

NEW LOCATION THE BEE BUSINESS OFFICE Ground Floor Corner The Bee Building 17th and Farnam

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ESTABLISHED JUNE 19, 1871.

DEBATE ON RATE BILL

Senator Foraker Defines His Position on Railway Rate Regulation. THINKS LEGISLATION IS NOT NECESSARY Elkins Law, if Properly Enforced, Will Cure Evils Complain Of.

OBJECTS TO CRITICISM OF ATTITUDE

Demand for Passage of Law is Referred to as Public Glamor.

PROTECTING PEOPLE AGAINST THEMSELVES

Ohio Senator Says Proposed Law Will Be Unsuccessful and That Senate Will Bear Blame if It Is Passed.

WASHINGTON, Feb. 28.—For three hours, lacking a few minutes, today Mr. Foraker held the attention of the senate while he read a carefully prepared speech on the railroad rate question.

His speech was a protest against any general legislation on the theory that the existing Elkins law could be so extended as to make it answer all the requirements.

He did not fall, however, to point out what he considered the defects of the Hepburn-Dolliver bill and he made the declaration more than once that it would fail to remedy the evils complained of.

Mr. Foraker's speech was followed by a further discussion of the land grant in Indiana territory.

Mr. Foraker conceded that some evils exist in connection with the railroads, but urged that all of them could be more effectively met by amending the Elkins law.

He gave a general review of the history of the railroad development of the country and passed to the evils of the system.

He discussed the railroad evils as of three classes—excessive rates, rebates and discriminations.

He found little to complain of under the first heading, but said there are some instances of charges that are too high and he thought a prompt and effective remedy should be provided.

A more serious evil he found in rebates and he traced the present extensive rebating conditions to the fact that the government road decisions against pooling had left the roads without protection from the rebate system except to resort to some general understanding.

Rebating to the Elkins law, he said, "There has been no serious discrimination against localities, but a glance at its provisions will suffice to reveal the fact that it is an explicit and efficient to remedy a kind of evil wherever it may exist as it has been found to be so in personal discriminations. That the law has not been tested in this respect is not due to any fault of the law, but because no one has seen fit to invoke it."

Announcing his own position, he said: "I believe in the court plan, as a contradistinguished from the rate-making not alone because it is much simpler, much more expeditious, much more expedient and without expense to the shipper, but because in addition to all that, it avoids all legal and constitutional questions, while the rate-making plan as set forth in this bill encounters a number of such questions that are of the most serious character, and some of them, in my judgment, fatal."

Regarding the right of congress to make rates he declared "the supreme court has never yet passed on that question and that there are many eminent lawyers who are of the opinion that the court will hold, when it does decide that question, that congress does not have that power."

Contravenance Constitution. "Their reasoning," he said, "seems to me to be sound and the effect of it absolutely fatal to this entire scheme of legislation."

Mr. Foraker also contended that the enactment of the proposed law would contravene section 2 of article 1 of the constitution, prohibiting a preference in favor of the ports of one state over those of another.

He cited the differentials allowed in favor of Philadelphia and Baltimore and of New Orleans and Galveston, and admitted that these differentials are essential to the diffusion of the export traffic, but added that the differentials conflict with one of the great purposes of those seeking to have the court plan, which is to propose to secure to each locality its own particular rightful advantages of location and thus avoid the preferring in the making of rates of one locality to the prejudice of another.

If we invest the Interstate Commerce Commission with the power to make rates, it must exercise that power subject to this prohibition, which is that they shall have no preference for the ports of one state over those of another. The whole system of differentials must in consequence be abandoned.

Not only would the port of Boston be closed up, but all the other ports would be at least most seriously affected. The most general business that could be taken to one port or to another under the present conditions would then be concentrated at the most favored.

Discussing the penalties provided by the bill, he said they would amount to \$100,000 per month and declared that the penalties prescribed are of such extreme cumulative and burdensome character as to deter a carrier from resorting to the courts, except only where either the case is entirely trivial or where the case is entirely trivial.

REACTIONARY PARTY LOSES

Russian Government Permits Constitutional Democrats to Open Headquarters at St. Petersburg.

ST. PETERSBURG, Feb. 28.—The reactionary party of Interior Minister Durnovo received another decided setback today when the action of the St. Petersburg police in closing the central bureau of the constitutional democrats was disavowed by the government and the bureau was ordered to abstain from any interference with the work of the political parties, which is condemned by the government.

It is charged in the bill that in 1881, prior to the failure, the officers of the Wear Commission company paid to A. J. Lichten, a broker of this city, \$30,000 for losses said to have been incurred in the purchase and sale of shares of stock by the Wear Commission company.

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RACE WAR IN SPRINGFIELD

Mob Resumes Its Attacks Upon Homes of Negroes in Ohio City.

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MOYER HEARING BEGINS TODAY

Grand Jury Will Begin Investigation of Steunenberg Murder at Caldwell, Idaho.

BOISE, Idaho, Feb. 28.—It has been definitely decided that the investigation of the case against Moyer and his associates for the murder of former Governor Frank Steunenberg shall begin before the grand jury at Caldwell tomorrow. It is not known whether Harry Orchard, who is said to have confessed to his part in the crime, will be taken before the jury, in the event made by Governor Gooding respecting the confession made by Orchard it was said that the prisoner had told of two unsuccessful attempts to slay the former governor. One of these was an effort to shoot him at his home a week or so before the murder. A favorable opportunity, however, did not arrive. Before that, it seems, a bomb had been laid in the pathway taken by the governor. It was arranged with a wire stretched across the path. The intended victim, however, unconsciously stepped over the wire and never knew how long he had been in the air, as he was shot here today by the bomb which killed him.

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