt showing that he has paid some municipal tax the preceding year.

WILL SHOW 'EM UP

Foreign Corporations Will Have to State Their Business

AGRICULTURAL BOARD GET \$75,000

Profits of the State Fair Found to be Insufficient to Make Needed Improvements

Senator Saunders introduced a bill to compel foreign corporations doing business in the state to file with the secretary of state a certified copy of their articles or incorporation, tell where their principal office is located, the nature and character of the business to be transacted in the state, the name and address of all officers and directors, give a general statement of all assets and liabilities, including the last annual statement and appoint a resident agent, upon whom service may be had. The filing fee shall be \$10 and for recording, ten cents for each hundred words; for each \$1,000 of authorized capital stock in excess of \$100,000, ten cents and for certificate and seal, fifty cents.

The house finance committee has agreed to recommend an appropriation of \$75,000 for the state board of agriculture, if the money is to be expended at the discretion of the board. A bill by Walsh of Douglas county, appropriates this sum for a machinery hall. The board feels that it will not be able to make the necessary permanent improvements from time to time out of the profits of the fair.

The Leeder bill providing for a double shift for the Omaha firemen is meeting with strong opposition from the Commercial club of the metropolis on the Missouri. It is stated by them that the leading company spent but ninety-nine hours of actual fire fighting last year.

The anti-Christian Science bill, introduced by Senator Wilcox, has been indefinitely postponed. The opponents of Christian Science have abandoned all hope of passing the measure.

The committee of the legislature in charge of the anti-pass bills has received a suggestion that is meeting with favor. It is that in the issuance of annual passes the railroads shall be required to first secure the approval of the railroad commission, or at least that it shall not issue any passes save those contained on the list filed with the commission. The incorporation of such an amendment would have a two-fold value. It would insure publicity of all passholders and make it impossible for the railroads to secretly favor those who would not be entitled to them under the proposed law.

Cities in Nebraska between 5,000 and 25,000 population will be placed under a new charter, effective this year, should a bill introduced in the house by Representative Knowles of Dodge county become a law. One of the important changes made by this act is to remove the water and light commissioner from the list of elective officials and make the position an appointive one, to be filled by the mayor and council. The salary of the commissioner is to be raised from \$1,000 to \$1,800 per year. The friends of the bill hope by this means that the cities will be able to secure men who are fully qualified for the office in all cases.

Senator Clarke's bill which, if passed, will have the effect of doing away with capital punishment in this state, has been considered by the judiciary committee and a majority have decided against the bill.

Senate file No. 251, by Hanna, empowers cities and villages to locate and change railroad grades and crossings.

Woods along public highways will have to be kept cut, in accordance with a bill proposed by Armstrong of Nemaha county.

An appropriation of \$20,000 for the incidental expenses of the legislature was secured by Representative Keifer of Nickolls county.

Proposed legislation of far-reaching importance to the educational interests of the state was considered at a meeting of the legislative committee appointed by the Nebraska State Teachers association at its recent meeting in Lincoln. The committee endorsed the free high school bill, which has been introduced in the senate by King and in the house by Killen. This bill provides that where school districts do not have a full high school course, pupils may attend the high school in any other district and the district of which such pupil is a resident shall pay to the district providing the school 75 cents per week.

H. R. No. 257, introduced by Cone of Saunders county, prohibits the unfair discrimination by persons, firms or corporations, in buying and selling of commodities within the state, and to provide a penalty therefor.

By a vote of 50 to 30 the house of representatives of the Nebraska legislature has declared its opposition to the proposed grant by congress of a subsidy to steamship companies en-

gaged in international trade. The resolution was proposed by Representative Thiessen of Jefferson county.

A bill providing that interurbans shall charge a minimum fare of five cents regardless of the distance and that such railroads shall not charge for children under five years of age, has been introduced in the senate by McKesson of Lancaster county.

To appropriate \$180,000 out of the general fund for the construction of buildings and permanent improvements at the state experimental station is the object of a bill introduced into the house by Representative McMullen of Gage county.

To authorize village boards to license or refuse to license pool rooms is the object of H. R. No. 83, by Representative Bryan.

Representative Keifer will endeavor to limit the blockading of railroad crossings in small towns to ten minutes.

A bill making legal hours for open saloons from 7 a. m. to 10 p. m., with a \$100 fine and revocation of license as penalties for violations will be offered by Representative Hart of York.

Senator Aldrich of Butler has offered a measure to permit and authorize live stock insurance companies of other states of the union having a capital stock of \$100,000 to do business in this state.

One hundred dollar fine for selling or giving away any liquor on Sunday, election or primary day, will be the result of a bill introduced by Representative Hart of York, should it pass.

In a bill introduced by Knowles of Dodge, councils in cities of 5,000 to 25,000 will have the right to change the locations of grade crossings, and grant franchises for the use of the street.

Representative Baker of York offers an amendment to the criminal code to prevent the use, keeping, maintaining or having a slot machine or causing or permitting a slot machine to be used or operated by others, providing a fine of \$100 or a jail sentence for its violation.

Clarke's bulk sales bill was passed by the house by a vote of 80 to 10. Representative Cone of Saunders county attempted to have the bill re-committed to the committee of the whole for amendment, but his attempt resulted in failure.

Every member of the Nebraska delegation has presented to congress a petition of the Nebraska state senate opposing ship subsidy legislation. The delegation has also presented a resolution of the legislature urging them to cast their vote for an income tax law.

In the house among new bills introduced is H. R. 267, by the joint railway commission, providing a 2-cent fare on railroads for persons over 12 years and 1 cent under that age, with a 5-cent minimum fare and 200 pounds limitation of baggage.

A bill introduced by Senator Sackett provides that where railway companies confiscate or divert coal or other merchandise in transit over their lines, they shall pay to the owner within sixty days, the actual value of such coal or merchandise at the destination, less actual freight charges and with 50 per cent of the actual value as a penalty. If such settlement is not made within the specified time the owner may collect a reasonable attorney's fee.

Senator McKesson introduced a bill intended to provide a method by which the privileges of the city and town libraries may be extended to the rural districts by action of county boards. In some counties in the state the library at the county seat now sends out boxes of books to the country schools, the latter paying carriage and being responsible for the books.

The bill for the regulation of the South Omaha stock yards, which is in process of preparation, is soon to be introduced. Western members who are interested in stock raising declare that the prices charged for hay and grain at the stock yards is almost prohibitive to shippers. Some other features of the conduct of the stock yards are to be embodied in the bill. A similar bill was introduced in the legislature several years ago, but failed to pass.

The indeterminate sentence for criminals has been approved by the house. That body has also passed a bill authorizing conductors of trains to arrest those who try to "bum" or "beat" their way. This is known as the anti-hobo bill.

Senator Holbrook introduced a bill for the regulation of demurrage charges by railway companies. The measure provides that a consignee shall have forty-eight hours after cars properly set, for unloading the same, and in case he unloads them in less time than that, he shall be given credit for the difference. Demurrage charge shall then be made only for the difference between the excess time used and the credit allowed.

A bill was passed in the house making penalty for burglary by the use of explosives for from twenty years to life.

The house passed a bill introduced by Representative Keifer of Nuckolls county, prohibiting the construction of railway crossings in unincorporated villages.

FAVOR NEW BILL

Judicial Division Measure Expected to Pass

NORRIS BILL USED AS A MODEL

Divides State into Seven Divisions and Names Cities Selected for Holding Court

The passage of the Norris bill to divide the state of Nebraska into two judicial districts and for the appointment of an additional judge is now practically assured in the house this session. Members of the Nebraska delegation were granted a hearing on the Norris bill by a sub-committee of the judiciary committee. The bill was discussed by Senator Burkett and Representatives Norris and McCarthy, Kennedy and Kinkaid. The committee decided to use the Norris bill as a model for a new measure, practically leaving the bill in the shape it was originally introduced.

It will provide for the division of the state into seven judicial divisions, and designating Lincoln, Hastings and McCook as places for the holding of court in the South Platte country. The court towns in the North Platte country will comprise Omaha, Norfolk, Grand Island and North Platte. The committee made a few changes in the division of territory, giving a few counties in the Norfolk division to Omaha and slightly changing the territory of the North Platte country. All provisions in the Norris bill regarding the compulsory trial of cases in the division where the action arises were left intact. Provision is made for grand juries at Omaha and Lincoln. The committee added one amendment, providing that the government shall be at no expense for the holding of court at Grand Island, McCook and North Platte. All other cities named in the bill for holding court already have public buildings. The last Congress authorized the construction of a court house and post-office building at Grand Island.

FOR BRIDGE MAINTENANCE.
The State Will Look After this Important Matter.

State construction and maintenance of public bridges exceeding 1,000 feet in length is the central idea of house bill No. 229, a bill introduced by Representative Noyes of Cass county. The measure takes this burden off the respective counties and imposes on the state board of public lands and buildings the duty of locating, building and repairing all such bridges with funds to be appropriated by the legislature. This may be done, under the terms of the bill, whenever a sufficient number of freeholders living within twenty miles of the site for the proposed bridge shall petition the board to erect it. The necessary ground must in all cases be donated to the state.

NO LONGER A JOKE.

That the Foundation of the State Capitol is Sinking, Proven a Fact.
The sinking of the southeast corner of the state house is no longer a joke and the officials and assistants in that portion of the building are becoming genuinely alarmed. This is notably true in the office of State Superintendent Mc'Brien, where the most pronounced evidence of the settling are to be found aside from those observable in the basement. That the south wall is in a dangerous condition and is becoming more so every day is absolutely certain.

There are wide cracks in the two partition walls in the superintendent's office, as well as in the south and east outer walls, that one the south side being the worst. Every day shows these fissures to be wider, while the wall paper can be heard to tear and the plastering falls to the floor.

MERCHANTS GET THEIR INNINGS.

Buyer and Seller Must Let Creditors Know of Transaction.
The merchants of the state had their inning at the session of the house when the bulk sales law was up to the committee of the whole, with Farley of Hamilton county as chairman. The bulk sales law, as passed, provides that before a merchant can sell goods outside of the regular system of business, he must make out a sworn copy of his creditors to the best of his ability and file it with the county judge. Five days before he takes possession of the business the buyer must send a registered letter to each creditor informing him of his purchase. If the creditors do not take legal methods of securing the payment of their bills within the five days, they are shut out from interfering with the purchaser.

Can Get the Price but Not Cars.
Grain movement in Nebraska is still restricted by the immense shortage of cars. Farmers and elevator men regard the situation very serious at present with no prospects for an immediate relief. The holders of grain, in many instances, would willingly part with their grain, but the prices in this state are not sufficiently high to be an inducement and while offers from other states are better, there is absolutely no chance to obtain cars to move the grain.