

ALLIANCE HERALD

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THURSDAY, JULY 6, 1911

ANNOUNCEMENTS

COUNTY TREASURER

I hereby announce myself as a candidate for the office of county treasurer of Box Butte county, subject to the democratic and peoples independent primaries to be held August 15, 1911. ISAAC ROCKEY. 20-E-705

COUNTY TREASURER

I announce myself as a candidate for nomination for County Treasurer on the republican ticket, and if nominated and elected will give the office my entire time and attention. GLEN MILLER.

COUNTY CLERK

I hereby announce myself as a candidate for the office of county clerk of Box Butte county, subject to the democratic and peoples independent primaries to be held August 15, 1911. JOHN B. KNIEST.

COUNTY JUDGE

I hereby announce that I am a candidate for re-election to the office of county judge of Box Butte county, subject to the democratic and peoples independent nominations at the primary election to be held August 15, 1911. L. A. BERRY.

SHERIFF

I hereby announce myself as a candidate for the office of sheriff of Box Butte county, subject to the democratic and peoples independent nomination at the primaries to be held Aug. 15, 1911. GEORGE F. SNYDER.

SHERIFF

Having been requested by numerous friends to run for sheriff of Box Butte county, I hereby announce that I will be a candidate for that office, subject to the democratic and peoples independent primaries, to be held August 15, 1911. SIMON SPRY.

SHERIFF

I wish to announce to the voters of Box Butte county that I am a candidate for re-election to the office of sheriff of said county, subject to their nomination at the peoples independent and democratic primaries to be held August 15, 1911. CAL. COX.

COUNTY CORONER

I hereby announce myself as a candidate for the office of county coroner of Box Butte county, subject to the democratic and peoples independent primaries to be held August 15, 1911. FRANK W. BOLAND, M. D.

COUNTY SUPERINTENDENT

I wish to announce to the voters of Box Butte county that I am a candidate for re-election to the office of county superintendent, subject to the democratic and peoples independent primaries to be held August 15, 1911. DELLA M. REED.

INTERSTATE COMMERCE

Instructive Address of Hon. Willis E. Reed Before Stockmen's Convention
REMARKS REGARDING REBATES



Hon. Willis E. Reed of Madison, Nebraska, was invited to deliver an address before the Stockmen's convention at Alliance, July 6th, and for his address he selected a theme that is of great interest, not only to stock growers, but also to business men and all other persons who ship or travel over the railroads. Mr. Reed is a close student of current events, logical thinker, and forceful speaker. Following is the address delivered at Alliance, and is well worth a perusal by every reader of The Herald:

No question is of more vital interest to the thinking public at the present time than the existing law respecting the giving of rebates by common carriers and the receiving of the same by shippers and the traveling public.

It does not seem to be generally known that transactions absolutely innocent within themselves, in which the carrier on the one part and the public upon the other, have acted in the utmost good faith by reason of the law as constructed by the interstate commerce commission, not only the common carrier, but the public as well, frequently stand face to face with charges of violating the law in a criminal manner.

I call to mind a case in point respecting freight rates. A firm in Madison, ordered a car-load of dry lumber from a lumber firm in Tennessee, to be delivered at Madison, f. o. b. for a given sum, or price. That is to say, the lumber was to be shipped to Madison from Memphis, Tennessee, and from the purchase price the lumber company at Madison was to pay the freight and send the balance of the purchase price to the firm in Memphis, Tennessee. This they did, each individual, including the agent of the railway at Madison, exercising the utmost good faith.

Some months thereafter, when checking over the books of the railway company, it was discovered that the Union Pacific company at Madison, should have collected from the consignee \$11.23 more than was collected, in order to collect the amount required by the schedule of published rates which were in force at the time of the shipment, and which, under the federal law could not be changed without a republication and permission of the commission; and, after the publication, with the consent of the commission, the tariff rates then published became a part of the law of the land and the railroad company are powerless to accept any less than the published rates and if they do so, they are guilty of violating the law against rebating and are subject to criminal prosecution for the violation thereof. The failure on the part of the consignee to pay the full amount as shown by the schedule of rates in force, makes the consignee liable not only civilly for the unpaid amount, but liable to criminal prosecution for receiving rebates.

There are thousands upon thousands of such cases, similar to the one just mentioned, in process of collection with the various railway companies throughout the United States; and can be enforced within the period of the Statute of Limitations. In the state of Washington, where the consignee has demurred to the paying of rates after having once settled, upon the theory that they were doing business with the company that should know its rates, they are to be brought face to face in the federal court, before juries of their own countrymen, for having received and retained rebates in violation to the law. In many instances the firms and companies have gone out of existence and it is impossible for the shipper or the consignee to recoup their losses or protect themselves. Much as common carriers would like to drop the cases, settle or adjust them, they are deterred from so doing, under the ruling of the interstate commerce commission by threat of criminal prosecution, and no matter what it costs the common carrier, it is required to exhaust every legal remedy for the collection of the rebate in order to save itself from sentence in the federal court for a violation of the criminal statute.

The same rule applies to the passenger department and a case in point arose in Madison county, in which a school miss, who, like most of those who fill that profession, had no extra money after paying her expenses in training school and who, having looked forward to a time when she might visit the coast country on the west, inquired of the local agent for the cost of a round-trip ticket that would permit her to

visit various points along the coast. After counting all the money she had and denying herself of any luxury, she discovered that she had sufficient means, upon that basis, to make the trip and would not have made it but for the fact that the cost of the ticket happened to be within her financial means. She made the trip and upon returning, found a letter from the railway company to the effect that there had been a mistake in estimating the cost of the ticket and that she was indebted to the company for \$40 and that she should pay it or each would be liable, under the criminal law, for having given rebates, as to the company, and she for having accepted same.

These mistakes were discovered by the auditor in going over the schedule of published rates and charges, in conformity to the law and which could not be changed except by publishing the rates after first having secured the consent of the railway commission. The companies are required to prosecute these cases. The public affected thereby refuse to pay any more. This brings each clearly within the law, and serious trouble confronts each unless the same are paid. Some say that the patrons should be excused because they did not know what the rates are. There is a presumption of law, however, that everyone is supposed to know what the law is. This is a necessary presumption because if it were not true, then whenever there was a law that was injurious to an individual, or the business of a person, he could always plead ignorance of the law, for ignorance would then excuse him. We are, therefore, confronted with a condition and not a theory.

It is believed by many that the rates as they now exist are of such a complicated nature and character that frequently experts differ radically upon the meaning and construction of the same. To complicate matters more, each state in the union has sought to regulate freight and passenger rates. In many instances each state differing slightly from the other, because of local surroundings, conditions, environment, temper and condition of the people. The interstate commerce commission spends months in determining what will be a just and equitable rate from one point to another, that there may be no discrimination. For instance, between Chicago, Minneapolis, Duluth, St. Louis on the one part and Spokane, Ogden, Cheyenne and Denver on the other. As soon as the rates are thus determined, possibly while the published notice is being necessarily made in conformity to law, that certain rates are to go into effect from and after a given date, in the meantime, for instance, the state of Nebraska, through the traffic from Chicago to Cheyenne might go, for reasons of a local character, change the rate from Sidney, Nebraska, to Omaha, and Iowa changes the rate from Davenport to Council Bluffs, reducing it to such an extent that it would be cheaper for the shipper from Chicago to ship to Davenport and rebill from Davenport to Council Bluffs, Iowa, transfer to Omaha and re-bill to Sidney and then re-bill to Cheyenne, Wyoming, because, no matter what the law is, if the shipper knows that the sum total of the local rates amounts to less than the other rate he will ship the commodity as local. He may do this a part of the distance and use interstate the balance of the way. This, doubtless, in a measure, accounts for some of the many mistakes which have from time to time been made with reference to the shipping rate.

Since the Minnesota rate case has been decided, and although not as yet finally determined in the court of last resort in the land, attention being called to the binding force and effect of the federal constitution, it is quite evident that the supreme power is vested in congress to regulate commerce among the several states, which necessarily means the interstate common carriers, and since you cannot change the rate within the state without interfering with the interstate rate, unless the constitution of the United States is changed, the states are practically powerless to change the freight rates because it would conflict between the state and that of the United States, which the state accepted and adopted as the supreme fundamental law of the land and which must necessarily give way to that of the federal government. For that reason, and because of the alarming injustice to the public, as well as the common carrier, I have thought it advisable, upon this occasion, to call your attention to this remarkable law that has been unchallenged upon our federal statutes, involving and entailing useless expenditure of time, energy and money. I have called your attention to the defect; that is the first step toward reform. The next step is to discover a remedy and settle its force and effect before it is crystallized into law, and yet, this is such a glaring defect in our law, that no free government should permit it to remain upon the statute without stopping to consider it for a time and pass the necessary remedial legislation.

It should make no difference who proposes the amendment, be he democrat, republican, populist, socialist or prohibitionist. A remedy we must have. Am making as deep a research as possible to solve the rate question, because it can never be solved, unless it is solved equitably and right, with equal justice to the shipper as well as the carrier, and no one should be left in the alarming condition of violating the law, by reason of complicated conditions over which he has no power or control, as is the case at present.

There are other things to be taken into consideration, many grievous defects of which you, as shippers, have experienced, and the carrier seriously hampered, and I should be glad to confer with you, touching the points that seem to be necessary for better service from your point of view, that, between us, working together, we may be able to solve the question and solve it correctly, with equal and exact justice to all.

DR. PRICE'S

CREAM BAKING POWDER

Makes Home Baking Easy.
Gives nicer, better food than baker's.
There is no baking powder like it
for hot biscuit, hot breads and cake.
Made from Pure Grape Cream of Tartar.

SEMI-ANNUAL STATEMENT OF TREASURER OF BOX BUTTE COUNTY, NEBR.

Summary of Collections, Disbursements and Balances for the Half Ending July 1, 1911

FRED MOLLRING, County Treasurer.

COLLECTIONS.	AMOUNT.	DISBURSEMENTS.	AMOUNT.	BALANCES.	AMOUNT.
To Cash on hand Forwarded.		By State Treas. Receipt No.		State General Fund	\$1,537.20
..... \$49,852.81		..... \$7,426.66		State University Fund	633.22
To 1896 Tax Collected .. 24.21		By State Treas. Receipt No.		State Redemption Fund	.76
To 1898 Tax Collected .. 66.38		..... 1,000.00		Lease on School Land	1,498.16
To 1906 Tax Collected .. 13.55		By Co. Gen. Warrants R'd'm'd		Co. General Fund ()	2,507.85
To 1907 Tax Collected .. 20.60		() .. 8,647.28		Co. Bridge Fund (and Prior	
To 1908 Tax Collected .. 48.45		By Co. Road Wts. R'd'm'd ()		Years) ..	995.69
To 1909 Tax Collected .. 583.65		..... 1,518.15		Co. Road Fund ()	1,422.31
To 1910 Tax Collected .. 34,282.41		By Co. Claims Held for Tax		County Poll	343.00
To School Land-Lease .. 1,498.16		By School Bonds and Coupons		City Library Fund	499.36
To Jan. State Aid .. 370.00		..... 1,060.11		Alliance Electric Light	4.49
To Jan. App't Rec'd of St.		By School Orders Paid—Local		Alliance Bond Fund City Hall	
Treas. 1,314.83		Tax .. 21,659.90			2,033.41
To June App't Rec'd of St.		By School Building .. 4.24		Advertising Fund	1.29
Treas. 1,881.30		By High School .. 62.25		Miscellaneous Fund	1,355.20
To Misc. Col.—Co. Gen. .. 1,171.54		Alliance Water Bond .. 3,261.67		School Bond Fund	8,200.86
To Fines and License Collected		By City Rects., Alliance		School Building Fund	134.74
..... 11.00		Alliance Bond Fund—City Hall		School District Fund	9,739.96
To Alliance Sewer Lateral, 3,284.29		..... 481.28		School Judgment Fund	6.93
To Interest on County Deposits		Alliance Sewer Lateral .. 4,238.70		Redemption ..	17.10
..... 183.66		Alliance Library .. 530.59		High School ..	596.13
To Fees .. 112.00		Alliance Electric Light .. 900.00		General Interest Acct. ..	237.68
To Redemptions .. 1,094.69		Alliance Sewer Bond .. 1,575.00		City Alliance ..	2,088.13
		Redemptions Paid .. 1,149.87		Village of Hemingford ..	33.83
		Total Disbursements .. 55,881.04		Alliance Water Bond ..	1,193.03
		By Balance .. 39,932.47		Hemingford Water Bond ..	565.81
				Sinking Fund Dist. No. 6 ..	2,104.76
				Sinking Fund Dist. No. 18 ..	181.17
				Alliance Sewer Bond ..	616.34
				Alliance Sewer Lateral ..	1,214.15
				Fees ..	112.00
				Cash and Cash Items on Hand	39,932.47
	95,813.51		95,813.51		

This is to Certify, That this is a true and correct statement of all moneys received and disbursed for the first half 1911.

FRED MOLLRING, County Treasurer.

July 1, 1911.

As the law now stands, it would seem that a step in the right direction would be to make the chairman of our state railway commission, ex-officio a member of the interstate railway commission, with authority to sit with them whenever any rate is considered that affected that part of the country or state which he represents, that we might be able to present our grievances to him, and through him speak on behalf of ourselves and our respective states and that upon a proper showing, settlements could be made in similar cases, of which I have spoken, by the local state commission without being required to face a criminal charge, when no criminal intent was intended by either party, as is doubtless the case, perhaps, in all of the unsettled controversies now being adjusted between the several carriers and various patrons of the respective roads. The remedy suggested by me is a mere suggestion and it is one of our duties to try to discover a better way of adjustment and regulation, if possible.

Certain rights and privileges were reserved to the people of the respective states of the union at the time of the adoption of the federal constitution, and they should be preserved and retained. At the same time the federal constitution was adopted for a grand and noble purpose and the responsibility now rests with this generation to clearly distinguish between them and work for one common end, the greatest good to the greatest number with the least possible injury to anyone.

CALL FOR DEMOCRATIC STATE CONVENTION

The democratic electors of the state of Nebraska are hereby called to meet in delegate convention in the city of Fremont, Tuesday, July 25th, 1911 at 2 o'clock p. m., for the purpose of drafting a democratic state platform, the election of a democratic state committee, and the transaction of any other business

which may properly come before the convention.

The representation in said convention will be based upon the vote cast for presidential electors in 1908, and each county will be entitled to one delegate for each 150 votes, or major fraction thereof, cast at said presidential election, giving the several counties representation as follows:

Adams	16	Johnson	8
Antelope	10	Kearney	8
Banner	1	Keith	2
Blaine	1	Keya Paha	2
Boone	11	Kimball	1
Box Butte	5	Knox	14
Boyd	6	Lancaster	57
Brown	4	Lincoln	9
Buffalo	17	Logan	1
Burt	8	Loup	1
Butler	14	Madison	13
Cass	16	McPherson	1
Cedar	12	Merrick	7
Chase	2	Morrill	5
Cherry	7	Nance	6
Cheyenne	5	Nemaha	11
Clay	13	Nicholls	10
Colfax	8	Otoe	16
Cuming	11	Pawnee	7
Custer	19	Perkins	2
Dakota	5	Phelps	8
Dawes	5	Pierce	7
Dawson	13	Platte	17
Deuel	3	Polk	8
Dixon	7	Red Willow	9
Dodge	18	Richardson	15
Douglas	104	Rock	2
Dundy	3	Saline	15
Filmore	13	Sarpy	7
Franklin	9	Saunders	18
Frontier	6	Scottsbluff	4
Furnas	11	Seward	14
Gage	21	Sheridan	5
Garden	3	Sherman	6
Garfield	2	Sioux	3
Gosper	4	Stanton	5
Grant	1	Thayer	11
Greeley	7	Thomas	1

Hall	15	Thurston	5
Hamilton	11	Valley	7
Harlan	8	Washington	10
Hayes	2	Wayne	7
Hitchcock	4	Webster	9
Holt	12	Wheeler	2
Hooker	1	York	14
Howard	10		
Jefferson	12	Total	886

It is recommended by the state committee that no proxies be recognized by the state convention, but that the delegates actually present from each county be authorized to cast the full number of votes to which the county is entitled under this call.—J. C. Byrnes, Chairman; Leo Matthews, Secretary.

DEMOCRATIC COUNTY CONVENTION

The Democratic electors of Box Butte county are hereby called to meet in delegate convention in the city of Alliance on Saturday, July 22, 1911, at 1 o'clock p. m., for the purpose of electing delegates to the state convention to be held at Fremont, Nebraska, July 25, 1911. It is recommended that the precinct caucuses be held in the respective voting places at 2 p. m. on Friday, July 21, 1911. The several precincts of the county are entitled to representation in the county convention as follows:

Alliance 1st ward	21	Alliance 3d ward	18
Lake precinct	3	Dorsey precinct	6
Boya	4	Nonpareil	6
Running Water	2	Liberty	6
Lawn	3	Box Butte	6
Wright	4	Snake Creek	2
Total			79

W. S. RIDGELL,
Chairman Democratic Central Com.

Remember

That every added subscriber helps to make this paper better for everybody