RAILWAY POOLING.

The Whys and Wherefores, by George R. Blanchard.

I.—WHAT IS A RAILWAY POOL?

It is simply an agreement between rival railways to apportion the tonnage or earnings of competitive traffic carried at like rates previously published. Only the rates touch the public interest and clearly some rate standard must be just and reasonable. Being so fixed, legally announced, filed with the government, made subject to its reasonable supervision and uniformly collected, the public is not thereafter concerned as to how the proceeds thereof are shared by parallel any more than by connecting carriers. Pool agreements and rate agreements are distinct and separate. Rates may change while pool agreements long continue unaltered.

II.—WHY CANNOT RATES BE ADHERED TO WITHOUT POOLS?

Because rival routes differ in facility to gather, carry and distribute traffic; because different localities strive for advantages; because some large shippers are persistent pleaders for preferences and may shuttle their traffic from line to line and combine their tonnage with other shippers to deplete rates; because some railway managers then yield to such shippers, or seek them in the first instance; because combinations of such shippers and railways jeopardize the rewards due to business probity, skill and capital, and also establish reduced rates for other railways; because in such cases if the first rate be just the reduced one is unjustly low; because if equal rates deplete the traffic of the weaker lines they will not enforce those rates; because strong lines retaliate if their tonnage is thus diverted, and rebates thus ensue with both; because such individual and corporate strifes injure some railways by loss of business and others by the loss of proper profit; because such methods also injure the smaller shippers discriminated against, who are the greater in numbers and tonnage, and because in such contentions only the favored receivers of illegal concessions reap the profits.

III.—HOW WILL LEGALIZED POOLS CORRECT THIS?

By vitalizing proper railway rate agreements with the public sanction, thus making them enforceable; by substituting beneficial public and corporate purposes for disastrous antagonisms; by assuring to railways weak in facilities or purpose due shares of tonnage or the proceeds derived therefrom; by substituting verities for the shippers' rumors, misrepresentations and withdrawals of business which are used to incite broken rates; by putting localities on more proper relative bases; by conforming to the Interstate act, which says that rates shall not "be more or less," by combining the facilities of the agreeing lines as though they were one company carrying the tonnage of all the merchants of a community as one firm; by reducing the needless waste and expenses caused by rate warfare; by stopping the averaging of reduced rates with higher ones, which tends to lower standard tariffs; by establishing more stable rates; by minimizing improper devices; by putting large and small commercial rivals on a carrying parity, and by conducing to better commercial railway management, all of which accomplishments will aid the interstate commission to do that which they have not done and never can do without pools.

We prove these premises by the analogy of telegraphs. Railways transport persons and goods; telegraphs transmit information. Each formerly indulged in similar rate wars. When Mr. Gould substantially consolidated the wires he gave better facilities, reduced day rates, made lower night rates, made all charges more uniform, and the Western Union and postal tariffs are now alike. No one expects a preferential telegraph drawback. Yet these good results were unaided they were also unhindered by law, and achieved all that legalized telegraph pools could. It is therefore manifest that the present irregular transportation methods under the Interstate Act represent more reprehensible public effects.

IV.—IT IS AVERRED THAT POOLS WILL STOP COMPETITION.

A distinguished United States senator said of railway rivalry:

"It differs from every other kind of competition in the world. . . . It is not competition in trade. The railroad buys nothing of the producer; it sells nothing to the customer; it simply carries."

We cannot apply the term "competition" to railway rates as to buying and vending goods. The word begets the initial thought of bargaining, which is the unchallenged right of merchants, trusts, and trade exchanges, but similar dickerings by railway companies are illegal at common law, and are punished with fine and imprisonment by statute. Traders may buy and sell with reference to their own or their patron's capital, credit, manufacturing facilities, quantities bought, scarcity of wares, etc., but railway companies cannot so vary their charges for like or other reasons. Their rates cannot be legally sold over railway bargain counters.

In trade expeditions, yachting, athletic games, horse races, and even in prize fights, to buy an award, weaken a spar, hamstring a horse or drug a contestant, are in a sense competition, but are dishonorable. So is the secret cutting of local railway tariffs, which merely sells transportation to the lowest bidders, regardless of equality, equity, service, cost, profit, law, or the rights or rectitude of others. This is not fair rivalry more than are auction sales of pawned, bankrupt or damaged goods. It is the extinction of true competition and the destruction of legitimate methods and incomes. It rewards the preferred patron and the plant carrier, and punishes those most deserving.

Commissioner Schoonmaker said of this condition:

". . . and this pernicious power . . . is protected by law upon the inadequate and once reasonable theory, but now fully demonstrated fallacy, that unrestricted competition among railways was a public benefit."

True carrying competition means the due adjustment of transportation charges to the uncontrollable and unpoolable rivalries of oceans, rivers, lakes and canals to changing commercial conditions, and to those competing localities here and abroad which gather, sell, consume and import or export. It means offering superior general facilities, more and safer tracks and trains, better discipline and more celerity and security of public service. To some extent false "competition" retards these legitimate emulations by the losses which ensue.

V.—RAILWAY POOLS ARE NOT RAILWAY TRUSTS.

Trusts combine rival interests to control buying or enhance sale prices, and to cripple or annihilate lesser competition. Trust prices are not legally required to be publicly posted. Trusts do not currently report their incomes, prices or profits to public authorities. Trusts may grant various sale terms and preferences, or decrease production to increase gains. Contrariwise, interstate railway rates must be filed with a commission named by the president, confirmed by the senate and divided politically. Railway companies must make detailed reports to their charter states, or to the national government, or both. They cannot combine to advance charges but must determine them with reference and deference to the law, to potential and conscious elements of natural competition and to irrational and wasteful strife. Their rates and fares are subject to legal review. They must not charge more between local points than between the next further common points. They all seek to enlarge trade, and cannot restrict or obliterate competition. Bankrupt railway companies may make the lowest rates for the most solvent ones. They represent the only selling which may increase its business on insolvent capital. There can not, for that reason, be a transportation monopoly. Every railroad built therefore becomes a perpetual and vital public agency of commerce and when two of them share a common traffic it is not a trust in principle, purpose or effect.

VI.—COMPETITION AND TRUST THEORIES FURTHER REFUTED BY THE PROOFS OF HISTORY.

The Windom committee of 1874 reported that national ownership and control were "the only means of securing and maintaining reliable and effective competition between railways."

This was a false forecast, because in 1873 the average national freight rate was 270 per cent of that charged in 1896. If the rates of 1873 had been charged in 1896, the freight earnings would have been $1,304,000,000 greater than they were in that one latter year, or 290,000,000 more than the entire indebtedness of the states and territories in 1890.

Next. Between the years of the Windom and Cullom reports, the average rate for carrying one ton one mile was reduced 49 per cent and the average passenger fare 26 per cent, both without national railway control or congressional enactment, and while pools were permissible. These decreases were therefore clearly voluntary, or were produced by the natural commercial powers before cited.

VII.—WHY HAS NOT THE INTERSTATE ACT FULFILLED SOME OF THE PURPOSES RAILWAYS DESIRE?

That act was modeled on the English acts from 1854 to 1873, but it interdicted the pools which foreign companies might form. This was as if American physicians had discarded the world's best discovery for curing epidemic disease. It was as if congress refused to enact those recommendations of army or navy experts which were undeniably for the public security.

Neither the authors nor those who made it law intended to protect railways or to create mutual interests between government and carriers. Its provisions were mandatory, and not remedial. It gave railway companies no aids to the reforms the public justly required. It enacted the perversion that railway warfare is synonymous with mercantile competition. It fostered the fallacy that rates should be alike by one railway, but that it was publicly desirable and legal that they should vary upon rival railways. It did not offer practical helps to the carriers to tell forwarders they must regard reasonable freight rates as uniform and firm as postage and importers. It held the railways wholly responsible for all carrying wrongs and devolved their correction solely upon them also.

Ten years of such actual results with the act, as was clearly predicted before its passage, have again demonstrated here, as abroad, that reasonable rates should, in the public as well as the railway interest, be upheld legally by any means proper and essential to that just intent.

VIII.—THE ANALOGIES OF GOVERNMENTAL TARIFFS.

The congress which publishes import, postal, internal revenue, land and consular tariffs is, for these purposes, a business association of the states, as the railway companies which traverse those states similarly associate. The charges published by the governmental association are not capricious or preferential, and are impartially collected. Government also pays in full the railway tariffs fixed for the carriage of its mails, troops and supplies, and it does not plead that "competition is lessened" or trade restrained" thereby. No private patron should be paid rebates which his government does not receive and which its laws also forbid him to accept. If the government purchased the railways it would be compelled to decide rates as we do now and would enforce them inflexibly. In that sense misconceived railway competition would cease, and if a government railway officer then cut rates preferentially as to seasons he would be dismissed and punished as a customs officer would be now who connived at undervaluations for favored importers.

Further, if mere preferences are competition, should not postage stamps be sold cheaper in New York than at country offices conducted at a loss? Should not the customs dues at New York be less to large importers than to smaller ones, and less to importers through Boston than through Bath, Me.? Should not the same principle sell public lands at the cheapest prices to large rather than small purchasers and make internal taxes different to various payers?

Moreover, if transportation is a governmental function, merely delegated in part to carrying corporations, should not the government confer upon them those reasonable and duly guarded delegations of the powers which it would be compelled to exercise to secure the uniform observance of its charges if it administered the same railways?

Railway owners are confronted with the greater problems because they possess none of the rights of government to solve them. To reply that they must settle their own issues, and yet forbid them legal sanction to do so in the best way, is the sophistry of hostility or the answer of theory. Government does not so reply to any other great national interest but ours.

President McKinley especially convened the congressional association to say that public incomes, business confidence and the due protection of American interests required increased import tariffs and congress concurred by eighty-four majority. The supreme court, by one majority, almost simultaneously declared that an anti-trust act of congress meant that a railway association which had reduced transportation charges should not agree even to that public end, even in order to secure the uniformity of rates which is the dictum of the interstate act. This is not impartial public action.

Our railways collect about seven times the customs dues and three times the combined public revenues. It is therefore more essential to more people that the larger railway collections be as uniform as those of the government, because railway charges relate measurably to every inhabitant.

IX.—HAVE THE RAILWAYS CONFERRED SUCH PUBLIC BENEFITS TO ENTITLE THEM TO SUCH LEGISLATIVE CONSIDERATION?

The United States, with over one-half of the world's railway mileage, affords 26.5 miles for every 10,000 inhabitants, while Germany, France, England, Austria and Belgium furnish an average of but 5.4 miles.

Our freight rates now average but 63 per cent of those charged in those countries. Had we charged the lowest of the received European rates in 1892, we would have collected $270,000,000 more than we did in that one year, yet in 1896 our average passenger fares were further reduced over 6 per cent and freight rates about 13 per cent.

Had our average freight rate in 1888, the first full year of the interstate act, been charged in 1896, the freight revenues would have been increased over $122,000,000, or 16 per cent. During the same period railway taxation increased 54 per cent.

(To be continued.)

FITZSIMMONS TO ENTER THE RING.

He Will Meet All Comers When the Proper Time Comes.

Chicago, Dec. 28.—Martin Julian said today on behalf of Fitzsimmons that he will defend his right to the title of champion. Mrs. Fitzsimmons has released him from his promise of retirement.

LOMBARD CLEARS FOR THE ORIENT

Portland, Or., Dec. 28.—The O. R. & N. steamer Lombard cleared for China and Japan today with a cargo valued at $155,000, the principal items being 1000 tons of cotton and 13,400 barrels of flour. The steamer was obliged to refuse a large amount of freight offered.

THE TURK IS WILLING.

Washington, Dec. 28.—Indication of the willingness of the Turkish government to oblige the United States minister at Constantinople, who has been pressing for the punishment of the murderers of the American bicyclist Lenz, is contained in a cablegram from Minister Angell, received today at the site department, and announcing that the murderers have been convicted and sentenced to 15 years imprisonment. The murderers, however, are at large, having escaped some months ago into the Russian Caucasus, although the government has prosecuted and sentenced them in their absence.

CONDENSED TELEGRAPH.

George U. Piper, of the Seattle Post-Intelligencer, who has been seriously ill in Chicago, is convalescent, and will start for home the last of this week.

The noted priest, the Very Rev. Corbin, of Notre Dame, head of the order of the Holy Cross, chaplain of the famous Ohio brigade, and commander of the G. A. R. post of priests of Notre Dome, died yesterday at South Bend, Indiana.

The Bank of Bombay has increased its rate of discount to 9 per cent.

William D. Carter, aged 70, probably the oldest printer in Oregon, died yesterday in Portland. In 1859 he was one of the publishers of the "Western Star" at Milwaukie.

Adlai E. Stevenson, formerly vice-president, has accepted the position of western counsel for the North American Trust Company, of New York, with a membership in the board of directors.

Dangerous Lard

Lard at its best is unwholesome, indigestible. It makes food shortened with it soft and greasy. At its worst, it is unhealthful and filled with dangerous bacteria. It is condemned by every medical and culinary authority.

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The genuine is sold everywhere in one to ten pound pails, with our trade marks, "Cottolene" and steer's head in cotton-plant wreath, on every tin. Not guaranteed if sold in any other way. Made only by

THE N. K. FAIRBANK COMPANY,

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To the aged, with their poor appetite, feeble circulation, and impoverished blood, Ayer's Sarsaparilla is a boon beyond price. Its effect is to check the ravages of time, by invigorating every organ, nerve and tissue of the body. See Ayer's Almanac for the new year.

The fur pelerine is the smartest of all winter garments.

CASTORIA.

The fac-simile signature of Chas. H. Fletcher is on every wrapper.

All sorts of pretty neckwear in attractive boxes suggest Christmas gifts of unusual desirability.

So thorough is the excellence of Ayer's Hair Vigor that it can be used with benefit by any person, no matter what may be the condition of the hair, and, in every case, it occasions satisfaction and pleasure, in addition to the benefit which invariably comes from its use.

When you feel ill the ordinary routine of the day seems the hardest of hard work.

It wont be long now before the annual sale of muslin underwear begins.

A woman finds a true woman friend worth a dozen so-called sweethearts.

ASSIGNEE'S NOTICE TO CREDITORS.

Notice is hereby given that the undersigned has this day been appointed assignee of Rebeccah Strauss, an insolvent debtor. Creditors of the said assignor are hereby notified to present their claims under oath to the undersigned within three months from this date at his place of business at No. 575 Commercial street, Astoria, Oregon.

Dated this eleventh day of September, 1897. N. SCHLUSSEL,

Assignee of Rebeccah Strauss, an insolvent debtor.

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BOND STREET ASSESSMENT NOTICE.

Notice is hereby given that the assessment made by ordinance No. 2311 of the City of Astoria, confirming the assessment on roll No. 29, for the improvement of Bond street from the west line of Ninth street to the west line of blocks 16 and 17, McClure's Astoria, will be due and payable in United States gold coin at the office of the city treasurer, January 5, 1898, and if not so paid at said time the common council will order warrants issued for the collection of the same. The assessment is as follows:

Bracker, Theodore, lot 3, block 22 McClure's Astoria 69 62
Bowlby, J. Q. A. (trustee), lot 3, block 17, McClure's Astoria..... 63 62
Bowlby, J. Q. A. (trustee), lot 4, block 17, McClure's Astoria..... 63 62
Boelling, Mrs. P., lot 5, block 9, McClure's Astoria 69 62
Boelling, Mrs. P., lot 6, block 9, McClure's Astoria 69 62
Boelling, Mrs. P., lot 7, block 9, McClure's Astoria 69 62
Dunbar, Lillian, lot 4, block 21, McClure's Astoria 69 62
Dunbar, Lillian, lot 1, block 22, McClure's Astoria 69 62
Elliott, George H., lot 3, block 11, McClure's Astoria 69 62
Flavel, Mary C., und. half of lot 3, block 24, McClure's Astoria..... 34 81
Flavel, Mary C., und. half of lot 4, block 24, McClure's Astoria..... 34 81
Flavel, George C., und. sixth of lot 3, block 24, McClure's Astoria.....11 60
Flavel, George C., und. sixth of lot 4, block 24, McClure's Astoria.....11 60
Flavel, Nellie, und. sixth of lot 3, block 24, McClure's Astoria.....11 60
Flavel, Nellie, und. sixth of lot 4, block 24, McClure's Astoria.....11 60
Flavel, Katie, und. sixth of lot 3, block 24, McClure's Astoria.....11 60
Flavel, Katie, und. sixth of lot 4, block 24, McClure's Astoria.....11 60
Ferguson, J. E. (as guardian of Ernest E. Ferguson), lot 3, block 21, McClure's Astoria 69 62
First National Bank, lot 6, block 10, McClure's Astoria 69 62
Hobson, Anna K., lot 3, block 20, McClure's Astoria 63 62
Hobson, Anna K., lot 4, block 20, McClure's Astoria 63 62
Hyland, Martha E., lot 6, block 11, McClure's Astoria 69 62
Kamm, Jacob, lot 7, block 13, McClure's Astoria 63 62
Kamm, Jacob, lot 8, block 13, McClure's Astoria 63 62
Munson, J. W., lot 1, block 21, McClure's Astoria 69 62
Munson, J. W., lot 2, block 21, McClure's Astoria 69 62
Page, C. H., lot 2, block 22, McClure's Astoria 69 62
Patton, F. (trustee), lot 8, block 10, McClure's Astoria 69 62
Parker, C. L., lot 1, block 24, McClure's Astoria 63 62
Parker, C. L., lot 6, block 13, McClure's Astoria 63 62
Parker, C. L., lot 5, block 13, McClure's Astoria 63 62
Parker, Catherine H., lot 5, block 12, McClure's Astoria 69 62
Parker, Catherine H., lot 6, block 12, McClure's Addition 69 62
Rohr, Charles H., lot 7, block 11, McClure's Astoria 69 62
United States, lot 1, block 23, McClure's Astoria 69 62
United States, lot 2, block 23, McClure's Astoria 69 62
United States, lot 3, block 23, McClure's Astoria 69 62
United States, lot 4, block 23, McClure's Astoria 69 62

The above are payable in full January 5, 1898.

The following are payable in installments, the first installment January 5, 1898:

Bottom, Harriet A., lot 1, block 17, McClure's Astoria 63 62
Bottom, Harriet A., lot 8, block 16, McClure's Astoria 63 62
Bergman, Isaac, lot 7, block 10, McClure's Astoria 69 62
Bergman, Isaac, und. half of lot 7, block 12, McClure's Astoria..... 34 81
Bergman, Isaac, und. half of lot 8, block 12, McClure's Astoria..... 34 81
Christianson, H. und. half of lot 7, block 12, McClure's Astoria..... 34 81
Christianson, H., und. half of lot 8, block 12, McClure's Astoria..... 34 81
Crosby, F. A., lot 4, block 22, McClure's Astoria 69 62
Carnahan, R. N., lot 3, block 19, McClure's Astoria 63 62
Carnahan, R. N., lot 4, block 19, McClure's Astoria 63 62
Davidson, George, lot 1, block 20, McClure's Astoria 63 62
Davidson, George, lot 2, block 20, McClure's Astoria 63 62
Gearhart, J. W., heirs of, John Neal Gearhart, Edgar G. Gearhart, Phillip E. Gearhart, Esther Gearhart, and Celestia Gearhart, widow, lot 8, block 9, McClure's Astoria 69 62
Hahn, John, lot 1, block 18, McClure's Astoria 63 62
Hahn, John lot 2, block 18, McClure's Astoria 63 62
Loeb, William L., lot 2, block 24, McClure's Astoria 69 62
Marion R. R., lot 5, block 16, McClure's Astoria 63 62
McPharland, Mary A., lot 2, block 17, McClure's Astoria 63 62
Nolan, Michael, lot 1, block 19, McClure's Astoria 63 62
Nolan, Michael, lot 2, block 19, McClure's Astoria 63 62
Progressive Loan and Building Association, lot 5, block 11, McClure's Astoria 69 62
Parker, H. B., lot 5, block 10, McClure's Astoria 69 62
Parker, Alice C., und. fifth of lot 7, block 16, McClure's Astoria..... 12 72
Parker, W. W., lot 5, block 14, McClure's Astoria 63 62
Parker, W. W., lot 6, block 14, McClure's Astoria 63 62
Parker, W. W., lot 7, block 14, McClure's Astoria 63 62
Parker, W. W., lot 8, block 14, McClure's Astoria 63 62
Reed, Granville, lot 3, block 18, McClure's Astoria 63 62
Reed, Granville, lot 4, block 18, McClure's Astoria 63 62
Rasmussen, Thomas, lot 6, block 16, McClure's Astoria 63 62
Ryrie, Mary J., und. fifth of lot 7, block 16, McClure's Astoria 12 72
Sharpstein, Lucy E., und. fifth of lot 7, block 16, McClure's Astoria.. 12 72
Truilinger, Agnus, und. two-fifths of lot 7, block 16, McClure's Astoria.. 25 44
Trenchard, C. J., lot 6, block 15, McClure's Astoria 63 62
Trenchard, C. J., lot 7, block 15, McClure's Astoria 63 62
Trenchard, C. J., lot 8, block 15, McClure's Astoria 63 62
Trenchard, George, lot 5, block 15, McClure's Astoria 63 62

By order of the common council.

Attest: H. E. NELSON,
Auditor and Police Judge.

Astoria, Oregon, December 24, 1897.

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A limited amount of stock has just been assigned to the western agency for sale at $1 per share. A man or woman of small means has the same opportunity as a rich person. If you cannot go to Aaska nothing should prevent you being a profitable shareholder.

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Charles H. Rockwell, traffic manager, C. I. & L. R. R. (Monon Route), Chicago.
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Columbia, Monday, January 3.
State of California, Saturday, January 8.
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*8:30 A. M.	Roseburg passenger	*4:30 P. M.
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†7:30 A. M.	Corvallis passenger.	†5:50 P. M.
†4:50 P. M.	Independence pass'r	†8:20 A. M.

*Daily. †Daily except Sunday.

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