

IN SENATE AND HOUSE

Hide Exhibit Measure Goes Through the Lower Branch.

KIDNAPPING BILL IN THE SENATE

Provisions of the Measure Which Has an Emergency Clause Attached—New Bills Introduced and Others that Were Indefinitely Postponed.

HOUSE—Business in the house on the 22nd was limited to the introduction of bills, committee reports and the consideration of house roll 260 in committee of the whole. The bill is by Fowler and extends from two to five years the time within which foreclosure on tax certificates may not be begun. It was debated at length, being championed by Fowler and Coppoc and opposed by Loomis, Mockett and others. It was finally recommended for indefinite postponement, and the report adopted by the house on roll call by a vote of 45 to 39. Among bills introduced occur the following: A bill for an act to amend section 37 of chapter 19, entitled "Courts, Supreme and District," of the compiled statutes of 1893, and to repeal said section as now existing. To prohibit district and supreme court judges from receiving or using free railroad transportation. A bill for an act concerning trust companies, governing the manner of incorporation and regulating their manner of doing business. A bill for an act to amend section 8, chapter 41 of the compiled statutes of Nebraska of 1899, entitled "Days to Be Observed as Holidays" and to repeal said original section. To make election day a legal holiday as regards commercial paper. At noon the house went into joint convention and on emerging therefrom adjourned until next Tuesday morning at 11 o'clock. Following was the vote for senator: Allen, 35; Berge, 8; Crouse, 7; Currie, 13; Hainer, 4; Harlan, 2; Hinshaw, 12; Hitchcock, 11; Kinkaid, 5; Martin, 5; Melklejohn, 28; Rosewater, 14; Thompson, D. E., 35; Harrington, 1. H. O'Neill, 1.

HOUSE—In the house on the 21st bills were introduced: To amend chapter VIII of section 26, entitled "Banks." Provides that no officer, director or employee shall be permitted to borrow money from banks where employed without giving security or endorsing who is not a stockholder. To punish any person or persons who shall in any newspaper, magazine, periodical, pamphlet, circular, or in any other manner within the state of Nebraska, caricature any person without first securing said person or persons' consent in writing. Fixes fine for each offense at from \$25 to \$100. To require the state of Nebraska to assist the several counties in the building and maintenance of bridges in certain cases. To consolidate, combine and unify the public service of the state of Nebraska for the promotion of agricultural industry by creating a council of agriculture and defining its duties, and repealing laws and parts of laws conflicting therewith. To amend section 59 of an act entitled "An act incorporating metropolitan cities and defining their duties, powers and government." To amend section 3 of chapter XXVIII of the Statutes, relating to fees for clerk of the district court. To require uniformity of charges for transportation of goods in carload lots, and for switching cars for individuals or corporations by railroad companies. To amend chapter XXVII of article I, entitled "Revenue," relating to assessment of property. H. R. 425, by Brown. To amend section 5 of chapter I of the Statutes. Fixes liquor license at \$500 for all cities and villages of not over 5,000 population, reducing the limit from 10,000.

HOUSE—The house on the 20th, soon after convening, passed senate file 44, Senator Van Boskirk's hide exhibit bill, by a vote of 84 yeas to 7 nays. The bill was passed without amendments and just as it came from the senate. Three of the bills introduced by the State Bar association were also put on their third reading and passed. These were house rolls 230, 232 and 234, all by McCarthy. The first provides that cases taken to the supreme court on error must be filed within six months after the decision of the lower court. The second fixes a uniform time for summons in error cases and the third requires the filing of a bond for the payment of rent in cases where a judgment foreclosure is appealed to the supreme court. House rolls 4 and 176 were recommended for passage. The former appropriates \$75,000 for a new fire-proof wing to the Hastings asylum, and the latter provides for the transfer of insane convicts to one of the insane asylums. House roll 410, introduced by R. W. Laffin, is a bill for an act to provide for an additional annual license tax upon every insurance company, association or partnership transacting the business of insurance in this state, and organized or incorporated under the laws of any other than this state, or of any foreign country. Levies a tax of 2 1/2 per cent of gross earnings, less the annual tax now levied. Companies of other states must pay same tax in Nebraska that Nebraska companies pay in their states. Fraternal orders are exempted from the provisions of the bill.

HOUSE—In the house on the 19th consideration of senate file 44, by Senator Van Boskirk, to compel the exhibit of hides by original sellers of beef, was resumed. After some amendments the bill was recommended for passage. Among bills introduced was "An act to provide that the state treasurer shall be required to give bond to faithfully account for all moneys that may come to his hands, and also providing that he shall make sworn statements of all funds in his hands or under his control, and deliver the same to the governor, the same to be open to the

public inspection and to be furnished for publication, and providing that the treasurer's bond shall at all times be open to public inspection, and also providing for the appointment of examiners of the state treasury and the making of their examinations and reports, and that the same shall be open to the inspection of the public and shall be furnished to the press for publication." The following bills were recommended for passage: House roll 150, by Stockwell, to permit mutual fire insurance associations to continue insurance on personal property temporarily removed from the territory in which it is insured. House roll 205, by Boyd, relating to the duties of district school boards. Following is the vote for senator: Allen, 28; Berge, 2; Crouse, 5; Currie, 13; Deutrich, 1; Harlan, 2; Hinshaw, 13; Hitchcock, 23; Hainer, 5; Harrington, 41; Kinkaid, 5; Martin, 7; Melklejohn, 23; Morlan, 1; Rosewater, 16; Ransom, 5; Thompson, D. E., 35; Thompson, W. H., 11.

HOUSE—In the house on the 18th a few bills were read for the first time: House roll No. 233, by Hawby, relating to the organization of new school districts, was recommended for passage. House roll No. 142, by Fowler, for the protection of owners of stallions, jacks and bulls was recommended for passage, by a rising vote of 30 yeas to 26 nays. Senate file No. 44 by Senator Van Boskirk, to protect growers of cattle by providing for a registry and exhibition of hides, the bill demanded by the cattle interests of Western Nebraska, was next considered. On motion of Fowler of Fillmore the bill was amended to make it effective only in such counties in which due notice of its effectiveness is given for four weeks by the county board. The matter went over one day. Among bills introduced was one to encourage the establishment and maintenance of free schools. Provides that such schools shall be exempted from taxation; also house roll No. 401, by T. E. Hibbert, a bill for an act to prevent the discharge of firearms upon any public highway in this state within 100 yards of any public building, school building, store, shop or any occupied dwelling, and to provide a penalty for violation thereof. The vote for senator resulted: Allen, 35; Berge, 6; Crouse, 5; Currie, 12; Dietrich, 6; Hainer, 5; Harlan, 2; Harrington, 1; Hitchcock, 19; Hinshaw, 10; Kinkaid, 4; Martin, 8; Morlan, 1; Melklejohn, 28; Rosewater, 15; Thompson, D. E., 29; Thompson, W. H., 23.

SENATE—A bill was introduced in the senate on the 22nd to prevent county, township, municipal and school board officers from contracting with or being interested in any contracts with the corporation of which they are officers. Its author is Senator Martin of Richardson county. The measure, which has an emergency clause attached, is as follows: "Section 1. No county, township, municipal or school board officers shall contract with nor be interested directly or indirectly in any contract with the corporation of which he or she are such officer or officers, nor shall they permit any supplies or material for the use of, nor be interested directly or indirectly in the furnishing of any such supplies or material." Section 2. Any such officer violating any of the provisions of this act shall be fined in any sum not exceeding \$500 or imprisoned in the county jail not exceeding three months, in the discretion of the court." On recommendation of the committee to which they had been referred two bills were then disposed of, as follows: Senate file 224, by Young, to pass. It is to amend section 1020 of the civil code and to define when a tenant shall be deemed holding over beyond the time of his lease. House roll 189, by Rohwer, to pass. This is to permit two or more county superintendents, with approval and co-operation of the state superintendent, to organize and conduct joint institutes.

SENATE—The senate on the 21st indulged in the wholesale slaughter of insurance measures by adopting the report of its insurance committee recommending three bills for indefinite postponement. Representative Swanson's bill to permit the state treasurer to transfer the sinking fund to the general fund was ordered engrossed for a third reading. It is house roll 204 and has already passed the house. Senator Steele's bill, senate file 91, drawn and recommended by officers of the national guard, establishing a military code for the state and to provide for organization, government and compensation of the organized militia, was recommended for passage. H. C. Lindsay, private secretary of Governor Dietrich, read a message to the state announcing that the governor had attached his signature to house roll 49 and senate file 49. A number of bills were read for first time, among them being a bill to provide for the leasing of certain lands belonging to the state of Nebraska, known as "penitentiary lands," and not otherwise provided for by statute, for the disposal of funds arising therefrom and to repeal conflicting acts.

SENATE—By a vote of 18 yeas to 12 nays, which lacked the necessary two-thirds, the senate on the 20th refused to permit to be engrossed for third reading Senator Liddell's resolution requesting all employers of more than ten employees to pay salaries once a week and in cash. It was consequently ordered to the general file. Senator Harlan's bill, senate file No. 15, providing imprisonment in the penitentiary for not more than twenty years nor less than one year for kidnaping a child under the age of 18 years, was placed on third reading and passed without a dissenting vote. An emergency clause is attached. Senate file No. 74, by Harlan, amending the laws relating to cities of the first class, was considered at length and recommended for passage. Senate file 153, by Oleson, permitting residents in the center of a section of land to have a road to the outside world, was indefinitely postponed. House roll 61, by Broderick, was indefinitely postponed. It related to "roads" and the same subject is more thoroughly covered by house rolls 56 and 58, which are recommended by the county commissioners of the state. Senate file No. 150, by Steele, to provide for the

licensing of persons who operate steam engines, steam boilers and steam generators, and to establish a commissioner of engineering and a board of examining engineers, was indefinitely postponed. Senate file 180, by Miller, was recommended for passage. It provides that the electors of any town at their annual meeting may levy an additional tax of not more than three mills to be used exclusively for grading and repairing roads.

SENATE—The following were read the third time in the senate on the 19th and declared passed: Senate file 34, by Ziegler, to restrain male animals from running at large and to repeal section 4 of chapter 4 of the statutes as they now exist. Senator Berlet was the only one voting nay. Senate file 72, by O'Neill, providing for the admission of soldiers of the Spanish-American war and the war in the Philippines, together with their mothers and widows, into the soldiers and sailors' homes of the state. Senate file 140, by Young, providing that the board of managers of the State Poultry association shall be empowered to decide their annual January convention shall be held. Senate file —, by Young, amending the present statutes relating to punishment for vagrancy. At the afternoon session, after passing house roll 49, declaring in favor of election of United States senators by direct vote, the senate went into committee of the whole, with Senator Liddell in the chair, to consider bills on general file. House roll 49, a joint resolution asking congress to call a constitutional convention for the purpose of considering an amendment which will permit of election of United States senators by direct vote, was recommended for passage. A number of bills were introduced and the senate then adjourned.

SENATE—In the senate on the 19th senate files Nos. 122 and 187, both by Cummins, were indefinitely postponed. Both proposed an increase of the state tax on peddlers of watches, clocks, jewelry, patent medicines and other wares, making the license for each vendor \$100. One had an emergency clause attached. Senate file 23, by Ransom, relating to descendants and providing that certain relatives may institute proceedings for loss of life in event of the next of kin not bringing it, was passed by a vote of 29 to 9. Senate file 112, by O'Neill, providing that assessors shall return a list to the county clerk each year of the soldiers in their precinct, township or ward who served in the war of 1812, the Mexican war, the war of the rebellion, the war with Spain and the war in the Philippines, was passed by a vote of 25 to 2. Senators Johnson and Miller voting against it. The following resolution was unanimously adopted: "Resolved, by the senate of the state of Nebraska, That the death of the Hon. Samuel Maxwell closes the life of one of Nebraska's most upright citizens. His long years of public service in various departments proved his ability as a lawyer and his integrity as a citizen. He brought ever the test of right to the discharge of duty and with a purpose only for justice. His career as a judge reflected credit upon himself and the several courts of which he was at various times a member. Duty was well done, an upright life, a conscientious judge, a kindly man, a useful citizen, a man loved by those who knew him—these are memories recalled of Samuel Maxwell. The state has lost a good citizen; humanity a friend."

LEGISLATIVE NOTES.

The senate committee on public lands and buildings, composed of Senators Allen, Young, Trompen, Arends, Berlet, Owens, Steele, Lyman and Krumbach, went to Omaha for the purpose of looking into the needs of the Institute for the Deaf and Dumb, located in that city.

The house held but a half day session on the 22nd. Most of the time was devoted to a discussion of the merits of Representative Fowler's bill relating to the redemption of land sold for taxes. In committee of the whole the measure was recommended for indefinite postponement, and this recommendation was afterward carried out by the house. It was urged that the bill conflicted with the terms of another measure favorably passed upon by the committee of the whole and awaiting final consideration.

Senator Crouse introduced a bill which provides for the sale, either at auction or private sale, of the property belonging to the state and known as the governor's mansion, the bill providing that the money shall be turned into the state treasury.

Senator Miller's bill, providing for stipulated sums to be paid county commissioners provides that county commissioners and county supervisors shall each be allowed for the time they shall be actually and necessarily employed in the duties of their office, the sum of \$3 per day, and 5 cents per mile for each mile necessarily traveled; provided, however, that in counties not having more than 5,000 inhabitants their per diem shall not exceed \$100 per year.

By a vote of 84 to 7 Van Boskirk's hide inspection bill passed the house, and the governor's signature is the only thing lacking now to make it a law. It contains an emergency clause and will therefore become effective as soon as signed by the governor.

Four bills introduced by McCarthy and indorsed by the State Bar association were taken up by the house and passed without debate. These were numbered 230, 232, 233 and 234, and all were recommended for passage by the committee of the whole. They affect supreme court procedure, especially in the manner of appealing and disposition of cases.

Among new bills introduced is one by Senator O'Neill, providing for the appointment of a deputy auditor for the insurance department. The bill provides that the auditor of public accounts shall have power to appoint a deputy for the insurance department of his office, who shall give a bond to the state in the sum of \$5,000. The deputy, when authorized or acting for, or instead of the auditor, in all matters pertaining to insurance, shall have and may exercise the same power and authority conferred by law upon the auditor of public accounts.

ONE OF THE KIDNAPERS

The Man Under Arrest Undoubtedly Implicated in the Affair.

HE IS IDENTIFIED BY A WOMAN

Firm in Her Decision that Callahan is the Man Seen in the Neighborhood of the House Where Young Cudahy Was Confined.

OMAHA, Neb., Feb. 25.—The strongest identification thus far as one of the Cudahy kidnapers was that of Mrs. George F. Wittum, who picked him out of a line of five prisoners as they marched by her at the city jail.

Two days before her husband, Attorney George F. Wittum, had identified Callahan under similar circumstances. The identification made by Mrs. Wittum is considered especially good, as various means were employed to confuse her and shake her judgment, but she remained firm in her decision that Callahan was the man she saw in the neighborhood of the Melrose Hill prison house ten or twelve times during the two weeks immediately preceding the abduction.

Mr. and Mrs. Wittum live at 3641 Boulevard avenue, within a few hundred yards of the house in which Young Cudahy was held prisoner. Their attention was attracted to Callahan then by reason of his uncouth appearance. They regarded him as a suspicious character and scrutinized him closely whenever he showed himself in the vicinity. Having taken special notice of him on these occasions they were able to identify him positively.

"The last time I saw him," said Mrs. Wittum, "was on Monday, December 17, the day before the kidnaping. It was between 12 and 1 o'clock in the afternoon, I happened to be home that day. I was sitting at the front window when my wife came in from the yard and called my attention to a man who was passing, walking slowly southward in front of the house. He was looking in at the window, and not being more than twenty feet away, I had an excellent opportunity to study his face. I remember he impressed me as 'sizing up' the place. He had the appearance of one who takes in every detail of his surroundings, and I remember to my wife at the time that he was a tough looking character. I remember, also, that he had his coat off and was carrying it on his arm, as the day was quite warm, despite the fact that it was the middle of December. My wife said, 'I have seen him several times before hanging around here, and he acts suspicious.' I think she was a little afraid of him.

"We watched him that time until he passed beyond the house of Henry Malchen on the corner, which cut off our view. He was then going toward the Schneiderwind house, as we call it—though I believe, it is better known as the Melrose Hill prison house—but we didn't see him enter it, as the Malchen house was in the way. That was the last time we ever saw him in the neighborhood.

Buttermakers Pick No Town.

ST. PAUL, Feb. 23.—The National Buttermakers' convention adjourned this afternoon, leaving the choice of a place for the next convention entirely with the executive committee, which is to be appointed by the president. Kansas City and Milwaukee are favorably considered. It is estimated that 4,000 delegates have attended the convention, which is said to have been the most successful in the history of the association.

Studying American Farms.

WASHINGTON, Feb. 23.—Baron Hermann, agricultural expert of the German embassy, has received word from the German government that a specialist, designated by the agricultural societies, will leave Berlin soon for the United States to make a careful inquiry into the uses of American agricultural machinery, with a view to its introduction into general use in Germany.

Packing Plant Soon Starts.

NEBRASKA CITY, Neb., Feb. 25.—Superintendent Bundick of the Morton-Gregson Packing Co., has announced to the commission men that he will begin buying hogs at once and as soon as sufficient stock is in the yards the house will begin operations. Notice has been sent to the adjoining territory and soon the packing house district will be the most lively portion of the city.

Asks to Be Reimbursed.

GRAND ISLAND, Feb. 25.—At the meeting of the city council a resolution was passed instructing the city attorney to draw up an act for presentation to Hall county's representatives in the legislature asking for reimbursement by the state of \$4,000 money it has spent in stamping out the disease of smallpox, now practically extinct in the city.

Found Guilty of Arson.

BEATRICE, Neb., Feb. 25.—The jury in the case of the state vs. John Lutz, charged with arson, reached a verdict after being out for some hours. They found the young man guilty. The crime of which Lutz was convicted, was committed last May at Cortland, when a barn, containing, among other things, a stallion which was heavily insured, was burned.

Convicted of Liquor Selling.

DAKOTA CITY, Feb. 25.—James C. Riddle, who was on trial for the second time at this term of district court charged with the illegal sale of liquors, was found guilty by the jury, after being out about two hours. Another case against Riddle, on a similar charge, was at once taken up by the court.

Beaver City Out of Quarantine.

BEAVER CITY, Feb. 25.—Mayor Phelps raised the smallpox quarantine. The churches and lodges will resume business at the old stand at once, while the city schools will reopen this week.

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