

ger, yet they deny the right of the state government to assess and tax their property as it assesses and taxes all other property. Everything that can be done will be done to enforce the collection of these delinquent taxes, and railroad property in the future, so far as I am concerned, will continue to be assessed at whatever seems to be equitable and just.

The citizens of Nebraska cannot enjoin the collection of a tax levied against their property, because they are denied that privilege. But railroads, being nonresidents of the state, seek relief through the federal courts. Until congress shall pass a law depriving them of this privilege, they probably will continue this practice. It is, therefore, recommended that a joint resolution be passed memorializing congress to pass a law that will deprive a nonresident from enjoining the collection of a tax levied upon property within the state.

#### Abolish the Corporation Lobby.

The great corporations of Nebraska, especially the railroads and the telephone companies, have in the past maintained a strongly organized lobby in Lincoln during sessions of the legislature. The presence of any kind of professional lobbyists is neither needed nor desired. The corporation lobbyists are usually men of high integrity and sobriety, men of large experience in the line of work, congenial, clever men, who, by their persistent and able efforts, are able to accomplish much for the interests they represent. The fact that during all of the previous history of this state no law has been passed which has regulated freight rates in any particular bears witness to the effective work and influence of a strongly organized railroad lobby. It is expected that this legislature will pass such measures as will forever put an end to ring rule in Nebraska. It is to be hoped, therefore, that there will be passed not only an anti-pass law and a primary election law, but that there will also be passed a law that will prohibit professional lobbying.

#### Railway Legislation Recommended.

In regard to the railroad legislation that you are about to enact, permit me to offer these suggestions:

First—It is recommended that a law be passed prohibiting any railroad company from charging in the future any more between points within this state than were the charges on the first day of January, 1907; compelling them also to furnish to the railroad commissioners all tariffs and classifications in force on that date.

Second—Inasmuch as the constitutional amendment providing for the railroad commission does not definitely define the powers and duties of that commission, a law should be passed immediately that will clearly, simply and unmistakably define its powers and duties. Besides defining the duties of the commission, there should be conferred upon it the power to prohibit rebates, special rates and discriminations of every sort to any particular person, company, firm, corporation or locality; and power to change, or alter, any or all schedules, classifications or tariffs that are in force on any railroad in this state at any time, so that the rates, fares and charges shall be reasonable, just and equitable. Let this law be written so plainly that it cannot be misunderstood, and with such deliberation that it cannot be set aside by the courts.

Third—It is recommended that you deprive the railroads of the right to enjoin the enforcement of a rate made by the commission pending an appeal to the state courts.

Fourth—It is further recommended that you pass a joint resolution memorializing congress to pass a law that will deprive common carriers from enjoining the enforcement of rates made by a state commission between points within a state pending an appeal to the federal courts.

I sincerely believe that it will be for the best interests of the state that you give your immediate attention to the enactment of laws that will do away with professional lobbying, that will abolish the free pass nuisance, and that will define the powers and duties of the railroad commission, so that the commission can get to work at once. There is great need in this state for a reduction of freight and passenger rates. The people need the relief. The commission will naturally await the action of the legislature. For these reasons it is essential that this work be done as quickly as a careful consideration of the subject will permit.

#### Reduction of Passenger Rates.

With the abolition of free transportation, which I assume this legislature will accomplish, will naturally come increased earnings to the passenger departments of the several railroads. As these corporations are already earning sufficient income upon their stocks and bonds, it follows that the people should have the benefit accruing by reason of the disappearance of the pass. Assuming that the anti-pass law will be rigidly enforced, it is a safe conclusion that a reasonable reduction in present rates can be made without doing injustice to the railroads. I believe the selling of mileage books good for 1,000 miles or more at the rate of 2 cents per mile, and trip tickets at 2½ cents per mile would be fair and just, and I suggest these rates for your consideration.

#### Labor Laws in a Tunnel.

The Pacific Coast extension of the Chicago Milwaukee & St. Paul Railway Company will pass from Montana into Idaho through a tunnel which is now under construction. Montana has an eight-hour law, while in Idaho men are allowed to work 10 hours. The Montana men get \$3.50 for eight hours, while on the Idaho side they receive \$3 for 10 hours. The question is raised as to what will happen if the Idaho men penetrate first in Montana or if the Montana men penetrate first into Idaho; also, whether both gangs will be required to quit as soon as the boundary line has been reached in order not to violate the laws of the states and the regulations of the unions.

#### COMMISSIONER HARLAN ON THE CAR SHORTAGE.

Following is the report of Interstate Commerce Commissioner Harlan on the car shortage investigation:

1. That the inability of the carriers in the northwest and in some other parts of the country to move the traffic ready for shipment not only results in financial loss to the particular shipper but is reflected back in some cases to the business and prosperity of entire communities. In individual cases the loss thus suffered is substantial and often severe, and the aggregate must be very large.

2. The railroad companies in order to meet the demands of increased traffic are making huge expenditures of money for additions to their car and locomotive equipment, the enlargement of their terminal facilities and the extension of their trackage.

3. The evidence seems to amount to a demonstration that there can and ought to be improvement in the car service and in the operation of terminals. It was conceded both by the railroad men and by the shippers who came before us that cars are constantly used by shippers as warehouses; and that the time allowed to shippers for loading and unloading is in excess of real necessity and to some extent is responsible for the congestion at terminals and the consequent car shortage at points on the line. There was evidence offered at Chicago tending to show that the reconignment privilege granted by the carriers to coal dealers is often abused. It was agreed by the shippers as well as by the railroad men, that these privileges should be immediately curtailed.

4. It is reasonably clear that there can be immediate improvement in the switching of cars in and out of terminals. The delay of many days in setting a car at the unloading point, and in getting the loaded car out of the switching district and on its way to destination, is often not only unexplained but apparently inexcusable.

Reform in most of these matters lies wholly in the hands of the railroad companies and the shippers themselves. Possibly if more extensive powers were lodged in the commission in dealing with terminal conditions it might result advantageously.

The efficacy of the proposed reciprocal demurrage legislation was not satisfactorily demonstrated by the witnesses who appeared before us. In my judgment such a measure ought to have very full consideration before being enacted. It seems not improbable that if the railroads are penalized by federal legislation for failing to supply cars for interstate commerce, the local commerce of the states in times of stress may be wholly neglected by the carriers in order to avoid such penalties, unless the federal legislation is promptly followed by state legislation of the same nature. Such legislation without providing also for the compulsory interchange of cars would tend to compel carriers to keep all their cars on their own tracks in order to avoid demurrage penalties, and thus break up the advantages now enjoyed by shippers of through transportation. Some railroad men of prominence appearing before us seemed to think that the more effective regulation of the interchange of cars by carriers would of itself go far toward remedying the present car shortage. There seemed to be strong reasons for thinking that the proposed car pool or car clearing house would result in a more effective car service. If some such adjustment cannot be reached by the companies themselves, it may be that legislation will become desirable and necessary.

#### Effect of Live Load Stresses in Bridge Members.

This subject was investigated as thesis work by William H. Schewe and Louis N. Beals, Jr., of the class of 1906, at Washington University, St. Louis, Mo., and the authors continued the investigation and submitted a supplemental thesis later in the year. The work done was not as complete as the authors wished to make it. A great deal of skill was shown in designing and making instruments for attachment to bridge members which would give a record of the strains to which they were subjected. The conclusion drawn from the experiments made is as follows:

"The experiments so far are little more than suggestive and no definite formula can be even guessed at, but the results seem consistently to indicate that for a flexible bridge such as that tested the influence of the continuous beam action of the riveted stringers overcomes the tendency to impact to such an extent that even including the latter the actual stresses are less than the theoretical static stresses requisite for equilibrium, assuming perfect pin connection. For a stiffer truss, the portion of the reaction devolving upon it to be supported would undoubtedly be a greater proportion of the concentration. This is a matter of interest to determine. In any event, the importance of proper attention to the stringer strength is emphasized."

This is not conclusive since other pieces of the same member tested might have shown higher stresses, but it is interesting in view of the uncertainty as to the correctness of the impact formulas in present use. Under direction of the civil engineering department of Washington University work in this direction is to be continued and there is now in process of construction a second extensometer to be used in work to be carried on this spring.