

COL. CODY LOSES

COURT FINDS HE IS NOT ENTITLED TO A DIVORCE.

DEFENDANT WINS ALL POINTS

Judge Scott of Wyoming Says that the Plaintiff Failed to Prove Any of the Allegations in His Complaint.

SHERIDAN, Wyo.—The district court here on Thursday refused the petition of Colonel William F. Cody (Buffalo Bill) for a divorce.

A decision in the case was not expected before Friday at the earliest, but the court room was filled with residents of Sheridan and the surrounding country when it was given. After the reading of the depositions was finished the lawyers for both sides announced that they would submit the case without argument. After a short recess Judge R. H. Scott asked the attorneys for the defendant, Wilcox & Halligan of North Platte, Neb., to amend their answer in the case by striking out those sections which dealt with charges against Colonel Cody's conduct in Chicago and his early excesses at Fort McPherson. When this was done the court found entirely in favor of the defendant, Mrs. Louisa Cody.

Judge Scott delivered an opinion of considerable length, reviewing the allegations and evidence and giving his conclusions.

"The law of the state does not make incompatibility a ground for divorce, but it does read that extreme cruelty, rendering the condition of either party to the marriage contract intolerable is sufficient ground to allow the granting of a divorce.

"The first cause of action in this case is the charge of poisoning on December 26, 1900, or some time prior thereto. The evidence wholly fails to support this issue, but shows the defendant was trying to rescue the plaintiff from a state of intoxication and administered not poison, but remedies which she deemed beneficial to him. His inability to speak on this occasion did not come from his excessive use of intoxicating liquors at the banquet board, and was as humiliating to the defendant as to the plaintiff.

"The unhappiness caused by the actions of the plaintiff is shown by the letter of his daughter Arta Thorpe, whose beautiful character shone out from her unhappy home and the words of her letter written before her death: 'Oh, papa, why did he do it. My heart is just broken over it. Oh, why did he do it?'

Judge Scott also found that the charge of unbecoming actions on the part of the defendant toward the colonel's guests was not proven, that there was no evidence that she had even threatened her husband's life and that when attending the funeral of her daughter Arta at Rochester, N. Y., in February 1904, she offered a permanent reconciliation and no answer ever came to this. He then continued:

"She was an over-indulgent mother and wife who always took pride in his success and always looked forward to his home-coming and made great preparations to receive him.

"She entertained his guests with cordiality. She did not use profane language. The poisoning of his pet dogs was accidental. She never spoke disrespectfully of him to his friends or guests. She always accompanied him to the depot on his departure and was there to receive him on his return. In return for this wisely devoted the plaintiff has been cruel to her and heaped indignities upon her."

An exception to the ruling of the court was not noted by Judge H. S. Ridgley, attorney for Colonel Cody, and his request for sixty days for filing a petition for a rehearing was granted.

The motion for a new trial will be argued at the next term of court and in case this is denied Cody's attorneys will take the matter to the supreme court of Wyoming.

JULES VERNE PASSES AWAY.

Novelist Dies at His Home in Amiens Surrounded by His Family.

AMIENS, France.—Jules Verne died on Friday. His family was at his bedside.

M. Verne has been subject to chronic diabetes, but the disease did not assume a critical aspect until March 10. He gradually failed and the end was hastened by a stroke of paralysis covering his right side until the tongue was affected. The novelist retained consciousness until shortly before his death. He calmly foresaw death, called the members of his family to his bedside and discussed his departure. Deceased was born in 1828.

China Will Be Good.

ST. PETERSBURG—Paul Lessai, the Russian minister to China, has transmitted to the foreign office the most solemn assurances from the Chinese government regarding its intention to preserve neutrality.

RETREAT GOES ON.

The Russian Army Continues Toward Harbin.

ST. PETERSBURG—Commander-in-Chief Linevitch in a telegram dated Saturday says:

"On March 17 Japanese batteries bombarded our divisions in the valleys of Tavannan and Yantu. The enemy appeared near Kaitoie on the railroad, about twenty-two miles north of Tie Pass, and their cavalry has occupied Fakoman. Our armies continue their concentration."

Farmer Flags the Train.

FINDLAY, O.—Unknown parties attempted to wreck the east-bound limited passenger train on the Pennsylvania, about three miles east of Ada. The train is due at Ada about 8 o'clock. A large number of ties were found on the road near the end of a long grade. The obstruction was discovered by a farmer, who ran up the track and, with a lantern, succeeded in stopping the train a few yards from the obstruction. It is not known whether the motive was robbery or revenge.

RACE FOR HARBIN

Issue Depends on Marching Abilities of Armies.

ST. PETERSBURG—In view of the increasing number of doctors required at the front an official order was published Tuesday permitting during the war the appointment of students to medical posts and allowing foreigners to join the service.

General Linevitch's headquarters has been established for the present at Chenchawatu, situated at the crossing of the Sungari river, whence he is directing the retreat of the three armies and disposing of the fresh troops of the Fourth corps, just arriving from European Russia. The protection of the Sungari bridge is vital to the salvation of the army, as the river is not fordable below Kirin, and once the line of the river is passed and the bridge blown up the Japanese pursuit will be effectually checked. At the same time the second army is falling back on the line of the railroad, while the first and third, with transport, are retreating along the Mandarin road to Kirin, both destroying bridges and roads and denuding the country behind them and making it impossible for the Japanese to live in the immediate wake of the retreat without their own commissariat. The Japanese are advancing over the Grand Trade route, twenty miles west of the railroad. However, they could probably live on the country, the road, just before the opening of the navigation of the Liao river, being crowded with Chinese provisions on the way to market southward.

Apparently it is a question as to which army will outmarch the other, although the general staff seriously doubts the ability of Field Marshal Oyama's fatigued soldiers, with the difficulties of getting guns, ammunition and provisions over the ruined roads, to continue the pursuit energetically.

No information is available regarding the strength of the Japanese column advancing along the Grand Trade route, but the war office says it is hardly large enough to constitute a menace with the dispositions General Linevitch is able to make of such troops. Nevertheless, St. Petersburg is in the dark as to the exact situation, and, considering the resourcefulness of the Japanese, there is constant fear that they may manage to get astride of the railroad and bar the Russians' retreat.

The Russian army in Manchuria is still to have the services of General Kouropatkin, who is considered by many, in spite of his series of reverses, the best general and foremost strategist of the Russian army. Sinking all feeling of personal bitterness because of his supercession and all the old time enmity between himself and General Linevitch in a patriotic desire to be of service to the fatherland, the former commander-in-chief volunteered to remain in any capacity with the army which he had so long commanded. The tender has been accepted by Emperor Nicholas and gratefully received by the new leader of the grand army.

MUST FALL BACK.

Rumor that Russians Will Not Be Able to Make Stand at Harbin.

ST. PETERSBURG—The possibility that if the Russian army should be unable to hold the lower line of the Sungari river at Chunchiatu it may be compelled to retreat not only to Harbin, but also further westward along the railroad, abandoning to the Japanese northern Manchuria and the Russian maritime Amur provinces as well, is the latest startling news from the front.

The strategic weakness of General Linevitch's position as he falls back northward is made clear by a Gungshu dispatch to the Associated Press, in which it is pointed out that unless Chunchiatu and the Sungari lines, a scant 100 miles below Harbin, can be held, it will be difficult to maintain a position farther back before Harbin, where, with the front of the army paralleling the railroad, the practicability of a turning movement to completely sever communication and isolate the army 6,000 miles from home, is too serious for Russian consideration. In view of this possibility the dispatch alluded to suggests the advisability of immediately providing Vladivostok with war munitions and supplies for a two years' siege. The correspondent estimates the number of reinforcements needed to give General Linevitch the requisite superiority in force at 200,000.

Cody Divorce Case Drags.

SHERIDAN, Wyo.—Reading of depositions in the Cody divorce case was continued here Tuesday before Judge Richard A. Cott, in the district court. Numerous objections raised by counsel are delaying proceedings. Final arguments will be reached Thursday or Friday.

New Ritual for B'Nai B'Rith.

NEW ORLEANS—The convention of the grand lodge, Independent Order B'Nai B'Rith, which has been in session here since Sunday, held an executive session Thursday night. The day session was taken up largely with committee reports. Late in the session commemorative services in honor of deceased members was conducted. At the session the report of the committee on ritual was adopted. This is a new ritual of secret work in force, greatly expanding and improving the features.

Mrs. Stanford's Body Home.

SAN FRANCISCO—The body of Mrs. Jane Lathrop Stanford arrived here Tuesday on the steamer Alameda from Honolulu. It was in charge of David Starr Jordan, president of Stanford University, and Timothy Hopkins, a trustee of the university. Accompanying them were Miss Bertha Berner and Miss May Hunt, the private secretary and maid, respectively, of Mrs. Stanford, and Detectives Reynolds and Calland. The funeral services will be held on Friday in the Memorial chapel at the university.

SINCE WAR BEGAN

RUSSIANS HAVE LOST HALF MILLION MEN THUS FAR.

FACTS FROM THE WAR OFFICE

Bureau Officials, Stung by Criticism, Issue a Statement of Operations.—General Linevitch Continues His Retirement to the North.

ST. PETERSBURG—Stung by the wholesale criticism lately heaped upon the war office for its unpreparedness and incapacity in providing the Manchurian army with men, guns and munitions, the army organ lays bare what has been done since the opening of hostilities giving the exact figures. From these it appears that up to March 12, the war office had dispatched 13,087 officers, 761,467 men, 146,408 horses, 1,521 guns and 216,321 tons of munitions and supplies to the front declaring the transportation strained the Siberian railroad to its utmost capacity.

The army organ admits that the army, in the far east, when the war opened was hardly worth the name (no figures being given, but it is known that the troops did not exceed 60,000 men) defending this on the ground that Emperor Nicholas desired to avoid war and therefore refrained from sending reinforcements which surely will have provoked it.

The criticism of the war office's failure to adequately supply Port Arthur is met by the statement that it was provisioned for a garrison of twelve battalions, the decision to put thirty battalions there being taken so late that the original calculations could not be remedied.

While affirming that the quick-firing guns and field guns of the Russians are superior to those of the Japanese, the war office explains that the misfortune in the insufficiency of the mountain guns was due to the fact that when the war broke out Russia was just adopting a new pattern.

It is denied that the war office was received in regard to the available strength of the Japanese army or the organization of the Japanese reserves, but the army organ frankly admits that the talents of the officers and the wonderful spirit of the soldiers were miscalculated.

The publication of this article has created a sensation among military men and in public circles many of the former are censuring the general staff for disclosing valuable military secrets and the latter finding from the figures a practical admission that the war has cost almost 500,000 men killed, wounded, prisoners and sick, as the whole effective force in the far east is now believed not to exceed 300,000 men.

General Linevitch continues the retirement of the bulk of his army northward.

The general staff now declares it is certain that Field Marshal Oyama has been compelled to relinquish the idea of a pursuit in force for the present. The Japanese forces on the Russian flanks are too light to constitute a serious danger and a lull in heavy fighting for several weeks if not months is predicted by some of the correspondents.

RATIFY WARNER'S ELECTION

Non-Partisan Demonstration for New Senator.

KANSAS CITY—Convention hall was packed by an audience which met to ratify the election of Major William Warner of this city to the United States senate. The audience was composed of not only Kansas Cityans, but of admirers of the new senator from all parts of Missouri, Kansas, Oklahoma and the Indian Territory. The meeting was non-partisan, democrats being as enthusiastic as republicans in paying tribute to Major Warner.

Other speakers were Thomas J. Akntis, member of the republican national committee from Missouri; D. P. Dyer of St. Louis, United States district attorney for eastern Missouri, and Charles Nagle of St. Louis.

Senator Warner said in part: "The burning issue of the day is that of setting proper metes and bounds to corporate power, and the suppression of the unlawful encroachment upon the rights of the people of organized capital. These issues must be met and solved in a spirit of fair play and with the high resolve to give every interest a square deal. The just and equitable solution of these problems will tax the experience and wisdom of legislative and executive departments of the government. If in their solution error is made the error should be on the side of the people."

Time Extended to Syrians.

WASHINGTON—Minister Powell has cabled the state department from Port Au Prince that the Haytian government by decree has extended from April 1 to May 15 the time allowed for Syrians holding forged naturalization American citizenship papers to withdraw from Hayti.

Get Seventy-five Lashes.

WINNIPEG, Man.—Sandercock and McDonald, highwaymen, were sentenced by Judge Richards to fifteen and ten years respectively, with seventy-five lashes, for robbery with violence from Winnipeg merchants, and received the first installment of twenty-five lashes. McDonald made a great uproar and from the first stroke of the dreaded cat-o-nine-tails screamed horribly and had to be carried by his cell. Sandercock roared in a manner that made his punishment seem severe.

Mexican Minister Ill.

WASHINGTON—Don Manuel de Aspirza, the Mexican ambassador, is seriously ill with a severe attack of the grip and other complications, and his family are greatly concerned over his condition. The ambassador has been ill for the greater part of the week, but he insisted on attending the inaugural ceremonies at the capitol and it was learned that he came near fainting after leaving the president's stand. He suffered a relapse as the result of his exposure and now his condition has become serious.

WILL TRY IT AGAIN.

Another Beef Trust Report in Store For Congress.

WASHINGTON—Another report dealing with the operations of the beef trust is to be made to congress. It has been announced at the department of commerce and labor that agents are at work ascertaining data concerning the operations of cattle growers on the range and the sale of beef and food products at retail. There are other features, relating to anything that may have looked criminal to the investigators which has been turned over to the department of justice, and which are to be included in the second report.

Just what the secret service men discovered in this line has been carefully concealed for grand jury proceedings in various parts of the country. Had it appeared in the original report made by Commissioner Garfield, the report would not have so disappointed those who expected a scathing denunciation of the combine.

Some of these features of the report deal with private car transportation, refrigeration, and such things.

Just how carefully this information is guarded will be recognized when it is known that fifteen secret service men have been sent to Chicago to guard witnesses there who are to testify before the grand jury.

MUST PAY JOHN G. CARLISLE

Former Secretary Wins Suit for Attorney's Fees.

NEW YORK—The decree of a lower court awarding John G. Carlisle, former secretary of the treasury, \$125,339 for professional services in connection with a contest against the constitutionality of the laws under which duties were levied on goods imported from Porto Rico, has been affirmed by the appellate division of the supreme court.

Mr. Carlisle was engaged by Reon Barnes, who had been retained as counsel by various merchants, to assist him in the contest. As a result of the litigation the importers recovered nearly \$500,000 from the government.

According to Mr. Carlisle, something over \$89,000 of this amount was paid to Barnes, but the latter refused to make a settlement with him, denying that he ever had engaged Mr. Carlisle's services. Mr. Carlisle then brought suit to recover his fee and was awarded \$200,349.

CHANGE IN CANAL COMMISSION

President and Secretary Taft Working on Rearrangement.

WASHINGTON—The president and Secretary Taft are making every effort to complete the rearrangement of the Ishmian canal commission previous to the departure of the president on his southwestern trip. It is possible that this cannot be accomplished, as it is necessary for a number of communications to pass between two parties who must be consulted before the new plan is completed.

It has been decided that it will be necessary under the law for the president to appoint a commission consisting of seven members. He holds that such a number would make the commission unwieldy, but as congress failed to provide for a smaller commission, it is held by the attorney general that the commission of seven members is mandatory in the president.

RUSSIANS HALT TO REST.

Stop Likely to Be a Short One, as Japanese Are Advancing.

GUNSHU PASS—The Russian retreat has now reached the village of Sipinghai, seventy-four miles north of Tie Pass, where it has temporarily halted. The army has been without rest for months and it is natural that fatigue should be evident. The Japanese are said to be advancing on Sipinghai positions along the railway and on both flanks.

A brisk attack occurred on the evening of March 18 at Kaiyuan, the Russian rear guard beating off two heavy attacks which lasted until midnight. After blowing up railway bridges north of Kaiyuan at five places, the Russian retreat was continued on March 19, 20 and 21, with only light rifle firing.

The Mukden branch of the Russo-Chinese bank removed all its money except \$150,000.

M'CORMICK TOLD TO HURRY.

United States Anxious to Have Him at Paris Soon.

ST. PETERSBURG—Mr. McCormick, the retiring ambassador to Russia, has received urgent instructions from Washington to proceed to Paris at the earliest possible moment.

Whether the desire of the state department to have Mr. McCormick assume his duties in Paris at once is due to the prospect of an opening of peace negotiations there, or to the Venezuelan complications or to the wish of Ambassador Porter to depart sooner than expected is not known here.

Appeal For Outside Aid.

BROCKTON, Mass.—The first organized movement for the relief of the families of the persons believed to have perished in the explosion and fire at R. B. Grover & Co.'s factory last Monday, has been begun. As a result of the disaster thirty-seven wives were made widows, forty-eight children were made fatherless and six children became orphans. Mayor Keith presided at a meeting at which a request was made that every wage-earner in the city give over one day's wage to the relief fund.

Standard Has a License.

TOPEKA, Kan.—It developed Friday that the Standard Oil company, against which the attorney general has commenced suit to oust from the state on the ground that it has no license to do business here, has had such a license since 1893. The license was granted by the state charter board in the regular way to the Standard Oil company of Indiana. The chief allegation is that the company is violating the anti-trust law and that it should be driven from the state on that account.

LEAVE OF HARBIN

WOMEN AND CHILDREN GETTING OUT OF TOWN.

BUSINESS HOUSES ALL CLOSING

Preparations Apparently Making for an Extended Siege—Probable Investment of Vladivostok by General Kuroki.

GUNSHU PASS, Manchuria—The women and children are reported to be leaving Harbin and the business houses are closing. The stationary hospitals are being moved back and the entire railroad east and south of Tsitsihar is being prepared for the next stage of the war.

The conviction exists that General Kuroki is now directing his movement toward the northeast for the investment of Vladivostok, changing his base for that purpose to Gesan. While the Manchurian railway is employed to supply the main army in its advance on Harbin, the Japanese seem still partial to the plan of keeping close to their sea bases, and instead of following the Russians some of the military experts are of the opinion that the Japanese may relieve the pressure upon General Linevitch and thus induce him to concentrate in the region between Santoupu and Tie Pass for another battle. But throughout the campaign all the prognostications of experts regarding the plans of the Japanese failed, the aspirations of the Japanese consistently fattening up on the victories achieved.

The rank and file of the Russian army show peculiar adaptability to conform with the new conditions and accommodate themselves to the wishes and intentions of the commander-in-chief and the government.

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The news from the front continues to indicate preparations for a withdrawal of the main portion of the Russian army beyond Harbin, so as to place it out of danger of having its communications with Russia severed if it is found impracticable to attempt to hold the line at the Sungari river. Tsitsihar 300 miles west of Harbin, is mentioned by several correspondents in a fashion to suggest that it will be the new point of concentration although others speak of the Amur river.

TO ATTACK VLADIVOSTOK.

Japan Preparing to Take Russian Naval Base.

PORTLAND, Ore.—According to advices brought by the Portland & Asiatic liner Arabic from Yokohama, which arrived here, it is believed in Yokohama that Japan will soon attempt to capture Vladivostok. There are at present about forty blockade runners in Japanese ports of different nationalities which have been captured attempting to enter Russian ports. The crews of the captured vessels are treated well by the Japanese and as rapidly as possible sent to their various home ports.

According to blockade runners captured on the return trip from Vladivostok, the harbor there is filled with vessels loaded with provisions and coal. Provisions are said to be cheap, meat being sold for 20 kopeks (10 cents) per pound. The same impression exists in Vladivostok as in Yokohama—that the Japanese intend to attack the place in the immediate future.

FIFTY FARMERS SHOT DOWN

Nine Are Killed and Eleven of the Wounded Are Dying.

KUTNO, Russian Poland—Ten peasants were killed and fifty were wounded at Lamenta, March 21, as the result of the shooting of infantry sent to quell disturbances. A crowd of peasants from Benig now proceeded to Lamenta to induce the farm laborers to strike, and rioting occurred.

The chief of police with a company of soldiers went to the scene and the troops fired two volleys at the peasants, killing two on the spot and wounding fifty. The latter were brought in carts to the hospital here, where seven men and one woman subsequently died. Eleven others are dying.

JAPAN FLOATS NEW LOAN

Gets Better Terms Than Before—New York Takes Half.

NEW YORK—Negotiations for a Japanese government loan for \$150,000,000 have been successfully concluded in London. Kuhn, Loeb & Co. of this city, who will share in the loan, made the announcement today. The loan will bear interest at 4 1/2 per cent, and will be secured by a first mortgage on the tobacco monopoly. One-half of the entire loan will be taken in this country.

Finding New Stars.

SANTIAGO, Chili—The astronomical expedition, sent out by D. O. Mills of New York, is rapidly accomplishing its object. Twenty double stars have been discovered. The Mills expedition was sent from Lick observatory, California, with the sole object of searching for new stars.

New Minister to Copenhagen.

LONDON—Allan Johnson has been gazetted British minister at Copenhagen in succession to Sir Edward Goshen, transferred to Vienna.

LEGISLATURE of NEBRASKA

A Synopsis of Proceedings of the Twenty-Ninth General Session.

HOUSE—The house, on the 21st, recommended these measures for passage: House roll No. 328, for the relief of Russell F. Loomis. House roll No. 305, providing for state construction, ownership, control and repair of all bridges 500 feet or more in length on or as part of a public. House roll No. 309, for the submission of a constitutional amendment providing for the safe investment of the permanent school fund. The bill introduced by Foster for a constitutional amendment allowing cities of 5,000 or more to make their own charters by and with the consent of the legislature—house roll No. 308—was recommended for indefinite postponement. The "independent telephone bill"—house roll No. 182—by Fishback of Clay, was recommended for passage after a lively discussion. The bill is designed to give the independent companies the use of the Omaha property of the Nebraska Bell Telephone company for the delivery of long distance messages from independent subscribers outside of Omaha to Bell subscribers in Omaha, for which service the Bell company is to receive 10 cents per message. House roll No. 351, by Warner, to compel railroad companies either to furnish sites on their rights-of-way to independent elevators or else to build switches and sidetracks thereto where the elevator has a minimum capacity of 15,000 bushels, was recommended for passage without opposition manifesting itself.

HOUSE—The house passed a motion on the 22nd to hold night sessions the remainder of the week and a session Saturday, by a vote of 48 to 32. Bills were passed as follows: Raising the salary of the county physician of Gage county. Abolishing the Soldiers' Home visiting board. Defining ways in which the American flag may be used as an emblem. To remit all taxes due the state from Hamilton county prior to 1891, when the county court house was destroyed by fire and all records thereby wiped out. To prohibit children under 15 years of age from carrying firearms. Amending the law fixing the time of holding annual school meetings. To enable Ruth Abery to sue school district No. 23 of Douglas county for personal injuries. Prohibiting the sale of liquor within four miles of an army post. Permitting cities to condemn property for school sites. Providing for not less than five nor more than seven junior normal schools, and that the appointive schools shall be relocated each year. To regulate giving of bonds for county funds by depository banks. Appropriating \$25,000 for test borings for the discovery of oil, coal, gas or artesian water. Providing for a representative form of government of fraternal insurance companies on a basis of 85 per cent of the membership.

SENATE—The anti-Christian Science bill passed the senate on the 22nd by a vote of 17 to 13. The doctors in the legislature make no secret of the fact that Governor Mickey will sign the bill and entertain no fears of executive disapproval. Senate file No. 276, by Guild, was passed. This bill requires stock to be unloaded in the South Omaha yards within an hour and a half after its arrival. Senator Gilligan moved that the sifting committee take charge of the general file of the senate at 12 o'clock Thursday. This motion carried after several motions were made to delay the time of the renovating process. This means that all bills must run the gauntlet of the sifting committee, as well as the committee of the whole. The following bills were passed: House roll No. 62, appropriating \$10,000 for a stock pavilion at the state fair grounds; house roll No. 165, the anti-Christian Science bill; house roll No. 173, appropriating \$100 in each county for farmers' institutes; house roll No. 217, regulating the payment of outstanding indebtedness in road districts; house roll No. 192, regulating the liability of officials; house roll No. 193, protecting state deposits in banks; house roll No. 195, allowing surety companies to go on liquor bonds; house roll No. 200, prohibiting a breach of trust in printers' contracts; senate file No. 241, regulating tax sales; senate file No. 178, defining property exempt from taxation; senate file No. 215, regulating the redemption of property sold at tax sales; senate file No. 281, providing for annual reports of insurance companies. Senate file No. 221, a bill raising the standards for county superintendents, was recommended for passage. Under the provisions of the bill county superintendents must be able to secure a first grade certificate. An appropriation of \$32,000 was voted for the Peru normal.

SENATE—In the senate on the 24th these bills were passed: H. R. 214—To protect union labor labels. H. R. 271—Restricting the indebtedness of irrigation districts. H. R. 224—Re-enacts the drainage law. S. F. 243, to abolish the old soldier's visiting board, was passed. H. R. 49, the bill to establish the binding twine plant, was passed by a vote of 18 to 11. The senate defeated the anti-pass bill, the last of the kind before the legislature. It was indefinitely postponed by 15 to 14. H. R. 20, appropriating \$60,000 for the rebuilding of the west wing of the Norfolk asylum and cottages, and beautifying the grounds, was amended to appropriate \$35,000 and passed. H. R. 211, providing a manner of appeal to the supreme court, was passed. The senate recommended for passage the salary bill, H. R. 250, with few changes, which were as follows: Clerk in the office of the labor commissioner, increased from \$1,000 to \$1,200 a year. Draughtsman in the land commissioner's office, increased from \$1,300 to \$1,500 a year. Bookkeepers in the land commissioner's office, reduced from \$1,500 to \$1,200 a year. Deputy game warden, increased from \$1,200 to \$1,500 a year. Three stenographers to the supreme court, increased from \$900 to \$1,000 a year. Salary of assistant physician at the Norfolk asylum, decreased from \$1,500 to \$1,200 a year. Salary of surgeon at the Grand Island Soldiers' Home, increased from \$1,000 to \$1,200 a year. All of the amendments were recommended by the finance committee and after half of the bill had been gone over it was adopted without further discussion.

HOUSE—The house met on the 23d with Speaker Rouse in the chair. House roll No. 328, for the relief of Russell F. Loomis, passed. House roll No. 228, a Lincoln charter bill prepared by City Attorney Ströde; passed with the emergency clause. House roll No. 282, by Hill of Hitchcock, to fix the minimum number of trains and regulate speed on railroads, was amended so as to strike out the regulation of running time, and was then recommended for passage. House roll No. 378, a joint resolution by Windham of Cass, for the calling of a constitutional convention, was recommended for passage. In committee of the whole, with Clarke in the chair, the following measures were recommended for passage: House roll No. 352, a compulsory school measure; house roll No. 372, providing for an open season for trout from June 1 to October 31; house roll No. 367, preventing the killing of insectivorous birds; house roll No. 345, to consolidate the office of county and city treasurer of Omaha; house roll No. 297, by Dodge, for a constitutional amendment creating an elective railroad commission of three members and to define its powers and duties,

was warmly advocated by its introducer in an extended speech. A committee amendment was adopted, leaving the salaries of the commissioners to be fixed by the legislature instead of fixing the amount at \$2,500. Another committee amendment was adopted providing that the three commissioners shall be elected in 1906, at the time the amendment is submitted, and that every vote for any candidate for commissioner shall be counted as a vote for the amendment. The bill was recommended for passage.

SENATE—By a vote of 18 to 19, H. R. 49, providing for the establishment of a binding twine plant at the state penitentiary was recommended for passage by the senate in the committee of the whole, on the 23rd. That it will pass the senate there is not the slightest doubt, though it is not known that the measure will receive executive approval. Gibson of Douglas county made an effort which was successful in causing the indefinite postponement of H. R. 168, to license commission merchants and compel them to give a bond. The Sheldon telephone bill as amended was reported for general file. These bills were passed: H. R. 135—Appropriating \$32,000 for the Peru normal school for a library. H. R. 106—Allowing insurance companies to consolidate with the consent of the auditor. H. R. 169—Giving the right of eminent domain to the State university. H. R. 163—Allowing the sale of penitentiary lands. H. R. 242—To abolish the soldiers' home visiting board, was recommended for passage. S. F. 27—Allowing the governor to appoint a member of the legislature to fill a vacancy during the session, was recommended for passage. Senator Giffin attempted to amend the house irrigation bill, H. R. 271, so as to give to the irrigation districts of the west the right of eminent domain, but the attempt failed.

HOUSE—These bills were passed on the 24th: Enabling the State Printing board to buy supplies in case of emergency not exceeding in cost \$100 for any department, without observing the formal routine process. Fixing the salary of county clerks in counties of from 18,000 to 25,000 population at \$1,500 a year. Making the county assessor of Douglas county ex-officio tax commissioner of Omaha. Defining the powers of county boards. H. R. 182, by Fishback of Clay—To compel the Nebraska Telephone company to afford connections at the limits of any city where it operates the only exchange to a new concern that may construct its lines up to the boundaries of such city. Empowering county treasurers to collect personal taxes against a decreased debtor by making themselves administrators of the estate. Providing a schedule of fees to be paid the state by