NEW FORM OF REBATE

Chesapeake & Ohio Develop Latest Method of Favoring Shippers.

TRANSFER AT INITIAL POINT

Has Effect of Giving Fraction of Through Instead of Local Rate,

raffic at Connecting Line Carri Lower Rat

PROSECUTIONS TO Report of Commissioner Lanto It as Fraudulent Prac-That Has Obtained for Several Years.

WASHINGTON, March 17. - Criminal secution, it is indicated offically, will be instituted against certain officials of the Chesspeake & Ohio Railway company and certain favored shippers by that line on account of what is asserted to have been illegal practices relative to interstate shipments. It appears from the findings of the Interstate Commerce commission that the Chesapeake & Ohio favored certain shippers "at the expense of the Seaboard Atj Line and Atlantic Coast Line," in the thipment of grain and packing house profucts and that the shippers thus favored gave to the Chesapeake & Ohio "all of the

A hearing on the matter of these praclices was held in Richmend, Va., in February by the Interstate Commerce commistion, the evidence being taken by Commissioner Lane. The commissioner has submitted his report to the full commiss It has been approved, and Attorney General Bonaparte has been requested by the commission to institute, through the United States district attorney at Richmond, proceedings against all parties involved in the evilence adduced.

Dodging Rebate Law. Following is the text of Commissione Lane's report of the practices complained

For some years a fraudulent practice, participated in by certain dealers in grain and also by certain dealers in packing louse products and also by the Chesapeake not also by certain dealers in packing souse products and also by the Chesapeake & Chio Railroad company, has obtained at Richmond, by means of which this railway company has favored such shippers at the expense of the Saaboard Air Line and the Atantic Coast Line, its southern connections. This practice has resulted in the obtaining for such shippers of rates less that local rates over the Seaboard Air Line and Atlantic Coast Line for shipments of grain and also for shipments of packing house products, which local rates such shipments were legally bound to pay. This result has been accomplished by means of transfer slips issued by the station agent of the Chesapeake & Ohlo Railroad company on the written instruction of the assistant general freight agent of this railway company, said transfer slips falsely conveying to the southern lines the statement that such shipments had originated at points begong Richmond and were entitled to have from Richmond to destination in the Carolinas at a division of a through rate, such division being less in amount than the local rates to which these brough rate, such division being less in though then the local rates to which these dipments were legally subject.

Those Who Have Benefited. The benefits of this arrangement have been reaped by the shippers enjoying it, and also by the Chesapeake & Ohio Railcompany, which, whether by express ement or not, has received all of the and business of the shippers so favored

It also further appears that the assistant freight agent of the Chesanenke general freight agent of the Chesapeake & Ohio Railway company, responsible for the above described abuse, upon discovering that the same was under investigation by spesial agents of this commission, undertook to make amends for the same to the Scaboard Air line and the Atlantic Coast line. To this end he ordered that a list be prepared of all cars, which had, by his orders, been moved at a division of the joint through rate less in amount than the local rates to which they were legally subject. Being informed by one of his subject. ect. Being informed by one of his sub-ordinates that this list would be a very ong one, he then gave orders that the list should only show the cars moving during the months of August, September and Octo-ber, 1907. Having been furnished with a overing these three months, he for-ded it to the southern lines with a tement which showed "all" cars mis-ed which he had been able to discover. also appears that certain records of Chesspeake & Obio Railway company, a been destroyed, contrary to the prothe Chesspeake & Oliko Rallway company, have been destroyed, contrary to the provisions of the act to regulate commerce. The testimony showed that the freight claim department of this rallway is under the charge of the assistant general freight agent, he being the official responsible for the false transfer slips above referred to.

Auditor Closes His Eyes. Auditor Closes His Eyes.

The testimony further shows that the auditor of disbursements, on receiving from the freight ciaim office claims from shippers with direction that the be paid, inquired no further into the merits or legality of such claims than to ascertain from the auditor of freight receipts that the shipments to which the claims relate have been moved and that the charges have been collected. All claims so passing through the freight claim office and pasted up on the order of the assistant freight agent prior to January, 128, were destroyed during the latter part of the year. This destrucof the order of the assistant trends of the prior to January, 1288, were destroyed during the latter part of the year. This destruction appears to have been made under authorization of the comptroller of the Chesapeake & Ohio Rallway company.

Bo far us the matters disclosed are criminal to the control of so far as the matters disclosed are crim-al in their nature, they will be referred the United States district attorney at chmond, with the request that e instituted against all parties involved.

WASHINGTON STATUE REMOVED Hervie Greenough Monument Will Be Placed in Smithsonian

WASHINGTON, March 17 .- After under going a lot of criticism as to its artistic merits, the heroic Greenough statue of Juheral George Washington, which for daty-seven years has stood in the plaza of the east front of the capitol was today the protection of the statue against for-

ther ravages of the elements. Mr. McCail of Massachusetts suggested that a number of the statues in chamber of horrors, commonly matuary hall." might also be moved.

INSURGENTS WILL CELEBRATE Severnor Crawford to Address Republican Rally at Huron

April Sixth.

HURON, S. D., Murch 17,-(Spec'al.)-Ar engements are being made for a republican ally at the Auditorium in this city, Arril Governor Crawford has accepted an invi- Information from White House Presiatjon to address the meeting. Hon. George W. Eggen of Sloux Falls will also be present and, with others, address the meeting By a representation of forty-three votes. eague today unanimously endorsed the resms of the Scandinavian Republican State league at Sloux Falls, February, M.

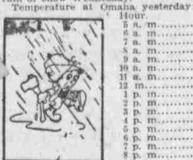
committee in every particular.

SUMMARY OF THE BEE BURDEN PLACED ON CAPITAL ANN ARBOR STUDENTS RIOT

Wednesday, March 18, 1008. 1908 -MARCH- 1908 SUN MON TOP WED THE FRE SAT

123456 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 AIR LINE GETS WORST OF IT 29 30 31 == ==

THE WEATHER. FOR OMAHA, COUNCIL BLUFFS AND VICINITY-Probably rain or snow Wednes-FOR NEBRASKA AND IOWA-Probably



DOMESTIC.

bound business of the shippers so favored to take testimony in the express company case.

Police of Ann Arbor make public names of fifteen students captured in recent riot there who will be dismissed from school. Wage trouble between the United Mine rency stringency and continued: Workers and the operators is regarded

as almost certain from the refusal of the Page 1 operators to negotiate. Senate committee withdraws the rallroad bond provision from the Aldrich Page 2 A. J. Mathias and Eugene W. Waterbury

were nominated for mayor in Des Moines. Page 1 Senator La Follette speaks on the evil of allowing rich men and their many interests to control the finances of the Page 1 country

be removed to the Smithsonian institute. Page 1 Diamond prices will be reduced resulting from the disagreement of members of

The Greenough Washington statue will

Police of Washington determine to stop as well. betting at Benning's race track in spite Mr. La Follette reviewed the growth of of decision of court it is not illegal.

LOCAL. make trip to Lincoln to Interview Governor Sheldon. Page 3 Superintednet Davidson and Principal Waterhouse ignore the criticisms of a National ocal artist on the Lincoln statue, saythat a \$50,000 piece of work can hardly be secured for \$2,000. Page 5 two gro

St. Patrick was placed on his throne yesterday, being honored by all of Erin's sons and a special program at the Creighton institute in the evening. Page 4 Attorney C. E. Clapp of Omaha fell dead in Council Bluffs about noon Tuesray, while returning from the court house, being stricken with heart disease,

Page 4 By cancelling a rule against advancing transportation charges for shippers, the

told Omaha bankers and business men that guarantee of bank deposits was as street. sure as fate and would be forced upon He severely criticized the provision of the the banks if they did not provide it them- Aldrich bill by which railroad bonds are melves.

COMMERCIAL AND INDUSTRIAL Live stock markets. Page 9 Grain markets. Page 9 Stocks and bonds. Page 9 CLOGNE

GIBRALTER BY WIRELESS. Sable Island-Kron Prinz Wilhelm, miles cast of Sandy Hook at 1:55 p. will probably dock at 8:30 a. m. Wedn day. Sable Irland-Cedric, 520 miles east of

Sandy Hook at II a. m. DIAMOND WAR WILL COME

Syndicate Broken Up and Prices of Gems Will Come Down. Soon.

LONDON, March 17 .- Under pressure exerted by the Transvaal government, which Queency. "There is every indication that is entitled to 60 per cent of the company's the struggle will be a long one and fought output, the Premier Diamond Mining com- hard on both sides." ordered by the house to be removed to pany has definitely refused to renew its the Smithsonian institute. The motive is agreement with the diamond syndicate, by the road a month age, agreement all Russian Jew at Sloux City Given The Premier company announces that it contracts with the unions. will make known 'ts output on the piration this ments of the contract with that | the syndicate. Up to the present time the called syndicate has taken the output of both These Nominated for Mayor at Pris and signed "Black Hand," R. Hurnoff, a the Premier and the Delicers companies The fact that the agreement is not to be renewed means that war will be declared by the Premier company against the De Beers company and the general opinion is that diamonds will be cheaper. The

rolled the world's output in diamonds. DENIAL MESSAGE IS ON WAY

dent is Not to Push Certain Legislation.

WASHINGTON, March 17.-The report the Byadle County Scandingvian Re ub tean that the president is about to send a special message to congress urging upon its and endorsed the action of the state execu- meets with a positive denial at the White votes at the primaries yesterday. The elec- the sender, as he did not know he had an House.

Senator La Follette Closes Discussion on Aldrich Bill.

FINANCIERS CAN MAKE PANICS Iwo Wealthy Men, He Claims, Can Control the Industries of the

Country Through Their

Money Power.

WASHINGTON, March 17. - Declaring ountry was brought about by the influence of "Standard Oil" and J. Pierpont Morgan, Sepator La Follette of Wisconsin

cognizance of a generally current remark billy. that by eliminating railroad bonds from the Aldrich currency bill, the finance comhave been if such action had not been taken. He said in part:

Prosecution of the Chesapeake & Ohio railroad will be begun by the government for the giving of faise transfer slips.

Page 1

American fleet is able to make the trip around the world provided coal is supplied.

Page 2
State asks for appointment of a referee to take testimony in the express company case.

There were no commercial reasons for a panic. There were specialities legislative and political reasons why a panic unight reasons for a panic. There were specialities legislative and political reasons for a panic of the panic of the serve special interests. There were specialities legislative and political reasons for a panic of an express socres to settle. There were specialities legislative and political reasons why a panic unight to be plocked and a currency measure suched to the system to be secured. There were specialities legislative and political reasons why a panic unight to be panic There were specialities legislative and political reasons for a panic unight.

American fleet is able to make the trip around the world provided coal is supplied.

Page 2
State asks for appointment of a referee to take testimony in the express company case.

There were no commercial reasons for

Scenes of the Panie, The senator recounted in vivid language

his view of the events of October 24, When Page 1 Wall street was in the throes of the cur

Ent back of the scenes Morgan and Stillman were in conference. They had made their presentations at Washington. They knew when the next installment of aid would reach New York. They knew just how much it would be. They awaited its arrival and deposit. Thereupon they pooled an equal amount and held it. Then they waited. Interest rates soared. Wall street was driven to a frenzy. Two o'clock came terrific. Still they waited. Union Pacific declined 10½ points; Northern Pacific and other stocks went down in like proportion. Five minutes passed—ten minutes passed—ten minutes passed—ten minutes pass 2 o'clock. Then at precisely at 2:15 the curtain went up, with Morgan and Standard Oll in the center of the stage with money—real money—twenty-five millions of money—giving it away at 10 per cent. giving it away at 10 per cent.

Whole Country Terrorised. whole Country Terrorised.

How beautifully it all worked out! They had the whole country terrorized. They had the whole country terrori

industrial reorganization from the year Page 1 1888, which he said saw the beginning of that movement. He discussed the economic Members of the fire and police board development of the country and laid especial stress upon the growth of financial combinations, declaring: There are twenty-three directors of the

There are twenty-three directors of the National City bank (Standard Oil); there are thirty-nine directors of the National Bank of Commerce (Morgan). Examination of these directors shows that these two groups are being knit together in business associations, suggesting their full identification.

Fourteen of the directors of the National City bank are at the head of four great combinations representing 38 per cent of

combinations representing 38 per cent of the capitalization of all the industrial trusts of the country.

Controlling Periods of Prosperity. Speaking of the great stores of mone in New York, in connection with the various industrial institutions, Mr. La Follette

Great Western Railroad company has succeeded in knocking out a rule of the Trunk Line association which would have resulted in great damage to shippers.

Page 5

Irving T. Bush, president of the Merchants' association of New York City, told Omaha bankers and business men ural industry may be pocketed in Wall

Page 5 to be made security for emergency circulation and charged that it was a schem to defeat legislation which might lower Father, Wife and Children railroad rates.

He insisted that the Interstate Commerce mission is pot empowered to ascertain MOVEMENTS OF OCEAN STRAMSHIPS. the value of the physical property of the rallway companies of the country and strongly favored such a valuation as the only means for fixing rallroad rates.

MACHINISTS PLAN TO STRIKE Example of Rio Grande Men Will Spread Over Entire Gould

System.

DENVER, Colo., March 17,-Today, 1.500 machinists, bollermakers and members of kindred trades working in the Denver & Rio Grande shops went on a strike, in response to an order issued by W. J. Mcrailway refused concessions.

"The strike will ultimately spread to roads over the United States," said Mc-

The strike is the result of an order posted

MATHIAS AND WATERBURY WIN maries Held Wonday at Des Moines.

thousand votes were cast and practically gene W. Waterbury for mayor, John Mac- of the bomb. Vicar. John L. Hamery, Wesley Ash,

Breckton for commissioners. tion will be held March 30.

Wreck Theater as Revenge for Alleged lumbt to One of

ANN ARBOR, Mich., March 17 .- Twenty two University of Michigan students apen last night in jail and the Star Nickel LIFE OF RACING IN BALANCE theater was thoroughly wrecked as th esult of a riot of students last evening which lasted until nearly 1 o'clock this morning. The moving picture machine and the theater piano were broken to pieces.

Number.

Trouble started Saturday night in a dispute between a forestry student named Kamm from Kentucky and E. Reynolds hat the recent financial stringency in the proprietor of the theater. Some one whistled while the performance was in progress and Kamm was ordered to leav the playholuse. He got up at once to today, in a speech practically closing the leave, but it is said that at the door he Aldrich currency bill, entered upon a de- slapped Manager Reynolds in the face. At leave, but it is said that at the door he nunciation of men high in the financial this point Special Policeman Schlimmer. in the employ of the theater, took Reynold's In the beginning of his speech in the part and is said to have inflicted a scalp anxiously awaited in every stable and on senate today, Senator La Follette took wound on the student by a blow with his

News of the affair circulated among the students Sunday and yesterday, with the Washington meeting is found in the fact mittee has taken the wind out of Mr. La result that some of the bolder spirits among that the city authorities are determined Follette's sail. He declared that the ac- the students planned to make reprisals to break up betting. For three years past tion of the committee had rendered what against the theater management. Last book-makers have not been required to he would have to say against railroad night a proscusion was formed that went move about among the patrons of the sport securities more pertinent than it would through the district of the student rooming and to book their wagers while on the move houses shouting "All out for the Star Last fall the chief of police of Washington theater." College men poured out to join acting under instruction from the munici the marchers at every block and when the pai authorities, arrested one of these procession reached the theater fully 2,000 perambulating bookmakers under the men were in line.

Showers of Rocks. theater and from that moment pandemon-Star theater, but of adjoining buildings,

paring to turn out calmed the rioting students at last and about midnight the mob began to disperse. It was not until 1 o'clock, however, that quiet was restored. Some of the police and severel students were slightly hurt but luckily no serious injuries resulted. It was reported, however, that the police averted a tragedy by overpowering one of the theater employes just as he was on the point of discharging a revolver point black into the crowd of

Early this morning the police said that

WHEEL HOUSE IS BLOWN UP

Two Fatally, by Explosion at Linton, Ind.

LINTON, Ind., March 17.-Three men were killed and four injured, two fatally, today by the blowing up of one of the ten wheel houses of the United States Powder company at Coalmont, fourteen miles from

sere. The dead: WILLIAM SIMMONS. Fatally injured: Charles Stuart. Seriously injured: William Myers.

\$29,000, Left By Real Esinte Dealer.

George H. Palmer, who died March 9. left an estate estimated to be worth \$29,000 according to the petition for the probate of his will which was filed by his father, H. E. Palmer yesterday afternoon. The petition asks the appointment of Mrs. Florence M. Palmer, the widow, as exacutrix.

In the will be leaves his interest the firm of H. E. Palmer Son & Co., to his father. Half of the remainder of the estate goes to the widow and the other half is to be held in trust for the two children, Morse, aged 8, and Jean, aged years. The will provides this share shall tional organization after a final conference of the children. From that date until at which Manager A. C. Ridgway of the May 17, 1935 the income is to be divided. every road in the Gould system and affect divided equally between the children. The will was dated February 8, just a month before Mr. Palmer's death

> BOMB RECEIVED THROUGH MAIL Sears.

SIOUX CITY, Ia., March 17 .- (Special Telegram.)-Accompanied by a small sheet of paper on which was written "look out" Russian Jew who conducts a grocery store at 300 West Seventh street, today received a crudely fashloned dynamite bomb with DES MOINES, March 17 .- After the lives fuse attached. Catching sight of the fuse, Hest political campaign in the history of a clerk, who was unwrapping the package, the city Des Moines yesterday held its was on the point of throwing it into the syndicate has in the past practically con- first primary election under the new com- atreet when restrained. The package, mission plan of government. Thirteen which possessed no postmark, was delivered in the usual way by a mail carrier. the complete returns this morning indicate Hurzoff, who was frantic with fear, at

enemy in the country.

MOVE TO BREAK UP BETTING

Police at Washington Will Ignore Decision of District Court.

People of Washington Want a Public Utilities Commission to Take Charge of Affairs in District of Columbia.

(From a Staff Correspondent.) WASHINGTON, March 17 .- (Special.)-The spring meeting of the Washington Jockey club opens at Bennings race track on Monday, March 22. This marks the opening of the season of running meetings in the United States for the year of 1908. The outcome of the races here is being every breeding farm, not only in the United States, but throughout the world. The reason for this unusual interest in the charge of setting up a gaming table. The case was fought by the city authorities Crashing glass announced the opening of on the one hand and the Bookmakers' ashe attack as one of the collegians hurled sociation on the other through the various brick through a front window of the courts until it reached the court of ap peals, which tribunal a few days ago lum reigned. Windows not only of the handed down a decision in which the ground was taken that inasmuch as the were shattered by fusiliade of rocks and offender was not charged with making a the students finally attacked the building regular book with all the attending in "rush" formation and practically tore paraphenilia, but that on the contrary it out the front. The police were powerless, was shown that he simply accepted wagers the students jeering at the officers and from such betters as accosted him in his stealing their helmets for souvenirs, and walks about the grounds that he did not

being made in New York to secure the adoption of legislation to prohibit betting in any form upon the tracks and race courses in the Empire state. This activity on the part of the anti-race people in New York, combined with the efforts to break tian association, arrangements have been up the sport in the District of Columbia, threatens a serious blow to the industry of thoroughbred horse breeding, for unless wagers upon races are permitted races will not be run, and without the excitement of members of the equine family contending they had not taken any sames of the for the horses themselves, for the simple students under arrest.

The attorney general for Nebraska argued that the state, by the very terms of the city at the Labor of its constitution, was coverign and had of its constitution. is of practically value for carriage purposes, not at all for commercial uses and the demand for Three Men Killed and Four Injured, saddle horses has grown less year by year in the same ratio that the automobile has increased in popular favor.

Public Utilities Commission. Efforts are being made in congress to establish in the District of Columbia a Boyles Business college. public utilities commission, with powers and duties similar to the two commiss which control the affairs of the public service corporations in the state of New Empire state indicate that the utilities commissions are doing a power of good years earned hih living by the sweat of for the patrons of the corporations which his brow and studied social problems at control public franchises, whereas in the short range. District of Columbia, under the eye of the national government, there is absolutely All were employes of the powder works no control, except when congress sees fit and were in the wheelhouse when the ex- to enact direct legislation. The street car plosion occurred. Nothing is known as to service on some of the lines of this city he cause. On account of the considerable is equal to the best of any community in distance between the buildings none of the the world. On the other hand, the manage other nine wheelhouses was damaged. The ment to some of the other lines seem to force of the explosion was heard and feit pay no regard whatever to the needs of for miles. All windows in Coalmont were their patrons, and as those patrons are smashed and several buildings were dam- absolutely mute, being deprived of franaged. Plate glass windows in Linton were chise in matters of municipal legislation, their complaints receive scant considerafion. The proposed commission will, if the PALMER'S FORTUNE TO FAMILY present plans are perfected, have complete control of all matters pertaining to the conduct of the street railway systems. the gas and electric lighting plants and the score of other public utilities essential to city life. It is the intention of the framers of the measure to relieve the district com missioners of all jurisdiction over such franchises and to make the board of public utilities supreme, from whose decision no appeal shall lie. Unlike most proposed legislation affecting the interests of the people of Washington, this measure seems meet with very cordial approval not only from the people, but from the authorities also, nor does there seem to be a very strong disposition toward opposition on the part of the corporations directly affected. Amusing Story of Two Books.

An amusing story comes from New York be invested and the income used up to in connection with a recent publication of Queency, representing the machinints' na- May 17, 1921 for the support and education two volumes by two very prominent men. Something of a sensation was caused some time ago by the issuance from the press equally between them. On May 17, 1825, of D. Appleton & Co., of a volume by went to his fruit farm near Benson and the property and accumulations is to be Chancellor Day of the Syracuse university, entitled, "A Raid Upon Prosperity." That ture. In his chosen line of work Mr. Will volume upholds some of the biggest corporations in their methods of business and His methods of grafting have become famcovertly and nonetheless forcibly attacks ous, and some of his achievements are the administration in dealing with corporations and individuals. More recently Hon. Burbank. Leslie M. Shaw, former secretary of the treasury, issued through the same publish- Williams began failing in health, and for ing house a volume entitled, "Current Issues." He had a number of copies of the His death was not unexpected. His wife volume sent to his office, which, as usual, were wrapped in a folder on the front of which was printed the title of the book and the name of the author. Mr. Shaw wrote his name on the fly leaf of a number of these which he sent out as presentamembers of the cabinet and some other and as he proceeded to indite a few pre- graph operator and served faithfully. sentation remarks upon the fly leaves of was while thus engaged he formed the the numination of A. J. Mathis and Eu- once called the police, who took charge the second batch his attention was st-The bomb is a home-made affair, con- which he found in large type a glowing ad- ago when a meeting of the war tele-Charles S. Worth, James R. Hanna, Buf- sisting of a bird-cage cup, filled with dyna- vertisement of Chancellor Day's book. He graphers was held in the south Mr. Laffler fons Walker, Charles H. Worth and W. H. mite, held in place by a dark substance hastily summoned the publishers on the was on the same train with Mr. Rosewater resembling putty, Inserted in the putty telephone and demanded that every copy Under the new plan of government there was a piece of lamp wick. The writing that had been sent to the book sellers will be one mayor and four commissioners was that of someone unfamiliar with the should be recalled and that new folders certain matters of legislation and these will be chosen from the ten can- English language. Hersoff said the had should be supplied which would be free recommended by the Civic Federation didates who secured the largest number of not the slightest idea of the identity of from the objectionable advertisement. But

(Continued on Second Page.)

WAGE TROUBLE SEEMS SURE Conl Operators Hold Off and It Is Up to Minera to Take Definite Action.

INDIANAPOLIS, Ind., March 17 .- The cale committee of the national convention of the United Mine Workers of America is today preparing a final report to be submitted which will incorporate recon mendations as to the course to be pursued by the miners under conditions caused by the refusal of the operators of the central competition district to meet with them in joint convention prior to April 1, when the

present scale expires. Replies were received early today from the operators of Illinois, Ohio, Indiana and western Pensylvania to the invitations sent by the miners asking them to meet here in joint conference March 24. The Hocking Valley operators sent word that they could not accept such an invitation until the Illinois differences had been adjusted as well as their own. The eastern operators replied that they deemed it unwise to go into an interstate conference until the differences between miners and operators had been settled in the other states. The western Pensylvania operators announced in reply that they were not ready to enter into an interstate conference until local differences have been adjusted. The Indiana operators announced they would go into a conference if the others would. The position of the Illinois operators remains the same. They want their local

differences adjusted before any interstate onference will be agreed to. The scale committee, it is understood, is divided upon its report. The minority reports may be submitted tomorow and a contest on the floor of the convention. majority of the committee, it is reported will favor the reaffirmation of the present wage scale and will favor signing this scale by districts or by individual operators. A minority favors further efforts to rehabilitate an interstate wage agreement which was interrupted two years ago

PITTSBURG, Pa., March 17 .- That there will be a suspension of work April 1, when the wage scale between the miners and operators expires, is the general opinion among the miners of the Pittsburg dis-The refusal of the western Pennsyltrict. vania operators yesterday to meet the miners in joint conference is taken as a positive indication that the interstate agreement, which was broken two years ago. will not be renewed, for the present at least and that a suspension cannot be

M'NUTT COMES TO OMAHA Man Who Quit Pulpit for Common Labor Will Be Here Eight Days.

Through an arrangement with the Men's club of the First Congregational church and the officers of the Young Men's Chrismade for the "Dinner Pall Man," George

beginning next Sunday. He will address the Young Men's Christian association Sunday afternoons and fore the court, had been argued but no watching the highest types of thoroughbred | Monday evening. He will speak at an open meeting of the Woman's club at 3 p. m. not here to prejudge the court.

on "Practical Life Problems" at the First Wednesday evenings at the same place on some of the social problems. Thursday cevning he will give the address at the semi-annual banquet of the Men's club, and

Arrangements are also being made for shop meetings at the noon hour. Mr. McNutt is a Princeton graduate. He was the pastor of a large church in Indian-York. Reports from all sections of the apolis. He resigned his pulpit and hired out as a common laborer, and for four

His subjects are as follows: "The Otheer Fellow."

"The Dinner Pail Man. "How the Other Half Ought to Live." "The Saloon as a Social Center. "Crimes Against Criminals." "Fonds That Feed."

"The Kitchen Route to Social Redemp-

"Why Pews Are Empty." All the addresses will be free.

FLOODS RAPIDLY RECEDING Conditions that Have Prevailed in Northwest States Change for Better.

TACOMA. Wash., March 17 .- Reports from all portions of the territory threatened for forty-eight hours with floods, indicate that the swollen rivers are falling.

DEATH RECORD.

Theodore Williams. Theodore Williams, an old resident of Nebrasks and Omaha, died last night after an illness of several months. The funeral will be held from his late home near Ben-

san at 10 o'clock Tuesday morning. Interment at Forest Lawn cemetery. Mr. Williams, who was 66 years old, was a native of Massachusetts, but came to Nebraska forty-one years ago, settling on a homestead in Dodge county, not far from Fremont. He lived on his farm for fifteen years, and then came to Omaha, engaging

with The Bee as city circulator in 1881. This position he held until 1894, when he engaged entirely in the pursuit of horticultams achieved some remarkable success nearly as well known as those of Luther

Something more than a year ago Mr. several months he had not been out.

and eleven children survive him-David Laffler, NEBRASKA CITY, Neb., March 17 .-(Special.)-David Laffler, who has been a resident of Otoe county for almost half a century, despeed dead Sunday noon while tion copies to the president, the different sitting at the table eating. Mr. Laffler was born in the cast, and at the breaking friends. Then he ent for a fresh supply out of the civil war he enlisted as a telefriendship of the late Edward Rosewater, tracted to the back of the folder, upon which lasted through life. A few years and on his return delighted to tell how those two recounted the experiences of their early days. Mr. Laffler was 78 years Creek precinct, but abandoned farming several years ago and lived a retired life He leaves one son.

BURLINGTON CASE UP

Attorney General Thompson and Deputy Rose Argue for State.

MR. HUGH AND EVARTS FOR ROAD

One of Most Important Cases Submitted to Court in Years.

INVOLVES POWER OF STATES

Vital to Speedy Enforcement of Laws of Commonwealth.

FULL COURT HEARS ARGUMENT

Bill Permitting Omaha Indians to Prosecute Claims Stands a Good Chance of Being Enacted Into Law.

(From a Staff Correspondent.) WASHINGTON, March 17 .- (Special.)-1. nany respects the most important case that has been argued in the supreme court of the United States since the passage of tegislation affecting railways, involving the whole question of whether a state has a right to make railroad rates and to enforce them in the state courts, was presented to the supreme court today in the case of ex parte Nebraska. In this presentation South Carolina. North Carolina, Virginia, Georgia and Tennesses are peculiarly affected, because through different proceedings they are attempting a solution of the same problem. Nebraska however, took the first and easiest way of arriving at a conclusion whether its state supreme court had a right to decide upon the legality of rates fixed by its railway

It was shortly after 2 o'clock when the ase of the state of Nebraska was called against the federal district judges upon application for a mandamus transferring the suit brought by the Commonwealth of Nebraska against the Burlington railroad, back to the state courts. Attorney General Thompson, who opened the argument for the state, was listened to intently by the court, all of the justices being present. In the development of his argument Justice White, who was interested, asked the attorney general? "What a court should do if the attorney general, proceeding to prosecute offenders under a vold statute, whether the attorney general could be interfered with by a federal court in such presecutions."

Thompson Makes a Hit. Attorney General Thompson brought a laugh from the whole court when he asked to be excused from answering that quis-L. McNutt, to spend eight days in Omaha, tion because he understood that a case from Minnesota on all fours with the question asked by the justice was now bedecision reached. He said that he was

In the afternoons Mr. McNutt will speak in its own courts an original action to enforce its own laws. He argued that this Congregational church, and Tuesday and doctrine was accepted by the great chancellors of England, by the chancellory court of that country and by the various supreme courts of the United States. He insisted that the supreme court had held Friday he will speak at 11 o'clock at in the Debs case and others that the state as a sovereign might enter its own courts to enforce its laws although it had no pecuniary interest in the outcome of It was at this point that such suits. Justice White interrupted the attorney general with the question above referred to which convulsed both court and bar.

> Stand of Railroads. Judge McHugh, representing the federal district judges, followed the attorney general and argued that officers of a state and not the state itself were parties to the proceedings, meaning that the rail way commission of Nebraska was primarily instigator of the suit; that therefore the Burlington railroad, being a non-resident corporation. suit was removable to the federal court on the ground of diverse citizenship Judge McHugh contended that district judges in passing on a motion to remand case to the state court exercised judicial discretion which could not be controlled by mandamus and that therefore the remedy of state officers was an appeal and not mandamus to remand the

sause to the state courts. Maxwell Evarts, representing the railroad company, argued much along similar lines to Judge McHugh. He discussed different opinions of the supreme court and cited a case of in re Politz, 206 United States, to sustain the contention of Judge McHugh that mandamus was not proper

Assistant Attorney General W. B. Rose closed for the state. He argued that the power to regulate commerce wholly within the state was left by the constitution of the United States to the state itself. That the constitution of Nebraska conferred that power on the state. That the state and not the officers had anthority to exercise that power, both by the enactment of laws and the bringing of suits in equity to enforce them. He said the railroad companies had defied the laws in the case at bar and had refused to put in force rates established by

he railway commission Cites Some Conditions. Mr. Rose argued that an unlawful and extortiquate rate might be as effective to interfere with a rate wholly within the state of Nebraska as the action of a mob or a disturbance of organized labor. He illustrated his point by cfting a local condition. He said freight charges between Nebawka and Lincoln were so high as to prevent the marketing of apples, which froze on the trees by reason of the extortionate freight rate between those points, while the people of Lincoln were eating apples on which they were paying freight

from New York "The power being in the state," said Mr. Rose, "did not shift to the attorney goneral or the railway commission when resistance of rallways was put to the su-

preme test." Mr. Rose rested his argument on the Debs case, wherein the United States produced an injunction against Debs and other ratiway union officers from interfering with

interstate commerce. Senator Brown, who listened throughout to the arguments of the attorneys, sa'd it was an able presentation of the case on the part of the attorney general and ins deputy; that it brought the whole subject before the court and he would not change the issue if he could, believing that the apold. He lived for many years in Rock plication for a writ of mandamus was the simplest and most effective remedy in the

premises. The bill authorizing the Omaha tribe of