

NEBRASKA SENATE

PROCEEDINGS OF UPPER LEGISLATIVE BRANCH

A Concise Summary of the Doings of a Week—A Mass of Bills, Resolutions, Etc., Acted Upon.

Thursday, January 26. The senate received a petition from the Lincoln Good Templars protesting against senate file No. 26, by Talbot, an act requiring written notice to saloonkeepers not to sell to drunkards...

Friday, January 27. The senate yesterday morning received a shock in the nature of a communication from the father of Colonel John M. Stotsenburg, asking the senate for a copy of the specific charges filed against his son.

Senate passed file 29, by Steele, a bill to add a repealing clause to the herd law, and 8, by Farrell, to require school boards to provide suitable water closets in connection with all public school buildings.

Prout of Gage presented a resolution calling for eighty Keystone files at \$1.50 each. Farrell of Merrick scolded the senate for not knowing what it wanted in the way of files; that one day it would ask for Keystone files, and next day withdraw the request.

A motion to adjourn to 11 a. m. was defeated. Senate file 48, requesting congress to adopt an amendment to prohibit state from disfranchising persons on account of sex was indefinitely postponed.

In committee of the whole senate file No. 59, by Talbot, relating to incorporation of boards of trustees for endowment funds for and educational, religious or charitable organization, being a bill to re-enact the present law with a repealing clause, was recommended for passage.

Saturday, January 28. The senate received a petition yesterday morning from Secretary Furman of the state board of agriculture in favor of retaining the present law authorizing county aid for county boards of agriculture.

While the senate was waiting to participate in the joint convention several lively motions were presented. Spohn of Nuckolls, fusionist, moved that the secretaries of the board of transportation be requested to report to the senate what, if any, reduction can be made in conformity with the decision of the United States supreme court in the maximum rate cases...

Prout of Gage contended that the question was too important to consider hastily. He moved to table the motion for future consideration. The motion to table was adopted by a vote of 15 to 12.

Quite a debate ensued on the question of adjournment over to Monday, many of the senators feeling disposed to stay and take a vote on the United States senator today. This was in the morning. In the afternoon the question came up again, and after another long debate, the motion to adjourn to Monday at 11:30 carried.

A bill introduced to repeal the law authorizing the organization of county agricultural societies which had been amended by the committee to allow county commissioners to use their discretion as to whether they shall pay county aid to the county agricultural societies came up in committee of the whole. As the matter is to be optional with the county commissioners it is believed that there will be fewer agricultural societies organized for the sole purpose of getting county aid.

Monday, January 30. The senate was not in session last Saturday.

Tuesday, January 31. The senate spent yesterday forenoon in the consideration of bills on first and second reading.

The afternoon session was devoted chiefly to consideration of bills in committee of the whole. Nine bills were passed over because printed amendments were not at hand. Senate file 41 occupied the attention of the committee until time to adjourn.

Wednesday, February 1. In the senate yesterday, Senate file 33, by Talbot, a bill to cure defects in the present law relating to admission of attorneys to the bar was read third time and passed.

for letting the job of defending indigent persons to the attorney putting in the lowest bid. Van Dusen said reputable attorneys would not bid for business and the result of bidding would be that reputable lawyers would get this business and might put the county to greater expense in the end.

On motion of Noyes of Douglas the vote whereby senate file No. 41, the free high school bill, was recommended for passage was reconsidered and the bill was recommitted to the committee of the whole. Mr. Noyes said he made the motion because some senators thought the bill could be made more perfect.

Under the order of bills on first reading a large number of house bills were read, the university tax bill being among them. A courteous request was made of the house to furnish senators with copies of all printed house rolls.

Free High Schools. Senate file No. 41, by Currie of Custer, to provide free attendance at public high schools of non-resident pupils, was considered in the senate Monday in committee of the whole.

Currie of Custer explained that the first act was declared unconstitutional because it exempted from taxation all school districts that maintained high schools. He had never heard anyone oppose the idea in the bill except the senator from Merrick.

Fowler of Fillmore said the bill was eminently a poor man's bill. If there was any bill in the legislature in the interest of the poor, this was surely such a one.

Many of the senators favored the bill. They had been unable to secure such advantages themselves, but were willing that their children and their friend's children should have every advantage possible.

Noyes of Douglas emphasized the point that this bill completes the Nebraska educational laws, joining the free common schools to the free university, making the system systematic.

An effort was made to cut down the tuition allowed a high school for non-resident pupils from 75 cents to 50 cents per week. It was unsuccessful. The bill was recommended for passage.

The Letter That Went Wrong. The incident for the demand of an inquiry into the alleged misconduct of the house employees in the house postoffice in the matter of a letter that went wrong, served to add an additional zest to the curiosity of the watchers of the proceedings.

The story, as told by the friends of those interested, in brief, is that a letter addressed to a woman by her Christian name and signed by a man with his Christian name alone, was found in the postoffice by the house postmaster. The letter was properly enveloped and had 2 cents' worth of postage stamps on it.

When the house convened yesterday a communication from the state board of agriculture including resolutions passed at the last meeting, was read, giving reasons why the bill repealing the law providing for county aid for county agricultural societies should not be passed.

Residents of northwest Nebraska requested an appropriation to pay the bounties on wolves, which were destructive to the cattle interests. A petition against senate file 26, was read and referred to the committee on miscellaneous subjects.

Cawthra of Gosper offered a resolution asking for an investigation of the house postoffice department. In explanation he said a member's domestic peace had been disturbed by reason of grave irregularities.

Wyman of Buffalo moved the adoption of a resolution that it be the sense of the house that United States senators should be elected by the people. Roll call was demanded and it was adopted 88 to 1.

Whereas, Our chaplain has just learned that his son, Harry Seabrook, a member of company H, Nebraska volunteer infantry, is seriously sick at Manila, P. I., and Whereas, Chaplain Seabrook has asked the secretary of war to grant an immediate discharge for his son, therefore...

Resolved, That the house of representatives of the state of Nebraska hereby request that said discharge be granted. The following bills were passed: House roll No. 18, making it a misdemeanor to plow up the public highways, was passed.

House roll No. 37 was passed. It relates to the criminal code on obtaining money under false pretenses. House roll No. 44, relative to the criminal code on bigamy, providing certain instances where the crime lapses and extending the crime in other cases, was passed by a vote of 55 to 35.

Haller of Washington moved that when the house adjourn it be till Monday at 11 o'clock. This carried. The house then went into committee of the whole with Weaver of Richardson in the chair. After considering a few bills the house adjourned.

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NEBRASKA HOUSE

PROCEEDINGS OF LOWER LEGISLATIVE BRANCH

A Condensed Resume of the Work Accomplished During the Past Week—Action on Bills Etc.

Thursday, January 26. After the house was called to order yesterday morning by Speaker Clark the first order of business reached was reports of standing committees.

House roll No. 40, providing that a defendant may have some notice when his property is appraised, for indefinite postponement. A minority report was submitted by Easterling, Weaver and Fisher recommending that the bill be passed. The discussion was quite extended. The minority report was adopted. Later it was considered in committee of the whole and after some debate it was postponed for a time.

House roll No. 36, by Grosvenor, taxing legacies and inheritances was reported for passage by the committee on revenue and taxation. The same committee reported to indefinitely postpone Mr. Evans' bill taxing collateral inheritances. House roll No. 36 provides for taxing legal inheritances besides collateral inheritances.

As soon as the house convened in the afternoon, a message from the governor was heard, to the effect that he had approved the bills providing for the salaries of members and employees and expenses of the session. The announcement was received with applause.

Friday, January 27. In the house yesterday, Fisher of Dawes county, introduced the following resolution: Resolved, That polygamy is an institution that has received the deserved condemnation of all civilized nations, and this house hereby enters its protest against the seating of a polygamist in congress or of any other office of honor or trust in the United States.

The resolution was unanimously adopted. Representative Israel, on motion of Burns, was allowed full pay. The committee on school legislation selected by the state teachers' association, sent in a communication calling attention to the special bills that educators would like to see passed.

On reconvening in the afternoon the house went into committee of the whole and considered a number of bills on general file. Several were recommended for passage; one or two were recommitted. H. R. 44, by Thompson of Merrick, relative to the section of the criminal code on bigamy, was considered. It is a copy of the Iowa law, and makes bigamy a continuous offense, removing the statute of limitation that at present applies.

Mr. Pollard offered a resolution calling for a committee of five to ascertain why the board had not done its duty. Prince of Hall submitted a substitute that the board be requested to furnish to the house its opinion as to whether or not it was advisable to petition the supreme court of the United States for a modification of its decree.

Thompson of Clay offered an amendment to the substitute, calling for a comparison between the work of the present board and that of previous boards. The amendment was lost and the substitute carried.

The house then went into committee of the whole, and upon arising its report was adopted and the house adjourned.

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Tuesday, January 31. At the opening of the house yesterday, Thompson of Clay presented a petition from Edgar citizens asking for passage of a law providing for publication of school books by state.

The committee on privileges and elections recommended House roll 61, amending law providing for appointment of judges and clerks of election, for passage.

On motion of Hebbert of Gage bills were ordered printed in the order in which they were introduced.

After convening in the afternoon the following bills were passed: H. R. 22, by Lane, to amend law relative to guardians and wards by providing an appealing clause.

H. R. 31, amending section 602 of code of civil procedure fixing reasons for which district judge may modify its own judgments.

H. R. 84, by Hatborn of Red Willow, providing for the transfer of about \$40,000 from funds no longer drawn from to the general fund.

H. R. 41, by Thompson of Merrick, providing for recording of all assignments of mortgages and trust deeds, etc., with county recorders.

H. R. 77, a curative measure amending road law.

The house then went into committee of the whole and considered H. R. 171, the University bill. The work of the committee appears elsewhere.

Wednesday, February 1. The house listened to reports and recommendations of standing committees yesterday morning. A number of bills were placed on general file and recommended for passage.

McKinley of Otoe offered a resolution authorizing the state board to forthwith make application to the supreme court for a modification of the decree heretofore rendered by it in the maximum rate case, should they deem it necessary.

Burns thought the resolution was an attempt to breathe life into a corpse. Dettweiler of Douglas agreed with Burns that it was the duty of the board to go ahead. Fisher of Dawes was satisfied with the conduct of the board. It had secured reasonable live stock rates for his people. Others spoke for and against the resolution.

The motion to refer to the committee on railroads lost. The vote to refer to a special committee of three for investigation was lost by a vote of 43 to 47.

The vote on the resolution lost by a vote of 45 to 49. In explaining votes on the resolution Mr. Loomis said: "I believe the board of transportation is a sinecure and a useless expenditure of money, therefore I vote no."

Mr. Prince said: "I think this resolution is simply an expression of the will and opinion of this house and as I believe a reduction of freight rates on grain and live stock, if it can justly be done at this time, is desirable and that there should be no unjust discrimination in freight rates against any section of the state against another, I vote aye."

Mr. Sturgess said: "Believing in a practical test of the question whether prosperity is sweeping over the country, I vote aye."

Mr. Thompson of Merrick said: "Believing this is a covert effort to give some lawyer a fat job, at the expense of the state, I vote no."

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LAWMAKERS' LABORS

ITEMS OF MORE THAN ORDINARY INTEREST.

Occurrences in the Senate and House Important Enough to Enlarge Upon—Work in Committee of Whole

Aid for State University. House roll No. 171, by Speaker Clark, is a bill providing for a mill levy for the benefit of the state university. It was taken up in committee of the whole Monday, discussed and recommended for passage with only one or two dissenting voices.

The measure is intended to put the university on a footing where it may have support sufficient for its needs with its increased attendance and so that its officials need not be put to the necessity of applying to the legislature for appropriations for special purposes every time the members convene.

The proceeds of a one mill levy, which will amount to about \$167,000 this year, are placed in the control of the board of regents to be used for the good of the institution. This sum is believed to be sufficient to care for the university; though at present it will raise but little more than the institution received at the last session.

The necessity of the state treasurer handling a great variety of university funds is done away with and the whole financial system of the university is raised to a level equal with the plans upon which the institution has been for a number of years.

In order to assure the appropriations necessary for the institution the bill has been introduced early in the session, for, had the members seen fit to view it unfavorably, it would have been necessary to have introduced a number of other measures calling for appropriations for special purposes.

It is expected that the bill will have the hearty support of the senators and the many friends of the bill predict that it will have smooth sailing henceforth.

During its consideration Speaker Clark explained the needs of the university, and how the bill provided for them.

Easterling of Buffalo made an eloquent plea for the bill. One or two opposed the bill on the grounds that they believed the institution was not economically managed.

Pollard and Weaver, graduates of the university, spoke in favor of the bill, saying the university was asking only for a reasonable sum. Taylor of Custer and Cunningham wanted it indefinitely postponed, but the motion was not agreed to.

The bill came up for passage Wednesday and went through by the following vote:

Table with columns for names and votes for 'AYE' and 'NAY'. Includes names like Anderson, Linn, Hall, Armstrong, Halter, Currier, Hart, Hastings, Bland, Blaine, Blake, Bricker, Burdick, Burns, Chambers, Cogrove, Childs, Coleman, Dettweiler, Dittmar, Doby, Eastman, Eastling, Evans, Fisher, Flynn, Fretz, Grafton, Grandstaff, Grosvenor, Grell, Sandall, Schable, Scott, Shore, Slecker, Smith, Butler, Smith, Rich, Smith, Saline, Smithberger, Sturgess, Taylor, Phil, Thompson, Turner, The Union of, Merrick, Tucker, Walling, Weaver, Wheeler, Wills, Woodard, Wyman, Young, Zellers, Mr. Speaker.

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Absent and Not Voting—6. Rouse, Wenzel. Electing a Senator. Following is the result of the ballot, so far taken in the legislature on United States Senator. The first column represents the separate ballot, the others the joint ballots:

Table showing ballot results for electing a senator. Columns include names and vote counts.

The state fair shall be held annually at or near the city of Lincoln, in Lancaster county, under the direction and supervision of the state board of agriculture, and the state board of public lands and buildings is hereby authorized, empowered and directed to select the site of the same within a radius of three miles of the present state capitol building and to purchase a suitable tract of land for such a site.

A Voting Machine. The continual discussion of the ballot law and of contests has led makers of a voting machine to send one to Lincoln where it will be in operation soon. It is at present in the cloak room of the house.

Patriarch of the Senate. Ten United States senators have passed the three-score-and-ten mark, and Senator Pettus of Alabama, who is 78, is the patriarch of that body, now that Senator Morrill is dead.

Storm Effects on Lakes. The tidelike effects of gales on lakes having no ordinary tides is very considerable. In the Caspian a gale will raise the water on either side six feet, causing a total difference of level of twelve feet, and in Lake Erie heavy gales occasionally cause a difference of level of more than fifteen feet.

Egged. Seedy Provincial Actor—Young man, I hear that you propose to essay the role of the Melancholy Dane. What induced you to do it? Prosperous London Ditto—Oh, I don't know. They egged me on to it. Seedy Provincial Actor—H'm. They egged me off—Punch.

SAID TO BE DYING

SAD ENDING OF DAWES COUNTY ELOPEMENT.

Albert Comstock, Who Eloped With His Stepdaughter, Traced by the Wife and Mother to a Colorado Town—She Grants Forgiveness to the Wrong-Doer.

Albert Comstock, a prominent and well-to-do farmer who has lived for some years in the western part of Dawes county, six miles south of Crawford, and his stepdaughter, May Byers, a handsome young lady, are the principals in an elopement, which came to a sad ending and resulted in the reconciliation of a man with his wife, and the daughter with the mother, whom she had wronged, at Elizabeth, Colo., where Comstock is reported to be dying.

Since the marriage of her mother to Mr. Comstock, Miss Byers has made her home on the ranch of her parents. A decided affection seemed to exist between the father and stepdaughter, but the mother was more than pleased that such state of affairs should exist and gave no thought to the matter until the events of the past few days brought forcibly to her mind the intimate relations which were manifested between her husband and oldest daughter.

Last week Miss Byers left home for Cambria, Wyo., ostensibly for a visit with an older sister who resides there. The day following Mr. Comstock left his ranch, stating that he was going to a near-by town for the purpose of depositing in the bank a considerable sum of money which he had realized from the sale of some cattle.

Instead of doing this, however, Comstock, it is charged, went to a small flag station, telegraphed Miss Byers at Cambria to meet him at Grand Island and took the first train for that place. The next night Miss Byers arrived at the point designated and the father and the stepdaughter met.

When Mr. Comstock did not return from the town to which his wife had supposed he went to deposit the money she became uneasy, and after a few days had elapsed began to investigate the matter, fearing that her husband had been robbed and possibly injured by highwaymen.

She learned from his banker that nothing had been seen of him, and returned to her home nearly distracted with the thought that some ill had befallen her husband. Some rumors of a suspicious character floated to her ears and she became convinced of the perfidy of her husband, learning of the fact that he had left for Grand Island and also that her daughter had told a friend in passing through a neighboring town the night following that she, too, was en route for that place.

Mrs. Comstock then placed the affair in the hands of an attorney, who by telegraphing, traced the runaway pair and located them at Elizabeth, Colo., where they were arrested on the charge of adultery. The same night that instructions were wired for the arrest of the elopers the young woman telegraphed her mother that Mr. Comstock was lying at the point of death and Mrs. Comstock left for Colorado, having determined meantime to forgive the wrong done her by husband and daughter, regardless of whether her faithless husband should recover or not.

A report has been received that Mr. Comstock died suddenly after his wife's arrival, and her forgiveness had been granted, but the truth of this rumor is questioned.

WANTS TO REFORM. Seventeen-Year-Old Urechin Tired of a Wandering and Aimless Life. Tom Smith is a seventeen-year-old boy who has become tired of leading the life of a wanderer and wants to settle down to some steady business.

Tom met Officer Harr of Lincoln and proceeded to unfold the story of his life which had been a sad one. According to his story he ran away from home when only fourteen years old and for three years he has traveled around the country, having been to the Pacific coast and back.

He finally returned to his home near North Bond, Neb., and found that his family had moved away. The only information that he could get as to their whereabouts was that they had gone south. He then came to Lincoln and he now says that he is disgusted with the life he has been leading. He wants to be allowed to go to the state industrial school at Kearney in order to learn a trade.

Donates Rare Volumes. Daniel Gutleben of the senior class has donated to the state university library two rare volumes on railway engineering. They are written by Daniel Kinnear Clark and printed in 1855 at the famous publishing house of Blackie & Son, at Edinburgh.

They are large folio volumes, one devoted to text and the other filled with finely executed plates which are interesting and useful as showing the development of the railway locomotive. The library welcomes such gifts and would be glad to be remembered often in this way by friends of the university.

The State Appeal. The case of the state against the Omaha National bank has been appealed to the supreme court. This is the suit wherein the state sued the Omaha National bank to recover \$201,884.95, the proceeds of a state warrant issued in the name of State Treasurer Bartley to reimburse the general fund for money lost in the Capital National bank of Lincoln.

The case was taken from the jury by Judge Baker of the Douglas county district court and was decided in favor of the bank. The state brings the case to the supreme court on error.