

tell me wherein this remedy is deficien or tell me in what manner a bette remedy can be provided by conferring the rate-making power on the interstat

ing hundreds and perhaps thousands of others, every such proceeding would be not for the benefit of the complainbe not for the benefit of the compain-ing shippers alone, but for a whole community of shippers, hundreds and probably thousands. The proceeding would therefore in fact be in behalf of the public and should be in the name of the government and at the ex-pense of the government, or the rule

menced by complaint filed with the in-terstate commerce commission, which should conduct only preliminary investigations to the extent of determin-ing whether or not there is probable grounds, and when that point is reach ed the whole matter should be turned grounds, and when that point is reach-ed the whole matter should be turned over to the department if justice to be prosecuted, not before a special court, which it would be, I think, unwise to create, but before the circuit court of the United States having jurisdiction in the particular case. In this way these cases would be distributed throughout the whole country and be confined to a judicial system with which we are foundiar, and the work-ing strength of which we can increase as found necessary by the appoint-ment of new judges. Thus we would leave the making of rates in the bands of skilled men, but subject to review upon complaint made by courts skilled in the weighing of testimony, the an-alysis of facts and the application of the law, and the same courts to which, by the proposed legislation or any other legislation that may be suggested, the controversy will have to be submitted apphow at some stage of the proceed-ings, for we could not if we so desired, take away from the parties to the con-troversy the right to submit their con-tentions to the courts for final adjudi-entions tentions to the courts for final adjudi



