

RAILROADS AND THEIR RELATIONS

Mr. Finley of the Southern Railway Discusses Them in Their Various Aspects.

THE TREND OF LEGISLATION.

Believes It Threatens the Prosperity of The Roads and the Country—He Appeals for Justice.

Atlanta, Ga., March 19.—At the annual dinner of the Atlantic chamber of commerce tonight President W. W. Finley of the Southern railway, who was one of the principal speakers, devoted his remarks entirely to the relations between the railroads on the one hand and the people and the state and national governments on the other hand. Mr. Finley indicated his belief that the present trend of legislation endangers the prosperity of the railroads and the country alike.

Mr. Finley said it had always been the desire of the railroads to maintain cordial relations with the people along their lines and that the railroads must cultivate the good will and co-operation of the people by the adoption and promulgation of economically sound principles in the conduct of their business.

"If the railroads are to secure the large amount of revenue necessary to enable them to meet the rapidly increasing demands for their services," he said, "their credit must be such as to assure investors of a reasonable return upon their money. The south now has rates that enable southern producers to market their products in widely separated home and foreign markets on such terms that they can compete successfully with similar products from other localities, but it has not the means of moving these products to market as promptly as is desirable. Every shipper wants lower rates. But when rates are so low as to enable him to reach competitors, prompt and efficient service becomes of more importance than rate reduction. The imperative need of the south today is improved transportation service. I am sure that the business men of this section will agree with me that improved facilities are more urgently needed than any reduction in charges."

While approving the policy of improving rivers and harbors at public expense, Mr. Finley contrasted the attitude of the public toward carriers by water and by rail, pointing out that the former pays nothing for his highway; that it is maintained and improved at public expense, while the carrier by rail must construct his own highway, pay heavy taxes and is subjected to increasing governmental supervision and regulation. He urged a popular understanding of the facts that rail transportation is more important than water transportation, expressing the belief that when the interdependence of the railroads and the people is understood, the people will be as reluctant to place obstacles in the way of railway improvements as they would be to oppose the improvement of waterways.

Expressing the belief that "there is danger that legislation intended to regulate railroads may prove to be an obstacle to their extension and development and may tend to make worse, instead of better, the conditions sought to be remedied," Mr. Finley cited as an illustration legislation proposing to impose penalties for failure to supply cars or to perform other services without regard to whether such failure is the result of wilful negligence. He declared the present demand for cars is beyond the capacity of the railroads and the car builders to supply, and that the imposition of car service penalties would compel discrimination in favor of shipments wholly within the borders of the state imposing the penalty.

"It must be apparent," said he, "that the inevitable result of this will be to bring about a competition of greed and rivalry between the states to see which can impose the heaviest penalty and secure the largest number of cars and the most prompt service, and that every penalty imposed for failure to do the impossible will reduce the ability of the road to secure more cars and other needed betterments. It must be apparent that such a policy in the long run will reduce the common law rule forbidding discrimination, which has been incorporated in the federal and state statutes. It compels discrimination in favor of the state imposing the heaviest penalty against other states and against interstate traffic."

After referring to the radical difference between the obligation on the shipper to pay demurrage charges when he withholds from a propertied common law rule forbidding discrimination, which has been incorporated in the federal and state statutes. It compels discrimination in favor of the state imposing the heaviest penalty against other states and against interstate traffic."

"In this matter and others which it is proposed to regulate by legislation, it is for the best interest of all concerned that the relations between the railway and those buying transportation from it should conform to the well established business rules that govern commercial transactions of all kinds. A railway corporation differs from other corporations generally in that it requires a larger amount of capital for the construction and operation of its plant than is needed in most other lines of business."

"Its capital can only be secured if those seeking investments can be reasonably sure of a fair return, and its business can only be conducted successfully and its facilities expanded if its income can be kept up to the point necessary to sustain its credit and enable it to secure new capital when required for these purposes."

"The transportation problem can not be solved in prejudice or passion or in any misunderstanding of the conditions that surround it. Its just solution calls for moderation and justice."

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on the part of the people and a full understanding and co-operation between our state and national governments and the railroads. In such an effort to work out successfully the problem, which is the great business and governmental problem of the times and which can only be solved on principles of construction, and not restriction, and in full recognition of the high and just purposes of both sides, may God-speed the railroads and the people of the great state of Georgia.

IMPORTANT TESTIMONY IN THE HERMANN CASE.

Washington, March 19.—Dr. Clarke B. Loomis, who is under indictment in Oregon in what is known as the Her- man-Fuhr conspiracy case, and also in a fencing case, was the principal



MRS. ELLEN B. McLELLAND.

Who Remembered the Prophet Joseph Smith and His Brother Hyrum. Ellen B. McLelland, who testified at the trial of the prophet Joseph Smith and his brother Hyrum, was the principal witness in the Hermann case. She testified that she was a native of England, being born in Preston, Lancashire, Nov. 19, 1820. She emigrated with her parents and brother to the United States and resided in Nauvoo, Illinois, for some time. Though only about six years old at the time she distinctly remembered attending the funeral services of Joseph, the prophet, and his brother Hyrum, and could recollect listening several times to preaching by the prophet. She also attended the memorable meeting held in Nauvoo, Aug. 8, 1844, when the cloak of Joseph fell upon the shoulders of President Brigham Young. At

witness in the Hermann trial here today. Dr. Loomis was produced by the government, and his testimony was regarded as important to show, as United States Atty. Baker stated, that Mr. Hermann had reason to destroy the letter books for which he is being tried.

Dr. Loomis said he had been a special agent for the land office in Oregon during the administration of President Harrison, and was reinstated soon after having been out during the Cleveland administration. He was dismissed shortly before Mr. Hermann retired from the land office. He identified from 25 letters, which constituted a correspondence between himself and Mr. Hermann as commissioner. He said he had marked and regarded as personal and confidential, and learned for the first time today that they had been placed in the files of the land office. The original letters from Mr. Hermann were secured by the government from the papers of Dr. Loomis. A series of letters relating to alleged falsification of claims by Dr. Loomis, and in one letter he begged to be allowed to resign.

Dr. Loomis admitted that he had "held up" S. A. D. Pater for \$250 with which he had been paid for certain reports he had made on 12 of Pater's homestead claims, and that he had previously received a like amount from Pater as expense money for examining and reporting on these claims. Pater has been convicted in the case which is known as the "Seven-Eleven" case. He is now here to testify for the government in the present case.

On cross-examination, Dr. Loomis said he had not informed Hermann that he received this money.

"I would not have dared to," he explained. "I would have been glad enough not to let any one know about it."

In a series of questions by Atty. Worthington to ascertain if the witness had been promised immunity by the government's attorney for testifying, it was ascertained that negotiations to this end had been carried on, but when the witness began to detail conversations regarding immunity he had with Pater after the latter's conviction, other objections were interposed, and the adjournment for the day came before a decision as to admitting them was reached. The witness had stated he had received no promise in the present case.

FOUND DEAD.

Calhoun Mason, Who Was to be Chief Usher at a Fashionable Wedding.

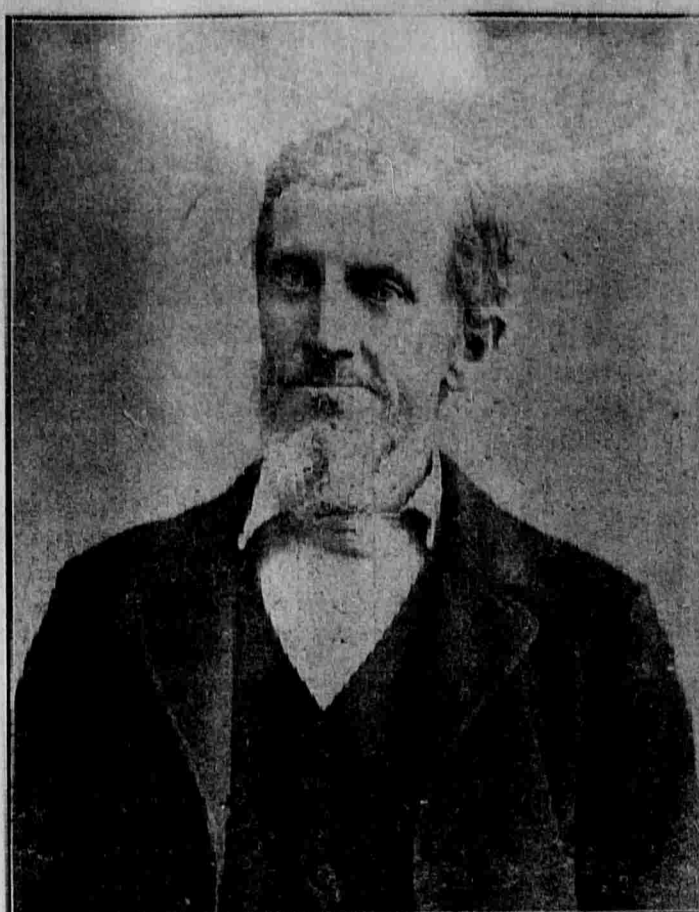
Chicago, March 19.—On the eve of the day that he was to officiate as usher at a fashionable wedding, Calhoun Mason, 24 years old, great-grandson of a former mayor of Chicago, and

a member of the prominent Mason family, was found dead in bed yesterday at his residence, 161 Lincoln Park boulevard.

INSURANCE SUITS.

Judge Hunt Gives Important Instructions as to Earthquake Clauses.

San Francisco, March 20.—Judge Hunt yesterday gave instructions to a jury in his court which have important bearing upon the many suits now being brought against various insurance companies which failed to pay the amount of their risk on the ground that a clause in the policies provided that the policy should be void if the building fell wholly or in part as a result of an earthquake. Judge Hunt, in instructing the jury, held that the clause applied only when the falling of the part of the building affected rendered the building unfit for occupation, or destroyed its usefulness.



JAMES RADFORD MILLARD.

Whose Funeral Took Place at Farmington on Tuesday of This Week.

The remains of James Radford Millard were laid to rest yesterday afternoon in the Farmington cemetery, after impressive services in the ward meetinghouse. The interior of the building was tastefully draped in white, white flowers and potted plants were much in evidence, and in a prominent place was a large picture of the deceased. The choir rendered several selections and J. E. Robinson, Darr Robinson and J. J. Sted contributed to the music of the occasion.

The speakers were President Grant Elders J. H. Clark, J. T. Smith and Bishop J. H. Robinson, all of whom

spoke in high praise of the life and labors of the deceased. The pallbearers were Patriarchs Williams, Tolman, Pace, Steed, Wilcox, Robinson, Barlow and Miller.

James R. Millard was born in Hildesheim, Somerset, England, March 22, 1827. He was baptized in his native land by Samuel Senior, being the only member of his father's family to identify himself with the church of Jesus Christ of Latter-day Saints. In 1833 Mr. Millard came to Utah and settled in Farmington, which was his home until his demise. He married Catharine Richards in 1854, who preceded

him into the spirit world. He is survived by four children, 22 grandchildren and two great grandchildren. The names of the children are John J. Millard, of Oakley, Idaho, William J. Millard, of Garden Creek, Ida, Mrs. Cella Grover, of Garland, and Mary Millard, of Farmington.



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AN IDEAL, ANTISEPTIC TOILET POWDER FOR INFANTS AND ADULTS.
This is an exquisitely perfumed, antiseptic toilet powder. It is a household necessity for the nursery and toilet. It keeps the complexion clear and preserves the velvety texture of youth. It should be used freely after bathing, giving a delightful and refreshing effect.
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COLORADO RAILWAY COMMISSION BILL.

Denver, March 19.—The senate today passed the railway commission bill, which had already passed the house. It now goes to the governor.

The commission is empowered to hear complaints in cases where the railroads are charged with discriminations and rebates; change the rates where they are found to be discriminatory, but such order shall be subject to review in the district court and later in the supreme court, should the railroads lose the case and appeal it to the highest tribunal. If the appeal has not been decided in 90 days, then in order of the commission shall become operative until a decision has been rendered.

There is also a reciprocal demurrage provision in the bill, which allows the collection, by the shipper, of \$1 a day from the railroad for the failure to deliver cars within a reasonable time after they have been ordered. The railroads now collect \$1 a day from shipper who fail to unload cars of freight to them after 48 hours.

Another provision gives the shipper the right of action against the railroads for any losses that might grow out of

failure of the common carriers to deliver cars within a reasonable time. These are the main features of the bill.

STANDARD OIL TRIAL.

Chicago, March 19.—The early session of the trial of the Standard Oil company today was given over to similar technical evidence to that presented yesterday. Many waybills were produced for identification, with the object of proving that cars of oil were shipped from Whiting, St. Louis.

ROOF COLLAPSES.

Eight School Children Killed in Public School in Durango, Mexico.

Torreon, Mexico, March 19.—Nine persons, eight of them school children, were instantly killed today and many others injured at Durango, Mexico, by the collapse of the roof of the public school building while the rooms were crowded with pupils. The dead include one of the teachers and eight members of her class. Scores were buried under the wreckage and debris and it is believed additional deaths will follow, as many of the victims are dangerously hurt.

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Friday and
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WHITE GOODS &
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EVERY YARD WORTH DOUBLE THESE SALE PRICES!
CAMBRICS, SWISSES AND MUSLINS IN ALL WIDTHS OF EDGES, INSERTIONS, BANDS, FLOUNCINGS, CORSET COVER, EMBROIDERIES, ETC., ETC.



We place on sale tomorrow, Thursday morning, the finest lots of embroideries that we have ever shown at these prices. They comprise three of the biggest purchases we have ever made and they were made especially for this Spring Selling Event.

It took weeks to unearth bargains such as these because with embroideries at top notch prices such as they command today it was no easy matter to find perfect goods that could be purchased at half price, but perseverance brought us in touch with importers that were glad to realize on goods immediately and we triumphed over the tremendous obstacle of high prices. The people look to Cohn's for greatest embroidery values and this sale will break all previous records for value giving, for finest qualities, for newness of styles and patterns, for fresh, clean merchandise in every particular.

This is the greatest embroidery opportunity this Spring, take heed and read on.

Immense variety of edges and insertions, values up to 20c per yard for	15c
Beautiful edges and insertion values up to 40c per yard for	20c
Exquisite edges, insertions, bands and galleons, values up to 50c per yard for	25c
Matched edges, insertion, bands, corset cover embroideries, wide galleons, etc. Values up to 75c per yard for	35c

Great Special Easter Sale!

OF FAMOUS S. H. & M.

GUARANTEED TAFFETA
SILK PETTICOATS
\$5.50

REGULAR \$6.00 TO \$8.00 VALUES.

It gives us more than ordinary pleasure to announce this most timely bargain offering of beautiful taffeta silk petticoats WITH A GUARANTEE, at the price of the ordinary unwarranted kinds.

They are made in very smart new ideas of ruffled and flounced styles all positive \$6.00 to \$8.00 values.

Judging by the number of these silk petticoats we sold a few weeks ago and the repeated inquiries for more, this sale should indeed create a sensation.

Among the tremendous range of colorings will be found black, white, gray, ecru, golden brown, seal brown, royal, navy and the most desirable changeable taffetas in great variety.

HERE'S THE TRIPLE GUARANTEE THAT WARRANTS THESE PETTICOATS.

We guarantee them to our customers, Stewart, Howe & May, the manufacturers, guarantee them to us and the silk mill that made the silk guarantees them to the manufacturer.



DR. HARRY PRATT JUDSON.

Formerly Installed as President of the University of Chicago.

Chicago, March 19.—Harry Pratt Judson was formally installed as the second president of the University of Chicago today. At his request the ceremony was simple and lacking in feature accommodations.

Thousands of former Coffee Drinkers now well.

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