$8,000. I did not know that it was for $11,500 or I would have filed for $11,500."

"In your answer in the district court of Sioux county, Nebraska, you made this statement: 'The value of said land has been appraised pursuant to section 71, chapter lxxiii, compiled statutes of 1899, at the sum of $8,000.' On what fact or circumstances do you base your claim?"

And Fisher's answer was:

"On the fact that I had an arrangement that it was to be appraised for at least that. That is the fact."

"Do you mean to tell this committee that you had an arrangement whereby this land was to be appraised at a certain figure?"

"If the land was not to be appraised for what it was worth I intended to remove the case to the federal court," etc.

Here was one question that the committee propounded that stands out as a feature:

"Why did these heirs agree to allow you to retain all of that appraised value of the land in excess of $1,000—in other words, did not their action in signing the power of attorney, providing the land had been appraised at $11,500, give you a fee of $10,500 for collecting $1,000 for them?"

"It gives myself and the gentlemen with whom I have to divide that amount of money."

The committeemen asked several questions regarding the extra figure "1" which made the total $11,500 instead of $1,500, but Fisher persisted in saying the entire figure was written at the same time.

The committee obtained affidavits of two of the men who were appraisers of this land, W. J. Raum and John Serres, and under oath they state that the original appraisement was $1,500.

ROUTINE PROCEEDINGS OF HOUSE

Most of the Time Put in on Appropriation Bills.

(From a Staff Correspondent.)

LINCOLN, March 10.—(Special.)—The house adopted a motion this morning that when it adjourn today it be until 2:30 p. m. Monday. Half a dozen members then asked to be excused for the afternoon session and the speaker required as many motions and a standing vote. Wilson of Pawnee, who made the adjournment motion, said as the general appropriation bill was coming up today it was bad for the members to be excused.

Committee reports were read showing these bills indefinitely postponed:

S. F. 76, by Bresee of Sheridan—A judicial reapportionment bill.

H. R. 41, by Burgess of Lancaster—Providing for a weather signal service through the state superintendent to warn teachers and pupils of approaching storms.

On motion of Lee of Douglas S. F. 44, by Gibson, the South Omaha sewer bill, was ordered for third reading.

With Jackson of Antelope in the chair the house went into committee of the whole and took up H. R. 347 and H. R. 302, the deficiency and general appropriations bills, on special order.

Clarke of Douglas made a fight for an amendment providing for a salaried deputy game warden at Omaha, but failed. The fusion members actively fought the proposition.

"No show for Omaha," exclaimed Lee, in good humor, as Clarke's proposed amendment went the way of nearly all propositions emanating from the Douglas delegation.

McMullen of Gage submitted an amendment adding $4,000 for allowances to the National Guard. He and Foster of Douglas spoke for the amendment and Hunker of Cuming opposed even the appropriation of $10,800 made by the bill, because it was an increase over two years ago. Wilson, chairman of the finance, ways and means committee, explained the committee's action, saying it seemed justified by circumstances as presented by Adjutant General Culver.

McClay of Lancaster, Luce of Harlan, Marks of Fillmore and Coats of Holt spoke against the amendment. It then went to a vote and was carried, 35 to 34.

Next came a fight on the item of $50,000 for a fireproof museum for the university. McLeod of Stanton fought this item and led Chairman Wilson to remark:

"I cannot imagine what kind of a constituency the gentleman from Stanton represents, if he is representing his constituency. He has fought every appropriation for the university, and yet he stood up here a few minutes ago and voted to add $4,000 to the appropriation to maintain a lot of tin soldiers."

Perry of Furnas made a strong and effective plea for the item. He flatly contradicted McLeod's statement of the university costing the state so much money.

"It has never cost the state one cent," he asserted, "and is the best investment the state has."

McLeod's amendment to strike out the $50,000 item was lost by a vote of 21 to 42.

The appropriation for junior normals was raised from $12,000 to $15,000.

The statutes appropriation goes to Cobbey instead of Wheeler. The house cut out Wheeler and put in Cobbey.

The general appropriations, a total of $1,809,000, approximately, was not vitally altered.

The deficiency bill had an original total of $40,166 and the committee brought this up to $55,560, which the house did not change.

Both bills were then recommended for passage, the house having concluded consideration of them at 4 p. m.

H. R. 235, by Perry of Furnas, the biennial election bill, making the term of all county and state officers two years, was recommended for passage.

At 4:30 the house adjourned.

SENATE INCLINED TO ECONOMY

Kills House Provision Raising Official Salaries.

(From a Staff Correspondent.)

LINCOLN, March 10.—(Special.)—The senate went on record this morning as absolutely opposed to any increase in salaries of state employes, but rather a reduction, and expressed its disapproval of the liberality of the house in the matter of allowing claims indiscriminately, by indefinitely postponing, with only one voice opposing, that of Mockett of Lancaster, the claim of Tom Kennard for $10,000. It refused by a vote of 19 to 15 to reconsider its action of yesterday in turning down the Good bill providing that all deputy state officers be paid $1,800, and the sentiment was expressed on the floor during the debate that these salaries must conform to the present statute.

The overwhelming sentiment in favor of standing by the present statutes will insure the defeat of the house salary bill, which increased the deputies' salaries to $1,800 without regard to the statutes. The action of the senate today means that the salary of the deputy secretary of state and of the deputy state superintendent will be reduced from $1,700 to $1,500.

The defeat of the Kennard claim bill demonstrates that the senate is safe and sane insofar as economy goes. Incidentally, the action of the judiciary committee in recommending the bill for indefinite postponement has nipped in the bud what would have been probably one of the most beautiful as well as one of the most interesting fights of the session. The bill was committed to the judiciary committee, when according to the general rules of such proceedings it should have gone to the committee on claims. Senator Cady is the chairman of this latter committee and he was bitterly opposed to the allowance of the claim, having caused its defeat in 1899. He served notice on the judiciary committee that should the committee recommend the bill for general file he would make the fight of his life to have it sent to his committee. The judiciary committee, however, saw the injustice of the claim as well as did Senator Cady and it came back with a recommendation that suited all concerned except the man most interested.

The claim was for $10,000, which Kennard said was due him because of a contract he had entered into with the state by order of a joint resolution of the legislature of many years ago to collect money due the state from the national government for the sale of public lands. The contract provided that the money due the state by reason of the sale of Indian lands was not to be considered. The supreme court held that the money Kennard collected was school money which would have been paid to the state without any one lobbying for it. For this reason the senate, like three other legislatures before it, refused to allow the claim.

These bills were passed:

S. F. 184, by Gilligan—Which provides that when a school board at its annual meeting makes no provision for a term of school the levy can be made by the county clerk after the county superintendent has estimated the cost.

S. F. 50 and 52—Two of the Cady decedence bills.

S. F. 164, by Mockett—Making the statutes conform to the federal statutes in matters pertaining to the filing of transcript of judgment.

S. F. 197, by Meserve—Fixing the boundary line of Dakota county to conform to the agreement between the Nebraska and South Dakota commissioners.

S. F. 176, by Epperson—Prescribing the length of a term of school under which a district can secure a part of the state school apportionment.

S. F. 174, by Gould—Providing that cities of the first-class can make a levy to improve roads leading into the city and providing that the poll tax when paid in cash shall be $2 instead of $3.

S. F. 206, by Dimery—Giving the State Board of Public Lands and Buildings power to rent buildings owned by the state.

S. F. 112, by Good—Cutting down the salary of bank examiners to $1,500 a year and making it a cause for dismissal should a bank fail within six months after it is reported solvent by the examiner. The vote was 17 to 10, just barely enough to carry. Six were absent.

When President Pro Tem. Jennings called the senate to order this morning Bresee moved that when the body adjourn it be until 2:30 Monday afternoon. The vote was just 16 to 1 in favor of the motion.

Good moved that S. F. 201, the Good salary bill for deputy state officers, be reconsidered. The measure was killed yesterday. Several points of order were raised and finally by a vote of 15 to 10 a motion by Sheldon to table was carried.

The senate this afternoon in committee of the whole, with Wilsey in the chair, worked on the general file.

S. F. 186, by Thomas, a bill to allow the Omaha school districts right of eminent domain, was recommended for passage.

The death penalty abolishment bills of Epperson and Jennings were made a special order for Tuesday afternoon at 3 p. m.

S. F. 177, by Good, a bill taking from the county judge the power of designating where legal notices were to be published and allowing the litigant to choose the paper, was recommended for passage.

S. F. 121, by Good, fixing the bond of the deputy attorney general and the deputy superintendent of public instruction at $10,000, was recommended for passage. At present each officer is required to give a bond of $50,000

S. F. 127, by Epperson, a bill compelling the city to pay the costs in unsuccessful criminal suits, was recommended for passage.

S. F. 138, by Tucker, quieting title to lands in cities of the first-class which have been platted, was recommended for passage.

S. F. 141, by Meserve, to require a two-thirds instead of a majority vote on water bonds, was recommended for passage.

S. F. 203, by Epperson, a bill to provide for the stamping of convict made goods, was indefinitely postponed.

S. F. 99, by Saunders, an amendment to the constitution to provide seven members of the supreme court, was recommended for passage.

S. F. 100, by Saunders, a joint resolution for a constitutional amendment to permit the legislature to fix the salaries of supreme judges, was recommended for passage.

S. F. 211, by Cady, relieving cities of the second class from defective sidewalk damages unless notice has been given of the condition of the walk, was recommended for passage.

S. F. 244, by Saunders, combining the duties of the county, city and school district treasurers in Douglas county, was recommended for passage.

S. F. 242, by Epperson, a bill permitting towns and villages to raise money by levy to explore for minerals, was indefinitely postponed.

S. F. 109, by Sheldon, providing that the owner of mortgaged property shall be assessed upon an amount of the value of the property, caused lengthy debate, after which the committee arose and reported progress on the bill. Sheldon made an able defense of his bill and Mockett lead the opposition.

S. F. 276, the Gould stock yards bill, providing a penalty should the stock yards company consume more than one hour in unloading a car of stock, was placed on general file. The bill was amended to make the time one and a half hours for unloading, and the penalty 2½ per cent for each half hour over that time.

The resolution by Haller to investigate the binding twine plant project was placed on general file.

A resolution of sympathy to Senator Griffin because of the death of his brother was adopted and the senate adjourned out of respect to the bereaved senator.

PECULIAR CRIME IN OREGON

Man Alleged to Have Tried Suicide Swears that He Was Shot.

COTTAGE GROVE, Ore., March 10.—In the mail of the city marshal of this place yesterday was a letter, purporting to be written by John Fletcher, stating that the writer was tired of life and had decided to commit suicide and telling the marshal where to find the body. Fletcher was found as indicated with a bullet wound in his head, but alive.

Developments tend to show that he was shot by John Branton, who, it is said, wrote the letter, the crime being for the purpose, it is alleged, of getting life insurance of $3,000, payable to Branton at Fletcher's death. Branton, while walking along the road, it is claimed, borrowed Fletcher's revolver on the pretext of wanting to kill a wild animal. He then, according to Fletcher's sworn statement, turned the weapon on the latter. After having shot Fletcher, Branton tried to induce the wounded man to say that he had shot himself. This Fletcher refused to do, and later swore to an affidavit charging Branton with the shooting.

Charles F. Kelly Critically Ill.

ST. LOUIS, March 10.—Charles F. Kelly, former speaker of the house of delegates, who is out on bond pending an appeal of his conviction of perjury in connection with the bribery deals of several years ago, is critically ill at his home. Kelly has appeared as one of the principal prosecuting witnesses in every trial of persons charged with bribery in connection with the suburban and lighting deals.

TOLSTOI ON GOVERNMENT

Russian Sage Says that All Forms of it Should Be Abolished.

ADVOCATES PERFECTION OF INDIVIDUAL

He Condemns the War in the Far East as the Great Crime Against People of Russia.

LONDON, March 10.—Count Tolstoi, in a letter to the Times of London, which will be published tomorrow morning, says that he regards not only the Russian government but all governments as "intricate institutions sanctified by tradition and custom for the purpose of committing by violence and impunity the most dreadful social crimes." He therefore thinks the efforts of those who wish to improve social life should be directed to the liberation of themselves "from the governments whose futility in these times is becoming more and more obvious." This object could only be attained by the unique means of religiously and morally perfecting separate individuals. The idea is prevalent that the evil accomplished by the "present particularly coarse, cruel, stupid and deceitful Russian government" is due to the fact that the Russian government is not organized on the model of other existing governments, "which are similar institutions for the committal of all kinds of crimes against their peoples." For the purpose of correcting this, the people had used all the means at their disposal, "imagining that an alteration of the external forms might alter the essence."

Such activity, Count Tolstoi says, is inexpedient and unreasonable in that the people assert rights which they do not have. Violent strife by "external means on the part of an insignificant handful of men against a powerful government defending its life is only comical from the point of view of the possibility of success and piteous as regards the unfortunate, misled individuals who perish in the unequal strife.

Internal Affairs in Russia.

"The Russian government has no right to claims, which do not appeal to the great mass of the people. One hundred million of the peasantry need nothing of these demands, their one desire and expectation being the liberation of the land from the law of property or common ownership of land, matters which are entirely ignored in liberal positions and speeches and only incidentally alluded to in the revolutionary socialistic program."

Concerning the representation demands, Count Tolstoi says:

The people in great mass still believe in autocracy, both by reason of inertia and because they think that only through autocracy and through the czar can they attain this communalization of land. The present activity is pernicious because it distracts the people from the moral perfecting of separate individuals, whereby only can be obtained the objects toward which those who are fighting the government are striving.

One cannot participate in political action, which draws the people into intrigue, subterfuge, strife and spite extending to murder. Political action not only fails to contribute to the liberation of men from the violence of governments, but on the contrary renders the people more incapable of that vigor which only can liberate them.

Light-minded people, judged superficially, especially those upset by the butchery in St. Petersburg, thought the chief cause of those events lay in the despotism of government, thinks that if the autocratic monarchical form of the Russian government is replaced by a constitutional or republican one, then such events could not be repeated.

War is the Greatest Crime.

But the chief calamity from which the Russian people are suffering is not St. Petersburg events, but the reckless disgraceful, cruel war instigated by a score of immoral individuals. The war which already has destroyed hundreds of thousands of Russians imposes an enormous tax upon the labor of futures generations. That which took place in St. Petersburg on January 22 is nothing in comparison to what is taking place in Manchuria.

In conclusion, Count Tolstoi says that in America, France, Germany, Japan and England the pernicious character of the governments, while not so marked, those belonging to those nations point to events in Russia and naively imagine what is done in Russia is done only in Russia, while they enjoy complete freedom and need no improvement of their positions.

"But," he adds, "they are in the most hopeless state of slavery—the slavery of slaves who do not understand they are slaves and pride themselves on their position as slaves. The fact is that every coercive government is in the essence a great and unnecessary evil. Therefore the aim of the Russian and of all the men should not be to replace one form of government by another, but to free themselves from every government and abolish it."

CONFISCATE A BRITISH SHIP

Japanese Find the King Arthur Was Violating Blockade.

NAGASAKI, March 10.—The British steamer, King Arthur, captured by the Japanese on December 19 last, while attempting to leave Port Arthur with the Russian officers on board, has been confiscated by the prize court at Sasebo for violating the blockade of Port Arthur. The decision is subject to an appeal to Tokio. The captain of the King Arthur produced a letter from the Russian authorities showing that they had seized his vessel and confiscated its cargo, which was destined for New Chwang, but the plea was disallowed.

Mine Disaster at Wales.

CARDIFF, March 10.—A terrible explosion has occurred in the Cambrian colliery at Clydach Vale, in the Rhondda valley. It is feared that twenty or thirty miners have been killed. The pit is afire. Many of those rescued from the mine are badly burned.

Anarchist Bomb Kills Eight.

LONDON, March 11.—The St. Petersburg correspondent of the Daily Mail telegraphs as follows: At 4 o'clock this (Saturday) morning an explosion in the center of the city at Vosnacensky Prospect and Bolchoiamorskair, facing the Isaac cathedral, blew out the interior of an apartment house, killing four men and four women. It undoubtedly was the accidental explosion of an anarchist bomb, killing those who intended to use it.

FOLK GETS AFTER BOODLERS

Grand Jury Will Investigate Bribery Charges in Connection with Breeders' Law.

JEFFERSON CITY, Mo., March 10.—Judge Martin of Cole county court today made an order for a special grand jury to convene here on next Tuesday for the purpose of investigating charges of boodling in connection with the breeders' law repeal bill which passed the senate yesterday, and for other legislative boodling charges.

Judge Martin stated that he had called the grand jury after Attorney General Hadley and Prosecuting Attorney Belch had laid certain evidence before him which he deemed important to be investigated.

Telegrams have been received by Governor Folk from persons in St. Louis, alleging that boodle was being attempted to defeat the passage of the Breeders' law repeal bill, and it was after Governor Folk had consulted with Attorney General Hadley that the order of Judge Martin was made.

By a vote of 19 to 13 the senate today made the consideration of the house bill prohibiting bookmaking and pool selling throughout the state a special order for Tuesday afternoon, when it will come up for final passage.

Governor Folk tonight signed the breeders' law repeal bill. This measure kills the existing statute prohibiting bookmaking and pool selling, except in certain enclosures. There is at present no specific law against bookmaking or pool selling in the state and unless the new bill, which has been passed by the house, is passed by the senate the several communities will be forced to prosecute betting on horse racing under the general gambling laws.

IMPORTERS MAY LOSE GEMS

Diamonds Brought to America by Embezzler Siezed by Collector of Customs.

SAN FRANCISCO, March 10.—Twelve thousand dollars' worth of diamonds have been seized by the collector of customs at this port. Louis Hospidal, an agent for a French diamond firm, had a consignment of diamonds from the firm at Havana where he was to dispose of them. From Havana Hospidal went to Mexico and thence to this city, where he was arrested, but upon giving the diamonds to another agent of the French house, he was released and promised immunity from prosecution by the firm. The collector of customs then seized the diamonds in the possession of the agent and now holds them in his custody. He is about to begin suit to condemn and forfeit the diamonds as smuggled goods, on the ground that the stones were not imported by the owners, but as stolen property. The matter has been referred to the authorities at Washington for instructions.

EXPLOSION IN POWDER MILL

Building at Peoria is Demolished by Accident in the Grinding Room.

PEORIA, Ill., March 10.—An explosion in the wheel house of the Buckeye Powder company at Edwards yesterday reduced the building to fragments and caused a property loss of $25,000. It is the custom to place the powder in huge pans, into which grinding wheels are lowered automatically and started. No one is allowed in the building while the grinding is in process.

Spectators were startled to see a gigantic column of black smoke rise suddenly to a height of several hundred feet in the air, followed by a deafening sound that was heard five miles away. The mill is several hundred yards from the rest of the plant.

MURDER AT WICHITA, KANSAS

J. C. Casey, a Prominent Merchant, Shot and Instantly Killed by a Former Creditor.

WICHITA, Kan., March 10.—J. C. Casey, head of the Casey Wholesale Mercantile company, was shot through the head and instantly killed by James Oliver today. Oliver lost $23,000 in the failure of the Casey & Garst Mercantile company a few months ago and the misfortune preyed on his mind. He demanded his money when the firm was reorganized and had several arguments with Casey over the loss. Today, while Casey was seated at his desk, Oliver slipped up behind him and fired three times without warning. Oliver walked to police headquarters and gave himself up. Casey was prominent in church circles and society.

TRIBUNE STAFF REORGANIZED

Retirement of Whitelaw Reid Makes Number of Changes in Staff Necessary.

NEW YORK, March 10.—Whitelaw Reid's retirement from the editorship and direction of the New York Tribune, in consequence of his having taken office abroad under the government, makes necessary the reorganization of the editorial department. Hart Lyman, long a member of the editorial staff, succeeds Mr. Reid as editor. Donald Nicholson, who has been connected with the Tribune for thirty-five years, retires at his own request from the managing editorship, and is succeeded by James Martin, who has been news editor since 1900.

INSISTS UPON CLEAN CARS

One Cleveland Line is Tied Up Two Hours by City Health Officers.

CLEVELAND, O., March 10.—The Scranton avenue line of the Cleveland Electric Railway company was tied up for two hours today because a motorman and conductor attempted to take out a street car that did not meet the standard of cleanliness which the city health officer is putting in force.

CONGRESS OF MOTHERS MEETS

Mrs. Theo. Birney, Honorary President, Welcomes the Delegates.

WASHINGTON, March 10.—The biennial convention of the National Congress of Mothers, which is to continue with daily sessions for a week, began tonight with a general meeting at the Metropolitan Methodist Episcopal church. Mrs. Theodore W. Birney, the honorary president of the association, formally welcomed the delegates. The principal feature of the session was an address by Dr. G. Stanley Hall of Worcester, Mass., on "New Ideals of Motherhood Suggested by Child Study." Mrs. Frederick Scheff, the president, also spoke. At a meeting of the board of managers of the congress today Mrs. Roosevelt was elected an honorary vice president.

AMUSEMENTS.