

TARIFF BILL IS BEFORE SENATE

Mr. Aldrich Presents Payne Measure as Amended by the Committee on Finance.

DEBATE WILL BEGIN THURSDAY

Minority Members Will Examine the Measure in Meantime.

MANY SCHEDULES ARE REDUCED

Chairman Says Committee Made More Reductions Than Increases.

PRESENT DUTY BACK ON GLOVES

Hoosier Schedule in House Bill Also Comes in for Reduction—Duty on Lumber is to Stand.

WASHINGTON, April 12.—The amended tariff bill is now on the senate calendar and by agreement reached on the floor consideration of the measure will begin on Thursday. The bill was laid before the finance committee, with the democratic members present, at 10 o'clock this morning and a vote was taken on the question of making a report to the senate today, all republicans voting in the affirmative and democrats in the negative.

Soon after the senate met Senator Aldrich presented the amended bill. Senator Daniel, on behalf of the minority, protested that the democrats had not been given an opportunity to examine the measure and Mr. Aldrich replied that they could make their examination by Thursday.

As reported the bill does not contain all the changes in rates which the finance committee proposed to make. Although several important amendments, such as the restoration of the Dingley rates on women's gloves and hosiery, the placing of works of art on the free list and the assessment of a duty on iron ore have been made, the revenue producing possibilities of the bill are little changed.

The increases are provided mainly in the schedule covering luxuries, the entire liquor schedule being advanced.

Will Produce Revenue. In discussing the revenue estimates of the bill Senator Aldrich insisted that as it will be amended by the senate the Payne bill will provide sufficient funds to meet the expenses of the government without resorting to any but import tax.

No maximum and minimum provisions or administrative features include additional forms of taxation were reported in the bill. These sections to receive the joint consideration of the republican and democratic members of the finance committee and are not reported for three weeks or more.

While not changing the purpose of the Phillips section the committee report included a new draft of this provision by which its successful operation will be assured. It had been suggested that the provision for the free entry of 300,000 tons of sugar and 300,000 pounds of tobacco would result in the industry who would eliminate of products from neighboring islands through their importation into the Philippines. This danger has been eliminated by making these products dutiable when imported into the Philippines.

Cotton and Wool. Changes were made in the cotton and wool schedules and in the placing of the duties on the various grades of cloth schedules. The action of the finance committee in maintaining the high rate of duty which it placed on tops at the time the Dingley bill was under consideration and which now stands in the present law, will undoubtedly reopen the controversy over wool schedules. The intent of the Dingley law regarding the assessment of duties on cotton cloth has been carried out through a change in the provision for the method to be used in counting the threads in cotton cloths. The new provision and the rearrangement of the duties on the various grades of cloth eliminates the ambiguity which resulted in many difficulties in carrying out the provisions of the existing law, without changing the ad valorem equivalent of the specific duties.

By restoring the Dingley rates to barley and barley malt and by reducing the taxation on the breakfast table by cutting down the duties on coffee substitutes and placing cocoa on the free list the senate amendments to the Payne bill present a bid for popular favor. The numerous increases in the agricultural schedule intended for the protection of the American farmer are provided for among the amendments largely through the efforts of Senator McCumber, a new member of the committee from the west, were framed with a view to gaining favorable criticism.

Aldrich Explains Changes. Senator Aldrich issued a statement showing the character of changes in the bill, which is in part as follows:

"In the main the rates in the tariff bill as reported from the senate finance committee are lower than those in the bill as it passed the house, the actual number of reductions being about three times the number of increases as have been made. There have been largely rendered necessary to preserve the symmetry of the schedules. A considerable number of articles in common use have been taken from the dutiable list of the house bill and returned to the free list. The great mass of the rates reported are below those of existing law.

"The house committee restored iron ore to the dutiable list at 25 cents per ton, a reduction of 15 cents a ton in this schedule throughout. Nearly all these reductions have been retained by the senate committee. In addition to those made by the house the senate committee has made quite a large number of other reductions.

"The senate committee has retained the house rate on lead ore of 15 cents per pound, but it has been obliged to raise the rate on lead products throughout the bill to correspond with this duty on lead ore.

"The senate has taken the house rate of \$1 a thousand on rough lumber, a reduction of \$1 from the Dingley law, and has retained the house rates on manufactures of wood, nearly all showing reductions from the Dingley rates throughout the bill. The tobacco schedule remains unchanged.

"The agricultural schedule, including (Continued on Second Page.)

Frick Says Shallenberger Did Promise

Man Who Asserts the Candidate Made Pledges the Governor Has Utterly Ignored.

OMAHA, April 12.—To the Editor of The Bee: The utmost respect for the honor of the governor of the State of Nebraska incumbent should be his enough to make him promise to resign before the election that his conception of official duty forbid him to perform after election. In the light of recent events I think that all citizens who believe as I do that the passage of what is known as the "daylight" bill is an unreasonable restriction upon a lawful business, an unnecessary interference with the personal liberty of the individual citizen, and a direct violation of the contract made by the state with every saloon keeper who obtained a license for the year 1909, that if he complied with the provisions of the Stoumb law he might lawfully sell during all the hours therein authorized until the expiration of the present license year, should know that during the campaign and prior to the election I met the democratic candidate for governor, A. C. Shallenberger, at his request, at the Paxton hotel in this city. At this interview Mr. Shallenberger said to me that he was opposed to prohibition, county option or any other restrictions upon the sale of liquors in Nebraska, except the restrictions already embraced in the Stoumb law as it then stood.

The members of the State German Saengerfest, who listened to Mr. Shallenberger's address before they left the state meeting at Columbus on Sunday afternoon during the primary campaign, and the Germans of Omaha who listened to his remarks at the opening of the German home on South Thirtieth street during his candidacy, will bear witness that the sentiments declared in his private interview with me were publicly expressed upon the occasions to which I refer.

It is well that the record should be kept straight, and the good citizens of Nebraska who believe in the right of the individual citizen to enjoy the personal liberty see to it that the mistake they made last fall is not repeated. A. N. FRICK.

Graft Witness Will Testify

Nick Oswald, Wanted in Los Angeles, Suddenly Appears Before Grand Jury.

LOS ANGELES, Cal., April 12.—Nick Oswald, much wanted witness before the grand jury, for whose apprehension \$1,000 reward has been offered by the district attorney, suddenly appeared in this city today and presented himself at the grand jury rooms. Oswald's appearance is expected to supply the missing link in the testimony regarding alleged municipal graft involving several city officials and is expected to result in many convictions.

Hearst Evidence Is Missing

Stolen Suit Case Found Slashed Open and Valuable Papers Gone.

HASTINGS, Mich., April 12.—The suit case which was stolen from Attorney F. R. Freshney in the Michigan Central depot here on April 1, was found last night, slashed open by a knife and with all of the depositions and evidence which Mr. Freshney had gathered in Oklahoma for use in the Haskell-Hearst libel case in Omaha, missing.

REV. GEORGE LOBINGIER DEAD

Father of Judge Charles S. Lobingier, Now in Philippines, Passes Away in Lincoln.

(From a Staff Correspondent.) LINCOLN, April 12.—(Special.)—The Rev. George Lobingier, one of the pioneer ministers of the Christian church of this state, died early Monday morning, following a short illness at the family residence, 1725 J street.

Mr. Lobingier came to Nebraska in 1878, residing in the state continuously ever since. He was in his seventy-eighth year, and was a native of Pennsylvania. He and Mrs. Lobingier were united in marriage. Besides the widow, Ada C. Lobingier; two sons, Milton S. Lobingier of Napa, Cal., and Charles S. Lobingier, United States judge at Manila, P. I., survive him. The funeral announcement will be made later, arrangements pending word from relatives. Burial will be at Wyuka cemetery.

The Rev. Mr. Lobingier was widely known in the Christian church, having held pastorates at Hebron, Belvidere, Chester and Fairfield, besides having organized several churches in different sections of Nebraska. For several terms he served as the county judge of Thayer county.

Two-Dollar Wheat is Now Predicted on Local Change

Wheat will be \$2 per bushel on the Omaha market before the top is reached. Ordinarily a grain dealer who predicted \$1.50 or \$2 wheat would be ridiculed at the Omaha grain exchange, but there are dealers on the floor each morning who say wheat will be as high as \$1.50 to \$2.00 and may reach even \$2 per bushel, when it will be 2 1/2 cents per pound. It is now more than 2 cents per pound.

There is no top to the prices paid, apparently. When the Updike Grain company offered \$1.35 for No. 2 on the floor of the exchange Saturday, it was thought it was because there was no No. 2 to sell. But this proved wrong. The wheat which the Updike Grain company offered to buy Saturday was in the hands of Omaha grain dealers, but they would not sell.

Monday the Updike Grain company satisfied its appetite for a time by buying No. 2 hard from C. L. Weeks for \$1.24 and from the Omaha Elevator company for \$1.22. The wheat bought from Mr. Weeks brought 2 cents more than was ever received on a market for a bushel of wheat in Nebraska.

No. 3 hard wheat brought \$1.22 and sold readily. A number of cars of No. 2 sold from \$1.21 to \$1.22. Rice had to go up a few notches and was sold for 76 cents, the highest price ever paid in Omaha.

HOUSE ASKS FOR RETURN OF BILL

Chairman Payne Wished to Correct Oil Schedule So as to Eliminate Alleged Joker.

ALDRICH HURRIES MATTERS

Bill Reported and Senate Adjourns Before House Message is Received.

QUEER PARLIAMENTARY TANGLE

Probability that Senate Committee Will Make Change Requested.

PERIOD SHOULD BE A COMMA

This Slip Has Effect of Placing Duty of Twenty Per Cent Ad Valorem on Hydrocarbons of Petroleum.

(From a Staff Correspondent.)

WASHINGTON, April 12.—(Special Telegram.)—Unexpectedly, but with the evident purpose of preventing the house from securing the return of the Payne bill to that body for the purpose of correction, Senator Aldrich, chairman of the finance committee of the senate, reported the tariff bill today at exactly five minutes after 12 o'clock. After a short statement on the part of Mr. Aldrich and a "kick" on the part of Senators Daniels and Culbertson against the manner in which the majority had treated the minority during the consideration of the several tariff schedules, the senate adjourned without receiving the message of the recall of the bill from the house, which passed that body unanimously in order that the "joker" in the oil schedule could be properly framed to meet the position taken by the house on crude oil and "products thereof."

Representative Payne, anticipating the resolution from Congress in a telegram calling the so-called Payne tariff bill that on omission from the free list provided for in section 2 of that bill affecting products of petroleum might be corrected by substituting a period for a comma, was on his feet immediately after the convening of the house on a resolution recalling the bill and which, as said before, was adopted without debate by the house.

Just what the parliamentary situation will be on Thursday is not exactly clear. Courtesy between the two bodies would seem to warrant the return of the bill for correction, but in view of the fact that the finance committee has ordered this bill reported with sundry amendments, to which the minority disagrees, a most interesting situation arises. Is this a house bill or a senate bill? If a senate bill made so by senate amendment, has not the house lost its control over the measure by having been sent in good faith to the senate.

Will Be Corrected by Senate. No one believes that that slip of a period for a comma will be corrected, for the slip affects countless articles made from petroleum, like vaseline and kerosene oils, which bill under its present wording places a duty of 20 per cent ad valorem. Whether the bill will be returned to the house for corrections sought is problematical. It is thought the finance committee when it reports additional amendments already agreed upon, in the new print of the bill authorized for issue tomorrow morning, that these corrections will be made and necessary for its return eliminated.

The bill reported by Senator Aldrich, as viewed by majority members of the finance committee, is generally thought to be a much fairer measure than the bill which the house passed. While in some schedules it makes radical changes in the Payne bill, it is thought to be much more largely in the interest of the consumer than the house measure. The market basket is very considerably benefited while luxuries, such as yachts, European makes of automobiles, foreign grown barley, foreign champagne, mineral waters, still wines and other articles which America is making or growing, have been advanced to almost prohibitive extent. Coffee, tea and cocoa are placed on free list. The duty on sugar is reduced four one-hundredths of one cent.

Duty on Pumice Stone. Pumice stone, in which Nebraska is greatly interested, is left as under the Dingley law, but with an additional section added providing for 35 per cent ad valorem duty in manufactures of pumice stone "or of which pumice stone is component material of chief value." This change being made necessary to meet decision of the supreme court of the United States.

To the farmer the bill will commend itself particularly, for it gives him additional protection over the Dingley rate. Oats are raised from 15 to 20 cents per bushel; corn, 15 to 20 cents; rye, 10 to 20 cents; wheat, 25 to 30 cents; and hops, 12 to 15 cents per pound. Barley is raised over the house bill from 24 to 30 cents, re-establishing the Dingley rate. Shingles are the same as in the house bill at 30 cents per thousand, the same as the Dingley rate.

Hides and coal are not included in the bill, being left for later action on the part of the committee.

Treasury experts are now at work estimating revenues which this new bill will produce and which Senator Aldrich hopes to have in comprehensive shape for presentation on Thursday.



THE RETORT COURTEOUS. Washington Evening Star.

ANTHRACITE WAGE SITUATION

Presidents of Interested Railroads Meet and Discuss Situation.

NO REDUCTION AT PRESENT

Committee of Eleven Appointed to Formulate Policy to Be Followed by Operators—It Will Report April 22.

NEW YORK, April 12.—Presidents of several of the anthracite coal railroads held a conference in this city today to discuss the situation growing out of the failure of the coal operators to reach any agreement with the miners.

Prior to the meeting reports were in circulation that a 10 per cent reduction in the wages of the miners was contemplated. At the conclusion of the meeting this afternoon it was announced that no action had been taken looking toward a reduction in the wages of the miners. A committee of eleven was appointed to formulate a policy of dealing with the miners, and instructed to report at a meeting of coal operators to be held April 22.

The following official statement was issued: "A conference of anthracite coal operators was held in the offices of the Trunk Line association today to discuss the labor situation in the anthracite region. There were about fifty at the meeting, including Messrs. E. D. Thomas, G. P. Baser, W. H. Truesdale, L. F. Loree, F. D. Underwood, W. J. Richards, W. L. Connel, Alvin Markle, S. D. Warriner, J. D. Calk, W. A. Lathrop and E. E. Loomis. There was an unusually large attendance of individual operators. The action of the operators' committee of seven in the conference with the mine workers' representatives was unanimously approved. It was not decided to reduce the wages of the mine workers at the present time. A committee of eleven was appointed and instructed to formulate a policy to be followed by the operators. This committee will report at another meeting on April 22."

Will Prosecute Iron Mountain

Penalty for Rebating May Reach One Million Dollars if Charge is Sustained.

LITTLE ROCK, Ark., April 12.—United States District Attorney Whipple today received instructions from the Department of Justice to proceed with the prosecution of the Iron Mountain railroad, indicted in the federal court here on fifty-nine counts for alleged rebating.

T. H. Bunch, an elevator man of Argenta, and Wilbur C. Stith, now traffic manager of the Waters-Pierce Oil company for the Iron Mountain, indicted at the same time for rebating, have already pleaded guilty and been heavily fined. Should the Iron Mountain be found guilty on all counts and the heaviest penalty imposed its fine would amount to over \$1,000,000.

Quest for Millions Stopped by Death

Claimant to Big German Estate, Including Castle, Dies at Reading.

READING, Pa., April 12.—The quest for the millions of the late John George Spang, who was one of the wealthiest men in Germany, has been halted by the death here today of Joseph L. Kallbach, one of the oldest direct descendants of Spang. The latter left a vast estate consisting of valuable land and buildings. The famous Spang castle at Hamburg, Germany, now occupied by Baron Kuglitsch, is claimed by the estate, which is valued at \$120,000,000. Mr. Kallbach, who was 74 years old, obtained possession of certain valuable papers which he always declared would some day bring back the property to his heirs.

BACK AT THE OLD STAND

The business office of The Bee is to be found again in the ground floor corner of the Bee Building, which has been enlarged and refitted to accommodate the growing needs of the office force and patrons. Entrance from Farnam street.

Unusual Tribute to Petrosino at Funeral in New York

NEW YORK, April 12.—The funeral of Lieutenant Joseph Petrosino of the New York police department, who was assassinated while engaged in special service in Palermo, Sicily, was made the occasion today for a remarkable tribute to the dead detective.

The police department, many Italian societies and prominent citizens of that nationality, united in expressing the gratitude of New York for Petrosino's self-sacrifice in his work and sorrow because of the untimely ending of his career at the moment when he was believed to be engaged in his most important service to the city and country.

Although the hour set for the funeral service in the old St. Patrick's cathedral in Mott street was 11 a. m., many Italians gathered early today in Lafayette street, near the home of the detective, where his body was lying in state.

Haskell Cases to Be Dropped, Says Federal Officer

Prosecution of Prominent Oklahomans Stopped by Order from Attorney General at Washington.

MUSKOGEE, Okla., April 12.—The statement was given out from the United States district attorney's office here today that Special Attorney Sylvester Rush and District Attorney Gregg at Tulsa had decided to abandon any further prosecutions of Governor Charles N. Haskell and the six other prominent Oklahomans recently involved in the Muskogee town lot cases.

This course, it was stated, had been dictated from Washington. Following the quashing of the indictments against Haskell et al. at Tulsa Saturday last, Attorney Rush referred the matter of further action to the attorney general.

In relation to the report from Muskogee Mr. Rush said Monday night he had not been advised of the issuance of the statement.

DEFECT IN JUDICIARY BILL

Donohoe Measure Amends Sections that Are Already Repealed.

MAY KNOCK OUT ENTIRE ACT

State Railway Commission Consults Governor to Get Permission to Carry Out Physical Valuation Act.

(From a Staff Correspondent.) LINCOLN, April 12.—(Special.)—It is possible and even probable that the Donohoe non-partisan judiciary and regents of the university bill, is not constitutional. The bill amends at least three sections of the statutes of 1907 which have been repealed by the legislature of 1907.

The sections amended and which have previously been repealed are sections 8,386, 6,389 and 5,812 of Coburn's statutes. They relate to the time of filing certificates of nominations, convention nominations and certificates of nominations.

Under supreme court decision, however, lawyers say if these sections were inductments to the passage of the act, then the act is void and otherwise the sections only are void.

Notwithstanding these sections were repealed by the passage of the state-wide primary law in 1907, they were carried in one of the authorized statutes, and the secretary of state has been operating under their provisions.

The Donohoe bill sought to cause the election of all judges, the state superintendent and county superintendents without the formality of a nomination by a political party. The bill was vigorously fought by some of the republicans in the legislature on the ground that this would give to the special interests an opportunity to elect the judges, by reason of a multiplicity of candidates. Those who defeated the measure did so on the ground that it would take the judiciary out of politics.

The sections repealed were simply carried over in the statutes and it is these repealed sections which have been amended.

Commission and Governor Confer. Members of the State Railway commission, constitutional officers serving six years and drawing \$3,000 a year each, called upon the governor this morning to ask him to please let them go ahead with the physical valuation of railroad property by naming experts to do the work. This action was made necessary by one of the political pie bills passed by the late aggregation of job makers.

Settlers Are Far From Pleased at Irrigation Rule

Explanation Given by Department of Reason Why it Has Been Put in Force.

(From a Staff Correspondent.) WASHINGTON, April 12.—(Special Telegram.)—Settlers along the North Platte irrigation project in western Nebraska are not altogether satisfied with the reduction to eighty acres per family of the amount of land that can be watered under the project.

Senator Burkett not long ago took the question up with the director of the reclamation service with a view to having an adjustment made that would be satisfactory to both settlers and department. The director took the matter under advisement and conferred with the engineers in field. They intimated to their chief that in many cases settlers in their opinion undertook more than they could properly handle.

It seems the law provides that water shall be furnished to an area of land large enough for products raised on it to support a family." This the department construed to be eighty acres, and the director states that if a larger area were to be given it would result in hardship to the settlers. In support of this view he maintains that while during the first years of irrigation the area cultivated must necessarily be smaller than a total of eighty acres, payments must be upon the amount irrigated and not merely on acreage cultivated. To increase the unit would be to increase payments without increasing the acreage a settler could cultivate and sell crops on, the director holds, and the law would not permit increasing the unit any way. He also refers to the fact that if settlers are unable to meet payments the law provides for forfeiture of all former payments and loss of their holding.

Norris to Sail Soon for Panama

Congressman to Leave Wednesday for Two Weeks' Absence on the Zone.

(From a Staff Correspondent.) WASHINGTON, April 12.—(Special Telegram.)—Representative George W. Norris together with a number of other members of the house, will sail from New York on Wednesday on the ship Panama for Colon to look over the canal zone. Judge Norris had been invited to go to Cleveland to enter the campaign against Mr. Cassidy, who has received the nomination to succeed Mr. Burton, who on March 4 entered the senate.

However, much as Judge Norris would have liked to aid his young friend Cassidy, he had booked passage for Panama and could not therefore well disarrange his plans and those of his fellow voyagers. The party will be absent from the capital city about two weeks.

Senator Norris Brown will preside at the thirteenth annual meeting of the American Academy of Political and Social Science at Witherspoon hall, Philadelphia, Saturday evening, April 17. The general theme of discussion will be upon the subject, "The Relation of Immigration to Race Improvement."

Mount Etna is in Eruption

Big Volcano is Covering Surrounding Country with Ashes—Great Fear is Felt.

NAPLES, April 12.—Mount Etna is in eruption. A great cloud of smoke is pouring out of the crater and ashes are falling thick on the surrounding country. Considerable apprehension is felt.

Mount Etna is in Eruption

PHILADELPHIA, April 12.—After brief proceedings here today Judges Gray and Buffington in the United States circuit court fixed June 1 as the date when counsel representing the anthracite railroad and coal companies should complete their testimony in the suit instituted by the government to dissolve the so-called Coal trust.