

CONSOLIDATION RAISES RATES

Those on Union Pacific and Southern Pacific Are Higher Than They Were.

STUBBS ON WITNESS STAND.

Tells of Relations of the Two Roads—Didn't Quite Satisfy the Commission.

Chicago, Jan. 9.—Two attorneys representing the government, made determined efforts today to induce two traffic managers of transcontinental railroads to admit that a concentration of ownership means the stifling of competition in railroad traffic. The attorneys were Messrs. Severance and Kellogg, and the traffic managers were J. C. Stubbs of the Southern Pacific, and Union Pacific systems, and J. M. Hannaford of the Northern Pacific railroad. Both men contended that despite the consolidation of interests that has taken place between the Union Pacific and the Northern Pacific and between the Northern Pacific and the Great Northern, competition between the lines which are under the joint ownership is as sharp today as it ever was.

The examination of Mr. Stubbs covered all points connected with the history and traffic arrangements of the Southern Pacific, Union Pacific, Central Pacific and many of the allied lines which are now under the control of E. H. Harriman.

Mr. Stubbs asserted from first to last that the Union Pacific never had been an active competitor of the Southern Pacific on California business, for the reason that it had no outlet beyond Ogden over its route to California. Such competition, he said, as had existed between the two roads in the past is still in existence.

The Union Pacific, he claimed, is but a link in the transportation between the Missouri river and California and not a separate and independent line. In his opinion it never had occupied the position so far as through traffic was concerned. When asked if he did not believe that a railroad which has a large surplus, and is paying 10 per cent dividends is not in a position to face the public with lower rates than it has in effect at the present time, Mr. Stubbs with considerable feeling said that if the Union Pacific was the road under consideration he would urge the members of the interstate commerce commission and their attorneys to remember that while the Union Pacific may be a prosperous line, its stockholders had experienced many "lean years," and that there was no human guarantee that the present satisfactory conditions in railroad traffic throughout the country would be indefinitely maintained.

Upon the subject of stifling competition, Mr. Stubbs declared that it was not possible for this to be done in a matter which owned the parallel lines under consideration. Subordinates, with reputations to make or to sustain, would look to the interests of their lines against other lines, and competition must therefore inevitably follow. He asserted that James J. Hill, while probably the leading railroad man in the country, could not abolish competition between the Northern Pacific and the Great Northern because of the personal spirit of the men he employs. Mr. Hannaford expressed similar views regarding the stifling of competition.

The only other witness of the day was Mr. C. Markham, traffic manager of the Missouri Pacific, who was the first witness called before the interstate commerce commission, and whose investigation of the Harriman lines was resumed by C. A. Severance, of St. Paul, acting for the commission.

The next witness was J. C. Stubbs, traffic director of the Union and Southern Pacific system. Answering many questions, Mr. Stubbs said that the rates from Pittsburgh, Buffalo, or Wheeling ever went that way. Asked whether his Chicago office could not route freight either via New Orleans or Ogden, witness said that the line on which the traffic originated dictated the route. Mr. Stubbs said there was strong competition in Chicago for Pacific coast business.

Mr. Nehmeyer, the Chicago agent, was a competitor for the business. "He is,"

"Is he a competitor as between the Union Pacific and Southern Pacific?"

"As much as ever he was."

"That means he was never a competitor?"

"Mr. Nehmeyer has always been instructed to ship from this territory via Ogden. If he worked for any other road he violated his instructions."

Mr. Kellogg asked many questions regarding the competition between the Union Pacific and Southern Pacific, designed to show that the roads were, prior to 1901, but are not now, competitors.

Mr. Stubbs answered the questions satisfactorily to the attorney.

"I understand," said Mr. Stubbs, "what your idea is, but I am giving the facts as I know them."

"I understand perfectly," Mr. Stubbs, said Mr. Kellogg, "just exactly what you are giving me."

Mr. Stubbs declared that the attorney overlooked entirely the fact that the Union Pacific is a connection of the Southern Pacific.

"I don't overlook it at all," broke in Mr. Kellogg.

"And," continued Mr. Stubbs, ignoring the interruption, "they are not competitors for California business."

"And never were."

"Not according to my theory."

"How was it, then, when both roads were members of the pool on Pacific coast business, the Southern Pacific took 21 per cent of the Union Pacific 20 per cent of the business?"

"There were other lines in that pool, you must remember."

"Mr. Stubbs was asked if earlier in his connection with the Southern Pacific the Union Pacific made higher rates to California from points west of New York than from New York itself, because the Southern Pacific was compelled to assume the eastbound haul to New York in order to connect with steamship lines."

"That was done," said Mr. Stubbs.

"We had to be consistent."

"He was asked if at that time the

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I have invented a rupture appliance that I can safely say, by 20 years' experience in the rupture business, is the only one that will absolutely hold the rupture and never slip and yet is cool, comfortable, conforms to every movement of the body without chafing or hurting and costs less than many ordinary trusses. I have put the price



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so low that any person, rich or poor, can buy, and I absolutely guarantee it. I make it to your order—send it to you—you wear it, and if it doesn't satisfy you send it back to me and I will refund your money. That is the fairest proposition ever made by a rupture specialist. The banks or any responsible citizen in Marshall will tell you that is the way to business—always absolutely on the square.

Here is what Mr. Jas. Britton, a prominent manufacturer of Bethlehem, Pa., writes:

"C. E. Brooks, Esq. Dear Sir:—I have been ruptured six years and have always had trouble with it till I got your appliance. It is very easy to wear, fits neat and snug and is not in the way at any time, day or night. In fact at times I did not know I had it on. It just adapted itself to the shape of the body and changed the spot no matter what position I was in. It would be a veritable God-send to the unfortunate who suffer from rupture, if all could procure the Brooks Rupture Appliance and wear it. They certainly would never regret it. My rupture is all healed up and nothing ever did it but your appliance, Jas. Britton."

If you have tried most everything else, come to me. Where others fail is where I have my greatest success. Write me today and I will send you my catalogue and a copy of the circular showing my appliance and giving you prices and names of people who have tried it and been cured. It is instant relief when all other fails. Remember I use no harsh medicines, no pills. Just a straight business deal at a reasonable price.

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Southern Pacific was not opposed in the making of these rates by the Union Pacific.

"Oh, I don't think so," he replied.

"Were they not competitors for Pacific coast business at that time?"

"They were; that is, the Southern Pacific proper was a competitor of the line formed by the Union Pacific and the Southern Pacific west from Ogden."

Mr. Stubbs, in answer to questions, said prior to 1901 the Union and the Southern Pacific had separate collectors in various cities seeking the same Pacific coast business.

Mr. Kellogg asked Mr. Stubbs if he would permit the cutting of rates by the Southern Pacific in order to take business from the Union Pacific, or vice versa.

"No," he replied.

"Did you not say that the Southern Pacific in order to take business from the Union Pacific prior to the consolidation?"

"I think not."

"You never did that?"

"No."

"Never cut any rates?"

"We never originated any cut rates."

"Are not transcontinental rates about 10 per cent higher than before the consolidation?"

"All the lines tried to advance rates about 10 per cent, but it could not be maintained."

Mr. Kellogg submitted to the witness statements showing that the Union Pacific had prospered greatly in the last few years, and asked if in view of this he considered the present rates as equitable.

"I consider them entirely reasonable."

"And the competition between the Union Pacific and the Southern Pacific is keen?"

"Just keen."

"Do you think this?"

"No; I know it."

Commissioner Clements asked if the Southern Pacific owned stock in the Southern Pacific Express company. Mr. Stubbs replied he believed it did. He was asked if the Union Pacific held stock in the Western Fargo company. The witness was unable to answer, but the Union Pacific attorneys said that the railroad held about 40 per cent of the express company's stock.

In response to Mr. Kellogg's questions, Mr. Stubbs declared there is as much competition between transcontinental lines as there ever was.

"Wouldn't that fact," asked Mr. Lane, "that two roads, such as the Northern Pacific and the Great Northern, are under one ownership, have any effect on rates?"

"I don't believe it would have a particle of effect," said Mr. Stubbs.

In replying to further questions of Commissioner Lane, Mr. Stubbs said that while the Southern Pacific dealt preferentially with the Union Pacific, it had a reciprocal arrangement with the Denver & Rio Grande, by which the Rio Grande & Ogden as much traffic as it receives from that line.

Commissioner Clements asked Mr. Stubbs if he would sanction an increase of rates, with the knowledge that his competitors were going to do the same.

"I wouldn't dare to do it," replied the witness.

"Then you isn't such a thing as an independent line?"

"It is just an independent as any member of society can be. Every man in the community is compelled to forego a portion of his natural rights for the good of the whole. I see no difference in the case."

"If a company," said Commissioner Clements, "is paying 10 per cent dividends, isn't that a ground for reducing rates?"

"I don't know," said the witness, "that it is expedient for me to give my personal opinion on that. If you are referring to the Union Pacific, I would say that it is well to remember the lean years that the Union Pacific stockholders have gone through. Under the circumstances, I should not say that reduced rates are called for."

Mr. Milburn, in commencing the cross-examination, said:

"There may be lean years in the future, may there not?"

"I hope not, but I am afraid there will be, the last few years have been very exceptional in regard to the railroad business."

Mr. Milburn brought out from Mr.

Stubbs the statement that he considered the 30-day notice of proposed alteration of rates as directed by the new rate law, as a distinct benefit, because he believed it would bring about increased stability of rates.

Questioned by Commissioner Harriman regarding railroad competition, Mr. Stubbs said that one owner of the lines did not mean the destruction of competition.

"Mr. Hill," he said, "is probably the leading railroad man in this country. He would, if he could, destroy competition between the Great Northern and Northern Pacific. He must employ vice presidents and general managers to uphold or to construct. They will work for their own line against the other line, and competition is inevitable. If Mr. Hill should take the spirit out of his men he might as well hand their management over to a \$100 clerk."

Mr. Stubbs was succeeded on the stand by J. M. Hannaford, senior vice-president of the Northern Pacific, who is in charge of the traffic on that line.

Mr. Hannaford said that in the pool conducted prior to 1887 the Union Pacific and Southern Pacific were represented as separate lines. He had always considered the Southern Pacific and the Union Pacific, in connection with the Great Northern, as a combination of the Northern Pacific for Portland traffic. The Northern Pacific could not be an active competitor of the Southern Pacific on business from the east to San Francisco. The latter line had service of the latter line between New York and Galveston could not be equal across the lakes. Mr. Hannaford did not consider a combination of transcontinental lines meant destruction of competition, and declared the business rivalry between the Great Northern and Northern Pacific is sharper today than before they went under the same management.

"Mr. Hannaford, I will illustrate," said Mr. Severance. "Don't you believe that the existing rate differential between Chicago and St. Paul is superior to that between New York and Boston because there are rival lines between the latter two?"

"I don't know that they are 'horror,' replied the witness.

Well, they are," said Mr. Severance. "The existing rate differential between Chicago and St. Paul is superior to that between New York and Boston because there are rival lines between the latter two?"

Commissioner Lane asked Mr. Hannaford many questions as to whether or not a consolidation of ownership did not mean a stifling of competition. The witness did not think that such a result would necessarily follow.

"Do you believe," asked Atty. Kellogg, "that the philanthropic men who in New York who own these lines will give the best service they can of their own accord?"

"They have very little to do with the operation of the roads," said Mr. Hannaford. "The men who actively operate the lines will give the best service they can."

The witness was asked by the attorneys for Mr. Harriman just how great a factor in bringing business to a railroad was a reduction in rates. Mr. Hannaford said it depended upon circumstances.

"Suppose," said Mr. Lane, "that you announce a reduction of rates on a commodity. Would the announcement have a competitive effect on the market? This cut by a reduction on something else deter you from making your proposed reduction?"

"If it stood to lose more than I would gain. Once it would not, but now I am older than I used to be."

The hearing was adjourned until 10 o'clock tomorrow morning.

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"To keep the body in tune," writes Mrs. Mary Brown, 20 Lafayette Place, Poughkeepsie, N. Y. "I take Dr. King's New Life Pills. They are the most reliable and pleasant laxative I have found. Best for the stomach, liver and bowels. Guaranteed by Z. C. M. I. Drug Dept., 112-114 South Main Street, 25c."

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BILL TO LIMIT HOURS OF SERVICE ON RAILWAYS.

Washington, Jan. 9.—In view of the fact that the senate has agreed to limit the hours of service on the bill limiting the hours of service on the employees, considerable time was devoted in the senate today to that measure.

Senator LaFollette gave notice that he would move to amend the bill immediately after routine business tomorrow.

The debate was opened by Mr. LaFollette, who declared that the measure would reduce the hours of service of the national organization of all classes of railway employees and that the opposition now being manifested was the result of the railroad being forced by the railroad to present protests.

The discussion was participated in by Senators Bacon, Dooliver, Patterson, Hiram, Gallinger and Beveridge.

In support of his contention that the railroad had been very busy since the last session in developing opposition to the bill, Mr. LaFollette read a set of resolutions condemning the bill.

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When the 43-hour record was given Senator Beveridge wanted to know the road on which the accident had occurred. He said he was shocked, as he believed every other service on that any road would keep a man on duty 43 hours.

Senator LaFollette said for obvious reasons he would not give the name of the road and explained that he expected that in many cases the men themselves were responsible for the long hours.

A BANKER'S NERVE

Broken by Coffee and Restored by Postum.

A banker needs perfect control of nerves, and a clear, quick, accurate brain. A prominent banker of Chattanooga tells how he keeps himself in condition:

"Up to 17 years of age I was not allowed to drink coffee, but as soon as I got out into the world I began to use it and grew very fond of it. For some years I noticed no bad effects from its use, but in time it began to affect me unfavorably. My hands trembled, the muscles of my face twitched, my mental processes seemed slow and in other ways my system got out of order. These conditions grew so bad that I had to give up coffee altogether."

"My attention having been drawn to Postum Food Coffee, I began its use on leaving off the old habit. It gave me pleasure to testify to its value. I find it a delicious beverage; like it just as well as I did coffee, and during the years I have used Postum I have been free from the distressing symptoms that accompanied the use of coffee. The nervousness has entirely disappeared, and I am as ready of hand as a boy. I have used Postum Food Coffee for 10 years. Name given by the Postum Co., Battle Creek, Mich."

"There's the reason," said the banker, "that I have been free from the distressing symptoms that accompanied the use of coffee. The nervousness has entirely disappeared, and I am as ready of hand as a boy. I have used Postum Food Coffee for 10 years. Name given by the Postum Co., Battle Creek, Mich."

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