THE OMAHA DAILY BEE: TUESDAY, FEBRUARY 14, 1905.



When the senate convened today Mr.

Kean had read a memorial from the

the Esch-Townsend railroad rate bill and

Mr. Clapp a memorial from the Min-

nesota legislature praying for the en-

actment of a law for the regulation

of railroad rates. The New York pro-

test presented the view that the house of

representatives had acted hastily and that

In presenting reports on a number of

private pension bills Mr. McCumber, chair-

man of the committee on pensions, stated

that the committee would not be able to

Mr. Higgins made a request for an at-

Paquet as a witness and Mr. Palmer

ication was pressed. The proceeding

tachment to compel the attendance of Louis

one for Simeon Belden, both New Orleans

ension bills introduced by senators.

asked to pay for the transportation.

expenditure of \$363,000 per annum.

Money said that the estimates of the Agri-

The amendment was adopted after be-

ing changed so as to require semi-monthly

session and adjourned at 5:33 p. m.

cultural department are entirely reliable.

the bill passed was imperfect.

United States where entry may be enforced be used by the enemies of the company and without infringing on the vested rights of at the same time the uncertainties of the any Indian tribe or any individual Indians. business would make that showing less than it would be in a banking business.

Omaha Depot Stricken Out. Appropriations of \$10,000 each to main-

taln at Omaha, Neb., and St. Louis, Mo., warehouses for the receipt, storage and shipping of goods for the Indian service ore stricken out.

The requirement that actions against Indians whose affairs are under the supervision of Indian agents or bonded superintendents shall be brought in the district court of the county in which the Indian resides is stricken out.

An amendment was adopted removing all restrictions on lands of adopted full-blood adults while allottees of the Quapaw agency.

The provision in the house bill for the division of the unexpended balances of the funds arising from the judgment of the dent has a right to construe a recess and court of claims in favor of the New York as struck out by the senate

Senator Spooner to Report Views of Surprise in Great Britain. WASHINGTON, Feb. 13 .- Senator Spoone has prepared a report containing the views of the members of the senate committee on

the judiciary on the resolution introduced by Senator Tillman on the right of the president to make recess appointments between adjournment of one session of congress and the convening of another, when the two sessions are merged into each other. The report denies that the presisuggests certain limitations upon the preswere confident that a treaty upon which

Eight thousand of these cars are fruit sald: cars, the balance being refrigerator cars for the carrying of meats, butter and eggs. PROPOSES CURB FOR EXECUTIVE

office today, but officials there said they

retary Hay's comment on the action of the Export association of New York against cenate, in amending the arbitration treatles, The senate's position is right absolutely. If anything is done hereafter the president will have to take the senate into his conf-dence. It might require a little more time, but otherwise I can see nothing in the senate's course inharmonicus with the

ceed no further with the arbitration give any further attention this session to treaties in consequence of the senate's action in substituting the term "treaty" for agreement" is received with some degree of surprise, but with no evidence of concern in official circles in London. Disappointment was apparent at the Foreign lawyers identified with the contempt proceedings involved in the case, but neither | w

president's interpretation of his treaty-mak-ing power. LONDON, Feb. 13 .- The announcemen of President Roosevelt's intention to pro-

Senator Cullom, chairman of the commit

tee on foreign relations, after reading Sec-

committee.

The senate committee eliminated the house provision extending the time for opening the unallotted lands to public entry on the Unitah reservation in Utah, which had been fixed by law for March 10, 1905. The senate committee, however, prescribed conditions under which the lands shall be allotted.

New legislation is provided in relation



CERTIFICATE OF PUBLICATION. STATE OF NEBRASKA. OFFICE OF AUDITOR OF PUBLIC ACCOUNTS, LIN-COLN, Feb. 1, 1965.--It is hereby certified that the Northwestern National Insurance company of Milwaukee, in the state of wisconsin, has compiled with the insur-ance law of this state applicable to such company as and is therefore authorized to the the bushness of fire authorized to continue the bushness of the authorized to the the state for the current year ending January 21, 1900. "Witness my hand and the seal of the ductor of public accounts the day and year inst above written. "Geal" E M. SEARLE, JR., Auditor of Fublic Accounts, JOHN L. PIERCE, Deputy.

CERTIFICATE OF PUBLICATION. STATE OF NEBRASKA, OFFICE OF AUDITOR OF PUBLIC ACCOUNTS, LIN-COLN, Feb. 1, 1905.-It is hereby certified that the Phenix Insurance company of Brooklyn, in the state of New York, has compiled with the insurance law of this state applicable to such companies and is therefore authorized to continue the busi-ness of fire and lighthing insurance in this state for the current year ending January 21, 1906. Witness my hand and the seal of the

(Beal) (Beal) Auditor of public accounts the day and year rat above written (Beal) E. M. SEARLE, JR., Auditor of Public Accounts, JOHN L. PIERCE, Deputy,

ident's power to appoint men to office dura recess of congress, whose nominations have been sent in and considered, but not confirmed at a former session. It was the intention of Senator Spooner to submit the report to the judiciary committee today, but because of the absence

Judiclary Committee.

of Chairman Platt it was not acted upon. The report will not be made public until introduced in the senate.

SENATOR WANTS INFORMATION

Introduces Resolution Asking President About an Old Agreement. WASHINGTON, Feb. 13 .- Senator Bacon today introduced a resolution reciting the agreement between the diplomatic representatives of the United States and the Domincan republic, on January 31, 1903, and calling upon the president for information concerning it.

Confirmations by Senate.

WASHINGTON, Feb. 13 .- The senate today confirmed the following nominations: Arthur A. Wilder, associate justice of the supreme court of the territory of Hawail; Joseph Pinkham, assayer at Bolse City,

Idaho. Postmasters: South Dakota-Sherman S. Lucas, Bonesteel.

Also promotions in the navy.

FIRE RECORD,

School House at Platte Center. COLUMBUS, Neb., Feb. 13-(Special Telegram.)-The school house at Platte Center. miles north, was totally detwelve stroyed by fire at an early hour this morning. The general opinion is that Mr. Sullivan was in order. the fire caught from the furnace. The town is without any facilities to fight fire except for a bucket brigade, but their efforts proved useless, as a high wind was blowing at the time. The building was a thousand dollars insurance was carried. Five teachers are out of employment, and school will have to be suspended for the term. Several were severely frozen while assisting at the fire.

Foundry at Cedar Falls. CEDAR FALLS, Ia., Feb. 13 .- (Special Telegram)-Fire last night entirely de-

stroyed the Cedar Falls iron and brass plants. The buildings and contents were the property of Clay & Oldbrich. The loss was heavy; insurance, only \$3,000. The flames started from an overheated furnace. With the mercury at 32 below zero, firemen and citizens saved adjoining buildings.

Blaze at Norfolk. NORFOLK, Neb., Feb. 13 .- Fire after midnight in buildings owned by the Krug brewery and occupied as a restaurant and menaced Norfolk's business dissaloon. Harry Watt and John Michaelson, trict. firemen, were slightly hurt. The fire was brought under control after six hours; 1088, \$10,000.

Loss at Mobile. MOBILE, Ala., Feb. 13.-The fire which destroyed the Rattle house, Mobile's historic hotel, the Commercial house and adjoining buildings, was gotten under control today. The total less is about \$400,000, There was no loss of life, but Fire Chief Price and Fireman Mahon were injured by fallin_ bricks.

HYMENEAL.

Meintosh-Phipps. MADISON, Neb., Feb. 13.-(Special.)-

Manning J. McIntosh and Ethel Phipps were married here yesterday. The groom is one of the MaIntosh brothers who have figured conspicuously in amateur base ball circles. Both parties are from Emerick.

Morgan-Linewebber, BEATRICE, Neb., Feb. 13.-(Special.)-Mr. George Morgan and Miss Jessie Linewebber, both of this city, were unlied in marriage, Judge Bourne officiating.

all parties could agree would be signed ultimately. While there is every evidence that officials regret this second failure to be saved such controversies. secure an arbitration treaty with the

United States, the matter is not treated as cause for the slightest uneasiness. "Great Britain is on sufficiently good terms with America to dispense with a treaty and settle any difference which

may arise through the ordinary diplomatic channels until such time as they can mutually agree on. President Roosevelt and the United States senate can settle their differences with regard to the proper

course of procedure," was the view expressed by a high official to the Associated Preas today.

It is thoroughly understood that the entire question in dispute lies between President Roosevelt and the senate, and the senate's disclaimer of unfriendliness toward

any power has a generally good effect.

HOT TIME IN HOUSE (Continued from First Page.)

covers a wide range of mental and moral, deficiency.

ble and moral equipment. Mr. Sullivan again was interrupted by

Is Permitted to Proceed.

Mr. Sullivan then was permitted to proceed, commenting on the nonattendance be made for the months of August, Septemand lack of record on roll call "exhibited two-story brick and cost \$8,000. Five by some members." Mr. Sullivan referred swer all the purposes of the farmers. Mr. to Mr. Hearst as "the unknown man, or political novice, whose only recommendation is his inherited wealth." The scheme of political assassination, he

said, had been mapped out evidently with report for the months of August, Septemthe idea of destroying the respectable ele- ber, October, November and December and ments of the democratic party. He com- \$50,000 was added to the amount approprimended Mr. Williams, the minority leader, ated.

for refusing to endorse the Hearst rate bill, also "a refusal of that leader to stoop to a controversy with a contemptible opponent." As soon as Mr. Sullivan concluded Mr.

Hearst rose to reply. He denied that he either inspired or suggested the publication referred to, but said he assumed all responsibility for it. Replying to Mr. Sullivan's criticism that

Mr. Hearst had been guilty of lack of action in the house, Mr. Hearst said he was proceeding in the way he thought most effective to his constituents. He did not know any way by which a man could be less effective for his constituents "than in emitting chewed wind on the floor of the house.

Mr. Hearst then began a review of the attack upon him by Representative Grove Johnson (Cal.), when he was interrupted by Mr. Payne of New York, who alleged the remarks were unparliamentary. "I ask for fair play," demanded Mr.

Inferential Charge of Murder. He then sprang a sensation which threw the house in an uproar. He charged that John A. Sullivan was one of the two Sullivans who had kept a saloon in Boston where a murder was committed and that the two Sullivans were indicted for man

inquired Mr.

and a half furlongs: Red-s Rod second, Lockout Sixth race, six and a half furlongs: Red-man won, Terns Rod second, Lockout third. Time: 1.31%. Results at City Fark track: First race, mile: Yellowhammer won, Chanley second, Lightship third. Time: had the effect of bringing out a protest from Mr. Hale, who said the senate should

won, third.

teams.

The session as a court continued for somewhat less than two hours and during

1:55.
Second race, six furlongs: Princess Orna won, Weber Fleids second, Mr. Bob third.
Time: 1:23.
Third race, mile and an eighth: Jordan won, Bar le Duc second, Tootsie Mack third. Time: 2:09.
Fourth race, three and a half furlongs: Chief Archibald won, Judge Parker second, Carthage third. Time: 0:47%.
Fifth race, five furlongs: Nervator won, Poseur second, Boomerack third. Time: 1:09. that time ten witnesses were examined. The statements of seven of them bore upon the residence of Judge Swayne and the

Nebraska university and Chicago National

EVENTS ON THE RUNNING TRACKS

Only One Favorite Wins on the Cres-

cent City Jockey Club's Track.

NEW ORLEANS, Feb. 13.-The Crescent ity Jockey club's track was very heavy his afternoon and the sixth race, in which

edman, after considerable urging, finished

st, was the only one won by a favorite

First race, five furlongs: Ogontz won, talker second, Matt Wadleigh third, Time

1:09. Second race, six furlongs: George Perry won, Diplomat second, Safeguard third. Time: 1:24. Third race, half mile: Verdant won, Little Rose second, Bertha E. third. Time:

Fourth race, six furlongs: Mussulman won, Lord of the Valley second, Ralbert third, Time: 1:23%. Fifth race, mile and a sixteenth: Plautus

Merry Acrobat second, Little Boy Time: 2:03.

prosecution closed on that point. All of these witnesses testified that it had been Judge Swayne's habit to remain in

Pensacola only while court was in session, about a month each year, and that generally he gave direction to have documents

Sixth race, mile: Saladin won, Lou M. Second, Norwood Ohio third. Time: 1:56%. LOS ANGELES, Cal., Feb. 13.-Results sent to him at Guyen Court, Delaware. The other three witnesses of the day were Elza T. Davis, a Pensacola lawyer; at Ascot:

at Ascot: First race, five and a half furlongs: George P. McNear won, West Brookfield second, Confessor third. Time: 1,07½. Second race, half mile: Expressing won, Silver Wedding second, Ila third. Time: 0,4512 R. W. Sublett, ticket agent of the Louisville & Nashville railroad at Pensacola, and J. O. Jennings, a conductor on that road. They were introduced to testify on the charge that Swayne had certified to

1:45%. Third race, mile and a sixteenth: Hua-pala won, Watercure second, Freesias greater expenses on the occasions of his trips to Texas than he actually had paid.

Mr. Jennings testified that the judge carried an annual pass on the railroad. In connection with Jennings' testimony Mr.

Third race, mile and a sixteenth: Hua-pala won, Watercure second, Freesias third, Time: 1:48½. Fourth race, six furlongs: Princess Ti-tania and Fustian ran a dead heat; Bor-ghesi third. Time: 1:13½. Fifth race, mile: Cigarlighter won, Mar-tinmas second, Ishtar third. Time: 1:39½. Sixth race, mile and seventy yards: Ca-pable won, Mammon second, Straggler third. Olmsted explained that he did not mean to raise the question of Judge Swayne's right to ride on a pass, but he considered it third

SAN FRANCISCO, Cal., Feb. 13.-Results important when the government was at Oakland: First race, Futurity course: Andvari won, Alone second, Grenore Teright third. Time: 1:11. When the trial was suspended the senate

again entered upon the consideration of the Second race, six furlongs: Cousin Carrie won, Hulford second, Adirondack third. Dime: 1:44%. agricultural appropriation bill. Mr. Proc-

ter presented a letter from the chief statistician of the Agricultural department, saying that the adoption of the Bacon cotton

Third 1:442. Third race, mile and fifty yards: The Freiter won, Tannhauser second, Homage third. Time: 1:45%. Fourth race, mile: Northwest won, Whoa Bill second, Scherzo third. Time: amendment would involve an additional

The amendment led to extended debate, which was participated in by Messrs. Money, Clay, Bacon, Bailey and Proctor, Mr. Bailey thought if the increase could

ber, October and November it would an-

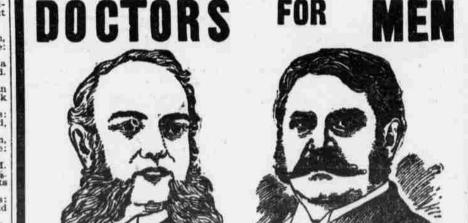
Whoa Bill second, television whoa bill second, television with the second secon lawn track were postponed today, entries will stand.

Central City Forfeits Game.

CENTRAL CITY, Neb., Feb. 12.-(Spe-cial.)-In a game of basket ball at Hastings Saturday night the Central City, High school basket ball five forfeited the con-test to the Young Men's Christian associ-ation team of that city by leaving the field of play at the beginning of the sec-ond half and refusing to continue the game as played by the Hastings men. Pending the consideration of this amendment, the senate held a brief executive

For Rheum

or for Sprains. Milleows or also or for Sprains. Mill-otc., and for Analing Plastershauld be cut size



Rye

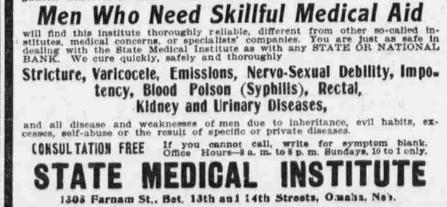
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others.

Griggs (Ga.). Mr. Payne withdrew his point and Mr. Hearst proceeded. He declared that he had

no desire to criticise Mr. Sullivan, because if he had he would not have done it in so public a manner.

slaughter. "I would like to ask the gentleman from Massachusetts," calmly

deficiency. It covers the case of the moral degen-erate, the unclean, unproductive, shiftless members of society, and it includes the proportion, raises his profailing eyes toward the splendid temple of the people's highest gift-the presidency of the United States-bilssfully unconscious of the woeful con-trast between the qualifications requisite for that high office and his own contempti-bles and moral equipment.

Mr. Robinson, but the speaker ruled that