MR. KIMBALL ON REBATES,

The Traffic Manager of the Union Pacific Again Called.

PACIFIC COMMISSION.

Lawyer Poppleton Gives Another Manifestation of His Impatience at the Results of the Investigation.

Yesterday's Session. Governor Pattison and Judge Littler, of the Union Pacific investigating committee accompanied by the stenographer, Mr. Davis, and the Sergeant-at-arms, Mr. Waish, returned to Omaha from Sioux City over the St. Minneapolis & Omaha on Wednesday evening. The gentlemen expressed themselves as having enjoyed the trip very much, Governor Pattison being especially pleased with the rich soil and the evidences of prosperity which he observed along the

It only lacked about ten minutes of 11 o'clock when General Traffic Manager Kimball carrying a roll of papers under his arm entered the room, and after shaking hands with the commis-sioners, took the witness stand. On being asked what papers of those called for by the commission were ready, he sub-mitted a statement showing the basis of regular passenger rates on the Union pacific times down to the present time. A statement was also produced showing the open freight rates during the same period. On his attention being called to the fact that the special rates were not shown, Mr. Kimball said that would be shown in the statements of rebates allowed, which was being prepared. Statements were also submitted showing the written and printed instructions as to rates during that period and also in-structions as to the granting of passes. This showed that passes were issued to news agents, eating house men, sheriffs, the press, principal representatives of religious denominations, temperance workers, to legislators as a matter of policy made necessary by the action of other roads, persons accompanying live stock, elevator men, merchants, miners, millers, and others who had interests in different localities and did a large amount of shipping over the road were allowed annual passes pursuant to arrangements with other roads.
"What do you mean by customs of other roads' with reference to the grant-

ing of passes to members of the legisla-ture?" inquired Governor Pattison, "I mean," replied Mr. Kimbali, "that where other roads granted these passes we would do the same thing."

Mr. Kimball also submitted a list of re-bate youchers of which an explanation had been asked. The explanation was printed by a type-writer and was attached, as an exhibit, to the testimony. The statement showing the cost of transportation over the territory covered by the Union Pacific road from 1850 until the completion of the road was not ready. Mr. Kimball said he would prepare and forward it to the commission. The car mileage paid by the Standard and Conti-nental oil companies from 1882 to 1886, inclusive, was also shown in a statement

The witness produced a statement showing rebates allowed and money paid to other roads on account of pools. Mr. Kimball had a printed explanation of the items. One showed that \$6,123.25 had been paid to the Atchison, Topeka & Santa Fe and the explanation was that this amount was the submitted. nation was that this amount was the excess earned by the Union Pacific road over its share in the transcontinental pool. Another item showed \$3,228.95 allowed to the Omaha and Grant Smelting works. This was the result of a cut rate of \$3 per ton below the open rate. Denver and Pueblo smelters were allowed the same rate.

"You say Senator Hill of Colorado, complained of the rates charged him," observed Governor Pattison, "why was

"The senator's complaint," replied Mr. Kimball, "was that we charged a lower rate for lead ore containing gold and silver than we charged him for copper ore. The matter was discussed at some length and finally we gave him a rate of \$8 per ton."

The general traffic manager went on

to explain rebates allowed other ship-pers and was asked by the governor if these rebates were allowed to all shippers. "They were if they asked for them,"

was the reply.
"But how were other shippers to know that the rebates were allowed?" asked the governor. "You say they were not published." "They generally knew of it," said Mr. Kimball.

Kimball.

"Suppose a man had paid the regular rate when he was really entitled to a rebate," pursued the governor, "and didn't know it, would the company hunt him up and pay back the overcharge?"

The witness thought the company would not, but added if the shippers were charged less than they should have paid, he never knew them to hunt the paid, he never knew them to hunt the company up and pay what they owed. When asked about a payment to the

Pacific steamship company, the witness said this was a subsidy paid by the Union Pacific company as a member of the transcontinental pool. When the ques-tion was asked if the branch lines contributed to this payment, Mr. Mink said they did not contribute because they derived no benefit from the arrangement with the Pacific Mail company. It was necessary to pay this subsidy in order to get the oriental trade.

Another item explained was the allow-

ance of a transcontinental rebate to Murphy, Grant & Co., of San Francisco. This rebate was allowed in order to get their entire eastern shipment and pre-vent them from using the water route. Special rates, the witness said, were given to the Standard, Oil company for the same reason. The Standard Oil company gave the Union Pacific 50 per cent of its Pacific coast business under this arrangement. This rebate amounted to 15 per cent of the open rates. When asked if this rate was allowed to all other oil companies shipping over the same route, the witness said it was not.

In explaining a rebate allowed to Mr. Wells, an Indian supply agent at Schuy-ler, Mr. Kimball said these rebates were ler, Mr. Kimball said these rebates were universally allowed to government supply agents and the inter-state commission had recently decided that the railroad company could make what rates it chose on these supplies, because it inured to the benefit of the government. "Could any bidder who was not aware of this rebate successfully bid for furnishing Indian supplies in competition with a bidder who did receive this rate?" inquired the governor.

with a bidder who did receive this rate?" inquired the governor.

"Such a supposition is not tenable," said Mr. Kimball, "because it was universally understood that cut rates were allowed on Indian supplies."

In explanation of rebates allowed to the Willow Springs Distillery company of this city, amounting to \$2,775.58, Mr. Kimball said this was allowed on shipments of corn to the distillery from various parts of Nebraska pursuant to an agreement by which the distillery was to give the Union Pacific road its entire shipments to San Francisco. In explanation of rebates allowed to the Union Cattle company, of Cheyenne, amounting to the company of Cheyenne, amounting to \$4,704, Mr. Kimball said this was done because the Sioux City & Pacific had made similar rebate to the cattle com-

"Were other cattle companies allowed the same rebates?" asked the governor.

"They would be under the circumstances." Mr. Kimball was asked what aplanation he had to offer of a satement of a citizen to Sioux city, to the effect that Sioux City shippers to points in Washington territory were

charged twice as much by the Union Pacific as shippers from Kansas City.

"That can't be true," said Mr. Kimball.

"The mayor of Sioux City so estified before the commission," said Governor

"Well, he was off his base," replied the traffic manager.

He was then told that the explanation afterwards given by the mayor was that Sioux City shippers were obliged to ship south to Omaha over the Fremont, Elshorn & Missouri Valley road and then west over the Union Pacific, whereas the Kansas City shippers had a direct line to the points of destination in Washington ter-ritory. This matter was still being dis-cussed when the commission adjourned for dinner.

for dinner.

AFTERNOON SESSION.

When the commission was called to order at half-past 2 o'clock yesterday afternoon General Traffic Manager Kmball again took the stand. The first things explained by the witness were the rebates allowed to the Horn Silver Mining company. In 1880 an arrangement was entered into with this company by was entered into with this company by the Union Pacific company whereby they were to receive \$1.50 per ton on all shipments from San Francisco to points on the Missouri river. This rebate was al-lowed on the ground that the Horn company, by an arrangement with the Frank-lin & Brown Steamship company of New York, could ship cheaper by the ocean route to New York from San Francisco than they could if obliged to pay the open rates of the Union Pacific in shipping across the country.

across the country.

Rebates amounting to \$76,123.97 to the Boston & Colorado Smelting company, of Argo, Col., were given, Mr. Kimball said, because the smelting company had a large amount of low grade ore which they convinced the Union Pacific could not be shipped at the open rates. The open rate of \$12.60 per ton from Argo to Omaha was reduced for the Boston & Colorado Smelting Company to \$10, but since that time \$10 has been made the open rate. A rebate al-lowed to Whittier Fuller & Co. of Minneapolis was explained as having been given as a protection in oil shipments to points in Idaho.

The stenographer then read from the testimony of the mayor of Sioux City to

the effect that shippers from Sioux City were obliged to pay from \$30 to \$40 per car more than shippers from Kansas

Mr. Kimball in explanation of this said that it resulted from the freight the people of Sioux City were obliged to pay over the Chicago, St. Paul, Minneapolis & Omaha road to Omaha. If a line were built by the Union Pacific from Norfolk, Neb., to Sioux City, a distance of seventy-five miles, the rates asked for by the Sioux shippers, Mr. Kimball said, could be

given.

The witness then proceeded to explain various items in a statement showing rebates and overcharges given to various firms and individuals. The explanation given was that the concessions in rates were made in order to secure shipments which would not otherwise have been made, or because they ren-dered necessary in order to compete with other lines. After the witness had explained several of these items he was asked to submit his explanations in writing and have them made a part of the record in order to save time. Governor Pattison inquired of Mr. Kimball if he was ready to produce statements showing how long rebates have been allowed to the Omaha Eleva-

have been allowed to the Omaha Eleva-tor company, and when they com-menced. Mr. Kimball said they com-menced on November 1, 1882, and con-tinued until April 5, 1887.

"A further research may show," added Mr. Kimball, "that rebates were allowed prior to that date." "When were the allowance of rebates to the Standard Oil company begun?"

asked the governor. 'Rebates were allowed to the Continental and Standard Oil companies from 1874 to 1884. In 1884 the Standard and Continental Oil companies, were con-

solidated," was the reply.

Mr. Kimball was asked what was the net rate of rebate allowed the Standard Oil company prior to 1884, and also what was the rebate from January 1, 1884, to April 1, 1887, on shipments from Omaha to San Francisco. Mr. Kimball had not yet looked this up and as he seemed to have no record of the call, Mr. Poppleton got up and said in a tone of impatience. "Let's have a record of these calls so that we can know what have been answered, what are to be answered and what are to go unanswered, so that we can strike bottom somewhere."

Having thus expressed himself, Mr. Poppleton left the room and presently returned with his stenographer, Mr. Carroll, who proceeded to take down the calls as they were asked for by the gov-

ernor.
Mr. Kimball was asked to furnish a statement showing the amount charged the Standard Oil company, for the return of empty tank cars and also the amount charged other oil companies. He said that over certain portions of the route these cars were carried free and over other portions of the route a charge was made. To furnish a statement showing just what these charges were, Mr. Kimble said, would require a vast amount of labor. "The difference between the labor. amount charged the Standard Oil com-pany and that charged other companies

was insignificant, anyway," he added: "One of the charges you know," ex-plained Governor Pattison, "against the Union Pacific road, is that the tank cars of the Standard Oil company were nauled back from San Francisco free, while other oil companies were charged for the service. If your answer is that the difference in charges was insigni-ficant, let it go down so in the record." "Did you discriminate in favor of the "Did you discriminate in favor of the Standard Oil company by allowing their cars to go back to New York free, while you charged rival companies for hauling their cars?" inquired Judge Littler. "When we made our arrangements in regard to allowing rebates to the Standard Oil company, replied Mr. Kimball, "we sometimes made the free hauling of their tank cars one of the conditions."

"Have you consulted your diary in regard to the part you have taken in influencing legislation on subjects in which the Union Pacific railway company was interested?" inquired Governor Pattison. Mr. Kimball said he had consulted it, and was asked to name dates when he had appeared before legislative com-

"On February 12, 1879," he replied,
"Mr. Vining and I appeared before a
legislative committee at Lincoln to discuss railroad bills that were then pending. On February 8, 1881, I appeared
before a similar committee for the same before a similar committee for the same purpose. I think the Doane bill was then under discussion. On February 16, 1881, Mr. Vining and myself and Messrs. Williams and Usher, the attorneys of the Kansas division of the Union Pacific, appeared before the legislature at Topeka. This was also to discuss pending bills in regard to railroads."

One or two other dates were given.
"Have you any record in your diary,"
said Governor Pattison, "of payment of
money to legislators for the purpose of
influencing them on the subject of legis-

"I have none," replied Mr. Kimball. The witness also said in answer to a question that he had no record of letters written to numbers of the legislature on the subject of railroad legislation. He did have, however a printed speech which he made before a legislative committee and which he wished to have recorded as showing what

were the arguments he employed to in-duce the legislators to think as he did on railroad legislation. He was permitted to submit the speech, and it was made part of the record.

Mr. Kimball was asked to name the lowest rates allowed the Himebaugh & Merriam Elevator company, the Standard Oil company, the Union Cattle company and the Omaha & Grant Smelting works. He estimated the lowest rate to the elevator company at 1 cent per ton per mile; to the Standard Oil company, † to of a cent per mile; to the Union Cattle company 1; cents, and to the Omaha & Grant Smelting company & of a cent per

Being asked to produce a statement showing the difference in the amount re-ceived by the Union Pacific road from pools and from ordinary businessenger 1881, both as to freight and passenger carnings, Auditor Young said it was imols and from ordinary business since possible to furnish such statements as no separate record was kept of the amount received from pools and from ordinary business. Mr Mink and Mr. Poppleton observed that the bulk of business was done under the pool system. In order to illustrate the advantages of the pool-ing system, Mr. Kimball said that when the Santa Fe road first built into Colo-rato the Union Pacific company proposed a pool and the Santa Fe refused to enter into a pool. A freight war ensued which lasted for three months. At the end of that time both companies were tired of the fight and a pool was formed. "The result was," said Mr. Kimball, "that while during the three months of the tariff war the Union Facific did three times the amount of business it did after the pool was formed, the earnings during the three following months were three times as large."
Mr. Kimball was asked, in the course

of the examination, if it was true that during the past sixty days 300 cars of freight, originally billed at Kansas City to go over the Union Pacific, had been diverted and shipped over the Santa Fe

He replied that he didn't think such a thing was possible, although sometimes after having secured the shipment of an amount of freight the Union Pacific road found it had not the cars available to carry it and was obliged to turn it over to another road. Considerable more freight had been diverted to the Union Pacific lines in this way, said Mr. Kim-ball, than had been diverted by it to other roads. Some times, owing to a cutting of rates by some rival road, freight which the company thought it had secured was taken away from it and

given to the rival road. Mr. Poppleton wanted to know whether the freight referred to was shipped through Kansas City from eastern points or whether the cars were originally loaded at Kansas City. Governor Pattison replied that the freight was loaded on

the cars at Kansas City.

"If there has been anything of that kind going on," said Mr. Poppleton, rising, "you can save this company thousands of dollars, governor, by giving the name of the party who was responsible for it. We want to know whether that was done to the extent of a single car, or whether some able bodied, naked liar has been trying to mislead this commission."

The governor smiled at this outburst on the part of Mr. Poppleton, but with-out replying turned to Mr. Kimball and deliberately re-read the question from his note book. "I thought the question an important

one," he observed, "and have written it down." Mr. Kimball promised to look up the record and report as to what extent cars had been diverted from the Union Pacific

Mr. Kimball was asked if a man named O. P. Mason was paid by the Union Pacific road for making polit-ical speeches. He said no man by that name had been so paid and that if O. P. Mason, the secretary of the state railroad ssion, was referred to, he would say he, Mason, had always been hostile to the Union Pacific road, and was par-

ticularly so just now.

Mr. Kimball, referring to a letter to the BEE from North Platte, in which it was asserted that the Union Pacific road is now charging \$1 more per ton for shipping Rock Springs coal to North Platte than to Omaha, said that this was not true and had not been for years.

The commission adjourned until 10 o'clock this morning. Saturday morning next the Pacific rallway investigating commission will start from Omaha upon a personal in-spection of the lines of the Union Pacific railway and to inquire into the relations of the railroads to the communities through which they pass. They will take testimony at the following places, take testimony at the following places, on the days and at the hours indicated: Saturday, July 2, Columbus, at 9 a. m.; Grand Island, at 8 p. m. Monday, July 4, Lincoln, at 9 a. m. Tuesday, July 5, St. Joseph, Mo., at 8 a. m.; Marysville, at 2 p. m.; Lawrence, at 8 p. m. Wednesday, July 6, Leavenworth, at 10 a. m. Thursday, Friday and Saturday, July 7, 8 and 9, Kansas City, at 10 a. m. of each day.

J. McDonnell, F. A. I. A., Architect, N. E. cor. 15th and Dodge. THE MUDDY.

It is Transferred in Slimy Richness to

Parched Throats. The water which is now being supplied to consumers through the public mains in this city, is perhaps the dirtiest to which our people have been subjected. It has been so filled with sand as to grate upon the teeth, and the indignation of consumers has been most pronounced. Yesterday morning a certain person created some excitement by making a jocose announcement to the effect that the price of the water nad been raised. The report circulated rapidly, but when some one said that the raise had been occasioned by the amount of valuable Omaha real estate which was being given away, the object of the announcement became apparent. A BEE reporter inquired at the water office to ascertain the truth of the rumor of the alleged raise and found that no change had been contemplated. The explanation youchsafed of the muddy condition of the water was that a condition of the water, was that a new settling basin was being built at the works, and water was being let into it, and it would be a few days before the latter would be able to be as clear as it was before the era of mud.

Fourth of July. The Chicago, Rock Island & Pacific Ry. will sell round trip tickets to all points in Iowa at one fare for the round trip tickets. On sale July 2d, 3d and 4th. Good to return on or before July 5th. Ticket office, 1305 Farnam st.
S. S. Stevens,
General Western Agent.

The Veteran Firemen. Chief Galligan has received the tim card of the route to be followed by the members of the Veteran Firemen's asso-

upon the asphaltum. As a consequence, the street is muddy and slippery, and both unpleasant and dangerous to drivers and pedestrians.

Estimates for glass furnished by Cum mings & Neilson, jobbers of Plate, Window and Ornamental Glass, Paints, Oils, etc., 1118 Farnam St,

Board of Public Works.

Yesterday morning Messrs. Fanning & Slaven were notified by the board of publie works to immediately commence the grading of the alley in block 23, between California and Cass and Sixteenth and Seventeenth streets, the contract for which was made last May. This docu-ment, however, has taken all this time to get back to the board from the council. The same firm was authorized to undertake the graling of Pierce from Eighth to Tenth streets.



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Less Water.

Considerable complaint has been made at the Bee office with regard to the muddy condition of North Sixteenth street. The complaint is directed against the street sprinklers, who, it seems, lavish water in reckless quantities

Medical Books or Papers Free.

The proprietor of the Omaha Medical and Surgical Institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and surgical institute has published a valuable set of books and papers upon chronic and papers upon chron Medical Books or Papers Free.

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1000 pairs good Cassimere Pants, every fiber wool, in two shades. both nice and attractive, well cut and made; a Pants which other dealers are offering as a bargain at \$3; only \$1.75.

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