

FOR RAILROAD COMMISSION

Bill is Ready to Be Reported to the Joint Legislative Committee.

MEASURE COMPREHENSIVE IN ITS SCOPE

Gives Authority to the New Body and Defines Its Duties, Outlines What is to Be Expected of It.

(Continued from First Page.)

All cases of alleged neglect or violation of the laws of the state by any railway company or common carrier subject to the provisions hereof...

Said commission shall have the power, and it shall be its duty, to fix all necessary rates, charges and regulations to govern and regulate the freight and passenger tariffs of railway companies and common carriers...

Fix Joint Rates.

The said commission shall have power, and it shall be its duty, to fix for all or any connecting lines of railroads and common carriers reasonable joint rates of freight charges, terminal switching charges for the various classes of freight and cars that may pass over two or more lines of such railroads...

Attorney General Must Advise.

(l) Said commission may consult and advise with the attorney general from time to time with reference to any or all matters which may require advice, and it shall be the duty of the attorney general to give such advice as the commission may require of him...

Report to Governor.

(m) Said commission shall annually, on or before the first day of December, make a report to the governor of the state for the preceding year, containing such facts, statements and explanations as will disclose the workings of railroad systems of this state...

Compel Attendance of Witnesses.

The chairman and any member of the commission, as far as power mentioned in this chapter, shall have power to administer all oaths, certify to all official acts, to compel...

The attendance of witnesses, to examine any of the books, papers, documents and records of any railway company or common carrier subject to the provisions of this act...

In case any witness shall fail or refuse to obey any subpoena issued by said commission, said commission may issue an attachment for said witness, directed to any sheriff or constable of this state...

(2) The amount of its funded debt and the rate of interest.

(3) The amount of its floating debt.

(4) The cost and actual present cash value of its road equipment, including passenger cars, freight cars, rolling stock, all real estate used exclusively in operating the road, and all fixtures and conveniences for transacting its business.

(5) The estimated value of all other property owned by it, with schedule of the same, not including lands granted in aid of its construction.

(6) The number of acres originally granted by the United States or this state in aid of the construction of said road.

(7) The number of acres of such land remaining unsold.

(8) A list of its officers and directors, with their respective places of residence.

(9) Such statistical data for the year as may, in the judgment of the commission, be necessary and proper for the information of the legislature, or as may be required by the governor.

(10) The number of tons of tonnage that can be carried over each road in the state with an engine of given power.

(11) Said report to exhibit and refer to the conditions of said railway companies on the first day of July of each year, and the details of its transportation business transacted during the year ending June thirtieth.

(12) The records, schedules, orders, rates, classifications, charges, rules and regulations, and all findings of whatever character of the commission, that are authenticated by a certificate thereto attached under the seal of said commission, signed by the chairman thereof...

(13) Power to investigate charges outside of the state to points inside of the state.

Appeal to Interstate Commission.

It shall be the duty of the commission to investigate thoroughly all through freight charges from points without the state to points within the state, both now fixed and those that may be hereafter fixed. Whenever the commission finds that a through rate charged from a point without the state to a point within the state, is, in its opinion, excessive, unreasonable, unjust, or discriminatory, it may, in its discretion, refer the matter to the interstate commerce commission and appeal to it for relief.

Penalties.

Any railway company or common carrier subject to the provisions of this act who shall, upon proper demand, fail or refuse to exhibit to the commission, or any of its members, or any person authorized by said commission to investigate the same, any book, paper, document or records of such railway company or common carrier, which is in the possession or under the control of such railway company or common carrier, or any officer, agent or employee thereof, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offense a sum not less than one hundred dollars nor more than five hundred dollars.

Common Carriers Defined.

The term common carriers as used herein shall be taken to include all corporations, companies, individuals and associations of individuals, their lessees or receivers (appointed by any court whatsoever) that may now or hereafter own, operate, manage or control any railroad or part of a railroad in this state, or any other mode of transportation of freight or passengers, or any other mode of transportation of freight or passengers, or any other mode of transportation of freight or passengers, or any other mode of transportation of freight or passengers.

Schedules of Rates and Charges.

It shall be the duty of all common carriers within the state, to file with the State Railway Commission, within thirty days after this act shall take effect, all freight schedules, classifications, rates, tariffs and charges used by said common carriers and in effect on January 1, 1907.

Emergency Rates.

Nothing in the foregoing section shall be construed to prevent said commission from having the power to establish, in case of emergency, to prevent interstate trade wars and injury to the business of the citizens of the state, railway companies or common carriers, or in case of any other emergency to be judged by said commission, and it shall be the duty of said common carriers to temporarily amend or suspend any existing freight rates, tariffs, schedules, orders and circulars of any railway company or common carrier, or part thereof, in this state, and to fix freight rates where none are here provided, and which shall apply to any one or more of all railway companies or common carriers in this state, and shall take effect at such time and remain in force such length of time as may be prescribed by said commission; provided, that said emergency rates, tariffs, schedules, orders and circulars shall be subject to review upon a hearing before said commission and courts of competent jurisdiction in this state, and

under the decision of the commission, after the same have been completed and copies thereof mailed to the railway companies and common carriers affected thereby, and any or all rates therein contained shall be unenforceable within the state from and after said date, unless modified, annulled or otherwise revised by the railway commission, upon a hearing with respect thereto before said commission, or until such rate or rates are finally adjudged to be unenforceable within the state by a court of competent jurisdiction; provided, always, that any railway company, common carrier or any person or persons, hereinafter named, complaining of any or all rates in any schedule or schedules prepared by said commission as hereinafter provided, before appealing to the courts, shall first file with the commission a complaint, signed by said complainant, or his agent, or attorney, or other authorized person, containing a copy of said schedule when so authenticated shall be received in evidence in all courts in this state without further proof, as prima facie evidence that the rates therein contained are those fixed by said railway commission and that said rates are prima facie, just and reasonable.

Dates for Hearing.

(a) When any railway company, common carrier or any person in his own behalf, or in behalf of any class of persons similarly situated, shall have any complaint, signed by him, or his agent, or attorney, or other authorized person, or any mercantile, agricultural or manufacturing society, or any body politic or municipal organization, shall make complaint to the railway commission that any rate or rates fixed by said commission in said schedule, or in any subsequent revised or modified schedule, or the rate charged or published by any railroad company, is unreasonably high, unjust or discriminatory, the Board of Railway Commissioners shall immediately fix a day for hearing the same, and shall cause notice thereof, containing the substance of the complaint to be served upon the railway company or common carrier complained of, and the day and date upon which said hearing will be had upon said complaint; provided, that said commission may proceed upon their own motion to hear the lowest rates referred to, revising, modifying or annulling any or all rates in any schedule or schedules prepared by them, by notifying all persons interested therein or affected thereby, as heretofore provided.

(b) Upon the hearing the railway commissioners shall receive any evidence and listen to any arguments offered or presented by either party relevant to the matter under investigation, and the burden of proof shall be upon the railroad, person or persons herebefore set forth, making or charging by any railway company for substantially the same kind of service, whether in this or another state, shall, when introduced in evidence, be accepted as prima facie evidence of a reasonable rate for the services under investigation; and if the railway company or common carrier making complaint, or the railway company complained of by the person or persons herebefore set forth, operate a line of railroad beyond the state, or has a traffic arrangement with any other railroad company, the matter under investigation shall be heard in determining what is a reasonable rate; if it be operating a line of railroad beyond the state, the rate charged or established for substantially the same or greater service by it in another state may also be considered.

Competent Evidence in Court.

(c) Any such complaint thereupon filed with the commission shall render a decision in the premises, which said decision shall affirm, revise, annul or modify any or all rates complained of in said original schedule, or any subsequent schedule which may be the subject of investigation, and all rates complained of in this act, or in any other part of the line of railway or such company or common carrier within this state as may have been fairly within the scope of such investigation; and the commission shall render its decision in writing, and shall send the same to the length of time specified in this act for that purpose; and said decision, when duly authenticated, shall be received in all suits brought against any railway company or common carrier, or in any appeal prosecuted by any railway company or common carrier from any decision, which in any way involved the charges of any such railway company or common carrier mentioned in said decision, in any of the courts of this state, as prima facie evidence that the rates therein fixed are just and reasonable, the same as the original schedule made by said railway commission as herebefore provided.

(d) Said Board of Railway Commissioners shall immediately notify all persons affected thereby of the substance of their decision affirming, annulling, revising or modifying the rate or rates complained of, and shall specify in writing any rate or rates that have been annulled, and any rate or rates that have been revised or modified in schedule form, and the schedule of any and all rates so modified or revised on said hearing shall be in force and effect thirty days after said decision was rendered, unless the same be annulled or modified by the railway company, common carrier or persons or corporations affected thereby, and shall continue so until further modified, revised or annulled by said commission, or finally adjudged to be unenforceable and unjust as herebefore provided.

(e) Any railway company or common carrier applying in any court for any temporary writ of injunction or other mandatory order with reference to any or all of said rates so complained of shall show to the court that there has been a hearing before said commission with reference to said rate or rates within the time specified by said commission for said rate or rates to go into force and effect, and shall attach to said application for said temporary writ of injunction or other mandatory order, and make the same part thereof, a transcript as herebefore provided, and which shall be filed with said commission, their decision and findings of facts with reference hereto and the evidence introduced at said hearing, which transcript shall be considered by the court in allowing or disallowing said temporary writ of injunction or other mandatory order.

Emergency Rates.

(f) Nothing in the foregoing section shall be construed to prevent said commission from having the power to establish, in case of emergency, to prevent interstate trade wars and injury to the business of the citizens of the state, railway companies or common carriers, or in case of any other emergency to be judged by said commission, and it shall be the duty of said common carriers to temporarily amend or suspend any existing freight rates, tariffs, schedules, orders and circulars of any railway company or common carrier, or part thereof, in this state, and to fix freight rates where none are here provided, and which shall apply to any one or more of all railway companies or common carriers in this state, and shall take effect at such time and remain in force such length of time as may be prescribed by said commission; provided, that said emergency rates, tariffs, schedules, orders and circulars shall be subject to review upon a hearing before said commission and courts of competent jurisdiction in this state, and

herein provided for other schedules of rates fixed by said commission.

Appeals to Be Expedited.

(g) Appeal from decision of commission. If any railway company, common carrier or any person or persons affected thereby, shall be dissatisfied with the decision of said railway commission, affirming, revising, annulling or modifying any rate or rates complained of in said original schedule, or any subsequent schedule which may be the subject of investigation or with the decision of said commission with reference to any rate classification, rule, charge, order, act or regulation made or adopted by them, upon which there has been a hearing before said commission, except as otherwise expressly provided for herein, such dissatisfied railway company, common carrier, person or persons, may file a petition, setting forth the particular cause or causes of objection to such decision, act, rate, rule, charge, classification or order, or to either or all of them, in any district court in this state, against said commission as defendant.

(h) Said action shall have precedence over all other causes on the docket of a different nature, except as hereafter provided, and shall be tried and determined as other civil causes in said court. Either party in said action may appeal to the supreme court of this state, and said appeal shall be at once returnable to said court and said action shall have precedence in said court of all causes of a different character pending therein; provided, that if the district court be in session at the time such right of action accrues, the suit may be filed during the term and stand ready for trial after ten days' notice.

Posting of Schedules.

(i) In all trials under the foregoing article, the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, orders, classifications, acts or charges complained of are unreasonable and unjust; and the record and decision of the decision upon said hearing before said commission, shall, when properly authenticated by said commission, be received in evidence in the trial of said cause, that said rate or rates affirmed, revised or modified, or that any said rate, classification, rule, charge, order, act or regulation, is prima facie just and reasonable.

Printing and Posting Schedules of Rates.

(j) Every railway company or common carrier subject to the provision of this act shall print and keep for public inspection schedules showing the rates, fares and charges for the transportation of passengers and freight which have been fixed and established as herebefore provided, and which are in force at the time upon its railroad or railroads. Said schedules shall plainly state the places upon its roads between which property and passengers will be carried, and shall contain the classification of freight in force upon such road, stating separately any terminal charges, and any rules and regulations which in anywise change, affect or determine any of the aggregate of such rates, fares and charges. Said schedules shall be plainly printed in large type, of at least the size of ordinary type, and a copy for the use of the public shall be kept in every freight office and passenger station on such road, where it can be conveniently inspected, and said railway company or common carrier shall keep a printed notice posted in every such freight office and passenger station indicating where therein the same can be found. Said schedules have printed at the top thereof in black faced type the words "Schedule A," "Schedule B," and so on, and shall also have printed thereon in every such freight office and passenger station when such schedule or schedules have revised, annulled or modified any rate or rates in said schedules so designated, said railway company or common carrier shall prepare another schedule showing the rate or rates, so annulled, revised or modified and the classification thereof which shall be designated by printed words at the top thereof as "Supplemental Schedule A" and so on, and when the rate or

MAIL ORDERS CAREFULLY LOOKED AFTER. LONGHOE REDMOND AND NORMAN CO. 10th and HOWARD. SHREWD EYES WILL SEE THE REMARKABLE BARGAINS HERE. PHONE 981 DOUGLAS

It's Too Much Trouble

With us "time is money," and we're too busy to spend time measuring, counting and listing little lots, remnants and such things. "It's too much trouble," so to save time and trouble, Friday, we will have a thorough Clean-Up and Clear-Up Sale of all surplus lines and remnants in the store. Profits not considered—it will be a "hurry up" sale and those who come will find many delightful surprises in things they need at little prices.

Furs at Half Price

Fox Scarfs, Stacks Coney, Brook Mink, in socks, ties, throws and boas, all on one large table, sold at \$3.25, \$4.25, \$5.25 and \$6.25, ALL AT HALF PRICE FRIDAY

Large Lot of Misses' and Children's Fur Sets

Near Seal and Astrakhan Coats—Muffs and Boas, complete, that sold at \$2.95, \$3.95 up to \$3.95, ALL HALF PRICE FRIDAY

Pretty garments, Skinner satin lined, best fitting coat,

\$42.50 Coat go at ... \$27.50 \$55.00 Coats go at ... \$35.00 \$40.00 Coats go at ... \$24.75

One Aboutin Sealskin, was \$135, size 40, Friday for ... \$82.50 One blended Squirrel Fancy Eton Blouse, was \$125, size 36, Friday ... HALF PRICE

ALL FUR LINED COATS GOING AT HALF PRICE

ALL FUR CAPES IN ASTRACHAN AND NEAR SEAL, 1/2 Price Beautiful Astrakhan and Near Seal Capes, full 30-in. long, Skinner satin lined, were \$26.00, now ... \$12.50 \$30.00 Capes ... \$15.00 \$27.50 Capes ... \$13.75

Some Grand Surprises

AWAIT YOU AT OUR SILK DEPARTMENT—Every short and long and remnant. Everything included, Taffetas, Messalines, Peau de Cygne, Peau de Soie, Louisines, etc., plain, fancy and black, nothing reserved:

Length from 1 1/2 yards to 8 yds. Long and worth from 50c to \$1.50 Yards, all at a hurry up sale Friday ... JUST HALF PRICE

Half Price

Remnants of Dress Goods at HALF PRICE—All our black and colored Dress Goods, all lengths from 2 to 8 yards, are all placed in this Friday sale regardless of former prices. They have been marked very low to close and now at the EXTRA reduction of HALF you can't afford to miss this offer, Panamas, Berges, Mohair, Scotch Mixtures, Broadcloth, Taffetas, Nun's Vellings, Batiste, etc.

One Big Lot of All-Over Embroideries

Embroideries that are worth up to 75c a yard, Friday only, yd. 25c

Fancy Silk Trimming Braids

Hundreds of yards of Fancy Silk Trimming Braids of all descriptions offered at the lowest price you ever heard

Here are Braids worth up to 25c a yard. They will be offered in our basement Friday for, yd. 1c

A Few Flyers for Bargain Friday

An unhemmed restaurant napkin, check pattern, good size and worth 60c doz., Friday, doz. 30c

Remnants of Stevens' Crash Toweling, in 2 to 5 yards long—worth 12 1/2c, Friday, clean up price, yard ... 9c

Heavy weight Scotch Satin Damask, good width, full bleached—worth 40c yard, Friday, yd. 25c

100 soiled Tray Cloths, warranted pure linen, full bleached and worth 40c a piece, while they last, Friday, each ... 15c

Vigorous Values in Basement Friday

Follow the crowds Friday to our grand Clean-Up Sale. A total disposition of all short lengths, remnants and broken lines at mere trifling prices.

Everything must go Friday.

2 1/2c will be the glaring sale price on thousands of yards of good, desirable remnants, in calicoes, outings, suitings, quilt coverings, etc. Enough for all.

Good Bleach Muslin, 7/8 wide, on sale Friday, yard ... 3 1/2c

Splendid quality, yard wide, unbleached Muslin, on sale Friday at, yard ... 4 1/2c

Big bargain square of Percales, Pleecebacks, Flannellettes, Kimmoo Flannels, fine Outings, worth 12 1/2c, 15c and 20c yard, all to go Friday at, yard ... 6c

15c and 25c dainty turn over Collars, embroidered linen and fine mulls, scooped and hemstitched—Friday, each ... 4c

GRAND CLEARING of regular 12 1/2c and 15c fine white Cambrics, Muslins, Sheetings, etc., while they last, Friday, only, yard ... 6 1/2c

Another Sale of Fine Cotton Batting

FOR FRIDAY.

Regular 18c Fine Batts ... 12c Regular 9c Cotton Batts ... 6c Regular 25c Fine Batts ... 16c

herein provided for other schedules of rates fixed by said commission.

Appeals to Be Expedited.

(g) Appeal from decision of commission. If any railway company, common carrier or any person or persons affected thereby, shall be dissatisfied with the decision of said railway commission, affirming, revising, annulling or modifying any rate or rates complained of in said original schedule, or any subsequent schedule which may be the subject of investigation or with the decision of said commission with reference to any rate classification, rule, charge, order, act or regulation made or adopted by them, upon which there has been a hearing before said commission, except as otherwise expressly provided for herein, such dissatisfied railway company, common carrier, person or persons, may file a petition, setting forth the particular cause or causes of objection to such decision, act, rate, rule, charge, classification or order, or to either or all of them, in any district court in this state, against said commission as defendant.

(h) Said action shall have precedence over all other causes on the docket of a different nature, except as hereafter provided, and shall be tried and determined as other civil causes in said court. Either party in said action may appeal to the supreme court of this state, and said appeal shall be at once returnable to said court and said action shall have precedence in said court of all causes of a different character pending therein; provided, that if the district court be in session at the time such right of action accrues, the suit may be filed during the term and stand ready for trial after ten days' notice.

Posting of Schedules.

(i) In all trials under the foregoing article, the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, orders, classifications, acts or charges complained of are unreasonable and unjust; and the record and decision of the decision upon said hearing before said commission, shall, when properly authenticated by said commission, be received in evidence in the trial of said cause, that said rate or rates affirmed, revised or modified, or that any said rate, classification, rule, charge, order, act or regulation, is prima facie just and reasonable.

Printing and Posting Schedules of Rates.

(j) Every railway company or common carrier subject to the provision of this act shall print and keep for public inspection schedules showing the rates, fares and charges for the transportation of passengers and freight which have been fixed and established as herebefore provided, and which are in force at the time upon its railroad or railroads. Said schedules shall plainly state the places upon its roads between which property and passengers will be carried, and shall contain the classification of freight in force upon such road, stating separately any terminal charges, and any rules and regulations which in anywise change, affect or determine any of the aggregate of such rates, fares and charges. Said schedules shall be plainly printed in large type, of at least the size of ordinary type, and a copy for the use of the public shall be kept in every freight office and passenger station on such road, where it can be conveniently inspected, and said railway company or common carrier shall keep a printed notice posted in every such freight office and passenger station indicating where therein the same can be found. Said schedules have printed at the top thereof in black faced type the words "Schedule A," "Schedule B," and so on, and shall also have printed thereon in every such freight office and passenger station when such schedule or schedules have revised, annulled or modified any rate or rates in said schedules so designated, said railway company or common carrier shall prepare another schedule showing the rate or rates, so annulled, revised or modified and the classification thereof which shall be designated by printed words at the top thereof as "Supplemental Schedule A" and so on, and when the rate or

the local and through freight; (k) the monthly earnings for the transportation of freight and the monthly earnings for the transportation of passengers on each main line and branch line; (l) the amount of expenses incurred in running passenger trains on each main line and branch line and the amount of expenses incurred in running freight and mixed trains on each main line and branch line; (m) the expense incurred in the management of the road, including the compensation of general officers, which shall be reported itemized in detail; (n) the amount expended for repairs, including maintenance of roadbed, repairs and renewals of bridges, ties, iron and the amount expended for other improvements not included in the previous enumeration; (o) the amount expended for motive power, cars, station and warehouses; (p) the amount of expense for locomotives and all other expenses of the operating department; (q) if a railroad, what express companies run on its road and on what terms and conditions and the kind of business done by the express company; (r) the number of free passes or free tickets, and franks issued, and to whom and what relation the recipient bears to the road; (s) what operating or traffic arrangements it has with other companies, attaching a copy of any contract or contracts for such arrangements; (t) what amount of land was granted to the company, or its assignors, immediate or remote, from municipalities or other sources as a bonus or to aid in the building of any railroad; (u) the number of employees killed and the number of employees injured by accident, and the causes or causes of such accidents; (v) the number of passengers killed and the number of passengers injured by accident, and the causes or causes of such accidents; (w) the number of other persons killed or injured by accident, and the causes of such accidents; (x) an itemized statement of the amount of all damages paid on account of injuries to or the death of persons by reason of accidents, stating in separate items the amounts paid on account of injuries or the death of employees, passengers and other persons; (y) such other information as may be required by the commission.

Fines for Neglect.

If any common carrier shall neglect or refuse to file such statement with the commission it shall forfeit and pay for each such offense not less than \$1,000 nor more than \$5,000.

(c) If any railway company or common carrier shall fail, refuse or neglect to file or publish any schedule of rates, fares and charges, or any part of the same, it shall, in addition to other penalties herein prescribed, be subject to a writ of mandamus, to be issued by any district court of this state in the judicial district in which the violation occurred.

(Continued on Fifth Page.)

Sirens Sing

and people are led to their ruin as truly today as in the ancient times.

One of the Sirens who creates the greatest havoc among those who listen to her honeyed words is named

COFFEE

Many and many a silent sufferer wanders on blindly and wonders why the strength fails, heart and nerves tremble or other symptoms of trouble show themselves.

Try leaving coffee alone 10 days and using

Ever read one of these genuine letters?

Pure Postum Food Coffee

DOCTOR EXPLAINS His Article in the Medical Magazine About Coffee. One of the most famous medical publications in the United States is the "Medical Record." In a recent number of which an entertaining article on coffee by a progressive physician and surgeon was published. In explaining his position in the matter this physician recently said: "In this article in question I really touched but lightly upon the merits of Postum Food Coffee. I have had several cases of heart trouble, indigestion and nervousness where a permanent cure was effected by merely using Postum in place of coffee without any other treatment. "In my own family I have used Postum for three years and my children actually cry for it and will not be satisfied with any other beverage. Indeed they refuse to eat until they have had the customary cup of Postum and as it is a rebuild and does nothing but good I am only too glad to let them have it. "To get the best results we boil the Postum at least 20 minutes and it is then settled by adding a little cold water, then the addition of fresh cream makes a beverage I now prefer to the very best coffee." Name given by Postum Co., Battle Creek, Mich.

The "waking up" has startled many and will startle you, reader, if you have physical ails.

It's worth a 10-days' trial.

"There's a Reason" for

POSTUM

Authorities are agreed that Postum is a wonderful quick and sure rebuild. Ten days' trial in place of coffee proves it. Look in pkg. for the famous little book, "The Road to Wellville"

ORCHARD & WILHELM CARPET CO. 414-18 So. 16th Street.

Sold by the unit. A unit of letter files, a unit of card index files, a unit of any other files, drawers or pigeon hole boxes wanted, all interlocked form a handsome and complete Globe-Wernicke "ELASTIC" CABINET.