

TWO SENATES SITTING

Colorado House Splits, Forms Dual Organization with Double Set of Officers.

EACH SECTION VOTES FOR U. S. SENATOR

Both Claim to Be Sole Constitutional Body Entitled to Act.

GOVERNOR APPEALED TO FOR TROOPS

Republicans Wish to Regain Seats by Forcefully Expelling Democrats.

SPEAKER TO DECIDE BETWEEN FACTIONS

When Joint Balloting Begins Today Representatives Head Will Have to Recognize One Senate or the Other.

DENVER, Jan. 20.—Both houses of the general assembly balloted for United States senators at noon today. Henry M. Teller received 10 votes, only one less than is needed to elect. Senator McGuire, a democrat, refrained from voting, but subsequently said he would vote for Teller if it should appear that he could be elected.

Only two republican senators were in the senate chamber when the vote was taken, and they did not respond when their names were called.

Soon afterwards the nine regular republican senators, the two who were expelled by the democratic majority and the eight contestants who were sworn in on the basis of the constitutional right, assembled in the lieutenant governor's room and formed a separate organization.

Senate Organizes Afresh.

Senator M. Z. Farnwell was elected president pro tem, C. E. Hogan secretary, and Thomas McManhan, sergeant-at-arms, the senate officers previously chosen being discarded. A ballot was then taken for speaker.

A resolution was adopted notifying the governor that the senate had reorganized and was ready for business. Subsequently two of the regularly elected republican senators, Drake or Larimer county, and Cornforth of El Paso, left the Haggott senate and returned to the senate chamber, where they announced that they would act with the "regular senate" and would no longer participate in a "farce."

Under the constitution Lieutenant Governor Haggott is the presiding officer of the joint session which is to meet at noon tomorrow to vote for senators. He will insist that the body over which he presided today was the regular senate, and that its vote for senator should be accepted.

The speaker of the house will then be called upon to decide which senate shall be recognized as regular. Comparison of the journals will show that no one has been elected senator. It will then be necessary for the joint session to proceed with balloting until a senator is chosen.

If the democratic senate is recognized and the house remains with its present membership as seems likely, Senator Teller may be re-elected. On the contrary, if the republican senate is recognized, there is likely to be no election and the balloting will continue indefinitely.

A ballot for United States senator was taken in the senate soon after noon. Henry M. Teller received twenty-five votes, the entire number cast.

One democrat, McGuire of Arapahoe, was excluded from voting at his request. Only two republicans, DeLong and Fryer, were present, and they refused to answer to their names.

Lieutenant Governor Haggott and all the republican members had withdrawn from the chamber before noon, but DeLong and Fryer were turned away by the sergeant-at-arms when they attempted to follow.

Senator Adams, president pro tem, was in the chair when the vote was taken.

The vote in which senate was taken as follows: Henry M. Teller, democrat, 25; Edward O. Wolcott, republican, 18; Frank C. Goudy, republican, 13; Irving Howbert, republican, 6; N. W. Dixon, republican, 3.

The republican senators met in Lieutenant Governor Haggott's chamber and balloted for speaker. The vote was as follows: Edward O. Wolcott, 3; Frank C. Goudy, 4; Irving Howbert, 2; John W. Springer, 1; Jesse Northcott, 1; N. W. Dixon, 2.

Spends a Stormy Night.

After a tumultuous conflict last night in the general assembly, in the course of which Governor Mendenhall was called to call the military force of the state in order to seat seven republican senators declared to be wrongfully excluded from the legislature, the situation quieted down with a democratic majority in possession of the senate chamber.

A supply of blankets was sent in to them and they propose to hold the fort until balloting for United States senator begins today, and possibly until time for the joint balloting on Wednesday.

At 2 o'clock this morning Senator Deuel, said to be acting under instructions from Lieutenant Governor Haggott, called upon Governor Peabody with a request that an order be issued calling out the state militia for the purpose of dispersing the crowd of officers in the hall of the democratic. Officers of the militia and a number of men were held in readiness at the Curtis street armory.

Appears were made to Sheriff Seorie for assistance in clearing the democratic from the hall, but he declined. He permitted his deputy to remain at the state house in consultation with Chief of Police Armstrong, who is acting for the democrats.

Governor Peabody has announced that he recognizes the Haggott senate as the one properly organized under the state constitutional provisions, which make the lieutenant governor president of that body.

Senate in Continuous Session.

STORMY SCENE IN REICHSTAG

President of House Declines to Permit Discussion Concerning Late Herr Krupp.

BERLIN, Jan. 20.—There was a stormy scene in the Reichstag today, following an attempt of Herr Vollmar, socialist, to open a debate on the charges brought against the late Herr Krupp and Emperor William's telegrams and speeches on the subject.

The president of the house declined to permit the discussion and the socialists violently protested against this ruling, asserting that he was violating the rights of the Reichstag.

The ground on which the president acted was that it was out of order to discuss a private person while debating the budget. The president interposed several times to prevent Herr Vollmar from continuing his remarks. The socialists who reviled the president frequently referred to him as "a miserable dog."

Herr Vollmar insisted he had the right to discuss Emperor William's speeches on the Krupp affair, but the president resolutely excluded any such comments, deciding that his majesty's expressions of opinion or sympathy following Herr Krupp's death belong to the emperor's private life.

Discussing foreign relations, Herr Vollmar said the socialists wanted to know why the Venezuelan revolution had been smothered, adding:

We want full information on all phases of the mediator's efforts since President Roosevelt's refusal to arbitrate. We hope the government will not repeat Napoleon's Mexican adventure.

LADY SOMERSET IS EMPHATIC

No Reason to Object to Pietro, "Love and Life" in White House.

LONDON, Jan. 20.—Lady Henry Somerset, in an open letter published today, says she regrets the objections raised by "crack-brained" persons to the picture of the Women's Christian Temperance Union of America, against Watt's picture, representing "Love and Life" in the White House.

"As president of the World's Women's Christian Temperance Union," she said, "I have no objection to the picture of the Women's Christian Temperance Union of America, which is not held by a majority of the great temperance societies, which realizes that the wonderful allegorical picture has in it nothing but tender, beautiful teachings."

"I would perhaps not have made this statement so emphatically were it not that I know Francis Willard shared my view in this matter and would have certainly deprecated the criticisms that have been made by women who have done most excellent work, but who probably have no discrimination in judging of the moral effect of works of art."

HONOLULU MAKES PROTEST

Sends Delegate to Influence Congress Against Committee's Recommendations.

HONOLULU, Jan. 20.—W. O. Smith sailed for San Francisco today, enroute to Washington to represent the commercial bodies of Honolulu in a fight in congress against several measures recommended by the congressional committee which recently visited the islands.

The recommendation that the leper settlement at Molokai be made a national quarantine station will be contested. The people of the Hawaiian islands object to this provision for several reasons.

Mr. Smith is also delegate to oppose the suggestion that the land laws of the United States be enforced in the islands. Local residents hold that conditions do not warrant the application of American land laws, the amount of arable land being extremely limited.

Governor Dole himself cabled President Roosevelt, advising against the recommendations of the congressional committee in this respect.

FAIR'S FURS TAMPERED WITH

Executors Receive Dead Millionaire's Effects, but Find Substitution Made.

PARIS, Jan. 20.—Consul General Gowdy has partially confirmed the reports from San Francisco that the effects of the late Mr. and Mrs. Charles L. Fair had been looted in Paris and that imitations had been substituted for valuable furs.

Mr. Gowdy said the effects of the Fairs had been sent to the executors at San Francisco, but he declared that the substitution of the jewelry as involved, but informed him that the furs, which had been sent separately, had been tampered with and pieces of an inferior quality substituted for the originals.

Mr. Gowdy asked the executors to ship the furs back with the necessary affidavits and had received notification that they had been shipped. As soon as he received them he intended to have the matter investigated.

CRUISER DISABLED AT SEA

Vessel on Way to Join German Fleet Has to Stop for Repairs.

BERLIN, Jan. 20.—The cruiser Spibber, bound for Venezuela, to join the German fleet under Commodore Schreiber, became disabled at sea during the night of the 19th for repairs before continuing its journey.

It is thought that the injury must be serious if it necessitates going into dry dock.

The school ships Charlotte and Bloch, now attached to the fleet in Venezuelan waters, have received orders to return home and will leave soon for Kiel.

Italy Honors Mascagni.

ROME, Jan. 20.—The minister of public instruction has officially confirmed the nomination of Pietro Mascagni to the directorship of the Risini Lyceum, the musical conservatory at Pesaro. This is the highest honor possible for Italy to give a musician.

Steamer is Floated.

GIBRALTAR, Jan. 20.—The North German Lloyd steamer Lahn, from Mediterranean ports, for New York, which grounded on a sandbank of Tunis five miles east of the Rock of Gibraltar Sunday morning, was floated at daybreak today.

DIETRICH ON CUBAN TREATY

Believes It Will Be Ratified by Senate Within Time Specified.

BEEF SUGAR MEN ARE SATISFIED NOW

W. H. Hanks Evincing a Lively Interest in the Land-Leasing Bill—Goes Looking Over the House.

(From a Staff Correspondent.)

WASHINGTON, Jan. 20.—(Special Telegram.)—Senator Dietrich stated today that he believed the Cuban treaty would be ratified by the senate within the time set in the convention between the two governments. "The opposition to the treaty," he said, "has very greatly fallen away since the amendment declaring for preferential rights between the two countries had been attached to the eighth article of the treaty."

He is in effect a godsend to Cuba, as it prohibits the United States from giving rebates to any other sugar producing country outside of Cuba for the next five years. This will permit the sugar industry to be developed in the island and in that time a splendid increase should be shown. Cuba, which produces more sugar than it consumes, can sell in England, continental Europe, the United States, however, agrees not to give a lower duty to any foreign country than it provides for the tariff act of July 24, 1897 and in this way gives Cuba the benefit of the sugar trade for a period of five years.

The allied commanders, including the Italian and British, must, under the agreement, it is pointed out, have been consulted beforehand and have jointly ordered the operation, which was left to German vessels to carry out because that part of the coast was assigned to the Germans, therefore the British and Italian commanders share the responsibility equally with the German commander.

BERLIN, Jan. 20.—The surprise expressed at Washington that the German cruiser Panther should try to enter Maracaibo harbor is not understood here, where the operation is regarded as a simple act of force consequent upon the maintenance of an effective blockade.

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Why They Stayed Away.

The absence of some of the members was attributed to a desire to avoid action upon several pending matters of importance without the votes of certain other members who it was known could not be present.

Among these matters was the mayor's veto of the bond issue, which was to be taken up by the council after the adjournment of the city and police board content, now in the supreme court.

Another matter which was to have come up last night was the following communication from the mayor, which explains itself, and a matter of which it may be suggested reasons why some of the councilmen should be interested in the personnel of the meeting at which it may be considered.

OMAHA, Jan. 20.—To the Honorable the City Council of the City of Omaha, Gentlemen: Have always been and am now in favor of the municipal ownership of public utilities, especially of the waterworks, but up to the time prevailing conditions made any step in that direction impracticable.

The total amount of outstanding long-time indebtedness of the city, as shown by the figures of the comptroller, is the sum of \$3,000,000. The assessed valuation of property in Omaha under the 10 percent limit is \$2,000,000.

As will be observed from these figures the outstanding long-time indebtedness of the city under the present assessment is \$1,000,000 short of the constitutional 10 percent limit of indebtedness, while this constitutional limit would have been impossible to issue waterworks bonds in the sum required to purchase the waterworks, \$1,500,000.

Under the present assessment and the law for the purpose of municipal taxation for the year 1902 the assessed valuation of property in Omaha for the purpose of municipal taxation for the year 1902 is \$1,800,000.

As the result of the assessment just completed the city is in a situation for the first time in its history for the acquisition of the waterworks.

Time to Act is at Hand.

The right of acquiring the waterworks by purchase as provided in the contract with the water company will accrue to the city September 4, 1903. It therefore becomes necessary at this time to consider the most effective and certain plan of procedure for acquiring the waterworks; whether by enacting a law for the purpose of the waterworks, or by proceeding under the power and right of eminent domain provided for by the charter.

Under the right of eminent domain the city has the right to select seven appraisers to appraise the waterworks and to acquire final and binding on the city, is subject to approval by the people, which will be done at a vote of the people. This gives to the city protection much to be desired in reference to the amount of the appropriation.

Whatever course may be decided upon with respect to the waterworks should be taken with sufficient caution and understanding of the situation as to adopt the plan which will be most beneficial to the city.

Now that bonds can be issued, and the time when the right of purchase will soon arrive, it is recommended that an ordinance be passed declaring the necessity of acquiring the waterworks plant and providing for the value of the same. With this in view, it is suggested that the city should refer to the appropriate committee and that the question as to the most desirable method of procedure for acquiring the waterworks be considered without delay by the council in general committee and with a view to a final determination of this question I will be pleased to confer with your committee.

FRANK E. MOORES, Mayor.

MINISTER BOWEN IN CAPITAL

Man of the Hour Reaches Washington to Discuss Venezuelan Embroiglo with Allies.

WASHINGTON, Jan. 20.—Minister and Mrs. Bowen reached here shortly after noon, their train being five hours late. They were met at the station by their nephew, Hamilton Hol, of New York, and drove at once to the Arlington hotel.

Immediately after luncheon Minister Bowen called at the State Department. He had a long conference with Assistant Secretary and Treasurer, the only members of the cabinet to be present.

He wants above all things an excuse to remove the blockade. So, when he called on the representatives of the allies he urgently requested them to name an early day for beginning negotiations.

LONDON, Jan. 20.—The statement that Minister Bowen has been authorized by President Castro to offer the Venezuelan customs as a guarantee for the fulfillment of his country's obligations is confirmed. The offer has not yet been accepted and it is thought here that it may afford the opportunity for a withdrawal of the blockade. The matters will be considered by the European representatives at Washington.

Dispatch to Reuter's Telegram company from Port of Spain, Trinidad, says nearly 100 blockade runners have been captured since the blockade of the Venezuelan coast began.

The ground of friction between the German and British naval officers are denied. BERLIN, Jan. 20.—The surprise expressed at Washington that the German cruiser Panther should try to enter Maracaibo harbor is not understood here, where the operation is regarded as a simple act of force consequent upon the maintenance of an effective blockade.

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PURCHASE OF WATER WORKS

Mayor Moore Addresses Communication to City Council on Subject.

TIME FOR ACTION BY CITY IS AT HAND

For the First Time in Its History Omaha is in a Position to Issue Bonds to Purchase the Plant.

Much to the dissatisfaction of some of the members who were on hand, ready to transact the important business pending, there was no quorum of the city council last night, and although a call of the house was issued and the city clerk's force of assistants was sent skimming in different directions, the missing one were not located. Among those present it was freely declared that at least some of the absentees had purposely remained away, and there was much unfavorable comment upon the fact that Councilman Hascall, after coming to the chamber, quietly took his departure without making any excuse or explanation.

At 8 o'clock the prospects of a quorum were good, but almost immediately after that hour it was noticed that Mr. Hascall had gone. Vice President Mount called the body to order and beside himself Messrs. Lobek and Trotter were the only members to answer to roll call. Only a few minutes later Mr. Zimman came in and then Mr. Trotter moved a call of the house. The city clerk's assistants were sent to find the absentees, but one by one they returned. Mr. Hascall had no success. At 9:30 Mr. Lobek moved to disperse with the call of the house, but only Mr. Trotter voted with him and consequently the motion was lost. Messrs. Mount and Zimman declaring that they were determined to get a meeting if such a thing was possible. Soon after this Messrs. Lobek and Trotter left, stating that they would return at once if notified by telephone that another member had been found to complete the quorum.

Zimman and Mount, after waiting until past 10 o'clock, gave up the effort and raised the call of the house.

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CONDITION OF THE WEATHER

Forecast for Nebraska—Fair Wednesday, Wednesday, and Thursday; cloudy Friday; Fair, except Snow and Clouds in West Portion.

Temperature at Omaha yesterday: Hour, Deg., Hour, Deg.

TALK OF BENNETT CREDITORS

They Discuss Methods for Selling Out the Stock Before Referee Clapp.

Referee Clapp yesterday continued to gather the opinions of those interested in the matter of whether it is best to close the Bennett store and sell the goods in bulk or keep it open for a time preceding the final sale. The testimony of the following large creditors was received: E. H. Allen, W. H. McCord, H. W. Yates, N. T. Barlow, C. W. Lyman, W. S. Stone, Merchants National Bank, Omaha Gas company, G. W. Wattle, These were of one opinion and said that it was inadvisable to close the store at this time.

The general verdict is that it is best to enter upon the work of framing the measure that is destined to furnish Nebraska with a panacea, it is hoped, for the complicated ills of its present revenue laws. Consensus of opinion is that it is best to yet wise and necessary. Some of the statutes now seem inevitable. Those powers and influences that have combined to block this projected scheme of legislation, if they succeed in their sinister design, must rally from the decided stand back which they appear to have obtained and acquit themselves with greater diplomacy than has yet been displayed.

Of great interest and importance is the personal of the committee appointed today by Speaker Mockett to represent the house in drafting a revenue bill. It consists of these members: Douglas of Cook, Warner of Lancaster, Sears of Burt, Thompson of Merrick, Sweezy of Adams, Wilson of Lawrence and Loomis of Dodge.

The general verdict is that this is as fair a selection as could be made. A canvass of the committee with reference to the identity of the members may afford some interest. Sears, former speaker, Thompson and Sweezy were candidates for speaker against the present incumbent.

Sears, Thompson and Douglas are anti-organization men and Loomis, who is the fusionist leader in the house, may also be thus classed; while Warner, chairman of the committee on revenue and taxation, Sweezy and Wilson are organization men. It is, they are now allied with the faction which elected Speaker Mockett and secured the rest of the house organization. So it is evident that the anti have the majorities.

To put the matter in a different form it may be said that the exponents of revenue revision have gained a victory. This is generally recognized in the house and senate. And as the general sentiment there is favorable to revision the majority at least is satisfied. Some comment was indulged in over the fact that House of Hill, the most experienced leader of the committee, was not named as one of the committee. Rouse also is an ardent exponent of revision.

CHARGED NOW WITH BURGLARY

Leon Hewitt in Jail Under Second Accusation of Having Stolen Harness.

Leon Hewitt, living in the Klondike hotel, is charged with burglary in a warrant sworn out yesterday morning by Edward McEachern, living at Twentieth and Lake streets. The property alleged to have been stolen is a set of harness which was taken on the night of January 5 from the barn of McEachern Bros. Hewitt was suspected of the burglary and was arrested, but discharged as no trace could be found of the harness which was necessary to prove the charge.

This was again taken into consideration on January 17 Hewitt was again arrested and held.

Detectives Drummy and Mitchell, who have been working up the case, found Hewitt had given the harness to Lee Perkins, living at Thirtieth and Ohio streets. Perkins in turn sold the plunder to Fred Heppling, who lives in Iowa, taking \$5 in exchange for the same, which he gave to Hewitt. It was some time before this man could be located, but finally the boy traced him to a log cabin, where the stolen property was found.

NEGRO SUSPECTED OF MURDER

Police Have Burl Handy on One Charge and Accused of Another.

Burl Handy, a negro who has lately been living at 1218 Cass street, was arrested at 2 o'clock yesterday afternoon by Detectives Drummy and Mitchell. He is thought to be wanted in St. Louis for murder. The authorities have been telegraphed to for information, but no reply has been received since. This was later located in an evidence. This was later located in an evidence. This was later located in an evidence.

LUCY HAYES' SALOON STORY

It is Recalled by the Sale of the Osthoff Property by the Sheriff.

For \$18,317 the Schlitz Brewing company yesterday bought at sheriff's sale the three-story brick building and grounds at the southeast corner of Sixteenth and California streets. The sale was made to satisfy a mortgage of \$15,000 held by the Northwestern Mutual Life Insurance company and another of \$4,000 held by the Schlitz company.

Henry Osthoff, proprietor of the place, is now on the coast.

The ground, then occupied by a frame saloon, of which Osthoff was the proprietor, was owned by Mrs. Rutherford B. Hayes during the time her husband was president and Eugene Field gave the premises a "write up" when Mrs. Hayes banished liquor from the White House table. The newspaper article, which reached even the president and his wife in its wide publicity, was illustrated by a cut showing Osthoff perched on a beer keg in front of the saloon and exclaiming, "Yah, dis saloon belongs to Lucy Hayes."

BATTERY GOES TO PHILIPPINES

CHICAGO, Jan. 20.—