

GOVERNOR IS FOR DAYLIGHT SALOONS

SIGNED THE BILL MONDAY IN SPITE OF URGENT APPEAL TO VETO

LEGISLATURE HAS ADJOURNED

The "Daylight Saloon" Bill Passed Both Houses Through a Combination of The Republicans With a Minority of The Democrats.

Lincoln, Nebr., April 7th. (Special to the REPUBLICAN.) The thirty-first session of the Nebraska legislature has passed into history, both houses having adjourning finally at 11:30 Sunday, April 3rd, after sending a cart-load of measures hastily passed in the last two days of the session, to the governor for his consideration.

Final adjournment had been set for April 1st, but a great volume of legislation, including the appropriation bills, was unfinished at that date, the clocks were stopped and the session made continuous until Saturday near noon when both houses having completed all they considered necessary the final adjournment was taken.

The most exciting, the most spectacular and the most important history of the session was made in the last week of its existence and in fact in the last twenty-four hours of its life, in the passage of the Wiltse "daylight saloon" bill which restricts

the sale of liquor in all the licensed saloons of the entire state to the period between the hours of 7 o'clock a. m. and 8 p. m. A brief history of this law which has attracted state-wide attention is of interest.

S. F. 283 by Senator Wiltse of Cedar, the bill which created the sensation, was drawn by Senator Wiltse and introduced into the Senate many weeks ago and slowly through the routine of the Senate into the possession of the House. As originally drawn, the bill added primary election day to the days on which the saloons of Nebraska must remain closed, there being no primary day at the Slocum law was enacted many years ago, and that day being consequently not considered in the old act. Day by day temperance measures and restrictive legislation has fallen by the wayside in both houses, and this bill remained on the House calendar undisposed of. Thursday Wilson of Polk secured a vote from the House permitting the bringing out of this bill with amendments offered by the judiciary committee of which he is chairman. The Wilson amendments to the Wiltse bill changed its character materially by prescribing that saloons might not be open on any week day before 7 a. m. or after 8 p. m., with the exception of the metropolitan city of Omaha. Friday morning the bill was considered in committee of the whole for a specific amendment, the sentiment for which had matured over night. The specific amendment was to take out of the bill the provision which excepted Omaha from the operation of the law if enacted, and thus bring the entire state within the early closing law. This amendment was accomplished and the bill placed on its final passage Friday afternoon. With consternation the opponents of restrictive liquor legislation, saw the vote in its favor mount until near the total which would pass the bill. When the vote in its favor was all in and not enough to pass it, supporters of the bill moved a "call of the House" and officers were sent for the absentees. Finally 50 had registered for the bill out of the 51 necessary to its passage, when Representative Graves of Lancaster was brought from a sick bed attended by his physician and family, and cast his vote for the bill. Hilarious cheering followed from the supporters of the measure demonstrations of much enthusiasm occurred. The House had proceeded into other business when the opponents of the bill discovered that Fogarty of Greeley had been entered by an error of the tally clerk as voting for the bill when he had not done so. The roll call had been verified, the results announced and all attempts to revert to another roll call and register Fogarty's vote against the bill were defeated by friends of the measure. Fogarty stated that he had intended to vote against the bill, that his name among those voting for the bill was evidently a mistake, and while the roll had been verified by public announcement before the final total was given, neither he nor anyone else had objected to the reading of his name among the list of the bill's supporters. The Douglas county delegation tried by every known parliamentary artifice to obtain a new roll call, but were unable to show

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their right to do so, and their various motions were defeated. Then Thomas of the Omaha delegation attempted to inject a written "protest" into the records, evidently laying a basis for a future attack on the law before the courts. The House spoiled this attempt by ordering all of the proceedings which took place after the roll call to be expunged from the records. An unrecorded fact is that Fogarty's vote was not vitally necessary to the passage of the bill as three members known to be ready to cast their votes for it were absent and should the house rules permitted the changing of Fogarty's vote, which they do not, it would have only resulted in the delay necessary to bring one or more of the absent members in to register a vote for the bill and thus the cry of "fraud" which is going up from the liquor interests of Omaha vanishes in thin smoke.

The bill was sent to the Senate shortly afterward, where Senator Wiltse moved to concur in the house amendments. Senator Ransom immediately offered a substitute that the Senate do not concur.

The Ransom motion was voted down by a vote of eighteen to thirteen and later the Wiltse motion to concur carried by a vote of nineteen to thirteen.

This leaves the bill with a clean record and the constitution provides that in questioning the legality of the enactment of legislation the records of the clerk of the house and secretary of the Senate shall be final.

The bill was immediately sent to Governor Shallenberger for his consideration. So sudden and so unexpected was the passage of this bill to the liquor interests that it came as lightning from a clear sky. The Governor has been flooded with protests from Omaha and South Omaha by telegraph and mail imploring him to veto the bill. A special train was run up from Omaha carrying several hundred men who came to try and influence the Governor to veto the bill Monday. He signed the bill Tuesday.

In the vote of both Senate and House on this measure the large

majority of the Republican members of both bodies voted for the bill. The sudden solidifying of sentiment in favor of such a measure is the cumulative result of the course of the Douglas county delegation in both Senate and House since the opening day of the session. Attempt after attempt has been made to exempt Omaha from the operation of statutes based on good morals and public policy and to put that city outside the controlling influence of the statutes of the state which repress "wide-open" tendencies. Legislation against corporate aggression has been beaten time and again in this session under the lead of Omaha influences and Democratic platform pledges counted for naught contrary to what "the Omaha crowd" of Democrats were there for. This has rankled in the hearts of members for many days and this drastic change in the liquor laws of the state may be called by its right name—a revolt against the leadership and tactics of the Democratic delegation from Douglas county.

While the law restricting the saloon business to "daylight" hours will probably attract the most public attention, much important legislation received its finishing touches during the last week of the session.

Among the more important bills passed were the Ollis primary election law placing the names of the candidates of all parties on one ballot; the King bill, placing an annual occupation tax on all corporations, graded by the amount of capital stock; the physical valuation of railroads bill which was so badly mangled by the Democratic Senate that most of the property of the Omaha stock yards will escape valuation. \$90,000 was appropriated to purchase the private Normal school at Wayne and \$35,000 for a new Normal in the Sixth district, north of the forty-second parallel. The "pure food" bill passed in an amended form requiring "net weight" on all package goods but excepting canned goods, meat and meat-products, other than lard and its substitutes, from the law. \$30,000 was appropriated for the payment of "wolf bounty" claims,

the oldest claims to be first paid from the fund and the balance to wait as the fund is not enough to pay all.

Kelley's bill for a \$100,000 agricultural school in the west end of the state was beaten in the Senate although it is a "platform pledge" and Donohoe's bill regulating public service corporations through the railway commission was beaten in the house after it had passed the Senate.

The Thirty-first session of the legislature with its overwhelming Democratic majority is now history and a birds-eye view of the 986 bills introduced, what they were and what was done with them may be summed up in a few words.

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