

Justice Strong is to be followed in his retirement from the supreme bench by Justice Stone, who goes to the territorial seat and half pay for the remainder of his term. Like Norval's father he will be "a rural Swaine, whose sole desire is to increase his flock." Senator Johnson is the coming man.

A Scathing Review of the Railroad Monopolies of the Country.  
Their Power to Oppress the Producing Classes Constantly Augmenting.

General Hazen, who has been nominated for chief signal officer, with the rank of brigadier general, is a native of Vermont and a graduate of West Point of the class of 1857. He served through the war of the rebellion and distinguished himself by his gallant conduct at Chattanooga, Atlanta and other places.

Mr. Barnum is a type of a ruling class in both political parties, half statesman, half railroad man, who mix railroads and politics for their own ends. He is a man of material, however, from John Adams type of statesman, who, when elected to congress, immediately sold his stock in the United States bank, on the ground that he could not see how it would have a pecuniary interest in any matter likely to come before him in his legislative capacity. The railroad statesman is found in both parties and in every legislative assembly; while perhaps not numerically in the ascendant, through packing the principal committee, and "retaining" members of the legal profession who happen at the time to be legislators, their ends are usually obtained. This feature is alluded to in one of the speeches of Senator Beck, of Kentucky, as follows:

It is impossible to have an honest legislature, state or federal, so long as representatives are sent who owe their election to, or are personally interested in, great moneyed corporations or monopolies. No matter whether they call themselves democrats or republicans, they are not the representatives of the people, they are simply the agents and attorneys of those who seek, by taxing the masses, to enrich themselves, whenever they owe their election to monopolists, or are themselves interested in class legislation. That the great corporate interests of the country do not stop at electing their own men to shape legislation, is shown by a recent revelation in Pennsylvania. The following associated press dispatch tells its own story:

"PHILADELPHIA, March 28, 1880.—A constitutional convention held here tonight by a number of leading politicians regarding the persons convicted of attempted bribery, in order to devise plans for their pardon. The case is by no means given up by Kemble and his fellow defendants. The bitterness of the fight is showing signs of much future trouble. Palmer and Stone, the two members of the board of pardons who are holding out against an amnesty, are the subject of severe comment, and have cut themselves off from all future political preferment as far as is controlled by the dominant political party. It is generally believed that, if pardons are not obtained, the sentences will be very light. The cases are the subject of general discussion in this city to-day, and the subject of much conversation as to the general result. Many political leaders, including Senator Don Cameron, are here."

No one who has driven through the streets of our city has failed to note with gratification the substantial growth of Omaha during the past year from a building point of view. Handicrafts, brick blocks, elegant residences, and hundreds of smaller cottages, each representing a new family to add to the traffic of our city, greet the eye in every section of the city. The new central building, the Omaha foundry, additions to the Mill works and several other manufacturing enterprises attest the growth of industrial interests in our city. Before another year two new enterprises will be in successful operation—Shut and Lead Works and a factory for the production of glucose. The coming year promises still better things than the one now drawing to a close. A new and elegant opera house, a commodious hotel and hundreds of residences will be already on our vacant lots. Architects are already reporting an unprecedented demand for plans for buildings to be erected in the spring. Several of our manufacturing industries will add to their present facilities, and the builders and merchants of Omaha will look forward to a year which in its prosperity will outstrip any of its predecessors. As a journal whose success is more intimately connected with the prosperity of Omaha than that of any other, THE BEE congratulates our citizens upon the good times coming.

The American public acquiesced without a murmur. During the war, our government, under the then existing tax laws, collected from the New York Central half a million dollars. The railroad company claimed this was unauthorized, raised certain legal points, brought suit to compel the government to refund the amount, employed Senator Conkling as counsel, and was successful. The bearing of public influence upon the case was so obvious that it was commented upon at the time by several newspapers—among others THE Union Observer, as follows:

"Now, when Mr. Conkling went down to Omandagous to try this railroad case, he carried with him a great political influence that any other man in the state would have. He appeared before a judge whom he had elevated to the bench only a few days before. He conferred with the district attorney, who did not hold his office for a day if Mr. Conkling should demand his removal. He secured a verdict which the jury was forced to render by the railroad judge. Under the verdict the railroad recovers a round half million, which it might have lost but for its shrewdness in employing the right man to prosecute its claim."

The New York "Tribune," in an article at the time, entitled "Legislation and Law," alluding to this case, said:

"The appearance of Senator Conkling as attorney in a recent railroad case, in behalf of a railroad corporation and against the government of the United States, has created a question of political expediency, and incidentally of morals, which must sooner or later be very fully and freely discussed before the people."

Somewhere there must be a line which separates the profession of an advocate from the functions of the legislator. Would it not be well to have that line authoritatively defined. It is not strange that the best legal talent of the country is permanently retained by corporate interests, nor that lawyers should naturally gravitate toward politics. Railroads can afford to employ the professional man better than private clients can, for the reason that their own revenues under the present system are practically unlimited, all production and commerce in the sections through which they run being tributary to them, and extraordinary expenditure for counsel fees, election expenses, or bribery money are simply re-imposed upon the public.

The extent to which this power to tax is exercised is indicated by the following extracts: It is little more than a year since that the Hon. J. H. Hopkins & Co. were hard war merchants of limited means in San Francisco. They built the Central Pacific railroad, and deservingly made fortunes estimated at from three to five millions each. They found the railroad enabled them to tax the production and commerce of the entire Pacific coast. The profits were rolled around, and recent estimates, based upon legal proceedings necessary in the estate of Mrs. Hopkins, place the partnership of Hopkins & Co. at \$3,543,308; that of Mr. Charles Crocker at \$34,495,458; that of Mrs. Hopkins at \$25,280,072, while Mr. Huntington's wealth is estimated even higher than that of Messrs. Stanford and Crocker.

It is about twenty years since the late Mr. Vanderbilt was graduated from the steamship business into railroad management; his possessions at that time were valued at from \$500,000 to \$1,000,000; at his death, some three years since, they were valued at \$20,000,000. Mr. Jay Gould "obtained his start" in the management of the Erie railroad, in connection with the late Jas. Fisk; at the expiration of his term, his famous testimony before the committee in 1873, he was considered worth from \$3,000,000 to \$5,000,000; to-day no one knows how much he is worth, but in Wall street estimates are made ranging from \$30,000,000 to \$60,000,000.

Railroad men who have accumulated wealth in this way, amount to many of our millionaires, ranging from \$1,000,000 to \$5,000,000, or to numerous to mention, as are those, also, in branches of trade dependent upon and closely identified with railroad management—shippers who, through the favor of railroad managers, have been enabled to outstrip or break down all competition. These are found in every branch of trade, but in none, perhaps, are they so prominent as in the petroleum business. If a true history of the Standard Oil Company could be written, it would read like a romance of the middle ages rather than a statement of commercial facts possible in the nineteenth century. This is the organization which the Hepburn committee alluded to as "this enormous organization, whose business and transactions are of such a character that its members decline giving a history or description of it, lest their testimony be used to convict them of a crime."

The testimony in the Pennsylvania investigation showed that the trunk lines of railroads paid in rebates to the Standard Oil Company, within the period of eighteen months, \$10,151,218 (ten million, one hundred and fifty-one thousand, two hundred and eighteen dollars), which was contributed by the roads in the following proportions:

Total shipments—October 17, 1877, to March 31, 1878, 18,556,277  
Total rebates during that time at 50 cents (average) per barrel, 10,151,218.00  
Of which the 50 cents was paid to Standard by Baltimore and Ohio railroad, 11 per cent, as per contract, Oct. 15, 1877, 1,116,638.98  
Paid by New York Central and Hudson River railroad, 21 per cent, as per contract, October 15, 1877, 2,181,755.78  
Paid by Pennsylvania railroad, 21 per cent, as per contract, October 15, 1877, 2,181,755.78  
Total rebates, October 17, 1877, to March 31, 1878, \$10,151,218.00

In a report to the New York Chamber of Commerce, the committee on railroad transportation of that body alluded to this subject as follows:

"How obvious of their obligations as common carriers, and how regardless of public rights, the great trunk lines, as illustrated by their agreement with the Standard Oil Company (Article 4) to protect them 'against loss or injury from competition.' What has happened in the case of the Standard Oil Company may be said to be a similar case in other lines of business. With the favor of the managers of the trunk lines, what is to prevent commerce in the rest of the country from being monopolized in a similar manner? Already, indeed, it is taking this course. One or two firms in Baltimore, Philadelphia, New York, and Boston, with their branch houses in the west, are monopolizing the export trade in wheat, corn, cattle, and provisions, driving their competitors to the wall with absolute impunity, breaking down and crushing out the energy and enterprise of the many for the benefit of the favored few."

Railroad managers admit that such things are wrong, that they are opposed to public policy and to private morality. Ask a railroad manager the remedy, and he will tell you "a legislative committee to enforce against the railroad companies in charge and to encourage the encouragement of socialist or

communist principles, is on a par with much of the other reasoning of the presidents of the great trunk lines. They seem to be entirely oblivious of the fact that it is their duty to regard public rights, and not the efforts which this chamber has made in order to compel their observance, which is chiefly responsible for the growth of monopolistic conditions in this state. If railroads were not public highways, upon which all shippers, as well as passengers, are entitled to equal rights; if the discovery of steam, of money in the labor of the purpose of transportation, with all its attendant benefits, could be bestowed upon the private property of these gentlemen, then the argument of Messrs. Vanderbilt and Jewett might be considered valid, and the efforts of your committee sedition, socialist and worthy of condemnation."

"It is hardly necessary to say that your committee has no sympathy with socialists or communists who want something for nothing; this class of people, who, perhaps, find fault with your committee for being capitalists; but, on the other hand, we cannot uphold a system of operating public highways which is honey-combed with the growth of monopolistic conditions, absolutely by a few individuals who produce and control the will, and who practically dictate what the producer, manufacturer and consumer are to do. There are all classes of citizens are interested in having remedies promptly applied to these evils, and especially are interested in the preservation of the public highways for free competition. If for the sake of a few individuals who are breaking ahead which every true patriot will pray that our ship of state may avoid."

The immediate remedy is: The creation of an intelligent public opinion, which is the only limit which may be placed upon the growth and power of corporate life. It is time enough to take further steps when this has been accomplished. The creation of an intelligent public opinion is the only way of the relation between the people and the creatures the people have created.

Deadwood is anxious to be lighted with our free institutions. "Competition would be the result of pooling"—seemingly forgetting that pooling is expressly designed to prevent competition. Undoubtedly, the pooling system does protect the public interest against the effects of the personal discrimination which has existed in railroad management, but as regards the more important part of the question, what is the result? It leaves the producer and commerce of the country—to use the words of the United States senate committee—"wholly at the mercy of a few men who recognize no other law than that of their stockholders, and no principle of action but personal and corporate aggrandizement."

A recent report of the New York Board of Trade and Transportation says: "Honesty and equitably managed railroads are the most beneficial discovery of the century, but, unfortunately, they are being run by irresponsible and uncontrolled corporate management, in which stock-watering and kindred swindles are tolerated, and favoritism in charges is permitted, they are the worst engines to accomplish unequal taxation, and to arbitrarily redistribute the wealth of the country. When things in this state are permitted to go on as they are, the result will be the perpetuation of a political power and shaping legislation through corrupt use of money, the situation grows more and more desperate. The railroad is the invention of the last half century; the tremendous development of corporate life, attended by the abuses of which the public complains, has been accomplished in a period, and largely within the last twenty-five years. 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