

NEWS SECTION. Pages 1 to 8.

EVOLUTION OF RAILROADS

M. E. Ingersoll of Big Four Addresses Traffic Club of Pittsburg.

HISTORY OF RAILROAD TARIFFS REVIEWED

Wall Street Era of Control Follows Dissolution of Traffic Associations.

WORD OF WARNING IS NOT HEED

Speaker Tells of Suggestions Made to Railroad Lines Eighteen Years Ago.

RAILROADS MUST SUBMIT TO THE LAW

Their Securities Should Not Be Used as Counters in Speculation and Investors Are Entitled to Legitimate Dividends.

PITTSBURGH, APRIL 26.—The personnel of the Interstate Commerce commission was criticized by W. A. Terry, general weighing agent of the Pittsburg & Lake Erie railroad, in an address at a dinner of the Traffic club of Pittsburg.

Another address was given by M. E. Ingersoll, chairman of the board of directors of the Big Four system.

Introducing his remarks by referring to the development of the railway as a means of communication and the conditions which gave rise to the granger legislation which resulted in the railroad being declared public institutions Mr. Ingersoll said in part:

Until the passage of the interstate commerce law in 1886 it was the custom among all the railroads to make secret contracts, selling their transportation to wholesale buyers at the best prices possible, trying thereby to buy up the business of the country and secure returns for their stockholders. It was not considered wrong, but a proper way of conducting business.

The speaker then referred to the era of pooling and its suppression, and continued:

In 1865 the situation had become so acute that a few of us thought something must be done to regulate the railroads, and so we called a meeting of all of the lines north of the Ohio river and east of the Mississippi to discuss the situation and what could be done.

I quite well remember that the late Mr. George B. Roberts, one of the great railroad men of the world, then president of the Pennsylvania railroad, at this meeting making an address and saying that he would like to see the railroads run like this:

Gentlemen, as I look around this meeting, I would trust any of you with my pocketbook or take your word in any ordinary transaction, but I would not trust any of you to run a railroad, not even myself, with an agreement to maintain rates.

We made our own railroad, and in the following months we had been maintaining that they had been years before.

We were brought into court, and before we were aware of it we had been sued and had decided a case somewhat similar called the "Transmission Agreement" that it was to control the railroads and to have the highest court in the land that there was no authority or power on the part of the railroads to make such an agreement.

This fell on us like a bombshell. The question was, what was our advice at that time, in which I stood almost alone, that we should meet the case squarely and say to the government, "We will conduct our business according to law."

The answer to that was that it was dangerous, that different rates would be made and panic would be produced and there would be more bankruptcies and more reorganizations. If that was the way they would have them and then be done with them.

Wall Street Gets Control.

In the meantime, owing to the taxation of railroads, securities of the railroads had drifted to Wall street and were controlled by cliques, who used them for investment so much as for counters in the great game of speculation that they were playing. In 1898 some six or seven of the railroads were consolidated and the business of this country, conceived the idea, which was doubtless the property of the railroads, that they would buy the controlling interest in practically all the railroads of this country, and through it a maintenance of rates.

If this had been conducted with moderation and the railway lines it might have been good enough, but after that had been going a short time the chief men got into a struggle among themselves for the control of the railroads, and the shareholders in their closets were laid bare, and that the public understood what was being done.

The decision of the Interstate Commerce commission, and the fact that the public understood the situation, as ought to have been done, and talking for legislation to make them go and manage their properties legally, they continued to temporize with various ruses and subterfuges to avoid the effect of it.

The people, in the meantime, had been busy trying to get the railroads out of the hands of the Interstate Commerce commission and the railroads as a whole, had been busy opposing it.

In 1893 at a meeting in New York of the principal lines the question came up of giving the Interstate Commerce commission more power, and then there I endeavored to have the railroads give up their position and let the people get a bill which, while it gave the Interstate Commerce commission more power, should also give the railroads a better word to the inevitable.

Again, when in 1902 it was determined to make a further effort to oppose legislation, I tried with what powers of persuasion I had among railway officials in control, to induce them to join with the people and join in with the people and obtain legislation giving certain powers to the Interstate Commerce commission, but the people were weary, they were tired, and they were angry.

Passage of a Rebetter's Case.

Unfortunately, just as this legislation was passed, the spirit of reform subsided upon certain railway owners and managers and they decided that the clause giving free transportation and passage to certain officials and certain people had been wrong and should be changed, and that no more passes should be issued. The result was that many public officials, many members of congress, of legislatures, felt for the first time that they had been accepting unwittingly bribes in the past in the shape of railway passes, and they were angry.

The railway officials made up their minds that what they were doing was legal and had decided that they were legal and criminal. What was the result? Many of the shareholders who had been getting fat upon rebates and who felt that they had an inherent right to receive them, found they could not get them, and they were angry—not with the law, but with the railways.

It has been long light—it has been a (Continued on Fifth Page.)

SUMMARY OF THE BEE

Saturday, April 27, 1907.

Table with columns for days of the week and dates, showing a calendar for April 1907.

THE WEATHER.

FORECAST FOR NEBRASKA—Fair and colder Saturday, possibly snow in north portion. Sunday fair and warmer.

FORECAST FOR IOWA—Sunday fair and warmer, followed by rain at night. Sunday rain and colder.

Temperature at Omaha yesterday: High 60, Low 34.

Time of sunrise and sunset for Omaha, Neb., for the month of April.

DOMESTIC.

Jamestown exposition opens with the largest display of United States battle-ships ever made.

President Roosevelt delivers address at opening of Jamestown exposition.

Review of trade says weather conditions continue to dominate the business situation.

M. E. Ingersoll of Big Four railroad addresses Traffic club of Pittsburg on relations of railroads and the people.

Hermann case goes to the jury after sensational clash between attorneys.

NEBRASKA. John Hamlin takes stand in his own behalf at Grand island, saying he had been subject to times of unconsciousness since overcome by heat.

State Treasurer Brian buys large block of Idaho bonds direct from state and saves a broker's fee of over \$5,000.

Northwestern asks permission to put in a rate of less than 2 cents a mile and the rate is granted by the railway commission.

The funeral of Mrs. Sheldon, mother of the governor, at her old home in Nebraska a most impressive affair.

Many settlers are coming into North Platte to secure the land which is open for filing May 1.

Judge Kennedy decides that Andrew Rosewater is the bona fide city engineer of Omaha and holds his office regardless of the number of doors that are knocked in by the insurgents.

Report of comptroller Lobock shows that total receipts for the city are near the million and a quarter mark.

Mail man is bitten by a dog that bites about everybody else in his path. Postman will be sent to the Pasteur institute.

House rents in Omaha continue to go up by leaps and bounds, regardless of the law of supply and demand.

One hundred thousand acres of government land will be immediately thrown open for entry as a result of the extensive prosecution of land men in Nebraska.

Much interest in the formal opening today at the Country club.

Omaha High school debaters defeat Lincoln for eighth consecutive time.

SPORTS, PAGE EIGHT.

Dr. Gardner wins the Excelsior handicap at Jamaica.

Omaha, Pueblo, Lincoln, and other cities are competing for the title of "City of the Future."

Chicago, St. Paul, and other cities are competing for the title of "City of the Future."

New York, Washington, and other cities are competing for the title of "City of the Future."

St. Louis, Minneapolis, and other cities are competing for the title of "City of the Future."

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COMMERCIAL AND INDUSTRIAL.

Live stock markets.

Grain markets.

Stocks and bonds.

LABOR ROW IN SAN FRANCISCO

President of Building Council Charges that Rivals Plotted to Kidnap Him.

SAN FRANCISCO, April 26.—On complaint of P. H. McCarthy, president of the Building Trades Council, warrants were issued for the arrest of six members of Electrical Workers union No. 6, charging conspiracy. It is alleged that the defendants, all of whom belong to an organization which has been opposing McCarthy in the building industry in this city, entered into a plan to kidnap McCarthy to a lonely house in the neighborhood of Ocean beach and there keep him prisoner until a successor in the council could be elected.

The details of the alleged plot were laid bare in a confession by H. Shookler, who in a sworn affidavit declares that he was asked to join the conspiracy to kidnap McCarthy. The men against whom McCarthy procured warrants are George E. Russell, secretary of the union; M. H. Carmody, Harry Sullivan, J. D. Young, Gus Smith and Gus Burt.

M. J. Sullivan, grand vice president of the Electrical Workers, declares that the story of the conspiracy is true and that it was concocted for the purpose of aiding him in his effort to down the union. Grand President McNulty of the union is expected here Sunday to take a hand in the settlement of the controversy.

JUDGES ARE TIED TO TREES

Shurtleff College Freshmen Maltreat Men Who Decided Against Their Orators.

NO MANDAMUS FOR SHAW

Present City Engineer Declared Legal Locumtenent by Judge Kennedy.

Election of Thomas Shaw Invalid. Since Original Appointee as Rosewater's Successor Declined and Latter Qualified.

In an opinion handed down Friday afternoon Judge Kennedy declared Andrew Rosewater is entitled to hold the office of city engineer as against Thomas Shaw, who claimed election by the city council. In brief, Judge Kennedy decides that upon failure of Jesse Lowe to qualify it was Mr. Rosewater's right to qualify unless within ten days, having exercised this right, the council was without authority to elect Mr. Shaw.

John P. Brown, one of the attorneys for Shaw, said after the decision he would probably appeal the case to the supreme court. Mr. Rosewater declares he was much gratified that his position in the controversy was vindicated. He said he would immediately proceed to reorganize his force in accordance with the new law, House Roll No. 157, which gives him general supervision over public works, except street cleaning.

Text of Decision. The opinion of Judge Kennedy is as follows: This is an action of mandamus on the relation of one Thomas Shaw to compel one Andrew Rosewater to surrender to him the possession of the office of city engineer of the city of Omaha.

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JUDGE COMPLAINS OF HENEY

San Francisco Jurist Says Lawyer is Guilty of Criminal Libel.

San Francisco, April 26.—Superior Judge Hebbard of this city, who was denounced by Assistant District Attorney Francis J. Heney last night in an address to the students of Stanford university, appeared before Police Judge Weller today and swore to a complaint asking for Heney's arrest on the ground of criminal libel.

Heney is quoted as saying that Hebbard had been repeatedly characterized as unfit and stigmatized as a disgrace to the legal profession.

Shortly before noon today Judge Hebbard visited the district attorney's office and demanded a warrant for the arrest of Assistant District Attorney Heney upon the charge of criminal libel. It was refused. District Attorney Langdon subsequently gave the following account of Hebbard's visit:

Judge Hebbard had been drinking when he came to my office and demanded a warrant. I told him that under the statutes he was required to show that Heney was a "benchman" of the court, that the publication of the report of his speech which quoted him as denouncing Judge Hebbard as a "benchman" of the court, constituted the offense of slander, but that the constitution of Heney for the publication must be shown. I told him that I could make such a showing for you would be glad to get to the bottom with him on the merit of the alleged statement.

This seemed to greatly infuriate Judge Hebbard. He created a disgraceful scene, abusing the warrant clerk and myself in ugly language. Finally I ordered him out and he left the office. He has since then appeared at the district attorney's office and tries to make another scene.

MINERS WILL RESUME WORK

Canadian Coal Mines to Be Reopened Pending Investigation of Trouble.

OTTAWA, Ont., April 26.—The minister of labor in the House today stated that he had received telegrams from the mine districts stating that the conference has failed to come to an agreement between the parties, but that the miners have decided to return to work pending investigation.

The minister has also received the following telegram from McKeanie King, dated Fernie, B. C., April 25: "The miners are preparing to give of yesterday's proposition a tentative vote, consequently we failed to agree. Executive board is now holding meeting with Fernie miners and they failed to decide to return to work pending investigation. Will wire result later."

E. J. Sherman, representing the men, has wired as follows: "SEASONS OF WEEKS have been fruitlessly owing to misunderstanding of industrial disputes act. District executive having failed to agree with operators, have decided to advise miners to return to work. This advice has been accepted by the Fernie men. Have reasons to believe that operation of mines will be resumed in this district as soon as possible. The miners have received a telegram from Sir William Mullock stating he will leave tonight for Fernie."

BIG MINING SUIT SETTLED

Case Against Lawson and Others Goes Out of Court During Trial.

BOSTON, April 26.—The \$200,000 suit in equity brought by Payne, Weber & Co. against Albert C. Burrage, Thomas W. Lawson and others to recover on a contract involving \$200,000 of stock in the Copper Range Consolidated Mining company, was settled out of court before resumption of the case today.

George L. Matherly of counsel for the defense said: "The parties have adjusted their difficulties and pending the final agreements the case stands continued. It probably will not be taken up again."

Charles A. Snow, one of the attorneys for the complainants, said: "The settlement is very satisfactory. While no money has actually passed, the agreements have all been completed. At Mr. Burrage's request, counsel on both sides have agreed not to give out the terms of settlement."

William A. Paine made the following statement: "The case was settled by the A. C. Burrage paying substantially the Tri-Mountain debt."

The amount of this debt was \$50,000.

DIVISIONS ARE ABOLISHED

State of Missouri is Returned to Department of Missouri by Order.

WASHINGTON, April 26.—The long expected abolishing of the great military divisions in the United States was issued today by the War department today by direction of the president. The divisions will be discontinued at the end of the present fiscal year and thereafter the territory of the United States, except the Philippine islands (where the present organization is retained), will be organized for military purposes into the military departments as now existing except that the state of Missouri will be included in the Department of the Missouri instead of the Department of Texas.

The change will involve a considerable re-arrangement of military commands, whereby a number of departments now commanded by brigadier generals will be commanded by major generals. Major General John F. Weston, now in command of the Department of Luxon, will be the only division commander in the United States army, succeeding Major General Leonard Wood in command of the Philippine division.

ILLINOIS NEGRO ARRESTED

Police Take Man Alleged to Have Slashed Woman with a Razor.

ALTON, Ill., April 26.—The police today arrested a negro named Richard Sims and are holding him on suspicion that he attacked Miss Violet Spencer and slashed her with a razor on the street last night.

Miss Spencer gave her assailant, Sims, a severe laceration on the forehead. She asserts that he is innocent. The police state they have another negro under surveillance and expect to arrest him later in the day.

Miss Spencer will recover from her injuries, she wore a heavy cloak, which prevented the razor from making a fatal wound.

Intense excitement prevails in Alton and a posse of citizens is still making search for the assailant.

HERMANN CASE GOES TO JURY

Arguments Close Twelfth Week of Former Official's Trial.

NEW YORK, April 26.—An error of a law clerk many years ago may mean a fortune to Russell Sage Raphael and his mother and sisters. Many years ago Nathan Raphael, a close friend of Russell Sage, purchased \$500,000 worth of second mortgage bonds of the Wasatch & Jordan Valley Railroad company, which owned a line in Utah. The interest on the bonds of the road was defaulted and the first mortgage was foreclosed, cutting out the holders of the second mortgage securities.

Nathan Raphael spent a large part of his fortune trying to recover from the railway, but was unsuccessful. Worry caused his death.

A short time ago Russell Sage Raphael, a son of Nathan Raphael, began suit in the federal court on the bonds and secured a judgment of \$500,000, including interest. This judgment has been returned by the sheriff as unsatisfied and was today filed in court.

While working up this case Mr. Raphael's lawyers discovered that when the first mortgage was foreclosed the holder of the second mortgage, probably by a clerk's error, were not made parties to the suit. This, it is claimed, invalidates the foreclosure proceedings.

The old railroad property, which now belongs to the Denver & Rio Grande and is worth \$300,000,000.

MRS. SHELDON LAID TO REST

Neighbors, Together with Many from Other Towns, Make a Monster Cortege.

NEBRASKA, Neb., April 26.—(Special Telegram.)—The funeral of Mrs. Julia A. Sheldon, wife of the late Lawson Sheldon and mother of Governor Sheldon, was held here this afternoon, the interment being in Mount Pleasant cemetery. Rev. G. W. Milson of Chadron, Neb., preached the funeral service.

The Missouri Pacific railroad attached a special car to the regular train for the accommodation of Lincoln friends who wished to attend the funeral services. Most of the state officials and their deputies, and leading citizens of Lincoln to the number of eighty were in attendance. A great many friends were present from Plattsmouth, Weeping Water, Avoca and neighboring towns. The funeral procession was the longest ever seen here, being over a mile long, thus testifying the esteem in which Mrs. Sheldon was held as a neighbor and friend.

The sons and sons-in-law were the active pallbearers in bearing their