

## THE BEND IN THE ROAD.

There's a bend in the road where a great elm tree  
Holds out its giant arms.  
In the olden times when the pioneers  
Were clearing off their farms,  
Oft they met in their passing to and fro,  
And a turn was made  
To the great tree's shade  
For a friendly talk by the water's flow.

'Tis a bend in the road that afar each way,  
A country highway straight,  
Runs along midst fields, and the wild weeds' bloom  
That meets each farm-yard gate.  
Where a bit of the woods grows near the turn,  
To the restful nook  
Comes a little brook  
From its shallow bed in the haunts of fern.

All the travelers journeying on that way,  
When summer days are fair,  
Stop awhile to sit on the wooden bridge.  
The brook makes ripples there,  
And each bank is a couch o'erspread with green,  
And a joyous gleam  
In the winding stream  
Gives a blithesome cheer to the quiet scene.

Curved around with the brook runs the country road;  
And oft the passers-by  
Drive their teams to rest in the water cool  
Where deep the shadows lie.  
Here the farmers, freed from their labor's strain,  
Look beyond where, green  
In the summer's sheen,  
Are the fruits of toil in the fields of grain.

And but few of the many who linger here,  
Within this sheltered space,  
Can escape the charm that uplifts the mind  
Above the commonplace  
Till they think, as they wait, of questions grave,  
Of the aims of life,  
Of the worth of strife,  
Or they dream of efforts and struggles brave.

Then away from the peace of the wayside nook,  
Again to meet life's care!  
While the fair, lone spot seems to haunt the heart  
With thoughts that met it there.  
Like a Sabbath of rest for the weary soul,  
When earthly burdens cease,  
Is the tranquil nook  
By the curving brook  
With its welcome blessing of nature's peace.

MARY FRENCH MORTON.

## THE CULLOM BILL.

THE CONSERVATIVE encourages the use of its columns for intelligent discussion upon all phases of public questions, believing that truth will not be injured by publicity. The following was written by Mr. E. P. Bacon, of the commission house of E. P. Bacon & Co., of Milwaukee, in reply to the editorial expression of this paper relative to the Cullom bill:

"I note in the issue of THE CONSERVATIVE of May 10, editorial comment upon the Cullom bill, now pending in the senate, the purport of which very much surprises me, and it seems to me it must have been written under an entire misapprehension of the provisions of the bill, derived from railway representa-

tions of the intent and purpose of the bill, rather than from a personal study of the bill itself. The statement that 'it would give to the commission the unrestricted power of making rates,' seems to me to be entirely erroneous. The only provision in the bill relating to the fixing of rates is in the proposed amendment to Section 15, which reads: 'If, after a full hearing, it is determined \* \* \* any carrier is in violation of the provisions of this act, the commission shall make an order directing such carrier to cease and desist from such further violation, and shall prescribe in such order the thing which the carrier is required to do or not to do for the future to bring itself into conformity with the provisions of the act; and in so doing it shall have power: (a) to fix a maximum rate covering the entire cost of the service, (b) to fix both a maximum and minimum rate or differential in rates when that may be necessary to prevent discrimination under the Third Section,' etc.

## Railroads Must Have a Hearing.

"It will be observed that this power is operative only after a full hearing, in which all parties in interest have opportunity to present testimony and arguments, after due consideration of which the commission proceeds to act. It seems to me that this can only be regarded as a power to revise and correct rates made by the carriers, when found to be unreasonable or unjust, on full investigation, and that it does not confer power to make rates primarily. Unless the commission is vested with power to declare what in its judgment is a just and reasonable rate, when it finds a rate in question, upon investigation, to be otherwise, the public is utterly without means of relief. It is not an answer to say that relief can be obtained through the courts, from the fact that the courts can only award damages in case they deem rates previously charged to be unreasonable or unjust. It is relief from the continuance of an unjust or unreasonable rate that is sought by the public, and the courts are without power to fix future rates, that being purely a legislative act. Furthermore, a claim for damages can rarely be sustained, for the reason that the freight is seldom paid by the party who actually bears it and is the real sufferer, the freight being, in fact, paid almost universally by a third party who does not suffer any damage in consequence of it, and the party who does suffer the damage has no real cause of action.

## Appeal to Courts.

"You remark further: 'There would be no appeal from their decision, however unjust it might be to the railroads.' The proposed amendment to Section 16 provides that 'any carrier may, within thirty days from the service of an administrative order upon it, begin in

the circuit court of the United States for the district in which its principal operating office is situated, proceedings to review such order and the findings on which it is based. \* \* \* If upon such a hearing the court shall be of opinion that the order of the commission is not a lawful, just and reasonable one, it shall vacate the order; otherwise it shall dismiss the proceedings in review.

\* \* \* The court may also, if upon an inspection of the record it plainly appears that the order proceeds upon some error of law or is unjust and unreasonable on the facts, and not otherwise, suspend the operations of the order during the pendency of the proceedings in review, or until further order of the court. Either party may appeal from the judgment of the circuit court to the supreme court of the United States. \*

\* \* \* The cause shall be given preference over all other causes, excepting criminal causes."

## THE TRAIL REVIVED.

Those ingenious gentlemen who are amusing themselves with planning a buggy-road across the continent have gotten so far along as to select their route. They are going to pass through Nebraska, go up the Platte valley, and to Salt Lake by way of Denver. It will be a pleasure, when this road is built, to see the hardy New Englanders come out on their anhippic carriages to cross the plains, armed with shooting devices to destroy the buffalo and stocked with looking-glasses and red blankets whereby to gain the good-will of the Crows and Blackfeet by the way. It is to be hoped that the generation that used to take advantage of innocent travelers from the east has passed away. There was a settler once who bought a wagon very cheap from an emigrant, because it would not go through the South Pass. He measured it and found it just three inches too wide. When the emigrant reached the South Pass and perceived its dimensions, he was angry, but it was too late to go back and shoot the settler. It is safe to say that there are none now in Nebraska mean enough to acquire automobiles by such perfidy as this.

Travelers by this new road will be secured against this particular subtlety, at any rate, for the projectors mean to begin with a sixty-foot roadway, to be doubled in time. To insure success, however, in building a 120-foot thoroughfare through some parts of the Rocky Mountains, they should begin while the Reverend Mr. Sheldon of Topeka is alive; for he is probably the only man sufficiently in the confidence of the Maker of those mountains to tell them how such things are done.

Micawber—"How do parrots talk?"  
Swiveller—"In polysyllables of course."  
—[Tit-Bits.]