

SECRETARY PAUL MORTON

Proven Guilty of Crimes That Would Have Sent Him to Prison Had Elkins Bill Not Saved Him

MADE REBATES TO HIS BROTHERS

Asked for an Investigation and Then Withdrew Request Without Explanation

Since the results of the interstate commerce commission's inquiry concerning rebates paid unlawfully to the Colorado Fuel and Iron company by the Atchison, Topeka & Santa Fe railroad company were made known, additional facts pointing to other violations of law by the Atchison company have come to light. They have been received by the public with much interest, not only because they relate to the projected railway legislation so earnestly desired by Mr. Roosevelt but also for the reason that they direct attention to the conduct and utterances of Secretary Paul Morton before he entered the cabinet.

Reviewing, on the 12th ult., the available evidence in this Colorado Fuel case, we spoke of President Ripley's application for a further hearing, at which, it was said, it would be shown that Mr. Morton in no way deserved censure for anything that had been done. We remarked that Mr. Morton's side of the case should be presented fully and without delay, in order that public opinion might be formed justly. But Mr. Ripley has withdrawn his application, Mr. Morton has made no explanation, and the commission—holding, as Mr. Prouty said, that the two companies had shown a "barefaced disregard of the law"—is about to lay the evidence before the department of justice, with the expectation that prosecution will follow.

Secretary Morton said to the public, a few weeks ago, that the president had asked him to take up the problem of railroad supervision and that he had consented to remain in the cabinet in order that he might do so, and might assist the president in obtaining needed legislation. It is natural and reasonable, therefore, that the public should be interested in the record made by the secretary while he was vice president of the Atchison and supervising the freight traffic of that great company.

We have heretofore given the substance of the evidence in the Colorado Fuel rebate case. It is alleged that rebates amounting to about \$1,000 a day were allowed for four years (up to November last) and that a competing company was thus driven out of business and virtually into bankruptcy. The traffic manager, Mr. Biddle, who was subject to Mr. Morton's authority, assumes the entire responsibility for what was done. Mr. Morton has not denied that recently to a newspaper correspondent he expressed approval of Biddle's action, saying that he would have taken the same course.

There was published on the 21st ultimo what was said to be the full and exact text of a pooling agreement (some 3,000 words) between the Atchison and the Southern Pacific, covering territory in southern California, and the southwest, dated May 18, 1896, and signed by J. C. Stubbs for the Southern Pacific and by Paul Morton for the Atchison. Provision was made for canceling it after December 31, 1897, if ninety days' notice should first be given. Mr. Morton declined last week to discuss the matter. The question whether the agreement is still in force

For over sixty years Mrs. Winslow's Soothing Syrup has been used by mothers for their children while teething. Are you disturbed at night and broken of your rest by a sick child suffering and crying with pain of cutting teeth? If so, send at once and get a bottle of Mrs. Winslow's Soothing Syrup for Children Teething. Its value is incalculable. It will relieve the poor little sufferer immediately. Depend upon it, mothers, there is no mistake about it. It cures diarrhoea, regulates the stomach and bowels, cures wind colic, softens the gums, reduces inflammation, and gives tone and energy to the whole system. Mrs. Winslow's Soothing Syrup for children teething is pleasant to the taste and is the prescription of one of the oldest and best female physicians and nurses in the United States, and is for sale by all druggists throughout the world. Price, 25 cents a bottle. Be sure and ask for "Mrs. Winslow's Soothing Syrup."

has not been answered. Making such an agreement was well known to be a direct violation of the interstate commerce act. Under the decisions of the courts it was also a violation of the Sherman act. In the orange rate case, three years later, an officer of the Southern Pacific denied that there had been an agreement. Mr. Morton testified that the two companies (there were no others doing business in southern California) co-operated in making contracts with private car lines. "There is necessarily," said he "a great deal of co-operation between us." If his signature was wrongfully published in connection with what is alleged to be a copy of an unlawful pooling agreement he should have said so last week.

One year ago (Jan. 19, 1904) the commission made a decision in a case brought before it by certain manufacturers of salt at Hutchinson, Kan., who complained that they had virtually been driven out of business by rebates which the Atchison road had given to a salt company controlled by two brothers of Secretary Morton. In a recent volume of the commission's reports the record may be found. Joy Morton was president of the salt company and Mark Morton its treasurer. A siding, or spur track, in all less than 5,000 feet, connected the Atchison line with the mills. Owing this side track, the salt makers incorporated it under the name of the Hutchinson and Arkansas River Railroad company, of which Joy Morton was president and Mark Morton treasurer. They had neither a locomotive nor a car. But with the Atchison (of which Paul Morton was vice president) they were able to make a traffic agreement which allotted to these 5,000 feet of side track about 25 per cent of the freight charges on salt. This disguised rebate amounted to 50 cents a ton on salt to Kansas City, 235 miles, the full rate being \$2. Therefore the Morton brothers were easily able to undersell their Hutchinson competitors at Kansas City and other markets, and they did so undersell them with the great beef companies at Kansas City and Omaha and St. Joseph.

"A mere subterfuge to give a concession in rates, and therefore unlawful," was the decision of the commission, which brought the evidence to the attention of the district attorney, explaining that he was "required to prosecute such violations under the direction of the attorney general." Secretary Morton has declined to discuss this case. Commissioner Prouty remarks that for five years past the Atchison has been guilty of "deliberate, extensive, persistent and flagrant violations of the statutes."

Mr. Morton has testified frankly before the commission and in court. In 1901 he admitted that his company's rebate agreement with the beef companies was illegal. "We knew that it was." In the grain rate inquiry (followed by injunctions) he explained that the published rates were disregarded by his company and all its competitors. Testifying in the orange rate case in California, he said:

"We tried the costly experiment of being honest in this thing—living up to the law as we understood it, and declining to pay rebates; and we lost so much business that we found we had to do as the Romans did."

In public statements he has recently urged that carriers or shippers guilty of giving rebates or preferences "by any device" should be severely punished.

We do not question the sincerity of the expressed disapproval of such injustice and such violations of the law. But, being a member of the cabinet, and, as he says, having consented to assist the president in procuring legislation in accord with the latter's railway policy, he owes to the administration and the public a full and frank explanation of all the transactions, alleged to have been unlawful or unjust, with which he has been connected by official reports, other publications, and his own testimony. Such an explanation should be made at once.

It is also Mr. Morton's duty to consider carefully whether, in view of the record as it stands, or even as it will stand after any explanation he may decide to make, the reform projects and other policies of the president can be commended to the public or otherwise promoted by anything he, remaining in the cabinet shall do or say. —New York Independent.

BETTER THAN SPANKING

Spanking does not cure children of urine difficulties. If it did there would be few children that would do it. There is a constitutional cause for this. Mrs. M. Summers, Box 169, Notre Dame Ind., will send her home treatment to any mother. She asks no money. Write her today if your children trouble you in this way. Don't blame the child. The chances are it can't help it.

IAMS' STALLIONS

Get Busy Mr. Horseman. It's "16 to 1" today is "best time ever" to breed draft and coaches. Don't wait until the other fellow "gathers the cream." "Butt in." Buy a "plum good one" of Iams. His "Peaches and Cream" are ripe. "It's a cluck" that you will save \$1,000 there and get better stallions.

Iams' "Sensational Black Boys" are "whirlwinds" in a "show yard." They won every 1st, 2nd and Championship sweepstakes prize (over all) on Percherons, Belgians and Coaches at Nebraska State Fair 1904. Iams reserve stallions were not shown for prizes. None of his special train of 100 stallions rec'd 8-18-1904 were shown at the

HOME OF THE WINNERS

Buyers say: Hello, N. Y., I'm Pete of Calif. Say Iams has the best lot of stallions and most I ever saw, cheap too. Yes, see those 10 two-year-old 2,000 lb "Black Boys."—"Rippers" Iams' stallions are choice goods. Wie Gebts? Hans of O. I'm Zeke of Mont. See this barn of 40 2,100 lb. three-year-olds. All "topnotchers." Sure, dot vos dot vide-as-a-vagon stallion. Iams has one "horse show" more big as 'dot "Royal" and he saves me more as \$1,000. Sure ting. No studs like dot in Ohio.

Mr. Ill., I'm Peabody, of Colo. Iams has the greatest and largest establishment of 1st class stallions owned by one man in U. S. "Mummers, too." See those 20 2200-lb 4-yr-olds, lined up. Blue Ribbon Boys. None to compare with them, in bone, big size, quality and finish, at "International." You see stallions at Iams' just as you read about.

Mr. Mo. I'm "Sockless Jerry" of Kans. This daily horse show of Iams' beats any state air I ever saw. It's an "Eye opener" to any man to see Iams' stallions. He sells Topnotchers at \$1000 and \$1500.

Hello, Ia. I'm Louie of Minn. To see Iams Champion Percheron, Belgian and Coach Stallions. They are the "hottest proposition" (to competitors) I ever saw. Iams makes competitors "Holler" and he "Butt in." Sells more stallions each year. Saved me \$1000.

Mr. Ind., I'm Hogg of Tex. I came 2000 miles to see Iams' 6100-lb pair of "Peaches and Cream" They are a "Sensational Pair" Better than the pictures. Simply immense. Iams is a hot advertiser. His horses are better than he advertises. Mr. Unbeliever.

\$100-WILL BE PAID YOU-\$100

If you visit Iams and do not find every statement in ads or catalog true. Horses good as pictures in catalog. Now will you be good, Mr. Knocker?

Doc, I don't wonder at Iams' competitors wanting his horses barred from International. "Something Doing" when Iams makes horse show. He always has "Rippers and in show shape."

Tom, Mr. Utah bought that 2,000-lb 3-yr-old at \$1,200 of Iams. Better than one my neighbor paid \$800 for.

Kitty, ain't Iams' Coaches "Swell?" Iams handles only the "tops", coaches that look over the house and step high as a "red wagon."

George dear, buy a stallion of Iams. They are 50 per cent better than one our neighbor paid those Ohio men \$4,000 for. (Then I can wear the diamonds.) Iams has

149--Black Percherons, Belgians, Coaches--149

50 per cent blacks; 50 per cent ton horses. Iams speaks the languages, buys direct from breeders, pays no buyer, salesman or interpreter. Has no three to ten men as partners to share profits with. His twenty-two years successful business makes him a safe man to do business with. Iams guarantees to sell you a better stallion at \$1,000 and \$1,400 than are being sold to stock companies for \$2500 to \$4000 by slick salesmen, or pay you \$100 for trouble to see them, you the judge. Iams pays horses' freight and buyers fare, gives 60 per cent breeding guarantee. Write for catalog.

References: St. Paul State Bank and Citizens National Bank.

FRANK IAMS

St. Paul, - - - Nebraska



Percheron and Shire Stallions

When you go to buy a horse stop at Lincoln, Nebraska and see Watson Woods Bros. & Kelly's Percherons and Shires. 50 head on hand. Send for beautiful photographs of latest importation, and price list. These are free to all who mention The Independent. Address

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NOSE CANCER CURED

Mr. A. Canfield of Tecumseh, Neb., suffered with severe cancer of the nose. He has been entirely cured by Dr. T. O'Connor and will answer any inquiries from other sufferers. Write him and at the same time send a full description of the cancer to Dr. T. O'Connor, Lincoln, Neb. He can cure you. His charges are reasonable and terms of payment easy.

Watch Repairing And Engraving

If your watch needs repairing carefully pack it in cotton and send by mail. I will examine it free of charge and let you know what repairs are needed and what they will cost. You can then say whether I shall proceed and repair it for you. If the expense should be more than you desire to pay the watch will be returned without charge.

ALL WORK GUARANTEED.

Jewelry engraving of all kinds. Write for prices.

Stephen Brock,

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To Independent Readers: Mr. Stephen Brock is known to the publishers of The Independent. He is a competent watch maker and engraver. Watches or jewelry sent to him will be safely returned and the workmanship will be found the best.

THE NEBRASKA INDEPENDENT.

SHERIFF SALE

Notice is hereby given that by virtue of an order of sale issued by the Clerk of the District Court of the Third Judicial District of Nebraska, within and for Lancaster county, in an action wherein Peter Judge is Plaintiff, and Charles W. Burkett et al, Defendants, I will at 2 o'clock p. m. on the 28th day of February, A. D. 1905, at the east door of the Court House, in the city of Lincoln, Lancaster county, Nebraska, offer for sale at public auction the following described lands and tenements to-wit: Lot Seven (7) Block 73; Lots Two (2) Nine (9) Block 79; Lot One (1) Block 20; Lots Six (6) and Seven (7) Block 37; Lots Four (4), Five (5), Six (6) and Seven (7) Block 13; Lots Seven (7) Nine (9) Ten (10) Block 38; Lots Five (5) and Eight (8) Block 40; Lot Ten (10) Block 44; Lots Two (2) and Six (6) Block 20; all in the town of Hawthorne, Lancaster county, Nebraska.

Given under my hand this 20th day of January A. D. 1905.

NICHOLAS RESS, Sheriff.

GEO. W. BERGE, Attorney.

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA.

NOTICE TO NON-RESIDENT DEFENDANTS.

Selden J. Ruliffson, Plaintiff,

vs. Margaret H. Gates and J. L. Gates, her husband, first name unknown, and Walter A. Wood M. & R. M. Company of Omaha, Defendants.

Mar arel H. Gates and J. L. Gates, her husband, first name unknown and Walter A. Wood M. & R. M. Company of Omaha, will take notice that on the 7th day of April, 1904, Selden J. Ruliffson, the plaintiff above named, filed his petition in the District Court of Lancaster County, Nebraska, against said defendants, the object and prayer of which are to quiet title in plaintiff to lot twelve (12) irregular tract, being situated in the Northeast quarter of section fifteen (15), township ten (10), range (7) East in Lancaster County, Nebraska; said irregular tract is described by metes and bounds as follows: Commencing in the Northeast corner of section fifteen (15), township ten (10), range (7) East of the 6th P. M. thence running West eight rods, thence South fifty rods, thence East eight rods, thence North fifty rods to place of beginning, containing two and one-half (2½) acres more or less.

Plaintiff in his petition avers that he has since June 22, 1888, each year himself cultivated said premises; that he has made valuable improvements upon said premises; that from the year 1888 to the present time he has paid the taxes upon said real estate, and for more than ten years immediately preceding the filing of his petition has been in the open, exclusive, notorious, adverse and peaceable possession of said premises.

Plaintiff prays that all of said defendants may be decreed to have no interest in said real estate that said defendants be forever restrained from asserting any interest, claim, or title, in and to said premises, and that title be quieted in plaintiff, and for general equitable relief. You are required to answer said petition on or before the 20th day of March, 1905.

SELDEN J. RULIFFSON, Plaintiff.

By GEORGE W. BERGE, his Attorney.

\$18.85 Louisiana, Texas, Etc., and Return \$18.85

The Missouri Pacific will sell tickets on February 7th, 21st and March 7th and 21st to many points in Louisiana, Texas, Arkansas and return at \$18.85, good for 21 days.

This very low rate includes Galveston, San Antonio, Port Arthur, and is much less than one way fare. The Missouri Pacific has two daily trains from Lincoln to Kansas City, St. Louis and all points south, with electric lighted coaches and the best of everything.

City Ticket Office S. W. Corner 12th and O Streets. F. D. CORNELL, Pass. and Ticket Agent.