

WORK OF THE LEGISLATURE

Stock Yards Bill Reported to the House by the Committee of the Whole.

INTERESTING DEBATE ON THE MEASURE

Members spend the afternoon in considering the provisions of the Jensen Substitution—Senate Decides a New Constitution is Needed.

LINCOLN, Neb., Feb. 24.—[Special Telegram to The Bee.]—The house devoted itself to routine business during the morning session. The reports of standing committees on bills that had been under consideration occupied the first hour, and the first reading of a score of new bills consumed the greater part of the remaining time.

House roll 82, Crane's bill giving the court in counties with a population of over 150,000, otherwise Douglas county, authority to arrange trial docket cases as they saw fit, in order to give another trial docket, was placed on its passage, but failed to carry. This was the third time that it had come up, and the introducer was not in the house on this occasion. His colleagues from Douglas once more averted impending disaster and secured unanimous consent to have the bill recommitted in order that necessary amendments might be added.

House roll 1, Howe's bill providing for the submission of an amendment relating to the investment of the permanent school fund, was also recommitted pending the result of the recent now in progress in the office of the secretary of state. The house then took a recess until 2 o'clock.

Tackled the Stock Yards. At the afternoon session the report of the special committee appointed to visit the stock yards was called for, and was read by Mr. Van Dusen, by whom it was introduced. It was a comprehensive report entered into by the stock yards and anti-stock yards members of the committee, in order to do away with a majority and minority report. It avoided any recommendation, and set forth the statements made to the committee. It was as follows:

Mr. SPEAKER: Your committee appointed to visit and investigate the condition of the stock yards at South Omaha would report that we visited same on February 13th and 14th, and after making a hurried examination of the yards, went through two of the packing houses, Swift & Co. and Cudahy & Co., after which we repaired to the office of the Omaha Stock Yards company, which is the only one of the stock yards company, furnished us the following statements being the originals, numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Yards, including weighing, cattle, 25 cents; hogs, 8 cents; and sheep 6 cents each; and there being no charge for weighing, and when stock is received on their track the company is responsible until stock is sold and weighed.

He further stated that they charged for feed: Hay, \$1 per 100 pounds; corn, \$1 per bushel; that the stock yards company do not sell the stock placed on market, but hold the commission men responsible for the same, and the railroad companies hold the stock yards responsible for freight.

That all cars of stock received from the railroad company are handled free of charge to shipper, and that the company charges the railroad company \$1 per car for switching and unloading.

That 77 per cent of the sheep, 62 per cent of cattle and 53 per cent of the sheep that pass through the stock yards are sold here.

Three of the commission men appeared before the committee and made the statement that they charged for the same as the same in Omaha as charged by other commission men in other cities, which are as follows: Cattle, 30 cents per head; hogs, 8 cents per head or \$12 per car; sheep, 6 cents per head, single deck; \$10 per car, double deck.

Exhibit No. 1 (both parties)—Which would include subsidiary packing houses, \$2,200,785.02; Exhibit No. 2—Union Stock yards and construction cost, \$1,527,221.08.

EXPENDITURES ON ACCOUNT OF PACKING HOUSES. Cudahy Packing company, \$415,000; Hammond & Co., 105,000; Fowler Bros., 400,000; Cudahy Packing company, 400,000; Stockholders Transfer Stock, 425,000.

Total, \$1,805,900. Also the following acres of ground to the packers: Cudahy Packing company, 17 acres; Swift & Co., 16 acres; Fowler Bros., 9 acres; Hammond & Co., 6 acres.

Gross earnings 1892, \$418,899.84; Gross expenses 1892, 243,209.73; Net earnings 1892, 175,690.11; Number of men employed, 252.

Explaining the Report. Kessler corroborated a statement as to the amount of stock shipped out of the yards to eastern and southern markets.

Lockner wanted the members to understand that no charge was made for re-shipment in such cases, as the only charges were for weighing, the unloading and loading being done free.

Van Dusen assented and said further in response to earlier queries that shippers could sell their own stock if they so chose, and did not have to patronize the commission men.

Barry asked if it was not a fact that a rule of the Live Stock exchange at South Omaha virtually prevented the shipper from selling his own stock, and Van Dusen said that he had been given to understand that it was not "he case, but he did not know about it.

The house then went into committee of the whole, with Higgins in the chair, to consider the substitute stock yards bill prepared by the committee.

The first and second sections were apparently satisfactory, but after a discussion a change was made in the third section.

The clause relating to dockage was stricken out, and in place of it put a line making it the duty of the inspector to say which were stags and which were piggy stags.

Regulating the Charges. A long debate ensued over section 4, which provides for the charges that may be made by the stock yards company for the handling of stock.

Kessler led the fight for reduced rates, and made a speech that elicited hearty applause.

Elder championed the cause of the stock yards company, and gave it as his opinion that the bill was unconstitutional.

Dobson said that he had experienced a change of heart, brought about by his trip to South Omaha. He was in favor of a radical reduction in rates previous to that time, but now he was very anxious that no injustice be done that corporation. His trip had been a revelation to him, and he felt much more kindly toward the company than he had before.

Irwin wanted to know how it was that Dobson had managed to find out all about that great corporation in a couple of days. Dobson retorted that he could have told more about it before he went there than Irwin ever knew.

Kessler said that he based his statements on ten years' experience in the yards, rather than on ten minutes' experience, as did Dobson.

The same action was taken with section 6. Section 7 was stricken out.

After Commission Men. Section 8 brought on another discussion and Elder moved that it be stricken out, but when called upon for his reasons failed to give one. Dobson was in favor of the section and Lockner was with him, stating that it was conceded by even those who were opposed to cutting the rates of the stock yards company that the bill was unconstitutional, as it also legislated on another matter.

Reader said that both the attorney general and Judge Reese had passed upon the bill and declared it constitutional.

Elder knew that the bill was unconstitutional despite the opinions quoted.

Horst said that if the gentleman from Clay was sincere in his position, he ought to be pleased with the alleged unconstitutionality of the bill, as he had previously declared himself as opposed to it. He was disposed to regard the statements as rather suspicious.

The discussion continued for an hour and the section was then adopted.

Decided to Pass It. The ninth section was adopted without debate, and Horst moved that the bill be reported for passage.

Sutton amended with a motion to report and ask leave to sit again. The amendment was defeated by a vote of 30 to 23, and the question returned on the original motion, which carried by a vote of 38.

The committee rose, and Nason amended a motion to adopt the report by a motion not to concur. The amendment was defeated, and the original motion prevailed on roll call by a vote of 34 to 23.

Porter asked consent to introduce a resolution, and submitted one providing for the payment of the costs of the contestants and contestees in the contest cases. It was referred to a special committee of three.

An adjournment was then taken until 10 o'clock tomorrow morning, after which he had tried unsuccessfully to carry it over until Monday.

On First Reading. The following bills were introduced during the morning session:

By Ames (by request)—A joint resolution amending sections 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

By Lockner—To regulate corporations engaged in the business of guaranteeing, or acting as security for the fidelity of persons in public or private offices, employments or positions, and prescribing penalties for failure to comply with the provisions thereof.

By Lockner—To amend section 2173 of chapter xxx. of the compiled statutes entitled "Judicial Department", and providing for nine judges of the supreme court and to repeal said original sections.

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By Lockner—To amend section 2173 of chapter xxx. of the compiled statutes entitled "Judicial Department", and providing for nine judges of the supreme court and to repeal said original sections.

By Withnell—To amend section 194 of the code of civil procedure, and to repeal said original sections.

By Withnell—To amend section 5002 of title xiv. entitled "Executions," of the consolidated statutes.

By Withnell—To amend section 521 of title xiv. "Executions," of the code of civil procedure.

By Withnell—To amend section 930 of chapter v. of title xxx. entitled "Justices of the Peace," of the code of civil procedure.

By Withnell—To amend sections 191 and 200 of title xv. entitled "Provisional Remedies," of the code of civil procedure.

By Kruse—To regulate and control the police of the city of Omaha, and to repeal said original sections.

By Barry—To amend section 968 of Cobby's consolidated statutes of Nebraska.

By Barry—To provide for the protection of game.

By Crane—To appoint a game and fish officer, defining his jurisdiction and term of office, his compensation, and providing for the expenses thereof.

By Crane—To provide for the revision of the Omaha city charter.

By Crane—To amend section 17 of chapter iv. of the criminal code entitled "Violence to Persons," not resulting in death.

By Crane—To amend section 1707 of chapter iv. of the code of criminal procedure of the state of Nebraska.

By Carpenter—To amend section 3185, chapter xxx. of the compiled statutes of Nebraska for 1891, entitled "County Officers."

By Beal—To amend section 2205, chapter xxxi. of Cobby's consolidated statutes of 1891.

By Scott (by request)—To amend sections 3, 4 and 5 of an act entitled "An act to provide for the incorporation of street railroad companies within the cities of this state."

By Riley—To amend section 2173 of chapter xxx. of the compiled statutes of 1891.

By James—To protect the makers of negotiable promissory notes, bonds, bills or other evidence of indebtedness where fraud or circumvention is used in obtaining the making or execution of the same.

By the Douglas County Delegation (by request)—The Omaha city charter.

element, he said, was anxious to get home for spring work. The motion, however, was agreed to.

Discussing the Constitution. The senate then went into committee of the whole to consider senate file 42, with Senator Dale in the chair. The bill provides for the submission to the voters of the state a proposition to call a convention for the purpose of revising the constitution.

The committee on constitutional amendments to which it had been referred, had offered an amendment providing that notice of the submission of the proposition should be printed in one newspaper in each county for three months prior to the election. The amendment was adopted.

Senator Moore spoke at length in opposition to the bill. The auditor, he said, had informed him that it would cost the state \$11,600 to print the notices of the proposition. In addition to this it would cost from \$100,000 to \$150,000 to defray the expenses of the convention. There certainly should be the evidence of a strong desire for such a convention on the part of the people of the state, and the legislature should be satisfied that the proposition would be accepted before so great an expense was incurred. He doubted if the people of Nebraska were in a frame of mind to call a new constitutional convention at this time.

There was no majority party in the state. On the contrary, there were four fractions, each representing a different party. The demand from any of these parties for a constitutional convention, which carried by a vote of 38, had been urged as being of importance to the ones creating a railroad commission, to be elected by the people, and to enlarge the supreme court. The first of these amendments had been twice rejected by the people and the other once.

He believed that this was pretty good evidence that the people did not want these features added to the constitution. The result of a constitutional convention, continued Senator Moore, would be to increase the number of state officers and also to increase the number of judges of the supreme court. He believed that the constitution of the state should be in advance of legislation for the reason that the legislature is always hampered by a lack of constitutional provisions. The present legislature is not able to enact laws demanded by the people because the constitution will not permit it.

Senator Everett believed the time had not yet come for a new constitution. The delegates to the people are sent to the convention would be at loggerheads and as a result the new constitution would be a patchwork of compromises which would suit no one.

Senator Darnier contended that the people were not yet in a frame of mind to adopt a new constitution. He believed that a settling of the legislative and executive branches in the political parties of this state and this process should be fully completed before a new constitution was framed.

The Arguments in Favor of It. Senator Carey spoke eloquently in support of the bill. He believed that a new constitution was absolutely necessary for the better development of the state. The history of all nations shows that the organic laws have been too conservative. When the present constitution was framed eighteen years ago Nebraska had scarcely begun to reach her present position. She had since attended her growth. We had not a mile of electric railways. The railroad mileage was less than one-fourth that of the states to the west. The western countries of the state were deemed unfit for settlement. The constitution enacted then made it impossible for the development of the state from a population of scarcely 300,000 to over 1,000,000. The very fact that amendments have failed was, paradoxical as it may seem, evidence in favor of a new constitution. The form of the present constitution made it almost impossible to amend it.

Senator Pope also favored the bill. He pointed out the fact that constant efforts are being made in the legislature to get around the present constitution, and that the least the senate could do was to submit the matter to the people of the state.

The committee on the bill reported in favor of the bill, and the senate adjourned until Monday afternoon.

Substitute Stock Yards Bill. LINCOLN, Neb., Feb. 24.—[Special to THE BEE.]—Following is the bill substituted for house roll No. 17, the bill designed to regulate stock yards. The substitute was recommended by the committee on live stock and grazing:

Section 1. That it shall be unlawful for any person or persons, selling live stock out of any stock yards within this state to charge a greater price for yarding and weighing stock than the following: For yarding and weighing cattle, 20 cents per head; for yarding and weighing hogs, 5 cents per head; for yarding and weighing sheep, 4 cents per head.

Section 2. That it shall be unlawful for the owners or proprietors of any stock yards within this state to charge a greater price for hay and grain than double the price of the same in village or city where said stock yards are located.

Section 3. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 4. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 5. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

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Section 7. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 8. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 9. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 10. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 11. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 12. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

Section 13. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

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Section 23. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

or proprietors of any stock yards within this state to prohibit the owner of any dead stock in such yards to sell to any person or persons whom he may desire to sell to.

Section 24. It shall be unlawful for any person or persons, selling live stock out of any stock yards within this state to charge a greater price for yarding and weighing stock than the following: For yarding and weighing cattle, 20 cents per head; for yarding and weighing hogs, 5 cents per head; for yarding and weighing sheep, 4 cents per head.

Section 25. That it shall be unlawful for the owners or proprietors of any stock yards within this state to charge a greater price for hay and grain than double the price of the same in village or city where said stock yards are located.

Section 26. That it shall be unlawful for the owners or proprietors of any stock yards within this state to sell any stock of any kind for less than fifty-six pounds of corn in the ear for a bushel.

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RIGHTHOUSNESS AND PURITY

Missioner Crapsy Proclaims Them the Watchwords of Jerusalem.

BUSINESS MEN MEET IN NOONDAY SERVICE

Three Interesting Meetings in the Mission Yesterday—Evening Attendance at the Life Building—Evening Sermon on Man's Fall.

Those who attended the doctrinal instruction of Rev. Mr. Crapsy yesterday morning at the cathedral and expected a dry exposition of theological dust were agreeably disappointed. The missioner took the character and mission of St. Paul as illustrating the providence of God, and delivered a magnificent discourse.

St. Paul was by birth a Hebrew, by education a Greek, by citizenship a Roman. In this master of sentences were formed the characteristics of that civilization which went before Christianity and which Christianity was to destroy.

There were three cities of the ancient world that were set on a hill: Jerusalem, Athens, Rome. The watchwords of Athens were "wisdom" and "perfection." The Athenians were always seeking some new thing. Athens was the formulator of language and the intellectual life of civilization.

The watchwords of Rome were "law" and "command." The Romans were the founders of civil law, and they connected the world of that day by a magnificent system of roads. The watchwords of Jerusalem were "righteousness" and "purity." The Hebrew was the nation which set a high ideal of life before itself, which saw beauty and truth not in temporal magnificence and luxury, but in the purity of man's character.

From these three cities St. Paul derived his powers and upon their foundations helped to build the city not made with hands. It was as though three great rivers had come from the east and south, from the east and from a fourth river flowing westward. These three great streams of civilization met in St. Paul, who turned them all into one stream, and he was the river of God. All this did not happen by a fortuitous concurrence of atoms, but illustrated the providence of God.

Business Men's Meeting. The noon service was probably the most interesting and unique of all the services. It was held on the ground floor of the New York life building, and more than 100 representative business and professional men of Omaha gathered for the occasion. The speaker told the story of Boaz going out to the field and greeting his reapers with "God be with you" and "Low they replied with 'God bless you.' We need today more of that spirit. Men should say 'God bless you' with as much readiness as they say 'God damn you.' The missioner was very earnest and effective here, and closed with a splendid prayer, which all followed eagerly.