RAILROAD BILL

with any order of the commission fix-ing any rate or rates, fares, charges, classification, joint rate or rates, or any order fixing any regulations, prac-tises or services, may commence an action in the district court against the commission as defendant to vacate and set aside any such order on the ground that the rate or rates, fares, charges, alcosification, joint rate or rates, fixed in such order, is unlawful, or that any such order, is unlawful, or that any such order, is unlawful, or that any such order is un-reasonable. In which action the com-ration of the served with the sum-mons. The commission shall serve and file its answer to said complaint with-in 10 days after the service thereof, whereupon said action shall be at is-sue and stand ready for trial upon 10 days' notice by either party. All ac-tions brought under this section shall have precedence over any civil cause ourt, and the district court shall al-ways be deemed onen for the trial und determined as other civil actions. a. No injunction shall issue sus-pending or staying any order of the with any order of the commission fix-

a. No injunction shall issue sus-pending or staying any order of the commission except upon application to the district court or presiding judge thereof, notice to the commission, and

the district court or presiding judge thereof, nolice to the commission, and hearing. b. If, upon the trial of such action, evidence shall be introduced by the plaintif which is found by the court to be different from that offered upon additional thereto, the court before proceeding to render judgment, unless the parties to such action stipulate in writing to the contrary, shall transmit a copy of such evidence to the com-mission, and shall stay further pro-ceedings in said action for 15 days from the date of such transmission and may after, modify, amend or re-scind its order relating to such aridence the or rates, fares, charges, classifications, foint rate or rates, regulation, prac-tike or service complained of in said action, and shall report its action thereon to said court within 10 days. from the receipt of such evidence. C. If the commission shall rescind its order complained of, the action shall be dismissed. If it shall after, modify or amend the same, such altered, modified or amended order shall take the place of the original order complained of, and judgment shall be rendered thereon, as

AND AND A DESCRIPTION OF A DESCRIPTION O dar.

dar. e. In all trials under this section the burden of proof shall be upon the plaintiff to show by clear and satisfac-tory evidence that the order of the com-mission complained of is unjawful, or unreasonable, as the case may be.

RULES OF EVIDENCE AND PRAC-TISE.

RULES OF EVIDENCE AND PRAC-TISE. Sec. 17. In all actions and proceed-ings in court arising under this act all processes shall be served, and the prac-tise and rules of evidence shall be the same as in civil actions, except as oth-erwise herein provided. Every sheriff or other officer empowered to execute civil processes shall execute any pro-cess issued under the provisions of this act, and shall receive such compensa-tion therefor as may be prescribed by law for similar services. a. No person shall be excused from testifying or from producing books and papers in any proceedings based upon or growing out of any violation of the provisions of this act on the ground or for the trass that the testimony or evi-dence, documentary or otherwise, re-quired of him may tend to incriminate him or subject him to penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture, but no person having so testified shall be prosecuted or subjected to any penalty or for-feiture or thing concerning which he may have testified or produced any documentary evidence; provided, that no person so testifying shall be ex-empted from prosecution or punish-ment for perjuny in so testifying. be upon application of any person the commission shall furnish certified copies, under seal of the commission, of any orders made by it, which shall be prina facie evidence of the facts stated therein. INOUTRY, ETC. BY COMMISSION

a. The commission shall cause to be prepared suitable blanks for the shall conform as nearly as practicable to the forms prescribed by the inter-state commerce commission, and shall, when necessary furnish such blanks to each railroad. Any railroad receiv-ing from the commission any such blanks, shall cause the same to be properly filled out so as to answer ful-ly and correctly each question it shall give a good and sufficient reason for such failure: and said answer shall be verified under oath by the proper of-ficer of said railroad and returned to the commission or any com-missioner, or any person or persons employed by the commission for that purpose, shall upon demand, have the right to inspect the books and papers of any railroad and to examine under out any officer, agent, or employee of such railroad in relation to its business and affairs: pro-vided, that any person other than one of said commissioners who hall make such demand shall produce his authority to make such inspection under the hand of the commissioner,

than one of said commissioners who shall make such demand shall produce his authority to make such inspection under the hand of the commissioner, or of the secretary, and under the seal of the secretary, and under the seal of the secretary, and under the seal of the said commission may require by order or subpoena, to be served on any railroad, in the same manner that a summons is served in a civil action in the district court, the production within this state, at such time and place as it may designate, of any books, papers or accounts kept by said railroad in any office or place without the state of Utah, or verified copies in lieu thereof, if the commission shall so order, in order that an examination thereof may be made by the commis-sion or under its direction. Any rail-road failing or refusing to comply with any such order or subpoena shall for each day it shall so fail or refuse, for-feit and pay into the state treasury a sum of not less than one hundred dol-lars nor more than one hunsand dol-lars. d. The railroad commission may

The railroad commission may In its discretion prescribe a uniform system of rendering accounts of busi-ness transacted in Utah by all rail-roads within the meaning of section 2 (including subdivisions a and b) of this act. Said commission may also this act. Said commission may also prescribe the manner in which such accounts shall be kept, and the time within which such railroads shall adopt such system; provided that all forms of accounts which may be pre-scribed by the commission shall con-form as nearly as practicable to sim-ilar forms prescribed by federal auth-ority. Any railroad within the mean-ing of section 2 (including subdivisions a and b) of this act falling to comply with the provisions of this act shall be

Section 19. Every railroad when-ever required by the commission shall, within a time to be fixed by the commission, deliver to the commission for its use copies of all con-tracts which relate to the trans-portation of persons or property, or any service in connection there-with, made or entered into by it by any other railroad company, car com-pany, equipment company, express of

with, made or entered into by it by any other railroad company, car com-pany, equipment company, express or other transportation company, or any shipper or shippers, or other person or persons doing business with it. a. Every railroad shall, on the first Monday in January In each year, and oftener if required by the com-mission. file with the commission a verified list of all railroad tickets, passes and mileage books is-sued free or for other than actual bona fide money consideration at tull established rates during the preceding year, together with the names of the recipients thereof, the amount re-ceived therefor and the reasons for issuing the same. This provision shall not apply to the sale of tickets at re-duced rates open to the public, nor to tickets, passes or mileage books is-sued to persons not residents of this state, nor to tickets, passes or mile-age books issued prior to the passage age books issued prior to the passage of this act.

> AMOUNTS EXPENDED IN CON-STRUCTION.

Section 20. The commission shall Section 20. The commission shall ascertain, as nearly as practicable, the amount of money expended in the construction and equipment of every railroad, the amount of money ex-pended to procure the right of way, also the amount of money it would require to secure the right of way, reconstruct the roadbed, track, depots and other facilities for transportation, and to replace all the physical properreconstruct the roadbed, track, depoils and other facilities for transportation, and to replace all the physical proper-ties belonging to the railroad. It shall ascertain the outstanding bonds, de-bentures and indebtedness and the amounts respectively thereof, the date when issued, to whom issued, to whom sold, the price paid in cash, property or labor therefor, what disposition was made of the proceeds, by whom the indebtedness is held, so far as ascer-tainable, the amount purporting to be due thereon, the floating indebtedness of the railroad, the credits due the railroad, other propperty on hand be-longing to it, the judicial or other sales of said road, its property or franchises, and the amounts purport-ing to have been paid and in what manner paid therefor. The commis-sion shall also ascertain the gross and net income of the railroad from all sources in detail; the amounts paid in salaries to the officers of the road, and the wages paid to its employ-es and the maximum hours of continu-

liable to the penalty provided for in section 27 of this act. CONTRACTS, ETC., FILED. Section 19. Every railroad when-ever required by the commission shall, within a time to be fixed by the commission, elliver to the commission

INTERSTATE RATES.

INTERSTATE RATES. Sec. 21. The commission shall have fower, and it is hereby made its duty, to investigate all freight rates on inter-state traffic on railroads in this state, and when the same are, in the opinion of the commission, excessive or dis-criminatory or are levied or laid in vio-lation of the interstate commerce haw, or in conflict with the rulings, orders or regulation of the interstate commerce commission, the commission shall pre-sent the facts to the railroad, with a request to make such changes as the commission may advise, and if such changes are not made within a reason-able time the commission shall apply by petition to the interstate commerce commission for relief. All freight tar-iffs issued by any such railroad relat-ing to interstate traffic in this state shall be filed in the office of the com-mission within 30 days after the pas-sage and publication of this act, and all such tariffs thereafter issued shall be filed with the commission when is-to. sued.

DISCRIMINATION PROHIBITED.

DISCRIMINATION PROHIBITED. Sec. 22. If any railroad, or any agent or officer thereof, shall directly or in-directly, by any special rate, rebate, drawback, or by means of false billing, false classification, false weighing or by any other device whatsoever. charge, demand, collect or receive from, any person, firm or corporation a greater or less compensation for any service rendered or to be rendered by it for the transportation of persons or property or for any service in connection there-with than that prescribed in the pub-lished tariffs then in force or estab-lished as provided herein, or than it charges, demands, collects or receives from any other person, firm or corporation for a like and con-temporary service, such railroad shall be deemed guilty of unjust discrimina-tion, which is hereby prohibited and declared to be unlawful, and upon cor-viction thereof shall forfeit and pay into the state treasury not less than viction thereof shall forfelt and pay into the state treasury not less than \$100 nor more than \$10,000 for each of-

\$100 nor more than \$10,000 for each of-fense; and any agent or officer so of-fending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$300 for each offense. a. It shall be unlawful for any railroad to demand, charge, collect or receive from any person, firm or cor-poration, a less compensation for the transportation of property or for any service rendered or to be rendered by said railroad, in consideation of said

person, firm or corporation, furnishing any part of the facilities incident thereto; provided, nothing herein shall be construed as prohibiting any railroad from renting any facilities incident to transportation and paying a reasonable rental therefor.

PREFERENCE PROHIBITED.

PREFERENCE PROHIBITED. Sec. 23. If any railroad shall make or give any undue or unreasonable preference or advantage to any partic-ular person, firm, or corporation, or shall subject any particular person, firm or corporation to any undue or unreas-onable prejudice or disadvantage in any respect whatsoever, such railroad shall be deemed guilty of unjust discrimina-tion, which is hereby prohibited and declared unlawful.

UNLAWFUL TO ACCEPT REBATES.

Sec. 24. It shall be unlawful for any person, firm or corporation knowingly to accept or receive any rebate, con-cession or discrimination in respect to transportation of any property wholly within this state, or for any service in connection therewith, whereby any such property shall by any device whatsoever, be transported at a less rate than that named in the published tariffs in force as provided herein, or whereby any service or advantage is re-ceived other than is therein specified. Any person, firm or corporation violat-ing the provisions of this section shall be deemed guity of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$50 nor more than \$1,000 for each offense. TREBLE DAMAGES. Sec. 24. It shall be unlawful for any

TREBLE DAMAGES.

TREBLE DAMAGES. Sec. 25. If any railroad shall do or cause to be done or permit to be done any matter, act or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter or thing required to be done by it, such railroad shall be diable to the person, firm or corporation injured thereby in treble the amount of damages sustained in consequence of such violation; pro-vided, that any recovery as in this sec-tion provided, shall in no manner affect a recovery by the state of the penalty prescribed for such violation.

PENALTY FOR VIOLATIONS BY OF-FICERS, AGENTS OR EMPLOYES.

Sec. 26. Any officer, agent or employe Sec. 26. Any officer, agent or employe of any railroad who shall fail or wil-fully refuse to fill out and return any blanks as required by this act, or shall fail or refuse to answer any questions therein propounded, or shall knowing-ly or wilfully give a false answer to any such questions, or shall evade the answer to any such question, where the fact inquired of is within his knowl-edge, or who shall upon proper demand fail or wifully refuse to exhibit to the commission or any commissioner or any commission. commission or any commissioner or any person authorized to examine the same

any book, paper, or account of such railroad, which is in his possession or under his control, shall be deemed whi-ty of a misdealmeanor, and upon cos-viction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000 for each such offense; and a pen-alty of not less than \$500 nor more than \$1,000 shall be recovered from the rail-road for each such offense when such officer, agent or employee acts in obedience to the direction, instruction or regust of such railroad or any general officer thereof. GENERAL PENALTY FOR when GENERAL PENALTY FOR VIOLA.

TIONS BY RAILROADS.

TIONS EY RAILFOADS. Sec. 27. If any railroad shall violate any provision of this act, or shall do any act herein probibited, or shall do or refuse to perform any duty enjoined upon it. for which a penuity has not been provided, or shall fail, neglect or refuse to obey any lawful requirement or order made by the commission, or any judgment or decree made by any court upon its application, for every such violation failure or refusal, such rairoad shall forfeit and pay into the state treas-ury a sum of not less than \$100 nor more than \$10,000 for each offense. In constructing and enforcing the pro-visions of this section, the act, omis-sion or failure of any officer, agent or other person acting for or employed by any railroad, acting within the scope of his employment, shall in cevery case be deemed to be the act, omission or failure of such railroad. EMERGENCY RATES

EMERGENCY RATES.

Sec. 28. The commission shall have power, when deemed by it necessary to prevent injury to the business or in-terests of the people or railroads of the state in consequence of interstate rate wars, or in case of any other emer-gency to be judged of by the commis-zion, to temporarily alter, amend, or with the consent of the railroad com-pany concerned, suspend any vision pany concerned, suspend any existing parsenger rates, freight rates, sched-ules and orders on any railroad or part of railroad in this state. Such rates so made by the commission shall apply on one or more of the railroads in this state or any portion thereof as may be directed by the commission, and shall take efficient at such time and remain in force for such length of time as may be prescribed by the commission.

RATES NOT SPECIFICALLY DES. IGNATED,

Sec. 29. Whenever after hearing and investigation as provided by this as, the commission shall find that any charge, regulation or practise affying the transportation of passengers or property or any service in competen there with, not hereinbefore specifical-ly designated, is unreasonable or up-justly discriminatory, it shall have the

TO THE PEOPLE!

WHAT THE PEOPLE SAY:

Hooper, Utah, Jan. 12, 1907. "Enclosed please find a few names (45) according to your request. I will add that I am heartily in accord with you in this direction. Success to you. Stay with ht: Yours respectfully,

Orton, Utah, Jan. 4, 1907. "The idea of this petition to the Legislature is congenial to my feelings. The railroad companies have surely charged the masses of the people exorbi-tant prices on freight and passengers. They really have been unreasonable have given free passes to the state officials, and other representatives have received free passes from the railroad companies to give to their friends. "I am of the opinion that a railroad companies to give to their friends. "I am of the opinion that a railroad companies to give to their friends. "I am of the opinion that a railroad commission appointed by the legis-lature would be a good thing for the State of Utah. "Send me some more petitions and I will get what signers I can. I will also scratch the representative from Garfield county on the back to vote for the railroad commission." La HELPER. Stanish Fork Utah, Jan. 5, 1907.

Spanish Fork, Utah, Jan. 5, 1907. "I have been burning bog-wood, old barrels and sagebrush for several weeks. I generally use about \$5,000 worth of coal. I have been in the coal business for 18 years, but in 1965 the Utah Fuel company saw fit to put me out of business, and they did it by refusing to sell me coal; also in 1906. "I have had but liftle coal, and this morning I am sending my team 12

miles distant after some. "I write this simply to show you that we are suffering for the want of coal." Yours respectfully.

"I had no idea of my letter even getting into print, or J certainly would have written more facts, and made it more plain. I regret ever saying anything about it, as I fear 'the heavy hand of the railroad.'"

Salt Lake City, Utah, Jan. 5, 1907. "I heartly approve of your steps, taken to secure from our railroads such freight and passenger rates as we areentitled to without discrimination.

Read every word of this. It concerns you. The necessity for a commission is plainly demonstrated by the keen antagonism of the railroads and their subsidized press. We are making this fight for the people. "Get into line" and let your representative understand that Utah demands a Railroad Commission.

Twenty-five Reasons Why Utah Needs a State Railroad Commission, and What a Commission Could Secure for the People

What the Newspapers Say-Continued:

brought the recalcitrant and purse-proud officials to time, and it is very nearly, if not quite, time for Utah to get busy and demand something in re-

brought the recalcitrant and purse-proud officials to time, and it is very near-ly, if not quite, time for Utah to get busy and demand something in re-turn. "The constitution contains a provision directing that uniform rates shall be established, but as yet no political party has had the nerve to carry out that provision. The Republicans are in complete control this whiter: they is no senator to elect; there need be no political jimmying, and we expet to secure some relief at the hands of the party. If the people do not get it there is going to be a kick made, and and we are not going to be at the this end of the procession, either." From the Inter-Mountain Republican, Nov. 26, 1906: "A railroad commission would insure a reasonable rate to the transports-

"A railroad commission would insure a reasonable rate to the transpara-tion companies, would give the people a rate they could easily pay, and would so vasily increase the business of the railroads of the state that they would make more money than they do now.

"Railroad companies in states where the commissions have been in ope-ation prove that statement to be true. "It is a step in the right direction—in the direction taken by the dis states. The quicker it is adopted in Utah, the beter it will be for our perfe-in the present, and in the future. "There will be no confiscation OF the railroads."

From the Inter-Modulation Republican. Nov. 29, 1906: "And if there we, the commission, the state's development would be a helped by the freedom the railroads could give, that in ten years this walk be the producing garden and the market and the distributing point for he whole region between the Rockles and the western slopes of the Sierra Ne

vadas." "Some state and some city is going to take that place. If it be use Utah and Salt Lake, it will be some other. "The one power that can veto or vitalize the movement is the railroads. They will not do it voluntarily. That would be asking something more than human nature usually concedes. But with a commission the state would be enriched, and the railroads would flourish in the era of a general and. "What will the representatives in the legislature do?"

From the Utah State Journal. Dec. 20, 1906:

"Trust that you succeed in your effort for the betterment of the community as a whole." Respectfully,

Annabella, Utah, Jan. 12, 1907.

"Enclosed find names of a few legal voters who have volunteered their aid in helping you with a just cause. All of these are of this place." Yours truly,

Riverton, Utah, Jan. 7, 1907

Riverton, Utah, Jan. 7, 1907. "I return petition signed as requested. We are pleased to see the matter taken up by yourselves and are unable to see why rallroads should so strenu-ously favor the policy of giving special rates to favorite parties, and of build-ing up certain firms and localities against their competitors. We know of certain extreme cases in the past where the rate to one firm was one-tenth the rate to another party. We have also met cases where the regular rate has been charged by the agent, but auditors' cheques have been given to cut the rate very materially. "We, however, do not expect any equitable treatment from the railroads as

long as every judge and legislator and assessor travels on the courtesy of the railroad companies." Yours very truly,

Ogden, Utah, Jan. 18, 1967. "However I heartily endorse the movement, and hope that we will be suc-cessful in getting a commission. If there is anything I can do to help the bill, command me."

Nephi, Utah, Jan. 13, 1907.

"Beyond all question such a commission is necessary in every state and without them the interstate commission will be able to produce only partial re sults

"
"My particular purpose in writing you is to give a pointer which has, perhaps not been brought to your attention. Already I have observed that some ralifonds are avoiding the annual pass question by sending trip tickets to those who have heretožore had annusis. This is, of course, an evaluation of the law which should receive attention and publicity. "Another thing which should be considered by local commission is the conditions of some of the roadbeds in the state. They are such as invite in the nake had accidents a certainty sconer or later. "No other great country in the world today will tolerate such conditions as are found in most of the public service corporations of the United States. The ralifonds are especially in the linelight just at present and every patriotic clinen should uphold every effort which looks toward reform. "Something especially should be done to bring the attention of the peo-tes have introduced. It must be confereed to the shame and disgrace of the state that our legislatures, recently in particular, have been openly brib-ica in the various functions (in the ralifonds, This in addition to the passes for themselves as well as their sisters and their cousins and their aunits."

Besides the above we have many others and thousands of signatures from

n every county in the state. The efforts of this association have been endorsed by— The Utah Federation of Labor, representing the entire labor interests

of Utah. The Retail Butchers and Grocers' association, representing over 150 of

The Heralf Futurers and Grocers' association of Utah. The Woolgrowers' association. The Manufacturers and Merchants' association of Utah. Ogden Real Estate association, and many others.

WHAT THE NEWSPAPERS SAY:

From the Inter-Mountain Republican, Sept. 21, 1906; "Beyond question this is a matter which will receive the attention of the next vession of the lectislature. The experience of other states, togeth-er with the records of conditions there before and after the enactment of a railroad commission law, will be secured, and in the light of all the facts the representatives of the people of Utah will take such action as may seem to them best for all the interests of this state. "Utah stands today at the threshold of a splendid career. If the crea-tion of such a commission shall promise material benefits for the shippers who are now largely at the mercy of transportation companies with which they do business, then it is a move that should be taken." Them the intere-Mountain Republican. Out 15, 1906:

From the inter-Mountain Republican. Oct 18, 1906: "We believe that much of the difficulty can be obviated by a wise and temperate exercise of the power of the state, and we believe the coming session of the bristature will take the action in the matter which the funda-mental law of the state requires at its hands."

From the Logan Republican, Nov. 17, 1906; "What this state needs is a railroad commission, made up of about three men who do not care a ligger about politics; who will not work for polity partisan advantages, but withan eye single to the welfare of the peo-ple of Utah, and we suggest in all can'dor to the next legislature that it create such a commission and put it to work. "Other states have them and they do well. No state has been ruined by a railroad commission's work, and the roads run trains and pay divi-dends. Iowa, Nebraska, Kanasa, Minnesota, and several others have

(Continued on last column.)

of the State.

A Commission would not be in possession of free transportation, and could act for the best interests of the peo-ple. Free transportation entails an obigation on the holder thereof to work and vote for the giver. Esau sold his birthright for a mess of pottage. DON'T BE AN ESAU.

A Commission would have the power given it by the state, which no individual has, to investigate the shipping rates on Coal charged by the Railroads, and ascertain why it is that while Salt Lake pays \$5.25 per ton, Mount Pleasant only pays \$8.50 per ton.

A Commission would prevent the Coal Companies from shipping Coal out of the state while our own citizens are suffering for the want of it.

A Commission would prevent the unjust discrimination in freight rates which at present enables certain well favored shippers to get reduced rates for distribution within the state as against others.

A Commission would investigate the arbitrary "Weighing Association," and permit of some method being adopted for a more reasonable manner of adjustment of disputed weights.

A Commission would investigate the "Pool Association" that exists and which serves to prevent competition.

A Commission would provide a means whereby less favored shippers desiring cars, would have some medium through which their requests would receive attention.

A Commission would have the power to investigate and regulate the unjust discrimination in passenger rates prevailing in some parts of the state, whereby certain localities are favored over others.

A Commission will prevent the giving of free transportation for the purpose of influencing shippers, and the creation of favorable legislation, contrary to the people's interests.

A commission will prevent the Railroads from laying their "Heavy Hand" upon the people who are unfortunate enough to incur their displeasure, and for seeking to secure their constitutional rights.

A Commission will increase such rates on Coal for Domestic purposes as will enable the consumer to live within his means, and still keep warm, by making the rates consistent with the distance hauled, the vital necessity for Coal, and the prices charged for the same in other states.

A Commission would regulate the rates on manufacturing Coal to that extent that hundreds of new industries which in the past year have refused to enter our borders owing to the high price of fuel, would be induced to estab-lish factories in our cities and towns.

A Commission would have the power to investigate the numerous fatal railroad accidents that occur within our state every year, and apply such penalties and restrictions as would insure the safety of the traveling public.

A Commission would serve to investigate and regulate the exhorbitant freight rates charged for short hauls within the state, which in many instances are higher than that charged for the same goods from far Eastern points.

A commission could save the citizens of the state over \$1,000,00 each year in the reduced price of coal made so by a reduction of the shipping rate on Coal from the mines.

A Commission would investigate and remedy as far as possible the poor service, poor road beds, and poorer equipment that makes the railroads of the state a constant danger to life and limb, and a menace to health and

A Commission would compel the railroads operating in the state to maintain adequate and decently equipped stations for the comfort and health of the traveling public, and the general weifars of the state

A Commission would co-operate with the Interstate Commerce commission in securing such rates for Utah will enable this state to occupy its natural position as the manufacturing and jobbing center of the Intermountain country.

A Commission would have the power to create, control and regulate freight rates within its own borders, given it by the state and confirmed by the Supreme Court of the U. S., December 16, 1906, which clearly and specificially places the power of such regulation upon the "State Railroad Commission."

A Commission would prevent the railroads from putting into effect, special rates at a moment's notice, for the purpose of favoring certain shippers, and certain shipments, in which frequently certain railroad officials are themselves pecuniarily interested.

A Commission would prevent as nothing else will, the raising of freight rates within the state, to offset the reductions in interstate rates which the Interstate Commerce Commission will undoubtedly cause to go into effect in the near future.

^{*} A Commission will have the power to investigate the earnings and expenditures of the railroads and to determine what the rates shall be, consistent, with a fair profit on the capital invested, and prevent the enormously large dividends and surplus which have been wrung from the earnings of the people.

A Commission will put new railroads seeking admission at our doors on an equality with those already operating within our borders, and make it possible for them to secure instant recognition and patronage.

A Commission will present the granting of free transportation to the law-makers and employes of the state, which still prevails in spite of the Federal laws, and which is the prime cause for the many infractions and pas-sive acquiescence, coupled with the unjust discriminations that are all too prevalent.

A Commission will save the railroads themselves thousands of dollars that are now annually wasted in free transportation, which saving can be applied to the reductions in freight rates. MANUFACTURERS & MERCHANTS' ASSOCIATION OF UTAH.

"And, notwithstanding the arguments they make, which would sound mearly as well as they would if they had been offered by Mr. Harriman him-self, we think the people of this state believe in a railroad commission, and feel to pray that the legislature will constitute one to carry out the consil-tution and the statutes. "Because in order to carry out those provisions, a commission must be created, having the power and the authority to perform specific acts."

From the Utah State Journal, Dec. 21, 1906: "Until the legislature enacts the constitution into statute, with adequate penalties for violation, the provisions therein are worthless, for while the con-stitution provides a method of protection it requires a statute to provide 3 vehicle for carrying that method into effect."

From the Tribune, Dec. 29, 1906. Copied from the Provo Inquirer:

"The opposition to a railroad law by some of the Sait Lake papers is the more astonishing when it is remembered that some of the Markov who are not opposing through the papers a law to regulate railroad rates and traffs, helped frame the constitution of the state, which makes it mandatory upon the legislature to enact such a law." the legislature to enact such a law."

From the Richfield Record, Jan. 10, 1907: "It seems to us that it is up to the railroad companies to be doing some-thing, and that mighty quick. The people are not in a humor to take chances of two years more of such treatment as they have received in the past before another legislative session is held. Railroad charges in this state are extortionate and accommodations and service abominable, and if the com-panies show no disposition to make changes for the better, then the people must take recourse to harsh methods."

From the Deseret News, Jan. 14, 1907:

"The rairoads have always been treated with great consideration. The may not have obtained any more than they are entitled to; yet it is and known, and the management of the roads know better than anyone else that in Utah they have not been under the necessity of spending last sums of money in order to obtain fair treatment. They have as a rule obtained all kinds of valuable concessions 'without money and without price.'"

WHAT THE RAILROAD COMMISSIONERS OF OTHER STATES SAY:

"We are of the opinion that our commission is a success." C, C, McChord.

Austin, Tex., Jan, 12, 1907

"We regard the railroad commission of Texas as a very great benefit to this state, and it is so regarded by the people generally."

"Will say that it has been of untold benefit to the people of this state." Thos. Yaop.

Asst. Secy. Springfield, Ill., Jan. 11, 1907, anies and the

"Has been conceded by both railroad companies and the people as abso-lutely necessary for the protection of both."—In addition to this, "Commis-sion has been in existence since 1871."

Wm. Kilpatrick Secretary.

"The Iowa railroad commission is a fixed institution. It has been well tried since 1885, and has proved a great benefit to the shippers and the rail-roads of Iowa, and has benefited both alike."

"The consensus of opinion in this state that while the railroad commission may not have been able to accomplish all that people generally desire, yet it is acknowledged to have been of great benefit, and a relief to shippers."

T. M. Bradbury. Secretary.

Columbus Ohio, Jan. 11, 1967. (Law passed creating commission, April 2, 1906.) Commission appointed Aug

1. 1906.) "In this brief space of five months the commission has in its own esti-mation accomplished much good and its promises of usefulness to the public are most flattering."

H. D. Mannington

Secretary. Madison, Wis, Jan U. 197. "The idea of the Wisconsin commission on the subject of railroat registrition is that a law should be passed in each state creating a commission and conferring ample regulative powers upon it. Wisconsin, has, we think is the whole, the best law of any state in the Union, excepting Ohio and Ohio law is copied practically verbatim from the Wisconsin law. We that the Wisconsin law has been a decided success."

"A success: Because it has the foundation of well halanced law and a "A success: Because it has the foundation of well halanced law and a forces its decrees by fines, collected through the courts." W. M. Bouvard Becretary. Adv.

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