FIX INSULAR RIGHTS

Supreme Court's Decisions Living Philir Philip-

ISLANDS NO LONGER FOREIGN TERRITON

Cease to Be Alien When Spanish Yields to United States.

BECOME AMERICAN AT THAT MOMENT

Subject to the Yankees' Tariff Rights Till Congress Acts.

Senators and Representatives Will Speedily Seek to Regulate Our Commercial Relations with the Ports of the Archipelago.

WASHINGTON, Dec. 2 -- Opinions were rendered in the United States supreme court today in the last two of the insular test cases. One of them was that known as "The Fourteen Diamond Rings" case, involving the relationship of the United States to the Philippine islands from a tariff point of view, and the other what is known as the "Dooley case No. 2," involving the constitutionality of the collection of duty on goods shipped from New York to

In the former case the court, through Chief Justice Fuller, held that the diamond rings brought in from the Philippines and over which the case arose should have been exempt from duty under the Paris treaty of peace, as the treaty made the Philippines United States territory.

The decision in the Philippines case followed that of the last Porto Rican case of the last term. In the Dooley case it was held that the duty collected on goods carried from New York to Porto Rico was permiseible, but that in reality it was a tax had existed for a long series of years prior

Kenna united in dissenting from the court's opinion in the Philippine case, but they filed no written statement beyond a mere note, in which they merely stated that they 'dissented for reasons stated in their opinions in the case of Delima against Bidwell

in the last term of the court. The decisions were rendered in the room of the senate committee on judiciary, where the court is sitting temporarily, and owing to the limited space there were comparatively few persons, and those lawyers. present. The delivery of the opinions in enicf, with the reading of the dissenting opinions, consumed a little more than an closest attention.

Foraker Act Upheld.

It is generally believed that the finding in the Philippine case will lead to early efforts to secure legislation for the regu lation of our commercial relations with those islands.

As the Porto Rican opinion sustains the constitutionality of the Foraker act no such necessity will arise with reference to

The diamond ring case is one of the two Important cases left undecided by the court last term, when it decided a number of cases involving the customs relation of the United States with its insular possessions. The cases decided at that time here entirely upon the relations of this country with Perto Rico and this was the only case of a large number which were then argued and considered which involved the relations of the United States with the Philippines. The other case involves the right to impose duties on articles exported from the United States to Porto Rico. interest has been manifested in this Philippine case, because of the probability of leginlation relating to the Philippines at the

approaching aession of congress. Rings Seized by Customs Officials.

The record shows that Pepke, who was the respondent in the court below, was a soldier in the army of the United States in the Island of Luzon; that while there and after the ratification of the peace treaty he purchased the fourteen diamond rings which are involved in the case. He afterward brought these rings while still in the service of the United States aboard the United a special act in respect to the particular States vessel transporting his regiment to San Francisco, where he was mustered out, Later he came with the rings to Chicago, where the rings were seized by the customs officers under the claim that the Philippines were foreign territory and merchandise brought from those islands to the United States was subject to customs duties, which were not paid by Pepke. Pepke set up the claim that the imposition of duties upon merchandise under the circumstances was contrary to the constitution of the United States and in violation of his rights as a

citizen. The case came to the supreme court from the district court of the United States for the northern division of Illinois. In that court the facts set up in Pepke's plea were admitted by demurrer filed by the United States, and that court sustained the demurrer, overruling the plea and entering judgment against the merchandise thus seized and directing that it be sold in accord with the law and from this decision the present writ of error was prosecuted.

Foreign with Respect to Tariff.

After stating the case extensively Chief Justice Fuller quoted at length from the opinion of this court in the case of Delima against Bidwell. His principal quotation from that case was the paragraph setting forth the theory that a country remains foreign with respect to the tariff laws until congress has acted by embracing it within the customs. The opinion then continued

'No reason is perceived for any differen ruling as to the Philippines. By the third article of the treaty Spain ceded to the United States the archipelage known as the agreed to pay to Spain the sum of \$20,000. 000 within three months.

"The treaty was ratified, congress ap propriated the money, the ratification was that the opinion was not to be construed as proclaimed. The treaty-making power, the a justification of export duties. Justice executive power, legislative power, con- White acquiesced in the result, but decurred in the completion of the transac

Come Inder Our Laws.

language of the treaty, 'to be Spanish.' year under the act of April 12, 1900 pro-Country to be Spanish they cease to be foreign country. They came under the

omplete and absolute sovereignty and dominion of the United States and so beame territory of the United States over which civil government could be estab-

"The result was the same, although there was no stipulation that the native inhabitants should be incorporated into the body politic, and none securing to them the

ance became due to the United States they became entitled to its protection But it is said that the case of the Philppines is to be distinguished from that of Porto Rico because on February 14, 1899. after the ratification of that treaty the senate resolved that by the ratification of the treaty of Paris with Spain it is not intended to incorporate the inhabitants of the Philippine islands into citizenship of the

nex those islands. "We need not consider the force and ef-EARLY LEGISLATION IS LIKELY TO FOLLOW in respect to Cuba, preliminary to the decby the senate by a vote of 26 to 22, not

have voted to ratify it. Senate's Treaty Intent.

"What view the court might have taken of treaty we are not informed, nor is it material, and if any implication from the action referred to could properly be indulged. it would seem to be that two-thirds of a treasurer's office. quorum of the senate did not consent to the ratification on the grounds indicated.

"It is further contended that a distinction exists, in that while complete possession of Porto Rico was taken by the United

Insurrection Does Not Affect Title.

"The sovereignty of Spain over the Philippines and possession under claim of title Beives rather than an export duty, as was claimed by the merchants who antagonized the government in the case.

Dissent in Opinions.

In both cases there were dissenting opinions concurred in by four of the nine justices of the court.

Justices Gray, White, Shiras and Me-States, the legal title and possession of the

latter remained unaffected. "We do not understand that it is claime that in carrying on the pending hostilitie the government is seeking to subjugat the people of a foreign country, but on the contrary that it is preserving order an suppressing insurrection in territory of th

United States. "It follows that the possession of th United States is adequate possession under legal title, and this cannot be asserte for one purpose and denied for another We dismiss the suggested distinction a untenable. But it is sought to detract from ur of time and was listened to with the the weight of the ruling in Delima agains Bidwell because one of the five justice concurring in the judgment in that case By cash in depository banks......

By cash in depository banks......

By cash in treasury vauit.......... against Bidwell.

Not Held to Be Foreign.

"In Delima against Bidwell Porto Rico was held not to be a foreign country after the cession and that a prior act exclusively applicable to foreign countries became in-

applicable. "In Downes against Bldwell the conclusion of a majority of the court was that an act of congress levving duties on goods imported from Porto Rico into New York, not in conformity with the provisions of the constitution in respect to the impost tion of duties, imposts and excises, was valid. Four of the members of the court dissented from and five concurred, though not on the same grounds in this conclusion. The justice who delivered the opinion in Delima's case was one of the matority and was of opinion that although by the cession Porto Rico ceased to be a

was wholly disregarded in the former.

"The ruling in the case of Delima remained unaffected and controls that unde consideration. And this is so notwith standing four members of the majority in the Delima case were of opinion that Porte Rico did not become by the cession sub jected to the exercise of governmenta power in the levy of duties unrestricte by constitutional limitations. Decree reversed and cause remanded with direction to quash the information."

Second Dooley Case is Decided.

The United States supreme court today decided the second of the Dooley cases, in volving the constitutionality of the law of April 12 providing for the collection of duty on articles shipped from the United State into Porto Rico. Decision was rendered by Justice Brown. The government is ads

tained in the second Dooley case. In the Dooley case Justice Brown's onin ion held that as Porto Rico is not foreign territory the goods shipped to Porto Ric are not exports, but whether exports or im ports the wide range of congress in th matter of taxation was sufficient for a contingency of this character. At best, he said. the duty was a temporary expedient, and as it was explicitly provided in the Foraker act that the Porto Rican legislature could change the character of the enactment it was held that the Foraker act was merely

legislation in the interest of Porto Rico. The Fornker Act was Sustained

The Foraker act was sustained on the Philippine islands, and the United States grounds laid down in the Downs case, another of the insular cases decided at the last term. The decision of the lower court was affirmed. Justice Brown explicitly said livered an independent decision. This case grows out of the imposition of tariff duties on goods shipped from New York to Porto "The Builippines thereby ceased, in the Rico May 1, 1900 to October 23 of the same

(Continued on Second Page.)

STATE TREASURER REPORTS ALBAN

Stuefer's Semi-Annual Statement Presented to Governor Savage.

to choose their nationality. Their SCHOOL FUND CERTIFICATE ATTACHED

Board of Educational Lands and Funds Says All Uninvested Permanent Money is in State House Vault.

(From a Staff Correspondent.) LINCOLN, Dec. 2 .- (Special Telegram.)-United States, etc., nor to permanently an-The gemi-annual report of Treasurer Stuefer for the six months ending Novemfect of a resolution of this sort, if adopted funds, was presented to the governor this by congress, not like that of April 29, 1898. afternoon and by the latter official was laration of war, but after title has passed given to the newspapers, together with a by ratified cession. It is enough that this Board of Educational Lands and Funds, in was a joint resolution, that it was adopted which it is stated that all uninvested pertwo-thirds of a quorum, and that it is ab-the state house. As shown by the treassolutely without legal significance upon the urer's report, the total balance of the four question before us. The meaning of the permanent educational funds is \$18,171.20. reaty cannot be controlled by subsequent The total of all money in banks, deposited explanations of some of those who may as current funds, is \$535,295.23, making a grand total of all balances of \$553,473.42. The certificate of correctness for the uninvested school money is signed by Govthe intention of the senate in ratifying the ernor Savage, Secretary of State Marsh and Attorney General Prout, all of whom devoted the afternoon to counting the money and checking over the books in the

> Mr. Stuefer in his report makes no reference to the Burt and Cuming county bond deals. The certificate and treasurer's statement

in full read: of Porto Rico was taken by the United States this was not so as to the Philippines, because of the armed resistence of the native inhabitants to a greater or less extent.

"We the undersigned members of the Board of Educational Lands and Funds, hereby certify that we have this day counted the cash in the treasury and find that the amount on hand in the said treasury is \$18,173.29. We have also examined the securities purchased and the methods of a country in the position of waging a war of conquest.

The provided Health States are to be not only in compliance with the law, but highly satisfactory. EZRA P. SAVAGE, Governor.

F. N. PROUT, Governor. Attorney General, GEORGE W. MARSH,

Treasurer's Report.

11	These recen	ots and	disburs	ements	are e		
1	hibited in the	severa	d funds	by the	follo		
e	ing:	2					
	Summary.						
d	B	alances		Dis- B			
-		June 1,	Re-	burse-	Nov		
18	Funds.	1901.	ceipts.	ments.	30, 19		
	General	\$ 80,987 1	465,545	8 464,306	\$ 52.1		
	Perm school	257,785	525,119	779,937	2,1		
le.	Temp. school	374,599	306,770	351,497	329.8		
d	Per univers.		3,526	15,550			
ie	Ag. Col. end.		23,442	39,234	5.0		
	Tem. univers.	50,499	92,194	\$0.312	62.		
	Hosp. Insane	270	258	*******			
	State library	5,519	5,220	1,994	8.		
1-	Univer, cash	14.957	16.8%	12,444	19,		
1.	Nor. library.	2,836	800	857	200		
ď	Nor, endow		720	25,000			
r.	Nor. interest		1,289	*******	1.3		
	Pen, sp. labor		8,576	2,451			
15	Pen. land	2,625	506	district.	- 3.		
m	Ag.& M. Arts	5.369	25,600	15,700	14.6		
st	U. S. Ex. Sta.		7,500	6,968	2.5		
ts.	Totals	\$806,925	\$1,483,434	\$1,796,151	\$553.		

\$553,474.42 The following amounts, included in the

	above statement, were paid into the ury from other sources than that of tion:	f taxa
H	Interest on bonds and warrants \$	92,987.
ij	Office fees, from state officers	38,022.1
ı	Oil inspection fees	2.845.3
ij	Interest on deposits	5.651.3
П	Miscellaneous	5.981.7
Ц	U. S. government, for U. S. Ex-	
ı	periment station	7,500.6
d	U. S. government, for Nebraska	
7	Soldiers' and Sailors' Homes	16,164.3
y	U S. government, for agriculture	****
ij	and mechanic arts	25,000.0
K	and mechanic arts	
1	Warden of State penitentlary	8,000,1
Н	Game and fish license fees	2,296.6

School Fund Investments. By order of the Board of Educational Lands and Funds I have invested educa-tional trust funds to the amount of \$45, 606 in county bonds of this state and now have in my possession bonds whose face value is exactly \$459,000. To these bonds by the cession Porto Rico ceased to be a foreign country and became a territory of the United States and domestic, yet that it was merely 'appurtenant' territory and not a part of the United States within the revenue clauses of the constitution.

Jurisdiction of Interstate Commerce.

"This view placed the territory, though not foreign, outside of the restrictions applicable to interstate commerce and treated the power of congress when sfirmatively exercised over a territory, situated as supposed, as uncontrolled by the provisions of the constitution in respect to national taxation. The distinction was drawn between a special act in respect to the particular country and a general and prior set only applicable to countries foreign to ours in every sense. The latter was obliged to conform to the rule of uniformity, which was wholly disregarded in the former.

Have in my possession bonds whose face value is exactly M59,000. To these bonds are attached interest compons to the amount of \$131,719, which must be paid, and go into the temporary school fund the temporary school fund the temporary become the state, by the time the bonds become optional, the optional period varying from optional, the optional period varyi

State Depositories.

	Current fund bank account No.	vembe
	Union National, Omaha	37,622.8
	United States National, Omaha	63,496.6
20	City National, Lincoln	29,696.1
0	Packers' National, South Omaha.	21,786.9
	First National, Lincoln	23,914.6
1	Saunders County Nat'l, Wahoo	10,107.1
254	Adams County, Hastings	14,912.3
đ	German National, Hastings	8,681.4
	Bank of Commerce, Louisville	3,000.0
	Battle Creek Valley	10,000.0
Э.	First National, Alliance	4,140.7
- 1	First National, York	5.143.6
- 1	Broken Bow State	6,000.0
- 3	Citizen's, McCook	8,139,0
y	Union State, Harvard	7,008.3
	City National, York	3,863.7
	State, Curtis	4,259.6
f	Farmers' and Merchants', Stroms-	
y	burg	5,112.7
3	Bank of Cass County, Platts-	
37X	mouth	10,600.0
y.	Omaha National, Omaha	86,711.1
	Merchants' National, Omaha	88,348.4
	Columbia National, Lincoln	29,406,8
	Bank of Bazile Mills	1,500,6
	First of St. Paul	4,500.6
n	First National, Holdrege	4,792.6
0	First National, Wayne	15,150.3
	Pierce County, Pierce	7,000,0
-	Bank of Orleans, Orleans	6,000.0
2	Grand Island Banking Co	19,000.0
-	First National, Loomis	5,000.6

Total balance During the eleven months just closed have received \$7.88.81 interest on state funds deposited in banks, every dollar of which has been properly accounted for according to law.

ording to law.

In conclusion, I desire to state that there is nothing covered up or hidden in this office and that I am perfectly willing to submit every transaction to the most thorough examination and the most searching scrutiny by the proper authority.

Respectfully, submitted. Respectfully submitted, WILLIAM STUEFER.

State Treasurer GEORGE W. MARSH. Secretary of State, by Frank McCartney, deputy.

Captain Tilley Acquitted.

AUCKLAND, New Zealand, Dec. 2.-The United States naval court at Tutuila. Samos, has honorably acquitted Captain ably be signed this week at Washington. Sneverarrier. Benjamin F. Tilley, the naval governor of The price fixed is between \$4,000,000 and Tutuila of all the charges against him.

Victorious General, Amid Peace at Colon. Treats with \anquished For.

COLON, Dec. 2 .- The City of Panama continues quiet. Following General Alban's orders, the Colombian gubbeat Boyaco. rowing a launch bearing soldiers, has left

The destination of this expedition is reported to be Agua Dulce. From this point the government soldiers will attempt to clear the remaining bands of liberate from the Department of Papama. General Belizario Parras, the liberal leader, is supposed to be in the vicinity of Agua Dulce. American marines are still ashore at

Panama. Juan Antonio Jiminez, formerly a member of the staff of the insurgent general, Domingo Diaz, has come voluntarily to Panama, where he delivered himself to General Alban. General Diaz did not instruct night in the room of the senate committee house. Upon arriving General Alban said to the wife of Juan Jiminez: "Look, I have brought you your husband." The British sloop of war learns has returned to Panama from South American

The Chilian minister, Senot Yrarrarazavel, arrived here today. He was tendered an enthusiastic reception.

NEW YORK, Dec. 2 .- The Herald's Colon. Colombia, correspondent, cables as follows: Your correspondent has obtained an interview with General Carlos Alban, governor of the Department of Panania and commander of the military and naval forces of the isthmus, regarding the situation. When General Alban was asked if he could | aid in passing irrigation legislation for the now maintain free transit on the isthmus. be replied:

"Colombia does not require foreign aid to maintain free transit across the isthmus. Within nine days we have recaptured Colon and have killed or taken prisoners the troops which occupied that port." "Are you satisfied with the terms of the

treaty executed in Colon?" was asked. "Yes; the terms are the same as those arranged in July of last year, when the revolutionists surrendered at Panama. I voirs, canals and artesian wells should was to establish that Mrs. Bonine evinced death of Senator James H. Kyle. The creion entirely at an end?"

"Not yet," replied General Alban, emphateally. "There are still several bands of insurgents in the interior of the Department of Panama. These bands will soon be

News has reached Colon that a committee of the insurgents several days ago demanded that Bocas Del Tero should surrender. It is now believed that Bocos Del Toro is in the hands of revolutionists,

NEW GERMAN TARIFF BILL Count Von Buclow Pronounces It One of the Most Important on

Record. BERLIN, Dec. 2.—"This will is the most important which has been before the house for a long time, but it does not imply any deviation from the policy in regard to treaties of commerce," said the imperial 18.179.20 chancellor, Count von Buelow, at the opening of the debate on the tariff bill in the Reichstag today. "On the contrary, the federal governments are firmly resolved to pursue a policy with commercial treaties in the future in the interests of German industry, while, of course, upholding the

just rights of Germany." The bill took into account all the interests and wishes which were especially deserving of consideration and more particularly agriculture. But it was also intended to remedy defects which the existing tariff displayed with respect to commerce and

The federal governments were fully prepared for heated conflicts, but the imperial chancellor was convinced that the new tariff offered a basis affording good protection to agriculture, industry and trade. He hoped that in the ensuing discussions a sense of confidence in the government would prevail. The chancellor's remarks

were greeted with cheers. approved the bill, which is the result of president. Mr. Thompson wants to be amseveral years' comprehensive, careful la-

Allusion was made to the United States in the course of today's debates upon the subject and the name "America" is likely rich several times tried to get President to yet be more freely used by both sides in this controversy.

The tariff expenses of the United States two reasons, one that General Clayton's and the pressure of American competition record was satisfactory and the other that constitute rich mines for argument on General Clayton was his friend. General either side of the question. Brotwusher (bread usury) or the raising of the price of bread is to be the battle word of the by his colleague. Senator Millard, is going manufacturing capitalists and the socialists to renew his efforts for an ambassadorship alike, who, by a curious turn of politics, for Mr. Thompson." now unite in passionate opposition to a bill that primarily increases the cost of

BULGARIA EVADES BLAME Answer to United States is Con sidered Imprudent in

(Copyright, 1901, by Press Publishing Co. VIENNA, Dec. 2 .- (New York World Cablegram - Special Telegram.) - The Bulgarian government's reply to the note of United States Diplomatic Agent Dickinson was made public here today by the Austro-Hungarian foreign ministry. It was written by Mr. Daneff, Bulgarian minister of foreign affairs, and concludes with the following words: "I am surprised that you He has, however, been quietly notified that have come to the conclusion that the he cannot change the decision of Senators United States will hold Bulgaria responsible Dietrich and Millard and Representative for Miss Stone's death. I must regard it Burkett. as certain that the using of violence by the brigands can only be attributable to your members of the South Dakota delegation at protracted negotiations. It was for you dinner at Harvey's. In addition to Senator to carry the negotiations to a successful Gamble and Representatives Burke and end. The Bulgarian government declines Martin, there were present Auditor Person

18,179.20 all responsibility. 18,179.20 In Vienna this In Vienna this answer is considered im- Marshal E. G. Kennedy of Eureka and pudent, and the hope is expressed that the | Colonel R. W. Stewart of Pierre, who came weeks ago. The Bulgarian cabinet met immediately (November 12) to consider the

SALE OF DANISH WEST INDIES grounds, arrived from the west yesterday. Full Agreement Renched at Copen hagen and Trenty Will Reach

Washington This Week.

COPENHAGEN, Dec. 2 .- A full agreement has been reached between Denmark

MAGNANIMOUS ALL AGREE ON IRRIGATION

Western Senators and Representatives Canvass the Situation.

Hour. Deg. 5 n. m. 22 6 n. m. . . . 21

n. m

9 a. m..... 19

11 A. W. 24

rick, resigned.

Honr.

vice T. J. Harvey, resigned; William Scarr,

Newark, Kearney county, vice W. H. Mer-

B. M. Wade of Arkansas City, Kan., was

The following have been admitted to

Bids were opened at the Treasury de

partment today for a steam beating appara-

tus for the public building at Clinton, la

E. N. Woodbury of Clinton was the lowest

The postoffice at Tenville, Montgomers

county, la., has been ordered discontinued;

Witnesses Say They Saw Nothing In-

usual in Her Relations with

Ayres.

WASHINGTON, Dec. 2.-The defense in

he case of Mrs. Lola Ida Bonine, charged

today began the introduction of testimony

and placed witnesses on the stand before

court adjourned for the day. The line

of examination showed that the purpose

that her conduct and bearing toward him

testified that the dances at the Kenmore

dancers were not prompt in their attend-

nation, that he understood it had been Mrs.

Bonine's intention to leave the hotel, but

Contends the Monroe Doctrine

is Inadequate.

pected turn today. The order of the day

called for a discussion of the project of a

Pan-Aemerican bank and the exchange of

the session Mr. Bacz of Paraguay took the

floor and made a speech advocating a com-

prehensive scheme of arbitration. Dele-

gate Baez said that the Monroe doctrine

European aggression. What was needed

desideratum had been supplied by the Diaz

doctrine recently enunciated by Senor Ro-

The basis of the Diaz doctrine is peace.

but peace can be secured only by justice.

and justice can be secured through arbitra-

WOULD EXPEL ANARCHISTS

Senator Burrows Will Introduce Bill

for the Exclusion of Ques-

tionable Aliens.

of Michigan will introduce a bill tomorrow

providing for the exclusion and expulsion

of alien anarchists. By its provisions the

coming to this country and ascertain by

pertinent questions as to his autecedents

his opinions as to government, or whether

he belongs to any society or association

with anarchistic tendencies, and it may ex-

When an anarchist escapes this inquist-

tion he may be seized by the commissioner

general of inquiry and if after a thorough

may be deported to the country from

indicating such membership.

which he came.

morrow.

Montreal

conduct.

sumed tomorrow.

It had been her habit, he said, when the March 28, when every school boy who knows

toward other guests of the hotel.

mail to be delivered at Sciela.

1 p. m 201

2 p. m.....

OUTGROWTH OF THE CHEYENNE MEETING

Plans for Legislation Proposed and Much Comfort Taken from President's Distinct

Approvat.

(From a Staff Correspondent.) WASHINGTON, Dec. 2 .- (Special Telegram.)-The reclamation and trrigation of today appointed gardener and Arthur E. the arid lands of the west was the sub- McFebidge, teacher, was promoted to be ject discussed at a conference called by school inspector at the Rosebud Indian Representative Burkett of Nebraska to- school, South Dakota. Jiminez to come in and surrender. The on claims, in which twenty senators and declared in favor of the creditors of the former insurgent says he is sick and dis- members of the house participated. An or- Lemans National bank of Lemans, Ia., makgusted with the campaign. After he had ganization was effected. Senator Warren of ing 50 per cent on claims amounting to surrendered General Alban but Jiminez in Wyoming was made chairman and Repre- \$116,366, a carriage and accompanied bim to his sentative Shallenberger of Nebraska secretary. Others present were: Senators Mil-lard and Dietrich of Nebraska, Reeder of Robert M. Proudfit of Friend, Neb.; Paul Kansas, Bell and Shafroth of Colorado, Grabill of Des Moines, Eli W. Drake of Newlands of Nevada, Tongue of Oregon, Chariton, Horace M. Harner of Marengo. Burke and Martin of South Dakota, Suther- Ia.; David H. Latham of Faulkner, S. D. land of Utah and Mondell of Wyoming. Representative Burkett read the proceedings of the meeting held in Cheyenne last June, of which tonight's meeting was

the outgrowth. Senator Warren expressed bidder at \$1.952. his gratification at the unanimity of sentiment of all present to consummate an end which would be beneficial to the people of the west and said he was pleased to announce that many eastern members of con gress had expressed their desire to extend IN MRS. BONINE'S DEFENSE West Senator Dubois and Representatives

Newlands, Mondell and Shafroth gave their views on the subject, which tended to show that on the question of irrigation all were a unit and willing to make concessions to bring about the passage of an act looking to the reclamation of the western lands. Only One Obstruction.

The only obstruction was a difference in the state laws controlling the resermust say, however, that many of those such legislation be enacted. The government rebels have again taken up arms against the Columbian government."

"Do you consider the isthmian revolutions should have the governing of irrigation." ner hereinafter provided, but the states differed in no respect from that displayed

plants. While nothing definite was decided upon tonight, it was agreed that all would act Kenmore at the time of the tragedy. He as a unit to bring about irrigation on a large scale and a draft of a bill will be were usually arranged by Mrs. Bonine and submitted at a future time for considera- that at these dances her bearing toward certificates stated that the individual sention and subject to amendments by the Ayres was nothing out of the ordinary.

members interested. One important fact brought out by every speaker was that President Roosevelt had ance to go to their rooms and urge them informed each that he was heartily in favor to come down. He stated, on cross-examiof this movement and would encourage the enactment of such a measure.

A number of Nebraskans in the senate after the tragedy he had advised her that witnessed the swearing in of the two republican senators from Nebraska for the first affair was cleared up. time in eight years. Dr. and Mrs. J. A. Andrews of Eustis, under the charge of Auditor W. E. Andrews, looked down from the drinking to excess. reserved gallery upon the inspiring scene. Dr. Andrews and his bride are on their the Interior department, to whom Mrs. ferred. wedding tour, which they expect will exwedding tour, which they expect will extend over a large portion of the east. Mr. Andrews is a brother of the auditor of the treasury and is a member of the state leg- Mrs. Bonine and Ayres dancing together islature. His bride was formerly Miss Lula and had observed nothing unusual in their Trott of Hastings, who was confidential secretary of Chairman Lindsay.

D. E. Thompson of Lincoln was also a senate spectator and saw Scuator Dietrich tonight for New Orleans, enroute to his mining properties in Mexico. Before leaving he took dinner with Senator Dietrich and Charles E. Magoon.

When asked who would be appointed state oil inspector in place of Ed R. Sizer Mr. Thompson said the place would go to the Traveling Men's association, but as that body had not agreed upon a man, so far as he knew, he could not hazard a guess.

Thompson and Ambassadorship. An evening paper says that Senators Dietrich and Millard presented D. E. Thompson to the president today as a candidate for minister to Mexico, and adds: "The presentation of D. E. Thompson is "The emperor," said the chancellor, "has significant of future conferences with the bassador to Mexico to succeed General Powell Clayton, and Senator Dietrich is going to make an effort to land him. It is pretty well understood that Senator Diet-McKinley to give this position to Mr Thompson, but Mr. McKinley declined for Clayton and the dead president were warm personal friends. Senator Dietrich, backed

When shown this paragraph Mr. Thompson seemed greatly put out. He said there was no truth in the report that he wanted an ambassadorship, nor had he authorized anybody to present his name. "I recognize that the least said about the mat

ter the better," said he. N. W. Wells of Schuyler, Neb., was a looker-on in the house during its inauguration exercises. Miss House of Cedar Rapids, Ia., niece o

Senator Millard, who is attending school in Baltimore, was the guest of Miss Millard during the morning session of the senate." Lincoln Postmaster Persistent. H. M. Bushnell, present postmaster of Lincoln, is contemplating making a fight on Ed Sizer's selection to his place on the

termination of his present term of office Senator Kittredge tonight entertained the of the Interior department, United States

United States will hold Bulgaria respon- on to witness Mr. Kittredge's induction as sible for Miss Stone's safety. Mr. Dickin- senator. Representative D. H. Mercer of son's note was handed to Mr. Daneff three Omaha arrived from San Francisco Sunday night and was in the house committee room for the first time in months today. W. H. Wheeler of Omaha, clerk to the house committee on public buildings and

Department Notes.

These rural free delivery routes have been ordered February 1: Nebraska-Wilber, Saline county; route embraces fortyfour square miles, containing a population of 875; John Barton carrier. South Dakota -Brookings, Brookings county; additional and the United States for the sale of the service: route covers thirty-six square Danish West Indies. The treaty will prob- miles, containing population of 464: Ole S.

Nebraska postmasters appointed today:

At Bremen-Salled-Cassel, for New York.

At New York-Arrived-Calabria, from twenty annual installments, Reclaimed

CONDITION OF THE WEATHER CONGRESS AT WORK Forecast for Nebraska-Rain or Snow and Colder Tuesday, Wednesday Probably Fair; Northeasterly Winds.

Both Houses Begin a Session that May Last Temperature at Omaha Yesterdayt Till the Middle of June.

NEBRASKA'S NEW SENATORS TAKE OATH

Their Credentiale Call Forth Criticism of Watchful Mr. Hoar.

HE POINTS OUT DISCREPANCY IN DATE

Then They Are Passed on to the Official Files for Record.

A second dividend of 25 per cent has been | FLOWERS DELUGE THE VARIOUS DESKS

Senator Dietrich Sits Par Back on Republican Side, While Senator Millard is in "Cherokee Strip" with the Democrats.

(From a Staff Correspondent.) WASHINGTON, Dec. 2 - (Special Telegram.)-Congress is once more on the hands of the president and from present appearances it is likely to stay on his hands until the middle of June. Never was there a more auspicious beginning of a new congress. The day was ideal and the balls of congress were crowded early by the usual first-day crowd. The sounte chamber was a blaze of color, immense quantities of flowers on desks suggesting an autumn flower show instead of a dignified assembly chamber in which the upper branch of the nation's legislature meets to place laws upon the statute books of the republic. Shortly after the invocation by the blind chaplain Senator Allison of Iowa presented the credentials of Senators Charles H. with the murder of James Seymour Ayres, Dietrich and J. H. Millard of Nebraska, while Senator Gamble of South Dakota did a like service for A. B. Kittredge of his state, who has been appointed by Governor Herried to fill the vacancy caused by the no particular partiality toward Ayres and dentials of Senators Dietrich and Millard were read and were about to be ordered to the files of the senate when Senator Hoar of Massachusetts called the atten-The first witness called was William C. tion of the senate to a woeful defect in the Hay, who, with his family, lived at the certificates. Had there been a contest on, these two senators' credentials would undoubtedly have been referred to the committee on privileges and elections. Both ators dated their senatorial term from

by the governor to fill a vacancy caused by Senator Hoar stated that his was not captious position, but he wanted the senate to appreciate the importance of having the credentials correct as they went into flies Richard L. Jenks testified that he heard for future generations to punder over. Sen-Mrs. Bonine giving Ayres advice against ator Frye, president pro tem, ordered the credentials to the files and then Senator George B. Gardner, assistant attorney in Kittredge's credentials were read and re-

his constitution knows that the senatorial

bills begin from March 4, unless appointed

of the government witnesses, testified that on the night of the tragedy he had seen n the new senators occurred when Senato Spooner, realizing that Mr. Dietrich was being left out rushed to the seat of the David C. Mooney, a clerk in the auditor's senior senator from Nebraska and, taking bim by the arm, burried down the side office, said he had observed Mrs. Bonine dance with Ayres, but saw nothing in her aisle, Senator Dictrich elevating his hand as take the oath of office. Mr. Thompson left attitude toward him differing from that he strode to the president's desk. Usually toward others. Similar testimony was this feature of the senate's opening is most given by others. One of the jurors was decorous, but old-timers were compelled taken suddenly ill during the day, but with to smile as they saw the little giant of the aid of a physician managed to continue Wisconsin escorting the stalwart secator of the South Platte to the swearing in throughout the day. The trial will be re-Senator Millard was presented at the desk by Senator Hanna, while Senator Gamble FAVORS THE DIAZ DOCTRINE | did the honors for Senator Kittredge. The desks of the senators from Nebraska werd Delegate from Paraguay to Mexico gay with flowers, while Senator Kittredge had one of the biggest floral pieces in the chamber, an offering from members of the South Dakota delegation and friends who came to see the "silent man," as he is MEXICO CITY, Dec. 2 .- The session of called in the Black Hills, take the oath of the Pan-American conference took an unex-

office. Senator Dietrich's seat is far back on the republican side of the chamber, while that of Senator Millard is in the "Cheroofficial publications, but at the opening of kee strip" on the democratic side, there not being enough seats on the republican side of the chamber to accommodate all the representatives of that persuasion. Senator Dietrich takes the seat which Senonly protected the American nations from ator Hanna first occupied when he came to congress, while Millard occupies the seat was a new doctrine to protect them from formerly held by former Senator Turple of aggressions on the part of each other. This Indiana.

Drawing for Scats in House.

In drawing for seats on the house side E. Burkett's name was the first of the Nebraskans called. He chose a seat one aisle pearer the speaker's deak than he tion, therefore, said Mr. Bacz, it was nec- occupied in the Fifty-sixth congress, while essary to proclaim universal arbitration as Sereno E. Payne of New York and John the natural law of the American republics. Dalzeil of Pennsylvania chose seats to his ight and left. William Neville of the Sixth district was the first of the populists called and he selected his old seat right under the speaker's nose. Stark, Shallenberger and Robinson got seats on the last row on the democratic side, well in the center. "Our Dave" was the last Nebraskan called and he had to content himself with a deale

WASHINGTON, Dec. 2. - Senator Burrows | far to the left of the speaker. Congressmen Burke and Martin of the South Dakota delegation were fortunate in having their names called early in the seat board of inquiry is authorized to diligently allotment and benefited correspondingly. search for anarchists among the foreigners | Mondell of Wyoming improved his location over that in the last congress and is surrounded by a number of distinguished legislators from the west.

None of the Iowa delegation fared badly in the allotment, although it was long in amine the person of such alien for marks the game before Lacey, Hepburn and Hull were called. If there were any flowers for these gentlemen they did not appear on the floor, as Speaker Henderson peremptorily ordered that no floral offerings should and satisfactory inquiry is found to be a be carried in until after the drawing for menace to this government as an anarch- seats had been concluded and when it was the house adjourned, leaving the flowers

wilted in the lobby. First Irrigation Bill.

WASHINGTON, Dec. 2 .- Secretary of the The first irrigation bill of the acasion Interior Hitchcock has telegraphed Wil- was introduced today by Mr. Newlands of liam Grimes, secretary of Oklahoma, to act | Nevada. It was the general bill for the reclamation of arid lands, introduced by as governor until the newly appointed governor, Mr. Ferguson, takes charge. The him at the last accasion, which was favorlatter will take the oath of office here to- ably reported in its essential provision by both house and senate committees. It providee that all money received from the Movements of Ocean Vessels Dec. 2. sale of public lands in the arid land states At Leits Arrived Imogen, from San shall be set aside as "an arid land recla-Francisco, Montevideo, etc., via Harwich. At Glasgow Arrived Sarmotian, from interior to let contracts for the construcinterior to let contracts for the construc-At London-Arrived-Montevidean, from tion of reservoirs and irrigation works, Montreal.

At Gibreltar-Arrived-Furst Bismarck, contract to be let until the money is in from New York for Naples, etc.

At Liverpool-Arrived-Ivernia, from Bostat Liverpool-A