

NEW YORK TO JAPAN

Harriman Community of Interest Extends Half Way Around the Globe.

STEAMSHIPS AND RAILROADS COMBINED

Southern Pacific Owns Pacific Mail and Line from New York to New Orleans.

UNION PACIFIC CONTROLS SAN PEDRO ROAD

Rock Island and Union Pacific Divide Control of Chicago & Alton.

HOLDING OF STOCKS IN OTHER ROADS

Union Pacific Purchases Millions of Illinois Central, Santa Fe, B. & O. and St. Paul Stocks Out of Earnings.

NEW YORK, Jan. 4.—Modern methods of combining and consolidating mammoth railway systems and extending the principle of community of interest were investigated here today at great length by the Interstate Commerce commission, which began an inquiry into the so-called Harriman lines.

At today's hearing it was brought out and admitted that the Union Pacific Railroad company, the Southern Pacific company, the Oregon Short Line and the Oregon Railroad and Navigation company are practically under the same administration.

It was further shown that the Southern Pacific company, the Pacific Mail Steamship company, that the Southern Pacific and Union Pacific together hold a majority of the Occidental & Oriental steamship company; and that the Harriman interests own the Portland & Orient Steamship company.

Control of San Pedro. The Union Pacific, by means of an agreement signed by Mr. Harriman and Senator William A. Clark, has a traffic arrangement with the San Pedro, Los Angeles & Salt Lake railway lasting ninety-nine years.

Control of the Oregon Short Line. The Oregon Short Line owns \$39,540,000 worth of stock in the Baltimore & Ohio railroad, this being 13.62 per cent of the whole.

Of Chicago, Milwaukee & St. Paul stock the Oregon Short Line owns \$1,000,000 worth, or 3.12 per cent. The company also owns \$2,707,000, or 2.38 per cent, of the stock of the Chicago & Northwestern; \$10,000,000 of the preferred stock of the Atchafalaya, Topeka & Santa Fe, being 4.28 per cent, and \$1,336,746, or 7.91 per cent of the capital stock of the New York Central & Hudson River railroad.

Of these holdings by the Harriman companies, the stocks of the Illinois Central, Baltimore & Ohio, New York Central, Chicago & Northwestern, Chicago, Milwaukee & St. Paul, Atchafalaya, Topeka & Santa Fe and St. Joseph & Grand Island, aggregating in value \$48,257,746, have all been bought since July 1, 1904.

Bought with Earnings. "Where did the money come from?" asked members of the commission. In reply it was stated that the Union Pacific showed last July a surplus of \$1,000,000. The Oregon Short Line declared a dividend of 10 per cent on its common stock, which was paid by the Union Pacific and also contributed out of its general assets to the purchase money.

After placing in evidence as to the ownership of the so-called "Harriman lines," counsel for the Interstate Commerce commission then asked Alexander Miller, secretary of the Harriman company, read from the minutes of many Union Pacific executive committee meetings in which it was shown that Mr. Harriman reported various things he had done and the committee simply voted to ratify and confirm his actions.

It was also shown that Mr. Harriman was given authority to borrow money for the Union Pacific company without restriction. "There was read from the minutes a copy of Mr. Harriman's letter to George J. Gould acknowledging Mr. Gould's letter in which the latter told Mr. Harriman he had determined to support the construction of the Western Pacific railway.

Mr. Harriman told Mr. Gould he would decline to qualify as a director of the Rio Grande Western, as he did not wish to be in any way responsible for the attitude of that company toward the Western Pacific. "The act of prospecting through which we are now passing," wrote Mr. Harriman to Mr. Gould, "has been marked by less construction of competitors and non-producing lines of transportation than anything else, but there has been great expenditure in providing for improvements and additional facilities to the already existing lines, thereby better conserving the interests of the public and the shareholders as well.

"For myself, I shall regret the loss of your advice, which I have valued in our affairs, as well as the personal pleasure of having you included in them."

Counsel placed before the commission by (Continued on Second Page.)

SUMMARY OF THE BEE

Saturday, January 5, 1907.

THE WEATHER. FORECAST FOR NEBRASKA—Increasing cloudiness Saturday; rain or snow in west portion; colder north-west portion. Sunday snow and colder.

Table with columns: Temperature at Omaha yesterday, Day, Hour, Deg. F., Deg. C.

DOMESTIC. Investigation of Harriman system develops fact that it controls many railway and steamship lines and owns stock in others.

WASHINGTON. Officers of land offices are ordered to remove all illegal fences found on public domain after April 1.

NEBRASKA. Former State Treasurer Mortensen turns over \$7,640,921.18 to his successor and receives credit therefor.

NEBRASKA. Senator Dietrich replies to allegations of Colonel John S. Mosby and says they are inspired by political enemies.

LOCAL. Nicholas Rulau, an educated Indian, testifies in Modisett land trial.

NEBRASKA. Filings in land office in Wyoming indicate much contemplated construction by the Burlington road in that state.

NEBRASKA. Failure of Robert Cowell to be sworn in as railway commissioner may deprive him of right to office.

NEBRASKA. City council has a serious time making the available funds satisfy the needs of the various city departments.

NEBRASKA. Plenty of green things on the market and prices are rapidly coming down.

PROVINCIAL SLUFFS AND IOWA. Promoters of central land trial denies Missouri river have not abandoned hope of securing a charter from congress.

GOVERNOR CUMMINS announces he commuted death sentence of Busse because of doubts whether he had a fair trial.

COMMERCIAL. Dun's Review of Trade shows unusually small stocks of holiday goods unsold and nearly all factories working to capacity.

MOVEMENTS OF OCEAN STEAMERS. NEW YORK. Arrived. Baled. BOSTON. Arrived. Baled.

TRIAL OF ARMY OFFICERS. Major Penrose and Captain Macklin Meet Before Court-Martial February 4.

LAWTON, Okla., Jan. 4.—Major Charles Taylor, in charge of the Thirtieth cavalry, stationed at Fort Sill, today received official notice from General McCaskey, commanding the Department of Texas, that the general court martial, which is to try Major Penrose and Captain Macklin, will convene at Fort Sam Houston February 4.

WILLIAMSON DROPPED OUT. House Committee of Convicted Oregon Congressman Goes to Representative from California.

WASHINGTON, Jan. 4.—In the house today the speaker announced the appointment of Representative Bogiebright of California to a place on the committee of mines and mining in place of Mr. Williamson of Oregon, who was elected a member of the Fifty-ninth congress but was never attended any of its sessions.

MYERS CASE TO BE APPEALED. Attorneys for Missouri Woman Denied Writ of Habeas Corpus.

KANSAS CITY, Jan. 4.—This afternoon the attorneys of Mrs. Agrie Myers said they would on Monday next file an appeal to the United States supreme court from the decision of Judge Phillips, who this morning refused to grant a writ of habeas corpus.

RED MAN DENIES SIGNATURE

Carlisle School Graduate Gives Spicy Testimony in Land Case.

SAYS 'NONE ELSE SIGNED NAME'

Carlisle Rules Acts of Congress in Rules of Interior Department to Constitute the Law in the Case.

Nicholas Rulau, an educated Indian from the Pine Ridge agency, was the first of the Indian witnesses to testify in the Modisett land case.

He gave a little apologetic to the monotonous evidence given by other witnesses by emphatically denying that he had signed any contract with the Modisett or anyone else as a grating lease.

When shown such a document he said: "That is my name all right, but I did not sign it. It is my signature, but I did not write it. The only papers that I signed were long papers."

He was asked if he had ever mentioned the name of the Modisett in any of his papers. He replied that he had signed a paper for an entry and the affidavit, and another paper I afterward signed at the agency to relinquish my land in Nebraska.

This relinquishment was signed by me on September 5, 1894. I went to Rushville with ten or a dozen other Indians that day and made the filing. I told the district clerk, Miss Stewart, that I did not understand the papers I was to sign, but she did not pay any attention to me.

After signing the filing paper—I only signed one—I was handed \$25 by Frank Going, who received the money from one of the Modisett, I believe.

Such was the testimony brought out on the cross-examination of this witness Friday afternoon.

Modisett to Improve Land. Friday afternoon's hearing opened with Frank B. McIntyre still on the stand. He testified he was chief clerk at the Pine Ridge Indian agency and that he was solicited to make a filing for the Modisett by H. C. Dale at his office at the agency.

He said: "Mr. Dale wanted me to make the filing and that the Modisett would make the necessary improvements on the land for the use of the grass for five years and they would pay all expenses of filing. I went to Rushville and made the filing with four other parties from the agency. They gave me to understand that persons in the government employ would not have to live on the land. I made the filing. I did not sign any lease. The only talk about a lease was the one had at my office at the agency. I did not see the land before filing but I did visit it that fall. The land was a mile or so from the Modisett ranch house, and there was a small 19x12 house on it. I think there was a table in the house and a bunk. I made no improvements on the land myself. I did not give my address as at Rushville, as appears in the papers, but at Pine Ridge agency. I did not authorize anyone to give my address as at Rushville."

No Attempt to Deceive Officer. In his cross-examination the witness said: "There was no talk about turning the land over to the Modisett after I had proved up. We only talked a little at Pine Ridge about the use of the land for grass for the improvement. I had no intention of becoming any officer of the government in making my filing. I would not have made the filing had not the filing expenses and improvements been provided for by some one else. Nothing was said about planting trees on the land as a part of the improvement."

Adrian M. Layman, a stenographer at the Pine Ridge agency testified similarly to the preceding witness.

Charles A. Nash, station agent at Rushville, testified that he had been solicited by Dale to make a filing and did so. He did not execute a grass lease.

"Dale informed me," he said, "that residence on the land was not necessary. After making my filing I went out to the land and found it was located about three miles from the Modisett ranch. There was a fairly good house, though small on the land. Inside of the house was a stove, bunk with hay on it, some kereens, a table and a couple of barrels of chips for fuel. I had never been there before. I stayed there about half an hour at this time. The house was a pretty good one, about 12x12 in size. I went out a second time and stayed there all night and part of the next day and took with me some bedding and victuals. I went out again about six months afterwards, but stayed that night in the ranch house. I did not visit the land. I never went out there again. I entered into no agreement to sell the land to the Modisett or anyone else."

Solicited to File, but Refused. Melvin Baxter, blacksmith at the Pine Ridge agency, testified to having been solicited to make a filing by Dale and one of the Modisett, and that he went to Rushville with a party for that purpose. He decided after he got to Rushville that he would not do so, and did not.

Nicholas Rulau, a Sioux Indian, who spent ten years at the Indian school at Carlisle, Pa., said in his direct examination: "I have received an agreement of land under the United States law. He was solicited by Mr. Smoot to make a filing for the Modisett in Nebraska. He said they would give me \$25 for doing so. I said I did not lose my right by so doing. I would make the filing. He said that would be all right. Smoot wanted me that I would have to live on the land, and so I went down to Rushville and filed with several other Indians. After we signed the filing papers we got our money. Mr. Modisett handed the money to Frank Going, who handed the \$25 to me. I never went into the land at all. I made the filing July 28, 1894, at Rushville. I did not know where the land was."

Denies Signature to Lease. Rulau was then shown a paper alleged to be a lease by Mr. Gurley, but while he said his name was signed to it, he did not write the name nor did he ever see the paper. The lease was a small paper, about eight inches in length, but Rulau insisted that the only papers that he signed were long papers.

The last witness of the afternoon was Frank Going, a mixed blood Ojibwa Sioux Indian from the Pine Ridge agency. He testified that he had received an agreement of land as an Indian. He had been solicited by Mr. Smoot to make the filing for the Modisett at the agency in July, 1894, with other Indians, with the understanding that they were to receive \$25 each for filing, and that after filing they had received the money.

"Mr. Modisett," he said, "gave me some of the money to hand to other Indians and (Continued on Second Page.)

NEBRASKA MEMBERS FLOAT IN

Kennedy Puts in Some Work for River Improvements While Enroute.

(From a Staff Correspondent.) WASHINGTON, D. C., Jan. 4.—(Special Telegram.)—Three of the six Nebraska members of the lower house were on the floor today, Congressman Norris, Hinshaw and Kennedy.

Congressman Hinshaw spent the Christmas vacation with his wife visiting old friends in Indiana. Mr. Kennedy arrived from the west this morning, having made good use of his time on the train from Chicago to Washington in presenting to Representative Davidson of Wisconsin the necessity for the improvement of the Mississippi river at and above Omaha. Mr. Kennedy is chairman of the subcommittee on rivers and harbors, having that part of the river in charge for local improvement purposes.

Representative Martin of South Dakota reached Washington this morning and was on the floor with the speaker's wife following the house. While Mr. Martin refused to talk for publication, it was inferred that the opposition to Senator Gamble is leaving no stone unturned to bring about his defeat. Numerous candidates are being brought out by the anti-Gamble forces in Nebraska. Mr. Martin generally reported as lining up for the stalwarts, as the anti-Gamble crowd are denominated. However, from other sources it is learned that Senator Gamble is entirely satisfied with the conditions and he believes confidently in his election.

The withdrawal of lands supposed to contain workable veins of coal which were made during the year ended July 1, 1896, and was handed \$25 by Frank Going, who received the money from one of the Modisett, I believe.

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DIETRICH IN HIS DEFENSE

Former Senator Denies Allegations Made by John S. Mosby.

DID NOT DEFEND OR AID CATTLEMEN

Attack in State Journal Inspired by Friends of Joe Bartley and Enemies of D. E. Thompson.

HASTINGS, Neb., Jan. 4.—(Special.)—Former Senator Dietrich this morning made the following statement relative to the charges by Colonel John S. Mosby of the federal service that Mr. Dietrich aided the cattlemen in illegally fencing and maintaining fences on government lands in Nebraska.

"My attention has been called to the following interview with Colonel Mosby, which appeared, under Washington date, in the Lincoln Journal January 3, 1907:

"Colonel Mosby, who headed the guerilla force during the war of the rebellion and who now holds an appointment by President Roosevelt as a special agent in charge of the investigation in vigorous in his denunciation of Senator Millard and former Senator Dietrich.

"I secured the following statement from Colonel Mosby: 'I was sent to Nebraska a few years ago by President Roosevelt to bring down illegal enclosures on the public domain. I was ordered to block my way through their efforts at the White House, they sought me personally. I secured the following statement from Colonel Mosby: 'I was sent to Nebraska a few years ago by President Roosevelt to bring down illegal enclosures on the public domain. I was ordered to block my way through their efforts at the White House, they sought me personally. I secured the following statement from Colonel Mosby: 'I was sent to Nebraska a few years ago by President Roosevelt to bring down illegal enclosures on the public domain. I was ordered to block my way through their efforts at the White House, they sought me personally. I secured the following statement from Colonel Mosby: 'I was sent to Nebraska a few years ago by President Roosevelt to bring down illegal enclosures on the public domain. 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