

# THE RAILROAD RATE BILL

## Synopsis of the Important Provisions of the New Law.

**The Term Common Carriers Includes Railroads, Express Companies, Sleeping Car Companies and Pipe Lines—Passes May Be Issued to Railroad Employees—Authority of Commission to Fix Rates.**

Washington.—The following is a synopsis of the important sections of the railroad rate bill.

Section one makes the law apply to corporations or persons engaged in the transportation of oil or other commodities, except water, by pipe line, to those engaged in transportation of passengers or property by railroad or partly by railroad and partly by water, between states.

**"Common Carriers" Defined.**

The term common carrier is defined as follows:

The term "common carrier," as used in this act, shall include express companies and sleeping car companies. The term "railroad," as used in this act, shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement or lease, and shall also include all switches, spurs, tracks, and terminal facilities of every kind used or necessary in the transportation of the persons or property designated herein.

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, shall be just and reasonable; and every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful.

**What Passes May Be Issued.**

The section relative to the issuing of railway passes is as follows:

A. No carrier subject to the provisions of this act shall hereafter, directly or indirectly, issue or give any interstate free ticket, free pass or free transportation for passengers, except to its officers, agents, employees, surgeons, physicians, actual and bona fide attorneys, and members of their immediate families; to ministers of religion, local and traveling secretaries of Young Men's Christian associations, inmates of hospitals and charitable and eusemynary institutions; to indigent, destitute and homeless persons, and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the national homes or state homes for disabled volunteer soldiers and of soldiers' and sailors' homes, including those about to enter and those returning home after discharge, under arrangements with boards of managers, and female nurses that served during the civil war; to ex-union soldiers and sailors and ex-confederate soldiers; and to owners and caretakers of livestock when traveling with such stock or when going to point of shipment or returning from point of delivery.

**Exceptions to the Rule.**

Provided, that this provision shall not be construed to prohibit the interchange of passes for the officers, agents and employees of carriers, and members of their immediate families, nor to prohibit any carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitations, nor prevent such carrier from giving free or reduced transportation to laborers transported to any place for the purpose of supplying any demand for labor at such place.

**Cannot Own Coal Mines.**

All common carriers are prohibited from transporting from one state to another any article manufactured, mined or produced by the carrier or under its authority, and owned wholly or in part by the carrier; except that pipe lines operated by oil companies may transport their own commodities as well as those offered for transportation by competitors.

Section 2 amends section 6 of the present law so as to make it obligatory on the part of carriers to file with the commission and keep open to the public schedules showing all rates, fares and charges between different points on its own route and points on other routes, when a through rate is made, and no change should be made in these rates without giving 30 days' notice of change. It also provides for the filing of all contracts and agreements between different lines.

**Penalties Are Provided.**

The penalties provided for violation of these rates are as follows:

That section 1 of the act entitled "An act to further regulate commerce with foreign nations and among the states," approved February 19, 1903, be amended so as to read as follows:

The willful failure upon the part of any carrier subject to said acts to file

and publish the tariffs or rates and charges as required by said acts, or strictly to observe such tariffs until changed according to law, shall be a misdemeanor, and upon conviction thereof the corporation offending shall be subject to a fine of not less than \$1,000 nor more than \$20,000 for each offense; and it shall be unlawful for any person, persons or corporation to offer, grant or give, or to solicit, accept or receive any rebate, concession or discrimination in respect to the transportation of any property in interstate or foreign commerce by any common carrier subject to said act to regulate commerce and the acts amendatory thereto whereby any such property shall by any device whatever be transported at a less rate than that named in the tariffs published and filed by such carrier, as is required by said act to regulate commerce and the acts amendatory thereto, or whereby any other advantage is given or discrimination is practiced.

Every person or corporation who shall offer, grant or give, or solicit, accept, or receive any such rebates, concession, or discrimination shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$1,000 nor more than \$20,000: Provided, that any person, or any officer or director of any corporation subject to the provisions of this act, or the act to regulate commerce and the acts amendatory thereto, or any receiver, trustee, lessee, agent or person acting for or employed by any such corporation, who shall be convicted as aforesaid, shall, in addition to the fine herein provided for, be liable to imprisonment in the penitentiary for a term of not exceeding two years, or both such fine and imprisonment, in the discretion of the court.

Every violation of this section shall be prosecuted in any court of the United States having jurisdiction of crimes within the district in which such violation was committed, or through which the transportation may have been conducted; and whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jurisdiction in the same manner as if the offense had been actually and wholly committed therein.

**Authorized to Fix Rates.**

Section 15 authorizes the interstate commerce commission to fix rates as follows:

Sec. 4. That section 15 of said act be amended so as to read as follows:

"Sec. 15. That the commission is authorized and empowered, and it shall be its duty, whenever, after full hearing upon a complaint made as provided in section 13 of this act, or upon complaint of any common carrier, it shall be of the opinion that any of the rates, or charges whatsoever, demanded, charged, or collected by any common carrier or carriers, subject to the provisions of this act, for the transportation of persons or property as defined in the first section of this act, or that any regulations or practices whatsoever of such carrier or carriers affecting such rates, are unjust or unreasonable, or unjustly discriminatory, or unduly preferential or prejudicial, or otherwise in violation of any of the provisions of this act, to determine and prescribe what will be the just and reasonable rate or rates, charge or charges, to be thereafter observed in such case as the maximum to be charged; and what regulation or practice in respect to such transportation is just, fair and reasonable to be thereafter followed; and to make an order that the carrier shall cease and desist from such violation, to the extent to which the commission find the same to exist, and shall not thereafter publish, demand, or collect any rate or charge for such transportation in excess of the maximum rate or charge so prescribed, and shall conform to the regulation or practice so prescribed. All orders of the commission, except orders for the payment of money, shall take effect within such reasonable time, not less than 30 days, and shall continue in force for such period of time, not exceeding two years, as shall be prescribed in the order of the commission, unless the same shall be suspended or modified or set aside by the commission or be suspended or set aside by a court of competent jurisdiction.

Any person, corporation, or company who shall deliver property for interstate transportation to any common carrier, subject to the provisions of this act, or for whom, as consignee or consignee, any such carrier shall transport property from one state, territory, or district of the United States to any other state, territory or district of the United States or foreign country, who shall knowingly and willfully, by employe, agent, officer or otherwise, directly or indirectly, by or through any means or device whatsoever, receive or accept from such common carrier any

sum of money, or any other valuable consideration, as a rebate or offset against the regular charges for transportation of such property, as fixed by the schedules of rates provided for in this act, shall be deemed guilty of a fraud, which is hereby declared to be a misdemeanor, and, shall, upon conviction thereof in any court of the United States of competent jurisdiction within the district where such offense was committed, in addition to any other penalties provided by this act, be subjected to a fine equal to three times the sum of money so received or accepted, and three times the value of any other consideration so received or accepted, to be ascertained by the trial court; and in the trial for such offense, all such rebates or other considerations so received or accepted for a period of six years prior to the commencement of the action may be considered, and the said fine shall be three times the total amount of money or three times the total value of such considerations so received or accepted, as the case may be: Provided, that the foregoing penalties shall not apply to rebates or considerations received prior to the passage and approval of this act.

In addition to the above the commission is empowered to make joint rates.

**Orders of the Commission.**

Any carrier, any officer, representative, or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, who knowingly fails or neglects to obey any order made under the provisions of section 15 of this act, shall forfeit to the United States the sum of \$5,000 for each offense.

Every distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense.

**Provision for Court Review.**

The court-review provision of the bill is as follows:

If any carrier fails or neglects to obey any order of the commission, other than for the payment of money, while the same is in effect, any party injured thereby, or the commission in its own name, may apply to the circuit court in the district where such carrier has its principal operating office, or in which the violation or disobedience of such order shall happen, for an enforcement of such order. Such application shall be by petition, which shall state the substance of the order and the respect in which the carrier has failed or disobeyed, and shall be served upon the carrier in such manner as the court may direct, and the court shall prosecute such inquiries and make such investigations, through such means as it shall deem needful in the ascertainment of the facts at issue or which may arise upon the hearing of such petition. If, upon such hearing as the court may determine to be necessary, it appears that the order was lawfully made and duly served, and that the carrier is in disobedience of the same, the court shall enforce obedience to such order by a writ of injunction, or other proper process, mandatory or otherwise, to restrain such carrier, its officers, agents or representatives, from further disobedience of such order, or to enforce upon it, or them, obedience to the same; and in the enforcement of such process the court shall have those powers ordinarily exercised by it in compelling obedience to its writs of injunction and mandamus.

From any action upon such petition on appeal shall lie by either party to the supreme court of the United States, and in such court the case shall have priority in hearing and determination over all other cases except criminal cases, but such appeal shall not vacate or suspend the order appealed from.

The so-called Allison provision provides that all cases for the annulling of a rate as made by the commission should be brought in the district where the carrier against whom such order of requirement may have been made has its principal office.

Other provisions of the bill provide that the commission shall be empowered to require annual reports from all common carriers, and providing that such reports shall be of the fullest character; giving the commission at all times access to the books of common carriers, heavy penalties are enjoined for false entries in accounts. A fine of \$5,000 or imprisonment for a term of two years, or both, is decreed for any examiner who shall wrongfully divulge information acquired through examinations of accounts. Circuit and district courts are to have jurisdiction to issue writs of mandamus compelling common carriers to obey the orders of the commission. Bills of lading are to be issued by any common carrier accepting goods for transportation, making railroad companies liable for loss or damage done in transit over their or any other line. The commission is empowered to employ special agents or examiners with full powers.

This act takes effect and is in force from and after its passage.

The interstate commerce commission will consist of seven members, who shall draw salaries of \$10,000 per annum each.



## WHAT JOY THEY BRING TO EVERY HOME

as with joyous hearts and smiling faces they romp and play—when in health—and how conducive to health the games in which they indulge, the outdoor life they enjoy, the cleanly, regular habits they should be taught to form and the wholesome diet of which they should partake. How tenderly their health should be preserved, not by constant medication, but by careful avoidance of every medicine of an injurious or objectionable nature, and if at any time a remedial agent is required, to assist nature, only those of known excellence should be used; remedies which are pure and wholesome and truly beneficial in effect, like the pleasant laxative remedy, Syrup of Figs, manufactured by the California Fig Syrup Co. Syrup of Figs has come into general favor in many millions of well informed families, whose estimate of its quality and excellence is based upon personal knowledge and use.

Syrup of Figs has also met with the approval of physicians generally, because they know it is wholesome, simple and gentle in its action. We inform all reputable physicians as to the medicinal principles of Syrup of Figs, obtained by an original method, from certain plants known to them to act most beneficially and presented in an agreeable syrup in which the wholesome Californian blue figs are used to promote the pleasant taste; therefore it is not a secret remedy and hence we are free to refer to all well informed physicians, who do not approve of patent medicines and never favor indiscriminate self-medication.

Please to remember and teach your children also that the genuine Syrup of Figs always has the full name of the Company—California Fig Syrup Co.—plainly printed on the front of every package and that it is for sale in bottles of one size only. If any dealer offers any other than the regular Fifty cent size, or having printed thereon the name of any other company, do not accept it. If you fail to get the genuine you will not get its beneficial effects. Every family should always have a bottle on hand, as it is equally beneficial for the parents and the children, whenever a laxative remedy is required.

### AMATEUR AERONAUTICS.

Do not stick pins into the envelope, even if the balloon is a stationary one.

Never leave the car while in motion—especially when at a considerable altitude. It hurts.

Do not throw out empty bottles when passing over densely populated urban rural districts; they will only get broken.

Should your grappling-iron "grapple" a harmless old gentleman and lift him off his feet, do not be too angry with him; let him down gently.

When passing over a friend's estate try and resist the temptation of dropping a sand-bag through his conservatory; somebody may be there, and besides, your friend may be a retaliator and a first-class rifle shot.

STATE OF OHIO, CITY OF TOLEDO, ss. LEONAS LOUPE, FRANK J. CHENEY makes oath that he is senior partner of the firm of F. J. CHENEY & Co., doing business in the City of Toledo, County and State aforesaid, and that said firm will pay the sum of ONE HUNDRED DOLLARS for each and every case of CATARRH that cannot be cured by the use of HALL'S CATARRH CURE.

Sworn to before me and subscribed in my presence, this 6th day of December, A. D. 1906. A. W. GLEASON, Notary Public.

Hall's Catarrh Cure is taken internally and acts directly on the blood and mucous surfaces of the system. Send for testimonials, free. F. J. CHENEY & Co., Toledo, O. Sold by all Druggists. Take Hall's Family Pills for constipation.

**One on the Doctor.**  
A Baltimore physician who boarded a crowded car in Charles street, noticed a woman standing and a big German sprawling over twice the seat area that was necessary to him. Indignantly the physician said to his: "See here! Why don't you move a little so that this tired woman may have a seat?" For a moment the German looked dazed. Then a broad smile spread over his countenance as he answered: "Say, dot's a joke on you, all right! Dot's my wife!"

**Up to Him.**  
Regular Boarder—How many more times am I going to see this same piece of pie?  
Waiter—Dunno, sir. The boss told me to keep giving it to you till you eat it.—Detroit Free Press.

**No Such Temerity.**  
Meekly—Yes, we're going to move to Swamphurst.  
Doctor—But the climate there may disagree with your wife.  
"It wouldn't dare!"—Philadelphia Public Ledger.

**Mixed.**  
The Paying Teller (in the Day and Night bank, scrutinizing check) — How'll you have it?  
Mr. Lushington—Just th' same—on'y don't put so much selzer in it.—Puck.

Defiance Starch is the latest invention in that line and an improvement on all other makes; it is more economical, does better work, takes less time. Get it from any grocer.

**Flattery and the Sex.**  
He—It was decided some time ago that the mails could carry soft soap.  
She—Umph I didn't know the capacity of mails for soft soap had ever been questioned.—Baltimore American.

You always get full value in Lewis' Single Binder straight 5c cigar. Your dealer or Lewis' Factory, Peoria, Ill.

There is always room at the top, of course, but sometimes it's a whole lot more readable at the bottom.—Puck.

### 60 Bus. Winter Wheat Per Acre

That's the yield of Balzer's Red Cross Hybrid Winter Wheat. Send in stamps for free sample of same, as also catalogue of Winter Wheat, Rye, Barley, Clover, Timothy, Grasses, Bulbs, Trees, etc. for fall planting!

BALZEK SEED CO., Box W. K. La Crosse, Wis.

If afflicted with sore eyes, use Thompson's Eye Water

### PRUSSIAN HEAVE POWDERS

A guaranteed cure for Hoarseness, Coughs, Catarrh, Indigestion, Wind Troubles, etc. Sold in 5c. and 10c. bottles.

PRUSSIAN HEAVE POWDERS CO., ST. PAUL, MINN.

W. N. U., OMAHA, NO. 26, 1906.

### ALLEN'S FOOT-EASE

A Certain Cure for Tired, Hot, Aching Feet. DO NOT ACCEPT A SUBSTITUTE.

This signature blends blended in every box.

## Let Me Send You a Package of Defiance Starch

with your next order of groceries and I will guarantee that you will be better satisfied with it than with any starch you have ever used.

I claim that it has no superior for hot or cold starching, and

**It Will Not Stick to the Iron**

No cheap premiums are given with DEFIANCE STARCH, but you get ONE-THIRD MORE FOR YOUR MONEY than of any other brand.

DEFIANCE STARCH costs 10c for a 16-oz. package, and I will refund your money if it sticks to the iron.

Truly yours,  
HOSBERT JOHN,  
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WILL NOT STICK TO THE IRON

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The superior merit of Dr. Price's Food over other cereals, many of which are adulterations and injurious to health.

# DR. PRICE'S WHEAT FLAKE CELERY FOOD

is made from the whole grain of the wheat and absolutely free from adulterations or bleaching fluids. Prepared by a physician and chemist of unquestionable repute. The name is a guarantee of its purity, as no food products bearing his name have ever been questioned.

**Palatable—Nutritious—Easy of Digestion and Ready to Eat**  
Can be served hot. Put in a hot oven for a few minutes; or cook in boiling milk to a mush.

**10c a package.** For Sale by Grocers  
As such nourishment on every package as 2 loaves of bread

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Dr. Price, the famous food expert, the creator of Dr. Price's Cream Baking Powder, Delicious Flavoring Extracts, Ice Cream Sugar and Jelly Desserts, has never been compelled, notwithstanding strenuous Food laws, to change any of his products. They have always conformed to their requirements. This is an absolute guarantee of their quality and purity.