

## CAUSES FOR CAR SHORTAGE.

Interstate Commerce Commission Has Discovered Them But Not the Remedy.

### COAL DEALERS' AGREEMENT.

It is to Maintain Prices and Boycott All Who Would Not Do It.

Washington, Jan. 2.—The causes, but not the cure, for the car shortage in the northwest and the consequent coal famine in North Dakota, have been determined by the members of the interstate commerce commission participating in the recent hearings at Chicago and Minneapolis. Franklin K. Lane, who served as chairman of the investigation committee, today filed his report with the full commission, and sent it to President Roosevelt, who ordered the inquiry. He finds:

"It is a fair inference from all the testimony that the real cause of the coal scarcity in North Dakota was such an abundance of westbound traffic at the head of the lakes that cars were not available in the congested state of that terminal for the carrying of coal to North Dakota—a comparatively short haul for a low-class commodity."

In his letter of transmission to the president, Mr. Lane says the report will be followed in due course by the special recommendations of the commission as a whole as to whatever legislation, if any, may be deemed advisable.

Referring to the report that the coal shortage was due to the presence of a trust or combination between dealers in coal, which fixed prices in the northwest and refused to sell to "outsiders" and "irregulars," the report says:

"The commission has gained indisputable proof of an agreement between coal dealers to maintain prices and to boycott all who did not agree, but there is no evidence at all justifying the contention that this combination is chargeable with the coal shortage prevailing, nor that the railroads were party in such a way to such a conspiracy."

The report of the commission first deals with the coal famine in North Dakota and presents the conditions of distress found to have existed in that state. The remedies which the commission proposes to work out include a proposed plan for a clearing house or car pool and reciprocal car demurrage.

Financial loss to a large percentage of the people of the northwest is shown to have been caused by the failure of the railroads to prepare for a large movement of grain. Mr. Lane shows that the railroads tapping the great grain belt of the northwest seem to have been overwhelmed by this year's crop, although in fact the crop scarcely exceeded that of 1905, nor did it equal that of at least one other preceding year.

In considering the evidence taken, Commissioner Lane says that a plan for a proposed car clearing house or a car pool between connecting lines is regarded with much favor. The details of such a plan have not been worked out. Car appropriation between carriers is treated at some length, and the adoption of a rule is suggested fixing a minimum of 50 cents a day during those months of the year when traffic is light and increasing this possibly four-fold during the latter half of the year when cars are most needed. The most generally advocated remedy for the failure of carriers to furnish cars when demanded is known as reciprocal car demurrage.

This phrase means, in a word, that carriers shall be penalized on failure to furnish cars demanded, and the penalty is to be levied on the carrier who arrives out of the universal railroad practice of imposing a per diem penalty when a car is held by a consignee for unloading beyond a certain fixed number of days.

The commissioner says this plan alone would not overcome the transportation difficulties if the measure merely provided for punishment of the railroad for non-furnishing of cars or non-movement thereof. Mr. Lane in his report sums up the conclusions of the commission in the following:

"The problem is much deeper and much broader than a mere lack of cars and engines. It is one in which is involved every factor in railroading—the construction, operation, maintenance and financing of the railroad. The inability of the shipper to secure a car may be only a symptom of a deep-seated and organic trouble. The real cause of car shortage may lie in the too conservative character of the management of the road, or in the inefficiency and incompetency of its operating officials. It may follow from an incomprehension on the part of the directors of the full duty imposed by law on a common carrier. It may arise from a policy in railroad operation which gives primary consideration to speculative stock operations. It may come from an inability to secure funds so as to fit itself that it can discharge its duty. It may follow in a time of exceptional prosperity

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from an increase in traffic which could not entirely have been prevented. It may arise from an inability to secure labor and materials necessary to the proper enlarging of the railroad facilities.

"This enumeration of causes is not exhaustive. It could not well be complete without giving consideration to many industrial and economic factors which at first glance would appear remote and unrelated. Clearly, the problem of transportation is so closely interwoven with the fabric of our commercial system and so closely related and interdependent are the various activities of our industrial life, that one may not lightly say what are the multitudinous considerations which necessarily enter into so simple a question as the reason why a railroad car is not at once forthcoming when ordered."

The enactment of a reciprocal demurrage bill will not build railroads, equipment, enlarge and simplify terminals, nor transform incompetent operating officials into first class railroad men; but it might stimulate and energize and in some cases revise the methods of delinquent railroads so that they would render the service which they were created to render. This is the theory of reciprocal demurrage. But that of itself it will enable the railroads to render adequate service is not demonstrated by experience."

The need of additional legislation to reach the seat of the trouble is shown by the conclusion of the report. "If the interstate commerce commission is to be vested with power to make rules under which railroads shall be required on penalty to furnish cars to shippers, this commission should also be empowered to make rules under which free interchange of cars shall be made, to require railroads engaged in interstate transportation to make such rules for their own protection and provide for their enforcement."

### CAR SHORTAGE.

Dealers to Hold a Convention to Find A Remedy for the Trouble.

Chicago, Jan. 3.—Delegates from more than 50 organizations of lumber men, coal dealers and other large patrons of railroads will attend a convention commencing here tomorrow for the purpose of securing national legislation to remedy the general shortage of cars, provide better facilities for shippers and prevent future damage to business through the failure of transportation companies to handle freight promptly. Among the organizations which will be represented at the conference are: Illinois Lumber Dealers' association, Pacific Coast Lumber Manufacturers' association, Hardwood Manufacturers' association of the United States, Pelow Pine Manufacturers' association, National Hay association, Southwestern Lumber association, associations of retail coal dealers in many states and associations of retail lumber dealers in many states.

The convention will present to Congress statistics showing loss sustained by shippers through the shortage of cars and probably will urge the passage of a law providing for reciprocal demurrage charges such as Congressman Madden has prepared and will soon introduce in the house.

### PROF. ALBERT BERG DEAD.

Was Organist of the "Little Church Around the Corner."

New York, Jan. 2.—Prof. Albert Wilson Berg, for 40 years organist at the Protestant Episcopal Church of the Transfiguration, commonly known as "The Little Church Around the Corner," died yesterday at his home here, aged 81 years. Dropsy, from which he had long suffered, and heart disease caused his death. Prof. Berg was a composer and musical critic as well as an organist. His last composition was a "Gloria" for a "Nune Dimittis," which was the last work of the composer. Henry Wilson, who died a quarter of a century ago, Wilson's widow had asked a musical house to publish this "Nune Dimittis," and the firm asked Prof. Berg to write a Gloria for it. The organist

## GOV. HUGHES' FIRST MESSAGE

Recommends Recount of Votes Cast in New York Mayoralty Election in 1905.

### LIMIT CANDIDATES' EXPENSES

Would Empower Courts to Review Acts of Political State Conventions and Committees.

Albany, N. Y., Jan. 2.—Last night's caucuses settled the possible controversies which might have made the opening of the legislature today other than perfunctory, and when the two houses convened at noon there was less public concern in ceremonies and a smaller attendance than last year, when the hot contest for the speakership had just closed. Interest centered in the message of Gov. Hughes. Lieut. Gov. Chandler, the first Democratic president of the senate in many years, was cordially received. Speaker Wadsworth, assured of re-election also, was heartily welcomed.

After the organization of the two houses, J. W. Wadsworth being elected speaker of the assembly, the first message of Gov. Hughes was submitted.

MESSAGE OF GOV. HUGHES.

Gov. Hughes, in his first message to the legislature, made the following recommendations:

A recount of the votes cast for mayor in the New York City election in 1905, when, on the face of the returns, W. R. Hearst was defeated by George B. McClellan; that the courts be empowered to order a recount summarily in the future and that the power to bring an action to try a title to office be taken from the attorney-general and conferred upon the supreme court.

The adoption of a new ballot whereon the names of a candidate will appear but once.

That the amount of money which a candidate may expend to procure his election be limited.

That the courts be empowered to review the acts of political state conventions and state committees in expelling delegates and members.

That any general committee of a party may adopt rules for direct nominations of candidates at primaries.

That the state board of railroad commissioners and the commission on gas and electricity be abolished and a new board be constituted with power to enforce its orders through the courts.

On the Hearst recount matter the governor said:

"It is a matter of the gravest concern that the view should be, though erroneously held, that one who has been elected to office has been deprived of his seat through invalid returns. The failure to obtain a convention or committee order through the courts, through a defect in the law has aggravated the sense of injustice."

Referring to the lack of any limitation upon the authority of political state conventions and state committees arbitrarily to exclude honestly elected delegates and members and the fact that the fraudulent or corrupt action of such a convention or committee cannot be reviewed or corrected by any court, the governor declared that "minorities should not be permitted to make themselves majorities by the arbitrary seizure of political organizations not through corruption or dishonest methods and the courts should be vested with ample power to review in a summary manner the actions of such bodies to restore to defrauded persons the political rights to which they are justly entitled."

The present scheme of regulation of railroad corporations in this state, the governor said, is inadequate because the board of railroad commissioners has no authority to compel compliance with its decisions. The expenses of the commission, the governor asserted, should not be borne by the corporations which it regulates. Enactment of laws to secure impartial treatment to shippers and insure more regard for public convenience and safety is recommended.

All the existing transportation lines in Greater New York, the governor said, are overburdened. The people of Brooklyn who are in business in Manhattan are subject to such maltreatment and indignities incident to their disgraceful herding that relief should be afforded at the earliest possible moment.

"Over capitalization and the improvident creation of guaranties and fixed charges to suit the exigencies of successive combinations entered into for the purpose of monopolizing the traffic have produced their final results," he declared.

### CONGRESSIONAL SALARIES.

Senate Committee Turns Down Proposition to Raise Them.

Chicago, Jan. 3.—A dispatch to the Tribune from Washington says: The senate committee has turned down the proposition of the house for mere salaries for members and has even cut out the increases for the speaker, vice president and cabinet officers. No formal vote has yet been taken by the committee which has the legislative, executive and judicial appropriation bill in charge. But it will be reported to the full committee with the salary increases stricken out and without any provision for the increase of salaries of the members which the

house failed to vote, dodging the responsibility in the hope that the senate would assume the responsibility and put back the increased salaries for members of Congress so as to correspond to the addition to the official income of the vice president, speaker and cabinet officers.

The subcommittee of which Senator Callum of Illinois is chairman, has only about one more day's work on the bill, when it will be turned over to the full committee. There is a general understanding that the action of the subcommittee will be endorsed by the full committee on appropriations, of which Senator Allison of Iowa, who is expected back here Monday, is chairman.

### TO REGULATE CHICAGO HOTELS.

Chicago, Jan. 3.—The Chicago city council passed the ordinance for licensing and regulating hotels last night although the corporation counsel's office has issued opinions in which the validity of such a law has been held doubtful. Only four negative votes were cast. Originally the measure was intended for the regulation of such hotels as were closed by police raids. But Aldermen supporting the measure told the council that there was necessity for such regulation in the case of the better class hotels.

Even hotels out in Hyde Park that sprinkle the lawn with perfume every morning and scrub the floors with face powder can find a little looking after," said Alderman Skully.

This view of the matter prevailed and the aldermen defeated amendments intended to restrict the operation of the ordinance.

### EYESIGHT RULES.

Promise to Become Matter of Serious Difference With Railway Officials.

Chicago, Jan. 3.—The eyesight for engineers promises to become the most serious matter of difference between the road officials and representatives of the employees' brotherhood who began conferences here yesterday. The engineers in presenting their demands announced that they would insist upon some modification of the present rules. The conference will be continued today when it is expected the roads will return answers to most of the requests filed by the men.

Representatives of the Brotherhood of Railroad Trainmen began arriving in the city last night in preparation for the second week conference, which probably will open later in the week. The trainmen and conductors are acting in concert in their negotiations.

### ACCEPTS HARRIMAN'S OFFER.

Washington, Jan. 2.—Secy. of War Taft, as president of the American National Red Cross, today sent a telegram addressed to E. H. Harriman, executive officer of Union Pacific railway, New York City, accepting his offer of the free services of the San Francisco & Portland steamship lines for the transportation of supplies to Shanghai and Hongkong for the famine sufferers of China, and thanking him on behalf of the Red Cross society for the offer. The Red Cross society, which through its branch offices in various cities is making every effort to obtain sufficient contributions of money and foodstuffs to make up a cargo for shipment to China, has calculated, it is estimated, that from \$100,000 to \$150,000 will be required to purchase such cargo.

### A. J. CROSS PARDONED.

Boise, Ida., Jan. 2.—Today the board of pardons set A. J. Cross at liberty. He was sent up from Lincoln county in 1894 under a life sentence for murdering having killed two men in the Hagerman valley. He had been arrested and shot the deputy sheriff and another man.

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