DESERET EVENING NEWS: WEDNESDAY, JANUARY 24, 1906.



Handled Each Side With Careful Attention to Detail.

The mills of the gods grind slowly, but they deliver the grist on schedule Last night the brains of the University of Utah wiped out the stain on the escutcheon of the brawn of the institution by securing a unanimous decision of the judges over Boulder in debate. Bouider walloped the U. of U. on the foothall field, but did not make such a good showing on the rostrum. But after all Utah had the popular end of the debate-the case of the People vs Corporations and Monopoly. ple vs Corporations and abiopoly, Then, too, the Utah roosters pluned their feathers and crowed in their own intellectual yard, while the embryo cor-poration attorneys from the Centennial state were strangers in a strange land. an handicapped as they were in these respects the plucky young debaters from Colorado received ovations at the ands (and mouths) of the lads and lassles wearing the red and white fa-

ALL WERE THERE.

The theater was packed. Generally on such accasions it is the doting fathers and fond mothers of students who com-prise the major portion of the audience. Last night these heretofore hold-ers of the best seats and high aces came near being ousied by prominent suppers of Utah and jobbers of Salt Lake. When it came to the railroad fraight, they apparently turned out in masse, From General Freight Agent A. Reeves of the Oregon Short Line down to the stenographers, Railroad Row practically was there to a man. From first to last the debate was fol-lowed with interest by these experts in one of the biggest problems that ever confronted an administration.

COLORADO CONTESTANTS.

If there were different types in the audience this decidedly held good in regaid to the young men taking part in the debate. Futting the inevitable de-she to boost for Utah on one side, and oxing the bunch of likely, youngsters over with an impartial eye, honors in the direction of deportment, delivery and general presentation belonged to George O. Fairweather of Colorado. That boy gives promise of being heard from 15 years hence. Last night he was the corporation attorney in tab-hold form, cool, suave and never flustered; not even the sword of Damocles in the form of the gavel in the hands of the timekeeper, caused him to swerve. Hugh P. Remington and Arthur E. Nale, the remaining two visitors, gave good account of themselves.

THREE TYPES FOR UTAH.

For Utah three distinct types were represented. There was Percy God-dard who opened. Percy was there with the statistics, which he delivered



A Cream of Tartar Powder **Made From Grapes** No Alum

TWENTY YEARS AGO TODAY.

DO YOU REMEMBER !

The county poorhouse at Jackson, Mich., was burned. Five inmates perished in the flames

Jean Baptiste Prosper Bressant, distinguished French actor, died.

TEN YEARS AGO TODAY.

Offie Downs, an Omaha boy less than 14 years old, prevented a panic among 500 school children during a fire in the building. He was the drummer boy of the school, and with his instrument, he led the children safely through the trying crisis.

FIVE YEARS AGO TODAY.

A strike of coal miners developed at Schofield, Utah. Over 125 went out. Edward VII was proclaimed king of England, the ceremony being the same as those of mediaeval times.

Mrs. Carrie Nation, the saloon smasher, and Mrs. John Schilling, wife of the proprietor of a place which the hat chet wielder had demolished, had a pitched battle on the streets of Enterprise, Kan. Spectators let them fight it out, Mrs. Nation being worsted.

ent in large and generous bales. Old-time college yells and some new ones greeted each effort and afforded an ef-fective "orchestra." Colorado came in for generous applause and no favorites were played. From first to last sports-manilke impartiality prevailed. THE OFFICIALS. The judges were John Cain, Judge Andrew Howat and Rev. P. A. Simp-kin. When the decision was announced

The judges were John Cain, Judge Andrew Howat and Rev. P. A. Simp-kin. When the decision was announced It was received with great applause, and the Colorado debaters advanced and congratulated their erstwhile oppo-

the Colorado depaters advanced and congratulated their erstwhile oppo-nents. The timekeepers were W. W. Ray and C. S. Kinney. Prior to the commencement of the debate proper two musical numbers were given, comprising a soprano solo by Miss Ella Lowenstein, and a violin solo by Miss Janet Wittick, accompan-ied by Mrs. George Skelton, Then Pres-ident Love announced that each speaker would be given 12 minutes on direct would be given 12 minutes on direct

land grants amounting to over 150,000,-000 acres, large concessions of land from the states, enormous government leans, such extraordinary privileges as the right of eminent domain, all these grants and concessions can only be justified on the ground that the re-cipient is engaged in a public service and hence justly subject to government control. In return for all this public assistance the railways are under obligation to furnish transportation at reasonable rates and on equal terms to all. When this obligation is ignored they must expect government interfer-SUCC

The American people asserted the ight to fix railway rates as early as right to fix railway rates as early as 1873 when states began vesting such power, with respect to rates within the states, in commissions. In 1887 the states, in commissions. In 1887 the federal government, in response to a very general popular demand, passed an act to regulate commerce between states, which declared unjust and un-reasonable rates prohibited and unlawful. The enforcement of this law, af-ter thorough investigation, was in-structed to a commission. When the commission discovered a rate which incommission discovered a rate which in-vestigation proved unjust it found that the only way to enforce a just rate was to fix such a rate to take the place of the unlawful one. To this extent the commission exercised rate fixing the commission exercised rate fixing power unchallenged for nearly 10 years. In 1897, however, the supreme court decided that this power to fix a just rate had not yet been conferred by Congress upon the commission. Since this decision the commission may in-vestigate complaints and find unjust rates but may not fix the just rate, and cannot, therefore, enforce the law, Ouroges, programmer to the law.

QUOTES PRESIDENT ROOSEVELT. The rate making power which we propose to put in the hands of the com-mission is the same as it exercised successfully for ten years. The prop-osition is clearly set forth in the pres-ident's message of Dec. 6, 1904, in these words: "The Interstate Commerce commission should be vested with the power, where a fiven rate has been power, where a given rate has been challenged and after full hearing found to be unreasonable, to decide, subject to judicial review, what shall be a reasonable rate to take its place." Neither the president nor anyone else proposes to confer any general rate making power on this commission. The making of rates in the first instance remains with the carriers. In a general way they will be as free to change their rates as under the present law, but we shall then have a gov-ernment tribunal with the requisite power to step in and counteract the abnormal adjustment of rates due to monopolies, unlawful agreements, and trust favoritism. Since economic rates are not the rates complained of and continue without interference will there is no danger of disturbing natu-ral economic and commercial relations. Moreover, we believe that most rall-ways try to be honest, but no one will deny that there are unscrupulous and deny that there are unscrupulous and unprincipled railroad men, nor that these force honest competitors not in-frequently to ignore the law. Now since our plan simply operates against breaking a law which the railroads do not find in any way unjust it should be regrifted as a boon to boost on be regarded as a boon to honest car-

The affirmative has held then, first, that the enormous evils which are op-pressing the American people and restraining their trade consists, first, in extortionate rates, and second, in discriminative rates. Second: These evils, resulting from the operation of evils, resulting from the operation of abnormal and artificial forces in rate adjustment, demand a remedy; and third—that the remedy proposed sim-ply gives to the government tribunal now intrusted with the enforcement of the law, the requisite power for the performance of its duty.

ADDITIONAL PROOF.

The affirmative still proposes to for the evus

Second, that the plan we have placed

before you would be an effective rem-

Third, that our plan is practicable,

Fourth, that no serious evils will ac-

have pointed out,

edy,

which we



the railroads ignored the order of th commission and carried the matter into the courts, they had won out. The prithe courts, they had won out. The pri-vate car line company discrimination was not in the rate but in the rebate." He asked how the proposed measure could do away with this. Rebating, he affirmed, was a crime covered already by law. If the new measure were in-troduced the railroads would find no more difficulty in departing from the government rate than they did from the rates made by themselves. The only way to stop local discrimination is only way to stop local discrimination is by a distance tariff. Railroad rates were only one-fourth what they are in England; one-half what they are in Australia, and were lower than they would be if fixed by the commission. In conclusion he submitted that the proposed measure was not only unconstitutional but ineffective.

UTAH TO THE FRONT.

John Jensen then took the floor for Utah. He made a hit from the start by affirming that the citizens of Colorado and Denver agreed with those of Utah that the power of the commission should be greatly extended. He then cited the case where Boulder had been compelled to haul her goods from Denver in wagons sooher than pay the al-ternative of giving the railroads what they asked for transporting consignments. Since these prohibitive rates had been adjusted following popular clamor Boulder had taken upon herself a new lease of life.

Ten years ago, he asserted, 5,000 independent roads competed for traffic. To-day the transportation business of the United States was to all intents and purposes in the hands of six huge mon-opolies. In those days it cost the cat-tle men \$55 to send a carload of live-stock to the Chicago market; today the stock to the Chicago market; today the price was an even \$100, or an increase of \$45 per car. Owing to this the cat-tlemen of the country were now paying tribute to the railroads unjustly to the tune of \$3,000,000 a year, and this in spite of appeals to the courts for relief. He then went on to cite the case of the Colorado Fuel & Iron company, which undertook to transport its prod-ucts to the Pacific coast under a rate of \$32 a car. Just as soon as shipments \$32 a car. Just as soon as shipments began to materialize the corporations put in a rate of \$13 a carload from The affirmative still proposes to prove to you, First, that there is at present no ef-fective remedy for the evils which we

The farmers are still clamoring for jus-

ALC: NOT THE

REMEDY SUGGESTED.

The speaker held that an effective remedy must be provided; that it was only a waste of time to try the courts. The question is past them. There is one logical step to take. We can trust in the commission to cure the evils. In-vestigation shows that commissions the world over are the only effective work world over are the only effective way by which to establish railroad rates. The General Traffic association empowered men to settle disputes between the railroads. If they could settle disputes between the railroads, why cannot men effectively settle disputes between rail-roads and the people? Mr. Jensen cited the case where the Spokene manufacturers had to choose

Spokane manufacturers had to close down because Seattle was given cheaper that discriminatory rates are at the bottom of the trust and if the commis-sion had power to fix rates it would ob-literate the entire evil.

FAIRWEATHER SPEAKS.

George O. Fairweather then took up the cudgels for Colorado. He admitted the Boulder incident but denied that the rate was extortionate, it was a case of discrimination which had been adjusted without any call on the government. He affirmed that the debate hinged on the question of extortionate rates. He then question of extortionate rates. He then went on to declare that the affirmative had dodged the question of unconsti-tutionality. Harking back to extortion-ate rates the speaker admitted the in-crease but affirmed that the cost of equipment, maintenance, operation and wages has all advanced from 10 to 40 per cent, while on the average the rates had jumped but 5 per cent. Looked at had jumped but 5 per cent. Looked a in this light there was rather a decrease Looked at than an increase in rates throughout the country.

FEARS UNJUST RATES.

The power asked for was general rate-fixing. If the commission were given that power, he claimed it would mean that interstate rates would be unmean that interstate rates would be un-just all over the country. He cited as, an example the regulation of the freight, rate on grain, which had to be adapted to the location of the various markets and the various railroads handling it. He said that the question of rate-flxing, in all its ramifications, was one which affected the whole country. Last year 165,000 tariffs were filed with the rail-roads, there are now over 2,000,000 tar roads: there are now over 2,000,000 tar-iffs, and it is almost impossible to begin to analyze these charges. The power to fix rates was an enormous task in a country so large as ours, and so vast that it would be almost superhuman. No article is rated independently. It is necessary to consider the whole husi-ness of the carrier. Every particular and special thing of every commercial

and special thing of every commercial and industrial operation in the whole country are factors that enter into the problem of rate-making. "Is this a task which any board of commissioners can wisely undertake?" he asked. The railroads employ 5,000 traffic ex-perts. Railroad economists will tell you rate-making is not a matter of scien-tific principles. The influences affecting freight traffic are so enormous and con-flicting, and so constantly changing, that only a higher skill can fix reason-able rates for all. He closed with the assertion that the proposal of the af-firmative was impacticable and impos-sible. sible

ALEXANDER'S ARGUMENT.

Daniel Alexander then took up the cudgels. He paid the railroad men the compliment of being honest in the encompliment of being honest in the en-deavor to make equitable rates, but as-serted that they were human and liable to mistakes. He asserted that there were some of the highest authorities on railroad affairs in the commission which if it had been competent to fix the rate 10 years ago was equally com-vision. The authority petent to do so today. The authority of this commission was not questioned before 1897, he declared. Ten years ago they satisfactorily exercised the power we want them to have today. Then



5

mission never had power to fix the rates, but they supposed they had and exercised it. The commission settled cases against the Milwaukee road, and many others, and their authority was not questioned until '97, and during the preceding 10 years the commission was not available to its right to fix future not questioned in its right to fix future rates. He maintained that the remedy of the affirmative would solve the problem and would not be unconstitutional. The evil is increasing and we offer a remedy to stop it, he concluded.

SUGAR INDUSTRY CITED.

Hugh P. Remington was the last speaker for the visitors from the Cen-tennial state. After losing two min-utes in generalities which he accused Utah of indulging in, he contended that his opponents argued for an absolute ate, and that had been repeatedly arried into the courts and lost. He rate. declared that the remedy of the af-firmative was a dangerous one. To ill-ustrate his point he cited cases where certain low rates had been put in which had been the means of building up the west. As an instance he cited the sugar industry in the west. In the east he related occasions where there had been an ice famine and the citi-zens were being held up by the ice men until the railroads put in low rates which enabled cheap ice to be shipped in and thereby reduce the price of that in and thereby reduce the price of that commodity. He emphatically asserted that the remedy proposed would be in-vesting a political body with auto-cratic power. The contention of the affirmative was that the commission was to be judge, jury, legislature, mar-shal and everything. He also contended that the acts of the commission would lead to sectionalism, and the remedy proposed by the negative was, followproposed by the negative was, follow-ing the lead of Mr. Knapp, chairman of the commission, that they extend its scope, make it more efficient and more specific, but with no rate-fixing power. The solution was unsafe, he ma tained, because it gives rise to politi mainand economic phases and sectional bit-

In rebuttal all the debalers made replies, but the judges lost no time in rendering their decision which was greeted with a demonstration on the part of the students which made a Sun dance compare with a Quakers' meeting in comparison.

WHITE PIGEON LIBERATED.

One incident of the evening which came near raising the roof was the letting loose of a white pigeon decor-ated with the red and white. The bird, panic stricken, soared around the audiorium and started the applause with flying colors. The Colorado debaters will be the

guests tonight at a banquet given by Prof. and Mrs. F. W. Reynolds.

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partment

with due attention to gesture and inat times were reminiscest of one of Utah's leading profes-sors; incidentally Mr. Goddard is a "cap from the old block." Jensen was of different caliber. Once in awhile he would play to the galleries and, to wote a gentleman in the audience, "Jensen has the makin's of a good poli-tican." He made a distinct hit. Daniel Alexander, the third Utah chamion, went into the debate with determination and in bull-dog fashion he hung on to the flanks of his opponents without paying undue regard to the face points of the game. Alexander's start to introduce evidence during his speech in rebuttal was one of the lapses of the evening. Hon, Stephen H. Love, the presiding officer, however, instruct-ed he judges to strike out this break.

WERE WELL PREPARED.

The arguments offered by both sides indicated long and careful preparation. interviewed considerable arassment. That such interesting ar-ruments could have been culled from dry reports of the interstate commerce ommission, legal libraries and pamphits speaks well for the thoroughness be cramming and reading up on the Of course, there was enthusiasm pres-

WHAT IT MEANS TO YOU.

Few People Realize the Importance of Good Digestion Until It is Lost.

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Good digestion means a strong ner-tad System, abundance of energy, of life.

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argument, and that the first four speakers would be given three minutes each and the last two debaters five minutes each in rebuttal.

OPENING GUN FIRED.

The opening gun was fired by Percy Goddard of the U. of U., which took the affirmative in the argument. His speech was the foundation upon which

a verbal structure was built of rock, brick and adobe, so to speak. He spoke as follows: Resolved, That the interstate commerce commission be empowered to fix railway freight rates.

The question which we are here to consider is one of foremost impor-tance to the American people. President Rooseveit has called the at-tention of Construction of the second s

tention of Congress in three messages to the urgent necessity of empowering

the interstate commerce commission to fix rallway freight rates. The president has the enthusiastic support of commercial organizations all over the land, and the fact that the house of representatives in its last session passed almost unanimously a bill which aimed to confer this very power, proves that a large proportion of the American people sup-port the plan. This widespread de-mand for additional legislation arises from the innumerable railway abuses from which the people are suffering. The property for a remedy is become

The necessity for a remedy is becom-ing more and more urgent in that our rallways are acquiring monopolistic power to an astounding extent. In fact, today five or six giant systems, whose today live or six giant systems, whose interest in turn are closely interwoven, virtually control the railway operations of our country. Furthermore, trusts and monopolies on the outside, seek-ing to be nourished from railway favor-itism, give rise to numerous abuses in

itism, give rise to numerous abuses in rate adjustment; and finally, as the cli-max of the evil, capitalists who possess combined interests in the railway and the trust operate the one discrimina-tively to the advantage of the other. The evils that result from these condi-tions are enormous and widespread.

Where a few years ago five competing companies carried bituminous coal to the Atlantic seaboard, today one sys-tem, the Pennsylvania, controls that tremendous industry, which constitutes nearly 50 per cent of its entire traffic. As a result, prices on this coal have advanced so that now people of New England and the eastern states, in securing a necessary commodity, are contributing millions and millions of dollars a year to the monopoly. Inci-dentally, the citizens of Salt Lake are also paying a monopoly price on coal. Thousands of extortionate rates due to the same cause might be cited.

A FEW FIGURES. As great, possibly a greater evil than

the extortionate rate, is the discrim-inative rate. That the Standard Oil company has been nutured from infaney on railway favoritism is a notorious fact. What it acquired before the Elfact. through discriminative rates. For ex-ample; the Standard OH company has refineries just outside Chicago. Inde-pendent refineries at Cleveland are shut out from fair competition with Stan-dard Oil, by the influence of John D. Rockefeller with the railways. Take the rates, as an illustration to New Or. Take leans, the chief distributing point for all southern territory. On most com-modifies of the same class as oil, the modifies of the same class as oil, the rate from Cleveland is but two cents higher, or 8 per cent higher than the rate from Chicago, but on oil the rate from Cleveland is 8 cents or 35 per cent higher. These rates shut out the independent refineries of Cleveland and put millions on the coders of Eacke put millions on the coffers of Rocke-

feller. Not only, however, do the railways make extortionate rates by virtue of their monopoly, and discriminative rates by reason of conspiracy with the trusts, but also by means of combina-tions and agreements among themselves they preserve rate adjustments which under free competition, could not ex-

For example: the rate on chinaware

here case. The rate on pig iron from the Missouri river through Salt Lake over the Rio Grande Western to Butte is \$8.40 per ton. Until recently the rate to Salt Lake was \$16.86 and is now \$10.34, still nearly \$2 per ton higher than to Butte through Salt Lake. These cases will show you why Salt Lake is not and cannot be under pres-

cotton piece goods from the east to Denver, is \$2.24; to California it is but \$1. In a complaint brought by Denver before the commission, the Burlington had received on a shipment

from the east, \$24.95 for the distance from Chicago to Denver. If this ship-ment had been intended for the coast the Burlington would have received for the same haul but \$4.77 Now another

ent treatment a great jobbing center. IN ANTICIPATION.

company its operation. Now, ladies and gentlemen, it cannot Now the negative may tell you that water competition justifies the disbe denied that the evils today are tre-mendous. They are rapidly becoming criminations between here and the coast We admit that water compejustment but the railways use the phrase to cleak a multitude of sins, and we deny that water competition or any other natural agency justifies the

we should still have no justification for bending our necks to the yoke of injustice and oppression. NEGATIVE OPENS. wide discrimination that we have Arthur E. Nafe, the first speaker for the negative, followed. He argued with

pointed out. The plan which we are supporting proposes no interference with rate ad-justments that are made to answer natural economic demands, but it does propose an effective remedy for these artificial rates. Our plan makes allowance for a strong distinction between two kinds of rates which we shall designate as economic rates and arti-

ficial rates. economic rates are meant rates By which result from an automatic establishment under free competition of re-lations between the shipper and the carrier in the ordinary course of busi-ness without any combination or conof either for holding up or FRITACY spiracy of either for holding up or putting down rates. For an example: At some point on the railway there may be a large supply of hay which cannot be moved to a distant market at the existing rates. The railway puts in an exceptionally low rate so as to move this hay. Such is an economic rate made to expense the devend of rate made to answer the demand of conditions. With such rates made in the natural course of business there is no disposition to interfere. But, on the other hand, where the railroad forces a rate up by virtue of its mo-nopoly, or when by agreement between roads they force rates up, or when they discriminate in favor of trusts either through conspiracy with them or as a result of combined interest of capitalists in both, then there result what we shall term artificial rates. The cases already cited of extortionate bituminous coal rates, of Standard Oil discrimination, and the unreasonable rates to Salt Lake and Denver as com-

unnatural restrictions on through some impartial tribunal,

PRINCIPLE OF CONTROL.

In the principle of control involved in

this plan there is nothing radically new. Public highways and common

carriers have always been subject to government control. In fact, a well established principle of government frequently affirmed by our supreme

court asserts that when property is devoted to a use in which the public has an interest it is subject to gov-

ernment control to the extent of that interest. Certainly the rallways are

engaged in a public service. Federal

POSTUM

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a revelation to modern science. It is the only scientific and practical way to destroy hair. Don't waste time experimenting with electrolysis. X-ray and depiatories. These are oftened you on the BARE Wolf of the operators and manu-facturers. De Miracle is not. It is the only method which is indorsed by physiciana, surgeona, dermasologists medical fournals and prominent magazines. Howhich free, in plain scaled en-velops. De Miracle maled, scaled in plain wrap-per, for \$1.00 ty De Miracle Chemical Co. 1912 Park Ave. New York Your money back without question (no real tape) if it fails to do all that is summed for it. For sale by all first-class drug-piste, department stores and

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Fountain.

- Statements

pheum Theaters

Perfection Coffee.

Between Salt Lake and

Malted Cocoa, Claret Punch,

Grape Punch,

Lemonade Malted Milk,



conditions were good. Today 31 states have commissions and of the eight appointed during recent years seven have been given the power to fix rates. As to the practicability of the remedy, why should a commission not be as competent as any railroad men to fix competent as any printed issues at rates, he asked. The commission as at present constituted was composed of adjusted men, and railroad lawyers. Of railroad men, and railroad lawyers. Of the 15 men appointed to the commis-sion, 12 had been lawyers. The comNIAGARA FALLS, MOHAWK VAL-LEY AND HUDSON RIVER.

Travelers using the New York Central Lines, are in addition to a fast, safe and luxurious train service, favor-ed with scenic attraction of unparallel-ed interest, including Niagara Falls, the Mohawk Valley and the Hudson River,--The Denver office of these men is at 1015 17th St is at 1017 17th St.

