

# THE NEBRASKA LEGISLATURE

## A Synopsis of Proceedings in Both Branches of the Twenty-Eighth General Assembly.

### SENATE.

The senate was called to order on the 13th by Lieutenant Governor McGillon. Roll call showed all present.

Chaplain Presson invoked the divine blessing, after which Assistant Secretary Wheeler began the reading of the journal. After partial reading this was dispensed with on motion and secretary's minutes adopted.

The following bills were introduced and read:

S. F. 18, by Saunders of Douglas—Act entitled "An act to amend section 748 of the Compiled Statutes," being section 13 of chapter xia, cities of the metropolitan class, and to repeal all acts and parts of acts in conflict with said amendments.

S. F. 19, by O'Neill of Lancaster—Act to amend sections 91 and 103 of chapter xliii of the Annotated Statutes of Nebraska.

S. F. 20, by O'Neill of Lancaster—Act to regulate the organization and operation of life insurance companies on the mutual, level premium, legal reserve plan.

S. F. 21, by Meredith of Saunders (by request)—An act authorizing savings banks to take, hold and execute trusts, and to act as administrator, executor, curator and receiver under any order of court or otherwise.

S. F. 22, by Meredith of Saunders (by request)—An act authorizing courts of record, county courts or courts of probate to appoint as administrator, executor, guardian or curator of the state, or as receiver in any legal proceedings and savings bank of the state of Nebraska.

S. F. No. 23, by Wall of Sherman—Act to amend section 22 of an act entitled "An act to provide for township organization," and to repeal said original section.

S. F. 24, by Fries of Custer—Act to amend section 30 article ii, chapter xxvii, of the Compiled Statutes, and to repeal said original section. In regard to initiative and referendum. Not more than one special election be held in one year unless deposit be made and forfeited if proposition loses.

S. F. 25, by Marshall of Otoe (by request)—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to authorize cities of the first and second class to establish and maintain a heating and lighting system," and to repeal said original sections.

S. F. 26, by Hastings of Butler—Act entitled "An act authorizing the governor, with the advice and consent of the senate, to appoint a commission to draft a bill for a law to improve our present revenue system, and to make a report thereon to the governor, and to provide for the tenure, qualifications, duties and salaries of the members of said commission and the expenses thereof."

S. F. No. 1 to 18 were read a second time and referred to committees.

O'Neill of Lancaster moved that the daily journal of the senate be mimeographed and a copy furnished to each senator.

An invitation from the president and secretary of the Nebraska Historical society, inviting members of the senate to attend the meetings tonight and tomorrow night was read and invitation accepted.

Upon motion of Harrison of Hall all employes present were sworn in by the chairman.

The senate adjourned until 10 o'clock tomorrow.

The senate committee on committees met tonight and selected the following as a committee on apportionment: Warner, Dakota, chairman; Alden, Wayne; Harrison, Hall; Pemberton, Gage; Brown, Keya Paha.

In the senate on the 14th, among the bills introduced were the following: To provide for the payment of fees to the commissioners of public lands and buildings in certain cases. Memorializing congress to establish the true military status of the first Nebraska militia. To authorize and require counties, precincts, townships, of towns, cities, villages and school districts to compromise their indebtedness and issue bonds. To define conditions of child treatment, and to prescribe methods for the protection, disposition and supervision of independent, neglected, cruelly or ill-treated children, and to provide punishment for violation of this act, and defining children's aid societies, institutions, jurisdiction, parents, guardians, place of safety. Authorizing the preparation of an official statute to make it admissible in evidence and for the purchase of a supply thereof by the state. And arranging for the publication of 2,000 sets of two volumes each, the state to pay the sum of \$9 per set and to authorize J. E. Cobhey to prepare and publish them without cost to the state. A joint resolution was introduced by Senator Hall of Douglas proposing amendments to sections 2, 6 and 13 of article 4, entitled: "The judicial department" of the constitution of the state of Nebraska, and providing for publishing the same, and for submitting them to the electors of the state for approval or rejection. This resolution amends the clause in section 2, article 4, which states the salary of supreme judges, and defining a quorum. It strikes out the number of judges and leaves it to the discretion of the legislature. They can appoint any number they may see fit. It changes the method of selection of the chief justice, set forth in section 6, article 6, and requires his selection by lot in place of tenure of office. It also amends section 13, article 6, which states the salary of supreme judges are to receive and leaves the salary to be decided upon by the legislature.

Senator Hall of Douglas presided during the morning session of the senate on the 15th. Pemberton of Gage read a bid from Dora Bachelor to furnish the senate with daily journals for \$300 for the entire session, and she was awarded the contract. The committee on municipal affairs, at a meeting, decided to report favorably on senate file No. 1 in regard to the purchase of the Omaha waterworks, introduced by Howell of Douglas. These bills,

among others, were introduced: To authorize the boards of county commissioners or supervisors to make contracts for the construction and repair of bridges; empowering county commissioners to use their own judgment whether to contract work or purchase material and employ labor; changes two-thirds of the levy of the current year to 5% per cent before contract is let. To provide for a landlord's lien upon all crops grown upon leased premises and upon any other personal property of the tenant, which has been used on the premises during the term of the lease. S. F. 34, by Anderson of Saline—Act to provide for official seals of county treasurers; to provide for the gathering, compilation and publication of agricultural and industrial statistics, providing penalties and repealing section 7, chapter xxxix, Compiled Statutes, and amending section 72, chapter lxxvii, Compiled Statutes, entitled "Revenue."

When the senate opened on the 16th Mr. Hasty offered the following: "I move that the committee on revenue be instructed to formulate a bill covering the assessment and collection of all taxes, to be brought in not later than February 16." The motion was amended, instructing the committee to recommend a bill. Considerable oratory ensued, after which the resolution was tabled. Private Secretary Allen brought a communication from the governor asking confirmation of the appointment of a warden at the penitentiary. Hall of Douglas moved to instruct the committee on printing to have the messages of the two governors printed for the use of the house and senate. A motion was carried to have the committee confer with the committee from the house. Hall of Douglas moved that a request be sent to the governor for the Torrens' land tax commission, and his recommendation was carried. Bills were introduced: To provide a lien for labor performed for the erection, repair or removal of any house. To establish junior normal schools and to provide for the maintenance of same. Three to be established in districts of Alliance, McCook and Valentine. Fixing the liability of subscribers for subscriptions to any newspaper, magazine or other printed periodical.

### HOUSE.

The house was called to order by Speaker Mookett at 2:15 on the 13th. Rev. Stein of Lincoln acted for Chaplain Scott, who was absent.

The introduction of bills began with H. R. No. 1, by Warner of Lancaster, the measure providing for the establishment of a state normal school:

H. R. 1, by Warner of Lincoln—An act to locate and establish one (1) additional state normal school. Carries appropriation of \$100,000. School to be located by commission of nine, six from house, one from each congressional district, named by speaker, and three from Fourth, Fifth and Sixth districts, appointed by the lieutenant governor.

H. R. 2, by Good of Nemaha—An act appropriating \$5,000 to build a library and a chapel at the State Normal school at Peru.

H. R. 3, by Morsman of Douglas—An act to define conditions of child dependency, neglect, cruelty, etc., and provide methods for protection.

H. R. 4, by Nelson of Douglas—An act relating to negotiable instruments (being an act to establish a law uniform with the laws of other states).

H. R. 5, by Gregg of Wayne—An act to amend section 5, subdivision 3, chapter lxxix of the compiled statutes. It reduces from \$100,000 to \$50,000 the amount of investment required of private normals entitled to grant teachers' certificates.

H. R. 6, by Sears of Burt—A bill to extend the life of the supreme court commission two years and provide for its re-election in number at the court's discretion.

H. R. 7, by Janel of Washington—An act to amend section 97 of chapter xvii, entitled "An act to amend section 97 of chapter xvi of the compiled statutes of Nebraska entitled corporations," giving owners of land desired as right-of-way by railroads right of hearing before appraisal commission and requiring railroad to deposit a bond with county judge before beginning construction.

H. R. 9, by Perry of Furnas—An act to amend sections 2, 3 and 9 of chapter vii, entitled attorneys, relating to admission to the bar.

H. R. 9, by Nelson of Douglas—An act to amend article 2, chapter iii, of the code of civil procedure, relating to taking of depositions.

H. R. 10, by Nelson of Douglas—An act to amend section 173 of articles 1 of chapter lxxvii of the compiled statutes, entitled "Revenue," and to repeal said original section, relating to foreclosure of tax liens which requires notice to be served on owners or occupants of land.

H. R. 11, by Nelson of Douglas—An act to provide for appeals to the supreme court in all cases except criminal cases.

H. R. 12, by Douglas of Rock—An act to amend section 2 of subdivision 7, chapter lxxix of the compiled statutes and to repeal said original section, relating to the compensation of county superintendents of schools.

H. R. 13, by Swezey of Webster—An act to provide for the erection of a barn at the Asylum for the Chronic Insane at Hastings, and to appropriate \$15,000 for the work.

H. R. 14, by Sadler of Adams—An act to provide for the erection of one new fireproof ward building or wing at the Institution for the Chronic Insane at Hastings, and to appropriate \$15,000.

H. R. 15, by Sadler of Adams—An act to provide for the purchase of 320 acres of land for the Institution for the Chronic Insane at Hastings, and to appropriate \$15,000.

H. R. 16, by Davis of Buffalo—An act to amend section 22 of an act entitled "An act to provide for township organization."

H. R. 17, by Douglas of Rock—An act to amend section 4 of article 2, chapter xxxi compiled statutes, and to repeal said

original section, making open season for hunting quail begin October 1 instead of November 1, 1913.

H. R. 18, by Douglas of Rock—An act authorizing a seal for county treasurers.

H. R. 19, by Douglas of Rock—An act to amend section 16 of chapter xxxii of the Compiled Statutes, and to repeal said original section, relating to filing of chattel mortgages.

H. R. 20, by Douglas of Rock—An act to repeal chapter lvi of the session laws of the state of Nebraska for 1897, being "an act to provide for the making of contracts in writing between owners of land and brokers or agents employed to sell lands," and the same being section 74 of chapter lxxiii of the Compiled Statutes.

H. R. 21, by Nelson of Douglas—An act to provide for the superseding of cases appealed to the supreme court.

H. R. 22, by Wilson of Pawnee—An act to provide for the payment of members, officers and employes of the twenty-eighth session of the legislature of the state of Nebraska, appropriating \$85,000.

H. R. 23, by Nelson—An act to appropriate the sum of \$150,000 for the purpose of repairing and rebuilding the Hospital for the Insane of Norfolk.

H. R. 24, by Jones—A bill substituting the town treasurer in townships for town assessor as a member of the town board.

In the house on the 11th a large number of bills were introduced, among them being the following: A bill for an act to protect the public health; to prevent the spread of contagious and infectious diseases, and to this end to confer sanitary authority upon and to define the powers and duties of state board of health and of the secretaries thereof; to provide for the appointment and compensation of a state health inspector; to authorize establishment, maintenance and enforcement of quarantine rules and regulations; to require local officers to make timely reports of the existence of certain diseases; to make an appropriation for salaries and expenses, and to provide for prosecution and to fix penalties for the violation of the provisions of this act. Authorizing courts of record, county courts, or courts of probate in the state of Nebraska to appoint as administrator, executor, guardian or curator of the estate of any deceased person, infant, insane person, idiot, spendthrift, or habitual drunkard, or as trustee for any convict in the penitentiary, or as receiver in any legal proceedings, any savings bank of the state of Nebraska. A bill for an act to compel railroad companies in Nebraska to afford equal facilities, without favoritism, or discrimination, to all persons and associations erecting or operating grain elevators and handling or shipping grain or other produce, and to provide penalties of \$1,000 fine for the violation thereof, and to amend sections 1 and 4 of article 5 of chapter 72, compiled statutes of Nebraska and repeal said original sections. To provide the payment of incidental expenses incurred during the twenty-eighth session of the legislature of the state of Nebraska. Carries appropriation of \$18,000. A bill for the rebuilding of the Norfolk asylum; a bill for the building of a fire proof wing to the Hastings asylum; a bill for the building of a library building at the state normal school at Peru; a bill to administer the coup de grace to the elevator monopoly by requiring railroads to furnish elevator facilities to all applicants; a bill to create the office of county auditor, and a number of bills for the collection of delinquent taxes and the perfecting of tax titles.

Immediately after the house convened on the 13th Sears of Burt called up his resolution of the previous day that no building appropriation bill should pass before the enactment of revenue law. He made a speech in its support and moved its adoption. After considerable discussion, it was moved and carried that the resolution go over to Friday, becoming special order for that day. Bills from 61 to 85 were given their second reading and referred to committees and thirty-nine new ones were introduced, among them the following: An act providing for the taxation of telephone and express companies, requiring an annual statement to the state auditor of value of stocks and bonds and all personal and real property and empowering the auditor to demand any other information; imposing a fine of \$100 per day for delay of statement; provides for valuation by state board of equalization. An act to amend section 12, article 1, chapter ii, Compiled Statutes, making it mandatory on county boards to pay county agricultural societies by warrant on general fund not exceeding 3 cents per capita in county. Act providing for making six wells in the state of Nebraska for the purpose of determining whether petroleum, coal or gas exists and can be gotten in paying quantities, and appropriating the sum of \$50,000 or so much thereof as necessary; wells to be located at Chadron, Lexington, Culbertson, Columbus, Park and Omaha. Act to authorize the organization of mutual insurance companies for protection of domestic live stock. An act providing for deputy county superintendents and fixing their duties and compensation, by county commissioners, not to exceed two-thirds the salary of county superintendent. Act to establish junior normal schools and appropriate \$18,000, providing that three of these schools shall be at Alliance, McCook and Valentine. An act to authorize the preparation of an official statute to make it admissible in evidence and for the purchase of a supply thereof by the state and appropriating \$18,000.

The house on the 16th presented the request of the Lincoln Commercial club for the use of representative hall the afternoon and evening of January 23, when a public reception is to be tendered to D. E. Thompson, prior to his departure for Brazil. The request was granted. Sears of Burt called up his resolution to prohibit public building bills from coming to a third reading prior to the passage of a revenue measure. Membership of Madison moved to amend by excepting from the purview of the resolution repairs and rebuilding of public buildings. The speaker ruled the amendment out of order until the motion of Swezey of Webster to refer to the judiciary committee had first been disposed of. On the motion to refer Sears demanded the yeas and nays. The vote resulted: Yeas, 7; nays, 56. The question then recurred to the Membership amendment, which was lost by a rising vote of 42 yeas and 45 nays. On the adoption of the resolution, Sears demanded a roll call. The vote resulted: Yeas, 73; nays, 17. The speaker announced that the resolution had been adopted, adding: "The resolution changes a standing rule of the house. Hereafter, therefore, the order will be: Bills on third reading, except bills carrying an appropriation for public buildings." These were among the bills introduced: To appropriate to the use and benefit of the University of

Nebraska the moneys known as "the agricultural experiment station fund," also the fund arising under the act of congress of August 30, 1880, commonly known as "the Morrill fund," and also the fund known as "the university cash fund," carrying appropriations of \$50,000, \$50,000 and \$50,000, respectively, against the funds named. Emergency clause. To provide a department in one of the hospitals for the insane, providing for the detention and treatment and parole of dipomanics, inebriates and those addicted to the excessive use of narcotics. To provide for the gathering, compilation and publication of agricultural and industrial statistics. Appropriating the sum of \$50,000, or so much thereof as is necessary, for the establishment and operation of experimental stations in Hitchcock and Keith counties.

### NOTES.

A Lincoln correspondent of the Bee says: The result of today's proceedings serves to substantiate the theory that revenue legislation will not be ignored at this session. Leading exponents of this policy in the house are well satisfied and even enthusiastic in some cases over the progress of affairs, and give evidence of a firm belief that their idea will achieve complete success. The introduction of the Douglas resolution is highly gratifying to Mr. Sears and his friends. Sears said today: "I am glad Douglas introduced the resolution. If he or someone else had not, I would have done so myself, for I consider that the proper way to get at the matter, I regard the resolution, therefore, as in direct line with my efforts." Attorney Baldwin of the Union Pacific, discussing railroad taxation, said: "We do not say we are paying as much city taxes, proportionately, in the city of Omaha as other individuals or concerns. We are actually paying less, but as a matter of fact that is right. We are paying all we ought to pay. It would manifestly be wrong to make our city taxes in Omaha equal in rate to other taxpayers. Omaha is not entitled to assess for local taxation the terminals within the city limits at their full cash value."

### Brief State News.

A big ice harvest is being gathered in the vicinity of Tecumseh.

The body of George Kuehl, who was drowned while cutting ice on the Elkhorn river some time ago, was found near West Point after several days of careful searching.

The statement, now being published, of the county treasurer of York county shows a most healthy and prosperous condition of York county finances. The treasurer reports nearly \$100,000 cash on hand.

The two-year-old child of Mrs. Charles Lash of Auburn was scalded to death while the mother was washing. She was lifting a boiler of hot water from the stove when it slipped from her grasp.

Charles Hennings of Plattsmouth, who left for Germany about a year ago to claim a share of an estate left by his father, has finally been recognized by the German courts as one of the legal heirs and his share placed at \$25,000.

A recent move on the part of the Elkhorn road at Long Pine is causing much speculation among the citizens, and is cited by well informed railroad employes as another indication of the intention of the Northwestern to build from Casper to the south next summer.

Report is that the committee appointed by the Commercial club of York has received assurance that the Burlington will build a depot in that place in the near future that will be large enough to accommodate the largely increasing business and a depot that will be a credit to the city.

The farmers about Edgar met to complete the organization of the Farmers' Commercial association. One hundred and twenty farmers had taken shares at \$25 each and three times that amount was guaranteed. Articles of incorporation and by-laws were adopted and a board of directors elected.

Mrs. Thomas Colbert, residing near Memphis, Saunders county, was brought before the examining board and adjudged insane. About a month ago her mother, Mrs. Andrew G. Bentz, became deranged and was taken to the asylum, and her daughter's condition is attributed to her having brooded over this.

Uriah Swigart, a prominent resident of Beatrice, was arrested on a complaint sworn out by Miss Lulu McConnell, the 14-year-old daughter of Joseph McConnell, charging him with statutory assault. It is alleged that Swigart met the girl on the banks of Indian creek last Saturday, when the offense is alleged to have been committed.

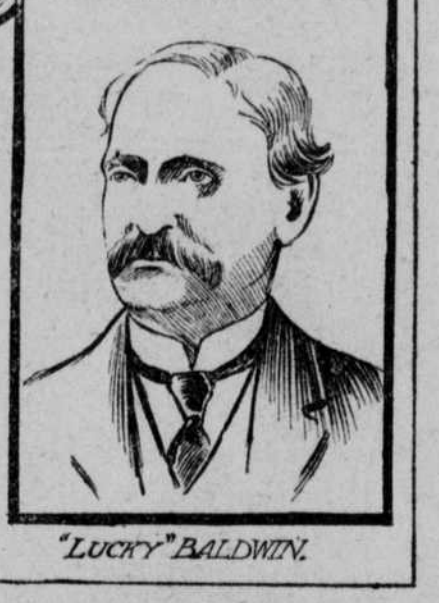
The State Horticultural society elected the following officers: President, G. S. Christy of Johnson; vice president, W. J. Hesser of Plattsmouth; second vice president, E. M. Pollard of Nebraska; secretary, L. M. Russell of Lincoln; treasurer, Peter Youngers of Geneva; directors, J. G. Neff of Davey, C. H. Barnard of Table Rock and C. S. Harrison of York.

The territorial pioneers of Nebraska held their annual meeting in Lincoln. Detailed reminiscences of the early history of the state told by the members of the association occupied some time, and officers for the ensuing year were elected. It was decided that the meetings should be held in the summer instead of winter, as has generally been the case, and the president and secretary were authorized to make arrangements for holding the next annual gathering at the state fair grounds while the fair is in progress.

## TWO WELL-KNOWN MEN WHO ARE NEAR DEATH



ALFRED BEIT



"LUCKY" BALDWIN

Alfred Beit, the famous South African billionaire, has been stricken with apoplexy at Johannesburg, South Africa. His doctors have abandoned hope of his recovery.

Alfred Beit is the richest man in the history of the world. He owns diamond mines in South Africa and gold, silver and copper mines all over the country.

He is the head and front of the diamond industry of the world. His holdings are two miles deep bristling with glittering gems.

So vast is his wealth that it is beyond the mind to comprehend it. He is the only billionaire in the history of the world. Beside him Rockefeller, Pierpont Morgan and Carnegie are pigmies.

Beit is purely a man of business. He is a genius of the world of finance. He was born forty-seven years ago in Hamburg. When 22 years old he went to South Africa, at that time in the throes of the diamond fever.

At once the young man began his wonderful rise. Fortune favored him at every turn. His luck was marvelous. Step by step he accumulated wealth until, at last, it was too great for him to realize its vastness.

He was associated with the late Cecil Rhodes, and his affection for him was wonderful. Like the "uncrowned king of Africa," Beit was known as a woman hater.

In his life there was but one romance. He was several times reported to be engaged to Mrs. Adolph Ladenberg, a beautiful New York woman. Always this rumor was denied, but, it is said, his heart was given to her.

As an indication of his princely nature, he recently gave a ball in Johannesburg and every woman present was presented with a pure white diamond weighing a carat. His death will rob the world of one of its most interesting characters.

Dispatches from San Francisco a few days ago announced that E. J. ("Lucky") Baldwin was dying in an obscure lodging house in that city.

The career of "Lucky" Baldwin has no parallel in the history of the world. He made money by luck, and by luck alone. His good fortune was marvelous.

As a young man he drifted to California. He is suffering from obstructive jaundice.

Abram S. Hewitt was born in Haverstraw, Rockland county, N. Y., July 31, 1822. His father was an English mechanic, who was one of the four men sent from England to set up the first steam engine in the United States. This man, John Hewitt, settled in the United States and continued in the business of building and setting up steam engines. Young Hewitt worked on a farm until he was old enough to go to the public schools and later he won a scholarship in Columbia college. He was admitted to the bar in 1845.

During his college career he became acquainted with Edward Cooper, the son of Peter Cooper, and eventually became his partner in the firm of Cooper and Hewitt.

Later Abram Hewitt married the only daughter of Peter Cooper.

The Cooper & Hewitt mills contributed largely to the union victory during the civil war by making gun metal and other war munitions which they sold to the government at cost.

In 1875 Mr. Hewitt was elected to congress on the Democratic ticket, and except for one term he served until 1887, when he resigned to become mayor of New York city, defeating Henry George.

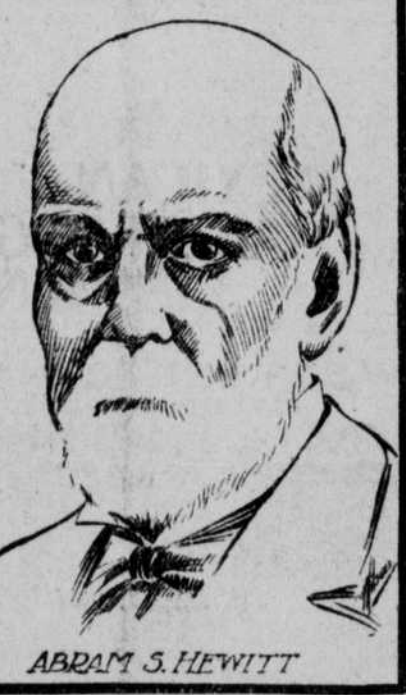
In 1876 he was chairman of the national Democratic committee in charge of the Tillman campaign.

Wireless Telephony Experiment.

M. Maiche, a French inventor, has made some experiments with wireless telephony in the forest of St. Germain. The transmitter was placed on the top of a house, but connected to the ground in the manner of a lightning rod. A thousand yards distant two iron poles 90 feet apart were connected together by wire and had a telephone receiver in circuit. Sounds from the transmitter were plainly heard in it. Receivers off the line of transmission did not catch the message.

Thriftness Causes Suspicion.

A horrible suspicion has arisen in connection with the loss and prompt recovery of Miss May Van Allen's \$20,000 pearl necklace in the Holland house, New York. The person who returned the string of jewels to its fair owner received a reward of just \$10 and in view of the marked difference between the two sums mentioned it is being hinted darkly that the pearls are bogus, otherwise even the thrifty Miss Van Allen might have seen her way to adding a cipher to the reward.



ABRAM S. HEWITT

Former Mayor of New York and Prominent Democratic Politician.

Abram Stevens Hewitt, former mayor of New York city and distinguished

as a philanthropist, politician and student, is near death.

Mr. Hewitt, who is in his 81st year, has been confined to his bed for some