

RATE CLAUSE IS PUZZLER

Section Remains Only Stumbling Block in Railroad Bill.

CONFERRERS IN NIGHT SESSION

Question of Suspension of Increases Causes Difference of Opinion—Bond Feature to Be Eliminated.

WASHINGTON, June 14.—With the end in sight a session of the conferees on the administration railroad bill was held tonight at the home of Senator Elkins.

President Taft showed marked interest in this provision and although a tentative agreement was reached regarding it, his suggestion of the compromise must be submitted to him before it is placed finally in the conference bill.

An unusual situation existed in regard to this portion of the bill. The bill passed by the house would provide for a suspension of an increased rate for a period not to exceed four months.

This senate bill would make the same provision except that under an amendment by Senator Jones, the commission would be empowered to make a further suspension not to exceed six months in the event that the original period had been insufficient for the commission to ascertain whether they were reasonable.

Mr. Mann, the house conferee, it is said, favored the retention of the senate amendment and on the other hand the senate conferees, Messrs. Elkins and Aldrich, were willing to accept the provision carried by the house bill.

Another important feature settled tentatively, but which may yet be changed, is the provision to prohibit the railroads from charging a higher rate for a short, than for a long haul.

The senate conferees are disposed to take the house provision and will do so if western senators who have undertaken to look into the legal phase of the situation, report tomorrow that they would be satisfied with it.

The stock and bond feature of the house bill is to be eliminated and there will be substituted a provision for the appointment of a commission to investigate the whole subject of the proposed regulation of the securities of railroads.

Nominally a decisive ruling, although no formal order to that effect was entered by the court, this decision on the "jackpot" evidence will have an important bearing later.

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Taft Talks to Shippers on Square Deal

President Tells Visitors that Prosperity of Dealers and Railroads Must Be Mutual.

WASHINGTON, June 14.—In talking with a delegation of shippers representing the entire country, who called to congratulate him upon his course in the recent railroad negotiations and in preventing an increase in freight rates, President Taft yesterday expounded the doctrine of the square deal.

The railroads, the president said, were entitled to a reasonable return and it was to secure this to them that the new railroad bill proposes to give to the Interstate Commerce commission the right of inquiry to ascertain what a reasonable rate should be.

Mr. E. Spencer of St. Louis acted as spokesman for the visiting delegation. He said the shippers recognized the truth of what the president had stated and were entirely satisfied to abide by the judgment of the Interstate Commerce commission acting under the new law.

Mr. C. Barlow of Chicago also made a brief speech in which he said that although the shippers of the country were not acquainted with all the details of the senate and house railroad bills, they do know enough of the two measures to be glad to take either as the law of the land.

Jackpot Charge Cancelled from Bribe Evidence

Story of Occurrences in St. Louis Hotel Ruled Out of Order by Illinois Judge.

CHICAGO, June 14.—The first day of the trial before Judge McSweeney in the criminal court here of Lee O'Neill Browne of Ottawa, Ill., legislative minority leader, charged with bribery in connection with the election of William Lorimer to the United States senate, resulted in a partial victory for Browne's counsel.

Despite vehement protests by State Attorney Wayman and although he allowed the subject to be re-opened for further argument during the afternoon, Judge McSweeney finally declared that the so-called "jackpot" evidence in the case—evidence recounting occurrences at a meeting of Illinois legislators in a St. Louis hotel—must be ruled out. Judge McSweeney said that he could see no logical relevancy in the alleged St. Louis transactions because no specific agreement for the election of the United States senator was made there.

Judge McSweeney stated that the alleged St. Louis transactions were mere payments for votes on an unpassed bill.

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VIADUCT GOES ON NICHOLAS

City Council Determines to Stand by Its Original Decision.

BURLINGTON FREIGHT HOUSE

Opposition to Closing Harney Street Comes as Snag in Way of the Proposed New Ordinance.

The city council, sitting in committee of the whole Monday afternoon, refused to recede from its action in ordering a viaduct built on Nicholas street from Thirteenth to Fifteenth. The city engineer was directed to prepare and submit to the council specifications for the Nicholas street structure.

A petition from certain property owners expressing themselves against the Nicholas street location, was received informally by the committee, not yet having been to the council. George H. Kelly and L. G. Doup spoke against the Nicholas street plan and in favor of building on Izard street. They asserted the building of the structure on Izard street would involve no damages, and Mr. Kelly said officers of the Missouri Pacific had intimated that road would promptly accept the duty of building on Izard street. The alternative, the council was left to understand, will be a court fight against the Nicholas street plan.

Councilman McGovern insisted Nicholas street is now one of the most dangerous thoroughfares in the city, by the admissions of firms doing business on the street.

This statement was backed by expressions from Councilmen Berka, Kugel and Pankhouser. They also asserted the city cannot legally select Izard street for the bridge on account of the street not being open as a thoroughfare. Vacation of the part of the street from Fourteenth to Fifteenth is said to have been made for the benefit of the Northwestern road. Nicholas street, they held, is the one on which relief is needed.

G. W. Lorenz, speaking as he said, for the men employed in the car shops of the Union Pacific, urged the Nicholas street location. He was spokesman for a bunch of shopmen who appeared as a delegation. Mr. Loftus, speaking for the Missouri Pacific, said his road is not opposing the building of a viaduct, but would greatly prefer to have it located on Izard street. To build the viaduct on Nicholas street, he asserted, would impair the freight shipping facilities.

The pending ordinance for vacating parts of streets between Farnam and Jackson, below Eighth, was ordered placed on file and a new ordinance will be prepared, when a further hearing will be had on the request of the Burlington road for concessions to permit the construction of a large station on the property recently acquired and laid out for that purpose.

J. E. Kelly again appeared before the committee and explained that vacation of the streets is not insisted on; that the Burlington only wants permission to use whatever part may be necessary to permit the carrying out of its plans. This involves a considerable change of the present grade of Eighth street from Farnam to Howard, and the construction of a retaining wall in the center of the thoroughfare.

B. G. Burbank, representing the Carpenter Paper company, and Father Kelly, one of the trustees of the Creighton estate, which owns the building occupied by the Byrne-Hammer company, protested against granting the request of the Burlington. They asserted the proposed retaining wall would have the effect of closing Harney street east of Eighth.

City Attorney Burman sent the committee a letter in which he requested the privilege asked be not granted. He believed the possibility of future navigation on the Missouri river makes it advisable for the city to keep Harney street open all the way.

Creosote Block Falls. City Engineer Craig made an unavailing appeal for a trial of creosote block pavement on Chicago street, between Fifteenth and sixteenth. It developed the signatures of property owners were equally divided between creosote block and vitrified brick. Councilman Burmaster moved that brick be specified for the pavement on the block and the motion prevailed, after several councilmen had expressed themselves against creosote as an experiment and too costly.

Mr. Craig gave instances of the wearing qualities of creosote block and said 50 per cent of the property owners on one of the main streets of Omaha have signed a petition for that material. The petition is thought to refer to South Sixteenth, from Farnam street to Leavenworth, and a petition for the creosote block has been circulating for some time.

The councilmen asserted they have no objections to the new pavement material, if the property owners want it, but they would not take the responsibility of ordering it themselves.

After a plea from Judge E. Wakeley the committee decided to change the specifications for paving Twenty-eighth avenue, from Davenport to Central boulevard, so that the pavement will be only twenty-four feet wide instead of thirty feet.

May Make Re-levies. On motion of Beester, the finance committee was directed to examine into all suits affecting special tax levies for improvements, so that council may order re-levies wherever possible.

Appraisers' reports were adopted for the opening of Nebraska avenue from Thirtieth to Thirty-second streets and Twenty-ninth street from Elliston avenue to Jaynes street. The cost of the first named opening will be \$46 and of the other \$60.

Council had fun with a report on garbage inspection sent in by Health Commissioner Council and signed by Sam Rothwell as "garbage" user. It was set out in the report the police judge discharged people arrested for violation of the ordinance, but Judge Berka said that might be because the court found the ordinance unconstitutional. President Brucker did not take much stock in this explanation, and on McGovern's motion the president of the council was delegated to send the municipal judge and find out what is wrong. Councilman Johnson insisted the matter should be treated seriously and the weakness corrected.

The new plumbing ordinance was laid over for one week, to permit of further consideration by the business men's committee.

MERGER HEARING AT ST. PAUL. Argument in Union Pacific-Southern Pacific Case Scheduled for October.

WASHINGTON, June 14.—Argument in the government's suit to dissolve the merger of the Southern and the Union Pacific Railroad companies will take place on October 10 at St. Paul, according to an announcement at the department of justice today. The hearing will be before three circuit judges, and the government will be represented by C. A. Severance and Frank B. Kellogg. The case has been pending a long time, both sides having taken an immense amount of testimony before an examiner.

Butter and Egg Combine Strikes Snag in Chicago

Board Faces Injunction and Dissolution at Hands of District Attorney.

CHICAGO, June 14.—Largely as a result of high cost of living testimony adduced by the senate committee, the federal government began an attack on the Chicago Butter and Egg board here today, when District Attorney Sims filed a petition in the United States circuit court, seeking to enjoin the board from issuing quotations, and seeking its dissolution.

The gist of the charge against the board is that its quotation committees send broadcast quotations on butter and eggs, which, during the last three years, have varied from one-half to a cent and a half under the actual price in the open market. In this way, it is charged, "insiders" on the board particularly those who are members of the quotation committee, may buy from the original producers at a lower price than dealers, who go into the open market.

Butter Dealers Form Exchange

Twenty-One Men Effect Preliminary Organization, with David Cole Chairman.

Twenty-one representative butter and egg dealers of Omaha met in rooms at Eleventh and Howard streets yesterday and effected a preliminary organization of the Omaha Produce exchange. David Cole was elected temporary chairman and W. O. Edholm temporary secretary.

A committee, composed of J. P. Jerpe, P. C. Hyson and George E. Clark was named to complete the organization by preparing articles of incorporation, a constitution and by-laws. As soon as the committee makes necessary arrangements it will report to Chairman Cole, who will call a meeting to bring about a permanent organization.

Butter and egg men say the idea now being worked out is one that has been in demand in Omaha for a number of years. The immense quantities of butter and eggs handled here every year, and increasing each year, make a local produce exchange a necessity. Rooms have been secured at Eleventh and Howard, where the first meeting was held, and a building has been put up and the new exchange will be started as soon as possible.

Persistent Advertising is the Road to Big Returns.

Aeroplane Nearly Mile High, Breaks Record for Altitude

INDIANAPOLIS, June 14.—Soaring to a height of 4,394 feet, Walter Brookins, in a Wright biplane, broke the world's aeroplane record for altitude in the closing event today in the aviation meet in the Indianapolis speedway.

Brookins' achievement followed exhibition flights by several of the pupils of Orville and Wilbur Wright. None of the other entrants in the meet was prepared to take his machine out of the aerodrome, with the exception of G. L. Bumbaugh of this city, and his biplane was wrecked before he had well started.

Bumbaugh lost control of his forward steering planes and the machine fell to the ground from a height of ten feet with the aviator under it, and was smashed. The wreckage took fire and Bumbaugh might have been burned to death had not mechanics run to his assistance. He was slightly cut and bruised.

Brookins' high flight, in which he took the record from Louis Paulhan, who at Los Angeles rose to 4,106 feet, was also a sensational speed triumph. According to the register of the instruments, announced by A. B. Lambert of St. Louis, the official time, Brookins was 1,900 feet in the air at the end of seven minutes. He had risen to this point in a wide circle. The whirl of the propellers was then lost to the throng of spectators and the aeroplane was but a cross floating in the sky.

Continuing his circles Brookins rose steadily at a speed estimated at sixty miles an hour. Thirty minutes after he had started he reached his highest altitude and began the descent, maneuvering at lower and lower levels until at a height of 100 feet he shut off his motor and glided easily to the ground alongside the starting rail.

The aviation meet will continue throughout the week with trials against time and speed contests. It is expected that more of the entrants will be ready for tomorrow's program.

EXCURSION FARES EAST

IN EFFECT DAILY. The thirty day low special round trip rates afford the best chance in years for an extended tour of the east. Reduced fares to many other eastern resorts.

New York City, standard routes.....\$43.20
New York City, other desirable routes.....\$40.50
Atlantic City.....\$40.70
Portland, Me., through St. Lawrence river region, or through Boston.....\$42.35
Boston, direct route.....\$40.60
Montreal, including St. Lawrence river trip.....\$39.50
Diverse route tour of the east, one way through the Virginias, Old Point Comfort, Norfolk, Ocean trip to New York, other way direct routes (*).....\$49.40
Same trip through Virginia, Old Point Comfort and Ocean trip to Boston, other way direct routes (*).....\$52.20
(*) Final limit, sixty days.

LOW CONVENTION RATES
Boston, Mass., June 29 to July 3, inclusive.....\$34.00
Detroit, Mich., July 6 to 10, inclusive.....\$22.50
Saratoga Springs, N. Y., July 4 to 6, inclusive.....\$39.60
ALL SUMMER EASTERN EXCURSIONS. (Return limit October 31.)
Mackinac Island.....\$31.80
Boston.....\$58.00
Portland, Me.....\$58.00
Atlantic City.....\$55.00
Buffalo, including tour of lakes via Steamer "Northland".....\$44.50
St. Louis.....\$17.00

TRAIN SERVICE.—From Omaha to Chicago, Daylight Express, 7:15 a. m.; afternoon express, 4:20 p. m., arriving Chicago 7 a. m.; Nebraska Chicago Limited, 6:30 p. m., electric lighted, with observation car, arrives Chicago 8:07 a. m. Let me help you with your arrangements.

J. B. REYNOLDS, City Passenger Agent, 1502 Farnam Street, Omaha

Advertisement for Burlington Route, featuring the slogan "Don't forget. Thursday is home day." and listing real estate services.

Large advertisement for Porosknit Summer Underwear, featuring illustrations of a man and a woman in the clothing and descriptive text about its benefits.

Advertisement for Rock Island Lines, promoting "Rocky Mountain Air Bath" and "Splendid Fast Trains Every Day" with detailed fare information and travel descriptions.