

# WANT GOOD LAW

Friends of Primary Reform Take No Chances

NO PARTIALITY OR UNFAIRNESS

Candidates from Western Counties Must Have Equal Show With Eastern Aspirants

From our staff correspondent Geo. W. Kline

Friends of primary reform, both republicans and democrats, have become alarmed. A well defined scheme was detected to assassinate the primary legislation and substitute a lifeless measure in its place. There was a "roar" of liberal dimensions. The joint committee, having in charge the primary bill, was assailed by numerous questions. Chairman Farley said that no meeting had been held but that the committee meant to prepare a strong primary measure. He promised to call a meeting at once. A scheme was suspected whereby a measure would be adopted which would give certain sections of the state a decided advantage over the sparsely settled communities. It is probable that the bill will be so modeled that the campaign to choose candidates will be an extended one. This will reduce the influence of the metropolitan dailies and give the country editors a chance to extend their influence by the able exposition of political views in their communities. A number of primary devotees were a trifle angry over the failure of the first scheme and tried to divert attention by a false cry of "railroad influence." Doubtless the railroad workers would be glad to defeat a primary measure but have apparently recognized that such an attempt will be useless. The members of the legislature are determined to give the voters of the state a good primary law and nothing can defeat it. There will be no partiality or unfairness. The candidate from the western counties must have an equal chance with the aspirant from the populous regions of the eastern section. In the stand for the country editors there has been much misapprehension. Some of the state dailies have been charged with being a trifle unfair and are suspected of an attempt to profit at the expense of editors of the weekly papers.

Representative Adam McMullen has been made chairman of the direct primary committee to outline the measure and will have charge of the important piece of legislation. As indicated several weeks ago in this letter there has been much scrapping for this position. McMullen was recognized as a dangerous competitor of the other rivals and there was some exciting but quiet work for the honor. At the finish the Gage county man won the chairmanship. It is expected that a primary bill will be outlined within a week or two.

Anti-pass legislation will be through and effective. Railroad employes and caretakers of stock will be permitted to ride free but the general public must pay fare. As to the railway commission plan it has been determined to give the commission exclusive jurisdiction over the public service corporations. These will include telephone, telegraph, express and railway companies. Interurban projects probably will be asked to submit the questions connected with their management to the commission.

Representative Ned Brown has won a victory in the house over the lawyers. His bills to prevent new trials when the trial judges make minor mistakes, have been approved for passage. In the senate Senator Patrick won out in his contention for a five year limit to judgments which lapse at the expiration of that date unless the man who owns the judgment secures an execution. Senator Burns was victorious in a clash with the attorneys over a measure demanding that the judges of the district and county courts keep out of politics except as candidates for re-election to be a candidate for an office outside of the judiciary they must resign their places.

Anti-lobby agitation culminated in one of the hottest fights so far pulled off in the legislature. Senator Patrick's lobby bill, providing for the arrest and imprisonment of lobbyists, came up for discussion and was defeated by a vote of 13 to 14 in the committee of the whole and 17 to 15 on a roll call when the committee reported. Senator Patrick argued that a newspaper article, a grief or an address before a committee comprised the three methods of influencing public opinion open to paid lobbyists. He declared that the bill would not prevent the honest constituent from voicing his sentiments in the legislative halls. Senator Burns insisted that legislators should be strong enough to resist all sorts of temptation. Senator Wilson maintained that the people wanted the "substance of reform, not the mere shadow." He declared that spreading such measures as the anti-lobby law upon the statute books would give the people no relief. He declared that the best way to outwit

lobbyists was to carry out the pledges of the party platform with vigorous, wholesale measures. During the debate the repartee between Senator Burns and Senator Patrick and later between Senator Burns and Senator Wilsey became red hot. The roll call follows, those voting in the affirmative favoring the bill:

Ayes: Aldrich, Ashton, Buck, Byrnes, Dodson, Epperson, Holbrook, Latta, Patrick, Phillips, Root, Sackett, Wilsey, Wilcox—15.

Nays: Burns, Clarke, Gibson, Glover, Goodrich, Hanna, King, Luce, McKesson, O'Connell, Randall, Saunders, Sibely, Thomas, Thompson, Thorne, Wilson—17. Gould being absent.

House roll 134 by Quackenbush provides for the levy of a special road district tax upon petition to county board of election of roads districts. The same gentleman has house roll 141 which is sweeping in its effect and relates to and regulates the receiving, transportation and discharge and delivery of freight by railroad companies and all carriers by railroad within this state to regulate the application for and the furnishing of cars, the keeping of the records thereof, the receiving and transportation of freight in carload lots and other quantities, the loading and unloading of such freights; to prohibit discriminations between shippers in the furnishing of cars, to provide for notice to consignee and others to be notified of the arrival of freights, and to provide for the demurrage, forfeiture and penalties and damages arising from the violation of the provisions of this act; to regulate the receipt and handling of the loaded and empty cars of connecting lines of railroad and to prohibit discriminations therein, and to provide for free time in which to load and unload freights in this state.

The open violation and disregard of promises to be good as agreed to by officers in Omaha respecting gambling and closing of saloons on Sunday prompted the introduction of a bill by Sackett of Gage, which will place the responsibility of enforcing all laws directly upon the governor. That officer will no longer be able to do as Governor Mickey did when asked to enforce laws. The act makes it the duty of the attorney general of the state, when directed by the governor to oust from office any officer, including mayors, who wilfully neglects to enforce a law and it makes such neglect punishable by ouster from office.

A resolution had been offered by Root of Cass asking the state railway commissioners and state auditor to secure from all the railways doing business in Nebraska a statement of the classification of freight rates in force January 1, 1907, and that the information be tabulated so as to conform as near as may be to the classification in the maximum freight rate law of 1893 and that said information be furnished with all convenient speed.

Representative McMullen has introduced a bill to provide for an open session and a public record of the meetings of the board of regents of the state university. Personal matters and trifles concerning instructors will not be made public, but there must be a record and a public session when questions of policy are decided. The regents will not oppose the bill and are in favor of the new method.

Senator Thomson, of Buffalo, is working in the interests of the dairymen of the state. He has introduced a bill to provide for the appointment of a dairy inspector to have charge of all the matters relating to the dairy products and interests of Nebraska. Senator Latta, of Burt, is working for a bill to compel railroad companies to so make up trains that passenger coaches shall not be ahead of the baggage coach or express car.

The party pledge bills will be prepared with all possible haste. These cover all the subjects embraced in the party platforms. Public meetings of the joint committees are scheduled and the bills debated by those interested.

Root of Cass, was favored by the passage of two of his bills, senate files No. 12 and 28. The former makes a lighter penalty for adultery and defines the crime to consist of a single offense instead of a continuous offense. No. 28 gives the governor power to remove the superintendent and two assistant physicians at the Lincoln hospital for the insane at the discretion.

Governor Sheldon has followed up his declaration of non partisanship with the appointment of a populist to office. His first selection was Edward G. Maggi, of Lincoln, for chief clerk in the executive office. Mr. Maggi is an attorney and was at one time an aspirant for Congress in the Third district. He took the stump for Sheldon during the last campaign.

The memorial resolution to Congress by Thiessen of Jefferson, opposing subsidy to the merchant marine, drew partly lines very close and after heated discussion the measure was postponed by a vote of 59 to 35; two Republicans voting with the minority.

There will be a general fight over the Epperson telephone bill which, if passed, places telephone companies under the control of the state railway commission and requires such companies to connect for the transmission of messages.

# REFUSED REQUEST

Made by the Nebraska State Board of Agriculture

FOR A ONE-EIGHTH MILL LEVY

Many Important Measures Introduced and Disposed of in House and Senate

The one-eighth mill levy asked for by the state board of agriculture and endorsed by practically every convention held in Lincoln two weeks ago, received a black eye by the resolution of Tucker, which practically cuts out mill levies for permanent improvements at state institutions. The resolution, which was adopted, reads as follows: "All appropriations not already provided for by mill levy for the support and maintenance of any charitable, correctional or educational institution or for the erection or equipment of any new buildings for any purpose by the state of Nebraska, be made in definite and specific sums of dollars and cents and so expressed in the bill making the appropriations and not in mill levy on the assessed valuation of the property, listed for taxation by the state of Nebraska."

A tour of inspection to the Norfolk hospital was made by a committee composed of members of both house and senate. This institution has asked for an appropriation of \$85,000 for the erection of new buildings, \$60,000 of which will be spent in a new hospital for acute female cases; \$20,000 for a building for male inmates and \$7,500 for a dairy barn.

As a rule the physician and heads of departments of state hospitals are in favor of a bill which will provide that each insane hospital in the state care for its own acute cases. This would change the Hastings asylum from one for the incurable to one like that at Lincoln and Norfolk.

The annexation of Omaha and South Omaha is a forecast which presents a rather cloudy aspect. An attempt, no doubt, will be made on the part of the Omaha enthusiasts to have the two cities "joined" by legislative enactment. South Omaha will fight this proposition.

The State Journal was up for a reprimand in the senate for not living up to its contract in the printing of legislative bills. The attorney general was directed to bring action against the company for damages, which if pressed will amount to \$25 for each and every bill delayed.

A state ownership bill, house roll No. 134, has been introduced by Representative Cone of Saunders. It provides for state ownership, control, construction and repair of all bridges of five hundred feet or more in length within the state and located on or as a part of public roads. Gives control to board of public lands and buildings.

Quackenbush of Nemaha, has introduced a bill in the house which amends Cobbe's annotated statutes for 1903 and 1905. House roll No. 135 permits working half road tax and paying half in money at the discretion of taxpayer.

E. W. Brown's house bill No. 137 permits insurance by mutual companies of property outside the state when a reserve fund of \$100,000 has been obtained.

Renkle of Webster has an eye to the comfort and convenience of stockmen and has introduced a bill in the house which if passed every stock train in the state will be supplied with vestibuled coaches and upholstered seats. He would also have these stock trains travel at least sixteen miles an hour, with penalty of from \$300 to \$500 for less speed.

House roll No. 45, a bill intended to kill the wolf bounty now given by the state was shelved, and the bill stands as it was. A similar bill is to be disposed of in the senate. If it passes it will be advanced to the house for approval or rejection.

Thomas' senate file No. 175 will, if passed, increase the salary of county commissioners in counties having over 60,000 inhabitants from \$1,800 to \$2,500 a year and change the maximum salaries in smaller counties.

A bill in the senate is calculated to compel railroads to make public the names and addresses and for what purpose issued of all free transportation of persons or property furnished within the state of Nebraska.

The bill appropriating \$80,000 to run expenses of the present legislature has been passed.

A right by cities owning water and light plants to engage in commercial lighting and heating has been granted by the passage of a bill by Rafer of Pawnee.

The compensation of the newly elected railroad commissioners will be \$3,000 per year. This salary is greater by \$500 than is received by the governor.

Committees from both house and senate will draft bills regulating passenger rates; a two cent fare will be the result, a joint committee voting to that end.

Tenants on farms are prohibited from disposing of crops without the consent of the owner in terms of a bill in the senate by Brynes of Platte.

Senate file 172 by Root of Cass is going to give voters of the state the right of expression on sale of intoxicants in cities and towns every five years, and provides that boards may issue licenses under county option.

The open season for killing squirrels received a set back by postponement of the bill introduced by Root of Cass.

A Juncting trip to Omaha was indulged in by members of both house and senate, the occasion being the McKinley club banquet. Omaha paid the freight.

Owing to the fact of fraternal societies winning a victory in the supreme court permitting them to deduct outstanding policies from the mortuary fund for purposes of taxation, there will be little if any legislation directed toward them during the present session.

It is charged that railroad passes to a limited extent have made their appearance at the state house.

Representative Saunders of Knox has a bill which, if passed, will reimburse the homesteaders in the Boyd county land cases for taxes paid under protest. The bill carries an appropriation of about \$4,000.

The child labor law will be passed. This will make it compulsory for children of school age to get busy with their books.

Attorney Edward T. Maggi of Lincoln has been selected as Governor Sheldon's chief clerk. Mr. Maggi was formerly a democrat and worked hard for the nomination of George Burge for governor.

Senate file, 178 permits school districts having 150 school children to issue bonds and reducing the rate of interest on such from 7 to 6 per cent.

Senate File No. 20, introduced by Thomas, has been passed. This bill gives the state sixteen peremptory challenges in criminal cases where the penalty is death, eight challenges when the penalty is over eight months in the penitentiary and six challenges in all other cases.

Aldrich of Butler has senate file 181 which provides for the election of county attorneys by county boards, the first election to be held Jan. 1909. Mr. Aldrich has also introduced a bill, 190 providing for the election of prosecuting attorney to each judicial district at the general election in 1908 with age limit of thirty or over.

Sackett's senate file 191 prohibits the pooling of bridge contractors and compels them to submit books and documents as evidence if called upon.

The house has approved the child labor bill, introduced by Clarke, of Douglas. The bill forbids the employment of children in a cruel and inhuman manner. There is nothing in the bill to prevent the employment of children in the necessary tasks about the farms.

## WILL FIGHT RAILROADS.

Discrimination is Shown Against Independent Dealers of State.

The members of the Co-operative Grain association of Nebraska have determined to wage a war against the discrimination which they claim the railroads have shown toward the independent dealers of the state.

The association took steps intended to place before the interstate commerce commission the matter of discrimination against the Nebraska grain markets, favoring the larger markets in other parts of the country. It was stated at the meeting that grain shipped to the other markets was graded higher than that which went to the Nebraska elevators, thus enticing the trade away from this state. The legislative committee, appointed to formulate measures for presentation to the legislature, will also have charge of the matter of bringing these statements before the inter-state commerce commission.

## Telephone Men Meet.

More than two hundred delegates from all over the state attended the annual convention of the Nebraska Independent Telephone association, held in Lincoln. It was one of the largest meetings ever held by the association in the state, and besides the regular representatives from the several districts, many visiting men interested in telephone developments, and representatives from telephone and electrical manufacturing concerns were in attendance.

# HOODOO HOO HOOS

Runs Up Against the Watch Dogs of the State

THE FINEST MEETING EVER HELD

Many Black Cats Subpoenaed to Appear Before Judge Post of the Supreme Court

The state meeting of the Lumber Dealers' association was one of the largest attended in the history of that organization. The Hoo-Hoos were finely entertained and had a good time while in the Capital city. A general surprise was met with however when Judge Sinclair, of Kearney, and the state's attorney caused over seventy-five subpoenas to be issued from the supreme court and served on members of the association. The subpoenas called for the production of all records, papers and correspondence in the possession of the dealers named which would throw light on the doings of the organization, and they also directed the dealers to appear personally for verbal testimony at the February hearing in Lincoln before Referee A. M. Post in the state's suit to dissolve the association as a trust.

The papers were served at the auditorium, where the lumbermen were meeting, and at the hotels where they were staying although the officer had a hard time identifying his men. Judge Sinclair, who has been associated with the attorney general's office in conducting the anti-trust proceedings attended the lumbermen's sessions in order to find out who were in attendance. The plan of serving subpoenas by wholesale at this time was adopted to save the expense of sending officers all over the state in quest of the men whose testimony is wanted. Those who are summoned will be required to appear in Lincoln and testify. It was originally proposed to have hearings at different points in the state, but this may not now be done.

It is not anticipated that all the dealers who got subpoenas will be willing witnesses on the stand, but the state nevertheless hopes to bring out evidence through them which will help to establish its case.

Judge Post, of the supreme court, has ruled in favor of the state of Nebraska on an objection raised by lumber dealers that the courts of the United States are given exclusive jurisdiction of prosecutions such as the suit of the state of Nebraska against the Nebraska lumber dealer's association under the anti-trust laws of Nebraska. The lumber dealers raised the objection that transactions of this nature involve interstate of the Sherman anti-trust law. The objection in the opinion of the referee involves the validity of the Nebraska anti-trust laws. He is of the opinion that congress has not by means of the Sherman act shorn the state of the power to prohibit combinations in restraint of trade insofar as such prohibition may operate upon inter-state commerce.

## FENCES WILL COME DOWN.

Government Issues Orders That Enclosures Must Be Removed.

Armed with axes, stump-pullers, and other such implements of warfare, a federal army of havoc will on April 1 swoop down on fences erected by cattlemen on the public domain in Nebraska, Kansas, Wyoming, Montana, and other grazing states for the purpose of destroying the barriers utterly. It will be no April fool joke, either, for President Roosevelt's recent order to the secretary of the interior directs that every fence not removed by the cattlemen before that date must be wrecked completely.

It is not believed that the cattlemen, most of whom are aliens, will make any serious attempt to remove the fences. In this event Uncle Sam will have to foot an enormous bill for having them destroyed. They are made of barbed wire, fastened to cedar posts, and there are thousands of miles of them in the states named. It is estimated that it would require the services of 10,000 workmen to complete the work of destruction in a year. Congress may be asked for an emergency appropriation to carry on the work.

## IS HE PESEMISTIC.

Professor of American History Fears a Clash.

In an address on "The Japanese Question" before the students of the state university Prof. Guernsey Jones, of the department of American history, declared his belief that Japan does want the Philippine islands and that in case of a war with the United States she could seize them and establish herself before the United States could interfere, thus making us fight at greater disadvantage than did Russia at the beginning of the Russo-Japanese war. He believes that the United States would win in the end, but that at the beginning we would suffer humiliating defeats and reverses.

Miss Holland, who was stenographer to Governor Mickey, has been replaced by Miss Winifred Kaup, of Western, who will act in this capacity for Governor Sheldon.