

In a state or congressional officer is voted for, or wherein any question may be voted on, by the electors of the entire state.

"Sec. 2. When a majority of the electors voting at a state election shall by their votes signify approval of a law or resolution such law or resolution shall stand as the law of the state and shall not be overruled, annulled or set aside and suspended, or in any way made inoperative except by a direct vote of the people. When such majority shall signify disapproval, the law or resolution so disapproved shall be void or of no effect."

On March 19, 1901, this amendment passed the Nevada legislature and on March 6, 1903, it passed a second legislature. In Nevada every constitutional amendment must pass two legislatures before it is submitted to the people. It was submitted on November 8 last and carried by a vote of 4,404 in favor to 794 against, save that in Eureka county, the two sections were voted separately and the second section received 23 less votes in favor and 5 less against. These are the official figures and it is a fact that Nevada is the fourth state in the Union to embed the referendum in its constitution.

I am president of the National Direct Legislation league and editor of its organ, and hence in touch with the movement all over the Union. In 1902, searching through the laws passed the year before, I found out about the first passage of this amendment and printed it in the June, 1902, Direct Legislation Record. I wrote last spring to the secretary of state and he sent me an entirely different amendment modeled closely on the Oregon amendment and said it was passed March 12, 1903, or six days after the second passage of the amendment recently voted on. Further inquiry of the secretary of state and of the mover and seconder of these amendments brought no reply; so I supposed the earlier amendment had been allowed to lapse so that the better one might pass.

But a month after the election after much searching on another matter, I find Nevada has actually enacted a referendum amendment. I wrote Mr. Shipley at Washington and he interviewed the Nevada congressman and neither of them knew this fact. I suppose that I was the first one outside of the state to know this important piece of real news, and I only got it incidentally about a month after the election. I do not know and seem to be unable to find out who worked for its passage.

This procedure is characteristically democratic. A man sees the need of the referendum, he has heard about it from some of the literature floating around and he goes ahead and does it. That's all. A need is felt and it is met by the initiative of some unknown man. There is no blare of trumpets, no bragging about it, no oratory. Beside this unheralded and almost unheard of change in their fundamental law, the choice of a president between several men is relatively unimportant. And probably the readers of this article, hear of it for the first time.

At times when I look at the rapid concentration of wealth, at the manner in which the president and congress and the central legislative bodies are often unconsciously drawing towards themselves power and crushing out the opportunities for development of individual initiative, I feel that this country is going the way all other countries and civilizations have gone when they have become wealthy and when because of their wealth, power has concentrated, creative ability been shackled and corruption and autocracy been fostered. But every now and then, if I watch closely the currents of life, some such incident as this passage of the Nevada amendment, I will see, some quiet, untalked of incident where some unknown man

has seen an opportunity to help mankind in the mass without perhaps benefiting himself at all, has seized that opportunity and carried it to completion and then sunk back into the ranks, not expecting or receiving any public praise or reward. As long as such things can be done, America will make progress and the kings, czars and diplomats of the old world will not understand the reason why. They will think as Chamberlain said of England's colonial policy that it was only a series of happy blunders.

ELTWEED POMEROY.

REASONABLE RATES

A Brief Sketch of the Character of Railway Traffic Managers

In former letters we have quoted a few of the rates on carload shipments.

Let us leave that subject a moment, to study the character of the men who are responsible for our rates and who are now so loudly demanding that rate-making be left in their hands.

Mr. James J. Hill of the Northern Securities company is afraid rate-making by national authority will result in lowering the wages of railway employees. To calm his fears in that matter, we can assure him there is no cutting of wages among postal employees, because of the two-cent uniform rate on letters; which rate applies to all men and all localities and which is always uniform. Mr. Hill where best known, if current report be true, is classed among the philanthropists who donate an egg while stealing a hen. Mr. Hill is an up-to-date example of the man Easop photographed in the fable of the wolf who stood up stream in the creek and accused the lamb who stood lower down of riling his drinking water.

Mr. Marvin Hughitt, president of the Chicago & Northwestern railway, admits there can be no competition under uniformity of rates, but protests at any extension of the commission's powers to make uniform rates on a reasonable basis.

An editorial in the Chicago Record-Herald, February 9, says: "If it is possible and practicable for one set of railroad men in New York to make all the rates, it is equally possible and practicable for one set of government officials in Washington to make the rates."

In the Kansas City Journal of February 7, President Underwood of the Erie road, is reported as favoring laws that will prevent rebates, but he is alarmed at possibility of other than railroad magnates making rates. The same authority quotes Milton H. Smith, president of the Louisville & Nashville road, as contradicting Speaker Cannon's reported statement that it was originally supposed the interstate commerce law conferred power upon the commission to make rates.

President Ripley of the Santa Fe is a shining example of one exercising autocratic power over quasi-public taxing and who utterly fails to grasp the fact that the power of eminent domain places the road under obligations to do business with the public on a one-rate-basis. He is as brutally ignorant of the obligations to the public under which the roads can be justly operated, as would be a Comanche Indian. In the Record-Herald of Dec. 31, 1904, he is quoted as saying: "The law is violated largely because of utter unbelief in its equity." He overlooks the fact that such excuse for law-breaking would liberate all less law-breakers than himself, who are now in confinement, for no convict believes the law a just one that convicts him. It is evident Mr. Ripley thinks the law commanding that one shipper be treated as is every other, is void of equity. Perhaps because of that reason, his road gave rebates to the Colorado Fuel & Iron Co. and destroyed the rights, business and property of the Caledonia Coal Co. Any thief or public law-breaker has the same ground of defense. He is further quoted as saying: "The rebate system was a means for the railway to exercise judgment, not discrimination." By the same token, if your clerk steals from you, he simply exercises his judgment—it becomes poor judgment only when it is found out. We are to suppose that he and Mr. Paul Morton simply exercised judgment when they issued the coal tariffs which were false in every particular; and it is possible, Mr. Morton now thinks it was poor judgment. His road and all others issue class rates and to particular cities on particular goods, issue "commodity" rates which he believes to be "exercise of judgment" but which are in every case, discriminations. If he owns stock in a corporation that is competing with another company his "exercise of judgment" makes a secret rate, which when discovered, he excuses by saying: "The railways do not want to break the law, but some must do it or

go to the wall." Any school boy knows that the theory of our government is that all citizens are to be treated in all public functions, as equal before the law. That Mr. Ripley believes that railroading is wholly a private business in which the public has no interest, is shown by his remark, "there is no good reason why big institutions should pay the same shipping price that a retail concern does." If he were an importer he would, from the same line of reasoning, smuggle part of a big importation on the theory that he was entitled to a lower rate of duty than a smaller importer. Mr. Ripley and his ilk among railroad men are not alone in that mistaken theory. The average wholesale dealer and manufacturer does not grasp the idea that an open field, wide as the nation for him on which to graze, is better than the restricted and fenced in corral on the ton per mile basis to which he is now confined. He is willing some lordly merchant from "way down east" may come out on "through" rates and graze off the fruit and cream of his trade, provided the hated John Smith company, who is in the next pen is hobbled like himself.

President George B. Harris of the Burlington assumes the uncouth tactics of the rustic from Arkansas and in the Chicago Tribune of January 15, is reported as saying: "Railway rates are not made by college professors and can not be measured off with a rule." If he means anything by his slur at college professors and system, it is that no rule, no theory, no plan nor system is used in rate-making and by inference, no fixed system should be. There is a saying that the child and fool adult will tell the truth. The statement Mr. Harris makes contains much truth. Mr. Harris is an adult, though not a fool by any means, and for that reason, the writer believes him a child in rate-making. True to the pose of the ignorance he assumes, he is reported as saying: "I do not believe in pooling." He must have been playing to a gallery of grangers who are supposed to shy at "pools."

The Independent readers may be mostly "grangers" but the writer gives them credit for common sense. The writer believes the road should pool and do it in conformity to the law, instead of doing it as they now do, against the law. Mr. Harris is further reported as saying: "The people will not stand for it (pooling), and as a railroad man I do not like the scheme." Mark Twain in his happiest vein of humor, was never more funny than in Mr. Harris in that remark. No road in the United States is more tied up in pools, divisions of territory, combination rate sheets than is the Burlington. Among other bright points in his management of the Burlington is his combination deal, which makes his line desirable for the great common herd to ship over. He says: "There is no extortion in freight charges." "Competition settles everything." He evidently takes a long breath after saying there is competition, for in the next sentence he qualifies by "If it is not competition between railroads, it is competition between localities which settles what is charged." He overlooks the fact that if Omaha is charged \$1 on a rate that on ton per mile basis should be 50 cents, that every Missouri river gateway would be satisfied with the same rate and Lincoln would be satisfied if charged \$1.03. The consumer pays the freight and so-called competition between localities as now recognized by railways, is simply "extortion" made uniform. Mr. Harris gets down to brass tacks and every word he utters has point and shines like newly minted coin when he says: "What each shipper wants is to get a low rate himself, while the roads charge competitors the full price." That statement is as a rule, absolutely true and leads us to repeat, as was noted in a former letter: "He who would get equity must do equity."

Railway managers are men of great executive ability, and should be, but rate-making should not be a part of their work on the great engine of distribution. Their ability to judge of equity is well illustrated by one of their number, Mr. A. B. Stickney of the Chicago, Great Western, who is reported as saying: "Do unto others what you know they will do unto you, but do it first." "I have stood by that motto for the last twenty years in dealing with competing railroads, and

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I willingly make this liberal offer because Dr. Shoop's Restorative is not an ordinary stomach remedy. It does not indeed treat the stomach itself. It goes beyond—it treats the nerves that control and operate the stomach. The nerves that wear out and break down and cause stomach trouble. For stomach trouble is really only a symptom that there is serious nerve trouble inside. That is why ordinary remedies fail. That is why my remedy succeeds. That is why I can afford to make this offer.

Yet do not misunderstand me when I say "nerves." I do not mean the nerves you ordinarily think about. I mean the automatic stomach nerves over which your mind has no control. I have not the space here to explain to you how the nerves control the stomach, or how they may be vitalized and restored. When you write I will send you a book which will make these points clear. But this much is certain—alling nerves cause all forms of stomach trouble—indigestion, belching, heartburn, insomnia, nervousness, dyspepsia. No stomach medicine will cure these ailments. Only nerve treatment will do that. No other remedy than Dr. Shoop's Restorative even claims to reach these nerves.

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If you have stomach trouble and have never tried my remedy, merely write and ask. I will send you an order on your druggist which he will accept as gladly as he would accept a dollar. He will hand you from his shelves a standard sized bottle of my prescription and he will send the bill to me. This offer is made only to strangers to my remedy. Those who have once used the Restorative do not need this evidence. There are no conditions—no requirements. It is open and frank and fair. It is the supreme test of my limitless belief. All that I ask you to do is to write—write today.

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it has pulled me out of many a nasty trap they had laid for men."

Speaking of rate regulation, a Mr. W. Norton Grinnell, who is of the Illinois Central directorate, ends a labored article in the North American Review with a tale of woe calculated to move us to tears. He says: "What a long distance we have traveled from the day when the state of New Jersey gave the Camden & Amboy railroad the exclusive franchise of roads throughout the state forever, or from the days of huge land grants and millions of subsidies. Thousands of millions of capital having been lured into investments in railroads by the attitude of the states and the public, the owners are now told that they are entitled to earn something on their capital. The time has been and is liable to come again, when railroads had much better take up their tracks, abandon their franchises and realize on their assets what they can, instead of carrying on a ceaseless fight for existence, and for an adequate return for the capital and labor employed." If any of The Independent readers should see a man with the Illinois Central or other railroads under his arm and offering to sell it for old iron, it's a ten to one shot that it's Mr. W. Norton Grinnell and you should have him arrested at once. Mr. Hamilton Fish is president of the Illinois Central and he and his wife are said to lead the "codfish aristocracy" of New York out of the meagre earnings of a few surplus millions they get from Mr. Grinnell's board of directors. Noting the reference to the Camden & Amboy railroad grant, it will prove interesting and instructive to read in this connection Mr. Lincoln Steffen's article on New Jersey in McClure's Magazine. You have heard of klepto-

A Tired Stomach

Does not get much good for you out of what you eat, for it does not digest much—it is wasteful. It feels sore and lame and is easily distressed and often upset by food. The best treatment is a course of Hood's Sarsaparilla which is positively unequalled for all stomach troubles.

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