

The Week in The Legislature.

Senate.

In the senate on the 18th Senator Schaal's joint resolution for a constitutional amendment to increase the number of supreme court judges to five, was read for the second time and referred to the committee on constitutional amendments and federal relations, of which Senator Crow is chairman.

House roll No. 330, providing for two additional schools, was read the second time and referred to the committee on university and normal schools.

Senate file No. 227 was read for the third time and put upon its passage. It provides for the relief of Russell F. Loomis. The bill was passed.

Senate file No. 257 was placed on its passage. It authorizes county boards of adjoining counties to enter into joint contracts for the building and maintenance of bridges. The bill was passed.

Senate file No. 199, to amend section 418 of the civil code, relating to evidence as to legislative proceedings, was passed.

Senate file No. 64, providing that warrants drawn by county boards in excess of 85 per cent of the levy, where there are no funds in the treasury for the payment of the same, may be cancelled by civil action from members of the board, received sufficient votes for passage, but as Senator Miller, the author of the bill, voted against it, there was, in the language of the chair, a stampede from yea to nay, by senators changing their votes. A second roll call was ordered which resulted in the defeat of the bill. A number of senators now changed their votes from nay to yea before the announcement of the result, whereupon it was true that when the lieutenant governor came to announce the result, the vote stood 16 yeas to 15 nays. A constitutional majority having failed to vote in the affirmative, the bill was defeated.

Senate file No. 204 was recommended for indefinite postponement. It requires corporations to pay an annual license tax on their capital stock at the rate of \$1 per \$50,000.

Senate file No. 187 was read for the third time and put upon its passage. This is Senator Van Dusen's bill to exempt from garnishee or attachment the monthly earnings of heads of families up to \$50. The bill was passed with the emergency clause.

House roll No. 331, Representative McCarthy's bill to prohibit stock commission trusts and combines, to regulate commission charges, was read the second time and referred to the committee on live stock and grazing, of which Senator Reynolds, Currie, Allen, Noyes and Miller are the members. The bill is identical with a senate file introduced by Senator Currie, which was referred to the committee on agriculture, of which Senator McCargar is chairman, early in the session, and which was never reported back to the senate.

Adjourned until Monday.

In the senate on the 20th senate file No. 216, relating to original jurisdiction of probate court in the probate of wills, and providing when probate judges shall be disqualified from acting, was recommended for passage.

House roll No. 252, to amend the law relative to the issuance of bonds by precincts, townships, villages and cities of the second class in the aid of internal improvements for streets or highways, railways, bridges, court houses, jails and drainage of swamps and wet lands, was the subject of considerable discussion. Finally it was reported for passage.

House roll No. 77, to amend the law relating to notice to land owners of the opening of roads, was recommended for indefinite postponement.

Senate file No. 275, to prohibit street railways companies furnishing free transportation to city officials, was recommended for passage.

Senate file No. 131, to provide for the registration of women who desire to vote at school elections and making other amendments of the school laws, was amended by Senator Prout to strike out the provision requiring women to register. On this amendment Senators Prout and Van Dusen engaged in a running debate.

Senator Prout's amendment was lost, and the bill was recommended for passage.

Senate file No. 209, relating to public roads and the width thereof, was recommended for passage.

Senate file No. 279, to provide for disconnecting property in cities and villages was next on general file. It provides that lands in the form of additions to cities and villages may, under certain conditions, be disconnected therefrom.

Senator Van Dusen opposed the bill and moved its indefinite postponement. He claimed that under "boom times" land owners had platted out their lands into additions, sold lots therefrom at fabulous prices, and now, finding the boom collapsed, they desired to be relieved from city taxes by being allowed to withdraw from the city. The bill was recommended for passage.

House roll No. 88, relating to the compensation of receivers, introduced by Senator Weaver of Richardson, was opposed by Senator Prout and defended by Senator Spohn in a strong and logical speech. The bill was recommended for passage by a vote of 14 to 3.

Senate file No. 25, Senator Talbot's uniform text book bill, was considered. In general, it provides for a state school text book commission, which is to designate the books to be used in all schools in Nebraska, at not to exceed a fixed price provided for in the bill. Should no firm be willing to sell books at the price named, the commission is empowered to give the contract for the manufacture of such books to any publishing house the publishers to be paid out of the proceeds of the sales of the books.

Before the reading of the bill by the clerk had been completed Senator Locke moved that the further reading of the bill be dispensed with and it be indefinitely postponed, which motion prevailed by a unanimous vote.

The first order of business on the 21st in the senate that met with a response was the passage of bills upon third reading. H. R. 88 and 252 were passed.

H. R. 88 regulates the compensation of members of state banks and H. R. 252 amends the present law relating to internal improvements in cities of the second class and in villages.

In the afternoon the clerk of the house announced the passage of the following bills by that body: H. R. 390, 353, 214, 444, 560, 418 and 297. They were given their first reading at once.

Standing committees reported a substitute for S. F. 34 to pass; S. F. 310 and 245 for indefinite postponement. S. F. 245 is the bill introduced by Currie of Custer to prevent combinations, trusts and monopolies in buying and selling live stock, produce and articles of trade at public and quasi-public markets, and to provide remedies for persons injured thereby, and penalties for violations of this act.

The McCarthy bill passed in the house is exactly the same, hence Senator Currie was willing to have his bill sidetracked.

H. R. 187 was passed with the emergency clause. S. F. 131, 35 and 275 were also passed.

S. F. 131 amends the school law by providing for registration of women voters in cities where general registration is required; to provide an attorney for school boards at a salary not to exceed \$300; and changing the time members take their office from the first Monday in July to the first Monday in May.

In committee of the whole H. R. 187 was recommended to pass and S. F. 175, 176 and 159 indefinitely postponed.

H. R. 187 provides that all fire insurance policies, written and covering in whole or in part upon property within the state of Nebraska shall be written, countersigned and issued only by a duly authorized officer or agent of such company, corporation, association, partnership or person, resident of the state of Nebraska, and providing penalties for the non-compliance of the provisions of this act.

Progress was reported upon S. F. 302 with leave to sit again. It fixes the salaries of the deputy state officers, being a bill to amend section 5, of article II, section 6, of article II, section 14, of article III, section 7, of article IV, section 1, of article V, and section 1, of article VI, of chapter XXXIII, compiled statutes of 1897, entitled, "State and State Officers," and to repeal said original sections.

In the senate on the 22d H. R. 93 was given its third reading and passed. It amends section 601a of the civil code.

In committee of the whole H. R. 157 and S. F. 112 were recommended to pass.

The afternoon was spent in considering the revenue bill, several sections being struck out. The committee arose with the understanding that it sit again from 7:30 o'clock until 9 o'clock to finish the consideration of the bill.

The committee on rules reported the following new rule:

"That the sifting committee shall have in charge all bills on general file and that all bills reported by said committee shall take precedence in reference to bills now before the senate except appropriation and claims bills, which shall be subject to special order at any time."

A motion by Van Dusen that the report lie on the table was lost and the motion to adopt the report prevailed by a vote of 17 to 11.

Standing committees reported the following bills: Substitute for S. F. 319 to pass, substitute for S. F. 315 to pass, H. R. 571 and 270 to pass, H. R. 20 and 177, S. F. 267 and 321 to be indefinitely postponed, and H. R. 41, S. F. 323, 349 and 344 to general file without recommendation.

H. R. 29 is a bill to provide for the payment of interest and principal on real estate mortgages.

H. R. 177 seeks to amend section 370 of the code of civil procedure and to repeal said original section.

S. F. 267 was to amend section 538, chapter V, compiled statutes of Nebraska, 1897, and to repeal said section as now existing.

S. F. 321 is a bill to define and punish certain misdemeanors in trade and commerce, and to make it a crime for anyone to purchase goods, wares or merchandise on credit and sell, hypothecate or dispose of the same out of the usual course of business with intent to cheat or to defraud the vendor or seller, and to fix the punishment of said offenses.

The senate took a recess until 7:30 o'clock, S. F. 210 being made a special order at 7:30.

At the evening after recess the senate went into committee of the whole, with Senator Prout of Gage in the chair, to consider the special order, S. F. 99, by Senator Fowler of Fillmore, an act relating to the issuance of teachers' certificates by county superintendents, was recommended to pass.

The senate on the 23d postponed H. R. 137, better known as the Pollard revenue bill. The bill did not appear to have a single champion in the senate at this late day in the session, although four members opposed its postponement without some consideration. The vote to postpone was 19 to 1. Senators Van Dusen, Owens, Halderman and Fowler composing the latter.

The following bills were passed: S. F. 215, relating to the duties of probate courts; S. F. 112, relating to the organization of school district boards; S. F. 279, providing for the disconnection of plats from cities and towns, and S. F. 209, amending the road law as to width of roads.

Senate file No. 290, instructing the state board of transportation to take steps looking to a reduction of local freight rates in Nebraska, for indefinite postponement. Senator Spohn moved that the report be not accepted, which motion was lost by a strict party vote, and the bill was indefinitely postponed.

The committee on insurance recommended the indefinite postponement of senate file No. 74, and the passage of

house roll No. 191, with amendments. The report was adopted.

House roll No. 191 is the Weaver insurance bill, while senate file No. 74 is Senator Talbot's bill, identical with house roll No. 191.

Senator Prout moved that the senate reconsider its action in indefinitely postponing senate file No. 176, which authorizes the auditor to license not to exceed 100 fire insurance brokers.

Senator Prout explained that he made this motion at the request of several senators who were absent at the time the bill was indefinitely postponed, and who were very much interested in it. He voted to kill the bill because he believed it a bad one, and he was frank to say he had not yet changed his opinion.

Senator Prout's motion prevailed and the bill was recommended for passage.

At the afternoon session the sifting committee reported, placing the following bills at the head of the general file, in the order named:

Senate files Nos. 210, 243, 211, 212, 172; house rolls Nos. 276 and 264.

The senate then went into committee of the whole, Senator Prout in the chair, on senate file No. 210, the Van Dusen revenue measure.

Senator Van Dusen moved that the bill be recommended for passage. Senator Reynolds moved to amend by recommending the bill for indefinite postponement. By a rising vote the substitute prevailed by a vote of 21 to 4. The bill was accordingly recommended for indefinite postponement.

When the senate met on the 24th standing committee reports were numerous, as follows: H. R. 297, to pass; S. F. 266 and 291, to pass; A. R. 1, to pass with amendments; S. F. 323, 331, 247 and 288, no recommendation.

Roche of Lancaster offered the following resolution:

"Whereas, during the early portion of this session resolutions were adopted by the senate which reflected on Colonel John M. Stoenberg of the First Nebraska regiment at Manila, and requesting his recall from command thereof; and

"Whereas, such resolutions were adopted without any hearing on the part or in behalf of said Colonel, and in the light of recent information as to his conduct in battle and command of the regiment, those resolutions seem to do the colonel an injustice; therefore,

"Resolved, That the resolutions above referred to be rescinded and wholly expunged from the records of this body.

The resolution failed to carry and was laid over one day.

The following bills were passed: S. F. 91, by Noyes, making the Friday nearest the middle of May "Bird day"; S. F. 290, by Talbot, concerning resolution relating to money on the state educational fund from the sale of the Pawnee reservation by the government; S. F. 99, relating to the issuance of teachers' certificates by county superintendents, and S. F. 213, by Newell, fixing printers' fees.

S. F. 38 was recommended to correct errors in engrossment.

The sifting committee reported the list of bills for advancement, following S. F. 264, as follows: H. R. 240, S. F. 394, 290, 391, S. F. 231, 184, 319, 338, 392, 176, 238, 249.

The senate did not concur in the report on S. F. 288, and it was indefinitely postponed.

H. R. 501, the general appropriation bill, was given its first reading. In the afternoon a blot of Lancaster moved that the printers of the blue book be instructed to furnish 250 copies to the secretary of the senate. He said his motion was in accordance with a resolution passed early in the session. The motion prevailed by a light vote.

The committee of the whole S. F. 211 and 212, relating to roads, were recommended to pass.

House.

In the house on the 17th when the journal was read Rouse of Hall called attention to the fact that the sifting committee which was selected was elected by a vote of only fifty members.

Discussion followed, at the end of which the journal of the previous day was adopted and the sifting committee was made secure in its position.

Standing committees reported to the general file H. R. 141, 602, 563, 595, 554, 560, 181 and H. R. 154, 148 and 61.

The bills indefinitely postponed were H. R. 454 534, 573, 59, 576, 2, 263 and 224. The last numbered bill had already been made a special order, and there was a motion to reject the report and put the bill on file. The motion was defeated by a vote of 24 to 35.

After recess bills were taken up for passage. H. R. 251, by Taylor of Custer, an act to amend section 3 of chapter 28 of the compiled statutes of 1897, entitled "Fees," was passed by a vote of 82 to 9.

The house then went into the committee of the whole, with Detweiler of Douglas in the chair. To consider the special order of the day, S. F. 20, by sifting committee, an act empowering the corporation authorities of cities of the second class, villages and counties to take up and pay off valid outstanding bonds issued pursuant to vote of electors, was recommended for passage.

H. R. 30, by Burns, to abolish the state board of transportation, secretarieships and all, was taken up. Prince of Hall offered an amendment which was practically a re-enactment of H. R. 59. The amendment was adopted. Wheeler of Burns then moved to recommend the bill. Lost, and the bill recommended for passage.

H. R. 590, by Lemar of Saunders, requiring the secretaries of the board of transportation to file complaints against railroad companies where violations of the law came to their notice, was recommended for passage.

H. R. 309, by Flynn of Douglas, an act providing that eight hours shall constitute a day's work except when otherwise stipulated in the contract, and prohibiting longer hours on state work except in cases of great emergency, was indefinitely postponed.

H. R. 214, by Olmstead, relating to the manner of assessing special taxes or assessments arising out of improvements to property in cities of the metropolitan class, was recommended for passage.

H. R. 297, by Pollard, appropriating \$2,500 for the use and support of the state horticultural society, was recommended for passage.

H. R. 418, by Grafton, to appropriate

\$5,000 to build a standpipe, furnish fire protection and furnish the library at the Peru normal school, was recommended to pass.

H. R. 239, by Lane of Lancaster, an act to authorize the state auditor to license a limited number of fire insurance brokers and defining their duties and compensation, was recommended for passage.

The house on the 18th held but a half day session.

The sifting committee reported the bills for advancement to the head of general file.

The report was adopted after an amendment by Jansen "that the report be adopted and the committee discharged," was voted down.

The house resolved itself into a committee of the whole for the consideration of bills on general file, with Prince of Hall in the chair. House roll No. 444, the salaries appropriation bill, was taken up.

The items providing for salaries of supreme court commissioners, \$15,000, and their stenographic assistants, \$6,000, were struck out of the bill.

The discussion of the university salary appropriation item was long and at times very bitter. Taylor of Custer, Wright, Cunningham, Eastman, Easterling, Lemar, Cawthra, Tanner, Thompson of Clay, and others spoke against retiring the item at the larger sum, while McCarthy, Weaver, Loomis, Clark, Wilcox and Pollard made the fight for the full amount.

The advocates of the reduction criticized the methods of the university management and the lobby in certain terms. Taylor charged, among other things, that the showing of 2,000 students was not correct, saying that there were only 1,270 to be provided for outside of the departments of law, music and art.

The report of the committee was adopted, when the committee arose, by a vote of 50 to 23, and the bill was ordered engrossed for third reading.

The speaker of the house on the 20th signed H. R. 55 and 156 and they were transmitted to the governor. H. R. 55 is by Prince, relating to the rate of interest on county and municipal bonds. H. R. 156 was the Wilcox dog tax measure.

Standing committees placed on general file H. R. 515, 519, 559, 510 and 531. A report from the committee on revenue and taxation placed H. R. 29 on file, but Pollard, chairman of the committee, objected and said there must be some error, as he knew nothing of such a report having been made by him. The clerks examined their list and found that the bill was not properly before them at this time.

Prince of Daves then said he thought this bill had been recommended, and moved that it now be sent back to the standing committee. The motion prevailed.

Chairman Wilcox of the judiciary committee reported S. F. 58, 79, 80, 93, 96, 113, 117, 119, 124, 125, 126, 129, 140, 143, 144, 145, 150, 151, 153, 155, 166 and 167, with recommendation that they be advanced to a third reading. He explained that they were all corrective measures amending the civil and criminal code, and that they would need no discussion. The motion prevailed.

The asylum bills, H. R. 8, 296, 280, 271, 336 and 359, being the special appropriations to build additions to the institutions, as follows, were taken up: H. R. 8, Hastings asylum, addition, \$30,000; H. R. 296, Lincoln asylum, addition, \$50,000; H. R. 297, Hastings boiler house, \$30,000; H. R. 275, Omaha D. & D. boiler house, \$6,200; H. R. 280, Omaha D. & D. addition, \$50,000; H. R. 336, Peeble Minded institution, addition, \$73,500; H. R. 538, Blind School, addition, \$6,000.

These bills were all recommended for passage as originally drafted, except H. R. 296, which was amended down to \$25,000; H. R. 9, to \$15,000; H. R. 336, to \$48,500; H. R. 275, raised to \$74,700.

H. R. 585, by Easterling of Buffalo, an act to give the governor the power to appoint officers of the Kearney Industrial school, was recommended to pass.

H. R. 554, by McKinley, an act to require any railroad company or corporation doing business within the limits of this state and receiving and conveying any live stock to pass the shipper or his employe to or from the point designated in contract or bill of lading without further expense to shippers, was recommended.

S. F. 135, by Holbrook, to amend the mutual insurance law relative to the insurance of farm buildings, was recommended to pass.

In the house on the 21st bills on third reading were taken up with the following result:

S. F. 20, allowing cities of the second class to refund their bonds and issue other bonds at the same or a lower rate of interest, was passed by a vote of 73 to 13.

H. R. 122, by Olmsted, to authorize county courts to require administrators and administrators with will annexed to pay and deliver to said courts money and certain personal property remaining in their possession after the final settlement of their accounts, was passed without a dissenting vote.

H. R. 24, by Burns, to extend lien privileges to cover windmills and wells was passed, the vote being 76 to 7.

S. F. 132, fixing the fees and salary of county surveyors, passed with only three votes against it.

H. R. 390, by Young, to appropriate certain money belonging to the State Normal Library fund for the purchase of books, was passed with the emergency clause.

H. R. 27, by Pollard, providing for the appropriation of \$2,500 for the use and benefit of the State Horticultural society, was passed by a vote of 51 to 28, a half dozen members changing in favor of the bill at the last moment.

H. R. 214, by Olmsted, providing for the proper distribution of special taxes for assessments for the purposes of internal improvements in cities of the metropolitan class, was passed.

H. R. 418, by Grafton, appropriating the sum of \$5,000 for a standpipe, to enlarge the heating and lighting apparatus and aid in furnishing a new chapel at the Peru State Normal, was passed by a vote of 69 to 19.

H. R. 353, by Evans, requiring a record to be kept of all births and deaths in the state of Nebraska and allowing the county clerk 10 cents for each item so recorded, was passed by a vote of 57 to 29.

H. R. 580, by Lemar, explicitly defining the duties of the secretaries of the State Board of Transportation, and requiring that where violations of the

law are known to them, and no complaint is filed, they shall formulate and file a complaint, was passed with little opposition.

After recess H. R. 444, the salary appropriation bill, was put on third reading and passed. The only member to vote against it was Eastman of Custer.

The house went into committee of the whole to consider bills on sifting file with Neabit in the chair.

S. F. 208, which provides that police judges and city attorneys shall be elected by the people instead of being appointed by the mayor, as is now the rule, was recommended for passage.

H. R. 422, by Prince, providing that all judgments, except in certain specified cases, shall become dormant after ten years from the date of rendition, was taken up. After heated discussion it was recommended to pass.

H. R. 30, which had been amended so to cut off two of the secretaries of the board of transportation, was placed upon its passage and was defeated by a vote of 24 to 62.

Wenzl of Pawnee, on behalf of the joint committee on adjournment, reported that the time agreed upon for final adjournment was Friday noon, March 31. The report was adopted.

H. R. 362, permanently locating the state fair at Lincoln and providing for the purchase of a site, was before a discussion most of the evening session. A strong sentiment developed against permanently locating the fair at any point. The history of its financial successes and failures was reviewed by both friends and enemies of the bill.

Detweiler of Douglas moved that the bill be indefinitely postponed and it prevailed by a vote of 88 to 29.

The bills advanced by the house sifting committee on the 22d were as follows:

H. R. 502, by Dittmar, appropriating \$5,000 for the relief of Nebraska City, because of the smallpox quarantine.

H. R. 511, by Crockett, authorizing the Board of Public Lands and Buildings to build a bridge across the Niobrara river and appropriating \$8,000 for the same.

H. R. 194, by Tanner, appropriating \$500 for the relief of Cyrus E. Blake, deputy sheriff of Nance county.

H. R. 289, by Burnam, allowing bond companies to sign bonds of saloon keepers.

H. R. 424, by Wheeler, permitting leaseholders of school lands prior to January 1, 1897, to purchase the lands.

H. R. 610, by Grafton, appropriating \$25,000 to buy the Buckstaff property in Lincoln for a residence for the governor.

H. R. 414, by Tanner, amending the newspaper publication law in relation to licenses, allowing publication "in a newspaper published in said county."

H. R. 466, by Weaver, an act providing for the repair of temporary plank sidewalks in cities of the second class.

S. F. 138, Crow's bill making dogs personal property.

H. R. 621, by Detweiler, relating to the disposition of money paid into the county treasury from the several road districts.

H. R. 303, by Israel, appropriating \$20,000 for experimental stations at Culbertson and Ogalala.

H. R. 347, by Fisher, creating a state registry of brands and marks and a state brand and mark committee.

Consideration was had of the general appropriation bill.

The chairman of the finance committee recommended an amendment which was adopted allowing the governor \$100 to pay his private page during the legislature.

The amount for the support of the National Guard was cut from \$21,719 to \$10,859, while the amount to replace the equipment of the guard on account of the property transferred to the general government was entirely struck out, making a reduction in the bill of \$66,697. This was on the recommendation of the finance committee.

The State Board of Irrigation was allowed \$1,500 for incidental and traveling expenses, an increase of \$1,000 over the original bill.

A motion to allow the commissioner of labor a salary for a factory inspector was defeated, as was also Esterling's amendment to increase the expense item of the Board of Transportation from \$200 to \$500.

The asylum at Norfolk was allowed an increase of \$2,000 in the board and clothing fund, and small increases in several other funds.

The asylum at Lincoln got an increase of \$5,000 in the clothing fund, \$200 in the kitchen furniture fund and an addition of \$1,000 for burial expenses, \$1,000 for postage and express and \$1,500 for drugs and books.

The industrial school at Milford got an increase of \$300 in the repair fund, \$100 in the postage fund and \$750 in the improvement fund.

At the Nebraska institution the \$400 for a corn crib and \$100 for a safe were struck out.

The Institute for the Feeble Minded at Beatrice got an increase of \$4,000 in the employe fund and the Institution for the Deaf and Dumb at Omaha got \$6,000 added for a new dynamo and repairs of building.

All these amendments were made at the recommendation of the committee on finance.

When the Nebraska State university was reached in the bill there was a long struggle over the \$93,500 for new buildings the fight against it being led by Taylor of Custer and Cunningham of Harlan. An amendment was offered to reduce it to \$33,500 and this was finally adopted.

The item of \$900 for the visiting and exchange board at Grand Island was struck out and \$20,000 was added to build a hospital for the soldiers' home.

For the Milford Soldiers' home the item for \$1,600 for rent was struck out.

Under the head of "Miscellaneous" the item for the support of the state board of agriculture was raised from \$2,500 to \$4,000, and \$6,000 was added to be used for the printing of supreme court reports.

The \$3,000 for a standpipe and chapel at the State Normal at Peru was struck out.

When the committee arose and the report came to the house, the item for new buildings for the State University was placed back to the original figure of \$93,500.

In the house on the 25d Easterling of Buffalo offered a resolution calling for a consideration of the action of the house in ordering H. R. 369, the Wilcox reappropriation bill, to a third reading. On motion of McGinley of Otoe the resolution was laid on the table.

H. R. 554, by McKinley, an act requiring any railroad company or cor-

poration doing business with the state receiving or conveying any live stock to pass shipper or his employe to and from the point designated in the contract or bill of lading without further expense to the shipper, was passed by