

SENATE REFUSES

DECLINES TO ACCEPT POSTAGE FROM STATE.

SIXTEEN BILLS ARE PASSED

ONE PREVENTS JUDGES FROM SEEKING OTHER OFFICES.

NEW TERMINAL TAX MEASURE

CLARKE OF DOUGLAS REPLIES TO RAILROAD LOBBYISTS.

Senate Rescinds Resolution to Sue the State Journal for Failure to Deliver Printed Bills Within Three Days.

MONDAY

Both houses of the legislature convened yesterday afternoon after the Sunday vacation. The senate went on record against accepting postage from the state and the members of that body will pay the expense of mailing letters and bills to their friends throughout the state. The house had previously fought out the question and had decided to accept postage. The senate first struck out the item of postage in the appropriation bill, thus making it impossible for the house to draw stamps. Later the senate relented and reinstated the item in the appropriation bill.

Randall of Madison yesterday moved that each senator be allowed twenty cents in postage. He said he did this partly on his own account, because he believed it wrong for legislators to pay postage on business that is really state business, and partly because he had been requested to make the motion by other members who were probably afraid to break the ice. He called attention to the fact that the state furnishes postage to all of its employees except members of the legislature.

Gibson of Douglas said it probably might be right for the state to pay postage for members of the legislature, but he did not consider it a question of right. He opposed the motion.

King of Polk opposed paying and specific amount as he believed some might use the amount named and some would not, and those who would not could then take the balance home. He suggested some plan whereby the state would pay the actual amount of postage used by members in their official business.

Randall said he would be willing to accept any such an amendment, as that was his idea of the proper way. He believed the official letters might be deposited with the secretary and stamped by him from stamps bought with funds appropriated by the legislature.

Wilson of Pawnee opposed the motion. He said it was a matter too small to consider.

Byrnes of Platte agreed with the preceding speaker that it was a matter too small to consider, but he believed a principle of right and wrong was involved. He said if it was wrong to accept stationery, ink and pencils from the state.

Randall's motion was defeated by a vote of 11 to 17, the vote being as follows:

Ayes: Ashton, Buck, Burns, Byrnes, Epperson, Hanna, McKesson, O'Connell, Randall, Thomas, Wiltse—11.

Nays: Aldrich, Clarke, Dodson, Gib-Luce, Patrick, Phillips, Root, Saunders, Luce, Patrick Phillips, Root, Saunders, Thomson, Thorne, Wilsey, Wilson—17.

Governors Message.

Governor George L. Sheldon yesterday transmitted to the legislature a special message in which he said he had received \$790.37 from the general government, being Nebraska's charge of the income from the forest reserves within the past year and asking that body to dispose of it in accordance with the federal law which says it shall be expended for the benefit of the public schools and the public roads of the counties in which the forest reservation is situated. The message was received and placed on file. It is as follows:

"You are doubtless aware that within recent years the federal government has given much attention to the conservation of natural forests and also has sought to stimulate tree growth in prairie regions by the establishment of forest reserves. Three of these reserves have been located in Nebraska and are known as the Dismal River, the Niobrara and the North Platte reserves, respectively. My information is that they are situated in the counties

of Blaine, Grant, Cherry, Thomas and McPherson.

"The act making appropriations for the national department of agriculture, approved June 30, 1906, (34 U. S. statutes, 648) contains the following: "That ten per centum of all money received from each forest reserve within any fiscal year, including the year ending June thirtieth, nineteen hundred and six, shall be paid at the end thereof by the secretary of the treasury to the state or territory in which said reserve is situated, to be expended as the state or territorial legislature may prescribe for benefit of the public schools and public roads of the county or counties in which the forest reserve is situated; Provided, That when any forest reserve is in more than one state or territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein; And provided further, That there shall not be paid to any state or territory for any county an amount equal to more than forty per centum of the total income of such county from all other sources."

"In harmony with the provisions quoted I have received from the auditor of the treasury department a warrant for \$790.37, being Nebraska's proportionate share of the income from the forest reserve within the state for the fiscal year 1906, which sum I have paid into the state treasury to the credit of the forest reserve fund. The federal statute referred to makes it plain that this money is to be expended for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated, to be disbursed as the legislature may prescribe. Before these funds can be available for the several counties participating it will be necessary for your honorable body to prescribe the details of expenditure and it is for that purpose that I call your attention to the matter. I understand that the state's revenue from the forest reserve is continuous and will increase with each year."

Railroad Bill Ready.

The sub-committee, which is formulating a bill defining the duties and powers of the railway commission, has practically agreed on the form of the proposed bill and will be ready to report to the joint committee today or tomorrow.

Senators Epperson of Clay, Aldrich of Butler and Representatives Harrison of Otoe and Walsh of Douglas, comprising the sub-committee, have worked rapidly and harmoniously to formulate a bill. Only one or two disputed points caused delay and these were settled last night at a meeting at the Lindell hotel. The manner of procedure as defined in the bill was one of the most important points in dispute. The sub-committee at one of its first meetings agreed that a rate ordered enforced by the commission should remain in force and not be superseded except by order of a court of competent jurisdiction.

As to the details of the bill the sub-committee will say little until its report is placed before the joint committee.

It is understood that many of the features of the bill introduced by Aldrich of Butler have been adopted. Some changes in the two proposed plans of procedure are said to have been agreed upon. Senator Epperson, who had ideas on this point, settled their differences last night. One of the proposed plans was for the commission to hold a formal hearing before changing any rate complained of. The other was to have the board get information and announce a rate and then give the railroad a reasonable time to show cause why the proposed rate should not be enforced.

To prevent the railroads from setting aside rates by injunction suits is one of the objects of the men who are drafting the bill. It is understood that the bill will provide that an appeal or application to a court by a railroad company shall be accompanied by the testimony taken before the board, so that the court can act intelligently and not grant an injunction unless the evidence shows the proposed rate to be unreasonable.

The sub-committee has agreed on a section that will give the commission power to punish any person who may have been called as witnesses to bring papers or records and who fail to obey the orders of the board.

The sub-committee to draft a bill on free transportation met at the Lindell hotel last night and discussed the measure, but arrived at no conclusion with respect to the provisions to be included in it.

The house committee on public lands and buildings, with Architect George Berlinghoff, inspected the east wing of the capitol yesterday to see for themselves the extent of the settling which the architect reported was endangering the building. They visited the basement and carefully inspected the premises. They asked Land Commissioner Eaton to secure figures from an Omaha architect as to the cost of repairs necessary to make the structure safe. The amount of Mr.

Berlinghoff's estimate is \$20,000. The committee was made aware of the plans for the erection of an addition to house the state library while the work is being done. No definite recognition of this matter has been taken, however.

WANT SLICE OF THE PORK

Illinois Has Grievance Against Congressman Burton.

SPRINGFIELD, Ill., Jan. 28.—Judge Lindley will tomorrow present in the house a joint resolution severely criticizing Congressman Burton of Ohio for his action in recommending no appropriation for beginning the work of a deep waterway between the lake and the gulf in the rivers and harbors bill and stating that the distribution of money in the bill is "unfair to the people of the Mississippi valley." The resolutions also ask congress to increase the appropriation for the Missouri and Mississippi rivers and also appropriate for beginning the work on the deep waterways.

The resolutions, which are similar to those presented before the Missouri legislature demands that the Illinois congressman introduce, work and vote for the following:

An amendment to the rivers and harbors bill increasing the appropriation for the Missouri river from \$300,000 to \$1,000,000 a year, so than permanent bank protection plans, as well as snagging operations may be carried on, and the Missouri river may be effectually put back on the map.

An amendment increasing the appropriation for the Mississippi river between St. Louis and Cairo to \$1,000,000 a year.

DOESN'T LOOK FOR TROUBLE

One Nebraska Sheriff's Way Is Irritating to Prisoners.

Nebraska has one sheriff who goes after a prisoner and brings him home, wherever he finds him, regardless of state lines and extradition laws. That officer is Sheriff Sammons of Buffalo county, a young fellow, ambitious, eager to make a record as an officer, who does things. In two recent instances he has forgotten where state lines were located long enough to bring prisoners into Nebraska without the formality usually attendant in such cases.

Not long ago a prisoner escaped from his jail. He traced him to Omaha and there lost the trail. That's an easy thing to do in Omaha, officers say, but the search was not abandoned because the trail was lost. A reward was posted with the police of that city for the capture of the escaped prisoner and Sammons continued the search. He found his man in Council Bluffs, and there was little formality about what followed. The fellow was placed under arrest, hurried onto an Omaha car and taken across the river before the great state of Iowa found out that it had been invaded, and one of its temporary inhabitants spirited away. Once on the Nebraska side with a prisoner escaped from his own jail Sheriff Sammons did not worry about Iowa lawyers and the prisoners' resistance.

A few days later he repeated this performance, hurrying a prisoner across the Nebraska line from Julesburg, Col., where he had gone to get him. This man was not an escaped prisoner, but Sammons wanted him on a serious charge, and he feared the delays and troubles that extradition formalities might bring upon him. It was two short miles across the country to the Nebraska line, so he took his man by force across the border and brought him home. These may not be just what an officer of the law should do, but Sammons believes in saving trouble by avoiding it.

In the arrest in Council Bluffs it is claimed he earned the ill will of some Omaha policemen, who had hoped to earn the reward, but Sammons beat them to his man and had him well on the way to Kearney before many of them knew the fellow had been captured.

Sammons is a Buffalo county product, having grown to manhood in that county, and being the second of a family of brothers to fill the office of sheriff. He saw service during the Spanish-American war, and is a young man, not far from thirty years of age.

THINKS AN APOLOGY IS DUE

Judge Green Would Welcome One From Speaker Cannon.

COUNCIL BLUFFS, Ia., Jan. 28.—Judge W. R. Green of the district bench, who is said to have been recently referred to by Speaker Cannon as a "rowdy" and "prowler," because of statements attributed to him in a lecture in Sidney, Ia., denied today that he made the statements regarding Cannon which were attributed to him. He characterizes the newspaper accounts as a "yarn" and says that in justice to himself and Speaker Cannon it should be corrected. He intimates that an apology is coming from Cannon.

DOES NOT SPARE IT

STANDARD OIL COMPANY PICTURED IN DARK COLORS

RULE OR RUIN ITS POLICY

COMMERCE COMMISSION SENDS A REPORT TO CONGRESS.

Explains Methods by Which the Trust Has Built Up and Perpetuated Its Monopoly—Killed Off Competitors.

WASHINGTON, Jan. 31.—The interstate commerce commission sent to congress a report of the investigations made by it under the Tillman-Gillespie resolution concerning the relations of common carriers by rail to the production and distribution of oil. The report covers the distribution of petroleum and its products east of the Mississippi river, and, incidentally, the Kansas and Texas fields. The report points out generally the methods by which the Standard Oil company "has built up and perpetuated its monopoly." It is asserted that "the ruin of its competitors has been a distinct part of the policy of the Standard Oil company in the past, systematically and persistently pursued."

"No instance," the report says, "is found where any railway company has been interested in oil lands or in petroleum production, and only one instance is shown where officials of a railway company were interested in the production and sale of oil. This relates to certain officials of the Baltimore & Ohio Southwestern railroad having owned stock of the Argand Refining company, which was, on their recommendation, afterwards sold to the Standard Oil company, and the lubricating contract, which the road transferred to the Galena Oil company, a Standard company.

Margin of Profit Large.

"The Standard Oil company largely monopolizes the handling of petroleum from the mouth of the well until it is sold to the retailer, and sometimes to the consumer, and under ordinary circumstances its margin of profit is very large. Estimates made in the report show a profit on refined oil from the Sugar Creek refinery at Kansas City of from 5 to 8 cents per gallon. A much higher profit is indicated for gasoline. The sale of refined oil from the large Standard refinery at Whiting, is correspondingly profitable.

"The evidence shows little basis for the contention that the enormous dividends of the Standard Oil company are the legitimate result of its economies. Except for its pipe lines, the Standard has but little legitimate advantage over the independent refiner.

"The Standard buys advertising space in many newspapers which it fills, not with advertisements, but with reading matter prepared by agents kept for that purpose and paid for at advertising rates, as ordinary news. The assumption is that this literature furnishes many of the ideas touching the great benefits conferred upon the public by the Standard Oil company.

"Possession of the pipe lines enables the Standard absolutely to control the price of crude petroleum and the price which its competitors in a given locality shall pay. It can raise the price in one locality and obtain its oil from another and reserve the process when it desires to do so. Whoever controls the avenues of transportation of the raw material or of the refined product can speedily drive his competitors out of existence, and the production and distribution of petroleum is no exception to the rule."

An Artificial Advantage.

The pipe line system of the Standard, the report contends, is not a natural, but rather an artificial advantage. It is argued that the reason why long pipe lines competing with those of the Standard have not been provided, is found in obstacles in the way of such undertakings, having been opposed by the railroads, whose right-of-way has generally stood as a Chinese wall against all attempts to extend pipe lines. Ordinarily, it is said, the Standard has not received rebates in recent years, so far as has been discovered, but it has nevertheless enjoyed secret rates possessing all of the elements of illegal rates, and the advantages so obtained over independent shippers have been of very great value to that company. Numerous instances of discrimination in favor of the Standard resulting from the published railway rates were found, says the report. In this connection the following is an instance given:

"A low rate of 10 cents per 100 pounds upon petroleum and its products existed for many years from Neodesha, Kas., where the Standard operated a refinery, to Kansas City. This was for the interest of the Standard;