RECRET IN ENGLAND SUMMARY OF THE BEE PEOPLE FLEE FROM FLOODS THAW'S CASE IS DELAYED TAX CASE IN SUPREME COURT GAMBLE GIVEN A CLEAN BILL

British Frees and Officials Condemn Insult to Rear Admiral Davis.

Request of Colonial Office for Explanation Remains Unanswered.

GOVERNOR SWETTENHAM REMAINS SILENT

HALDANE TAKES AN UNUSUAL COURSE 27 28 29 30 31

sure of Governor of Jamaica.

ADMIRAL DAVIS AT GUANTANAMO

His Report of Incident is Forwarded to Washington by Mail-Kingston Oltizens Indignant at Governor.

MINION, Jan. 21.—The col. still without explanation from ander Swettenham, governor of the situation which led to the drawal of Rear Admiral Davis' we from Kingston on Saturday. The shalthough irritating to the government, construed as a good sign that this mucregretted affair is capable of amicable adjustment and will not lead to any disturbance of the friendly relations between the United States and Great Britain.

It is supposed that if Governor Swetten ham had any reasonable justification for his extraordinary letter to Rear Admiral Davis he would not delay in placing his government in peesession of the facts; therefore his silence in regarded as a confession of the weakness of his case, or an evidence of compunction at having adopted an inadvisable course. In this light the governor's telegram asking the British government to convey to the government of the United States the thanks of the nation for American assistance rendered by Rear Admiral Davis assumes considerable importance. Foreign Secretary Sir Edward Gray, in forwarding this message to Washington with the thanks of the imperial government, well expresses the feeling of the government and the nation on this subject.

Haldane's Unusual Course. War Secretary Haldane, on behalf of the War office, has taken a quite unusual course and one indicative of the exceptional importance of the occasion, by addressing a dispatch to Secretary Root which indirectly implies censure of the governor of Jamaica. It will thus be seen that practically all the ministers are adopting a highly appreciative attitude toward the United States, and it cannot be doubted that the incident will be settled, probably by the recall of Governor Swettenham, or at least disavowal of his action and apology

to Rear Admiral Davis. While the Foreign office naturally is reluctant, in the absence of fuller information, to pass judgment, officials do not hesitate in agreeing that under no circumstances should such a letter as Governor written, and they declare that even the stress of recent events is no excuse for official to an officer of the friendly nation

ngaged in a work of humanity. Davis Popular in England.

By a singular coincidence Admiral Davis is an officer to whom England heretofore has felt the deepest gratitude, as his course while the American member of the inter national arbitration court at Paris, upon the sinking of the British fishing vessels in city council in the middle of reading of North sea by the Russian fleet practically shaped a decision favorable to Great Britain. It is known that Admiral Davis' staunch support of the British contention turned the scales at the decisive moment. One phase not generally known is that King Edward, on the conclusion of the court, communicated an invitation through the British ambassador at Paris to Admiral Davis to come to Buckingham palace, where marked honors would have been

shown l.im. But the desire to avoid anything which might be canstrued as wounding Russia led Admiral Davis not to accept the king's invitation. It was none the less expressive of the feeling of Great Britain toward Admiral Pacific and the Western Pacific have Davis, although this feeling is now momentarily overlooked, probably through

turned the scales for Great Britain before the historic international court. No Priction Over Incident.

All the morning newspapers again print editorial articles on the Kingston incident, which they regard as already virtually settled, or at any rate, they say the tension of the crisis has been relieved by the admirably toned dispatches exchanged between the two governments.

Expressions of the deepest gratitude for the help rendered by the American navy continue to be used, and while full allowance is made for the exceptional circumheh may have accounted for ttenham's ruffled feelings, the Governo are unanimous in censuring newspar: one of his letter as absolutely atrongis called for and this in spite MIOUE at the papers recognize Rear

also may have been some Admira: orthy. what bla

reflects the prevailing views

able would have been saved "Peris med forthwith that Admiral if we -Davis was a triffe too energotic and Governor Swettenham unduly tenacious of prerogative." In short, it is held that nothing could excuse "such an amazing letter" except the charitable view that the writer was suffering from nervous break-

Swettenham Jenious of Jones. Governor Swettenham and Admiral Davis enth infantry. situation at the Jamaican capital

is not the only one which has arisen a Kingston, as it now develops that the activities of Sir Alfred Jones in relieving the have given the governor the idea that Sir Alfred ought to take the whole matter in hand Sir Alfred is one of the principal business men of England, head of the elder Dempster steamship line, and leader of the British commercial party which has been visiting Jamaica.

John Westlake, professor of international law at the University of Cambridge, one of the members of the United Kingdom of The jury was out for fifty-five hours. the international court of arbitration at Seven The Hague and ex-president of the Institute of International Law, made the folowing statement to the Associated Press:

T am unable to see any justification for the action of Governor Swettenham. It was rather informal on the part of Admiral Davis if he did not ask for the governor's permission before landing men, but the landing of men, though they were armed, was not even a technical breach of inter-

(Continued on Second Page.)

Tuesday, January 22, 1907.

1907 JANUARY 1907 TUE WED THU PRI 1 2 3 5 4 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

THE WEATHER. Cablegram to Secretary Root Implies Cen-FORECAST FOR NEBRASKA-Partly loudy and colder Tuesday, possibly snow. Vednesday fair. FORECAST FOR IOWA-Snow Tuesday

11 a. m...

WASHINGTON. Attorney General Thompson, Senatorelect Brown and representatives of the railroads argue Nebraska tax case before the supreme court. Page 1 Senators agree to compromise resolution

Brownsville affair that will have supof all parties. It provides for an ination of facts and does not refer to po. dcal contributions by corporations.

Page 6 DOMESTIC. Jury in Shea case disagrees after fiftyfive hours' deliberation and is discharged.

POREIGN. British press and officials condemn Governor Swettenham of Jamaica for requesting American warships to leave Kingston, Requests of the Colonial office for his version of incident are unanswared. Page 1

NEBRASHA. to accomplish purpose and will be amended. Norfolk Hospital for the Insane is vis-

Dr. G. A. Young, superintendent, pre- possible, but it will be immense. sents detailed statement showing \$87,500 is needed for new buildings. LOCAL. trip to Cuba and gives it as his opinion higher. It will recede slowly, however, in which he is to se tried for his life.

stay in island. nephew, Raiph Kitchen. Other relatives ganizations. remembered. Page 10

question and strictures of County Treasurer Fink. Carl Reynolds identified as man who Swettenham's to Rear Admiral Davis have held up Wolf saloon and also as man who robbed George Barker of his clothes.

> SPORT. Wesleyan university discusses a change white. A new yell, an imitation of the coyote's cry, is adopted, and the team will be known hereafter as the Coyotes. Page (

COUNCIL BLUFFS AND IOWA. Lights go out on the Council Bluffs report of engineer on water works.

Senator Dolliver unanimously renomisated by the republican caucus. Page 1

HARRIMAN AND GOULD AGREE Western Pacific to Buy Right-of-Way Through Nevada from Rival.

SAN FRANCISCO, Jan. Zi.-It is officially stated from the land office of the Central Pacific company that the Southern reached an agreement whereby the Harriman road is to sell a right-of-way coverfailure to recognize the Admiral Davis at ing 280 miles through Nevada to the Gould Jamaica as the same Admiral Davis who interests. If the representative of the rival systems fail to reach an adjustment of terms it has been stipulated that an arbitrator shall be brought in to decide upon details.

The sale of the right-of-way involves 280 miles reaching virtually across the entire state of Nevada and is for the most part on land granted the Central Pacific by the United States government as a bonus for the building of a transcontinental road. In some places the right-of-way of the western Pacific is to parallel the Southern Pacific but the transfer will not materially affect the plans of the Gould line regarding its entrance into California via the Beckwith pass.

BOYS SET FIRE TO POWDER Explosion in New Barracks at Fort D. A. Russell Damages Build-

ing \$15,000.

CHEYENNE, Wyo., Jan. 21.-Three boys playing war in the basement of the new infantry barracks at Fort D. A. Russell, near this city. Sunday set fire to a quantity of pewder and an explosion occurred which damaged the barracks to the extent of about \$15,000 and seriously injured the boys. One of the boys, a son of the fort stumber, named McDonald, is expected to die. The others are a son of Captain Alexander of the Eleventh infantry, now in the enabling act under which the state of cago, said; It is learsed that the incident between Cuba, and a son of Sergeant Gray, Elev-

> SHEA JURY IS DISCHARGED Panel Reports a Disagreement After Fifty-Five Hours' Delib-

eration. CHICAGO, Jan. 21.-The jury in the conspiracy trial of C. P. Shea, president of the International Brotherhood of Teamsters, reported a disagreement this after noon. The jury was thereupon discharged. voted for acquittal and five for con-

viction. The state attorney's office amounces that the case against Shea and his associates will be vigorously pushed and that preparations for a new trial will begin at once

Epidemic Conditions Improve CHICAGO, Jan. 21.—The scarlet fever pidemic showed slight signs of abatement pany's reported, whereas the average has been payer to for several days past. Reports from the suburbs, the officials of the health department say, are also reassuring.

Six Hundred Persons Have Left Shawneetown, Ill., Fearing Disaster.

LEVEE HOLDS, BUT DANGER POINT IS NEAR Residents Strengthen the Defenses

Against River and Bank May Hold Until the Water Rises Five Feet.

SHAWNEETOWN, Ill., Jan. 21 .- The hio river continues to rise slowly, the rapidity of the rise the past few days having been somewhat checked by the cold, dear weather. The levee is still intact, but ople continue to move to the hills. Owing of the trial. to the prompt supply of necessities, there is very little suffering among the refugees. Business is at a standstill.

the members of his own family, who have busy. It was said that Clifford W. Harthe said, are living in tents. All residents conference with the family. whose homes are still tenable are occupying the second stories and business is at held in the prisoners' room in the criminal a standstill.

river reached forty-eight feet," said Mayor panel was being called. of authority of president. Page 6 Kratz. "I believe the levee which proe passes the senate bill prohibiting tects the city from the Ohio river will hold until the stage reaches fifty-three and this necessitated the delay. feet. If that figure is recorded we cannot tell what will happen to Shawneetown. "It is impossible to say now just when

the crisis will be reached. It has not rained here since Saturday, but the river is steadily rising. We are making every effort to fortify the levee and, after examining it this morning. I am confident that it will hold until the river reaches fifty-three feet.

Crest Passes Cincinnati. CINCINNATI, Jan. 21.-The high water is receding, having reached a sixty-five-foot Bill pending in legislature intended to stage tonight. It is thought that all danput the lobby out of business not likely ger will pass with this week. The cold Page 1 the high water, caused much suffering among the thousands of homeless people. ited by a delegation from the legislature. No estimate of the property damage is that this be done.

the only solution of the problem of gov- the immense body of water below holding Today's announcement of the postpor ernment there is for United States to back the flood, and the cold weather Will of late James B. Kitchen filed, schools and vacant buildings and are be- fall. Leaves Paxton hotel property to his ing fed by neighbors and charitable or-

been picked up down the river.

began to fall, the stage being given as 6.1 Attorney Jerome's office and offer to testify the Union Pacific from the values of its feet, a drop of one-tenth of a foot from the as a witness for the pr from yellow and brown to green and previous hour. Forecaster Bastler said the defense of the reputation of Stanford river would probably remain stationary White, who was his benefactor. for the rest of the day and then fall slowly. but that it would not go below the danger line until Thursday or Friday

Rising at Louisville. LOUISVILLE, Ky., Jan. 21.-The river continues to rise and this morning registered 40.1-twelve feet above the danger line.

Weather officials expect a further rise of over a foot and this will probably put commission/

The cold weather has added to the misery houses, school houses and other buildings. Kansas Floods Receding

KANBAS CITY, Mo., Jan. 21.-Reports said that he would finish today. from the flooded districts of the southwest tonight, indicate that most of the swollen rivers and streams are receding, that the weather is clear and cold and unless an-

of serious flood damage is remote. Mississippi Rising at St. Louis. ST. LOUIS, Mo., Jan. 21.-The Mississippi river is rising steadily and tonight the stage registered twenty-six feet, which is within four feet of the danger line. The low lands above and below East St. Louis. Ill., were flooded. Even should the danger line be reached and passed, very little damage can result in St. Louis owing to the high location of the city.

GOULD DEMURRER OVERRULED Fuel Companies Must Defend Title to

Conl Lands in Utah Federal Court.

SALT LAKE CITY, Utah, Jan. 21 .- The ley Coal company, Gould corporations, against which the federal government recently instituted suits to annul the title to certain coal lands in Utah and to an accounting for coal already mined from these lands, must defend these suits in the federal court for the district of Utah, according to a decision rendered today by Federal Judge John A. Marshall. The two coal companies and the Morton Trust company of New York, which is a large holder of their bonds as trustees, entered demurrers, maintaining, first, that the Utah court has no jurisdiction over the coal companies, which are New Jersey and New York corporations, and also demurring as to the equity of the government's case, day's decision by Judge Marshall.

Judge Marshall in his decision holds that Utah was created did not grant to the state any right to dispose of mineral lands. If this theory should be upheld it would mineral lands in Utah.

Carantion League's Request Carnation League's Request.

NEW YORK, Jan. 21.—The Carnation League of America has sent out a special appeal to all patriotic men and women to observe the birthday of William McKinley this year by wearing a carnation, the favorite flower of the murdered president. Carnation day comes on January 29, when McKinley would have been 65 years old. This will be the fifth year it has been specially observed. The league was established in 1903 and has among its trustees President Rocsevelt and some of the cubinet officers and United States senators. and United States senators.

Southern Pacific to Sell Land. SAN FRANCISCO, Jan II.-All lands he Southern Pacific company included the Southern Pacific company included in the government grant to the Central Facafie railroad in this state. Nevada and LTah, with the exception of the timber property will be placed on sale not later than July 1 of this year. The railroad company's holdings in these states amount approximately to rearry 600,000 acres. While small pieces of the government grants were sold from time to time through the land office, this will be the first general disposal.

Personal Mention.

In honor of Senator-elect Norris Brown. Senator burket will give a dinner Wadnesstanamo.

The charge was made that in each of these varies the men were working more than eight and in some instances twelve for the government grants were sold from time to time through the land office, this will be the first general disposal.

Alleged Murderer Will Be Arraigned Today and Telal Will

OMAHA, TUESDAY MORNING, JANUARY 22, 1907-TEN PAGES.

Come Later

NEW YORK, Jan. IL-Harry K. Thaw will go through the formality of an arraignment before Justice Fitzgerald in criminal branch of the supreme court today for the murder of Stanford White on June 25, 1906, at a theatrical performance on the Madison Square roof garden. The delay in finishing the Hilgert "magic boots" case is the cause of this temporary postponement of Thaw's trial. The proceedings to day will be merely to permit an adjournment until Tuesday or Wednesday, when the Hilgert case is expected to be finished. The 200 talesmen of the special panel, which has been summoned for the case, will be excused until the resumption

Yesterday, on the eve of his trial, the prisoner spent the day in his cell reading the Sunday papers. He seemed to be in ST. LOUIS, Jan. 21.—A special to the a comfortable frame of mind. No visitors Post-Dispatch from Shawneetown says: A are permitted at the tombs on Sunday statement of conditions prevailing in Shaw- and the representatives of the Thaw nectown, which is threatened with destruc- family in New York kept close to their tion by floods, was made by Mayor C. apartments in the Lerraine. In the course Kratz this morning. He stated that 600 of the afternoon the telephone in Mrs. persons have fied from the town, including William Thaw's apartment was continually gone to Evansville, Ind. Forty families, ridge, chief counsel for Thaw had a long The alleged slaver of Stanford White was

court building while the roll of the 200 not conclude at the usual hour at which "At 9 o'clock this morning the stage of the talesmen summoned in the special jury court adjourns. After finishing his argu-The trial was set for today, but a case

> All persons other than the talesmen were excluded from the court room. Even the

> newspaper men were held outside. The large crowd gathered to catch a glimpse of Thaw was disappointed. During his journey from the prison cell to the "pen" in the court house Thaw was not nce exposed to public gaze.

District Attorney Jerome, who is to peronally conduct the prosecution, appeared before Justice Fitzgerald, who is to try the case, and explained that counsel in the pending case, that of Mathew Hilbert, the as Mr. Greene said, rests wholly upon statemaker of "magic boots," believed they ments made by the Board of Equalization could conclude the trial by Wednesday. He and Assessments. He quoted at length weather, which largely assisted in stopping therefore asked that the special panel called for the Thaw case be excused until the lower court in which it gives testimor Wednesday morning. The court ordered of the board describing their methods of

Thaw consulted with his counsel several The Ohio river at this point has stood times during the proceedings and during applied the stocks and bonds system, but Page 3 at 65.1 feet for several hours and it is one of these consultations he was allowed failed to deduct from the values of the believed the end of the flood is in sight and to enter the jury room, from which he stock and bonds of the Union Pacific the Hon. John L. Webster returns from a and that possibly the river will go no caught his first gampse of the court room

ment was anticipated, and this disappoint-Page 3 which has helped to stop the flood ment the prisoner felt over the delay was After holding it for twenty years, Bur- will occasion greater suffering by those not great. He has been assured that his lington is forced to divide the fast mail whose homes are in the flooded sec- "day in court," which he had awaited so ern Pacific and other corporations and that contract with the Rock Island. Page 3 tions and who are temporarily housed in impatiently, will begin Wednesday without Thaw himself appeared happy and con-

fident and walked with a springy step. The water crept up today to more than He had arisen bright and early, apparently Judge Troup discusses scavenger tax fifteen feet above the danger line and is anxious for his trip across the bridge from still rising slowly. Several fatalities were the Tombs prison to the court room. His Page 5 reported today, but it is possible some of wife arrived at the prison too late to see them believed to be drowned may have him. She did not go to the court building. It was reported that Howard Nesbit, Page 5 reached at this point at noon, when the river rived in this city and will visit District deduct the value of the securities owned by

MISSOURI OIL CASE CLOSES Evidence is All in and Arguments

Will Begin in St. Louis Feb-

ruary 19.

ST. LOUIS, Jan. Z.-When the special commission convened the hearing for takthe Seventh street railroad station out of ing testimony in the suit of the state of

Louis Oil company, and A. H. Gardner, and bonds, net and gross earnings, all this summer in Salzburg. Austria. D. H. Sullimanager of the National Oil company of to be taken as a basis upon which the van of Ohio and Wellington O'Connor of other rainstorm follows soon the danger Kansas City, who testified regarding prices board was to arrive at the value of the Indiana were chosen alternates.

уевги ако. A. D. Eddy of Chicago and Frank Hager man of Kansas City the defendants. Attorney General Hadley said today that

was sure he had made a case against each of the defendants and looked for an order of the supreme court which would put the defendants out of business in Missouri. The charges in the petition are that the defendants formed a combination Utah Fuel company and the Pleasant Val- in restraint of trade and violated the antitrust law.

The evidence in the case is volumin covering about 5,000 typewritten pages, and is separated into three large volumes.

STOCK SHOW OPENS AT DENVER Second Exhibit of Western Society in Connection with Live Stock Association.

DENVER, Jan. 21.-In connection with the convention of the American National Live Stock association, the Western Stock Show association is holding its second annual exhibition at the Denver stock yards. All these demurrers were overruled in to- Of this show Colonel W. E. Skinner, who conceived and carried to success the recent governor of Nebraska into an admission international live stock exhibition at Chi- of precise methods adopted by the board

"Relatively there has never been a show in the United States to equal this one in board it neglected to give the value of its Denver. This show marks an epoch in the stock, leaving the space blank, claiming mean a general overturning of titles to industry of live stock, which portends it did not know the value of its stock. wonderful results for agriculture in this With a strong array of figures Mr. Brown

> WORK SLOW AT NAVY YARDS Eight-Hour Law Must Be Enforced, the hour for adjournment arrived. Although Ships Are Not Ready.

WASHINGTON, Jan. 21.-In consequence of protests received at the Navy department from organized labor the secretary has telegraphed the commandant of the Boston, New York and Norfolk navy yards to suspend all extra work on warships in

law, contrary to the order of the prest/

Railroads Object to Paying Taxes on Stock

Owned in Other Companies. STATE DEFENDS ASSESSMENT AS JUST

Attorney General Thompson and Senator-Elect Brown Appear for State, C. J. Greene for Railronds.

(From a Staff Correspondent.) WASHINGTON, Jan. 2 .- (Special Telegram.)-Upon motion of Senator-elect Norris Brown, William T. Thompson, attorney general for Nebraska, was this morning admitted to practice before the supreme ourt, this being the initial step prior to any way. hearing arguments in the Nebraska railroad tax cases. Charles J. Greene, representing the Burlington; John M. Baldwin, representing the Union Pacific, and Maxwell Evarts of New York, assistant general counsel of the Harriman lines, were present as counsel for the Fillroads. Through mutual agreement between counsel, Mr. Greene opened and had at hour's time afforted to him, half of which he consumed prior to the luncheon recess of court. Thompson presented an argument and was to one. followed by Senator-elect Brown, who did ment tomorrow Mr. Brown will be followed by Mesers John M. Baldwin and Maxwell begun ten days ago had not been concluded Evarts for the railroads. M. J. Stanley and this necessitated the delay. twenty minutes to close for the state.

Mr. Greene devoted his time to reviewing the brief prepared by the railroad companies, starting with the statement that in 1904 the state of Nebraska passed a revenue law, through the operations of which the tax assessments on rallroad properties were increased 80 per cent and on all other property throughout the state 50 per

cent. Objects to Taxing Securities. The case the railroads have made out from the records of the proceedings i

reaching a basis upon which to make an assessment. It is contended that the board securities owned by it in other companies, failing to appreciate that the value of the stocks and bonds of the Union Pacific was largely enhanced by hundreds of millions of dollars of stocks and bonds it owned in the Northern Securities company, Southa fair estimate of the tangible and intangible property in the state of Nebraska could not be obtained by including property, the ownership of which had nothing to do with the lines of railroad owned by the Union Pacific or the business conducted thereon and was entirely incapable of division upon a mileage basis, but was taxable, if at all, in the domicile of the company, which is Utah. In other words, the board in using the stocks and bonds method omitted to the entire mileage of the system. That is to say, by a proper application of the stock and bond method the valuation of the road would have been \$45,773 per mile, but instead of this the board by failing to make a deduction for the securities of other companies held by the Union Pacific made the valuation \$65.992 per mile, which it arbitrarily reduced to \$55,000, or about \$10,

more per mile than the correct valuation. Basis of State's Contention. Attorney General Thompson followed and in a conversational tone explained the pur-Missouri to oust the Standard, Republic poses and intent of the Nebraska state and Waters-Pierce Oil companies H. S. law, which clothed the state board with of the homeless, who are existing in ware- Priest announced that the defense had con- authority to assess railroad and other propcluded. The state had only a few witnesses crty. The railroads were compelled to fur- Worlfers in January, 1968. for rebuttal and Attorney General Hadley nish a statement of the number of miles of trackage in the state, the number of were A. L. Stocke, president of the St. etc., a statement of the value of stocks national congress which will be held next submission of the annexation question to a railroad property in Nebraska. The con-Special Commissioner Anthony, who has tention of the state, Mr. Thompson said, heard the depositions, has selected Febru- is that the board had authority to act which voters may directly instruct their ary 19 as the date for the arguments in and took evidence as to the tangible prop- representatives in national, state and muni- is chairman of the senate committee on St. Louis. The suit to oust the oil com- erty of the railroads, whether they took cipal offices by direct nomination, direct panies began on March 29, 1865, nearly two the stock and bond method of arriving at a basis upon which to make an assessment, Attorney General Hadley will represent or fixing a rate per mile, no wrong was the state in the argument and John D. done to the railroad companies. If the Johnson, Judge Henry Priest of St. Louis, action of the board is impeached, it must not be on grounds of fraud, but because of errors in the methods in arriving at the value of property.

Brown Denies Charge.

Senator-elect Brown spoke without notes,

and as he was attorney general when these suits were instituted, devoted the major pertion of his address in giving a history of the action. Mr. Brown denied very emphatically a charge which has been made that the governor and other members of the board had entered into a conspiracy to increase the taxation upon railroad properties in order to pay off certain political obligations. Mr. Brown severely criticized the railroad companies for their day, leaving some of the stranded lake action in hauling the board into court, for liners high and dry. six weeks having them under cross-examination, and then attempting to use their testimony thus secured to bolster up their contentions as to overtaxation and doubtful the trolley cars and lighting the city. methods in arriving at assessments. It had been the intent of the board, he said, ical or visible property owned by railroads. He called the attention of the court par- work was sunk ticularly to the attempt to browbeat the to reach the re 's attained. He scored the Burlington . use in its return to the

instead of being unjustly dealt with, when During Mr. Greenc's argument Justices White, Day and Holmes asked many pertinent questions of the railroad attorney, who was evidently embarrassed by their apparent leaning against his position. Mr. Baldwin will follow Mr. Brown on

was attempting to show the court that

as a matter of fact the railroads of Ne-

braska were assessed at too low a figure

onclusion of the latter's argument morrow, and Mr. Stanley will conclude for the state. Personal Mention.

Continued on Third Page.)

Stalwarts Make an Effort to Debate

Report in the House, but Fail.

PIERRE, S. D., Jan. 21.-(Special Telegram.)-The report of the investigating committee is innocence, or whitewash, according to the political spectacles through which it is viewed, as it now all over but the voting. The report of the investigating committee, which was presented to both houses this afternoon, holds that nothing was presented to the committee to indicate that the appointment of the son of Sonator Gamble to the senate positions were not in the usual way in accordance with customs prevailing in the United States senate for years, and the part taken by the senator does not in any way reflect upon his personal or official integrity in

The senate accepted the resolution, but in the house Parmley, the stalwart leader, made his last stand just before adjournment, but was leading a forlorn hope and was blocked in every effort to secure consideration of the report before the time for election of a senator. He attempted to secure an evening session for that purpose and being defeated in that, tried to secure immediate consideration of the report in committee of the whole, in both of which Upon his conclusion Attorney General propositions he was defeated by about two

The ratiroad prodders came out again today in the house with bills fixing double damages for property destroyed by fire set by railroad locomotives and requiring written permission from the Ralicoad commis sion to abandon stations.

The county local option liquor license bill came back with a favorable majority report. and a minority report signed by Ellerman and Otto recommending indefinite postpone-

The Sloux Palls bill for a thirty-year street railway franchise came back from the committee amended to make it apply only to cities with over 12,000 population and then only after it had been favorably roted on by the people. The principal debate was in the senate

the state capitol and for continuing the work thereon. SENATOR DOLLIVER NOMINATED Republican Caucus Gives Him an

Unanimous Vote for Another

Term. (From a Staff Correspondent,) DES MOINES, Ia., Jan. 21 .- (Special Telegram.)-By unanimous vote by acclamation Senator Jonathan P. Dolliver was nominated for United States senator at the republican caucus tonight. He was praised eulogistic terms by Representative Holmes of Kossuth, who nominated him. and by Senator Ellerick of Van Buren and Senator Smith of Mitchell, who seconded

the nomination. Senator Smith moved that the nomination be by acclamation. A committee consisting of Senator Gilliland of Mills. Representative Kendall of Monroe and Meredith of Cass notified Senator Dolliver of his nomination and escorted him to the hall. Senator Dolliver thanked the caucus for the high honor and in a brief speech said he believed the election of United States senators should be brought under the primary and wished and most abundant success to the administration of Governor Cummins.

The caucus also nominated Emery English for state printer and E. D. Chassell for state binder.

COAL MINERS IN SESSION Thomas Burke and Patrick Gilday Appointed Delegates to International Congress

INDIANAPOLIS. Jan. 21.-Indianapolis

Thomas Burke of Illinois and Patrick

adorted was one asking for legislation by present whether he would fight it or not. election and the right to recall. According to the report of the trans portation committee, the cost of transport- ever. ing the delegates to the convention was

\$8.301.88 which is paid by the national

organization. There are 580 delegates in the

convention, representing 848 locals. LAKE ERIE STORM SUBSIDES Four Deaths and Million Dollars' Worth of Damage in

Buffalo. BUFFALO, N. Y., Jan. Zi.-The hurricane which swept the Niagara frontier yesterday has subsided. A more extended estimate places the damage at the port of Buffalo alone at about \$1,000,000. The high water of Lake Erie receded to-

Three persons were killed in the collapse of buildings and another was drowned. Niagara Falls power is again running

The United States government sustains government's equipment used in the harbor

TWENTY-EIGHT ARE DEAD Revised List of Casualties of Big Four Wreck at Sandford, Indiana.

TERRE HAUTE, Ind., Jan. 21.-A revised list of dead and injured from the explosion and wreck of Big Four passenger train No. 2 Saturday night at Sandford, Ind., shows twenty-eight dead and thirty-two in-

Of the dead eighteen have been identified Coroner R. H. Leavitt began work on the cause of the disaster today. The cause of the explosion is as much of a mystery

ANTI-CARTOON LAW PASSED Colorado House Sends Measure to Senate Modelled After the

Pennypacker Act. DENVER, Jan. 21.-A libel law, framed day evening to which the members of the lines of the Pennypacker law of to this proposition by the defenders of the Pennsylvania, and containing an anticartoon provision, which was introduced by Representative J. J. Laton of Denver, was passed by the house today by a vote of 24 to 12. The bill now goes to the committee he could not point out specific

Bill Pending at Lincoln Does Not Meet Requirements of Case.

AMENDMENT TO MAKE IT EFFECTIVE

"V siting Etatesmen." HOUSE INDULGES IN SOME SENSATIONS

Measure Will Fe Adopted to Reach the

Committee Reports on Bills Rejected After

Vigorous Debate. DIFFERENCES OAER ANNEXATION BILL

Hearing Before Railway Committee Develops Opposition to Bill Giving Street Railways Authority to Own Interurban Lines.

(From a Staff Correspondent.) LINCOLN, Jan. 21 .- (Special.) - While there are several anti-lobby bills now pending in the legislature there is a seniment among certain of the members that none of them exactly hit the bull's eye, and a movement is on foot to so amend one of the bills that it will be impossible for the professional lobbyfit to practice his profession in the state house, at the hotels' or even in Lincoln. In other words, a movement is on foot to expell from the capital every lobbyist who is staying here or who may come here to attend future legislatures, by en-

actment of law. One plan which has been proposed is for a bill providing it shall be compulsory for a lobbylst upon coming to Lincoln to register his name with the secretary of state, together with the name of the corporation or other interest which he represents. He shall then report to a over providing means of raising money for board composed of the governor, the speaker of the house and the president pro tem of the senate, who shall by law have authority to say how long he may remain at the capital. The proposed amendment to one of the bills now pending will carry with it a penalty for the violation of the act.

"Visiting Statesmen" Responsible.

This amendment is inspired by the advent into Lincoln of numerous "prominent" citizens who under the guise of friendship whisper conversation into the ears of the members and who pretend not to be interested in any measure. These men, so some of the members believe, are far more dangerous than an accredited corporation lobbyist. Those who belong to this latter class are known and the legislators can avoid them. But the man from the home of the legislator who comes in as a fellow citizen and a neighbor can get in his smooth work, collect his fee from the corporation and get out without having it generally known what his business is. The proposed amendment to the lobby bills will be so

worded to gatch these men. Some of the members believe the resident lobbyists are just as bad and a little more so than the imported crowd, amendment is being prepared to catch this

bunch. Differences Over Annexation.

That it will require considerable diplomacy to bring the Douglas county legislative delegation together on a greater Omaha bill developed tonight at a meeting of the delegation, before which John P. Breen and W. H. Herdman appeared in the interests of consolidation. Only four members of the delegation attended. They were Senators Thomas and Gibson and Representatives Clarke and Harvey. Mike today was selected as the meeting place Lee was present for a short time at the of the convention of the United Mine beginning and again at the end of the sension, but did not take an active part in the discussion. He indicated, however, before Gliday of Pennsylvania were elected dele- and after the meeting that he intended to The last witnesses introduced by the state buildings utilized as depots, warehouses, gates from the organization to the inter- make a fight for his bill providing for the

> vote of the people. Senstor Gibson made a statement in which he said he could not support an an-Among the more important resolutions nexation bill, but he declined to say at His statement was of importance, as he municipal affairs, before which the bill will come. He promised the bill would have fair treatment before the committee, how-

> > Clarke and Harvey both expressed then selves as opposed to any measure that would shorten the terms of office of the Omaha or South Omaha officials, and as the bill drawn by Breen would cut off two years from the terms of Omaha officials, their statement is taken as an announcement that they will not favor the meas-Walsh was not at the meeting, being called to a meeting of the railway committee, but he has already expressed himself as being opposed to so-called foreible annexation. The other members of the delegation, it is believed, would support annexation.

> > Breen and others expressed the opinion annexation by vote would be of doubtful validity.

It has been agreed that Senator Thomas is to introduce the bill in the senate, probably tomorrow, and an effort will be made to get the bill through that body before it is sent to the house

It is conceded that it will be necessary a loss of from \$100,000 to \$390,000 from de- for the Douglas county members to get toto arrive at the actual value of the phys- struction of breakwaters. Much of the gether if they hope to get a consolidation measure through the two houses. Opposition to Street Railway Bill.

House roll No. 1 got a little joit tonight, when it was discussed by G. W. Wattles, H. H. Wilson, C. E. Hurd and C. T. Boggs before the railroad committee of the house, though the senate committee had recommended the same measure for passage, This is the bill giving authority to street railway companies to own stock in interurban companies, its object being to permit the Omaha Street Rallway company to build interurban lines. That was the way all of the speakers explained it and all were for it except Mr. Boggs of Lincoln. who is interested in the Citizens' Street Rallway company here. Mr. Boggs objected to the passage of the bill, he said, because it conferred on street rallway companies the right to eminent domain, which he said should be guarded jealously by every community, though the most serious question he raised was the effect such a law would have on cities buying street railway companies. Should the street railway compantes own interurban lines, he said, how would the property be divided should a city desire to purchase. No attention was paid bill, though after the meeting Mr. Wattles explained that was not serious, as a city would merely buy the street railway property to the city limits. Boggs told the objections to the bill at this time, but he