

vor or not. They believe it to be a private perquisite of their own, and they think that those of us who agitate against passes are intermeddlers and a menace to their private rights.

**Only One Way Out**

The people of this state will never get relief from railroad influence until the old pass-holders are left out of all conventions and until candidates are nominated by the people themselves who are not tainted with railroad influence. This is true of candidates in all political parties. I would rather have a republican legislature composed of members who have never ridden upon passes than a democratic or populist pass holding legislature. And the same way, I would rather have a populist or democratic legislature composed of members who have never ridden on passes than a republican legislature composed of old time pass-holders. What I mean to say is that not until we get a legislature and state officials composed of men who are absolutely free from railroad influence—and I believe that means men who have never accepted transportation from the railroads—will we shake off railroad control and have actually a government by the people.

**Gives People No Hope**

The platform is significant for one other thing. It says absolutely not one word about freight rates and railroad taxes in Nebraska, and it gives the people no hope whatever along this line. The free pass is wrong for two reasons. In the first place it is unjust discrimination, and should be abolished for that reason. In the second place the pass is a bribe, and we want to abolish the passes so that we may get rid of extortionate freight rates and properly tax the railroads. The real evil in the state of Nebraska is extortionate freight rates and the undervaluation of railroad property. This is the evil we want to eradicate and I do not believe that we can do it until the free pass system is de-

stroyed. Now then I would like to ask the republican state convention what its purpose is after the free pass is destroyed? What is your plan upon the freight rate question? What is your plan about the question of taxing the railroads?

**President's Weakest Words**

The platform adopted is significant because of another fact. It quotes President Roosevelt on the line of interstate commerce legislation. The weakest thing that President Roosevelt ever said upon the railroad question is put in that platform. Here is the quotation from President Roosevelt:

"I believe that all corporations engaged in interstate commerce should be under the supervision of the national government. I do not believe in taking steps hastily and it may be that all that is necessary in the immediate future is to pass an interstate commerce bill conferring upon some branch of the executive government the power of effective action to remedy the abuses in connection with railway transportation."

In all the speeches that President Roosevelt has made this is the weakest portion of them all upon the railroad question. In other speeches President Roosevelt has declared that he favored the abolition of all discrimination in freight rates, such as the abolition of the private car system, rebates, etc., but he has gone farther than this. He has insisted that the interstate commerce commission should be clothed with power to fix rates. This is absolutely essential if anything effective is to be done with interstate commerce. The resolution therefore is vague and vacillating upon the question of the powers of the interstate commerce commission.

I do not believe that the railroad question will be solved until the government owns the railroads. Until we can have government ownership, however, let us in good faith try to regulate them. I believe much headway can be made along the line of regulation. No progress will be made, however, as long as the game of politics is played. No real headway will be made as long as the pass-holders are in control. We must do this without them. If a republican legislature in Nebraska will ever pass an effective anti-pass law, and will ever effectively control the railroads, I will be the best pleased man in the state. I care not what the complexion of the legislature is that will pass this kind of a law. All I care about is that a real law will be passed and not a makeshift or a make-believe that will give us no relief.

GEORGE W. BERGE.

**A Difficult Position**

Two Irishmen were crossing a bog when one of them fell into a mudhole. His companion, running to a nearby farm house, asked the loan of a spade.

"What do you want it for?" asked the farmer.

"Sure, Mike is stuck in the bog and I want to dig him out," was the answer.

"How far in is he sunk?" questioned the farmer.

"Up to his ankles."

"Begorra, then he can easy walk out."

"Begorra, he can't," exclaimed Pat.

"He's in wrong end up."

**Provoking Mistake**

The caller was angry, and even belligerent.

"I want an explanation and an apology, sir," he said. "In your paper this morning you had an account of the wedding at the Smiths' last night, and you spoke of 'the jay that attended the happy pair as they went to the altar.' Now, sir, I'm the —"

"Gracious heaven!" gasped the editor. "I wrote it 'joy'!"—Chicago Tribune.

**DEMURRER IS FILED**

**GRAIN DEALERS CHALLENGE COURT'S JURISDICTION**

Nye-Schneider-Fowler Presents an Original Plea Based on a Claim That Junkin Bill Supersedes All Other Legislation

The members of the Nebraska Grain Dealers' association, defendants in a suit filed by the state of Nebraska to dissolve the association on the ground that it is operating contrary to laws prohibiting restraint of trade, have filed demurrers in the supreme court, but arguments will not be heard for several months. All of the defendants, with the exception of the Nye-Schneider-Fowler company, have filed demurrers challenging the jurisdiction of the court and alleging that there is a misjoinder of causes of action and of parties.

**A Unique Contention**

The Nye-Schneider-Fowler company alleges in a motion filed that the petition of the state is framed as a suit in equity under the Junkin act which took effect July 1, 1905, and no other law previously enacted or now in force will support such an action inequity. It is alleged that the Junkin act if it is now enforced at all, and application all prior statutes on this subject, hence all actions occurring prior to July 1, 1905, are immaterial and should not be permitted to be pleaded. This defendant therefore moves to strike from the petition the words 'for the last three years,' and if the plaintiff desires to substitute any other time therefore to limit such time to a date not prior to July 1, 1905. In the alternative, if the foregoing be overruled, then to vacate the restraining order.

**State's Position**

Attorney General Brown, who drew up the petition for the state, did not indicate under what act the suit was begun. An intimation was given that if the Junkin act or any of the other anti-trust laws of Nebraska failed, the suit could be prosecuted under the common law. A temporary injunction was issued when the petition was filed. At it was an original action in the supreme court the case will be tried in that court and depositions have been taken. Further testimony was to have been taken yesterday before Notary Minor Bacon, but owing to the heavy rains and consequent disorganization of railroad traffic, it was said no witnesses were able to reach Lincoln and no hearing was held.

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