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spoke against the Loomis amendment. Wilson said, "Let this legislature go down in history as opposed to submitting any constitutional amendments to the people, since we are convinced by experience that such methods are useless and futile."

Douglas of Rock lined up for the Loomis amendment and made a fight against the attempt to block the passage of all constitutional amendment bills. Replying to Wilson, he said:

"It is unfortunate for this house, if it would follow the advice of the gentleman from Pawnee, that it has already passed H. R. 73, a bill for a constitutional amendment for the investment of the school fund, and cannot, therefore, without stultifying itself, go down on record as against all constitutional amendments."

Appeals to Reason.

Speaking of the clash between the house and senate, Douglas said:

"Let me warn you, gentlemen, that there is now a fight between the two bodies of this legislature. Let us not do anything to intensify or aggravate the feelings that exist, but rather rise above petty sentiments and go on record as bigger men than that. Some members favor a constitutional convention. Let us not plunge headlong into this until we can assure ourselves that it will give the desired results."

Mr. Douglas then pointed out that a constitutional convention would not insure the desired changes in the organic law any more or half as much as would the submission to the voters of separate amendments and he urged the house to recognize the fact that the constitution needed revision in at least three particulars. Regarding Sweezy's course he said:

"It seems the only thing that actuates Mr. Sweezy is the petty desire to get revenge on the senate for defeating his pet measure. Now, gentlemen, let us not get to that level."

Douglas, in answer to other arguments later in the debate, which continued throughout the entire morning session, called attention to the fact that it would take a three-fifths vote of both houses to call a constitutional convention and then that there would be nothing definite or certain about such a convention, composed of all the different parties and conflicting interests of the state. He thought that until the various elements could be harmonized, which probably would never be, and until the vital questions of the state are settled, no constitutional convention could be made to subserve the interests of the people and produce the desired results. Furthermore he pointed out that it would require about six years to finally ratify and secure the operation of the results of such a convention. Then he remarked that it was highly improbable that three-fifths of the legislature would vote for this and that therefore if the amendment bills were voted down to make room for the convention proposition the whole matter was lost. Mr. Douglas saw in this opposition to constitutional amendments, more than was apparent on the surface evidently, for he said in closing:

"Let us not be carried away by sentiments and emotions of men who have personal ambitions in this matter."

Sweezy Bill Immaterial.

Loomis followed with a strong defense for his amendment, following much the same line of argument as Douglas and also pointing out that the bill which Sweezy was grieving over was superfluous, since it contemplated very little not already provided for in the present law. The bill sought to prevent the publication of constitutional amendments in daily papers. Loomis showed that the present law only specifies that these notices shall appear in weekly papers, or at least as weekly notices, and not daily. He attributed the excessive bills for advertisements to the fault of secretaries of state, who, he said, had either not capacity or integrity to enforce the law. He was in favor of the constitutional amendments and against the convention in which he saw no practical good to the state. He thought that if a convention was called it might result in the destruction of some of the best features of the present revenue and other laws.

Gilbert of Douglas, Jones of Otoe and Ten Eyck of Douglas then spoke for the Loomis amendment, while Sweezy, Sears of Burt, Morsman of Douglas and Cassell of Otoe spoke against the amendment and for the Sweezy motion. Nelson of Douglas said the house was about to go wrong. He wanted to vote first on the convention bill and then if that lost on the amendment bills.

A standing vote was taken on the Loomis amendment, resulting 39 for and 39 against. Speaker Mockett did not want to cast the deciding vote and called for a roll call. This showed 40 for and 48 against the amendment. Thirty-five republicans and thirteen fusionists voted in the negative, while twenty-nine republicans and eleven fusionists voted in the affirmative.

Vote on Amendment.

The vote in detail was:

Affirmative:

Anderson of Hamilton,	Eggenburger,	Loomis,
Anderson of Knox,	Ford,	Mangold,
Anderson of Kearney,	Fries,	Morsman,
Bartoo,	Gilbert,	Ramsey,
Becner,	Gregg,	Ribble,
Belden,	Hanna,	Roberts,
Burgess,	Harmon,	Sadler,
Caldwell,	Herron,	Sears,
Coats,	Hogrefe,	Ten Eyck,
Cravens,	Hoy,	Trask,
Dales Dernier,	Jones (Otoe),	Vlasek,
Dobry,	Kennedy,	Warner,
Douglas,	Kerns,	Weborg—49.
	Kittle,	
	Koetter,	

Negative:

Atwood,	Johnson,	Rouse,
Bacon,	Jones (Rich'n),	Shinstock,
Burgess,	Jouvenat,	Shipley,
Cassel,	Junkin,	Smith,
Copsey,	Kavany,	Spier,
Cropsey,	McAllister,	Spurlock,
Davis,	McClay,	Startzer,
Detrick,	McCulloch,	Stetson,
Fellers,	McClain,	Sweezy,
Ferrar,	Memminger,	Thompson,
Fishback,	Mendenhall,	Thorpe,
Ford,	Meredith,	Tooley,
Gelwick,	Mikesell,	Waring,
Gilbert,	Morsman,	Wilson,
Good,	Nelson (D'glas),	Mr. Speaker—49.
Harrison,	Perry,	
Hathorn,	Reed,	
Holliet,	Robbins,	
Hunter,		
Jahnel,		

Absent and not voting:

Christy,	Friedrich,	Shelly,
Cunningham,	Gelwick,	Knox.
Currie,	Nelson (Pierce),	
Fishback,	Riggs,	

Take Up Convention Bill.

At this time a motion by Sears of Burt for the sifting committee to advance S. F. 114, the bill providing for the calling of the constitutional convention, to the head of the sifting file, carried and another motion by Sears was made that the bill be recommended for passage. This provoked a repetition of the stormy debate just closed.

Douglas again took the lead of that faction favoring the constitutional amendments as against the convention and made a forceful and effective defense. He went into the question in detail, showing that as between the two methods the people would stand two chances to one of getting what relief they sought if the legislature adopted the amendment proposition. Mr. Douglas pointed out that it was only deemed necessary to make four or, at the most five, changes in the constitution and asked why the state should be put to the great inconvenience and expense, expense reaching to $500,000, to hold a constitutional convention, when what was needed could be accomplished for incomparably less money and trouble and in less time by over half. He further demonstrated that it would be practically impossible to frame a new constitution with a babel of tongues in the convention.

Loomis and Kennedy of Douglas, the two most prominent and influential minority members in the house, then took decisive stands on the side of the constitutional amendments, as also did Ten Eyck, while Morsman, Spurlock, Sears, Sweezy and Mockett lined up for the convention proposition. A vote was then taken just at noon and Sears' motion to advance this bill carried by 52 to 27.

Roll Call on Bill.

At the afternoon session the bill providing for calling a constitutional convention was passed. The roll call in detail was:

Affirmative:

Anderson (Knox),	Hanna,	Nelson (Pierce),
Atwood,	Harmon,	Perry,
Bacon,	Harrison,	Ramsey,
Bartoo,	Hathorn,	Reed,
Belden,	Herron,	Ribble,
Burgess,	Hogrefe,	Robbins,
Caldwell,	Hunter,	Rouse,
Cassel,	Jahnel,	Sadler,
Christy,	Jones (Rich'n),	Sears
Copsey,	Jones (Otoe),	Smith,
Cravens,	Jouvenat,	Spier,
Cropsey,	Junkin,	Spurlock,
Deles Dernier,	Kerns,	Stetson,
Detrick,	McAllister,	Sweezy,
Ferrar,	McClay,	Ten Eyck,
Fishback,	McClain,	Thompson,
Ford,	Mangold,	Warner,
Gelwick,	Mendenhall,	Weborg,
Gilbert,	Mikesell,	Wilson,
Good,	Morsman,	Mr. Speaker—62.
Gregg,	Nelson (D'glas),	

Negative:

Anderson of Kearney,	Gishwiller,	Roberts,
Coats,	Holliet,	Shelly,
Currie,	Johnson,	Shipley,
Davis,	Kavany,	Startzer,
Dobry,	Kennedy,	Thorpe,
Douglas,	Kittle,	Tooley,
Eggenburger,	Koetter,	Trask,
Fellers,	Loomis,	Vlasek,
Fries,	McCulloch,	Waring—29.
	Memminger,	

Absent and not voting:

Cunningham,	Knox,	Shinstock.
Friedrich,	Meradith,	
Hoy,	Riggs,	

The action of the house is a keen disappointment to Governor Mickey. The governor said tonight:

"I am dumbfounded at the action of the house. I am thoroughly convinced that a constitutional convention will not afford the relief the state needs as separate amendments would have done. I can't see that a convention guarantees any more certainty than the amendment plan and certainly it is not as direct and is far more expensive. I fear a grave mistake has been made. The only recourse I see is for the house to rescind its action. Of course I am not able to say whether it will do this or not. It looks as though, since the constitution needs but three or four changes, the house might, with profit, have taken different action. It is understood that many members who helped vote down the amendment bills today are disposed to look favorably upon a proposition to reconsider their action. Inasmuch as the session is to be extended one day, some effort may be made to bring about a change."

It is pretty well understood that Douglas county members traded their votes on the constitutional amendment proposition for votes to pass S. F. 8, to elect county commissioners by the entire vote of the county. Gilbert and Ten Eyck had both spoken against the convention idea, then voted for it.

Signs South Omaha Charter.

Governor Mickey signed H. R. 267, the South Omaha charter bill, tonight. It carries an emergency clause and therefore takes effect at once. The city election in South Omaha naturally would be held tomorrow. This bill was drawn to suit all the exigencies of the occasion foreseen by its authors. Therefore the two councilmen and tax commissioner, whose terms would ordinarily expire tomorrow, will hold over one year by virtue of this provision.

"All the elective officers whose terms are unexpired (at the time this act takes effect) shall hold their offices until the regular election in April, 1904, when the first regular election under this act shall be held." Had the governor withheld his signature one more day this purpose of the bill would have been defeated.

The senate tonight passed over the governor's veto S. F. 31, the bill authorizing J. E. Cobby to publish 2,000 sets of the statutes at $9 a set.

The senate, in committee of the whole, recommended for indefinite postponement the McClay bill, appropriating $10,000 for a monument on the capitol grounds of Abraham Lincoln. It likewise reduced the general appropriations bill $107,000.

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STERLING

BIG CUT IN EXPENSE BILLS

Senate Lops Off Over One Hundred Thousands Dollars in Appropriations.

(From a Staff Correspondent.)

LINCOLN, April 6.—(Special.)—The senate spent the morning on the deficiency claims bills and recommended it for passage. In one instance a duplicate claim was cut out. The senate committee added $867.60 for bills that came in after the house had acted on the claims and reduced the deficiency appropriation for the Boys' Industrial school at Kearney from $4,500 to $2,500. Otherwise the bill was not changed.

Griffin of Dawson moved that employes be allowed mileage to and from the house. Harrison objected to the motion at this time and Giffin withdrew it.

The committee on finance, ways and means reported the general appropriation bill. The senate committee made a net reduction in appropriations of $107,063.65 from the bill as it passed the house. The total increase was $18,899.15 of general fund; university fund increase, $20,000 and $35,000 conditional. The total decrease, $125,962.80 general fund. The appropriation for connecting the deaf and dumb institute at Omaha with the city water main was not allowed. The condition under which the university fund is increased $35,000 is that if the 1-mill levy for the university fund should amount to $350,000, then the $35,000 may be taken from the fund and used for the purchase of real estate near the university; $8,000 is given the university unconditionally to purchase real estate and $12,000 is given for a farmers' institute.

The changes were as follows:

Board of Public Lands and Buildings—Superintendent, care of capitol building and grounds, from $7,000 to $5,000; employes' wages, $15,040 to $13,040; incidentals, $2,000 to $1,500.

Board of Educational Lands and Funds—Amount appropriated for biennium, from $5,000 to $4,000.

State Library Commission—Appropriation for biennium, from $4,000 to $8,000.

Lincoln Hospital—Board, clothing, etc., from $75,000 to $70,000.

Hastings Asylum—Board, clothing, etc., from $268,275 to $259,775; bedding, farm, etc., increased $3,500.

Girls' Industrial Home, Geneva—Employes' wages, from $4,240 to $5,640; water supply, from $1,200 to $1,000; repairs, improvements, from $1,500 to $2,000; for furniture, etc, from $750 to $1,000.

Institute for the Blind, Nebraska City—Musical instruments, from $500 to $2,500.

Institute at Beatrice—Cold storage, $2,500, struck out.

Deaf and Dumb Institute, Omaha—Water supply, from $6,500 to $800.

State Penitentiary—Two hundred and forty steel cells, reduced to 160, at $67,200 from $80,000; repairing west wing, from $12,000 to $6,000; painting walls, from $2,000 to $1,000. An amendment was recommended that a special labor fund be created out of money made by convicts for maintenance.

State Board of Charities and Corrections—Increased from $4,000 to $5,000.

State Fish Commission—Painting and repairing cars and buildings, from $1,500 to $750; necessary labor, from $2,000 to $1,500.

Food Commission—Expenses, from $2,000 to $1,500.

Norfolk Hospital—Wages for employes, from $20,000 to $10,000; board, clothing, fuel, etc., from $26,000 to $15,000.

The printing of revenue books, blank books and abstracts was reduced from $4,000 to $3,500.

The Soldiers' and Sailors' home at Grand Island appropriation for a hospital building was reduced from $30,000 to $2,000. The committee amended this in another portion of the bill by adding a sufficient amount to reduce the reduction to about $4,000.

Publishing reports of geological survey of Nebraska, from $1,200 to $2,000.

For reappraisement of lands, $15,000 to $12,00; traveling expenses of fish commissioner, from $2,000 to $3,800; for procuring and transporting fish, $2,000 to $1,500. In the committee of the whole these amendments were made: The state veterinarian was allowed $1,000 for traveling expenses for biennium. To the appropriation of the auditor's office $600 was added for extra clerk hire; $5,000 item for refrigerator, water and light at Institute for Blind at Nebraska City was cut out.

The item of $7,000 for penitentiary furniture was reduced to $4,000; for building kitchen and furnishing same, reduced from $7,000 to $3,000. The item of $2,500 for penitentiary lighting plant was stricken out; for procuring and transporting fish was changed from $1,500 to $2,000.

In the miscellaneous items the committee reported to reduce the appropriation for printing of law journals, supreme court reports, etc., of $30,000 to $25,000.

The salary of secretary of Printing board was increased $200 a year and he is to be employed six days in the week.

The appropriation for the State Poultry association was increased from $2,000 to $3,000.

For publishing constitutional amendments for 1902, $6,300 was added.

For refunding state taxes illegally assessed $1,000 was recommended.

The appropriation of $2,500 for a lighting plant at the penitentiary was recommended; $1,000 was recommended for expenses of State Board of Equalization for stationery, etc. The item of $2,500 for a cold storage plant at Beatrice was recommended.

With these changes the bill was recommended for passage:

H. R. 164, appropriating $3,000 for the payment of the bond of ex-State Treasurer Stuefer was ordered advanced for a third reading; as was H. R. 329, to reimburse Lieutenant Governor McGilton for surety bond.

Governor Mickey vetoed S. F. 31, providing for the publishing of the statutes and their distribution.

H. R. 203, to legalize all proceedings connected with the ordering or making of any local improvements hereafter made, was recommended for passage.

A resolution was adopted to allow Warwick Saunders to sue the state for $274.16. Saunders had been offered $150 in settlement and refused it.

A resolution by Hastings was adopted expressing the pleasure of the senate at the coming visit of President Roosevelt, assuring him a hearty welcome and hoping for him a safe trip.

At the night session these bills were passed:

H. R. 231, appropriating $35,000 for the Louisiana Purchase exposition.

H. R. 401, providing for the publication of the report of the Banking board.

H. R. 303, to legalize proceedings in securing city improvements heretofore made.

H. R. 210, to increase tax levy for maintenance of Lincoln fire department.

H. R. 78, appropriating $10,000 for a Lincoln monument, was indefinitely postponed.

ROUTINE HOUSE PROCEEDINGS

Several Bills Passed After Constitutional Amendments Are Killed.

(From a Staff Correspondent.)

LINCOLN, April 6.—(Special.)—The house this morning after an extended debate killed all the bills providing for constitutional amendments and in the afternoon passed a joint resolution providing for the holding of a constitutional convention.

The following bills were passed:

S. F. 8, by Marshall, providing for the election of county commissioners at large and their nomination by districts, was passed, 56 to 25.

S. F. 188, by Sheldon, relating to the manner of collecting and disbursing road taxes.

S. F. 120, by Jennings, relating to forfeiture of school lands when payment of interest is defaulted.

S. F. 55, by Giffin, allowing cities of less than 5,000 population to vote bonds to the extent of 20 per cent of their total assessment instead of 10 per cent, to conclude their water works system.

S. F. 25, by Marshall, empowering cities of less than 5,000 to own and operate their electric light plants.

S. F. 215, by Harrison, curative act relating to registration laws in cities of less than 25,000 population.

S. F. 98, by Saunders, to prevent horse tail docking.

S. F. 237, by Sheldon, relating to the construction of wagon bridges over streams that constitute county boundaries.

S. F. 222, by Harrison, to place tontine insurance companies under supervision of state banking board and permit them to wind up their affairs.

A resolution by Rouse was adopted to allow $1,200 for the chief clerk's expenses in preparing house journals.

A resolution by Burgess of Lancaster, requesting the senate to lift his printing bill from the sifting committee and give it consideration, was made a special order for tomorrow.

The house at 6 o'clock took a recess until 7:30, when it went into committee of the whole and took up bills on sifting file.

After the committee arose Rouse of Hall brought up the matter of the bill to raise the general tax levy from 5 to 7 mills for the current year. The bill was lost in the "shuffle" and as it had to be read a third time it was necessary to extend the time of final adjournment, formerly set for tomorrow. Thompson, Stetson and Rouse were named to confer with a like senate committee on this question. The joint committee recommended Wednesday, April 8, at 1 o'clock a. m., as the time, and the house and senate adopted the report. H. R. 437, raising the tax levy, then was passed. At 10:15 the house adjourned.

LABOR LAWS NEEDED

(Continued from First Page.)

the Orient and the rice crop is now practically equal to our needs in this country, whereas a few years ago it supplied but one-fourth of them. The most important of our farm products is the grass crop; and to show what has been done with grasses, I need only allude to the striking change made in the entire west by the extended use of alfalfa.

Moreover, the department has taken the lead in the effort to prevent the deforestation of the country. Where there are forests we seek to preserve them, and on the once treeless plains and the prairies we are doing our best to foster the habit of tree planting among our people. In my own lifetime I have seen wonderful changes brought about by this tree planting here in your own state and in the states immediately around it.

There are a number of important questions, such as that of good roads, with which the states alone can deal, and where all that the national government can do is to co-operate with them. The same is true of the education of the American farmer. A number of the states have themselves started to help in this work and the Department of Agriculture does an immense amount which is in the proper sense of the word educational, and educational in the most practical way.

It is therefore clearly true that a great advance has been made in the direction of finding ways by which the government can help the farmer to help himself—the only kind of help which a self-respecting man will accept, or, I may add, which will in the end do him any good. Much has been done in these ways, and farm life and farm processes continually change for the better. The farmer himself still retains, because of his surroundings and the nature of his work, to a pre-eminent degree the qualities which we like to think of as distinctly American in considering our early history. The man who tills his own farm, whether on the prairie or in the woodland, the man who grows what we eat and the raw material which is worked up into what we wear, still exists more nearly under the conditions which obtained when the "embattled farmers" of '76 made this country a nation than is true of any others of our people.

Cities Face Changed Conditions.

But the wage workers in our cities, like the capitalists in our cities, face totally changed conditions. The development of machinery and the extraordinary change in business conditions have rendered the employment of capital and of persons in large aggregations not merely profitable, but often necessary for success, and have specialized the labor of the wage worker at the same time that they have brought great aggregations of wage workers together. More and more in our great industrial centers men have come to realize that they cannot live as independently of one another as in the old days was the case everything, and as is now the case in the country districts.

Of course, fundamentaly each man will yet find that the chief factor in determining his success or failure in life is the sum of his own individual qualities. He cannot afford to lose his individual initiative, his individual will and power; but he can best use that power if for certain objects he unites with his fellows. Much can be done by organization, combination, union among the wage workers; finally something can be done by the direct action of the state. It is not possible empirically to declare when the interference of the state should be deemed legitimate and when illegitimate.

The line of demarcation between unhealthy overinterference and unhealthy lack of regulation is not always well defined and shifts with the change in our industrial needs. Most certainly we should never invoke the interference of the state or nation unless it is absolutely necessary; but it is equally true that when confident of its necessity we should not on academic grounds refuse it. Wise factory laws, laws to forbid the employment of child labor and to safeguard the employes against the effects of culpable negligence by the employer are necessary, not merely in the interest of the wage worker, but in the interest of the honest and humane employer, who should not be penalized for his honesty and humanity by being exposed to unchecked competition with an unscrupulous rival. It is far more difficult to deal with the greed that works through cunning than with the greed that works through violence. But the effort to deal with it must be steadily made.

Unite Labor and Capital.

Much of our effort in reference to labor matters should be by every device and expedient to try to secure a constantly better understanding between employer and employe. Everything possible should be done to increase the sympathy and fellow-feeling between them, and every chance taken to allow each to look at all questions, especially at questions in dispute, somewhat through the other's eyes. If met with a sincere desire to act fairly by one another, and if there is, furthermore, power by each to appreciate the other's standpoint, the chance for trouble is minimized. I suppose every thinking man rejoices when by mediation or arbitration it proves possible to settle troubles in time to avert the suffering and bitterness caused by strikes. Moreover, a conciliation committee can do best its work when the trouble is just beginning, or at least has not come to a head. When the break has actually occurred, damage has been done, and each side feels sore and angry; and it is difficult to get them together—difficult to make either forget its own wrongs and remember the rights of the other. If possible the effort at conciliation or mediation or arbitration should be made in the earlier stages, and should be marked by the wish on the part of both sides to try to come to a common agreement which each shall think in the interests of the other as well as of itself.

Coal Arbitration Object Lesson.

When we deal with such a subject we are fortunate in having before us an admirable object lesson in the work that has just been closed by the Anthracite Coal Strike commission. This was the commission which was appointed last fall at the time when the coal strike in the anthracite regions threatened our nation with a disaster second to none which has befallen us since the days of the civil war. Their report was made just before the senate adjourned at the special session, and no government document of recent years marks a more important piece of work better done, and there is none which teaches sounder social morality to our people. The commission consisted of seven as good men as were to be found in the country, representing the bench, the church, the army, the professions, the employers and the employed. They acted as a unit, and the report which they unanimously signed is a masterpiece of sound common sense and of sound doctrine on the questions with which our people should most deeply concern themselves. The immediate effect of this commission's appointment and action was of vast and incalculable benefit to the nation, but the ultimate effect will be even better, if capitalist, wage-worker and lawmaker alike will take to heart and act upon the lessons set forth in the report they have made.

Of course the national government has but a small field in which it can work in labor matters. Something it can do, however, and that something ought to be done. Among other things I should like to see the District of Columbia, which is completely under the control of the national government, receive a set of model labor laws. Washington is not a city of large industries, but still it has some. Wise labor legislation for the city of Washington would be a good thing in itself, and it would be a far better thing, because a standard would thereby be set for the country as a whole.

In the field of general legislation relating to these subjects the action of congress is necessarily limited. Still there are certain ways in which we can act. Thus the secretary of the navy has recommended, with my cordial and hearty approval, the enactment of a strong employers' liability law in the navy yards of the nation. It should be extended to similar branches of the government work. Again, sometimes such laws can be enacted as an incident to the nation's control over interstate commerce. In my last annual message to congress I advocated the passage of a law in reference to car couplings—to strengthen the features of the one already on the statute books so as to minimize the exposure to death and maiming of railway employes. Much opposition had to be overcome. In the end an admirable law was passed "to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes." This law received my signature a couple of days before congress adjourned. It represents a real and substantial advance in an admirable kind of legislation.

At the conclusion of his address the presidential party was driven to the Great Northern depot and at 9:30 a. m. the special train left for Yankton.

President at Yankton.

YANKTON, S. D., April 6.—(Special Telegram.)—President Roosevelt arrived here at 11:35 o'clock this morning and left at noon for Mitchell, where his special train is due at 3 p. m. He was accompanied from Sioux Falls by Senators Kittredge and Gamble and Representatives Martin and Burke, the South Dakota congressional delegation. They will go with him as far as Aberdeen.

The president and party were driven to a platform on Third and Walnut streets, where he delivered a brief speech largely local and western in character.

He did not touch on the issues of the country further than to sum up his best advice as follows: "You need wise laws; see that you get them. You need wise and firm administration of laws; see that you have it. But do not make the mistake of shirking the fundamental responsibility as individuals. Be strong, honest and fearless." In the course of his remarks along the same line he said: "Fundamentally you must have the right stuff in you to get it out of you."

MITCHELL, S. D., April 6.—(Special Telegram.)—President Roosevelt, on his second visit to Mitchell, the first occasion being when he was candidate for vice president, was greeted by an immense concourse of people, who stood for over an hour in the cold wind waiting the arrival of his special train.

He was accorded a grand ovation. A solid column of the national guard, the Grand Army of the Republic and the volunteer fire department, reaching from the car to the speaker's stand, a block away. The president was introduced by Mayor Silsby and addressed the attentive crowd on the growing prosperity of the country. The mayor then presented him with a bouquet of flowers on behalf of the Grand Army of the Republic, and one from the members of the national guard.

Surrounding towns sent in large delegations to greet the chief executive of the nation.

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HYMENEAL.

Welpton-Crawford.

CHICAGO, April 6.—(Special Telegram.)—The marriage of Miss Mabelle Crawford to Douglass B. Welpton of Omaha took place tonight at 8:30 at the home of the bride's sister, Mrs. F. H. Griffin, 5246 Prairie avenue. Dr. Frederick Hopkins officiated. The bride was gowned in white batiste over silk. She wore a tulle veil and carried lilies of the valley. The bride is under contract to sing with the Thomas orchestra on its tour of the east. After that Mr. and Mrs. Welpton will go to California and Mexico. They will be at home at the Millard hotel, Omaha, after June 15.

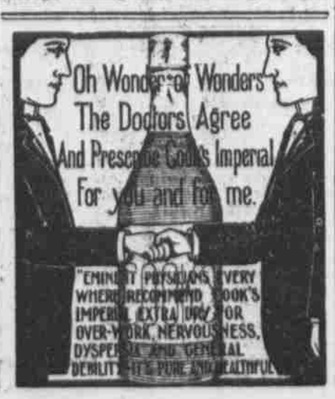
Marriage Licenses.

Marriage licenses have been issued to the following persons:

Name and Residence.	Age.
Harry R. Trimble, Omaha	22
Georgia G. Dunn, Omaha	18
James C. Overgaard, Benson, Neb	28
Christane R. Gaible, Omaha	27
Joseph Dupret, Manawa, Ia	53
Mrs. Emma Ballou, Manawa, Ia	39
Peter A. Thomsen, South Omaha	30
Lottie Ballard, South Omaha	21
William F. Chaddoch, Omaha	24
Sophia Ornston, Omaha	21
Charles K. Levy, Minneapolis	42
Mollie Rosenberg, Omaha	30
Rayetan Rauscher, Omaha	41
Mary Hausler, Omaha	35
Charles H. Neiby, Omaha	22
Margaret Ott, Omaha	20

Vegetation Frozen in Maryland.

BALTIMORE, April 6.—Advices from western Maryland state that vegetation was frozen during the cold snap and that there will be no peaches or strawberry crop. Similar reports are in from the eastern shore of Maryland.



HARRIMAN MAY VOTE STOCK

Keene Fails to Secure Injunction Against Union Pacific.

APPEAL IS IMMEDIATELY ENTERED

Lawyers Agree to Postpone Election of Directors Pending Decision of Supreme Court, Though Chairman Will Be Named.

CINCINNATI, April 6.—This afternoon Judge Lurton concluded reading his opinion denying an application to restrain the Union Pacific from voting its 900,000 shares at the Southern Pacific annual meeting.

The opinion, which was quite lengthy, was against the contention of the complainant that the Union Pacific was a necessary or actual party to the suit, even though President Harriman of the Union Pacific had made an affidavit in the case. As to the claim that the Union Pacific was expending the receipts of the Southern Pacific in betterments on the Central Pacific with a view to the ultimate purchase of that road, the court held that all this was specifically denied by the defendants and that even if true it could not be sustained except on a showing that the action was ultra vires. On the whole case the court held that the bill be dismissed.

Senator Foraker immediately gave notice of appeal from the minority stockholders of the Southern Pacific, and asked that pending the hearing the election of directors of the Southern Pacific set for April 8 be stayed. Lawrence Maxwell and Judge Humphrey, representing the defendants, agreed, and an order was entered permitting the stockholders to meet as arranged and elect a chairman and then adjourn until called by Mr. Harriman after the appeal has been disposed of.

Gives Permission to Try Again.

After reciting the facts in a history of the contention, the judge said:

Without expressing an opinion as to the power of a court of equity to interfere with the privilege of a stockholder to vote his shares as he pleases and for whom he pleases, if he be lawfully competent to own and hold the shares at all, or an opinion upon any of the most interesting questions which arise properly only in a cause to which the Union Pacific is a party, I must decline to grant any injunction restraining the voting of the Union Pacific shares at the approaching election for directors.

The application to retain the cause for a reasonable time in order that the Union Pacific Railroad company may be impleaded in a forum having jurisdiction over it to try the question of its right to hold and vote the shares in question and to continue the stay order heretofore granted until such litigation may be started and brought to a conclusion must be denied. * * *

To continue the stay order heretofore granted for the purpose desired will be in effect to dispose of this litigation, for if the Union Pacific Railroad company be denied the right to vote its shares at the election to be held under the company's bylaws, it would be to turn that company out of its control and place the minority stockholders in, and thus accomplish the ends sought by this proceedings, without jurisdiction over the principal party thereby affected.

There remains the question as to whether I shall not grant an injunction to prevent the defendant from disposing of shares of the Central Pacific owned by it, or of the lease of the Central Pacific to the Union Pacific company, or anyone acting for it and in its interest.

Repudiates Actions Alleged.

It would be difficult to find a more flagrant instance of repugnant trusteeship than would be exhibited if the persons in the board of the Southern Pacific, who are also directors of the Union Pacific, should by their votes, discharge the double function of buying for the one company and selling for the other.

The design or purpose to dispose of the Central Pacific stock, in whole or in part, or of the Central Pacific lease, has most positively been repudiated by the defendant corporation and there has been produced no evidence whatever in support of the charge of such a purpose made by the bill, other than the fact that large expenditures are being made upon the Central Pacific line.

But unless it could be shown that these expenditures were either ultra vires or in pursuance of some fraudulent scheme in disregard of the interests of the defendant company only would afford no ground for appeal to the powers of a court of equity. Such matters lie in the discretion of the managing director and it is the fundamental law of corporations that the discretion of those having the power to act will not be restrained upon the application of a minority who may entertain a different opinion as to the wisdom of the expenditure.

The complainants may at any time hereafter make another application upon obtaining evidence of a purpose to deal with the Central Pacific stock or lease as they profess to apprehend.

A motion to appeal was then sustained and the Southern Pacific election postponed pending the appeal.

Drives All Before It.

Aches and pains fly before Bucklen's Anica Salve. So do sores, pimples, boils, corns and piles, or no pay. 25c. For sale by Kuhn & Co.

Actress Shoots Herself.

LONDON, April 6.—Mrs. Mabel Townsend, formerly of the Alcazar theater, San Francisco, shot herself with a revolver today on the doorstep of her sister's residence in Great Litchfield street. She was dead when taken to the hospital.

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The only vitalized Emulsion of Cod Liver Oil with the hypophosphites of lime and soda and guaiacol.

For weak, thin, consumptive, pale-faced people, and for those who suffer from chronic skin disease and weakness of lungs, chest or throat.

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S. G. A. FIELDS, D. D.

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Purifies as well as beautifies the skin. No other cosmetic will do it.

Removes Tan, Pimples, Freckles, Moth Patches, Rash and Skin Disease, and every blemish on beauty, and defies detection. It has stood the test of fifty-five years, and is so harmless we taste it to be sure it is properly made. Accept no counterfeit of similar name. Dr. L. A. Sayre said to a lady of the haut-ton (a patient): "As you ladies will use them, I recommend "GOURAUD'S CREAM" as the least harmful of all the skin preparations." For sale by all druggists and fancy goods dealers in the United States and Europe.

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The May Festival Choir of 150 Voices

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