finish the speech he had prepared. He took issue with Mr. Rosewater as to the time within which the city might acquire the works and maintained that the time had arrived and insisted that the city councils had been derelict in their duties or the work undertaken by the water board would have been done before and made unnecessary the existence of such a board. Mr. Howell said his express purpose in running for the state senate two years ago was to secure the enactment of his bill to compel Omaha to buy the waterworks in view of the council's failure to bring about this municipal ownership.

Dr. Hipple asked Mr. Rosewater several questions about the functions of the Omaha school board, seeking to prove that it had powers which, relatively, were just as comprehensive and absolute as those sought to be conferred upon the water board. Mr. Rosewater thought not.

Mr. Congdon then went into a very dispassionate discussion of the subject, taking issue with Mr. Rosewater as to the time when the city might acquire the works. He said what regulated this was the expiration of an option for the city to buy the plant, which option was embodied in the ordinance last passed bearing upon this matter and that the time was now ripe.

Congdon Interprets Bill.

Mr. Congdon replied to that very general criticism that the bill empowers the water board to extend the contract of the city with the water company, saying this was not the case. He insisted the board did not want to extend the contract.

"The bill so provides," interjected Mr. Rosewater.

"I do not so read it," rtplied Mr. Congdon, "and I am certain that is not the purpose.

Mr. Congdon denied that under the bill the board would have absolute power in the issuance of bonds. He said the board would be able to cut rates. He too, charged dereliction on the part of the city council in the matter of acquiring the water plant and insisted that his only reason for promoting the bill and accepting a place on the water board was that he felt some board should be given the powers which this measure contemplated, for the city should acquire its plant and never would if left to city councils.

Asked how he knew that in the future, when the present board had passed out of service, succeeding boards would not be composed of the same material that composed city councils, Mr. Congdon replied that business boards were rarely ever made up of practical politicians and that being made up of business men, would be less inclined to deviate from their duty for political considerations.

Mr. Congdon assured the committee the present water board would never pay a water commissioner, provided for in the bill, a salary approaching $10,000.

STATE DEBT OCCUPIES SENATE

Sheldon Bill Fails to Pass, but Keeps Place on Calendar.

(From a Staff Correspondent.)

LINCOLN, Feb. 8.—(Special.)—After one of the hardest fights of the session, Sheldon of Cass this morning succeeded in saving his bill, S. F. 7, providing that a 2-mill levy be made to pay off the state debt, from an early grave, though it was amended to provide for a 1-mill levy. The vote to indefininitely postpone the bill was 15 to 15 and under a ruling by President Jennings the bill will retain its place at the head of the general file. The debate occurred in the committee of the whole and started when Giffin of Dawson moved to amend the bill by making the levy 1 mill instead of 2.

In his talk against the amendment and for his 2-mill levy Sheldon called attention to the state debt and the rapidity with which it is increasing. He called attention of the senators to the fact that Nebraska had to pay the debts it owed whether they were contracted in conflict with the constitution or not. The debts are here, he said, and they must be paid. Ten years ago the debt was about $1,000,000 and by April 1 it will practically be $2,000,000. Nebraska stands alone, he said, with its large floating debt, Colorado being the only other state that stands in its class. During the last ten years thirty-two states had decreased their floating debt, while ten states had increased, Nebraska being among the ten. He called attention to the conditions in Iowa where ten years ago that state owed practically what Nebraska owed and was doing business along the same line as Nebraska. When Shaw was elected governor of Iowa he instituted the plan of paying off the debts and that had been done and that state now had money in its treasury. Shaw did this, Sheldon said, by adopting business methods, and that is what Nebraska will have to do, he argued, before the debt can be paid. With a 1-mill levy, he argued, it would take eight years to pay the debt, while with the 2-mill levy it would take four years and save the people $200,000 in interest. The objection to the 2-mill levy that it would increase the taxes, he argued, was not good for the reason that in the long run it would save the taxpayers of the state. To show how little the taxes would be increased he cited that if a man had $100 he would only have to pay 4 cents more, and that if he owned $1,000 it would cost him only 40 cents more in taxes. Sheldon said these outstanding warrants were owned mostly by the school fund and that if the warrants were paid off that school money could be invested in county warrants. Many of these county warrants, he said, were now owned by eastern parties and the interest is taken out of the state.

Giffen Says Too Much Taxes.

Giffin objected to the two mill levy because he said the state board of equalization would make a 4½ mill levy for general fund purposes and this added to the 2 mill levy woud become too much of a burden.

"Do you think the state will make a 4½ mill levy if this bill becomes a law" asked Sheldon.

"You can't tell what the state board will do," was the answer, "and I don't believe anyone else can ever tell."

Fries of Valley stood with Sheldon and when he got the floor he said "we don't know what the state board will do, but we know what it has done. We know the state debt has been increasing every year. The state board cannot pay off the state debt without a special levy for that purpose. We don't expect the new revenue law to pay off the debt. If that law merely puts the state on a solid basis that is all we can expect of it. I am for the 2 mill levy."

Cady of Howard then moved that the levy be made ½ mill. In support of his amendment he said the matter of paying interest was merely taking money from one pocket and putting it in another. It was his opinion that the new revenue law would help out matters, though the time might be extended some.

Petersen moved to indefinitely postpone the bill. The vote on Cady's motion was lost by 15 to 16. Giffin's 1 mill levy motion carried by a vote of 15 to 12. The motion to indefinitely postpone the bill was lost by a vote of 14 to 16.

The vote to recommend the bill for engrossment as amended was 15 to 15 and the chair held the motion was lost.

The committe arose and Sheldon moved that the bill be ordered engrossed for third reading. On roll call 15 were for and 15 against the motion. President Jennings held the bill retained its peace at the head of the general file.

Thomas of Douglas county was in the chair during the discussion which was the most interesting and most confusing of any of the session and acquitted himself with great credit.

S. F. 1, by Thomas of Douglas, providing the firemen of Omaha shall be divided into two shifts to work twelve hours each, was passed.

A vote of thanks was extended Land Commissioner Eaton for the moving picture show last night.

The following resolution by Meserve of Knox to allow Hugh A. Allen to bring suit against the state to quiet title to some land in Holt county was introduced and, under the rules, went over for one day:

Whereas, On January 26, 1897, the state of Nebraska obtained a judgment against Joseph S. Bartley for the sum of $303,768.90 in the district court of Douglas county, Nebraska; and,

Whereas, A transcript of said judgment was on July 20, 1897, filed in the office of the clerk of the district court of Holt county, Nebraska; and,

Whereas, Said judgment is an apparent lien on real estate situated in Holt county, Nebraska, said property being known as the homestead of the said Joseph S. Bartley; and,

Whereas, The said Joseph S. Bartley did on the 27th day of January, 1904, sell, transfer and convey said property to Hugh A. Allen of Atkinson, Neb.; and,

Whereas, Said Hugh A. Allen claims to be the owner of said property and claims the said judgment is not a lien on the said property and desires to bring an action against the state of Nebraska to remove the cloud cast on the title to said property in him; therefore, be it

Resolved, By the senate of the state of Nebraska, that Hugh A. Allen is hereby authorized and empowered to bring suit in the district court of Holt county, Nebraska, against the state of Nebraska for the purpose of removing the cloud cast on the title of the said property by reason of the judgment before mentioned and to quiet the title of said property in him, and to remove the apparent lien of said judgment against said property.

These bills were placed on general file:

S. F. 128—Providing when husband and wife can testify against or for each other.

S. F. 129—Providing for suspension of sentence in wife abandonment cases.

S. F. 74—Providing for voting machines.

S. F. 80—Prohibiting the keeping or selling of liquor within four miles of a military post, was indefinitely postponed.

S. F. 59—Providing for consolidation of the Home for the Friendless and the Girls' Industrial home at Milford, was made a special order for tomorrow at 11 o'clock.

These bills were introduced and read a first time:

S. F. 172, by Thomas of Douglas—To provide for the use of ropes as fire escapes in hotels.

S. F. 173, by Dimery (upon request of H. M. Eaton, land commissioner)—Allowing the commissioner of public lands and buildings to use his discretion about selling Nebraska property used at the St. Louis exposition.

ROUTINE PROCEEDINGS OF HOUSE

Binder Twine Bill is Recommended for Passage.

(From a Staff Correspondent.)

LINCOLN, Feb. 8.—(Special Telegram.)—Immediately upon convening at 10 o'clock this morning the house went into committee of the whole and recommended for passage H. R. 49, by Ernst of Johnson, providing for the establishment of a binder twine plant at the state penitentiary, appropriating $45,000 for the purpose and $150,000 as the operating fund. The vote was 34 to 15.

The committee also recommended for passage H. R. 101, by Kaley of Webster, after a brisk fight. This bill appropriates $15,000 for Nebraska's participation in the Lewis and Clark exposition at Portland, Ore. The bill also provides for the appointment by the governor of a commission to look after the state's interest in this regard. This money is to include the balance from the state's and the railroads appropriation to the World's fair for Nebraska, the railroads giving $25,000. The friends of the bill pointed out that if this money was not appropriated the railroads would get back their pro rata of it and the state might, therefore, just as well have the benefit of it.

The committee of the whole sparred for an hour over H. R. 62, by Ernst, appropriating $15,000 for a live stock pavilion and $10,000 for a fish building at the State fair grounds. The bill was still under fire when the noon recess was taken.

H. R. 120, by Cunningham of Hamilton, to prevent the sale of certain wild game, also caused much discussion and was not disposed of during the morning.

The committee had recommended the passage of H. R. 120. At the afternoon session Horton of Keya Paha made a forcible speech against the bill, because it did not include all wild game, making it, in his judgment, class legislation. He moved that the report on this bill be not concurred in and the bill recommended for indefinite postponement, which motion was carried, 36 to 19.

The finance, ways and means committee having reported back without recommendation H. R. 164, by McMullen of Gage, appropriating $30,000 for the Cobbey statutes, McMullen moved that it be placed on general file. Gerdes of Richardson was opposed to the bill, since the last legislature appropriated $4,500 for the purchase of 500 copies of these statutes for the present and next legislatures and the various counties.

"I don't like the idea of setting a man up in the book printing business at the expense of the state," said he.

The McMullen motion was carried.

The report of the special committee on the Fishback pass case was read and filed.

The house voted to raise the salary of the chief clerk of the engrossing and enrolling room from $3 to $4 a day.

The speaker referred the McClay anti-hoochee-koochee bill to the committee on benevolent institutions.

After cleaning up a large general file the house at 3 o'clock adjourned.

These bills were introduced in the house today:

H. R. 245, by Jahnel of Washington, to permit the use of seines, nets and other devices for fishing in the Missouri river.

H. R. 246, by Jahnel, to provide that the game laws shall not apply to any boundary stream except so much as shall be within 100 feet of the mouth of any stream in Nebraska tributary thereto.

H. R. 247, by Rouse of Hall, to require livery stable keepers to have posted schedules of prices of their rates and to provide penalties for defrauding livery stable keepers.

H. R. 248, by Rouse, providing for the payment of premiums on surety company bonds when given by persons acting in a fiduciary capacity.

H. R. 249, by Knox of Buffalo, providing that boards of directors of city and town libraries shall be composed of five members instead of nine.

RAILROADERS HAVE AN INNING

Tell Legislative Committee Stockmen Have No Reason to Complain.

(From a Staff Correspondent.)

LINCOLN, Feb. 8.—(Special Telegram.)—At a meeting of the railroad committees of the senate and the house this afternoon and tonight these bills were discussed and laid over, to be taken up at another meeting of the committees: S. F. 36, to provide that railroad companies should keep waiting rooms open at nights; S. F. 94, to compel the shipment of freight at a rate of ten miles an hour; S. F. 152, to compel the shipment of live stock at a rate of twenty miles an hour when the distance is over seventy-five miles and fifteen miles an hour when the distance is less; H. R. 166, the interurban bill.

S. F. 91, to require railroads to refrain from working their employes more than twelve hours without an intermission of eight hours, was indefinitely postponed at the request of a number of employes.

At the night meeting only the interurban bill was discussed. H. H. Wilson, attorney for the company, explained the only change from the old law was a section providing that electrical railroads should have the right of eminent domain now given to other railroads. At the conclusion of Mr. Wilson's talk J. H. Ager proposed, in the interest of the public safety, that the bill be amended so that crossings should either be underground or overhead. Mr. Ager explained how dangerous it was for trains to pass at crossings and that in the interest of the public safety the amendment should be agreed to. He was reinforced by argument from Superintendent Bignell, who cites how the motive power might be shut off and the lights extinguished just as the motor car got on the crossing, resulting in a horrible calamity.

While Mr. Wilson pondered over the matter Frank Johnson of the interurban company stated that if the amendment should carry it would be almost an impossibility for the company to enter Lincoln over the Rock Island and Missouri Pacific tracks. Mr. Wilson then asked time to consult with the engineering department and the matter went over until the next meeting.

The meeting was held in the dining room of the Lindell and for that reason the business was not concluded, an adjournment being taken at supper time.

Among the railroad men present were John N. Baldwin of the Union Pacific, Ben T. White of the Northwestern, Ed Bignell and J. H. Ager of the Burlington, and a number of lesser lights of all three roads.

As a side line to the big guns were a number of employes brought in from McCook and other points to protest against Wilsey's bill, which provides that railroad men shall not be worked more than twelve hours without an intermission of eight hours for rest. Senator Wilsey introduced this bill, he said, at the request of the employes at McCook. "Sandhill" Moore, a locomotive engineer, protested vigorously against the bill and said he spoke for the rest of the boys. The result was that Mr. Wilsey consented to have his bill indefinitely postponed.

S. F. 152, by Gould, which provides that stock trains shall travel not less than twenty miles an hour on runs over seventy-five miles, and not less than fifteen miles an hour on shorter runs, was discussed at length and finally passed over for the next meeting of the committee. Mr. Gould said the bill was the result of an effort of stockmen to get better service, and he recited, to the apparent surprise of the railroad men, several instances where service had been extremely poor. He also said he had been promised better service but the promises were the only satisfaction the stockmen could get.

Then John N. Baldwin told the committee the Union Pacific had received no complaints. He declared he could load stock in the afternoon within 200 miles of Omaha and get it on the market the next day. The work of his road, he said, was satisfactory to the shippers. He knew naught of the workings of other roads, but he thought it an injustice to punish his road for the sins of another. It was not a matter of speed, he said, just so the railroad got the stock on the market the next morning or the next day.

Superintendent Bignell said his company had never overloaded an engine and that it had tried to give good service. Owing to the cold weather, he said, the service had not been of the best recently. He recited a hard luck story of hot boxes and breakdowns on a recent trip that could not be avoided. His company was making improvements all the time and he promised to do all he could in the future, as he had in the past, to furnish good service.

At the conclusion of the talk by Mr. Bignell, Junkin of Gosper enlivened the proceedings by giving vent to his feelings.

"It looks like, after hearing Baldwin and Bignell," he shouted, "that we might just as well throw up our hands and quit. Are we going to allow these men to run this committee and this legislature, or are we going to run it? There are 5,000 stockmen demanding this legislation. Out of my town we have one stock train a week. We have to load our stock at 4 o'clock in the morning to catch that train. I live only twenty-two miles from the main line, too. We have been getting a big supply of promises, but it is time we were getting something tangible."

Ben White then smoothed the ruffled feathers by telling that the Northwestern had received no complaints and that it should not be punished for the sins of the Burlington.

"Should such a bill become a law," he said, "it would be the entering wedge for bankruptcy for every road in the state." Then he called attention to the fact that the railroads were run by men and frequently they did not run the roads to the satisfaction of everyone.

Gould moved to pass over the bill until the next meeting of the committee, when it would be taken up again. This carried.

The house railroad committee tonight voted to kill H. R. 142, by Bowman of Nuckolls, the railroad demurrage bill.

SPEAKER ROUSE DENIES STORY

Points Out the Impossibility of Its Being True.

(From a Staff Correspondent.)

LINCOLN, Feb. 8.—(Special.)—By implication the World-Herald this morning characteristically seeks to discredit the motives and purposes back of the freight rate bill introduced in the house by Foster, Davis and Junkin, a committee appointed by the speaker pursuant to a resolution introduced by Foster. The fusion organ attempts to create the impression that Speaker Rouse appointed this committee by request of the railroads, three of whose lobbyists, it says, were in "earnest conference" with him on the day the resolution was introduced.

"The paper's charge is positively and unqualifiedly false and the man who wrote it knows it better than any one else," said Speaker Rouse. "The fact of the matter is tihs Foster resolution came like a clap of thunder out of a clear sky to me. When it was introduced, without leaving my chair or conferring with any one, I appointed the committee, following long-established custom of placing the introducer of the resolution on the committee as chairman. This, I say, I did without leaving my chair. Therefore it was impossible for me to have had an 'earnest conference' with any railroad lobbyists. The fact is, I never had an 'earnest conference' with these or any other railroad lobbyists on this or any other question.

"I want to tell you what this World-Herald man probably takes as his warrant for writing this baseless statement. After the committee had been appointed and the house had adjourned I came back to my private office, as is my custom. There I found two or three railroad representatives sitting and chatting. One of them was writing. When I entered they arose and said, 'Excuse us Mr. Speaker, we did not mean to usurp your office,' and started to walk out. I replied that if they wanted to chat or write they could keep their seats, that I had only come to get my coat and hat and that my office was open to all, railroad men, newspaper men or anybody else who wanted it. But they walked out and so did I, and as we did we encountered the World-Herald man coming in. This, as you know, was after the committee had been appointed and the house adjourned, so that there could not possibly have been any warrant for such a charge.

"So far as this bill is concerned, I know it is not all that the people want, but I believe it is the opening wedge and that if properly followed up will lead to just the kind of law the state wants and needs."

At least a dozen prominent members of the house have expressed indignation that any paper should go to such extremes as to print a statement of this kind, when it was a matter of record that, open and above board, in the presence of the members, the speaker, without leaving his chair and therefore without having any opportunity to confer with railroad lobbyists or anybody else, named the committee—did so almost immediately upon the introduction by Foster of his resolution. And when the committee was appointed, with Davis, the "watch dog of the treasury," and Junkin, the author of the anti-rebate, anti-trust bill upon it (of course it was a foregone conclusion Foster would be appointed, since he offered the resolution) many members expressed themselves as greatly pleased with the personnel of the committe.

In reference to the bill which the committee introduced one of the committee says:

"We believe that in order to properly adjust the railroad freight rates of this state would require at least six months, so we do not think the measure we have submitted adequately covers the situation, but we do feel it is the first step in the right direction and properly followed up will lead to the desired and correct solution of this much mooted question. We feel that the matter will be carried into the courts, where it will be determined once for all that the legislature has the right to draft such a law and that two years from now the necessary legislation may be enacted. What has been done was done in the best of faith and without any outside interference, and we feel the state will find in the long run that the course we have taken is the proper one."

As to Foster's resolution, he says up to the time he introduced it he had not consulted with a single man in the house nor outside the house, except to show it to a friend after it was drawn and tell him he was going to introduce it. This friend, however, was not a man who dabbles in legislation in the interest of any corporation or individual. Dr. Foster says the matter was of his own origin and he is borne out in this by members, any number of them, who assert that they were considerably surprised at the introduction of the resolution.

Representative Tucker today introduced a bill in the house which will, should it become a law, save the state of Nebraska $84,000 in the next two years. The present law provides that shorthand reporters for the district court shall be appointed by the district judge. They receive a salary of $1,500 per year. There are twenty-eight official reporters in this state, their total salaries aggregating $42,000 per year, or $84,000 for two years. The present law contemplates the appointment of the reporter by the district judge on request of the Board of County Commissioners or Board of Supervisors, the reporter to receive as full compensation for his services the sum of $4 per diem for time actually employed in court, to be paid by the county the same as other county employes are paid. The county commissioners or Board of Supervisors being on the ground know the needs of the county. The present law pays for every day whether the reporter works or not. This law contemplates paying for the time actually employed.

COUNT OF THE VOTE

(Continued from First Page.)

were announced as having been cast for Roosevelt and Fairbanks. The applause came mostly from members of the house.

By a coincidence it fell to the lot of Senator Bailey to read the vote of his own state, Texas. General applause greeted him as he announced that Parker and Davis had received the votes of that state.

When the total vote was ready Senator Burrows announced that of the total electoral vote of 476, of which a majority was 239, Theodore Roosevelt, for president, and Charles W. Fairbanks, for vice president, had each received 336, and that Judge Alton B. Parker, for president, and Henry Gassaway Davis, for vice president, had each received 140 votes. Senator Frye recapitulated the vote and then made the following announcement:

This announcement of the state of the vote by the president of the senate shall be deemed a sufficient declaration of the persons elected president and vice president of the United States, each for the term beginning March 4, 1905, and shall be entered, together with a list of the votes on the journals of the senate and house of representatives.

He then dissolved the convention.

In all the proceedings occupied exactly fifty minutes.

Rate Bill Debate Resumed.

The house within a very few minutes resumed discussion of the railroad rate bill.

Mr. Vreeland (N. Y.), who voted against his party on the adoption of the rule to take up the rate question, opposed the pending legislation on the ground that it was socialism and not republican doctrine. His utterance was vigorously controverted by Mr. Kyle (O.), who said that the republican party had heard and heeded the cry of the people for rate legislation.

In a characteristic speech Mr. Gaines (Tenn.), who was the sole democrat who voted with the republicans on the adoption of the rule, said he did so because he found them right on the question, even though they gritted their teeth after having been "egged" on by the president, who had applied the cat-o'-nine tails to their backs.

During the debate the following members spoke in favor of rate legislation: Messrs. Padget (Tenn.), Cochran (Mo.), Burke (S. D.), Underwood (Ala.), Zenor (Ind.), Gregg (Tex.), Lacey (Ia.), Davis (Minn.), Murdock (Kas.), Hamlin (Mo.), and Hughes (N. J.).

In addition to Mr. Vreeland, Messrs. Scudder and Rider also of New York opposed any legislation on the subject.

At 4:47 the house adjourned until tomorrow at 11 o'clock.

PROCEEDINGS OF THE SENATE

Senator Kearns Explains His Vote on Utah Amendment.

WASHINGTON, Feb. 8.—The senate today received from Mr. Kearns a disclaimer of the vote in favor of separate statehood for New Mexico, which the records for yesterday credited him with. He said that he had been misunderstood by the clerks and that he had voted against the provision. Several senators corroborated his statement, but a number asserted that they had understood him to vote for the amendment.

The senate spent almost an hour in connection with the house of representatives in canvassing the presidential vote and the remainder of the session was devoted to executive business.

Yesterday's contest found an early echo in the proceedings of the senate today in the shape of a personal explanation by Mr. Kearns of his vote on the admission of New Mexico as a separate state.

Immediately after the opening prayer Mr. Kearns took the floor and said:

I rise to a question of personal privilege. In the first vote on the amendment of the senator from California (Mr. Bard) last evening I voted "nay" in a distinct manner. It appears the clerks misunderstood me and I was numbered among those favoring the amendment. My colleague called my attention to the error and I was on the point of correcting it when it was suggested I could do so on the vote to concur in the amendment befort the final passage of the bill, in case the amendment should be adopted. This course I pursued.

The seriousness of this matter did not impress itself upon me until this morning, when I read in the public press the statement that I had voted for the amendment in order that I might force the managers of the bill to accept my amendment to secede the Arizona strip to Utah. Such a proceeding I would not countenance nor be a party to. My word had been given the managers of the bill that I would support their measure and I would not have played them false for the whole territory of Arizona. I desire to have the record corrected as far as it relates to my vote upon the amendment of the senator from California in accordance with this statement.

The statement had the effect of bringing a number of senators to their feet and to call out from them a number of statements as to their understanding of the Utah senator's vote.

Mr. Warren presented the credentials of his colleague, Mr. Clark, for the term beginning March 4, next.

Memorials from the legislators of Colorado and North Dakota, praying for legislation looking for the fixing of railroad rates were presented and read.

In accordance with the joint resolution fixing the time for counting the vote for president and vice president the senate, preceded by its officers and President Pro Tem. Frye at 1 o'clock, proceeded to the hall of the house of representatives for the purpose of aiding the house in that duty.

Senator Fairbanks, who was to be declared elected vice president, did not accompany the senate to the house.

When the senate returned from the house Mr. Bacon stated that the Kearns amendment attaching that portion of Arizona north of the Colorado river to Utah was incorporated in the statehood bill as it was prepared for transmission to the house. He asserted it should have been stricken out. Mr. Lodge said the matter could be corrected only by a return of the bill. The senate then went into executive session.

At 1:15 p. m. the senate returned to its own chamber. Mr. Bacon took the floor on a point of order concerning the status of Mr. Kearns' amendment to the statehood bill for the annexation of a part of Arizona to Utah. He said that the bill as prepared for transmission to the house includes that amendment, while he contended that that provision had gone out with the other provisions relating to Arizona and New Mexico under his motion. Mr. Lodge said that in order to correct the mistake, if it is such, it would be necessary to recall the bill.

Without determining the point, the senate at 4 p. m. went into executive session.

The senate adjourned at 4:57 p. m.

CRAWFORD MAN IS ANXIOUS

Fears Union Pacific-Northwestern Combination Will Stop Elkhorn Extension.

"Since reading in The Bee the report from New York of the amalgamation of railroad interests by the Harriman and Rockefeller people, whereby the Northwestern and Union Pacific, with the eastern and western outlets respectively of each road, are united into one great transcontinental line, I fear the Northwestern will abandon its projected extension from Casper on into the Big Horn basin country of Wyoming and further west," said W. H. Fanning of Crawford, Neb., the place where the Burlington and Northwestern intersect. "We have been anxious that this project would be carried through, for it would tend greatly to benefit our interests. Of course the ultimate purpose of the Northwestern in such an extension was to build on to the coast, but if this report of the amalgamation of these roads is correct, and I suppose it must be, for we have had no contradiction of it, it is highly improbable, it seems to me, that this project will be carried out, for by the amalgamation the Northwestern gets a through line to the Pacific—the best through line, over the most direct route that could be obtained. We are sorry out our way to hear of the deal, for this Northwestern extension promised much to that part of the state."

TENANT HOLDS BUILDING

Mrs. Stabrel Learns One of the Twists the Law Can Sometimes Take.

Mrs. Augusta Stabrel is suing Charles Brown in the county court to secure possession of a store at 501 North Thirteenth street. She leased the store to Brown for a saloon last year and his lease expired on December 31. He was notified the rent would be raised and said he could not pay the increased figure. Then he was notified to vacate, as Mrs. Stabrel had entered into a new lease with the John Gund Brewing company. Brown refused to get out and Mrs. Stabrel brought suit to oust him.

Attorney Hamilton, for defendant, raises the point that as Mrs. Strabel has leased the place to another party she is not the proper party to bring the suit. He told the court he wanted time to quote authorities on this point, and the case went over to permit of the production of these authorities. In the meantime Brown has possession of the building and Mrs. Stabrel is wondering at the queer twists there are in the law sometimes.