NET EARNINGS TWO AND THIRD MILLIONS

Operators Attending on Legislature to Secure Passage of Bill Excluding Operators Under Nineteen Years Old.

(From a Staff Correspondent.) LINCOLN, Jan. 31.-(Special.)-The Northwestern railroad made its annual report to the state auditor today, in compliance with the statute. The gross earnings of this road in Nebraska during the last year was \$6,827,490.75, while its not earnings passenger earnings in the state amounted has been subject to much criticism because to \$1,386,301.63, the freight earnings \$4,921,- of its method in building bridges, Super-\$02.06 and from other sources the receipts were \$319,877.67. The operating expenses and fered the following resolution, which was taxes in Nebraska amounted to \$4,164,752.52. adopted: The gross earnings per mile amounted to \$5,927.28, while the net earnings amounted to \$2,145.45. The dividends for the entire road amounted to \$5,483,068, while the interest on debts amounted to \$7,836,827.72. This road owns and operates 1,101.26 miles in Nebraska.

the Burlington system, containing 2,000 in the operators' interest in a bill which wil be introduced within a day or two which will require all operators receiving or sending train orders to be 19 years of age. Mr Johnson has been at Jefferson City, Mo., and Topeka, Kan., where similar bills were introduced and a like bill will go before the legislature at Des Moines, In., and

actual handling of the train business. A year ago, through the Operators' as sociation of the Burlington system, the operators secured an advance of \$12 per expense of \$150,000 for the system.

The Operators' association will soon go

James Kelly, an Iowa laborer working on the sewer here, is running amuck in Norfolk with a butcher knife looking for policemen who last week were compelled to bind him and place him in a strait jacket in the jail. Though declared in-same by Dr. J. H. Mackay, formerly su-perintendent of the Nebraska insame hos-pital here, the Board of Insanity at Madi-

son turned the man loose and he is again baying violent spells, it is said. In a molece with the fellow, Dr. Mackay's med-times case and a hypodermic surface and a hypodermic surface and the spells. EUSTIS - A number of Odd Fellows from this place attended lodge at Cozad Monday evening to participate in the initiation of EUSTIS - A number of Odd Fellows from this place attended lodge at Cozad Monday several conditates. EUSTIS - Eustine Conditates EUSTIS-Frontier County Fair associa-EUSTIS-Frontier County Fair associa-tion at its annual meeting at Stockville

REPORT ON NORTHWESTERN Read in Nebraska Earns Six and a Half Millions Lest Year. BURIED ON DAY SET FOR WEDDING Miss Matilda Huttner is a Victim of Quick Consumption.

NORFOLK, Neb., Jan. 31 .- (Special.)-To be buried on the day she had selected for her wedding was the sad fate of Miss Matilda Huttner of Lindsay.

Miss Huttner was to have been married yesterday to John Casper of that place. She was stricken with pneumonia a few days ago and quickly succumbed. The funeral services were then fixed for the day and in the same church when and where her marriage was to have been celebrated.

### Check on Bridge Contractor.

BEATRICE, Neb., Jan. 31 .- (Special.)in the state amounted to \$1,362,727.33. The In view of the fact that the county board Mr. visor Stariin at the meeting yesterday of-

In Nebraska amounted to \$4,164,752.52
The gross earnings per mile amounted to \$5,927.32, while the net earnings amounted to \$5,927.32, while the net earnings amounted to \$5,927.32, while the interoad amounted to \$5,953,953,953,957.72. This road owns and operates 1,101.26 miles in Nebraska.
Looking After Operators' Bill.
M. J. Johnson of Anselmo, Neb., general chairman of the Operators' association of the Bill of the operators' association of the Bill of the Source of the cost.
A. B. McNickle of Cortland was re-elected

A. B. McNickle of Cortland was re-elected number, is in Lincoln. He is looking after a member of the soldiers' relief committee for a term of three years.

### Maynard Held Without Bail.

ALLIANCE, Neb., Jan. 31 .- (Special Telegram.)-Maynard, who shot and killed Roy Barnes here Tuesday evening, was given a preliminary trial today before County Judge Berry and pleading not guilty was bound district. Is a remident of Wymore. EUSTIS-The school board has acted on the petition calling for a meeting to con-sider the proposition of erecting a new school house. It is likely that as a result of this action ar \$8,000 building will be Springfield, IIL This bill is in the interest bound over to the next term of district of safety and drawn by men who have the court, which convenes in March, without bail.

### Farewell to Pastor.

ALLIANCE, Neb., Jan. 31.-(Special Telemonth, which made an increased annual gram.)-A farewell reception was given W. H. Frost, pastor of the Episcopal church, by his parishioners and friends tonight in before the railway officials at Chicago and the city hall. After a little more than a ask for increased pay and sufficient help year's service here, wherein he has ento do the station work. At many of the deared himself to many friends. He now

THE OMAHA DAILY BEE: FRIDAY, FEBRUARY 1, 1907.

B. Meeske officiating. EUSTIS-The four elevators at this point are filled to their utmost capacity. Owing to the inability of the railroad to supply cars, but little grain is being moved. PLATTSMOUTH-Louis Leil, son of L. P. Keil, and Miss Christine Schroeder, both from Cedar Creek, were unlted in marriage by County Judge Travis Wednesday. LUNWOOD 75.

LINWOOD. The weather is warm, clear and nice today, and the ice men are all mappy with their houses full of the best ce they have been able to get for years. happy w

BEATRICE The Columbia Fire Insur-ance company of Omaha, Neb., through its mgents, Fulton & Powers of this city, has contributed \$10 to the firemen's monument fund

ence jast fail. WISNER - The implement firms of Schreiber & Wiggers has been dissolved, Mr. Wiggers retiring from the firm here and taking the branch house at Beemen organized three years ago.

YORK-Women of the Methodist Episco-pal church have arranged for an entertain-ment to be given by Miss Harriette S. Reed who will give a "Japanese Evening" in the church on Tuesday evening February 5. BEATRICE-Mrs. Eva Hackler of Wy-more, wife of the late William Hackler, formerly chief of police of that place, died Tuesday night, aged sixty years. Her son, Elmer Hackler, is a resident of Wymore,

constructed HARVARD-Information has been re-ceived of the sudden death of J. H. Ed-wards at his ranch in northwestern Wyo-ming. Mr. Edwards was a resident of Harvard for several years. He was buried Tuesday at Utica.

Tuesday at Utica. OSCEOLA-Mrs. Milton Colwell, while waiking on the icy sidewalk, fell and broke the bones of the right thigh. She is rest-ing quietly at the home of Dr. Josephine McChesney until she is able to be re-moved to her home. EUSTIS-The farmers of the Platte valley are complaining of the depredations of coy-otes and are endeavoring to organize a

ing rates and charges for the transportation of freight otherwise provided for in this act; whereupon a copy of the complaint shall be served upon such railway ompany or common carrier in the same manner as process in civil cases is served. who shall be required to satisfy the complaint, or file a written answer thereto within a reasonable time to be fixed by the commission. If such railway company or common carrier within the time specified shall make reparation for the injury alleged to have been done, or shall

correct the wrong complained of, it shall PAPILLION-Rev. C. D. Leonard has ar-rived from Evansion, Ill., to take charge of the Methodist Episcopal church here, which has been vacant since the confer-ence last fall. carrier shall not satisfy the complaint within the time fixed and there shall appear to be a reasonable ground for investigation of the complaint upon its EUSTIS - While shelling corn Henry An-derson, a young farmer residing ten miles south of Eustia, got his hand caught in the sheller, and before he could extricate it half a finger was cut off. merits, said commission shall proceed to shall give the parties thereto written no-REEMER - Frank Malchow of West Point, with S. C. Sharp and Alfred Miller, appraised the damage in the August Fill-mer road, southeast of town, Tuesday with the view of opening a legal road. EUSTIS-The series of revival meetings which are being held at the German Meth-odist church are well attended and many conversions are being made. The meetings are in charge of Rev. H. H. Hachmann. YORK-Women of the Methodist Emissocarrier is violating any provision of this act or any laws of this state relative to the control and regulation of railway companies or common carriers, it shall at once institute an inquiry and fix a time and place for a hearing thereon, upon their own motion, and shall make any order or orders as may upon said hearunder the law of this state for such cases

Copy to Be Furnished Boads.

the findings of fact and the conclusions of said commission based thereon, shall be reduced to writing and agreed upon the record, and a copy thereof with the date when said order or orders shall go into force and effect shall be furnished to the party who complained, and any other person or persons directly inter-

## der which said commission has authority to act, may apply to said commission by Headaches and Sleeplessness



Mrs. G. W. Rorer, of Rockville Center, L. I., suffered so from headaches and nervous trouble that she could not sleep.

She has failed to derive any benefit from the many other remedies she tried. She has been completely cured and restored to health and now enjoys restful sleep, thanks to DUFFY'S PURE MALT WHIS-KEY.

Mrs. Rorer is 64 years of age and cannot say too much in praise of this great family medicine.

"I have been a constant sufferer from headache and nervous troubles, sometimes laying awake at night. I saw your advertisement in the paper and made up my mind to try your medicinal whiskey, and it did me so much good that I continued it, but now only take it in the evening and at noon time. I think that it is better than any medicine I can get. I have not had the doctor once since I commenced using it. I thank you again and again for the good it has done me. My age is 64 years."-MRS. G. W. RORER, Rockville Center, L. I., Dec. 3, 1906.

The above unsolicited testimonial of Mrs. Rorer is similar in its words of praise to many letters received daily from men and women throughout the world, in all walks of life, who have been permanently cured by DUFFY'S PURE MALT WHISKEY, the greatest of all medicines.

## MRS. G. W. RORER. Duffy's Pure Malt Whiskey

It is recognized everywhere as the unfailing specific for the cure of consumption, nervousness, typhoid, malaris, every form of stomach trouble, all diseases of the throat and lungs, and all run down and weakened conditions of the brain and body. It restores youthful vigor to the old by nourishing and feeding the vital forces of life, and maintains the health and strength of the young. It is a food already digested. It is prescribed by doctors of all schools, is used in all the leading hospitals of the world, and recognized as a family medicine everywhere. It is absolutely pure. Medical advice and a valuable illustrated booklet on diseases sent free. Our guarantee is on every bottle.

Duffy's Pure Mait Whiskey is sold by all first-class druggists, grocers and dealers, or direct, in sealed bottles only. Price \$1.00. See that the "Old Chemist" trade-mark is on the label. Look for it carefully, and refuse substitutes. It will cure you after all other remedies have failed. Duffy Malt Whiskey Co., Rochester, N. Y.

and the payment thereof may, without or common carrier shall be guilty of a mis- means of false billing, false classification, prejudice to any other mode of recovering demeanor, and upon conviction thereof, false weight or by any other devise shall the same, be enforced by attachment or or- shall forfeit and pay to the state of Neder, in the nature of a writ of execution, braska a sum not less than one thousand in like manner as if the same had been re- dollars nor more than five thousand dollars. covered by a final decree in personem in (a). If any officer, agent or employee, such court, saving to the commission and for or on behalf of any railway company to any other party or person interested or common carrier subject to the provisions therein, the right to appeal to the supreme of this act, shall charge, collect, demand court under the same rules now provided or receive from any person or persons, in the election. WISNER-Modern Woodmen of America adopted a class of nine on Momiay and have a large class for a special meeting for next Monday night. The Furesters team has received new uniforms and is practicing every night-as they go to Nor-folk February 7 to put on the work for the notice to the persons affected thereby. ALTION E L Moment of America adopted a class of nine on Momiay and have a large class for a special meeting team has received new uniforms and is practicing every night-as they go to Nor-able; provided, always that no order for orders shall go into force and effect within ten days after the mailing of said notice to the persons affected thereby. ALTION E L Moment of Momiay and team base received new uniforms and is the commission; but no appeal to said su-state, cotary of the court or the transportation of freight railway company or common carrier, said northeastern Nebraska camps. ALBION-E. L. Myers of Newport, Neb., one of the principal local capitalists inter-ested in the Midland Central railroad, has returned from the east, where he went to consult with others interested in the project. He says there is every reasonable prospect that the road will be pushed to completion the coming season. HARVARD-Miss Mira R. Church died at her home after a lingering illness. She sede the order of the court, or the issu- officer, agent or employee shall be guilty ance of execution thereon, and such court of a misdemeanor, and shall, upon conviction thereof, forfeit and pay to the state ment of such costs and attorney and coun- of Nebraska a sum not less than one hundred dollars nor more than five thousand dollars, or be imprisoned in the county jail filed or presented, or be prosecuted by the wherein conviction was had, not less than commission, or by their discretion, it shall ten days nor more than six months, or both, within the discretion of the court. Sec. 13. Unjust Discrimination, Definition,

Fixing Joint Rates

from the cars in which such shipments

were first made, unless such unloading

Penalties. If any railroad company or common car-

suffer or permit any person or persons to obtain transportation for property at less than the regular rates then in force on said line of said railway company or common carrier, or any part thereof, or who, by means of false billing, false classification, false weighing, or by any device whatsoever, shall charge any person, firm or corporation for the transportation of property other than the rates fixed and established upon the line of said railway company or common carrier, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than \$100 nor more than \$5,000, or he imprisoned in the county jall in the county wherein conviction was had not less than ten days nor more than thirty days, or both, within the discretion of the court.

(g) Nothing in this act shall prevent the carriage, storage or handling of freight free of charge or at reduced rates for the state, or for any city, county or town government, or for charitable purposes, or to and from fairs and expositions for blilon thereof, or the free carriaga

agricultural and geological departments of

When the Railway commission has reason

to believe that any railway company, or

common carrier, or any officer, agent or

employe thereof, subject to the provisions

of this act, has been guilty of any misde-

meanor, or misdemeanors, as herein de-

fined, said commission shall immediately

cause actions to be commenced and prose-

cuted against such railway companies,

ommon carriers, agents, officers or em-

ployes, as the case may be, which may be

brought in the county of the state through

or into which the line of the railway com-

pany or common carrier sued may extend,

and in the case of a misdemeanor on the

part of any officer, agent or employe as

herein defined, shall be brought in the

county where the misdemeanor was com-

witted, and it may on behalf of the state,

employ counsel as herein provided, to as-

# made and provided. (a) Said order or orders, together with

BEATRICE-There are a number of as-pirants for the office of mayor of Wymore at the coming spring municipal election. The list comprises Robert Jones, John Tay-lor, J. R. Dodds and George Worth, As usual the license question will be a factor in the election.

at her home after a lingering illness. She was the daughter of Mr. and Mrs. E. P. Church, early residents of Sutton and Har-ther hearing need be had before said com-willcox and has many friends in Omaha and Lincoln. She will be buried by the orders, provided, further, that if said rail-side of her parents and only siter at Sut.

Warm words of praise for "The Nebraska Book" by General Charles F. Manderson, Judge Lee S. Estelle, C. J. Smyth and Robert Cowell. These extracts from letters to the author are reproduced by permission.

Tribute to the Work of a

Nebraskan.

## General Charles F. Manderson, Omaha, Neb .--

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"Your sweet book, 'Of Such Is the Kingdom,' came to me like a blessing and has filled my home with lasting perfume. The first chapter won me; and my wife and I, in joint bondage, have remained your willing and contented captives."

## Judge Lee S. Estelle, Omaha, Neb .-

"Speaking from the worldly and sordid view if 'Of Such Is the Kingdom' meets with the reception and sale its merits deserve, you certainly should be able to retire from business at no very distant date. From a higher and nobler standpoint, on its merits alone, it will live long after you and I and those we hold dear have returned to mother earth. People the world over have gone wild over 'Parsifal.' Ages before Wagner was born some unknown author gave to the Christian world the glad and glorious old Christian hymn, the unknown composer of the'Adeste Fideles.' I'd rather be latter than the honored author of the former, I'd also rather be the author of your little book than of any one of thousands that have brought fame and wealth to their authors. Really, the only modern book that I think worthy to be mentioned at the same time with 'Of Such Is the Kigdom' is, 'The Greatest Thing in the World,' by Drummond. They occupy places alongside of each other. I believe you have given to the world a classic, and in purity of thought it is unexcelled. I certainly feel that it is and will be a constant help to me."

## C. J. Smyth, Omaha, Neb .-

"I have read it with great satisfaction. It is full of tender, touching thoughts-delightfully expressed. No one can read it without feeling better because he did so. It uncovers so much that is beautiful and hopeful, uplifting-so much of flowers and sunshine-in things which before passed before us daily without exciting the slightest suspicion that they contained anything of interest or pleasure. I can congratulate you upon the little volume, and sincerely trust that it is not your last."

### Robert Cowell, Omaha, Neb ..-

"Numerous notices of your book, 'Of Such Is the Kingdom,' attracted my attention, and I was not satisfied until I possessed a copy. Immediately upon opening it I was fascinated to such an extent, indeed, that I never laid it down or left my chair until I had read it from cover to cover. In these days when so much that is vapid and trashy circulates under the name of literature, it is indeed refreshing to find a book so pure in thought, and so filled with what is hopeful. I wish it were possible to get it into every home. I hope ministers and teachers will not only read it themselves, but that they will read it to their hearers. For myself, I acknowledge grateful obligation. No one can read the book without an uplift, for it is full of inspiring thoughts. I am sure it is only necessary to bring it properly before the attention of the public to insure a large sale. How true it is that 'A little shild shall lead them,' and with all our boasted wisdom, how often we discover that there is much in life which for some reason is dark and obscure to us, but which is 'revealed to babes' and sucklings.' The charm of your book is its trueness to life. It will gladden many a sorrowful heart, instill hope in despondent breasts and make the world better and happier."

Two hundred pages, cloth bound, on sale at The Bennett Company, Megeath Stationery Co., Thos. Kilpatrick & Co., Matthews Book Store, or sent by mail, postpaid, for \$1.00. Address R. L. Metcalfe, care of Commoner, Lincoln, Neb.

of her parents and only sister at Sut BEATRICE-It is said that the proposed new line of the Union Pacific will enter Wymore from the north near Algire's house and that the company will build one depot for Wymore and Blue Springs. The line will cross the river near James Craw-ford's farm and use the old roadbed through Barneston and Oketo to Maryville, Kan.

sonable in said court. kan. LINWOOD-Mrs. Anna Bartas, proprietor of the Tyndal house, and Joseph Klama of Cedar Rapids, Ia., were married at the Tyndal house Wednesday evening, Thomas Duda, justice of the peace, officiating. Mrs. Klama will continue to run the hotel until March I, when her lease expires, and then go with her husband to Cedar Rapids, Ia., forced.

to reside. CLARKS - E. Hinemeyer, John Cole, Jerry Shanahan, Mark Ravenacroft and Lee Mustard, prominent farmers and business men, have returned from Fort Gariand. Colo., where they went to look at irrigated lands. While pleased with the country and the mild elimate, they did not invest, owing to the incomplete status of the invitation to the incomplete status of the irrigation

side of the proposition. OSCEOLA-The First Methodist Episco OSCEOLA-The First Methodist Episco-pai church still continues its evangelistic services, so far as the laymen can attend to them, by holding cottage prayer meet-inges throughout the city. The other meetings had to shut down on account of the illness of the pastor, Rev. L. M. Grigsby, who has been completely pros-trated for some little time.

trated for some little time. BLUE HILL-Frank Baker and T. T. Tobin have been in Cambridge this week looking over the stock of clothing they pur-chased from Arthur Geandreault. Geand-reault's feason for selling was to take charge of his father's large store at Camp-bell. Mr. Baker will manage the business at Cambridge, while T. T. Tobin will man-age the business at this point. BEATRICE-W. E. Lephart and Cornelius BEATRICE-W. E. Lenhart and Cornelius BEATRICE-W. E. Lennart and Cornelius Stacec narrowly escaped being killed yes-terday at the Dempster plant. They were standing in the doorway leading to the ele-vator shaft when the cable to the elevator, which had ascended to the floor above them, broke, causing the elevator to drop to the basement. In its descent it missed Lenhart and Stacec only a few inches.

Lennart and Stacce only a rew inches. BLUE HILL-D. P. Davis passed away at his home on Wednesday of pneumonia after but a few days' illness, aged 53 years. Funeral services will be heid at the Grand Army of the Republic hail at Biaden on Friday, conducted by Rey. Mr. Hummel of Red Cloud. He was a member of the An-clent Order of United Workmen lodge and leaves a wife and a number of some act aves a wife and a number of sons and

daughters. PLATTSMOUTH - Ned Baker, colored, aged 76 years, is dead at the home of his sister. "Uncle Ned." as he was familiarly known, was an eccentric character who had earned his living by selling pop corn and fruits on the streets and at the depoits for twenty-five years. Deceased and his sister. Mrs. Grace Johnson, were born in glavery in Louisiana and worked for their fnaster. Henry Holstine, until after the civil war. His wife died fourteen years ago, and their Henry Holstine, until after the civil war. His wife died fourteen years ago, and their four children previous to that time.

FOR RAILROAD COMMISSION (Continued from Third Page.)

trict wherein its principal is situated, or wherein such offense may be committed. If such railway com-

pany or common carrier be a foreign corporation then such writ may be issued by any district court in the judicial district where it accepts traffic and has an agent to perform such service, to compel compliance with the provisions of this section; such writ to issue in the name of the state, on the relation or upon the petition of the State Railway commission; and the failure to comply with its requirement shall be punishable as for contempt, and shall make said corporation failure to comply therewith, and when any for no bond shall be required.

Orders of Commission.

See. 9. Orders of commission-how made: misdeameanor and upon conviction thereof Any person, firm, corporation or asso- shall be imprisoned in the county jail not clation or any mercantile, agricultural or less than ten days nor more than thirty manufacturing society or any body, pol- days. Said monies shall, upon order of the itic or municipal, organization complain- court, he paid into the treasury of the ing of anything done or omlitted to be county, in which the action was comdone by any railway company or common menced, one-half thereof to be credited to carrier, subject to the provisions of this the school fund of said county, and the cars, or for any other service performed or (f) Any officer, agent or employe of any act, or any of the laws of the state rela- other half shall be transferred by the to be performed by said rallway company rallroad company or common carrier sub-

way company, common carrier, person o persons affected by said order or orders shall of the commission appeal from the decision of said commission to any district court in this state, said Section 11. Joint Rates-How fixed: order or orders shall be held in abevance until finally determined to be just and rea-

Enforcement of Orders. Sec. 10. Orders of Commit ion-How, en

Whenever any railway company or comnon carrier shall violate or refuse or neglect to obey any order or orders of said shall be transferred without unloading nission which have been finally established, it shall be the duty of the commission, or any company or person inter-

into other cars shall be done without ested in such orders, to apply in a summary charge therefor to the shipper or receiver way, by petition, to the district court in of such carload lots, and unless such transcounty in this state in which said railway fer be made without unreasonable delay company or common carrier has an office. and less than carload lots shall be transor in any county through which its line ferred into the connecting carrier's wareof road passes or is operated, or in which house or cars at cost, which shall be in the violation or disobedience of such order cluded in and made a part of the joint or orders shall happen, alleging such viorates adopted by such railway companies lation or disobedience, as the case may be: or established as provided in this chapter. and the said court shall have power to hear (a) When shipments of freight to and determine the matter, on such short notice to the raliway company or commo carrier complained of, as the court shall deem reasonable; and such notice may be served on such railway company or common carrier, its officers, agents or servants, as the court shall direct; and said court shall proceed to hear and determine the matter speedily as a court of equity, and without the formal pleadings and proceedings applicable to ordinary suits in equity, but in such manner as to do justice in the premises; and to this end, such court shall have power, if it think fit, to direct and prosecute, in such mode and by such persons as it may appoint, all such inquiries as the court may think needful to enable it to form a just judgment in the matter of such petition; and if it be made to appear

to such court on such hearing, or on the report of any such persons, that the order or orders of the commission drawn in question has been violated or disobeyed, it shall be lawful for such court to issue a writ of injuction, or other proper process,

railway company or common carrier, and its owners, directors, officers, agents, employes. leasees, trustees or receivers upon whom the duty may devolve or through whose agency said order or orders are to be carried out, from further continuing such violation or disobedience of said order or or ders, and enjoining obedience to the same, and in case of any disobedience of any

such writ of injuction, or other proper process, mandatory or otherwise, said railway company or common carrier, and its

whom said writ of injuction or other pro office cess, mandatory or otherwise, was directed, shall be guilty of contempt of court, and it shall be lawful for such court to issue a writ of attachment or other process of said court, incident or applicable to write of injuction or other proper process, mandatory or otherwise, against sad railway common carrier, to pay any sum of money not exceeding for each railway company, or common carrier, the sum of \$1,000 for every day, after a day to be named in the order, that said railway company, or common carrier shall fail to obey such injunction or other proper process, mandatory or otherwise, and said owners, diliable to a penalty of \$1,000 for each day's rectors, officers, agents, employes, lessees, trustees or receivers, upon whom the duty such writ of mandamus shall be applied may devolve or through whose agency said

order or orders are to be carried out, upon

mandatory or otherwise, to restrain such for. like

owners, directors, officers, agents, employes, lessees, trustees or receivers, to

failure so to do shall be deemed guilty of

by or through its officers, agents or em-

of freight and cars by the raliway companies or common carriers for which said schedules have been fixed. Penalties for Overcharging. Sec. 12. Penalties for charging higher each offense. rates than those fixed and established. If any rallway company or common carrier, subject to the provisions of this act.

ployees, shall charge, collect, demand or receive from any person or persons, company, firm or corporation a greater rate, and upon conviction thereof, shall be fined charge or compensation than that fixed and a sum not less than \$100 nor more than \$5,000 for each offense, or he co established by the railway commission for the transportation of freight, passengers or the county juil in the county wherein concars, operated by said railway or common viction was had, for not less than ten or for receiving, forwarding, days nor more than six months, or both, in carrier. the discretion of the court. handling or storing any such freight or

tive to the control and regulation of rail- county treasurer to the state treasurer. or common carrier, said railway company ject to the provisions of this act, who, by

rier subject to the provisions of this act, out of the appropriations for the expenses directly or indirectly, through or by its of destitute and indigent persons, or the agents, officers or employes, by any spe- inmates of hospitals, elemosynary and charcial rate, rebate, drawback, or other de- itable institutions or the employes of the vice, shall charge, demand, collect, or It is hereby made the duty of all railreceive from any person, firm, or corpora- this state; and nothing herein shall be conway companies doing business in this state tion, a greater or less compensation for any strued to prevent railroads giving free to establish reasonable joint rates for the transportation of freight between points upon their respective lines within this any other person, firm, or corporation for state, and shall receive and transport freight and cars over such route or routes as the shipper shall direct. Carload lots declared to be unlawful.

> (a) If any railway company or common carrier subject to the provisions of this act. through or by its officers, agents, or employes, makes or gives any undue or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or subjects any particular description of traffic in any respect what-

> discrimination, which is hereby prohibited. Fines for Refusing Service. (b) If any rallway company or commo

transported between different points within the state are required to be carried by two or more railway companies operating connecting lines, such raliway companies shall transport the same at reasonable through rates, and shall at all times give the same facilities and accommodations to local or state traffic as they give to interstate traffic over their lines of road. (b) In the event that said railway companies or common carriers subject to the

provisions of this act fail to establish through joint rates, or fall to establish and charge reasonable rates for such shipto any point on or over the line of any ments, it shall be the duty of the railway ommissioners, either upon their own motion, or upon the application of some person interested, to establish such rates for the shipment of freight and cars over

two or more connecting lines of railroad in this state; and in the making thereof.

and in changing or revising the same, they (c) If any railway company or commo shall be governed, as nearly as may be, carrier subject to the provisions of this by the provisions of this act with referact, through or by its officers, agents or ence to original schedules of freights and employes, shall charge or receive any tariffs for rallway companies and common greater compensation in the aggregate for carriers as herein provided, and shall take transportation of like kind of property of into consideration the average rates passengers for a shorter than for a longer charged by said railway companies or distance over the same line, the same shall common carriers, for shipments within this constitute an unjust discrimination, which state for like distances over their re- is hereby prohibited; provided, that upon spective lines, and rates charged by the application to the commission any railroad rallway companies or common carriers, shipments within this state for distances over their respective to charge less for longer than for shorter distances for transporting persons and lines, and rates charged by the railway companies or common carriers, property, and the commission shall from, operating such connecting lines, for joint time to time prescribe the extent to which interstate shipments for like distances. such designated railway company or com-(c). The rates fixed by said commission mon carrier may be relieved from the operation of this provision; provided, that shall go into effect thirty days after mailing a copy of the schedule of joint rates to no manifest injustice shall be imposed upon the railway companies and common car- any citizen at intermediate points; pro riers affected thereby, which said schedule vided, further, that nothing herein shall shall be prima facie evidence in all courts be construed so as to prevent the comin this state, when authenticated by said mission from making what are known as "group rates" and "emergency rates" as ommission, that the rates therein contained are those fixed by said commission herein provided, on any line or lines of and that the same are prima facie just railway in this state. and reasonable for the joint transportation

service rendered, or to be rendered by it transportation to any railroad officers, charges, demands, collects, or receives from agents or bona fide employes, their attorneys, stockholders or directors, or to doing a like and contemporaneous service, any person not prohibited by law: prothe same shall constitute an unjust dis- vided, they or either of them shall not crimination, which is hereby forbidden and i receive from the state mileage when such | Dass is used. Punishment for Extortion Sec. 14. Suits to punish extortion and un-

ever, the same shall constitute an unjust

carrier subject to the provisions of this act, through or by its officers, agents or employes, shall fail, refuse or neglect, under such regulations as may be preacribed by the commission, to receive and transport without delay or discrimination. the passengers, tonnage, and cars, loaded or empty, of any bonnecting line of rail-

road, and every railroad which shall. under such regulations as may be prescribed by the commission, fall and refuse to transport and deliver without delay or discrimination, any passengers, tonnage, or cars, loaded or empty, destined

connecting carrier, the same shall constitute an unjust discrimination, which is hereby prohibited; provided, perishable freight of all kinds and live stock shall have precedence in shipment.

sist the attorney general in conducting such actions; said actions commenced shall he prosecuted in the name of the state and no such action shall be dismissed without trial unless said commission and the atorney general consent thereto. Such actions shall have preference to all other business, except criminal cases, cases of a similar nature, and such other actions as are (a) All of the penalties herein provided, nless otherwise provided for, shall be re-

ourt having jurisdiction thereof in any ounty in this state to or through which said railway company or common carrier may be operating a road, by the attorney general, or under his direction.

ter the rules of evidence shall be the same may in special cases, to prevent manifest as in ordinary civil actions, except as otherinjury, be authorized by the commission wise provided herein, and all fines and penalties recovered by the state under this chapter shall be paid into the treasury of the state, except as otherwise provided.

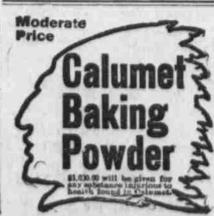
All acts or parts of acts in conflict herewith are hereby repealed.

Sec. 16. Emergency clause.

its passage and approval.

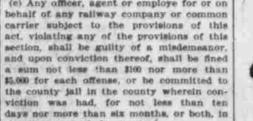
Girls' coats that were \$6.00 now \$2.60, in final clearance sale. Benson & Thorne, 1515 Douglas.

DIAMONDS-Frenzer, 15th and Dodge.

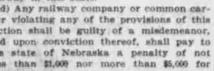


(d) Any railway company or common carrier violating any of the provisions of this section shall be guilty of a misdemeanor. and upon conviction thereof, shall pay to

less than \$1,000 nor more than \$5,000 for (c) Any officer, agent or employe for or on



the state of Nebraska a penalty of not



No Discrimination.

ust discriminations.

herein provided for.

covered and suits thereon shall be brought in the name of the state in the proper

(b) In all suits arising under this chap-

Soc. 15. Repeating clause.

Whereas, an emergency exists, this act. shall be in force and effect from and after