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THE COUNT TO PROCEED

The Speaker and Lieutenant Governor Name the Committees.

THE RULES THAT WILL GOVERN

The Speaker's Reasons for Denying the Republicans Representation.

Count Open to the Public.

Immediately after roll call Friday morning the speaker of the house and lieutenant governor announced the committees to recount the ballots cast for supreme judge at last election. Immediately upon their appointment they retired and took charge of the ballots and began to prepare for the count. The board organized by electing Representative F. F. Loomis, the free silver republican member of the committee, as chairman and Representative Fernow as secretary. They selected as clerks C. J. Bowley, and Frank Ross, members of the old board and from among the employees of the house, P. W. Murphy, L. G. Cheavron and Judd Wilson. A wooden railing was constructed to keep the crowd from interfering with the clerks in their work and the count was begun. All the work of the committee is open to the bystanders and only the necessary regulations are adopted to prevent meddlesome and over officious persons from interfering with the work. There is nothing secret, as has been so frequently charged. What the result will be no one knows. The count will be made and the findings published.

In naming the committees to count the ballots the speaker and lieutenant governor gave their reasons for denying the republicans representation.

SPEAKER GAFFIN

handed the following to the clerk which was read:

"Pursuant to, and by authority of a law passed by this legislature, senate file No. 382, it at this time becomes my duty to appoint a committee consisting of four members of the house to act in conjunction with a committee of the senate to canvass the vote on the constitutional amendment relative to the increase of supreme judges.

In naming this committee I desire to say, that while this act provides that one member of this committee may be a republican; yet in view of the fact that the republicans have opposed this recount in every way possible from the beginning, and after having had a non-partisan board appointed, under a law passed by the legislature for the express purpose of having this canvass made by such board, they have resorted to the courts with injunction proceedings instituted for the purpose of defeating and in every way possible sought to embarrass the canvass and prevent the count from going forward to an honest and fair completion, and in view of the fact that nearly every republican member of this house, in the explanation of his vote yesterday, denounced the recount, objected to it and voted against it; therefore, it seems reasonable to presume that if appointed upon this committee they would continue to delay, obstruct and prevent the recount in the future. I firmly believe that the great majority of the people of this state, irrespective of party, are in favor of an honest and speedy recount of the ballots; and believing also that the people of the state are entitled to have this count completed without further obstruction, and also being satisfied that the committee to whom this matter is entrusted, will, with proper restrictions, proceed with the count in a public way, allowing press representatives and others to witness the count in progress, so far as can be done, without endangering the ballots or delaying and retarding the work; therefore, in view of the effort that has been made to defeat the recount I do not feel justified in embarrassing this committee in its work by placing upon the committee any person who is not favorable to a fair, impartial and honest count without further delay and obstruction. After carefully considering the matter from all standpoints, I have selected the following members of the house as such committee: Dobson, Geddes, Farnow and Loomis."

The reading was followed by strong outburst of applause in the galleries and among the members, showing that all approved of the speaker's action in the matter.

THE LIEUTENANT GOVERNOR'S

explanation was as follows: "It becomes my duty to appoint a committee to count the ballots cast on the constitutional amendments providing for increase of the number of supreme judges, at the election held November 2, as provided by the act passed March 25, 1897, and committee to act with similar committee from the house, appointed for the same purpose. That an American citizen shall be permitted to deposit his will by ballot and have it honestly counted, is not only the spirit of our constitution, the organic law of the nation, but commends itself to every patriotic citizen and nation. Any attempt to obstruct, thwart, retard or hinder a count of ballots is unlawful and revolutionary, no matter by what agency or from what source, and places the obstructionist under suspicion, by fair-minded men, of improper and personal motives. The people of Nebraska will demand of this committee a fair, honest count, open to representatives of the press, open to the inspection of hon-

est citizens who ask that the will and wish of the citizen shall be recorded. It is to be hoped that the work may be done without further hindrance, by men whose sense of duty is greater than party fealty. I have selected Senators Canaday, Sykes and Heapy as the committee from the senate, to act under and by provision of the law."

BOARD ADOPTS RULES.

The following is the rules agreed upon to govern the board in its canvass of the ballots:

I. All clerks or assistants selected shall, before entering upon their work, subscribe to an oath to support the constitution and faithfully and impartially discharge their duties.

II. For the recording of the ballots there shall be selected five clerks or assistants, from the different political parties. Two of such clerks shall keep tally sheets, two inspect, compare and count the ballots, and one shall assist in opening and sealing the packages containing the ballots as they are counted.

III. The committee shall, as it may deem advisable, divide the counting of the ballots of the different counties among different forces of clerks or assistants; but each force or set of assistants shall be constituted as provided in rule two.

IV. The count shall be conducted in a public manner.

V. Representatives of the press shall at all times be given free access to observe and watch the counting of said ballots subject to such restrictions and relations as may be adopted by the committee.

VI. No person or persons except the committee and its clerks and assistants chosen for that purpose shall be permitted to handle any of the said ballots or packages containing the same.

VII. The packages containing the ballots shall be opened publicly immediately before being counted and be sealed up as soon as the count of such package is completed. When the count of any one county is begun the same shall be counted until all the ballots of such county are completed.

VIII. As soon as the ballots of any county are fully recounted, the result thereof shall be announced and be given to the press.

IX. This committee shall assist in opening the packages, comparing, inspecting and counting said ballots, and sealing them again in such manner as will best expedite the work.

X. Whenever any difficulties arise regarding the counting of any ballot, or in any other matter, a majority of the committee shall decide the question.

XI. The sergeant-at-arms or assistants of the senate and house of representatives are directed to maintain order and quiet, to protect the ballots from being handled by any unauthorized person at all times, and to execute the orders and enforce the rules adopted by this committee.

XII. These rules and regulations may be amended or changed from time to time as in the judgment of the committee it may deem best.

XIII. Should there be a call of the house and senate at the same time, further count shall cease until one or the other of the calls be raised, and the ballots shall be locked up and guarded by the sergeant-at-arms.

CHARTER OF GREATER NEW YORK

Some of the Provisions of the New Charter of New York City.

The legislature of the state of New York has passed a new charter for the city of New York which will unite Brooklyn, Long Island and New York City into one great city having a population of over 3,000,000, and greater than any other city in the world except London. It has been estimated by those versed in the increase of population, that in fifty years the population of New York City will exceed 20,000,000. The new charter will become operative January 1, 1898. The first mayor, comptroller and members of the upper and lower assemblies will be elected on the second of next November. All other officers and heads of departments are to be appointed by the mayor. The police department will be governed by a board of four commissioners, and the fire, law and correction departments each by one commissioner and the departments of education, public improvements, charities, health, docks, parks and buildings will be governed by boards of three or more members, all to be appointed by the mayor.

In the matters of legislation the councils or assemblies cannot pass over the veto of the mayor except by a two-thirds vote, and if the veto is of a franchise or of an expenditure of money, a five-sixths vote is necessary. The authority and power given to the mayor is greater than that of any other officer in the United States. The appointments of subordinates are nearly as great as those of the president of the United States. He will be the head of this army of 50,000 employees and will direct the expenditure of \$75,000,000 annually. His salary will be \$15,000 per year. It will be the office in the United States prized next to that of president.

Rivera's Impending Fate.

HAVANA, April 1.—The Cubans here are feeling somewhat downcast over the capture of General Rivera and his impending fate. The Spanish officers make no secret of their determination to shoot him immediately, first going through the empty formality of a drum-head court-martial.

Died in Each Other's Arms.

HOUSTON, Tex., April 1.—A. J. Holman and bride, who were married two weeks ago at Austin, committed suicide this morning at their boarding house. They were found dead in each other's arms. There is no apparent cause for the suicide.

WASHINGTON LETTER

George L. Burr of Aurora Tells of His Trip to the National Capital.

DOINGS OF THE POPULISTS.

What May be Expected From the Present Session of Congress.

Tom Reed's Rules.

My trip to Washington was without a startling incident. I got to Omaha on Sunday morning and caught the train out in the afternoon and went to bed before we got half way through Iowa. When I awoke in the morning we were passing through Mendota, Ill., and the beautiful country lying between that city and Chicago is known to most of your readers. At Chicago I took the Pennsylvania line and came out through Indiana, Pennsylvania and Maryland.

The ride through Indiana was in daytime, and it was a wonder to me to see the little bites of fields they have cut their land into, and to notice that the corn was largely in the shock, unhusked. They claim to have a wonderful crop of corn, 75 to 100 bushels per acre, and yet there are no cribs anywhere. They only raise a few acres each, and have stock enough to feed it mostly from the shock. In Illinois both business men and tenants complain bitterly and say the landlord is getting more than his share, and in Indiana they tell me the price of land has fallen from \$20 to \$40 per acre, and that times are harder than ever before known. The surface of Indiana is very low and flat over this part of the state, and the habit of chopping it up into ten-acre fields with their rail fences gives it the appearance of being more thickly settled than it is. Around Marion and for a few towns this side there has been a discovery of natural gas, which makes it the most prosperous section I passed through. It has brought to them some large glass manufacturing plants and other industries of the kind, and there seems to be more activity there than elsewhere, though I was assured that none of the mills were running more than half time or capacity, even there.

The Ohio country is better land, but the mining and manufacturing sections are experiencing greater discouragement than they have ever known before. I passed through the flood territory at Johnstown, where the country is wild and the scenery picturesque. The tunnel at the top of the Alleghany range is over a half mile in length, and the horse-shoe bend is almost worthy of the Rockies, although in general this range is like pimples in comparison with Colorado's mountains. All through the mountain coal mining region the country looks as though the people were poor. The same houses, built a hundred years or more ago, with their narrow eaves, twelve-light windows, and constructed so long for the width of them, were somewhat of a curiosity to me. Whitewash is used for paint. There is but little brick in the mountain section and many of the old houses in that region have never even been whitewashed.

In Pennsylvania I found great excitement over an investigation that was being made into their state affairs by a Methodist minister, who is digging up evidence to show that the state management in Pennsylvania is worse than that of any other state in the union. The minister is a leading republican himself and is thus able to get a hearing. They say the condition is terrible.

In Maryland the scenery is lovely but the soil is poor—at least it looked so to me. The Creator never did for this part of the country what he did for Nebraska. The country is somewhat southern in appearance as soon as you reach Maryland, and although the snow was on the ground in Pennsylvania, the season is farther advanced here than in Indiana, where the grass is green and the people were plowing. The description of the city I will reserve for some future letter.

I had no trouble in finding everybody, and Sutherland, Stark, Mr. Polhemus, and myself are very pleasantly located at 320 Delaware Avenue—the same place where Senator Allen, family, and his secretary, Mr. Mott, are stopping. Mrs. Allen is here, but is intending to return the first of April.

Ex-Congressman Hainer is quite ill. His successor has been up to call on him twice, but has been unable to see him either time.

The house is under absolute control of Speaker Reed and committee selected by him. You will notice in accepting the speakership Mr. Reed was very careful to promise fairness in a peculiar manner. He said, "I do hope, with your kind assistance, and kinder forbearance, to administer justice to administer justice to each member, and to both sides of the chamber, under the rules established by the house of representatives, without favor, or hope of reward." Reed himself prepared the rules, and of course it is impossible to administer justice under them. He appoints all committees, and names what men the minority as well as the majority shall have upon them. When they report, he will recognize no congressman as having the floor to speak except a member of the committee or some man to whom that member may yield. He naming the persons to have charge, absolute charge, of both sides of the debate is a powerful advantage that practically gags a large part of the opposition. He has, as yet named but three of the committees and

the representatives of the people cannot advance any legislation until they dispose of this which the speaker and president have said must be done first. The committee on rules have presented a report that practically disposes of the tariff bill so far as the house is concerned. They are to consider it for four days, until eleven o'clock p. m. of each day, in general debate, so called. It is then to be considered by sections for five days at the rate of thirty or forty pages a day and on March 31st it is to come to a vote by operation of the previous question. They cannot hope to get half through the reading by sections, where the changes must be made. Whether they have considered the last half of the bill or not they must vote upon it at the time fixed by Mr. Reed's committee. This will not hurry matters up, however, as the senate refuses to be gagged and the effort to establish the same kind of committee rule there has failed. In fact it is very unpopular in the house. The result of the standing vote counted by tellers, was a majority of one against the Reed rules, but before the vote was announced a call was made for the yeas and nays and the republicans that were opposed to the rules did not dare to have their votes put on record. In this way they were fastened on the house. A number of the members are toadying to the speaker in the hope of getting a committee ship where they can hope to get something for their constituents and they will dare to say that their souls personally belong to themselves as soon as their committees are named.

We have taken one outing and went by steamer to Alexandria, a distance of about five miles, where we saw the house in which Ellsworth was shot and the beautiful monument to the confederate dead, also the church where Washington attended during his life, the bricks of which were imported from England, and the old churchyard where the pioneers of Virginia who died more than one hundred years ago are sleeping. It is a quaint old place of historic interest. In the evening we went to McKinley's church and heard his minister, the Rev. Kent Johnson, hold forth. The music was grand and the building magnificent, but any minister of Aurora preaches a better and more thoughtful sermon than the president's preacher did the time we expected to find it. About one-third of the population is colored. The Potomac at this point is larger than the Missouri or Mississippi and there are ocean steamers anchored here, although it is a hundred miles or more to the river. Guess this is plenty for the time being. My readers may think this is a little late in coming around, but when I register a slight kick that none of our papers have as yet put me on the list, and that the Aurora Sun is the only paper I have seen from the fourth district of Nebraska, they will wonder that I wrote as soon as I did.

GEO. BURR.

to investigate state offices.

The committee will begin its work immediately after adjournment. The committee appointed by the speaker, Messrs. Zimmerman, Wheeler and Moran, to investigate the condition and transactions of the state offices and officers has not yet fully organized, but it is understood that it will begin its work as soon as the legislature adjourns, and proceed in a systematic and thorough manner to go through the records in all of the state offices for ten years back. An investigation farther than that would be of no value, for bonds of state officers outlaw in that time. Should the committee find any shortages it is believed that where recovery can be had suit for that purpose will be commenced by the attorney-general upon the recommendation of the committee.

NEELY IN CONTROL.

The Leavenworth Standard Changes Hands in Very Short Order.

LEAVENWORTH, Kan., April 1.—Charles E. Lobdell of Lane county, at noon to-day closed the deal with Mrs. Sarah B. Lynch, postmaster, for her one-half interest in the Evening Standard, and a few minutes later sold out to United States Marshal S. Neely, who already owned a one-sixth interest. This gives Dr. Neely a controlling interest, and hereafter he will direct the policy of the Standard, which will remain Democratic.

RIPANS TABLET FOR OUR STOMACH.

Gen. Sangully Will Return to Cuba to Take Command in the West. New York, April 1.—Gen. Julio Sangully, hero of the ten years' war in Cuba, a military tactician of acknowledged ability, the peer of Gomez as a general and of Maceo as a fighter, is to succeed Gen. Rios Rivera as the commander of the army of the west.

General Sangully is the Cuban patriot who served two years in jail, charged with the crime of rebellion. He is a naturalized American citizen, and was released through the good offices of this government in February last.

RIVERA'S SUCCESSOR.

It is true that many and various trusts were in existence at the time of the passage of the act, and it was probably thought to cover them by the provisions of the act. Many of them had rendered themselves offensive by the manner in which they exercised the great power that combined capital gave them. "But further investigation of the history of the times shows also that these trusts were not the only associations controlling a great combination of capital which had caused complaint at the manner in which their business was conducted. There were many and loud complaints from some portions of the public regarding the railroads and the prices they were charging for the service they rendered, and it was alleged that the prices for the transportation of persons and articles of commerce were unduly and improperly enhanced by combinations between the different roads.

ANTI-TRUST DECISION

Forbids all Pooling Between Railroads in Regard to Rates.

WRITTEN BY MR. PECKHAM.

The Language Very Plain, Upholding the Rights of the People.

The Language of the Court.

In the case of the United States against the trans-Missouri freight association, the court found in favor of the United States and sustained the anti-trust law. The court stood five for the law and four against, the same as it stood on the first decision in regard to the income tax law.

The members of the court upholding the law were Chief Justice Fuller, democrat, Illinois; Justices Brewer, republican, Kansas; Harlan, republican, Kentucky; Brown, republican, Michigan; Peckham, democrat, New York. Those in favor of the contention of the railroads, Justices Field, democrat, Colorado; Gray, republican, Massachusetts; Shiras, republican, Pennsylvania; White, democrat, Louisiana.

Those who voted to uphold the income tax were Harlan, Brown, White and Shiras the first time but who afterwards changed and voted against the law. Justice Peckham was not a member of the court at the time of the income tax decision.

In the railroad case there were two points to be decided, whether the act applied to common carriers by railroad and if so did the agreement of the freight association violate the law as contained in the act.

The opinion of the court as written by Justice Peckham says:

"The language of the act includes every contract combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce, among the several states or with foreign nations.

"Unless it can be said that an agreement, no matter what its terms, relating only to transportation, cannot restrain trade or commerce, we see no escape from the conclusion that the agreement is condemned by this act.

"It cannot be denied that those who are engaged in the transportation of persons or property from one state to another are engaged in interstate commerce, and it would seem to follow that if such persons enter into agreements between themselves in regard to the compensation to be secured from the owners of the articles transported, such agreement would at least relate to the business of commerce and might more or less restrain it.

"We have held that the trust act did not apply to a company engaged in one state in the refining of sugar under the circumstances detailed in the case of the United States vs. E. C. Knight company, because the refining of sugar under those circumstances bore no distinct relation to commerce between the states or with foreign nations. To exclude agreements as to rates by competing railroads for the transportation of articles of commerce between the United States would leave little for the act to take effect upon.

The interstate commerce act does not, in our opinion, authorize an agreement of this nature. It may not in terms prohibit, but it is far from conferring either directly or by implication any authority to make it. If the agreement be legal, it does not owe its validity to any provision of the commerce act, and if illegal it is not made so by that act.

"The general nature of a contract like the one before us is not mentioned in or provided for by the act.

"One of the contentions was that congress, in the passage of the anti-trust act, had intended to direct against combination and conspiracy such as the Beef Trust, the Standard Oil Trust, the Steel trust, &c., and these trusts, it was stated, had assumed an importance and had acquired a power which was dangerous to the whole country, and that their existence was directly antagonistic to its peace and prosperity.

"It is true that many and various trusts were in existence at the time of the passage of the act, and it was probably thought to cover them by the provisions of the act. Many of them had rendered themselves offensive by the manner in which they exercised the great power that combined capital gave them.

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In the railroad case there were two points to be decided, whether the act applied to common carriers by railroad and if so did the agreement of the freight association violate the law as contained in the act.

The opinion of the court as written by Justice Peckham says:

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"It cannot be denied that those who are engaged in the transportation of persons or property from one state to another are engaged in interstate commerce, and it would seem to follow that if such persons enter into agreements between themselves in regard to the compensation to be secured from the owners of the articles transported, such agreement would at least relate to the business of commerce and might more or less restrain it.

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"One of the contentions was that congress, in the passage of the anti-trust act, had intended to direct against combination and conspiracy such as the Beef Trust, the Standard Oil Trust, the Steel trust, &c., and these trusts, it was stated, had assumed an importance and had acquired a power which was dangerous to the whole country, and that their existence was directly antagonistic to its peace and prosperity.

"It is true that many and various trusts were in existence at the time of the passage of the act, and it was probably thought to cover them by the provisions of the act. Many of them had rendered themselves offensive by the manner in which they exercised the great power that combined capital gave them.

"But further investigation of the history of the times shows also that these trusts were not the only associations controlling a great combination of capital which had caused complaint at the manner in which their business was conducted. There were many and loud complaints from some portions of the public regarding the railroads and the prices they were charging for the service they rendered, and it was alleged that the prices for the transportation of persons and articles of commerce were unduly and improperly enhanced by combinations between the different roads.

"A reference to the history of the times does not, as we think, furnish us with any strong reasons for believing that it was only trusts that were in the minds of the members of congress, and that railroads and their manner of doing business were wholly excluded therefrom.

"The very fact of the public character of the railroad would itself seem to call for special care by the legislature in regard to this conduct, so that its business should be carried on with as much reference to the proper and fair interests of the public as possible.

"Why should not a railroad company be included in general legislation aimed

at the prevention of that kind of agreement made in restraint of trade which may exist in all companies, which is substantially of the same nature wherever found and which tends much towards the same results, whether put in practice by a trading and manufacturing or by a railroad company?

"It is true the results of trusts or combinations of that nature may be different in different kinds of corporations, and yet they all have an essential similarity and have been induced by motives of individual or corporate aggrandizement as against the public interest.

"In business or trading combinations they may even temporarily, or perhaps permanently, reduce the price of the article traded in or manufactured by reducing the expense inseparable from the running of many different companies for the same purpose. Trade or commerce under these circumstances may survive, the less be badly restrained by driving out of business the small dealers and worthy men whose lives have been spent therein, and who might be unable to readjust themselves to their altered surroundings.

"More reduction in the price of the commodity dealt in might be dearly paid for by the ruin of such a class and the absorption of control over one commodity by an all-powerful combination of capital. In any great and extended change in the manner or method of doing business it seems to be an inevitable necessity that distress and personal ruin, shall be its accompaniment in regard to some of those who were engaged in the old methods.

"A change from stage coach and canal boats to railroads throw at once a large number of men out of employment; changes from hand labor to that of machinery, and from operating machinery by hand to the application of steam for such purposes leave behind them for the time a number of men who must seek other avenues of livelihood. These are the misfortunes which seem to be the necessary accompaniment of all great industrial changes.

"It takes time to effect a readjustment of industrial life so that those who are thrown out of their sole employment by reason of such changes as we have spoken of may find opportunities for labor in other departments than those to which they have become accustomed. It is a misfortune, but in such cases it seems to be the inevitable accompaniment of change and improvement.

"It is wholly different, however, when such changes are effected by combinations of capital, whose purpose in combining is to control the production or manufacture of any particular article in the market, and by such control dictate the prices at which the article shall be sold, the effect being to drive out of business all the small dealers in the commodity and to render the public subject to the decision of the combination as to what price shall be paid for the article.

"In this light it is not material that the price of an article may be lowered. It is in the power of the combination to raise it, and the result in any great measure is unfortunate for the country by depriving it of the services of a large number of small but independent dealers who were familiar with the business, and who had spent their lives in it, and who supported themselves and their families from the small profits realized therein.

"Whether they be able to find other avenues to earn their livelihood is not so material, because it is not for the real prosperity of any country that such changes should occur which result in transforming an important business man, the head of his establishment, small though it may be, into a mere servant or agent of a corporation for selling the commodities which he once manufactured or dealt in, having no voice in shaping the business policy of the company and bound to obey orders issued by others.

"Nor is it for the substantial interests of the country that any one commodity should be within the sole power and subject to the sole will of the combination of capital.

"Congress has, so far as its jurisdiction extends, prohibited all contracts or combinations in the form of trusts entered into for the purpose of restraining trade and commerce. The results flowing from a contract or combination in restraint of trade or commerce, when entered into by a manufacturing or trading company such as above stated, while differing somewhat from those which may follow a contract to keep up transportation rates by railroads, are nevertheless of the same nature and kind, and the contracts themselves do not so far differ in their nature that they may not all be treated alike and be condemned in common.

"It is entirely appropriate generally to subject corporations or persons engaged in trading or manufacturing to different rules from those applicable to railroads in their transportation business, but when the evil to be remedied is similar in both kinds of corporations, such as contracts which are unquestionably in restraint of trade, we see no reason why similar rules should not be promulgated in regard to both and both be covered in the same statute by general language sufficiently broad to include them both."

"We think, after a careful examination, that the statute covers and was intended to cover common carriers by railroad."

"We recognize the argument upon the part of the defendants, that restraint upon the business of railroads will not be prejudicial to the public interest so long as such restraint provides for reasonable rates for transportation, and prevents the deadly competition so likely to result in the ruin of the roads, and to thereby impair their usefulness to the public and in that way to prejudice the public interest.

"But it must be remembered that

at the prevention of that kind of agreement made in restraint of trade which may exist in all companies, which is substantially of the same nature wherever found and which tends much towards the same results, whether put in practice by a trading and manufacturing or by a railroad company?

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"It takes time to effect a readjustment of industrial life so that those who are thrown out of their sole employment by reason of such changes as we have spoken of may find opportunities for labor in other departments than those to which they have become accustomed. It is a misfortune, but in such cases it seems to be the inevitable accompaniment of change and improvement.

"It is wholly different, however, when such changes are effected by combinations of capital, whose purpose in combining is to control the production or manufacture of any particular article in the market, and by such control dictate the prices at which the article shall be sold, the effect being to drive out of business all the small dealers in the commodity and to render the public subject to the decision of the combination as to what price shall be paid for the article.

"In this light it is not material that the price of an article may be lowered. It is in the power of the combination to raise it, and the result in any great measure is unfortunate for the country by depriving it of the services of a large number of small but independent dealers who were familiar with the business, and who had spent their lives in it, and who supported themselves and their families from the small profits realized therein.

"Whether they be able to find other avenues to earn their livelihood is not so material, because it is not for the real prosperity of any country that such changes should occur which result in transforming an important business man, the head of his establishment, small though it may be, into a mere servant or agent of a corporation for selling the commodities which he once manufactured or dealt in, having no voice in shaping the business policy of the company and bound to obey orders issued by others.

"Nor is it for the substantial interests of the country that any one commodity should be within the sole power and subject to the sole will of the combination of capital.

"Congress has, so far as its jurisdiction extends, prohibited all contracts or combinations in the form of trusts entered into for the purpose of restraining trade and commerce. The results flowing from a contract or combination in restraint of trade or commerce, when entered into by a manufacturing or trading company such as above stated, while differing somewhat from those which may follow a contract to keep up transportation rates by railroads, are nevertheless of the same nature and kind, and the contracts themselves do not so far differ in their nature that they may not all be treated