

“owners of railroad property may be used to harmonize
“perfectly with the true interests of the public, and that
“it will be as wise for the State to encourage and protect
“whatever in corporate arrangements is of beneficial ten-
“dency as it will to suppress what is mischievous.”

SUGGESTED CHANGES IN THE LAW.

I would accordingly respectfully urge on your Honorable body that our relations with Canada render proper and just a suggestion that Congress revoke the provision of the law which prohibits pooling, and thereby deprives American carriers of one means of defense against their Canadian rival, as indicated in my answer to your 15th interrogatory. Even in the event of legislation on the lines so clearly laid down in the language I have quoted from the Hon. Thos. M. Cooley, who was at that time Justice of the Supreme Court of Michigan, and Professor of Constitutional Law in the University of that State, I believe the interests of the people as well as the railroads could be fully protected by placing the pooling organizations under the scrutiny of the Interstate Commerce Commission, who could exercise like regulative functions in reference thereto as now delegated to them by Congress in matters pertaining to interstate traffic. Finally, I believe such organizations would greatly facilitate the administration of the Interstate Commerce Law and lighten the arduous labors of the Interstate Commission. Such Governmental scrutiny would be an assurance of justice to the railroads and safety to the people, and would, under the lash of public opinion, soon force fractious and unscrupulous roads into a reasonable attitude; for it would surely develop that the road declining to co-operate in the maintenance of proper competitive conditions “contemplates some wrong against a competitor or the public.”