SINGLE COPY

Last Year One of Coneral Presperity and Commercial Expansion.

INCREASED BUSINESS IN ALL LINES

Me Branch of Trade or Industry but Feit the Uplift.

Detailed Information is All of the Most Satisfactory Bert

PROSPERITY SHOWN IN BRIGHT COLORS

Every Material Interest of the City Shows a Distinct Advance During 1901 as Compared with 1900.

Bank clearings, 1901....\$329,043,688 Increase over 1900 13,808,482 Building permits 1901.... 1,230,300 Increase over 1900 5,552,326 Estate sales, 1901. . enl Estate mortgages Filed 1901 2,418,303 Real Estate mortgages relensed 1901 Capital invested in new factories, 1900 Number of hands em-

ployed in new factories New jobbing houses added

during 1901

Omaha can look back on the year 1901 with considerable complacency. While no colossal afrides were made in any direction, the steady growth in all lines of business and the continued development of the material terests of the city were such as denote a healthy activity.

561

Jobbers have extended their territory manufacturies have increased their plants, retailers have been busy, and every artery of communical or industrial enterprise from noon until 1 o'clock. d full and strong with the life city. Nearly a million and a llars were expended in building during the year, and almost the entire sum was invested in homes. In this respect the year was unique and satisfactory. The year preceding had witnessed the erection of several pretentious buildings in the jobng district, great structures to house

operations were carried on quietly but must visit every quarter of Omaha. No prospered alike. An increase of \$300,000 in the total cost of buildings over the year 1900 is a fair indication of the activity in

Manufacturing and Jobbing.

Nearly \$400 000 capital was invented in new manufacturing ventures in Omaha dur- night the three senators and the ten repthe year and outte as much more was added to the capital of established enterprises. The expansion in this direction has been so gentle that few people realize its extent. Nearly 600 names are on the pay rolls of the new factories and more than 500 have been added to the pay rolls of the old, so that New Year's day finds almost 1,200 more people in Omaha drawing pay regularly from manufacturing enterprises than did New Year's one year ago. It is the pay roll that really marks the prosperity of a community. To add a thousand names to the roster of those engaged in manufacturing means to add at least half that many to the roster of those who serve in other lines. No effort has been made to obtain accurate figures on this point, but it is safe to assume that at least a million dollars has been added to the Omaha pay rolls during the year. It is the "dinner pai brigade" that makes a city and Omaha watches with pride the swelling ranks of

the army of wage workers. In the wholesale district the growth of the year was most satisfactory. New firms handling staple lines opened their doors to the trade of the west and established louses extended their operations into new territory. From the great lakes to the Pacific-even to the islands beyond-and from Alaska to the isthmus Omaha sells goods. The army of traveling salesmen who go forth to preach the gospel of the rate city's commercial supremacy was enhanced by the addition of many new names during 1901, and there is not now a state or territory in the west from the lakes to the ocean that is not regularly visited by the representatives of Omaha jobbing houses. Industrial houses untformly report an increase of business for

1901 as compared with 1900. Real Estate and Loans.

During the early months of the year there was a fairly active movement of real estate. but the spurt was soon over and transactions during the last six months have been quite limited. This is accounted for by real estate men on the ground that at present prices and under existing conditions owners can better afford to hold their property than sell. Rental rates have been uniformly maintained and the income from improved real estate has been steady and satisfactory, while the unimproved real esmost encouraging sign of the times is found office force will be dispensed with during the coming year. Tax collections have that money is plentiful and that owners desire to protect their property holdings In these facts there is much of comfort to those who have pinned their faith to

Omaha's future In all other essential items the record of the year just ended is most satisfactory. Crime has been less and the grind of the during 1960. Bir, as and deaths were fewer in 1961 than in 1960, but the number who came into the world was in excess of those who departed. Banking operations show a large increase over the preceding year, the aggregate for the year being considerable.

accompanying crop failure is in a large measure reaponsible for the slight decrease in cattle receipts. Both hog and short receipts show a large burg. To No. 2 and Seattle, for Hong Kong Kong, for Vancouver, At Colombos Salied; Moyuno, from Seattle, for Yokchama.

At Boulogne Salied; Palatic

CONDITION OF THE WEATHER DISSECTS IRRIGATION BILL Forecast for Nebraska-Fair Wednesday and Probably Thursday; Southerly Winds, Secondary Northwesterly.

serature at Omaha Yesterday:

Deg. Hour. 1 p. m 35 2N 2 p. m 6 3 p. m..... 1 p. m..... 5 p. m..... 8 a. m. 28 6 p. m

HONORS TO SENATOR SEWELL FIGURES TELL TALE OF YEAR'S GROWTH Body Viewed by Thousands and

Buring is Made with Military Ceremony. CAMDEN, N. J., Dec. 31.-The funeral of

Rishon John Scarborough of the Protestant by Rev. R. A. Roderick of this city. At the conclusion of the services three serof the National Guard of New Jerwhere the body was buried with military ceremony.

Corbin, Governor Voorhees, Governor-elect Griggs, A. J. Cassatt, president of the Pennsylvania Railroad company, and tion and the ripartan right. I believe that Clement A. Griscom, president of the International Navigation company.

All of the county and city offices and most of the business houses were closed from noon until 1 o'clock. The committee of the United States senators included Senators Kean, Hawley,

Bate, Cockrell, Pettus, Harris, Poster, Cullom, Aldrich, Penrose, Elkins and Turner The house committee was composed of the New Jersey delegation. All of the county and city offices and

Proctor, Burrows, Warren, Scott, Quarles

most of the business houses were closed

FORAKER SCORES A VICTORY Secures Pledge of Two Toledo Men

to Support His Pro-Kram.

CINCINNATI, Dec. 31 .- The fight between at enterprises, and so located as to the Hanna and Foraker factions for conse the greatest showing for the growth trol of the Ohio legislature became acute the city. The last year has nothing, in Cincinnati today, when it became known cactically, of this sort. The building that two Toledo members of the house were here in conference with Senator Foraker. steadily, and to review the results one They were followed to the city by the chairman of the central committee at Toparticular section was favored, but all ledo and Representative Demath of Toledo, both Hanna men.

The result of the day's conference was a Foraker victory in that the two Toledo support the Foraker program. At a meet- west. ing of the Hemilton councy delegation to

the Foraker candidates. A statement was given out that the pending contest was not one between Senators injunction against the maintenance of a Foraker and Hanna themselves for supremacy in Ohio, that the party would not recognize the contest as factional and that the Hamilton county members would give respectful attention to the advice of the so declaring the law of the land. The the islands themselves will be thrown open local republican organization in which George B. Cox is universally recognized as the dominating influence. Mr. Cox said to night the present trouble was "due to tale bearing gossips, not to any leaders, and that the result would have no bearing in the future against anyone.'

GET IDEAS FROM AUDITORIUM Omaba Delegates Inspect Kansas City

Convention Hall and Study Fund Raising.

KANSAS CITY, Dec. 31 .- (Special Telegram.)-A party of Omaha business men identified with the Commercial club of that city came here this morning to inspect Convention hall and acquire information to be used in connection with a public auditorium which Omaha proposes to build. In the party were J. E. Utt, D. J. O'Brien, M. Funkhouser and C. G. Pearse.

"We intend to build a convention hall to cost about \$225,000," said Mr. Funkhouser, "and are out on a tour of inspection gathering ideas. We were at St. Louis yester day and visited all its large balls with a view of getting information a the line suggested.

The visitors were the guests of Secretary E. M. Clendening of the Commercial club this morning and were shown Convention hall. They expressed surprise at its greatness and many good qualities. The manner of raising funds as originated by Kansas City was also investigated. The visitors left for Omaha at noon.

STRANGE TRAGEDY IN HOTEL Young Woman Dead and Man Badly Wounded Found in

ST LOUIS, Dec. 31.-When the police tate is constantly increasing in value. A tonight forced in the door of a room in the Indians living on the agencies above elected president. Rabbi Gustav Gotthell the Gould hotel they found the inanimate in the record of real estate mortgages, the body of a young woman, subsequently identinumber and value of loans paid off being fier as Pearl Sutton of Jerseyville, Ill. greatly in excess of the number and value lying on the bed and near it Charles H. incumbrances assumed. From the sher- Holcomb of Corsicana, Tex., fatally of the Indian office will soon be sent to Dr. Desola of Montreal is the Canadian repin's office comes the complaint that there wounded. The Sutton woman had been the Rosebud reservation to make an inare so few foreclosure suits that part of struck on the head with a sharp instrument, evidently a hatchet, and Holcomb was suffering from bullet wounds. been prompt and in excess of 1900, showing police have been unable to unravel the mystery surrounding the tragedy.

> Holcomb, who was in a comatose condition, whispered: "I did not shoot myself. I don't know who shot me or the girl. No one knows when the couple entered Holeomb's room, but it is supposed to have KILLS

been early Monday morning.

large increase over the preceding year, the aggregate for the year being considerably in excess of \$1,000,000 a day. No disastrous failures occurred in any line of business.

From South Omans comes the same old story of activity in every branch of the Kong, for Vancouver.

Auckland.

At Astoria, Ore—Arrived: Barkentingenies and La Moriciere, for Queenstown: Foreric, for Manila.

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Congressman Stark Thinks It Will Find Nebraska Hostile.

ALLEGED DEFECTS MAY MEAN DEFEAT

All the Points Made Against State Engineers' Bill Are Held by Him to Exist in Compromise Mensure.

(From a Staff Correspondent.) WASHINGTON, Dec. 31.—(Special Telegram.)-Congressman Stark today addressed a letter to Congressman Newlands, secrethe late United States Senator William tary of the congressional committee having ently rushed to his home, hatless and wild Joyce Sewell took place today from the in charge the preparation of the irrigation with excitement and began the work of ex-Sewell mansion in this city. From 10 to bill, which is interesting as it materially Il o'clock the public was permitted to view affects Nebraska's interest in the pending the body and thousands passed around the irrigation legislation. In the letter the con-The services were conducted by gressman from the Fourth district says daughter, Annie, was wounded through the section nine, as at present set forth in the hand and in the ear. The 12-year-old Episcopal diocese of New Jersey, assisted bill introduced as the joint work of the committee, should be amended so as to read: "That the right to the use of the geans from the Third regiment and battery water acquired under the provisions of this of the shots brought neighbors into the act shall be perpetual and that the benesey carried the casket to a caisson ficial use shall be the basis of the measure provided by the War department, and the and the limit of right, provided that the cortege proceeded to Harleigh cemetery, state and territorial laws shall govern and control the appropriation, the use and the distribution of the overflow waters ren-Among the honorary pall bearers were dered available by the works constructed determined to end the lives of his family Secretary of War Root, Adjutant General under the provisions of this act." Continu- and his own. He asked that at his funeral ing, he says: "There is now a conflict in Murphy, ex-United States Attorney General the states and territories named in the proposed bill between the right of appropriain Colorado, Wyoming, Montana, Idaho, Utah. Nevada and the territories of New Mexico and Arizona the riparian rights have been abrogated. In Nebraska, Callfornia, Washington, Oregon and the two Dakotas the common law doctrine of riparian rights has been favored by the courts of last resort.

Riparian Rights in Nebraska.

"When congress in 1866 passed what is known as the arid land act Nebraska was a territory with considerable arid and semiarid land in the western part. It was thought that with the passage of that act, together with the further fact that the territory of Nebraska was never under the dominion of Great Britain, the common law of England, the doctrine of riparian rights, did not apply. Soon after Nebraska was admitted into the union there grew up a sentiment in favor of water grist mills, but capital was not available because there was no guarantee of riparian rights. The legislature then passed an act in substance that the law of England should apply when not inconsistent with the statutes and institutions of the country. England has a humid climate and the question there has been for time out of mind not how to save water, but how to get rid of it. The maxim. 'Water runs and let it run,' without diminution or alteration, may be all right as applied to England, but the Mexican maxim, Water irrigates and let it irrigate,' is the men who first arrived gave their pledge to one for general application in the north-

The supreme court of Nebraska has apownership, that a stream must flow diminished in volume as it is wont to do from time immemorial, but sustaining an dam across a flowing stream for the purposes of irrigation and thereby diverting water from a millpond. I express no opinion as to the wisdom of this decision in thing I am concerned with is the effect.

Points Out Possible Defects.

"In section 7 of the proposed bill, 'f water should be provided from a flowing stream States from the operation of the coastwise and a water right sold and the location shipping laws which requires all trade bebe in a riparian state, an injunction would tween United States ports to be carried in defeat the right if there was a water mill whole measure. To my mind, as the proposed bill now stands, 'all the points can that can be made against the state engineers' bill."

Weekly newspapers in Nebraska have been greatly exercised recently over the alleged decision of Assistant Postmaster General Madden prohibiting newspapers in New York state from sending "dead" newspapers through the mails, in other words. newspapers not paid for. Inquiry at the Postoffice department shows that weekly newspapers can continue to send papers through the mails as formerly, the particular ruling being made against newspapers that had no bona fide circulation, advertising schemes.

Change in Land Leases.

Efforts are being made by the commissioner of Indian affairs to secure the consent of the Indians on the Sioux reservations in South Dakota for a change in the method of leasing lands for grazing purposes. Authority has just been granted for the leasing of grazing lands by th acre on the Cheyenne river and Standing Rock agencies, instead of charging so much per head, as is the present custom. The policy of leasing by the acre is regarded as more desirable by the Indian officials and has been conducted with much profit in the southwest. So far the plan has only been approved in South Dakota by named

Negotiations are to be inaugurated with the Rosebuds with a view to having them adopt the new regulations. A special agent vestigation as to the feasibility of estab lishing storage reservoirs at certain points within the reservation. These it is proposed to utilize as reservoirs for stock. The project contemplated is quite an extensive one. If it is adopted it is proposed to utilize Indian labor in its con-

BOY, ASSAULTS

struction.

Perpetrator of Crimes is Being Hauted by Entire Force of Police.

DENVER Dec. 31 -- At 9 o'clock to night an unknown man attacked Harold Friedborn, aged 15, and Florence, his sister aged 16, while they were skating on a small pond near their home in North Denver. The boy was struck on the head with an ax and instantly killed. The girl was then assaulted. Some time later she recovered

accompanying crop failure is in a large measure responsible for the slight decrease in gattle receipts. Both hog and sheep receipts show a large gain over the year before, and the output of the packing houses

(Continued on Seventh Page.)

At Colombos-Sailed; Moyuno, from Seattle, for Yokchama.

At Boulogne-Sailed; Palatia, from Hamburg, for New York.

At Boulogne-Sailed; Glenfarg, from Tacoma, for London.

At St. Vincent, C. V.—Sailed; Glenlogan, from Tacoma, for Hull.

At Hong Kong-Sailed; Glen Roy, from police hope this may aid them to apprehend him.

TRIES TO EXTERMINATE FAMILY

Jeweler Accidentally Shoots Clerk, Becomes Crazed and Endeavors to Kill Wife and Children.

TURNER'S FALLS, Mass, Dec. 21 .- Louis Bitzer, a jeweler of this place, today sho five persons, two of whom, his clerk, Miss Ida Columbe, and his 5-year-old son, are dead. The others are his wife and two daughters. It is thought they will not die. There is evidence that it was Bitzer's purpose also to take his own life, but his arrest apparently prevented him from carrying out this purpose. He is about thirtyfive years of age. From a note left in his store by Bitzer it appears that while he was cleaning his revolver the weapon was discharged accidentally and the bullet hit Miss Columbe in the head, killing her instantly. Overcome by the situation, Bitzer apparterminating his family.

was shot and killed. The 16-year-old than \$150,000 of state funds, which had The little boy, ill in bed with the measles, daughter, Carrie, was shot through the neck. Mrs. Bitzer was hit in the face, the bullet passing through the none. The sound house and Bitzer was arrested.

The police believe that Bitzer is insane The note which they found in his store after affair was almost an incoherent jumble of words. After telling of the shooting of Miss Columbe, Bitzer wrote that he had the hymn "Nearer, My God, to Thee," be sung. Substantially the same story was told by Bitzer after his arrest.

DETECTIVES RECOVER JEWELS

Officers Say They Have Found the Thirty Thousand Dollars of Stolen Treasure.

he wanted to get \$1,500 on the jewels.

This man took Kern to his employer, gave him \$700, telling him to come the next day and get the balance, \$800, and the ticket for the articles. He did not come back.

In making public the list of articles reovered Captain Titus said that most of guilty was returned and on June 26, 1897. the goods were found in the pawnshop, the location of which or the name of the proprietor he refused to make public, and that he remainder was found in Kern's satchel, found in a hotel in this city. Among the ewels recovered was a pear-shaped diamond pendant valued at \$90,000.

RECOMMENDS OFEN

proved the common law rule of riparian | War Department Desires Free Com-Islands by Foreign Vessels.

> WASHINGTON, Dec. 31 .- If congress follows the recommendation of the War department commerce between the United States and the Philippine islands and among to foreign bottoms for an indefinite time. Already there is pending in the house legisbetween the Philippines and the United to Philippines commerce.

WORD FROM GERMAN MEAT LAW

State Department Receives Telegram Stating Committee is Considering Inspection Localities.

WASHINGTON, Dec. 31 .- The State dedor White at Berlin, stating that a committee of the Bundesrath has begun to congo into effect for some time, it is stated, tainable.

REELECT DR. HERZL PRESIDENT Zionists Conclude Their Convention by Selecting Officers for the

Year.

BASLE, Dec. 31 .- Before adjourning to day the Zionist congress elected a new executive committee consisting of forty-five members. Dr. Theodore Herzi of Vienna, founder of the Zionist movement, was reof New York, H. J. Wise of Portland, Rev. Dr. Shaffer of Baltimore, Pereira Mendes of Chicago and Rev. Dr. Sarasohn of New York represent the United States. Rev.

resentative on the committee. DEATH IN LEMON EXTRACT Farmer Drinks Contents of Eight Two-Ounce Bottles and

Succumbs.

lemon extract William King, a farmer who conditions on which a free and full par- other ills is both unsound and dangerous lived southeast of Paris, died last night, don might be based. When pressed to and should have no place to the laws or Coroner Roberts hald an inquest, recom- make public those conditions the governor morals of a civilized people mending that the grand fury investigate declined to take the people into his conand prosecute merchants selling extract fidence. It was learned, however, that in November, 1892, and was re-elected in interests would have been so great as to for drinking, this being the fifth death of Bartley had made no promises whatever, 1894. He took the oath of office and enchallenge computation. the kind to occur in this vicinity recently. although the governor explained that he tered upon the divices of his first term as

FOUR YOUNG MEN ARE HELD viet to make at least partial restitution. Harvey Bruce and Van Warmer Boys

Charged with First De-

gree Murder.

HUDSON, N. Y., Dec. 31 .- The coroner the case of Peter Hallenbeck, who was nurdered in his bome Christmas eve. The and three Van Warmer brothers, on a

charge of marder in the first degree.

STORY OF BARTLEY'S CRIME

Why No Was Convicted and Sentenced to Prison for Twenty Years.

THOUSANDS OF STATE FUNDS MISSING

Four Years of Service as State Trensneer Ends in Shortage, Extent of Which is Not Yet Established.

Joseph S. Bartley was convicted on June 24. 1897, of embezzling something more been entrusted to his care as state treasurer. He was sentenced two days later to serve twenty years in the penitentiary and to pay a fine of \$303,768.90, being double the amount of which he was convicted of embezzling. It was this sentence that was ommuted by Governor Savage.

Bartley was elected state treasurer of Nebraska on the republican ticket in 1892. In January, 1893, he took his office, succeeding John E. Hill. In 1894 Bartley was tenced in 1897 to twenty years' imprisonre-elected and in 1897, when he was suc- ment for the embezziement of public funds, he was short in his accounts became pub- a free man. Late this afternoon his sendred thousand dollars of state funds and months and eight days, which term expired | terests were sorely distressed has not yet given any satisfactory account | today, and at 7 o'clock tonight the official | the land. It is well to remember resenting the total of his shortage, but it Mrs. Bartley, wife of the prisoner, at her \$600,000.

When the shortage was discovered Bartley evaded arrest on various pretexts, but NEW YORK, Dec. 31.-It was made known finally, on April 29, 1897, he was arrested at the detective bureau this afternoon that in Omaha on a charge of embezziement and \$30,000 worth of jewelry stolen from Paul arraigned in the police court. He waived Thebaud had been recovered. Detective examination and was held for trial before Captain Titus said he had learned that on the district court. On June 8 he was Sunday, Kern, the valet, had called on a brought before Judge B. S. Baker, who was man who worked for a pawnbroker in this then, as now, presiding over the criminal city, and had shown the jewelry, saying that docket in the Douglas county district court. Howard H. Baldrige was prosecuting attorney and was assisted by C. J. Smyth. where Kern put down the jewelry. The then attorney general of the state. Bartley pawnbroker told him to come to his place was defended by some of the ablest lawsaid it was a matter of life or death, as he case was fought with all persistence and had to have the money, and the pawnbroker determination as well as the skill and finesse of brilliant legal minds.

Fourteen days were consumed in the presentation of the evidence and arguments. and finally the case was given to the jury on June 22. Two days later a verdict of Bartley was brought before Judge Baker bond for appearance in the district court was dismissed and he was confined in the Douglas county jail. His attorneys appealed his case to the supreme court and asked the justices to fix bail in order that clemency in his behalf. he might be at liberty pending the final adjudication of his case. Ball was fixed at \$125,060 by the juctices of the supreme court, an amount Bartley was unable to made to secure the amount. At one time promising a premium to the sureties, but even this did not avail.

It was more than a year after his conviction before the supreme court passed upon his appeal. When the decision came it upheld the verdict and sentence reached in the trial court. On July 6, 1898, Bartley was taken from the Douglas county lation looking to the exemption of the tariff juil to enter upon his term of penal servetude at the penitentiary at Lincoln.

Basis of His Conviction For a time after he entered the peniten

tiary efforts to enable him to escape pun-American bottoms. At the instance of the ishment were apparently dropped. Atteninvolved. I simply point out what seem War department this measure will be tion was then diverted to the efforts of the o me to be defects, that lay the founda- amended so as to place the inter-island state to collect from the sureties on Barttion for an argument that may defeat the tariff on the same footing. Meanwhile, ley's official bond and from others a porpending the action by congress, the treasury tion at least of the money he had sequeswill continue the order suspending the aptracted. The item for the embezziement of be made against it, in Nebraska at least, plication of the coastwise shipping laws which he was convicted consisted of part of a warrant ordered drawn by the legislature to reimburse the permanent school fund of the state for a loss sustained through the failure in 1893 of the Capital National bank of Lincoln, of which C. H. Mosher was president. The money had been placed in Mosher's bank by State Treasurer Hill, who turned over certificates of deposit to his successor, Bartley, who accepted them as cash. It was Bartley's partment has made public a telegram dated action in checking out large sums that pre-December 23 from United States Ambassa- cipitated the failure of the Capital National bank. At that time there was on deposit there nearly \$250,000 of state money. but were using names from directories in sider a list of localities for the examination of which \$180,000 in round numbers becities in order to interest the public in and admission of meat according to section longed to the permanent school fund. At 13 of the new mest inspection law. It is the session of 1895 the legislature-ordered probable that this part of the law will not a warrant drawn to reimburse the permanent school fund. Bartley drew the warthough as yet no specific information is ob- | rant, but instead of turning the money over to the school fund, he sold the warrant through an Omaha bank to a New York bank. This was in April, 1895. Just before retiring from office in the fall of 1856 the New York bank sent the warrant back to the Omaha bank for collection. Bartley deposited state money until he had accumulated a sum sufficient to take up the warrant, which, with interest, amounted to more than \$200,000, and then drew a check for the amount. So far no information of inal sale of the warrant has been made puo-This was only a portion of Bartley's defalcation, but it was sufficient to secure his conviction.

Efforts to Secure His Pardon.

Bartley had not been in prison a great his pardon. Almost two years ago peticirculated, and the matter was more or alleging his hope of recovering at least a bank amounted part of the money from Bartley. His weak million dollars. day concluded the taking of testimony in excuses had no effect on the convention. which adopted the resolutions by an over whelming vote. In response to the converdict holds the four youths, Harvey Bruce vention's demand the governor revoked

(Continued on Second Page.)

Governor Savage Commute mainder of His Twe

CRIME CONDONED BY TH

Lengthy Explanation Offered in Jo Exhibition of Misapplication of Exhibition of Exhibition Specious Pleading in Behalf of the victed of Looting the Public Treasu

(From a Staff Correspondent.) LINCOLN, Dec. 31 .- (Special Telegram.) - second term the state ha Former Treasurer Joseph H. Bartley, senneeded by John B. Meserve, the fact that tonight walked out of the state penitentiary He failed to account for several hun- tence was commuted to five years, seven had closed their doors, and the of the disposition of the missing money. discharge, signed by the governor, was de-Various amounts have been named as rep- livered by Private Secretary Clancey to reason that he was treasurer three is believed to be in the neighborhood of home, 1645 C street. A few minutes later through three years of almost tot Miss Inda Bartley, the prisoner's daughter, took the papers to the penitentiary and of McKinley in 1896 furnished relief to t. upon their presentation to Warden Davis distressed business and financial intere

her father was immediately released. In commuting the sentence the governor made allowance for the time Bartley passed in the jail of Douglas county, which ing directly the quality of the basic curamounts to about one year. Good time was also allowed from the day the man was placed in confinement. Bartley was brought to the penitentiary July 6, 1898.

Statement by Governor Savage. Governor Savage makes the following statement in explanation of his action "My action in the Bartley case is the fruition of careful inquiry and mature dehe next day and get the money. Kern yers in Nebraska, and every point in the liberation. After I became governor of this in commercial and financial reverses and in state, among the cases calling for executive the general unrest and distress which preclemency was this one. Such preliminary examination as I was able at the time to in 1896 was abnormal, conditions were such make inclined me in favor of exercising clemency in Mr. Bartley's behalf. I be- at remunerative prices. It is a well known lieved at that time and conceived the idea fact, and no doubt it will be almost unithat his release could be turned to the advantage of the state. With this end in view, on the 13th day of July, 1901, I reand sentence was pronounced on him. His leased Mr. Bartley upon parole for a period the business interests of the state and the of sixty days, with the intent during that period of completing my investigation of the case and final determination whether I

should or should not exercise executive State Convention's Action.

"On Augus, "S, before I had my plans perfected, the republican state convention same period. It can, I believe, be truthfully raise, although most strenuous efforts were adopted a resolution requesting the im- said that to a very great extent the treasmediate return of Bartley to the peniten- ruy of the state was all that stood between an attempt was made to purchase bail by tiary. Though I felt keenly the discourtesy the business interests of the state and and was amazed at the intrusion upon the financial ruin. constitutional rights of the chief executive, and, undecided as I was still upon some treasury was the people's money. Admit of the aspects of Mr. Bartley's case, and that to be true, and the problem becomes undetermined as to the proper course, and one of the people's money preventing the anxious as I was that no harm should come ruin of the people's business. I have no to the state or to the republican party hesitancy in saying that the relief given through any possible error of judgment on the banks and the business interests of the my part, I forthwith obeyed the mandate state by Mr. Bartley at that time saved of the convention, and that same night Mr. many thousands of dollars more to the peo-Partley was again behind the prison walls. ple of the state than his entire shortago The convention had spoken, its demand amounted to. was peremptory and emphatic, and while I realized that it had undertaken to usurp failed. A large number of banks passed indue authority and had in fact trespassed into the hands of receivers, but almost all upon and exercised a power or authority of the business institutions of the state ever before exercised by any political con- would have been seriously encumbered had vention, I bowed to the sovereign expres- they not received assistance from the banks

sion and complied with its request. But not, however, without resolving in state would have been unable to afford remy own mind to continue my inquiry, and lief to their customers, and many more no if I found that the case was one wherein doubt would have collapsed, had they not executive elemency should be exercised, received assistance from the state treasury. neither political preferment nor political There are many prosperous business men expediency, nor fear of assault from po- in the state today who would be working litical enemies, whatever their position in by the month or looking for employment life might be, would stay my hand from a had it not been for the assistance they at righteous and honest performance of duty. that time received from the hands of Mr Bartley.

Gives His Reasons.

"Since that time I have carefully inquired into the facts and merits of the case to whether or no it is a case wherein clemency should be exercised. 'Has the prisoner been punished in a de-

of the crime. Preying Upon Liberty.

"While it may be contended that the guilty should be punished as much with the object in view of deterring others as to while before it became known that his make the guilty suffer, it is manifestly friends were active in trying to accure wrong to prey upon the liberty of one individual in order to remove the impure intions asking for his pardon were openly gredients in the character of another individual. If the individual who commits a less freely discussed. Some papers, notably crime is punished according to the degree the Omaha World-Herald, advocated giv- of the crime, he has satisfied the deing Bartiey his freedom. The matter did mands of organized society and fully vinnot assume a serious phase until July 13, dicated the law, and any further penalty 1901, when Governor Savage startled the indicted upon him is a withering travesty SANFORD, Ind., Dec. 31.—As the result state by granting a parole, limited to on justice. That philosophy which remeof drinking eight two-ounce bottles of sixty days, at the same time hinting at dice one ill by multiplying the enermity of

"Mr. Bartley was elected mate treasurer thought he could induce the paroied con-vict to make at least partial restitution. And for the stoud form in January, 1893, and his management of the bank, the people When the republican convention met at It was but few weeks after he became of the cit of Lincoln and community loss Lincoln in August it adopted a resolution treasurer that the Capital National hank several hundred thousand dollars. That demanding Bartley's return to prison. Gov- of Lincoln closed its doors. The state was failure sent disaster into a large number of ernor Savage appeared before the conven- one of the very large number of depositors tion and undertook to defend his course, and the deposits at that time in the said amounted to nearly a quarter of a

Capital National Failure.

"The failure of the Capital National of itself was sufficient to create a great deal , the funds required by the people for their of uneasiness in financial circles in the state. This was the first dark spot on the

thorizon, but before Bartl the worst panic in the bisto and had experienced three failures. Inside of six m time Mr. Bartley first beer many banking institutions ov the Bartley case up to the white years of almost uninterrupted pafailure. While it is true that the eiof the state, still it will be remembere that in 1896 the great question submitted to the people of the country was one affect-

Critical Financial Conditions.

"During the discussion of that question and up to the time it was settled through the adoption of the gold standard by an overwhelming victory for the republican party, it will be conceded that the financial condition of the country was most critical. Material evidence of this is found not alone vailed, but in the fact that though the crop that it was difficult to market the products versally admitted by the business men of every community in Nebraska, that during that time the banks were standing under burden upon them was cumberson and diffi-

cult to bear. State Treasurer Back of Banks.

"It will be admitted, no doubt, by many of the bankers of the state that the state treasury was standing behind and supporting the banks of the state during that

"It may be said that the money in the

"A large number of business institution of the state, and many of the banks in the

Admits Violation of Law.

"This statement leads up to the point the best of my judgment and ability. My where it may be said that Mr. Bartley position in the premises has been the sub- violated the law, and it may not be amiss ject of so much notoriety and discussion, to touch upon this point in reviewing the and the considerations entering into the case. Under stress of circumstances and question have been so much confused and in case of emergency, men frequently vioilsapprehended by many, I deem it justice late the law, not for personal aggrandizeto myself and due to the public that I ment, but in the interests of the public. give my reasons for the action I have taken. The action of the New York Clearing "It is the lawful right of every prisoner house, during the panic herein referred to. to appeal to the executive for elemency, and in issuing clearing house certificates to when this appeal is made it is the lawful the exetent of more than \$35,000,000, chalduty of the governor to give ear to that lenged and won the admiration of the appeal, and to make a conscientious and financiers through the world, and yet, if honest inquiry into the case and determine weighed in the light of lawful authority, it was a violation of the backing laws, pure and simple. These certificates were not au-"The primary question to be considered in thorized by any law, either national or state, all cases involving executive elemency is: yet the emergency was great, the clearing house took its chances, and the president gree commensurate with his offense?" The of the United States, the secretary of the the disposition of the proceeds of the orig- object of every penal law is, or should be, national treasury, the comptreller of the to adjust the punishment to the enormity currency, and the business interests of the country, and the keen-sighted thinking minds of the world commended and applauded that institution for its courage and judgment. No one can estimate the disaster that would have overtaken the country had the clearing house succumbed under the great financial pressure and failed to adopt some method that would afford relief. Summed up briefly, the clearing house violated the law and the result was the preservation of the credit of the country.

Taking ture of Business Interests.

"Mr. Bartley violated the law. He used the money of the treasury to enable the banks of the state to take care of the business interests of the state. Had the business interests of the state, during the four years that Mr. Bartley was treasurer, been deprived of the support they received from the treasury, the loss to these

"Mosher was the president of the Capital homes and seated poverty at a great many firezides. Mosher got a short sentence in the penitentiary at Stoux Falls, with the

benefit of good time. "Mr. Hartley, whose shortage was at tended by less sadness and distress in the homes of Nebraska, because it did not affect

(Continued on Second Page.)