

DEAD IN ALL BUT ITS NAME

Railroad Men's Opinions Concerning the
Interstate Commerce Law.

CONVICTIONS UNDER IT. IMPOSSIBLE

Violators Can Easily Escape the Penalties
It Provided, and Its Enforcement is no
Longer Practicable.

Want It Repealed.

"Dead on the statute books" seems to be the general verdict among railroad officials as to the present interstate-commerce law, the acquittal of Mr. Thomas Miller, general freight agent of the Chicago, Burlington & Quincy, this week warranting such belief. Mr. Miller was charged in 1890 with cutting the published tariff on corn

between Nebraska points, thereby discriminating in favor of Wright & Haughey and N. H. Warren & Co. of Chicago. It was decided to make this a test case and that search light of the interstate commerce commission. Mr. Kretschmer, began gathering evidence for the attorneys. The case coming on for trial before Judge Bunn this week and Messrs. Haughey and Warren Co. respondents being called bianchi declined to answer the questions of

Judge Buon then instructed the jury to retire and return with a verdict of "not guilty," and so the second of the test cases erected by the interstate commerce commission gets a black eye.

In talking to a general freight agent yesterday morning of the case he said that he thought it would be the last prosecution under the law as it now stands. "The ruling that no one who is involved in the matters

"To what extent do you think the present law should be amended?"

"To the extent of permitting pooling arrangements and diversion of traffic. The railroads must be permitted to transport their own freight and passengers."

the result will be that the public as a whole will be better served than under any iron clad rule which cannot be made to fit conditions that are constantly arising. If the roads are permitted to make reasonable pooling arrangements with the traffic divisions each interested in complying with the law and prosecutions will be properly backed up by the members. If this is not done the whole interstate commerce law might as well be wiped off the statute books.³⁷

said that there never was a more prosperous era in the railroad world than during the pooling system which prevailed previous to the passage of the interstate law. "We had no differences that could not be easily settled in those days, for every road knew what proportion of the business it could count upon. Rates were maintained and one dealer was not any better than another. The public, too, was better satisfied, for they knew the substance of tariff sheets, and were not concerned with the question of pooling."

John Smith was getting a better rate than John Jones. The old Iowa-Nebraska pool was eminently fair, and stockholders were measurably certain of dividends, now they are not so certain with the railroad situation in the state of chaos it is today."

Need of a Passenger Association.

"We must have some sort of an association in the transmissouri country," said Mr. Mackenzie, chief clerk in the passenger department of the Union Pacific, "if for no

the thousand and one special meetings that occur in our territory during the year. To depend upon individual lines is depending upon a weak stick with no association to hold them to an agreement upon rates, for in the scramble for business, roads are not inclined to debate whether it is friendly to cut a rate, but they cut it and somebody usually gets left. With an association to see that rates are maintained much of the pres-

the sooner we have another association erected upon the ruins of the Transmissouri the better it will be for all western roads.¹²

Apropos of this it was ascertained that Mr. Monroe of the Union Pacific and Mr. Saxe, who were appointed a sub-committee of the Western Highways Association, were devising a plan for the reorganization of the Transmissouri association have performed their duties and will report their conclusions at a meeting of the Western association December 6, it is understood they are favorable to the reorganization of

Railway Notes and Personal.
Mr. S. H. H. Clark spent Thanksgiving in New York.
Mr. E. L. Lomax will return from Chicago Sunday or Monday.
Mr. C. B. Nelson and a party of fourteen left by the Burlington yesterday for Dundee, Tex.
Mr. Fred Nash of the Milwaukee returned from a two weeks' visit to the east yesterday.

Pat Humphrey of the Lake Shore came to Omaha Thursday to eat his Thanksgiving turkey, but circumstances over which he had no control interfered and Humphrey went without turkey.

Mr. James Munn, chief clerk in the passenger department of the Elkhorn, with Mrs. Munn and the little munn ate Thanksgiving turkey at Boone, Ia., Mrs. Munn remaining there for several days.

The American Express company has been

asked by Albert A. Pope to secure signatures to a petition calling upon congress to create a road department, upon lines similar to the Agricultural department, and also to establish in the city of Washington an institute of road engineers. This is a movement of some months standing for road building throughout the country. The petition has a conspicuous position in the local office, 1308 Farnam street, and signatures are invited.

affiliated R.F. physicians, excursions to historic Illinois and Iowa physical sites in the northwestern United States, and a December 1970 special Pullman cars will be provided for the doctors and their families. They will arrive in Omaha Saturday night, December 12, and will be shown the city by the Burlington officials and the local physicians given an opportunity to see how Omaha has changed in a quarter of a century, for there will be some of the party who undoubtedly passed through the metropolis in the 70's and will be impressed with its wonderful growth.

10:15 for Hot Springs, and during the trip will be taken to Deadwood and treated to the scenery of the Black Hills.

Blow, blow, blow! That disagreeable catarrh can be cured by taking Hood's Sarsaparilla, the constitutional remedy.

Marriage Licenses.

The following marriage licenses were issued by County Judge Eiler yesterday:

Name and address.	Age.
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1	Thomas Moffitt, Huron, Neb.	2
1	Jennie Baldwin, Omaha	2
1	Edward Cannon, Omaha	2
1	Pearl L. Beckenbaugh, Fremont, Neb.	2

NOMERO, Iowa, April 16, 1891.

Dr. J. B. Moore, Dear Sir: My wife has used about six bottles of your Tree of Life and thinks that she has received greater benefit from it than any medicine she has ever taken. Yours truly, L. H. BROWN,
Gen'l. Agent and Treas. West. College,

Since receiving the above testimonial, I am in receipt of a letter and check from the Rev. L. H. Larkin of Toledo, Iowa, April 23, 1894, and Rev. J. W. Kenworth, Crestline, Kansas, six bottles of Moore's Tree of Life. For sale by druggists.