

OFFSET FOR REBATES

Omaha Grain Firm Files Suit for Damages Against Railroads

DISCRIMINATION IS ALL

Merriam & Holmquist Charge that Competitors Were Favored.

FOUR LINES ARE DEFENDANTS

Illinois Central, Northwestern, Great Western and Milwaukee.

TWENTY DAYS' NOTICE IS GIVEN

Settlement is Not Made Out of Court Hearings Will Be Held, Probably in Omaha.

(By a Staff Correspondent.) WASHINGTON, Sept. 12.—(Special Telegram.)—In addition to the complaint that the railroads discriminated in favor of the Updike Grain company at South Omaha, other charges were made against the Northwestern, Great Western and Milwaukee railroads in the petition filed with the Interstate Commerce commission by the Merriam & Holmquist company of Omaha.

The complaint covers the period between September, 1906, and June, 1907. According to the petition, the Merriam & Holmquist company shipped during the period named over the Illinois Central 13,300,000 pounds of grain; over the Chicago Great Western 5,907,000 pounds; over the Chicago, Milwaukee & St. Paul 9,211,000 pounds and over the Chicago & Northwestern 25,344,500 pounds. The plaintiff paid the defendant companies rebates and charges and during the same period the Chicago & Northwestern paid to the Crowell Elevator company of Omaha 3-cent more per hundred pounds in elevation allowance, and the Merriam & Holmquist company did not get such allowance.

Similar charges of discrimination are made against other defendants, the cases being somewhat different. The plaintiff asks from the Chicago & Northwestern \$1,961 damages; from the Chicago Great Western, \$462; from the Illinois Central, \$1,008; and from the Chicago, Minneapolis & St. Paul, \$100, with interest at 6 per cent. Attorneys for the Merriam & Holmquist company are John C. Wharton and Byron G. Burbank. Notice has been served on the defendant companies yesterday and by the Interstate Commerce commission to answer or satisfy the complaint within twenty days from date, failing in which, hearings will be had, probably at Omaha.

Notice has been sent from the office of the quartermaster general of the army to the quartermaster at Fort McKean, Wyo., that bids will be invited for the following buildings at that station: One stable, one store house, one coal shed, one magazine and one fire engine house. The quartermaster's department is also getting ready to invite bids for additional buildings at Fort Des Moines.

Eugene Hillen of Holbrook, J. E. Ulrich of South Omaha, Charles Adams of Schuyler and H. L. Combs of Auburn, Neb., have been appointed railway mail clerks.

Coal Company Complaints. The Interstate Commerce commission today made public a complaint made by the Applegate & Lewis Coal company against the Rock Island railroad and the Toledo, St. Paul & Western city, falling in which, Cuba, Ill., and having its northwestern office at Davenport, Ia. It is alleged by the complainant in general terms that defendants refuse to give a reasonable freight rate on coal in carload lots from Cuba, Ill., to the Applegate & Lewis coal company.

SOCIALISM UNDER DISCUSSION

American Buffalo Science Association at Buffalo Holds Addresses on Subject.

BUFFALO, N. Y., Sept. 12.—"Is socialism a threatening calamity?" was the general topic discussed today by the American Social Science Association, Dr. A. F. Weber of New York spoke on "Labor Legislation," and W. J. Ghent on "International Socialism."

That petty charges for public betterment were made here and there by non-socialist efforts Mr. Ghent conceded, but he denied that any general improvement of the conditions of the working classes or any other general advance of society, had been made in America in twenty years.

John Martin, secretary of the Department of Social Economics, who was to have spoken today, delivered his address last night on "Industry, Democracy at Home and Abroad." He declared that America was moving steadily towards socialism, that in Idaho, Wyoming and Utah the greatest industries were socialist industries, and that "millions for socialism" was the slogan in some parts of the west.

EMBEZZLER IS CAPTURED

Defaulting Tax Collector of New Orleans Arrested While Contemplating Suicide.

NEW ORLEANS, Sept. 12.—Charles E. Letten, chief clerk in the office of the First district tax collector here, who disappeared two days ago leaving a shortage of over \$100,000, was discovered this afternoon sitting in the bank of the Mississippi attempting to summon up courage to jump into the water and commit suicide. He said he had started toward the water several times but each time his confusion.

NEGRO SHOTS A DEPUTY

Walks to His and Kills Without Warning and Then Makes Escape.

PINE BLUFF, Ark., Sept. 12.—With the query, "Is your name Alexander Franklin?" a negro shot and killed Deputy Constable C. A. Butler at Cornsstone yesterday. The negro is being searched for by a posse and it is thought will probably be lynched. Sunday a negro named Alexander shot and killed a deputy constable and yesterday's killing is probably the result of that tragedy.

SUMMARY OF THE BEE

Friday, September 13, 1907.

Table with 7 columns (Sun, Mon, Tue, Wed, Thu, Fri, Sat) and 7 rows of numbers representing a calendar or schedule.

THE WEATHER.

Forecast till 7 p. m. Friday: For Omaha, Council Bluffs and vicinity—Fair Friday, not much change in temperature. For Nebraska—Generally fair Friday, not much change in temperature. For Iowa—Partly cloudy, with probably showers northwest Friday.

Table with 2 columns: Hour and Temperature at Omaha. Rows show temperatures for 5 a.m., 6 a.m., 7 a.m., 8 a.m., 9 a.m., 10 a.m., 11 a.m., 12 m., 1 p.m., 2 p.m., 3 p.m.

DOMESTIC.

Several railroad lines are charged by Merriam & Holmquist with unfairness in transportation of grain. Page 1. Oriental limited train on the Great Northern railroad was held up near Rexford, Mont., and registered mail stolen. Page 1.

Test for tuberculosis in cattle has been found to be of no injury to those affected. Page 2. Cunardier Lusitania has been delayed by fog, but the company thinks the record will be broken nevertheless. Page 1.

Car shortage was discussed by railway men at meeting at Atlantic City. Page 1. Philadelphia Traction company is said to be in a tight financial condition, though this is denied by officials. Page 1.

Amalgamated copper mines are to be closed down at Butte. Page 1. Commander-in-Chief R. B. Brown delivered his address to the old soldiers at the Saratoga encampment and the adjutant general gave his report on the condition of the Grand Army of the Republic. Charles G. Burton of Nevada, Mo., was elected commander-in-chief. Page 1.

NEBRASKA. Caldwell announces he will not contest nomination of Clarke for railway commissioner. Page 1. Lagan sets high vote for democratic nomination, but name will not go on the ticket. Page 3.

Railroad agents of the Burlington road have been ordered to give no information to the railroad commissioners. Page 3. Binnell, Neb., instead of North Platte may secure the railroad shops of the Burlington for western Nebraska. Page 3.

Bandit who held up the bank at Manley has made his escape. Page 3. Allied forces of French and Spanish defied the Moors in a sharp conflict. Page 1.

Man suspected of having committed the "Ripper" murders in Berlin has made his escape. Page 1. Car's yacht is in a perilous position and urgent orders for help have been given. Page 1.

Asiatias have been held by steamship company at Vancouver because of the agitation against them. Page 1. MOVEMENTS OF OCEAN STEAMSHIPS. NEW YORK... Arrived. Sailed. PLYMOUTH... Arrived. Sailed.

EXPLORERS LOCATED NO LAND

Reports Made to Geographical Society that No Continent Exists North of Alaska.

NEW YORK, Sept. 12.—The commanders of the Austro-American polar expedition, who returned to the Biscaya at New York, in an attempt to find a new continent north of Alaska, reported to the American Geographical society today that the soundings they made disclosed no such land. The dispatch came from Elmer Mickelsen and Ernest Leffingwell, the joint commanders of the expedition, and was dated at Dawson, Alaska, September 10.

The explorers reported that their sledging trip north of Alaska covered 80 miles of sea ice and that they crossed the edge of the continental shelf twice. Their soundings, taken fifty miles off the Alaskan coast and beyond, were made to a depth of 2,000 feet, but found no bottom. Next year, they reported, they will continue the exploration of the Biscaya sea, surveying the coast and in making geological studies.

CAR SHORTAGE IS PROBLEM

Car Service Committee of Railway Association Discusses Question Again.

ATLANTIC CITY, N. J., Sept. 12.—Measures to avert a repetition of the western car famine of last winter are being discussed by the car service committee of the American Railway association at an important conference here today. The committee of nearly all the important trunk lines are in attendance. Conferees admit that an alarming shortage of rolling stock confronts the railroads, but refuse to state whether any line of action to avert conditions equally as bad, if not worse, has prevailed last winter. They finally decided.

RED MEN HUNT WAMPUM

Great Council Increases Per Capita Tax on All Tribes Reporting Direct to It.

NORFOLK, Va., Sept. 12.—To rehabilitate its treasury, the great council of the Improved Order of Red Men today increased the per capita tax on all tribes reporting to it on all tribes in territorial jurisdiction and otherwise reporting direct to the great council. An effort to likewise increase the per capita tax on all tribes reporting to state councils, with a 5-cent increase on members of the female branch was finally defeated.

The finance committee recommended as a matter of economy that the 1908 session be held at Columbus, but the Columbus delegation said that city was not ready to entertain. Baltimore, Bridgeport and Atlantic City were proposed.

MOORISH CAMP IS BURNED

French and Spanish Forces Win Decisive Victory at Taddert.

FOG COVERS FRENCH ATTACK

Arabs Flee in Wild Disorder and Are Pursued for Several Miles by Algerian Cavalry in Service of France.

CASABLANCA, Wednesday, Sept. 11.—The allied Franco-Spanish army today made a sudden and successful move on Taddert, where the Moors were massed in force. The camp of the latter was destroyed by bombardment and the enemy put to flight, leaving many dead on the field. The French lost one man killed and six men wounded.

The attack was carefully planned and was based largely on the observations of the Moors' positions from a military bulletin. The allied army, which was divided into two columns, left the camp at 6 o'clock in the morning, leaving several companies of infantry to defend the base at Casablanca. The first column was composed of four companies of regular infantry, several companies of sharpshooters, a battery of artillery, and all the cavalry. The second column consisted of six companies of infantry and a battery of artillery.

The march was skillfully carried out under cover of a fog which half way to Taddert, when the fog lifted and disclosed several large bands of the enemy. The allies then charged at the point of bayonet and although the Moors resisted with their old-time courage they were finally compelled to retreat in the face of a superior force and both of the columns of allied troops entered Taddert. After the bombardment of that place by the French artillery as well as by the guns of the French cruiser Gloire, which fired seventy-five shells, the allied infantry advanced on the Moorish camp, where the enemy was making a last, desperate stand. A short engagement followed and the Moors fled in wild disorder, pursued for several miles by the regular Algerian cavalry in the French service. The Moorish camp was completely destroyed. The exact loss of the Moors is not known, as they carried away many of their dead.

When the Moors saw their camp in flames they set fire to all the farms and woodlands they could reach and the surrounding country was covered with smoke and flames. PARIS, Sept. 12.—War Minister Picquart today received the following dispatch from General Druce, commander of the French troops at Casablanca: "I am pleased to notify you that thanks to a land fog we have been able to surprise the Moors' camp at Taddert, which was burned. The Moors were dispersed and fled to the hills followed by the shells of our artillery and effective projectiles from the Gloire. On Sept. 11, one man was killed and six were wounded."

CZAR'S YACHT IN BAD SHAPE

Has Struck Submerged Rocks and Stands in Urgent Need of Assistance.

ST. PETERSBURG, Sept. 12.—No official announcement had been made here up to 11:30 o'clock this afternoon regarding the grounding of the imperial yacht Standart off Horsee, near Hango, Finland, yesterday afternoon. The news has been withheld even from the public press. This day accident has been allowed to reach the public and the newspapers have been forbidden to publish a word on the subject under pain of heavy fines and imprisonment, as provided for by the recent drastic order prohibiting the publication of unfavorable news regarding the imperial family.

The Associated Press, however, learned that the grounding of the yacht, on board of which were Emperor Nicholas and Empress Alexandra and their family, produced a depressing effect upon Captain Staghin, the commander of the vessel. The Standart is in a most unfavorable position upon some rocks which are submerged at high tide, but exemplary order was maintained on board, and on news of the disaster being telegraphed to the naval authorities, several warships and a salvage steamer were hurried to Horsee. At 10 o'clock last night the imperial party left the Standart and were taken on board the dispatch boat Alfa, while urgent orders were telegraphed to St. Petersburg to have the imperial yacht Alexandra sent to Horsee, where it is expected in the course of the day.

SUSPECTED RIPPER ESCAPES

Insane Man Held at Berlin on Murder Charge Gets Away from Keepers.

BERLIN, Sept. 12.—An insane man named Leisky, arrested on suspicion that he was the "ripper" who murdered several school girls recently, has escaped from the observation ward of the prison hospital. It is feared he will perpetrate fresh crimes.

TUBERCULOSIS TEST'S EFFECT

Veterinarians Declare No Danger Exists in Healthy Cows.

KANSAS CITY, Mo., Sept. 12.—Before the annual convention of the Veterinary Medical association here today, John R. Mohler of the bureau of animal industry at Washington, delivered an address on meat inspection. Dr. S. H. Gulliland of Marietta, Pa., in a paper describing the effect of the test for tuberculosis on the lactation of milk cows, said that in a series of experiments on 80 cows none of the healthy animals showed any decrease in the amount of milk they produced. Animals that were tubercular showed a decrease in the amount of milk as soon as the tests were begun. He said there should be no fear on the part of dairymen to have their cattle tested for this disease because only the affected cattle would produce less milk because of the tests.

Other speakers were W. L. Williams, Thaca, N. Y.; C. C. Lyford, Minneapolis; J. A. Couture, Quebec, Canada, and Richard Ebbitt, Grand Island, Neb.

JOHNSON NOT CANDIDATE

Governor of Minnesota Says He Will Not Make Race for Presidency.

ST. PAUL, Minn., Sept. 12.—"I am not a presidential candidate, and I do not intend to become one." This was the emphatic declaration made by Governor Johnson today to a party of prominent Nebraskans who came to present three invitations to Governor Johnson to speak in Nebraska. The governor declined all three.

COPPER MINES ARE TO CLOSE

Amalgamated Company Will Shut Down Because of Overproduction of Metal.

NEW YORK, Sept. 12.—The Amalgamated Copper company is about to shut down its mines in and about Butte, Mont., for an indefinite period. From an interest closely identified with the company it was learned that the suspension of operations is due to over-production and lack of demand for copper and to some extent also to the difficulty of obtaining adequate supplies of fuel at Butte. According to the authority for the announcement there is now a surplus supply of 250,000,000 pounds of refined copper in the United States. The production of refined copper in September, he said, would be 8,000,000 pounds less than in August. The present price as quoted in the market is about 15 cents a pound for electrolytic, but according to the authority referred to it is doubtful if 15 cents a pound could be obtained for any considerable quantity.

The Amalgamated Copper company's shares had a sharp decline on the stock market this afternoon, the stocks selling down to a loss of almost 4 points before 2:30, as compared with last night's closing price of 100.

Today's quotations on the stock exchange were the lowest in years. Henry H. Rogers, president of the Amalgamated Copper company, is now ill at his home in Fair Haven, Mass. Counsel for Mr. Rogers announced in court in Boston today that Mr. Rogers would not be able to appear there in a suit in which he is interested for at least three months. Sanction was given to the report on the exchange of intended shutting down of copper mines in Montana and the facility was admitted of piling up further stocks of copper with the buying demand paralyzed. Amalgamated Copper naturally led the market today, breaking down to 90, with a circulation of a cut in the dividend in prospect. American smelting fell to nearly 90 and Anaconda to near 37. The United States Steel stocks broke badly in the latter part of the day, the common selling at the lowest price in years.

BOSTON, Sept. 12.—Several Boston copper stocks reached the lowest figures today touched for several years. North Butte receded to 45 1/2, Copper Range to 37 1/2 and Calumet and Arizona to 15.

NEW YORK, Sept. 12.—At H. H. Rogers' residence today a party was given for Mr. Rogers' continued poor health, but that his condition was not considered serious.

ORIENTAL LIMITED HELD UP

Robbers Dynamite Empty Safe and Take Registered Mail from Cars.

ST. PAUL, Minn., Sept. 12.—General Manager Elliott of the Great Northern Express company announced to the Associated Press today that the Oriental Limited train No. 67, which was held up by two masked men seven miles west of Roxford, Mont., early this morning. The robbers crawled over the tender and, at the point of their guns, commanded the engineer to stop the train. They then ordered him to go back with them to express car and instructed him to tell the express messenger, mail clerk and baggage man to go back into the coaches. While this was being done the robbers kept up a continual fusillade with their guns to terrify the passengers and keep them within the coaches. After the messenger, baggage man and mail clerk had left the cars the robbers went through the mail cars and robbed the sacks of a large quantity of registered mail. Then they went into an express car which carried an overflow of mail, baggage and express and which contained the railway mail train. This they attempted to blow open. After exploding three charges the safe was opened and found empty. The robbers did not enter the regular express car in which the messengers had been riding.

On finding the safe empty the highwaymen turned their attention to the registered mail, and after firing a parting volley, disappeared. The robbers are described as being about 30 years of age, one about five feet eleven inches tall and the other considerably shorter. They wore black clothes and black soft hats. The railway company offers \$5,000 for the arrest and conviction of each of them.

BURRIER MAY GET A CHANCE

Diamond Robber Who Violated Parole May Have Opportunity to Make Good.

DES MOINES, Sept. 12.—(Special.)—George Burrier, who figured in the big \$40,000 diamond robbery at Clinton, Ia., and who was a gang that operated extensively in this state, may be given another chance. Burrier turned state's evidence and his testimony resulted in a number being convicted and sent to the penitentiary and the gang was broken up. Some months ago Burrier was paroled on an agreement that he should be given a second chance. He had turned state's evidence, but a few days ago Burrier broke the terms of his parole and got drunk and was promptly arrested by the Clinton police.

Since then the matter has been with Governor Burrier, to what should be done with him. The governor has not decided the matter as yet, but there is a strong probability he will give Burrier another chance. Burrier's life from the time he was about 16 has been spent largely in penitentiaries and jails. Had he broken the terms of his parole, he would have been sent to the penitentiary for a similar crime there is no question but that he would have been returned to serve out the remainder of his sentence, which would be six or seven years.

Burrier has written a letter to Governor Cummins asking for another chance and others have written in his behalf.

DEATH RECORD.

Mrs. Frederick Seiler, 81 years of age, died Wednesday at her home, 506 Lincoln street, at 11 o'clock, Wednesday. She was born in Germany. Her husband served several children survive her. Funeral services were held Thursday afternoon at 2 o'clock at the house, and interment was made at Evergreen cemetery.

Ed T. O'Connor.

Ed T. O'Connor, 48 years of age, died at his home, 2211 Clark street, Wednesday, at 10 o'clock, Wednesday. The funeral will be held from St. John's church Friday morning at 9 o'clock, with interment at Holy Sepulcher cemetery.

ASIATICS ARE TURNED AWAY

Steamer Mont Eagle Brings Many Orientals to Vancouver.

COMPANY FEARS TO LAND THEM

Japanese Debarred at Victoria, While There is Great Delay Over Hindus—Canadians Are Uproared in Arms.

OTTAWA, Ont., Sept. 12.—Advices from Vancouver state that the mayor of Vancouver has warned the captain of the steamer Mont Eagle, which has on board 121 Japanese, 19 Chinese and 941 Hindus destined for this port, that he would be unable to guarantee a safe landing there because the unionists have expressed their determination to resist the immigration of any more Asiatic laborers. The steamship authorities had to maintain the risk and the vessel has been turned back to Victoria, where the Asiatics will be landed.

Vancouver is reported as being comparatively quiet, but an outrage by two Chinese men yesterday has again inflamed the people. The Monopolists, while passing along the main street, saw a white baby sitting on a door step. They snatched it up and threw it into the middle of the street, which was busy with traffic. It fell among the horses' feet and narrowly escaped death. Recovery being bruised it was not much the worse.

An angry crowd started in pursuit. The Chinese had a good start and escaped. The fact that no arrests have been made has not tended to allay the temper of the people.

The city council prohibited a wrestling match which was to have taken place tonight between a white man and a Japanese. The entire Japanese colony had bought tickets for the encounter and trouble was threatened.

Would Send Them to Ottawa.

SEATTLE, Wash., Sept. 12.—A special to the Post-Intelligencer from Vancouver, B. C., says: With a subscription list headed by Mayor Burton with \$100, and which up to last night had grown to \$1,500, Vancouver citizens will charter a steamer and pluck out the least number of Hindus, who are on this city yesterday by the steamer Mont Eagle on board of which are 1,000 Chinese, Japanese and baggage, to Ottawa, the seat of the federal government. This is the plan evolved and which is to be carried into effect today, providing the necessary amount of money can be raised.

On board the Mont Eagle were hundreds of Chinese, Japanese and Hindus. The Hindus formed the greatest part of the party and are to be sent to Ottawa with the compliments of Vancouver. It is an outcome of the recent orientalist campaign.

The steamship company, fearing trouble, landed nearly all of the Japanese at Victoria. At Vancouver the dock was crowded for two blocks and heavily guarded by police and police. Last night an attempt was made to land the Hindus. An immense crowd had gathered about the dock and the Indians and baggage to Ottawa, the seat of the federal government. This is the plan evolved and which is to be carried into effect today, providing the necessary amount of money can be raised.

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Chicago Has Oriental Problem.

CHICAGO, Sept. 12.—A recommendation by the superintendent of the Chicago public schools to the effect that certain adult foreigners be admitted as pupils in one of the schools brought out the fact that proposals to admit any adults, especially any Chinese, will meet very strong opposition from members of the school board. Superintendent Cooley, in a formal communication last night recommended that three Japanese, one Persian, one Hollander, two Irishmen and an Englishman be admitted to an ungraded room which had been provided at the Jones school building. Dr. Cooley, one of the school trustees, immediately objected to admitting any adults, and especially any oriental adults to the schools, where they would be thrown into association with children. Other trustees objected also on grounds of imprudence of devoting school funds for educating any adults, and particularly objectionable adults. The attorney of the board being appealed to said he had doubts of the legality of admitting any pupil above the age of 12, but declined to express an opinion on that point. The whole matter was then referred to the committee on school management.

TOKIO, Sept. 12.—The Jiji, in a leading editorial to be published tomorrow, greatly deplores the fact that an incident similar to that at San Francisco occurred at Vancouver, which is part of the territory of an ally of Japan. The Jiji believes that the trouble at Vancouver was occasioned by the increased arrival of Japanese laborers from Hawaii after the enforcement of the exclusion measure by the government at Washington, coupled with the contagion of anti-Japanism rampant on the Pacific coast of the United States. This had fanned the anti-oriental sentiment which had existed for several years in British Columbia and had only been prevented from assuming legal form by the attitude of the Dominion government. The paper, however, emphasizes the fact that the outbreak at Vancouver, like the trouble at San Francisco, is only local. It says: "The regret already expressed by the Canadian government, coupled with assurances that it is prepared to meet the recurrence of a similar incident, even a royal message in reference thereto, furnishes the clearest evidence that the Japanese have no power of the Dominion government over individual states is greater than that of the Dominion government over the Dominion as a whole. The Dominion police are more efficient than those at San Francisco, and there is every reason to believe that it is prepared to meet the recurrence of a similar incident, even a royal message in reference thereto, furnishes the clearest evidence that the Japanese have no power of the Dominion government over individual states is greater than that of the Dominion government over the Dominion as a whole. 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