# DECISION AGAINST THE UNION PACIFIC

## COMMERCE BODY'S OPINION IN PEAVY ELEVATOR CASE ANNOUNCED.

### Allowance Is a Rebate—Declared Illegal Because in Excess of the Actual Cost of Service and Must Be Reduced.

Washington, April 19.—In what is known as the Peavy elevator case, the interstate commerce commission Thursday announced its decision against the Union Pacific Railroad company. The commission holds that the arrangement between the Union Pacific and the Peavy elevators was unlawful, as the allowance was in excess of the actual cost of the elevation of the grain, and, therefore, a rebate.

The decision was prepared by Commissioner Harlan and his opinion was concurred in by a majority of the commission. Commissioners Clements and Lane, however, filed dissenting opinions.

**Summary of Opinion.**

The opinion of Commissioner Harlan is summarized as follows:

"Elevation is defined as unloading grain from cars or grain-carrying vessels into a grain elevator and loading it out again after a period of not to exceed ten days; it does not include 'treatment' or grading, cleaning and clipping of grain; and retention in an elevator beyond ten days becomes storage and is not a part of the service of elevation as that word is used in the statute.

"The law clearly recognizes elevation as a faculty which the carrier may provide, and this authorizes the carrier to grant grain elevation at destination or while the traffic is in transit, subject only to the restriction imposed by the act that elevation, like any other service offered by the carrier to the shippers, must be open to all on equal and reasonable terms.

**When Charge Is Rebate.**

"Since a carrier subject to the act to regulate commerce is entitled to provide elevation for grain shipments, such carrier may either construct and operate the elevator itself or furnish elevation by arrangement with an owner of an elevator; and the amount of compensation paid by the carrier to the owner of an elevator rendering the service, is of no concern to shippers or other carriers, unless it operates to affect the rates charged by the carrier upon the grain traffic or by some device a portion of the allowance is returned to shippers and thus becomes a rebate.

"An allowance made to a shipper of grain who furnishes elevation service under an arrangement with a carrier is a rebate and an unlawful discrimination when it involves a profit over and above the actual cost to such shipper of the service rendered. It is not a rebate when the allowance does not so exceed the actual cost.

**Allowance Is Unlawful.**

"The arrangement between the Union Pacific Railroad company and the Peavy elevators at Council Bluffs and Kansas City is not in itself unlawful. But the allowance of one and a quarter cents per 100 pounds paid by the railroad company to these elevators, controlled by the Peavy interests, who are large shippers of grain and own practically all the grain going into the elevators, is in excess of the actual cost of the service, and is a rebate and therefore unlawful.

"The commission orders that the allowance by the Union Pacific Railroad company to the Peavy elevators shall be reduced and shall not exceed three-quarters of a cent per 100 pounds, such order taking effect on June 1, 1907."

## LEAPS FROM WINDOW TO DEATH.

### Well Known Christian Scientist Commits Suicide in Boston.

Boston, April 20.—Miss Mary E. Tomlinson of Concord, N. H., committed suicide here Friday by jumping from a window in an upper story of the Parker House. The woman died in the hotel office a few moments after her leap.

It is believed that she was demented. She came to Boston Thursday morning.

Miss Tomlinson was a sister of Irving C. Tomlinson, one of the readers of the Christian Science church of Boston and one of the defendants in the suit pending for an accounting of the property of Mrs. Mary Baker G. Eddy, and was herself prominent in the Christian Science church.

**Indicted for Robbing Government.**

Muskogee, I. T., April 20.—It was officially stated Friday night that Lyman K. Lane, former financial clerk for the United States Indian agent, has been indicted by the federal grand jury now in session here, charged with embezzling $7,800 of government funds which were given absolutely to his trust. Lane as financial agent handled over a million dollars.

**Life Convict Is Released.**

Des Moines, Ia., April 20.—Jasper Mason, serving a life sentence for murder in 1876, was released Friday by order of Gov. Cummins, under permission granted by the legislature, and given a conditional pardon. He has served 31 years. Mason killed one Woods on a heated argument over the Hayes-Tilden issues.

# CENTENARIANS WILL WED

## J. B. BUNDREN, AGED 101, IS TO MARRY WOMAN 100 YEARS OLD.

### Will Travel to England to Get Bride, Whom He Courted in Their Youth.

St. Louis, April 20.—Announcement was made Friday that on August 26 next John B. Bundren, who on April 1 was 101 years old, will be united in marriage to Miss Rose McGuire who is almost 100 years of age.

The wedding will take place on Mr. Bundren's estate near Tatesville, Tenn. He has been visiting relatives in St. Louis for several weeks and has just returned to Tennessee.

The announcement reveals a romance. Bundren and Miss McGuire were sweethearts in Tennessee in their youth. Her parents, of English descent, would not give consent for their marriage, and finally returned to England, taking their daughter along. Bundren went to California and acquired considerable wealth. He never married. From California he returned to Tennessee and bought his birthplace, near Tatesville. He decided to hold a reunion of old friends on his estate this year and sent out numerous invitations. Not long ago he received a letter from Miss McGuire, who is still unmarried. Correspondence followed and he renewed his offer of marriage and was accepted. The date for the wedding and the reunion of friends has been set for August 26, on the bride's birthday anniversary, when she will be 100 years old.

Bundren has long white hair and a flowing white beard. He does not smoke or drink. In June he will go to Preston, Lancashire, England, to escort his intended bride to his Tennessee estate for the wedding. John B. Bundren of St. Louis, a namesake, will be best man.

## QUAKE DEATH LIST GROWING.

### Number of Victims in Mexican Disaster Will Exceed 100.

City of Mexico, April 19.—Direct communication was established Thursday with a number of towns situated in the district most affected by the recent earthquake. From these recent telegrams it is now certain that the death list will exceed 100. There are a number of small towns yet to be heard from, but up to date the average number of fatalities at these places has ranged from nine to 12 and the number of injured from 30 to 40.

One peculiar phenomenon which has been just made known is that after the first shock the air was filled for many miles with a thick, sickening, sulphurous odor. This caused great distress to the survivors. There are many speculations as to the cause of the peculiar freak of nature and some consider it as a proof that the earthquake had its origin in some subterranean explosion. For this reason considerable anxiety will be felt until news is received from the sections surrounding the active volcanoes of Colima and Jurrello.

Even the water in the streams was made sulphurous.

## MRS. M'LEAN IS REELECTED.

### Again Made Head of Daughters of American Revolution.

Washington, April 19.—While the vote of the continental congress for national officers of the Daughters of the American Revolution will probably not be announced until Friday, it is freely admitted by both factions that Mrs. David McLean has been reelected as president general of the society. Mrs. McLean's supporters claim that the entire administration ticket will be elected by an overwhelming majority. The vote received by Mrs. Elizabeth Eleanor Howard, of Alexandria, Va., who was nominated by the "insurgent" faction, her friends declare, will make her the logical condidate to succeed Mrs. Mclean at the next session of the congress.

## DECORATION FOR CARNEGIE.

### France Gives Him the Cross of Legion of Honor.

New York, April 18.—The first convention of the National Arbitration and Peace congress came to an end Wednesday night, after a three days' session, with two large banquets, one at the Hotel Astor and the other at the Waldorf-Astoria. The event of greatest interest was the decoration of Andrew Carnegie with the cross of the Legion of Honor by the French government, represented by Baron D'Estournelles De Constant, in appreciation of his work for peace and his gift of the palace at The Hague.

**Money for Starving Roumanians.**

New York, April 20.—The Roumanian relief committee of this city Friday cabled $12,500 to the committee at Jassy, Roumania, which has charge of the distribution of relief to the sufferers from the recent riots in that country. Chief Rabbi Niemirower reported to the committee that 50,000 Jews in Roumania are destitute and will die of starvation unless help comes quickly from America.

**Well-Known Newspaper Man Dead.**

Philadelphia, April 18.—John P. Dunning, well known in newspaper circles throughout the country, died Wednesday in a hospital here of tumor of the brain. He was 44 years of age.

# ANIMALS AND POISON.

## Some Species Are Immune to the Most Deadly Drugs.

## MYSTERY OF THE HEDGEHOG.

### This Bristly Little Creature Can Make a Meal of Arsenic or Opium and Wash It Down With a Draft of Prussic Acid Without Discomfort.

Poison is surely one of the most weird of nature's bizarre contrivances. A tiny speck of an innocent looking white powder on the tip of the tongue means instant death if that powder happens to be the deadly drug aconitine. A moment's whiff of unseen vapor, and if that vapor rises from pure prussic acid all human aid is too late. The strangest fact about that curious group of bodies called poisons is that sometimes they are not poisons. Of course every one knows that when kept under control by the skillful hand of the physician poisons are most valuable medicines. But few persons are aware of the still more curious fact that poisons when taken by certain animals even in large quantities are quite harmless.

Yet, strange as it may seem, this is perfectly true. Take, for instance, the hedgehog. This bristly little animal is absolutely poison proof. It can eat without discomfort as much opium as a hardened Chinese can smoke in a fortnight and can wash a meal down with as much prussic acid as would kill a regiment of soldiers. It is capable of swallowing arsenic with just as much relish as it eats cockroaches. It is quite immune to the venom of the snake, though the prickly hedgehog has little need to fear the approach of such a reptile. It has even been stated that it can swallow corrosive sublimate, and yet this is a virulent poison which human beings must handle with caution, for even a solution of it externally applied has been known to cause death.

Cyanide of potassium is another deadly substance of which the hedgehog need have no fear, and yet the merest trace of the poison is sufficient to cause a full grown man to foam at the mouth and lose the power of his limbs. Truly the hedgehog is a strange freak, and yet not so inexplicable as the poisons by which he refuses to be poisoned.

Man is said to resemble the monkey in more ways than one; but, whatever characteristics they may have in common, the ape differs from the human being in this respect—he can take with impunity as much strychnine as would kill two men instantly. The monkey, curiously enough, shares the immunity to strychnine poisoning with invertebrate animals. Another phenomenon is the rat. The number of rat poisons sold by druggists is legion, but there is one poison which never enters into their composition—namely, digitalin, the active principle of the foxglove. One-half grain of this poisonous principle suffices to kill a man within three quarters of an hour, but the rat absolutely refuses to let it kill him.

When it is discovered that a human being has swallowed oxalic acid, the first thing the doctor does is to give his unfortunate patient a good dose of chalk, technically known as calcium carbonate. Strange to relate, chickens are not poisoned by oxalic acid, for the simple reason that their intestines contain the antidote in the form of quantities of calcium, which combine with the poison and render it quite harmless. It is interesting, however, to mention that if oxalic acid is injected into the blood of a fowl it would be poisoned. It is only when given by the mouth that the acid comes in contact with the antidote. However, as chickens are not provided with hypodermic syringes, they are not likely to run any danger.

If China were inhabited by pigeons instead of by people who speak pigeon English, a costly war and no end of controversy might have been averted, for pigeons are not demoralized by opium. You cannot put a pigeon to sleep with the "drowsy giant," simply because there is something in the bird's interior which resists the narcotic influence of the morphine to which opium owes its activity.

There is little to connect the Russian peasant with a goat—unless it is beard—yet nevertheless both have one trait in common—neither is harmed by hemlock. It was the juice of the hemlock, so we have been told until we are tired of hearing it, that killed Socrates. Ever since then it has been on the poison list as far as civilized beings are concerned; but, all the same, roots of hemlock are eaten as food by the Russian peasants—and by goats.

In one respect the peasant of the Austrian Tyrol resembles the hedgehog, because he can take in one dose as much arsenic as would kill several Americans. This is not because the peasant is provided with any special means of combating the effects of the drug, but because he habituates himself to it. The Tyrolean finds that arsenic increases his power of endurance. He commences by taking an eighth part of a grain for a dose, which is gradually increased until he can take without any ill effect five or more grains at a time.

Experts have not been able to make up their minds why these people become tolerant to the drug. The most plausible theory put forward up to the present is that an antitoxin is formed by the administration of the poison which immunizes the subject, just as calf lymph immunizes us against smallpox.—Baltimore Sun.