

SMITH OPPOSES RATE REGULATION

President of National Association of Railway Commissioners Delivers Address.

PROTECTION OF HUMAN LIFE

Thinks Steps Should Be Taken to Insure This and to Prevent Rebates.

(Special to The Times-Dispatch.) WASHINGTON, April 2.—At the opening session of the convention of the National Association of Railway Commissioners here to-day, the time was given over to the annual address of the president, W. G. Smith, of Sturgis, S. D., who is a member of the railroad commission of his State. The address, which was ably and carefully prepared, caused a sensation, for President Smith questioned the wisdom of granting to the Interstate Commerce Commission the power to fix railroad rates. He favored the strengthening by Congress of the laws against rebates and unjust discriminations as a cure for transportation ills, and urged that the railroads be compelled to take steps for the better protection of human life.

"It has been claimed by Mr. E. P. Barton and many others," said President Smith in the course of his speech, "that the interstate commerce law intended to give to the commission the power to make rates, that the power was exercised by the commission and obeyed by the roads for ten years with very beneficial results. This seems to me to be far from the truth and has been used perhaps to lull us into a false sense of security and to create a public demand for the rate-making power, and in this way to help along the present agitation."

Reviews Conditions.

Mr. Smith then undertook an exhaustive explanation of the interstate commerce law and the work of the commission under that statute. Between January, 1900, and January, 1905, he declared that only thirteen cases in which excessive rates were charged came before the commission. In every case except one, in which the court set aside the commission's order, Mr. Smith declared the railroads had complied with the Interstate Commerce Commission's order, and added:

"As has been shown, these results were all that was intended when the law was passed."

The speaker held that in a country such as the United States, where the transportation is subject to such a variety of circumstances, the fixing of rates would be an undertaking practically superhuman. He contended in an undertaking might be of benefit, although he declared that this had been proved. He contended that through natural conditions tariff charges are bound to be adjusted, not only relatively, but actually, by the constant pressure of commercial and economic principles. He contended that in government rate-making, as seen by Mr. Smith, lies in the fact that tariffs, more or less, must be fixed by a political commission on the basis of distance. He declared that in nearly every State in the Union where a commission, the tendency has been to place all interstate commerce on a distance mileage basis.

Preferential Commodity.

"We, of South Dakota and the Middle West, particularly," he said, "being in a sparsely settled country, are very much interested in the preferential commodity rate as the developer of our country, and are naturally opposed to the distance tariff principle when applied to all freight rates. We are thousands of miles from either coast and are sparsely settled. The grounds for the rate to use up our own products. We are too far from any of the large cities to supply them with our surplus, if a fixed, per-ton-per-mile rate is established.

EDISON MUST ACCOUNT.

Profits of Phonograph Business in New York Must Be Shown.

(Special to The Times-Dispatch.) NEW YORK, April 2.—Thomas A. Edison and three phonograph companies selling his invention will soon be called on to render before John A. Shields, clerk of the United States Circuit Court of this district, an accounting of all their sales in New York State since 1888. The proceeding is the result of a long-standing suit begun by the New York Phonograph Company against Thomas A. Edison, the Edison Phonograph Company, the Edison Phonograph Works and the National Phonograph Company. There is involved probably \$5,000,000 or \$5,000,000. The grounds for the suit were infringement, trespass and wrongful invasion of the plaintiff's rights.

HOSPITAL'S BUSY YEAR.

Records of the Memorial for Past Year Most Gratifying.

The fourth fiscal year of the Memorial Hospital began March 1st. The past year has been very successful, and the hospital's records have numbered thousands. During the year there were 3,577 days of free treatment to the people of Richmond. By days is meant the aggregate number of days that each patient spent in the hospital. There were 4,022 days of free treatment to people living out of the city, making a total of 7,599 days. The daily average of free cases was 21 persons. The largest number of free cases during one day was 37 persons, on the 22nd of January last. During this year there were 1,000 patients admitted to beds in the hospital. The daily average under treatment was 52, as against 50 the previous year. The entire number of hospital days was 99,341, as against 91,900 the previous year.

A Pastor Called.

(Special to The Times-Dispatch.) NORFOLK, Va., April 2.—The First Presbyterian church of Portsmouth, Va., called the Rev. C. S. Myers, of Williamsburg, Va., to its pastorate. The church has been without a pastor for some time. The Rev. A. R. Shaw to accept a call to the Tenth Avenue Presbyterian church of Charlotte.

Kaiser to Have Big Warship.

(By Associated Press.) KIEL, GERMANY, April 2.—The government has placed an order with the Krupp Germania works for a battleship of 13,900 tons.

Best American Granulated Sugar, 4 1/2 lb.

Canned Tomatoes and Sugar Corn, can, 6c. 2 lbs. Mountain Roll Butter, 25c. Pound Cakes, 1 lb. pkgs., this week. DuPont Best Patent Flour, 30c bag, or barrel. Silver King, best Florida, 30c bag, or barrel. Good Salt Pork, per pound. Best City Meal, 10c peck, per bushel. Evaporated Peaches, per pound. Prepared Wheat, 20c. Good Lard, per pound. 1 lb. Brick Boneless Cod Fish, per pound. Best Elgin Butter, per pound. Maple Syrup, large bottles, 10c.

S. ULLMAN'S SON,

1820-22 East Main St. 506 East Marshall St. Phones at Each Store.

SUITS AGAINST PENN. RAILWAY

Claim Made That Corporation Favored Its Own Concerns to Detriment of Others.

(Special to The Times-Dispatch.) PHILADELPHIA, Pa., April 2.—To prove that President A. J. Cassatt and nearly all the officers of the Pennsylvania Railroad own stock in certain coal companies that have been given rebates in the past few years, subpoenas have been issued within the past few days, ordering all of them to appear in court this month and answer all questions that may be put to them along this line.

A determined effort will be made to show that these railroad officials own coal stock in defiance of the law, and that the corporation has made itself liable to the forfeiture of its charter. Not only the active officials, but every director of the road has been summoned to appear, either on April 19th or 23d, in the case of the cross-examination of Thomas H. Otherton, of Wilkes-Barre, and James W. M. Newlin, of this city.

Subpoena servers have been clustering around Pennsylvania Railroad offices for the past week, and they will serve days ago that they managed to serve President Cassatt.

Never before has the Pennsylvania Railroad evinced any fear of a civil suit, but now there appears to be actual consternation on the part of the corporation. There is no doubt that an effort will be made to have the trial postponed.

Two sets of subpoenas have been issued, one set coming from Attorney Albert at Wilkes-Barre, the other from the office of Attorney Newlin in this city. They have the same object in view—the cross-examination of the officers of the Pennsylvania Railroad and the establishment of the ownership of certain favored coal companies along the main line.

NO DISORDER IN RUSSIAN CAPITAL

Result of Election Apparently Sweeping Victory for Constitutional Demands.

(By Associated Press.) ST. PETERSBURG, April 2.—The result of the election in St. Petersburg is not definitely known to-night, the electorate commissioner with characteristic Russian unconcern, having sealed up the ballots and postponed the counting until tomorrow. Mr. Ryan plays Dr. Jekyll and Mr. Hyde on Thursday and in pure gruesomeness "The Bells" is a fit companion to it.

The Yanke Consul.

"The Yanke Consul," the comic opera success, which will be the attraction at the Academy to-morrow night, is the most successful, sparkling comic opera success that has been presented during the past decade. Its phenomenal success in New York, Chicago, Boston and Philadelphia, and the wonderful popularity of the play, are attested by record-breaking audiences demonstrated beyond a shadow of a doubt that Blossom's virile humor and Robyn's catchy, tuneful music had scored a decided and unprecedented hit with patrons of comic plays. The cast includes a superbly wonderful popularity, as evidenced by record-breaking audiences demonstrated beyond a shadow of a doubt that Blossom's virile humor and Robyn's catchy, tuneful music had scored a decided and unprecedented hit with patrons of comic plays.

Old Homestead.

"As every one is a kitten at 72," is the motto of the Old Homestead, which Joshua Whitcomb has spoken hundreds of times, and the countless admirers of Joshua and this idyllic play will doubtless warmly welcome him on the occasion of his coming engagement here, and will not be disappointed in the result. The line in Mr. Lawrence's impersonation. Mr. Thompson promises for the coming engagement the same realistic scenic environment. The striking reproduction of Grace Church, as it appeared in 1840, is a most elaborate and effective that Mr. Thompson has ever given. The cast is a carefully selected one, and the famous double quartet will be heard in some new and pleasing numbers.

Short Pump News.

Mrs. Charles Howles of Erin Spades, has been quite sick for the past week. Mrs. Willie S. Jones, of Edgewood, spent

WILD BEASTS TERRIFY TOWNS

Elephants on Rampage in Cincinnati—Imprison Children in Church.

CINCINNATI, O., April 2.—A herd of sixteen elephants belonging to a circus in winter quarters at the Carthage Fair Grounds, were frightened at the exhaust of a locomotive and stampeded. Breaking from keepers and attendants they charged up Elmwood place just after morning services in the various churches had been called.

The racing elephants turned into the lot of the First Baptist Church, and, trumpeting shrilly, routed the late comers and imprisoned the congregation. The Sunday-school classes had been dismissed several minutes before the charge of the animals, but several children remained in the vestibule. Superintendent Furlch and the pastor obtained a red cloth, and by waving it from the street, succeeded coaxing the elephants to investigate it. During their temporary absence from the front of the church the children rushed for the street.

Samuel Krug, seven years old, and Wilbur Wilson, aged 12, were caught in the jam that followed and were painfully cramped. The herd remained at liberty for more

MANAGERS ARGUED OVER SCHEDULE

Lively Meeting at Murphy's Last Night and Each Team Wanted the Best.

AGREEMENT FINALLY REACHED

Schedules Submitted.

The managers of the Virginia League met last night at Murphy's and arranged the schedule for the coming season, concluding their work about 2:30 this morning. Those in their places were President of the League Jake Wells; vice-president, Mr. W. B. Bradley; Secretary and Treasurer Gregory and Managers G. C. Tompkins, of Beverly; Charles B. Bland, of Portsmouth; J. P. Grimm, of Lynchburg; Charles Shaffer, of Richmond, and Otto Wells and William Harmon, of Norfolk. In the place of Manager Bernstein, of Roanoke, who is confined at home with an abscess on the leg, came Mr. C. R. Williams, of Washington.

Mr. Bland assured his colleagues that he had one which would fill the demands of all, and he stuck to his point. Danville was dissatisfied and would be content only with a schedule which would give her a local game May 5th, for the reason that that was going to be a big holiday with them. The Southern Railway is to give holiday to 2,600 players at that time, hence the necessity of a baseball game.

Some argued that fifteen Saturdays were enough for Richmond, whereas Manager Shaffer had her scheduled for twenty in addition to most of the holidays. Manager Grimm argued for Richmond's proffered schedule and said it suited him all O. K.

"In 1888," said he, "Richmond had seventy-five games and every Saturday, and all the holidays, and there is never a kick from any other teams now mm a kick from the other teams. We to give her what Shaffer's schedule calls for."

STAR AN OLD RICHMOND BOY

Mr. Franklin Woodruff and a Capable Company Gave a Good Performance.

"Ben of Broken Bow Ranch," a comedy drama of the wild and woolly West, with a dash of New York and a sprinkling of offstage society in the character of the leading lady, made its initial bow at the Academy last night.

It made a hit, or rather, Mr. Franklin Woodruff did, which was nothing unusual for the romantic actor in the days when he starred as pitcher, and the glare of the footlights was unknown. Mr. Woodruff is quiet, with an excellent stage presence, and fills his audience with the idea that he is living his part, rather than acting it.

As the manly, big-hearted, simple cowboy, out in the open of Nebraska, he was at his best, for his big, athletic figure filled the cowboy "outfit" to advantage, and he looked the part. Next to "Ben Martini" in point of excellence came "Kit Baxter," played by Miss Marie Rawson, who simply romped her way into the hearts of both gallery and pit.

Miss Marion Ruckert, the leading lady, as "Evelyn Fenton," was pretty and acceptable, while Mr. Frank Wunderle, as "Judge," in a breezy manner, furnished the comedy in a breezy manner. The rest of the company were well received and generous applause testified to the merit of the offering. One of the best bits of the piece was the "poker game" in the third act, which was realistic and unusually well thought out.

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