

## Nebraska Legislature

The Groves anti-trust bill was killed when on passage vote by 49 to 44.

The senate in committee of the whole Friday approved a bill to impose an annual occupation tax upon corporations for the benefit of the state, killed Howell's Krug park bill, or the so-called poor man's club bill.

If the legislature passes the King bill, which imposes an annual occupation tax upon corporations, additional revenue amounting to about \$200,000 will be paid to the state every year. The senate in committee of the whole recommended the bill after considerable discussion. A similar bill has been before recent sessions of the legislature. It provides for the payment of an annual fee based upon capital stock, the fee ranging from \$5 to \$200 a year. As amended by the introducer it exempts banks and building and loan associations and insurance companies that now pay an annual tax upon capital stock or gross receipts.

Among the bills placed on the general file Friday was one by Ollis of Valley, a measure intended to prevent any person from collecting or demanding any portion of the salary of an appointive officer, either state, county or city, for the use of any person or organization as condition of appointment or tenure of office. It is to prevent campaign committees from asking drowsy employees who have whooped it up during the campaign to pay 2 per cent of their salary for the support of a political party organization.

Jerry Howard's woman suffrage constitutional amendment, was also placed on the general file. The senate has already killed one of its own bills of the same character and also a bill for municipal suffrage.

Clark succeeded Friday in getting his bill authorizing the state board to invest the permanent school funds in municipal bonds as well as county, state and government bonds. This bill was introduced at the request of the state treasurer who has about \$200,000 which he has not been able to invest to advantage because of the restrictions. The committee of the whole advanced the bill and recommended it without much discussion.

Seven of the counties in northwest Nebraska are demanding the passage of the Chase normal school bill now before the legislature. The bill provides for the establishment of a new normal school and the appropriation of \$25,000 for this purpose. It leaves the matter of exact location to the state board of education or any other properly constituted body.

In opposition to the Chase bill is a measure by Harrington, of Brown county, providing for an appropriation of \$35,000 and the location of the normal at Ainsworth, the home town of Mr. Harrington. Still another is the Henry bill, contemplating two schools and the purchase of the old college building at Wayne to be used as one, the appropriation being \$100,000.

The initiative and referendum, a platform pledge of the democratic party, was defeated in the state senate Wednesday after an exciting debate. The discussion teemed with personalities. The bill, introduced by Senator Donohoe, was defeated by a vote of 16 to 17. Senator Wiltse, of Cedar, a republican, voted for the bill. Four of his republican colleagues voted with him.

In the house Wednesday the stock yards company of South Omaha was included in the physical valuation bill. In the senate this corporation was eliminated.

The senate approved the building of "precinct railroad." Senator Gammill is the author of the bill, and the railroad is to be thirty-four miles in length and to extend from Curtis to Cambridge. Land owners in the precinct through which the road is to run are pushing the project. The line is to connect the main line of the Burlington with a branch line of the same road.

The house Tuesday passed the bank guaranty bill. The vote stood 72 to 22. Seven republicans voted for the measure, while twenty-three opposed it.

The house Tuesday killed ex-Speaker Nolt's bill which makes notes for fire insurance premiums non-negotiable. A powerful lobby composed of insurance men fought the bill.

Senator Miller's county option bill was defeated in the senate Tuesday by a vote of 16 to 11. Fully a thousand people listened to the debate. The members voted as follows:

For County Option—Brown, Bodinson, Cain, Cox, Donohoe, Gammill, King, Majors, Miller, Ollis, Randall, Raymond, Warren, Wiltse, Hatfield.

Opposed to County Option—Banning, Bartes, Besse, Buck, Bahrman, Diers, Fuller, Henry, Howell, Ketchum, Klein, Laverty, Ransom, Tanner, Tibbets, Thompson, Volpp—17.

Clark, of Richardson county, chairman of the finance committee of the house, earned his salary Tuesday by defending the current expense appropriation bill, but so well did he do his work that the house was able only to secure two amendments, cutting out the \$1,440 item for legislature janitors and reducing the \$4,000 appropriation for a boiler at the Norfolk asylum to \$2,000.

The big debate came over the appropriation of \$100,000 for the purchase of ground and permanent improvements at the state university, during which Taylor of Custer took the members over the coals for saying they favored educational appropriations, when they had cut down a request from the west portion of the state, which would have been for the benefit of 15,000 school children.

Kelley and Kraus objected to several items in the appropriation for the Norfolk asylum, while Pool secured the adoption of an amendment, cutting out \$1,440 for extra janitors for the next legislature.

The Gates bill, repealing the law prohibiting the operation of a saloon within two and a half miles of Fort Creek, was passed by the senate in committee of the whole Tuesday morning after a debate continuing nearly the entire morning. Nineteen senators voted for the bill on viva voce vote, no roll call being taken.

Efforts were made by Senator Ran-

son to amend the bill to include provisions amending the Slocumb law to permit boards of fire and police commissioners to sit for sixty days before the beginning of the municipal year to grant licenses, and also to make the petition of an applicant for a saloon license prima facie evidence that the signers were freeholders. This changed the procedure in granting licenses and was so strongly opposed that Senator Ransom finally gave up and all amendments to the Gates bill were voted down and it was agreed to exactly as it came from the house.

Senators Wiltse, of Cedar, King of Polk, and Randall of Madison, led in opposing the measure while the three Douglas county senators championed it, assisted by Senator Laverty.

A letter from Col. Gardner was read favoring the bill. He said the authorities of Crook City have agreed not to permit more than two saloons, both under one management and these not to run Sundays after 10 o'clock at night. Objection to the bill was on the scale it would permit dives in Crook City running practically without police protection.

In the letter of Col. Gardner he said 5 per cent of the soldiers at Fort Crook were not amenable to discipline and were constantly making trouble by leaving the fort for Omaha when on leave and by staying away made it necessary to punish them for disobeying orders. He thought with saloons nearer the fort this condition would not exist.

Senator Randall read a letter from Judge Advocate General Geo. B. Davis, of Washington, in which he said he would be sorry to see the repeal of the law prohibiting the sale of liquor near the Nebraska army posts.

The bill authorizing state university professors to accept the Carnegie pension fund was killed in the house Friday by a vote of 51 to 47. W. J. Bryan appeared before the house committee several weeks ago and fought the Carnegie pension plan. He denounced the idea and challenged the good faith of the three university professors who supported it. Knowing that Bryan would soon return to the city, the professors had the bill hurried to a vote and were defeated. The bill passed the senate with few dissenting votes.

The senate Friday killed the Myers resolution calling for an investigation of the banking career of Gov. Shallenberger.

The senate passed a bill to allow precinct assessors to be elected instead of appointed by the county assessors. The senate committee Friday amended the bank guarantee bill so that bankers are required to pay one-quarter of 1 per cent into the guarantee fund instead of one-half of 1 per cent.

Conolly, of Douglas, Friday afternoon introduced a resolution in the house to investigate the South Omaha packers. He is particularly anxious about an alleged agreement in prices. Thiessen, a republican, created a sensation by introducing a resolution condemning ex-Congressman E. M. Polard for voting for the ship subsidy.

The Wilson bill to allow the importation of Kansas oil at a rate of not more than 3 cents a gallon for transportation was passed by the house. In the senate the Douglas county Sunday baseball bill was defeated. "Pa" Rourke has been in Lincoln for several days, but his efforts met with defeat.

A violent attack on the banking record of Gov. Sheldon was made in the senate Thursday afternoon.

Unless Gov. Shallenberger vetoes the Gates bill Fort Crook will be permitted to have saloons.

After a prolonged contest the house committee Thursday amended the Lincoln charter so that it must be ratified by the people. The document embodies the Des Moines plan, but its champions wanted it to be effective as soon as approved by the legislature.

Lieut. Gov. Hopewell cast his first vote in the senate. A bill for the election of county commissioners by districts had been defeated by the senate on its passage and later recalled from the house. Bartos moved a reconsideration of the vote whereby the bill had been defeated. The result was a tie in the senate, 14 to 14, and the lieutenant governor decided the tie by voting for reconsideration. The bill was then placed on the general file.

A bill permitting the state board of educational lands and funds to use the state school funds for the purchase of irrigation district bonds and municipal bonds was called up for reconsideration. The senate reconsidered the bill for the purpose of striking out that portion permitting the purchase of irrigation bonds. No action on the measure was taken.

The committee of the whole approved a bill providing for the raising of a fund to pension teachers in the Omaha schools, the teachers to contribute a percentage of their salaries to the fund, also a bill permitting the voting of bonds in aid of railroads that use electricity or gasoline for motive power.

The Gates bill appropriating \$5,000 for the fish hatchery at South Bend for special improvements was passed after a vigorous attack had been made on it by Kelley. Heffernan waked up to defend the bill and was aided by Noyes of Cass. Kelly charged that Noyes as a republican wanted to run the democrats into debt, and dramatically warned his colleagues against this insidious activity of the opposition. Most of the democrats refused to be warned and allowed the bill.

A motion was made to include the deficiency of \$60,000 for claims for wolf bounties in deficiency appropriation bill. This claim has been growing for four years and no appropriation has been made since then.

The legislature attempted to appropriate \$57,000 two years ago, but the governor vetoed the items. Bygland tried to get the law repealed which allows wolf bounties, and failed. Hence the attempt to get the item included. Several members from the counties where wolves abound spoke for the appropriation. It was voted that the sense of the house is that all just debts of the state should be paid, and the item was left for the deficiencies committee to deal with.

Henry's bill for two normal schools one of which was to be located in the Sixth district, and appropriating \$125,000 for the purpose was killed in committee of the whole and emphasized in the house by a vote of 52 to 28.

## OIL TRUST WINS CASE; \$29,000,000 FINE VOID

Judge Anderson Decides That Evidence Against Standard Company Is Insufficient.

ORDERS "NOT GUILTY" VERDICT.

Decides Nearly All Technical Points Against Prosecution—Government Gives Up Fight.

The famous \$29,240,000 rebate case against the Standard Oil Company was ended Wednesday. Government attorneys abandoned the prosecution, declaring that under the court's rulings they could not continue the case against the corporation. By the direction of Judge Anderson the jury returned a verdict of "not guilty."

Judge Anderson ruled that the government had not produced sufficient evidence against the oil company to establish the points upon which they were basing the prosecution. In his instruction to the jury the judge dwelt on the theory that the government had established no case against the oil company.

This end of the famous case leaves Judge K. M. Landis, who imposed the enormous fine on the corporation, alone in his judicial attitude. His rulings are discredited and his opinion in the first trial was not taken into consideration.

Judge Anderson, who has thus set at naught the rulings of Judge Landis, is a boon companion of the latter jurist. Both men are "hoosiers," coming from the same part of Indiana. They were boys together and throughout their lives their careers have run parallel. As boys they frequented the same "swimming hole," and when they grew to manhood both became lawyers and Republicans in politics and both were made federal judges by ex-President Roosevelt. Their philosophies have been much the same, and both have been noted for their incisive grasp of the cases on trial before them.

Judge Landis brought John D. Rockefeller to the bar of his court and the witness chair.

Judge Anderson directed the dismissal of the case because there is "no proof." He in instructing the jury to return a verdict of not guilty, said he dismissed the counts in the indictment covering the shipments from Chappelle because there was a fatal variance between the indictment and the evidence.

The Elkins law, he said, provided that offenses could be committed in only two ways, one way by violating the law on shipments carried by a common carrier over its own line, and the other by violating the law on shipments carried over its own and other lines.

The indictment charged, he said, that the Chappelle shipments were carried by the Alton road over its own line, whereas the evidence showed that they had been carried over its own and other lines.

Judge Anderson, in the first ruling of the retrial, ordered that a new venire be drawn when the Standard Oil counsel raised objection to the first panel because only three Chicagoans were among the 150 summoned. He then ruled that the government in presenting its case should confine itself to only thirty-six offenses, thus making the highest possible fine against the oil company, should it be found guilty on every count, but \$720,000, while Judge Landis assessed the company a \$29,240,000 fine.

"RICHEST" BABY IS LOSER.

Aunt Gets Largest Part of Fortune John Nicholas Brown Expected. John Nicholas Brown, dubbed by the Newport, R. I., populace the "millionaire kid," has been somewhat demoralized by a new will. The \$30,000,000 which was expected would come to the 10-year-old lad when Mrs. John Carter Brown died on Sunday, it now turns out will go in large part to Mrs. William Watts Sherman, one of the most beautiful women in Newport. Mrs. Sherman is the only living child of Mrs. Brown and is the aunt of the "richest baby." The Shermans have a beautiful cottage in Newport and a town house at 538 Fifth avenue, New York, in "millionaire row."

NO COAL MINE STRIKE SOON.

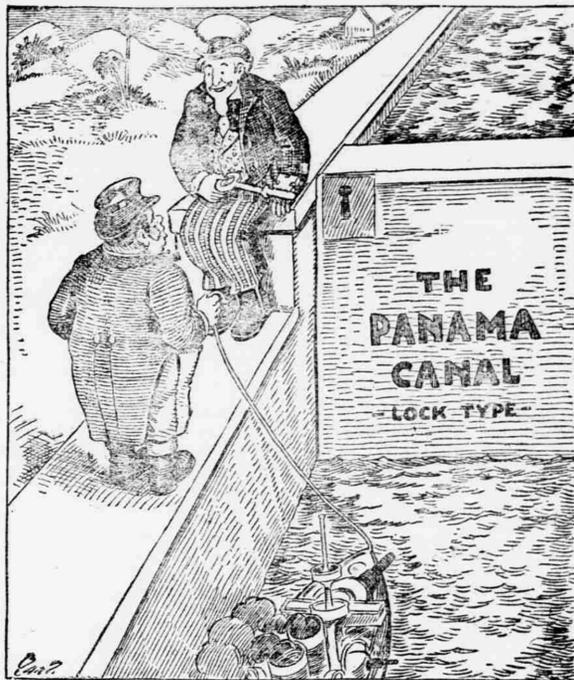
Workers Will Not Quit Until Fall, Even if Refused Demands.

It is said that even should the coal operators refuse to grant any of the anthracite mine workers' demands there will be no strike until next fall. Men close to the union leaders say the miners would not risk a strike at the threshold of summer, especially in view of the fact that the operators have 10,000,000 or 12,000,000 tons of coal on hand. At the national convention in January it was generally understood to be the sense of the scale committee, composed of the twenty-five district presidents, that there should be no suspension of mining, such as there was three years ago, whether a new agreement was reached or not.

Ends His Life by Hanging.

John Wilschek committed suicide at his home in Hastings, Minn., by hanging. The cause was impaired health. He was a railroad man, aged 60 years, and is survived by a widow, three daughters and five sons.

HAVE THE LOCK TYPE OF CANAL. TO BE SURE.



Uncle Sam—This is where I play even on that \$180,000 it cost me to take my fleet through the Suez.—Minneapolis Journal.

### MISSOURI OUSTS STANDARD OIL

Waters-Pierce Company Continues to Do Business in State.

The motions by the Standard Oil Company of Indiana and the Republic Oil Company of Ohio for a rehearing of the ouster suit recently decided against them, and for a modification of the judgment, were overruled by the Missouri Supreme Court Tuesday.

Upon payment of the assessed fine the motion of the Attorney General for an absolute ouster of the Missouri company was denied, the compliance with the court order recently filed by the company was approved and the judgment of ouster against it was suspended.

The effect of these decisions is to expel the Indiana and Ohio companies from Missouri and to restore to the Waters-Pierce Company, 60 per cent of whose stock is held by the Standard Oil Company of New Jersey, the right to do business within the State.

The decision is considered a great victory for the Waters-Pierce Company and incidentally for the minority interests of that concern who claim to have been making unavailing efforts to free the company from control by the New Jersey corporation. With this object in view they declined to approve the proposition made by the Standard Oil Company of Indiana that that company be allowed to continue business in the State under a trusteeship composed of representatives of the court and the company.

This proposition excited the liveliest interest in that it would have given to the State a measure of direct control of a corporation's affairs, had it been adopted by the court. But it was ignored in the announcement by the chief justice.

With the judgment of ouster made absolute against the Standard Oil Company of Indiana and the Republic Oil Company, these concerns must now pay their fines of \$50,000 each and cease business in the State. The \$30,000 assessed against the Waters-Pierce Company has been paid.

### LIBERTY BELL CRACK GROWS.

Sudden Jolt May Rend Relic of the Revolution in Two.

The discovery that the crack in the Liberty Bell has extended seventeen inches beyond its original length caused the starting of another movement to prevent the proposed trip of the old relic to the Pacific coast.

The second crack, which is scarcely perceptible, extends almost to the top of the bell, and any sudden jolt may cause the bell to split in halves. According to those who have charge of the bell, every trip taken by the relic has caused a slight increase in the original crack.

### GIRL VICTIM OF POISONER.

Says Unknown Assailant Entered Room and Gave Fatal Dose.

One of the most mysterious tragedies ever enacted in Arkansas came to light the other day when Dr. William Krause, a Memphis expert, received for examination the viscera of Miss Sile Kitchens, daughter of James Kitchens, a wealthy farmer living at Lewisville, Ark. Miss Kitchens died shortly after she had been discovered by her mother in a dying condition. Before death the girl told an incoherent story about an assailant entering her room during the night, administering poison to her and then escaping through the window of her room. Two persons are under suspicion and they are being kept under close surveillance.

### KANSAS CIGARETTE LID IS ON.

Carrie Nation's Dream of Smokeless, Drinkless State Coming True.

The Kansas anti-cigarette law went into effect recently on its publication and not a cigarette paper can be found on sale in Topeka. Local dealers were unprepared, for they had understood that the law would not go into effect until May. One dealer had just unpacked a \$500 order. Stocks are being repacked for shipment to the factory.

## Work of Congress

Never has a Congress expired more peacefully than the Sixtieth Congress. The Democratic filibuster against the penal code bill in the Senate was drawn to a close Wednesday by an agreement eliminating from the measure the objectionable features authorizing the use of troops at election places, and the measure was passed without actually changing the law now on the statute books. The Bailey resolution declaring the right of the Senate to demand papers and information from heads of departments was referred to the Committee on the Judiciary after an animated debate, during which Senators Dooliver and Beveridge made vigorous defense of the President. The conference report on the legislative, executive and judicial appropriation bill was agreed to. The conferees eliminated all salary increases in dispute except that of the salary of the President, which was fixed at \$75,000. A night session was held. On the eve of final adjournment the House transacted its business with a facility unusual for a dying Congress, although at times there was much confusion, which the Speaker had difficulty in controlling. With scarcely any debate the conference reports on the military academy, legislative, executive and judicial and penal code bill were agreed to. The bill amending the copyright laws of the United States in regard to "canned music" was passed, as were also a large number of private bills. Having practically wound up the pressing business, the House took a recess.

The Sixtieth Congress came to an end Thursday with the Representatives and Senators sitting in the Senate chamber, and Vice President Sherman immediately had read to the assembled legislators the proclamation of President Taft calling an extra session of Congress to meet March 15. The Senate was to meet at noon Friday to consider the appointments of the new President, but the House will not meet again until March 15. The Senate met at 9:40 a. m., but the proceedings were confined to the most formal work, mainly adoption of the complete report of the conferees on the pension appropriation bill, the last of the great supply measures, which the House also passed within one hour of adjournment, and the appointment of two or three commissions in accordance with recent congressional enactments. The House receded from the amendment to the appropriation bill consolidating in Washington the eighteen agencies throughout the country and the agencies will be continued as in the past. Vice President Fairbanks delivered an address in the Senate in response to resolutions thanking him for his conduct of the office. Utterly lacking in all stirring incidents usually marking the closing hour of a Congress, the House at 11:59 1/2 o'clock was declared by Speaker Cannon to be adjourned without day. Speaker Cannon received a unanimous vote of thanks, which he acknowledged amid loud applause.

In its first regular sitting of the session the Senate Friday received and confirmed the nominations of President Taft for the various cabinet positions and also that of Huntington Wilson as Assistant Secretary of State. In addition, Senators Chamberlain of Oregon and Smith of Maryland were sworn in. The session, both executive and legislative, consumed two and one-half hours of time. The House was not in session.

The Senate, after confirming all the nominations sent to it by President Taft, adjourned its extraordinary session Saturday sine die. The credentials of Senator Stephenson of Wisconsin failed to arrive in time to permit him to be sworn in. The last Wednesday of April was suggested as the proper date on which to inaugurate a President, in a joint resolution introduced by Senator Depew. The resolution was in the form of an amendment to the Constitution and provided that the Sixty-second Congress and the term of the office of President and Vice President shall continue until the last Wednesday of April, 1913, at noon. The resolution was referred to the Committee on Privileges and Elections. Before taking up the nomination Senator Bailey made a protest against stories which were printed concerning the executive session of Friday, when he suggested that Charles Nagel of Missouri might be ineligible for the office of Secretary of Commerce and Labor if he had been interested as counsel in a suit against the Waters-Pierce Oil Company, which litigation is still pending before a Federal court. Mr. Bailey made an extended speech, criticizing sharply the publication of alleged inaccurate stories of executive sessions and lecturing persons who may have given out information concerning the sessions. The matter was referred to a committee of five.

### INTERESTING NEWS ITEMS.

The Gast Thread Company's plant in Seneca Falls, N. Y., was destroyed by fire. Loss, \$90,000. Committees of the chamber of commerce and of the Legal Aid Society of Cleveland are at work on a system of courts for Ohio cities and have taken the Chicago Municipal Court as a model. Thirteen persons were killed, several seriously injured and much valuable property destroyed by a tornado which swept across Louisa, Prairie, Woodruff and Poinsett Counties, Arkansas.



Crescens, 2:02 1/4, started in a race at Moscow, Russia, a few weeks ago and finished fourth, trotting a mile in 2:16.

Columbus has sold Shortstop J. E. Raily to the Grand Rapids club. He will become manager of that team for the 1909 season.

Capt. Hamilton Fish, of Harvard, has announced that Brown University will take Carlisle's place on the Crimson football schedule this year.

Exports of American horses during the six years ending June 30, 1908, were valued at \$21,000,000, while imports for the same period were valued at \$10,000,000.

Stoney McGlynn will be with the Milwaukee American Association base ball club this season. Manager McCloskey having closed a deal with the St. Louis Nationals.

Iowa University overwhelmed Minnesota in basket ball by score of 37 to 10. The Hawkeye five played fast ball. Capt. Perrine, of Iowa, was star, making 20 points for his team.

William Baird, formerly of the University of Pennsylvania, holder of the world's record for vaulting for distance, and intercollegiate champion in the pole vault in 1903, has been chosen to coach the Hamline University track team this season.

Although racing has been killed in Washington State, the Legislature intends to give a brief respite to the turf element. Following the attempt to have an emergency clause added to the anti-betting bill, both House and Senate voted against the amendment and it will be lawful to bet on races until June 11.