

-THE-

ALLIANCE - INDEPENDENT

Consolidation of the
Farmers Alliance of Nebraska Independent

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The success of the people's movement depends largely on the faithful and liberal support of the papers that advocate its principles. The liberal support the people have given THE ALLIANCE-INDEPENDENT during the past year has enabled it to make the greatest campaign fight in its history.

We are not going to stop because the campaign is over. We are going right on with the fight. All we ask is a continuation of this liberal support.

WE MUST EDUCATE

The voters if we would increase our strength. We have never heard of a "constant reader" of THE ALLIANCE-INDEPENDENT going back to the old parties. The loyal independent workers can do nothing that will help our cause more than to increase our list of readers. And now is the best time to do it.

The farmers and laboring men have their best opportunity to read in the long evenings of the fall and winter months.

To induce all our old subscribers to renew, and to secure a large number of new subscribers, we make the following

LIBERAL OFFER:

For one dollar we will send THE ALLIANCE-INDEPENDENT till January 1st, 1894; in clubs of five or more for 80 cents. Hoping to hear a prompt and liberal response to this offer we are
Yours for justice,
THE ALLIANCE PUB. CO.,
Lincoln, Neb.

A MISTAKE

Some days ago, an interview with Hon. W. H. Dech appeared in the World-Herald in which he outlined a plan for the independents and democrats to organize the legislature. We felt inclined to take exception to his extreme liberality toward the democrats, for he proposed to give the democrats the chief officer in both houses. When we mentioned this matter to Mr. Dech he at once replied that if the World-Herald had been him express such views, there had been a mistake somewhere, for he proposed that the president pro-tem of the senate be a democrat and the speaker of the house an independent.

This relieves Mr. Dech from cause of criticism. With this and a few other amendments the plan outlined in the interview is certainly a good one, and may meet with general favor.

OUR CARTOON.

Through the kindness of Messrs. Cox and Bushnell of the Lincoln Evening Call we are able to present our readers a cartoon which appeared in the Call of December 7. We consider it a hit. By way of explanation we will say that when the Journal came out in her "new clothes," December 5, the editor made the grave announcement that:

"As to the future: The Journal will be just as frank and courageous in expressing its opinions as in the past."

The old lady's fright at the appearance of the three mice, G. W. Holdrege, State Printing and Libel suit, scampering over her floor, well represents the Journal's courage in the past, and may be safely counted to represent it in the future.

We will not be able to give very much of a report of the Grand Island meeting next, but a full report week, will appear the following week.

commodity, cross the (imaginary) line

ACT AS A UNIT.

There is one homely adage that every independent member-elect of the coming legislature will do well to paste in his hat: "In Union There is Strength." "Stand together" was the war cry of the people two years ago. These words should be burned into the brain of every man who comes to Lincoln next month to represent the people's party. There is much doubt as to what the independent members can do, or should do, or will do when they come to Lincoln. Of course there are plans proposed. Combinations are suggested. Leaders and editors unburden themselves of their wisdom. Secret conferences are held in which men look mysterious and talk low. But still the fact remains, that no definite plan of action has been decided on or can be decided on till the members themselves come together. They alone have power to act. There is one thing that each and every individual member can and should determine: That come what may, the independent members will ACT AS A UNIT, that they will stand together as a band of brothers, that they will patiently hear the ideas and plans of all, that they will extend to all the fullest confidence, and then be governed by the best judgment of a majority. This is the only safe course. It is the only road to success.

A MODERN EPIC.

The Kearney Hub and the Lincoln Evening News are engaged in a merry war over Senator Paddock. The Hub is fully impregnated with the idea that Paddock is a great and good man, a sort of a "Cincinnatus of the West" considerably modified and worked over to suit g. o. p. conceptions of patriotism. And the Hub persists in singing his praises on every available occasion, in loud though not very melodious strains.

On the other hand, our esteemed contemporary, the Evening News, has the unparalleled audacity to write Paddock down as a very ordinary sort of a scheming politician. Thereupon the Hub in a state of mind bordering on hysteria cries out: "Great God! Can such things be?" It then proceeds to intimate that every editor who dares speak slightly of its idol, is a politico-literary "foot-pad, and assassin of character."

Nothing daunted the News returns the fire in the following perspicuous, and felicitous style:

"Every man, woman and child—including newspaper editors—who has followed Mr. Paddock's course in the senate of the United States knows that the senator has been like a weed, swayed this way or that by every changing breeze. Without a settled political conviction and utterly lacking in courage and force, he has taken a decided stand on no important public question. He has pandered to the democrats and independents and to almost every class of people. He has trimmed his sails to every veering wind. He has been a trimmer and a time server. Elected as a republican he has proven false to his party. Week-kneed, vacillating, afraid to take a manly, straightforward stand on any issue, an artful dodger, and a political sycophant, Senator Paddock has forfeited the respect of all staunch republicans."

What the Hub will do in answer to this terrible arraignment of its political god is yet to be seen. When Editor Brown sees the man, whose name he used to carry at the head of his editorial columns alongside that of the magnetic statesman from Maine, set down as a "weed," a "trimmer," a "time server," "false to his party," "week-kneed," "vacillating," "a dodger and political sycophant," his wrath will be terrific. He may astonish the matter-of-fact world by emulating the deeds of ancient heroes. He may charter a flat boat, man it with Col. Eaton's post-office crew, fill its hold with "pure food" of the Paddock brand, launch it on the turbid bosom of the mighty Platte, and sail away like Agamemnon of old to seek his enemy. He will sail down the Platte, scaring the wild geese into clamorous flight, ascend the dark and treacherous current of the Salt, and anchoring just below Kendall & Smith's famous mill-dam, disembark at to the head of his serried columns seek his enemy, the ruthless assassin of character, in his very den and battle do heroic.

Here we must pause. Our imagination is too frail to picture the mighty combat or foretell its tragic results. We leave that task to one more gifted and better acquainted with the muses, our friend Col. Calhoun of the Herald, trusting that he will find in it a subject worthy of his genius and write it up in the form of a modern epic.

MEETING OF EXECUTIVE BOARD.

The executive committee of the State Alliance met at the Lindell hotel on Tuesday, December 13. All the members were present as follows: General Van Wyck, B. F. Allen, E. L. Soderman, J. N. Gaffin and Allen Root. Lecturers Dech and Fairchild were also present. The board is still in session as we go to press. All the members report the prospects of the alliance to be good.

ATTEND THE Grand Island meeting and catch a new inspiration.

line | To make this clear, let us take the illustration: The people of Nebraska

THE RAILROADS IN LAW

Constitutional Provisions, Statutes and Supreme Court Decisions Showing the Legal Status of Railroads in General, and Particularly in Nebraska.

THE STATUS OF THE RAILROADS IN NEBRASKA.

The constitution of Nebraska adopted in 1875 contains the following provisions regarding railway corporations:

SEC. 4. [Rates of charges.]—Railways heretofore constructed, or that may hereafter be constructed in this state, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the legislature may from time to time pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this state. The liability of railroad corporations as common carriers shall never be limited.

SEC. 7. [Abuses to be regulated by law.]—The legislature shall pass laws to correct abuses, and prevent unjust discrimination and extortion in all charges of express, telegraph, and railroad companies in this state, and enforce such laws by adequate penalties to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

In accordance with this constitutional provision, the legislature in 1885 enacted a law to fix maximum rates of fare for passengers. In 1887 this act was replaced by the following act which is now in force:

SECTION 1. [Charges for transportation.]—It shall be unlawful for any railroad corporation operating, or which shall hereafter operate, a railroad in this state to charge, collect, demand or receive for the transportation of any passenger over ten years of age, with baggage, not exceeding two hundred pounds in weight, on any train over its line of road in the state of Nebraska, a sum exceeding three cents per mile. (Amended 1887, chap. 59.)

In 1881, the legislature of Nebraska exercised its right to establish maximum rates of charges for transporting freight. The law passed at that time provided that railroads in this state should never charge higher rates than those in force on the Burlington and Missouri River railroad at that time. While this law did not give the people any material relief from railroad extortion, it was a full recognition of the state's right to establish maximum rates.

In 1884, an amendment to the constitution providing for a railroad commission was voted on by the people and overwhelmingly defeated. Notwithstanding this fact the legislature of 1885 created a commission consisting of three state officers. Its powers and duties however were so limited, that it was of no force, even if its members had desired to accomplish anything.

In 1887, this law was replaced by another modeled after the plan of the interstate commerce law. It provided for a board of transportation consisting of five state officers. The powers and duties conferred were somewhat wider, and the board could have relieved the state from the burden of extortionate railroad charges, if its members had so desired. The most important section in the law of 1887 is the following:

"All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivery, storage or handling of such property, shall be reasonable and just, and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

This law further forbids unjust discrimination, and defines the duties and powers of the board at great length.

POWERS OF THE BOARD OF TRANSPORTATION.

In July 1887, a case was brought in the supreme court of Nebraska to test the constitutionality of the act of 1887. It was the case of the State vs. the F. E. & M. V. R. R. Co., Attorney General Leese appeared for the state, and he pressed the case to a hearing. Chief Justice Maxwell delivered an opinion in which he went over the whole act construing and explaining its provisions. Regarding the right of the board to fix or reduce rates he said:

Here is an act which declares that all charges shall be just and reasonable, prohibits and declares unlawful all unjust and unreasonable charges; which requires schedules of such just and reasonable charges to be posted for the use of the public, and prohibits an advance in rates except upon certain conditions; which prohibits any preference in favor of or against any person or place. * * These are broad powers. * * They are not to be restricted. Such powers were conferred for the express and declared purpose of fixing charges which shall be reasonable and just, and prohibiting unjust and unreasonable charges.

Such board is to determine in the first instance, at least, what are reasonable and just charges, and what are unreasonable and unjust charges. If there is discrimination against any person, firm or corporation, it is the duty of the board to find, and to require the railway company to cease its discrimination. To do so the board has the authority to require such railway company to reduce its rates to a reasonable and just standard. The power to fix a reasonable and just rate is clearly conferred on the board, as also the power to determine what rates are unjust and unreasonable. The power of the board, therefore, TO ESTABLISH AND REGULATE RATES AND CHARGES upon railroads within the state of Nebraska, IS FULL, AMPLE AND COMPLETE.

In this decision both the associate justices, Reese and Cobb, concurred.

The decision is perfectly clear and definite. It throws the whole responsibility on the board of transportation. If the rates are not reduced, it must be inferred that the members of the board consider them just and reasonable.

In its report for 1890, the board, after a lengthy discussion of the subject, actually did declare the freight rates in Nebraska to be low enough, and that they could not be reduced without injustice to the corporations.

THE GRANGER DECISIONS.

In October, 1876, the supreme court of the United States handed down its famous decisions in what are generally known as the "granger cases." The controversy in all these cases was as to the right of states to enact and enforce laws fixing maximum rates of a charge for service by common carriers, public warehouses, inn-keepers, millers, etc.

The first case was that of Munn vs. The State of Illinois. Munn was one of the managers of a public warehouse in the city of Chicago. The statutes of Illinois required every public warehouse-man to take out a license. They also fixed maximum rates of charge for the storage of grain. Munn undertook to run his warehouse without a license; and to charge rates for storage higher than those established by law. Munn was tried and fined \$100. The case was taken to the supreme court of Illinois and the decision was affirmed. Munn then appealed to the supreme court of the United States.

The decision in this case is lengthy and exhaustive. The Illinois law was held to be constitutional, only two of the justices, Field and Strong, dissenting.

The following are extracts from the decision:

It has been customary in England from time immemorial, and in this country from its first colonization to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, inn-keepers, etc., and in so doing to fix a maximum of charge to be made for services rendered. To this day, statutes are to be found in many of the states upon some or all of these subjects; and we think it has never yet been successfully contended that such legislation comes within any of the constitutional prohibitions against interference with private property.

Property becomes clothed with a public interest when used in a manner to make it of public consequence, and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use and must submit to be controlled by the public for the common good to the extent of the interest he has created.

Common carriers exercise a sort of public office, and have duties to perform in which the public is interested.

When private property is devoted to a public use it is subject to public regulation.

The court quoted at length from the highest English authorities in support of these positions. A quotation from the first law passed in England for the regulation of common carriers more than two hundred years ago is very interesting as it shows that the necessity for such laws arose from the same cause then as now. It reads as follows:

And whereas, divers wagnons and other carriers, by combination amongst themselves, have raised the price of carriage of goods in many places to excessive rates, to the great injury of trade. Be it therefore enacted, etc.

The second of the "granger cases" was that of the C. B. & Q. R. R. vs. the state of Iowa. The state legislature had enacted a maximum rate law, and the corporation appealed to the supreme court to prevent its enforcement. The court, in deciding the case, affirmed the right of the Iowa legislature to enact and enforce a maximum rate for the transportation of freight and passengers on railroads in that state.

The following are extracts showing the tenor of the decision:

Railroad companies are carriers for hire. They are incorporated as such, and are given extraordinary powers, in order that they may the better serve the public in that capacity. They are therefore, engaged in a public employment affecting the public interest and subject to legislative control as to their rates of fare and freight.

In this case the attorneys for the railroad company argued that inasmuch as the company had borrowed money to build the road and contracted to pay a certain rate of interest on its bonds, and as the money needed to pay this interest must come from the charges for transportation of freight and passengers, the Iowa law violated the constitution of the United States in that it "impaired the obligation of contracts." On this the court held that

When the legislature steps in and prescribes a maximum of charge, it operates upon this corporation the same as it does upon individuals engaged in similar business.

THE PLAIN PEOPLE.

At a meeting in Topeka a few evenings ago to arrange for the inauguration of the new populist governor, the representatives of the new party passed the following resolutions:

"Resolved, That the recent political victory was won by the plain people of Kansas, and was a victory against mammon monopoly in all its forms, was in truth but one battle in the irrepressible conflict between the people and all that greed, which finds its most alluring exponent in fashionable society, with its ostentatious display of power to spend money for trifles, while those who earned it starve. Inaugural ceremonies, carried on by fashionable society and under its ostentatious display of dress and expense, would be exceedingly inappropriate and highly distasteful to all friends of genuine social and political reform; and further

Resolved, That the plain people of Kansas, who elected the new state officers, cannot look but with anxiety upon any indication that their officers have submitted to the allurements of that fashionable society which represents all the enemies of the common people, and based upon wealth gained by monopoly, constitutes a dangerous lobby about the official it may secure in its meshes; therefore,

Resolved, That we are opposed to any ball as a part of the ceremonies of inauguration."

This shows that the populists of Kansas have got the courage of their convictions. The republican press is already heaping a great deal of ridicule on them for this action, but they can well afford to endure it. It ought to commend them to the great plain people of Kansas. Give us more "Jeffersonian simplicity."

THE HAZARD CIRCULAR.

The following is a copy of the "Hazard circular" so frequently referred to by reform speakers:

"Slavery is likely to be abolished by the war power and chattel slavery destroyed. This, I and my European friends are in favor of, for slavery is but the owning of labor, and carries with it the care for the laborer; while the European plan, led on by England, is for capital to control labor by controlling wages. This can be done by controlling the money. THE GREAT DEBT that capitalists will see to it is made out of the war, must be used as a measure to control the volume of money. To accomplish this, the bonds must be used as a banking basis. We are now waiting to get the secretary of the treasury to make this recommendation to congress. It will not do to allow the greenback, as it is called, to circulate as money for any length of time, for we cannot control that."

This is said to be a copy of a secret circular that was issued by an English banker named Hazard and sent to American bankers some time in 1862.

We have never had any reason to doubt the genuineness of this circular. We have been informed that Horace Greeley published the circular in the New York Tribune at the time and severely denounced it in his editorial columns, but we have not been able to verify this, or to secure any other historical facts concerning it. If any of our old-line greenback readers, have the necessary data, we would be glad to have them write up the subject.

PROF. VINCENT.

Of the Non-Conformist, telegraphed on Wednesday morning that he would be present at the Grand Island meeting next Tuesday. Prof. Vincent is an able orator, and arrangements will probably be made to have him address the meeting.

The Hay Springs Review has been sold to the Sheridan County Democrat.

OUR readers will have plenty of room for marginal notes this week.

"TO HOWL or not to howl." That is the question confronting republicans to-day.

ESPECIAL attention is called to the following articles in this issue: Congressman Kem's letter from Washington on page 3; "What is Money" on page 2; "A Voice From the Past" by Victor Hugo on page 7; and the editorial article on "The Legal Status of Railroads."

In a paragraph published three weeks ago, we gave the names of several independent workers who would make good candidates for the United States senate. We also stated that anyone of a dozen others would make a good candidate. Since then we notice the name of Hon. W. A. Poynter favorably mentioned by several. Also a friend writes from Richardson county that Hon. Geo. A. Abbott should be included in the list. "Still there's more to follow." It is certain that there is no scarcity of good material. It is also certain that if every independent in the legislature does his whole duty an independent will be chosen.

LET patriotic Americans bow their heads in shame and humiliation. Let the stars and stripes be hung at half mast. Let the American eagle droop his wings. "Why?" Read the answer in the report of the Brussels conference! It was an American who nominated Levi, the Jewish banker, for president of the Brussels conference. It was an American delegate that moved to lay the American proposals aside and take up the proposals of the Rothschilds. The American member of the committee voted for the adoption of Rothschild's plan. The word has gone forth to the civilized world that the American delegates and Rothschild are working in harmony together.

A DEMOCRATIC ROW.

On the evening of December 10, the great tariff reform club gave a dinner in New York City. All the great guns of democracy were there, and a large number of them responded to toasts. Among the number was Speaker Crisp who had received a special invitation to be present. He had prepared a speech and given it to the press with the understanding that it was not to be printed till delivered.

President Cleveland was one of the first speakers. He made his customary references to his feelings of responsibility, and his desire for the people to be patriotic at the expense of their selfish ambitions and desires. Then followed speeches from Mills, Carlisle, McMillen, Tom L. Johnson and others. Mr. Crisp waited for his name to be called, patiently at first, but with growing impatience later on. Finally when it was near midnight, he arose in evident irritation and left the stage where he had been seated with the speakers. His speech was of course ordered not printed, and his friends are now up in arms about it. They say it was an intended insult to Crisp, and an affront to the house of representatives. They recall the fight between the Crisp and Mills factions when the present congress was organized. They also recall Cleveland's remark to the effect that "the blunders of the present congress have never been exceeded."

When the row will end or what it will develop into no one can foretell. It may cause Speaker Crisp and his friends to push a free coinage bill through the present congress. It is likely to help Crisp in his race for the speakership of the next house.

OUR old friend Carr of the Lexington Clipper seems to have got his eyes wide open to the true character of Holden if we are to judge from the following remark: "Mr. Holden is quite positive that the independents in the Nebraska legislature ought to combine with the republicans instead of the democrats. In other words, having been instrumental in electing the republican state ticket he proposes to further serve the republican party by working for the election of a republican United States senator. The independent legislator who allows Holden's views to influence him in any way is a sucker, that's all."

The Grand Island Independent says: "The populists, who complained greatly about the extravagance of the old parties, were considerably more extravagant in the last legislature, making more useless and expensive appointments of clerks than any other legislature before had done. Their mouth saved money but their hand squandered it lavishly for the benefit of their partisan friends. We hope our next legislature will set a better example."

The writer of the above is a—well, to speak mildly and politely, he is either a contemptible falsifier, or a blatant ignoramus. Perhaps he is both. His statement about "useless and expensive appointments of clerks" is just the reverse of true.

IN WYOMING.

Late developments have shown that Governor Osborne was fully justified in taking possession without formality or ceremony. When the canvassing board met they proceeded to count in a republican majority of the legislature, regardless of facts or circumstances. They then adjourned without canvassing the vote on governor: The probabilities are that two legislatures will be organized, and two United States senators elected. Then the United States senate will have to decide between them.

WHAT is needed above else, to purify American politics at right the wrongs which afflict the country, is more genuine manhood.

THE true patriot loves his country. He sets the welfare of the whole people above the selfish interests of himself or the class to which he belongs. He works for the greatest good to the greatest number. He studies the history of his country and the present condition of the people and thus educates himself to rightly perform duties of citizenship.

Personal.

Secretary Pirtle and wife returned on Wednesday of last week from a visit to their old home in Iowa. While there they attended the wedding of Mr. Pirtle's sister. They report a very pleasant visit.

County Clerks Mahn of Harlan, McFadden of Furnas, and Ericson of Phelps made a call at THE ALLIANCE-INDEPENDENT office while in Lincoln attending the meeting of the county clerks of the state. Each of these gentlemen is making an excellent record in his county.

J. M. Quick of Emerald one of Lancaster county's leading alliance workers left on Tuesday for an extended visit to New Jersey.

Editor Ennis of the Long Pine Journal is in Lincoln taking treatment for a defect in his hearing.

Hon. J. V. Wolfe is a hog man a last week he attended a large sale in eastern Iowa, and made purchases of fine hogs. This week he attended another sale at Clar, Iowa.