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# THE OMAHA DAILY BEE

Complete

VOL. XXXVI—NO. 220. OMAHA, FRIDAY MORNING, MARCH 1, 1907—TWELVE PAGES. SINGLE COPY THREE CENTS.

## CITY PAYS TRIBUTE

Magnificent Audience at Auditorium Attends Creighton Memorial.

ALL WALKS OF LIFE ARE REPRESENTED

As With John A. Creighton in His Life, No Creed Measured Its Bounds.

TENDER TRIBUTES FROM LIFELONG FRIENDS

Great Heart and Manliness the Dominant Traits of His Life.

MONUMENT TO BE RAISED TO HIS MEMORY

Committee Appointed to Take Charge of the Matter—Money to Be Raised by a Popular Subscription.

A magnificent audience that nearly filled the Auditorium gathered last evening in honor of the memory of Omaha's greatest philanthropist, the late Count John A. Creighton. It was a representative gathering of the people of Omaha, all walks of life being represented. The meeting was marked by intense feeling throughout. The first steps were taken toward the erection of a monument to Count Creighton with money to be raised by popular subscription.

The narrow limits of creed did not bound the audience that gathered to honor the memory of the man whose great heart knew no such limits. Men of all creeds and of no creed were there. Upon the stage sat the 283 vice presidents of the meeting, including many of the leading citizens of Omaha and the state. Captain H. E. Palmer presided. On the main floor 750 seats were reserved for the students of Creighton university, Creighton Medical college and the schools of the Creighton Institute. Immediately in front of the platform 150 seats were reserved for the relatives of Count Creighton. Thirty-five ushers assisted the great crowd to find seats. The speakers, excepting Mr. Bryan, were limited to ten minutes each.

It was just 8 o'clock when William J. Bryan and the other speakers took their places on the stage, and a wave of applause swept over the audience. The choir of All Saints' Episcopal church sang "Weary Pilgrims."

**Always the Same.**

"We are here to do honor to the man who in a first class way did more for Omaha than any other man," said Captain Palmer in opening the meeting. "I made the acquaintance of Count Creighton in the early '60s, when he was helping his brother blaze the way for the Pacific coast. Through all his life he maintained the same generous, open-hearted gentleman."

Dr. George L. Miller's speech was marked with deep feeling. His voice trembled as he recalled the noble traits of John A. Creighton and of other members of the family, to whom he paid rich tributes for their personal worth.

"It has always been a pleasure to me," said Dr. Miller, "to recall to the minds of the rising generation the sterling worth of the men who were here half a century ago to lay the foundations of this city. Never in my long life have I met or heard of a body of men stronger in body, in heart and mind and purpose than were those men. And among them John A. Creighton stood with the first. His soul was great and his heart generous. He was a warm friend and companion and a keen man in the upbuilding of the great west.

"The name of Creighton is written over this community, in monuments of brick and stone, the material evidences of the generosity of his great heart. But his name is written more lastingly in the hearts of hundreds of thousands whom he aided . . . of his own free, generous hearted way.

"If he were here I know I could not please him better than to say a word of respect and appreciation of his brother, Edward Creighton, to whom he always said he owed so much and whom he loved so deeply. Edward Creighton was also a man of generosity and in his charity he, like John A. Creighton, never let his left hand know what his right hand did.

"My heart is deeply moved and my speech is obstructed, as I recall the greatness of that heart that is stilled forever. Peace be to the memory of John A. Creighton."

**Advocates a Idea of Monument.**

Rev. T. J. Mackay broached the subject of the monument it is proposed to erect to John A. Creighton.

"We are here," said Rev. Mr. Mackay, "to honor a man not on account of his wealth, but because in his veins ran that blood which ought to know of a man, not what is his creed, but what is his need. It is to honor such a man that this magnificent audience has come out this evening.

"We want to see a monument erected to John A. Creighton in this city. The best thing we can do is to erect such a monument to this man as has been suggested. Let everyone contribute to it, Catholic and Protestant, believer and heretic, rich and poor, and let it be a memory from the people to their benefactor."

Henry W. Yates spoke feelingly of Mr. Creighton as a business man. He said in part:

"I feel it incumbent upon every man to raise his voice to honor such a man. We are here not to honor the memory of a statesman. He never held a political office. He was only a plain Christian gentleman. He was a financier, but he made his money honestly. Count Creighton's religion was not the kind to be carried branded on his forehead. He did his charitable deeds because he loved to do them.

"Such men as Count Creighton soon would bridge the gulf that is said to exist between the so-called classes and masses. Such men as he renew faith in the fatherhood of God and the brotherhood of man."

William F. Gurley eloquently characterized Count Creighton, saying in part:

"We bring here tonight not encomiums which men yield to genius and statesmanship. We are here to bring a simple, honest tribute to the memory of a human-hearted man.

"He might have had the wealth of Croesus, and yet gone down to his grave unmourned. But Count Creighton was not that kind of man. In his giant frame reposed the tender heart of a child."

**Contrast With Other Lives.**

Gilbert M. Hitchcock pointed out the contrast of Count Creighton's character with the greed of the present age.

"We live in an age of great commercialism," said Mr. Hitchcock. "We are here to honor a man who sought to find how he could help society. It is a matter of pride to us citizens that Omaha has produced such a man. Now Omaha's need is

(Continued on Second Page.)

## SUMMARY OF THE BEE

Friday, March 1, 1907.

1907 MARCH

| SUN | MON | TUE | WED | THU | FRI | SAT |
|---|---|---|---|---|---|---|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24/31 | 25 | 26 | 27 | 28 | 29 | 30 |

**THE WEATHER.**

FORECAST FOR NEBRASKA—Fair Friday and Saturday; warmer Saturday.

FORECAST FOR IOWA—Rain and colder Friday. Saturday fair.

Temperature at Omaha yesterday:

| Hour. | Deg. | Hour. | Deg. |
|---|---|---|---|
| 5 a. m. | 24 | 1 p. m. | 22 |
| 6 a. m. | 23 | 2 p. m. | 22 |
| 7 a. m. | 23 | 3 p. m. | 22 |
| 8 a. m. | 22 | 4 p. m. | 22 |
| 9 a. m. | 21 | 5 p. m. | 21 |
| 10 a. m. | 22 | 6 p. m. | 21 |
| 11 a. m. | 22 | 7 p. m. | 21 |
| 12 m. | 22 | 8 p. m. | 20 |
| | | 9 p. m. | 20 |

**LEGISLATIVE.**

Senate passes the house fish and game bill, but with amendments. **Page 2**

Two-cent fare bill finally passes both houses of Nebraska legislature with emergency clause and goes to the governor for action. **Page 1**

Last day for introduction of bills in house at Lincoln brings out a flood of measures, among them one for a constitutional amendment to increase the number of supreme judges to five with a salary of $3,500 a year. **Page 1**

Railroad attack on Omaha at Lincoln is resumed, anonymous circulars being distributed among legislators. **Page 1**

Senator Randall offers a resolution asking that the regents of the University of Nebraska report to the legislature why they do not comply with the law in the matter of text books, and also that a showing of moneys expended be made. **Page 1**

South Dakota senate passes new divorce law with amendment that satisfies the lawyers. **Page 1**

**DOMESTIC.**

General managers of western railroads will offer to arbitrate question of wages of conductors and trainmen if local organizations vote to strike. **Page 1**

"Mike, the Bike," notorious porch climber, wanted in Omaha and other cities, is shot by policeman at Cincinnati. **Page 1**

Harry K. Thaw gives out a statement in which he charges District Attorney Jerome with unprofessional conduct in court room. Dr. Evans is on stand all day. **Page 5**

Interstate commerce hearing at New York ends. **Page 1**

**WASHINGTON.**

Conference committee agrees on report on LaFollette's bill, regulating hours of railway train employes. **Page 11**

Senate spends several hours in debating the denatured alcohol bill. **Page 11**

Charge made on floor of house that shipping lobby will attempt to defeat Mr. Hinshaw, because he refused campaign contribution in exchange for his influence. **Page 11**

The judiciary committee of the senate meets this afternoon to consider the nomination of T. C. Munger as federal judge for Nebraska. Senator Burkett certain of confirmation. **Page 1**

**NEBRASKA.**

Legislative committee investigating the Fisher claim brings out testimony figures in appraisement had been raised. Fisher first employed as attorney and later claimed to have deed for land. **Page 3**

Sleet and snowfalls are reported from a number of Nebraska points. **Page 3**

Two notes purporting to have been signed by local farmers in payment for lightning rods make their appearance at Blue Hill. The signatures are denied. **Page 3**

**SPORT.**

Rod and Gun club elects officers for the ensuing year and lays plans for big improvements during the coming year. **Page 5**

**LOCAL.**

Mass meeting in memory of the late Count Creighton fills the Auditorium. Those who knew him best pay loving tribute to his worth and W. J. Bryan delivers the eulogy. **Page 1**

Second district convention of Nebraska Federation of Women's Clubs hears reports and finds a prosperous year. **Page 4**

New Union Pacific headquarters will be twelve stories in height, costing $1,200,000. **Page 5**

No contracts are made made for sale of ice except with large consumers. **Page 7**

Feast of Purim observed by orthodox Jews. Rabbi Cohn lectures on subject tonight. **Page 7**

Witness testifies that Rev. Mr. Hunt was with Mrs. Bassett at Little Rock. Bassett is on stand. **Page 7**

Railroads extend no concession to Commercial club on proposed trip to Pacific northwest. **Page 7**

H. G. Burt, formerly president of Union Pacific, mentioned for president of Kansas City Terminal company. **Page 7**

Considerable activity reported in Omaha real estate. **Page 7**

**MOVEMENTS OF OCEAN STEAMSHIPS.**

| Port. | Arrived. | Sailed. |
|---|---|---|
| NEW YORK | Teutonic | |
| LONDON | | Montrose. |
| BOSTON | Ivernia | |
| BOSTON | Bohemian | |
| CHERBOURG | | Kaiser Wilhelm II |
| HAMBURG | Amerika | |
| ANTWERP | Manitou | |
| QUEENSTOWN | Saxonia | Pacific. |
| QUEENSTOWN | | Scandland. |

## PROMPT ACTION ON MUNGER

Judiciary Committee Meets Today to Consider His Nomination.

(From a Staff Correspondent.)

WASHINGTON, Feb. 28.—(Special Telegram.)—The senate committee on judiciary will hold a meeting tomorrow morning at 10 o'clock to consider the nomination of Thomas C. Munger, nominated to be an additional federal judge for the district of Nebraska. Senator Burkett said today that he felt confident that a favorable report would be made by the committee on Mr. Munger's nomination.

The board of consulting engineers of the reclamation service, which met yesterday at Crawford, received three bids, the lowest of which was by James O'Connor of Mitchell, Neb., who offers to construct Pathfinder lake, on the North Platte irrigation project in Nebraska and Wyoming, for $244,400.

Rural carriers appointed for Nebraska routes: Nemaha, route 1, Calvin P. Barker, carrier; Otto Barker, substitute, Schuyler, route 2, Albert L. Stevens, carrier; Charley Stevens, substitute. Winside, route 2, Albert W. Waddell, carrier; Josephine Waddell, substitute.

## TRACING DOWN LARGE SUM

Interstate Commerce Commission Continues Inquiry Into Alton Finances.

ACCOUNTING FOR IMPROVEMENT BONDS

No Steps Taken to Bring Before Court Right of Commission to Force Answers to Questions.

NEW YORK, Feb. 28.—When the Interstate Commerce commission resumed its investigation of the Harriman lines today it was with the understanding that a few hours would conclude the hearing. It was said by counsel for the government that no steps had yet been taken to place before the courts the question raised by the refusal of Mr. Harriman and Mr. Kuhn to answer certain inquiries relating to individual holdings of stocks. Mr. Kellogg of government counsel said he was not prepared to state what action would be taken in this matter. Before the hearing began it was said that, contrary to expectations, William G. Rockefeller would not be called to testify regarding the alleged sale to him by Mr. Harriman of 300,000 shares of Union Pacific at the time of the so-called Keen raid in 19[illegible].

Samuel Felton, president of the Chicago & Alton, was called to show that about $1,000,000 from income, as against proceeds from the sale of securities, was included in the statement that shows that $22,000,000 had been expended in improvements. The $22,000,000 also includes $2,780,000 expended since last June, paid for by Car trust certificates. This reduced the expenditure from the sale of securities in the Alton to between $18,000,000 and $19,000,000.

**Hilliard Corrects Statement.**

Charles W. Hilliard, comptroller of the Chicago & Alton, who was on the stand when the hearing adjourned last evening, was then recalled. In reply to Mr. Kellogg he explained that the branch line or cut-off from a point near Murrayville to Springfield, which he yesterday testified had been mortgaged when it was built, was one which the Chicago & Alton had a right to build. The proceedings were not unusual. The enterprise and the methods of mortgaging were legitimate.

The line of inquiry was evidently meant to correct the impression left by counsel's questions and Mr. Hilliard's replies yesterday.

Then Mr. Kellogg asked a series of questions, eliciting a statement of the Chicago & Alton's assets and liabilities in 1898, before Mr. Harriman entered the property, and at the present time. These figures were taken from an annual report showing that before 1898 its capitalization, in round numbers, was $33,000,000, against $122,872,328 on June last.

The witness said the car trust certificates were not included in the capitalization, so the total should really be $125,000,000 and not $122,000,000.

Mr. Kellogg examined the witness at length as to the books of the company and he had him explain many of the accounts already covered by evidence. The witness produced a record showing the stock standing in the name of the syndicate managers.

**Explanation of Books.**

Mr. Kellogg endeavored to show that the Harriman management of the Chicago & Alton had capitalized the debts of the old Joliet & Chicago road prior to 1863, but Mr. Hilliard said his knowledge of the road's affairs did not go back that far. It was elicited, however, that there never had been a foreclosure of the Chicago & Alton road, but railway, while the old Joliet & Chicago had been foreclosed. The witness was examined as to the $12,000,000 which it is claimed that Harriman party added to the capital of the Alton because that amount had been expended on improvements or had been lost by former shareholders.

Mr. Lovett, counsel for the Harriman interests, objected to Mr. Kellogg assuming that $10,000,000 of the amount represented losses of a gold set of stockholders through foreclosure. It developed that neither witness nor counsel knew if there had been a foreclosure, so Mr. Kellogg amended his question to include "improvements or losses or both."

The witness said that the $12,000,000 in question had previously been paid and the accounts were written off. He did not know if other railroads ever added to their capital in that way. Mr. Kellogg then asked a series of questions tending to show that certain operating expenses also had been capitalized by the Alton, but the witness did not admit this. Certain construction expenses had been so charged, he said. Mr. Kellogg elicited the admission that the discount on the bonds had been so charged that while the books disclosed it, the annual report would tend to confuse the public in regard to this item.

Counsel Lovett and Mr. Cravath cross-examined Mr. Hilliard briefly, but he maintained his position firmly, particularly as to the propriety of capitalizing the old expenditures on the Alton.

**Mahl on Stand.**

Mr. Mahl, controller of the Harriman lines, was then recalled and identified a number of exhibits.

Mr. Mahl explained that the resolution of the board of directors of the Union Pacific authorizing Mr. Harriman to borrow money in the name of the corporation was a purely formal matter, done at the request of the witness and without the knowledge of Mr. Harriman. It was done to meet a requirement of certain California bankers.

Mr. Lovett also showed by the witness that the late C. P. Huntington had a like authority in the Southern Pacific board and that it was a common business practice. During the discussion between Judge Lovett and Mr. Hillard, Mr. Harlan read an extract from the constitution of Illinois which prohibited the payment of stock dividends from the sale of securities, raising the point that the Alton's 30 per cent dividend probably was illegal.

Mr. Severance then informed the committee that counsel for the government had no more witnesses at this time and would ask for an adjournment without date. Mr. Harriman's counsel conferred and Judge Lovett stated that they would like oral argument, but he presumed that could be made in Washington. Mr. Severance said he thought the whole matter should be closed and arguments made by the end of April. Judge Lovett said if no more testimony was to be taken that would suit his side.

Chairman Knapp then announced that the hearing was postponed to a date to be fixed and adjournment was taken.

In answer to questions of Commissioner Lane the witness questioned the right of the directors of the Alton in going back over their books for a period of many years and capitalizing the expenditures. He said that each succeeding board of directors had each year passed upon the accounts, and he thought that such acts should have been final.

The witness repeated his testimony of

(Continued on Fifth Page.)

## STEVE ADAMS ON THE STAND

He Says Confession Was Signed Under Promise of Immunity and That It Was Garbled.

WALLACE, Idaho, Feb. 28.—That a deliberate conspiracy was formed among the officers of the penitentiary and the detectives to implicate the leaders of the Western Federation of Miners in the assassination of ex-Governor Steunenberg and that the conspiracy was to be backed by false evidence, obtained by threats and bribes, is in effect the charge made by Steve Adams before the court today.

Adams' statement was in substance as follows:

"On the sixth day after I was taken to Boise and put in the cell with Harry Orchard I was taken to the office of the penitentiary and introduced to Detective McPartland. He told me about 'Kelly the Bum' and other men who had turned state's evidence and had been set free. He told me some Bible stories, too, but I cannot remember what they were, as I am not familiar with the Bible. He kept me until 4 or 5 o'clock in the morning trying to make me confess.

"McPartland told me that he wanted to convict Moyer, Haywood, Pettibone, St. John and Simpkins, whom he called 'cut throats.' If I would not help to convict them, he said, I would be taken back to Colorado and either hanged or mobbed. If I did help I would be taken to Colorado as a witness. When we parted McPartland told me he was my friend. They put me back in the cell with Harry Orchard, who talked to me about the need of backing up his story. I was somewhat frightened. The next day McPartland called again. I said I would do what he wanted me to do. He told me to think well what I was doing, to think of my family and save myself. He said he would see that my family was cared for.

"When the confession was made McPartland led me on step by step and showed me all that he wanted me to say. He told me that what I said about the Tyler and Boule murders was only taken with the idea of making a strong chain of evidence to convict the officers of the Western Federation of Miners. He wanted the names of the officers of the federation used as much as possible all through the confession. Two or three days later Warden Whitney brought the confession to me to sign."

Adams confirmed all the early part of the confession as to his family and past history, but denied that part relating to the plot to kill Steunenberg and as to his life in the Marble creek country.

Adams testified that when the copy of the confession was brought to him by the warden he told Notary Public Hueber it was not the same as what he had stated, but he supposed that he would have to sign it, and he did sign it. He denied the testimony of Detective Thiele regarding the relics alleged to be buried on the Oregon ranch and also the testimony of Bulkeley Wells as to his oral confession while en route to Colorado.

The witness stated that he had at different times been visited by W. F. Borah, Governor Gooding and Attorney Hawley, but he was not allowed to detail the conversations. Adams stated that when he was arrested under the habeas corpus proceedings and returned to the Wallace jail he was not allowed to see his attorneys, but was compelled against his will to talk to Detective McPartland.

The sensation of the day was sprung by the prosecution toward the close of the Adams murder trial this afternoon. Mr. Darrow of the defense had just announced that their case had been completed when Mr. Hawley of the prosecution requested the consent of the defense to recall Mrs. Archie Phillips and to reopen the case for the prosecution, saying that by inadvertence the witness had not been asked when directly examined the day of the week on which Tyler ate his supper the night immediately preceding his disappearance.

According to the information filed against Adams, Tyler had been murdered on Wednesday, August 10, and had therefore eaten supper at the Phillips house on the night of Tuesday, August 9. After having given her testimony, Mrs. Phillips recalled to memory that Tyler had eaten supper at the Phillips cabin on the night of Saturday, August 6, and from this it follows that Tyler must have been murdered on the morning of Sunday, August 7, the day on which Adams arrived at Mason's cabin and participated in the birthday dinner. If Judge Woods, who has taken the matter under advisement until morning, decides to allow the prosecution to recall Mrs. Phillips to the stand the whole tenor of the case will be altered and it may be shown that if Tyler was murdered on Sunday morning, Adams, Mason and Glover, the three men implicated in the confession in the murder, immediately after the crime started for Mason's cabin and arrived in time to participate in the birthday dinner so testified. The distance between the scene of the murder and Mason's cabin is about fifteen miles and Mrs. Phillips testified on direct examination to hearing shots about 5 o'clock in the morning of the crime, so that good time would be given the defendant to reach Mason's cabin in time for dinner if the murder had been committed in the morning, and the whole alibi as proved by the defense would fall to pieces.

The matter was hotly debated by both sides and the oratorical effort of the trial was made by Mr. Darrow.

## NOTED PORCH-CLIMBER SHOT

"Mike the Bike," Wanted in Omaha and Other Western Cities, Killed by Cincinnati Officers.

CINCINNATI, Feb. 28.—(Special Telegram.)—Charles Sweeney, known as "Mike the Bike," one of the cleverest crooks and notorious porch climbers, who was wanted for many big jobs in the porch climbing line in Omaha, Kansas City and Denver, was the man killed by Policeman Martin here a few days ago when he caught him in the act of breaking into the residence of a local millionaire. The body was positively identified today and the police are congratulating themselves that one of the cleverest crooks in his line has been put out of the way.

According to the local Bertillion bureau, Sweeney was badly wanted in all the large western cities, as well as Chicago, which is his home.

**Erickson President of Regents.**

PIERRE, S. D., Feb. 28.—(Special Telegram.)—At a meeting of the state board of regents of education E. C. Erickson was chosen president and committees for the different institutions selected. Nothing was done in regard to selection of a secretary.

**Seattle Against Japs.**

SEATTLE, Wash., Feb. 28.—At a meeting of the Central Labor council last night, at which were present delegates from most unions of Seattle, a committee of three was appointed to call a conference for the organization of an association to carry on agitation for the exclusion of Japanese coolie laborers.

## CUT OUT SHERIFF'S GRAFT

McDonald's Padded Bills for Jail Feeding Reduced One-Third.

DEMANDS MILEAGE FOR FREE PASS RIDES

Itemized Exhibit of Claims Sworn to as Correct, but Found to Be Watered Up to the Brim.

**Graft-Loaded Sheriff's Claims.**

| Claimant. | Amount Asked. | Amount Allowed. |
|---|---|---|
| John Power, 9 claims | $2,025.86 | $ 840.16 |
| John W. McDonald, 91 claims | 2,689.95 | 1,623.20 |

(From a Staff Correspondent.)

LINCOLN, Feb. 28.—(Special.)—As disclosed by the deficiency claim bill just introduced, this is what the committee did to the bills presented by Douglas county sheriffs for reimbursement for alleged expenses for keeping and conveying prisoners sentenced to the penitentiary or to the reform schools at Kearney and Geneva.

The committee did this notwithstanding the persistent appeals and constant lobbying of Sheriff McDonald on his own behalf and on behalf of his democratic predecessor for allowance of claims in full. In cutting out the graft in these items the committee simply endorsed the action of Deputy Auditor Cook, who had first gone over these claims with a fine tooth comb, and had attempted to reduce them down to a semblance of fairness. It is only fair to say for ex-Sheriff Power that only two of his bills were rejected in toto and that two more were left unacted upon for lack of information.

The bills are the usual itemized statements presented by sheriffs to the state auditor covering the board of prisoners from the time sentenced until the time turned over to the warden of the penitentiary or superintendent of the reform school, together with traveling expenses and per diem of the attending officer accompanying the prisoner.

**Sample of Padded Bill.**

As a sample of the bill the following items for Eva Williams, convicted March 7, 1906, will give an idea of what is included:

| | |
|---|---|
| Twenty-nine days' board at 75c | $21.75 |
| Railway fare for prisoner | 1.65 |
| Railway fare for officer | 3.30 |
| Railway fare for guard | 3.30 |
| Hack, Omaha | 1.50 |
| Hack, Lincoln | 2.50 |
| Officer, one day | 3.00 |
| Guard, one day | 2.00 |
| Meals | 2.00 |
| Total | $41.00 |

Each of McDonald's ninety-one claims were sworn to and subscribed to by him, himself, as being true and correct statements of his just claims for reimbursement by the state.

**How It Was Worked.**

The graft which the auditor and the claims committees have cut out of the Douglas county sheriff's bills, amount to nearly a third of the total. The reason for the reduction of the padding is explained by Deputy Auditor Cook in this way:

"We have cut out of the bills presented by Douglas county sheriff's 25 cents a day on each prisoner charged to the state and all of the railroad fare of the sheriff and his deputies. The law reads that the sheriff shall deliver prisoners at the penitentiary within thirty days after sentence and that during the time they are in his custody he may receive for feeding them 75 cents a day or $3.50 a week. The $3.50 a week is 50 cents a day and the intention clearly is to allow 50 cents a day when the prisoner is kept more than six days before being delivered to the penitentiary or reformatory. We took this matter up to the supreme court and got a decision some months ago upholding this contention of the law and I began at once reducing the bills filed by sheriffs to the 50 cent basis.

"Sheriff McDonald had a few bills cut down and then held out all the rest of them, presumably preferring to get the legislature to allow them. The remarkable thing about this is that in Douglas county, alone of all the counties, it is the regular practice of the sheriff to hold on to every sentenced prisoner for almost the entire thirty days, apparently in order to get the maximum allowance for feeding. In other counties prisoners are brought to the penitentiary, with few exceptions, within three or four days after sentence and are seldom kept longer than ten days, but it is the rare exception when any prisoner from Douglas county is so delivered short of at least twenty-five days.

**Charges Mileage for Free Rides.**

"As to the rejected items for railroad fare they were cut out on Sheriff McDonald's own admission that he and all his deputies who convey prisoners rode constantly on passes on all the railroads and that no money had been expended by them for railroad fare. Mr. McDonald tried to justify his attempt to collect mileage from the state for trips made on free passes on the ground that he performed numerous services in his official capacity for the railroad companies for which he never charged them anything, regarding the services as being paid for by these passes, and that under the circumstances he had a right to collect mileage from the state just the same, to make good the fees he did not collect from the railroads. We, of course, refused to recognize this as any proper justification.

"Another very peculiar thing about these sheriff's claims from Douglas county is that they represent, with few exceptions, special trips made to bring prisoners to Lincoln or to Geneva or to Kearney, one at a time. By making special trips the sheriff has been able to put in expense accounts for each one, thus multiplying the mileage and per diem. Sheriffs in other counties, where they have several prisoners under sentence, bring them to Lincoln, as a rule, all at one time, and put in only one bill."

**Details of the Claims.**

The itemized claims presented by ex-Sheriff John Power, showing in tabulation form the number and amount asked for and the amount allowed and the amount cut out, is as follows:

JOHN POWER—KEEPING AND CONVEYING STATE PRISONERS.

| Claim. | Amount Claimed. | Amount Allowed. | Amount Rejected. |
|---|---|---|---|
| No. 85 | $ 732.30 | $ ..... | $ 732.30 |
| No. 88 | 36.75 | ..... | 36.75 |
| No. 150 | 34.45 | 23.65 | 10.80 |
| No. 243 | 29.56 | 29.56 | ..... |
| *No. 462 | 285.00 | ..... | ..... |
| *No. 463 | 225.75 | ..... | ..... |
| No. 470 | 169.25 | 119.05 | 50.20 |
| No. 472 | 466.05 | 333.75 | 161.30 |
| No. 473 | 517.35 | 333.75 | 183.60 |
| Totals | $2,525.86 | $ 840.16 | $1,174.95 |

*Not acted on.

**McDonald's Graft by Items.**

The bills presented by Sheriff John W. McDonald, itemized in the same way, are as follows:

JOHN M'DONALD—KEEPING AND CONVEYING STATE PRISONERS.

| Claim. | Amount Claimed. | Amount Allowed. | Amount Rejected. |
|---|---|---|---|
| No. 267 | $ 29.95 | $ 20.65 | $ 9.30 |
| No. 8[illegible] | 23.40 | 16.15 | 7.25 |

(Continued on Third Page.)

## BRITISH NAVAL ESTIMATES

Amount of New Construction Will Depend Upon Action of The Hague Conference.

LONDON, Feb. 28.—A statement of the naval estimates for 1907-8 presented to Parliament tonight makes the construction of battleships during the coming year dependent in a measure on the decisions reached at the next peace conference at The Hague. Thus the new construction estimated at $40,500,000 against $6,175,000 for 1906-7 will, says Lord Tweedmouth, first lord of the Admiralty, "include two or unless an understanding between the naval powers is reached at The Hague conference, three large armored vessels of the Dreadnaught type."

One fast unarmored cruiser, five torpedo boat destroyers, twelve torpedo boats and twelve submarines also are provided for. On April 1 there will be under construction five battleships, seven armored cruisers, eight torpedo boat destroyers, seventeen torpedo boats and twelve submarines.

The estimates for the year show a total reduction of one thousand men and $5,675,000 compared to 1906-7. Lord Tweedmouth comments on the striking improvement in the gunnery of the fleet compared to last year. The average of hits was practically doubled and the improvement was general throughout the fleet and not confined to a picked selection of crack ships.

As an illustration of this system and the better state of repair result from the system of nucleus crews, he compares the condition of January, 1904, when out of sixty battleships thirty-eight were not available owing to the need of repairs, with that of January, 1907, when out of fifty-one battleships eight were not available.

Lord Tweedmouth notes the fact that the first cruiser squadron is going to Jamestown for the opening of the exposition.

The total of the naval estimates is $153,212,045.

## NEW DIVORCE BILL IS PASSED

Amendment Permits Suit Within Six Months in Certain Cases.

PIERRE, S. D., Feb. 28.—(Special Telegram.)—The senate today passed the new divorce bill, after the lawyers had injected an amendment allowing suit to be commenced within six months, where cause of action is in this state. This allows both parties to the suit to come to the state and on agreed cause of action separate, one leaving and the other staying six months.

The bill to allow a liquor license vote to stand until voted down was defeated by a vote of 23 to 20. Goodner, Merry and Dudley supported the bill and Vessey, Byrne and Dowdell opposed it.

The senate bill providing for the division of Lyman county, after a favorable vote has been secured, was passed after it was amended to prevent its interfering in any way with the general bill for county division.

The senate killed the house bill to repeal the law allowing cities to sell water works, which was asked by Sioux Falls.

In the house Price of Yankton introduced a resolution memorializing the South Dakota representatives in congress to oppose any ship subsidy legislation, and Gurney presented a bill to allow county commissioners, instead of the county treasurer, to select the paper for publication of delinquent lists.

The house passed the bill appropriating the balance of the endowment lands to state experimental farms, and put in an hour bickering over which apportionment bill would be taken up and adopted, finally settling on the bill presented by Engstrom, and passing it, providing for forty-five senators and 101 representatives.

The Oviatt partition fence bill caused a tangle and was lost for lack of two votes, but is up for reconsideration tomorrow.

## WRECK NEAR CONNELLSVILLE

Passenger Train Derailed and Debris Takes Fire, but Only One Person is Killed.

CONNELLSVILLE, Pa., Feb. 28.—Baltimore & Ohio train No. 49, westbound, running eighteen minutes late and forty miles an hour, was wrecked tonight near Indian Creek, seven miles east of here. The entire train, consisting of a combination smoking and baggage car, two day coaches and the private car of Robert J. Finney, superintendent of the Pittsburg division of the Baltimore & Ohio railroad, left the rails, and after running for 200 feet along the ties was thrown into a ditch at the foot of the mountains, where the wreckage was completely burned.

Wylie Irwin, engineer, of Pittsburg, was killed; the fireman fatally injured and the baggagemaster, express messenger, conductor and six passengers seriously injured. About thirty passengers were more or less cut and bruised.

Irwin was caught under the wrecked engine and burned to death before the passengers, who were powerless to liberate him.

## REPORT ON INDIANA WRECK

State Commission Scores Trainmen for Disregarding Rules—Objects to Young Telegraphers.

INDIANAPOLIS, Ind., Feb. 28.—The state railroad commission today made a report to the legislature on the recent wrecks at Woodville, Fowler and the explosion of a car of powder at Sandford, which destroyed a Big Four passenger train. The report scores railroad employes for disregarding the rules, asked that railroad companies require a more thorough knowledge of the rules on the part of their employes and recommends a law compelling railroads with an annual gross income of $5,000 or more per mile to install an improved block system along their line. It also recommends that no telegraph operators less than 21 years of age be employed and that railroads cease to accede to the reckless demand of the traveling public for greater speed.

## PEACE DAY IN THE SCHOOLS

Educators Recommend Observance of Anniversary of The Hague Tribunal.

CHICAGO, Feb. 28.—Members of the department of superintendence of the National Educational association at the closing session today of their three days convention here recommended the observance by all schools in the United States on May 18 each year in commemoration of the conference that led to the establishment of the peace tribunal at The Hague. The educators declared their belief in "the great significance of the movement to substitute arbitration for war in the settlement of international disputes."

## GONE TO GOVERNOR

Two-Cent Fare Bill Passes Both Houses With Emergency Clause.

LAST STAND OF RAILROADS IN SENATE

Desperate Effort to Defeat the Immediate Application of the Law.

OLD ATTACK ON OMAHA IS RESUMED

Anonymous Circular on Terminal Taxation Being Distributed.

SENATORS WARM UP ON INSURANCE

Burns of Lancaster and Aldrich of Butler Indulge in Personalities Over Bills Affecting Life Insurance Companies.

(From a Staff Correspondent.)

LINCOLN, Neb., Feb. 28.—(Special.)—The fight in the legislature over a 2-cent passenger fare came to a close this morning when the senate passed H. R. 267, the joint committee bill, hurried it over to the house where the senate amendment was immediately concurred in. The bill was then enrolled and early in the afternoon was in the hands of the governor.

The railroads took a last stand in an effort to kill the emergency clause, which will put the bill in force three days after it is signed by the governor, but the attempt failed in the senate and all but four of the senators who gave this clause as their reason for opposing the bill hurriedly changed their votes before the final result was announced and lined up with the majority. The vote, as finally announced, stood 27 to 4, two senators, O'Connell of Johnson and Latta of Burt, absent. The four senators who persisted in opposition to the bill, even after they saw it had secured the required majority were Burns of Lancaster, Glover of Custer, Gould of Greeley and Hanna of Cherry.

**Douglas County Members Switch.**

On the first roll call Gibson, Thomas and Saunders of Douglas and McKesson of Lancaster voted against the bill, giving as their reason the objectionable emergency clause, but before the vote was announced all of them flopped to the affirmative. Glover of Custer at first voted for the bill, but when it appeared that a change in his vote might defeat the emergency clause and after consultation with some of the opposition, he changed his vote to the negative. His change came first and it reduced the vote for the bill to 23, just one more than enough to carry the emergency clause. When it was found the emergency clause had carried there was a scurry to get on the popular side of the fence. While the vote was being verified, Clarke of Adams voted no, though he had previously voted aye. When he found he would have to be recorded as changing his vote he followed his aye vote to stand.

**Explanation of Votes.**

Several of the senators explained their votes. Ashton while voting for the bill said the interstate commerce act required the railroads to give 30 days' notice before changing a rate. He therefore thought the emergency should have been stricken out. Hanna and Saunders also explained their opposition was due to the emergency clause. Randall explained he thought the railroads should be given 30 days, but nevertheless he voted aye. The following written explanations were sent to the secretary's desk:

I wish to explain my vote: When the bill was in the committee of the whole I voted to strike out the emergency clause, thinking then as I do now that under the inter-state act no railroad can change a rate without first giving thirty days' notice to the interstate commission. And as this act must necessarily involve sale of interstate tickets, thus we will find if this bill passes with the emergency, a federal law prohibiting any change of rates without the thirty days' notice and a state statute demanding instant action, which seems to me would be so confusing to all concerned that it should not be insisted upon. I will vote for this bill without the emergency but in its present form I vote No.

JOSEPH BURNS.

I vote No because the bill has the emergency clause incorporated therein, but would vote yes otherwise.

And further for the reason that I am not moved in any action I take by sentiment, politics or newspaper criticism.

And also because I believe it manifestly fair, all conditions being considered to permit ninety days to elapse before the bill becomes a law. GIBSON.

I desire to explain my vote. I believe that the railroads should be given thirty days' in which to adjust their matters to conform to the law. C. A. RANDALL.

I am in favor of the 2-cent maximum rate bill and will vote for the same with the emergency cut out. THOMAS.

When the roll call was completed Saunders moved the call of the house, as three or four of the senators were absent. McKesson came in about that time and voted no, afterward changing to aye. Gould was absent at first, but came in during the call. When it was found that only Latta and O'Connell were absent and both were excused the call was raised.

**Vote of Record.**

The vote after the changes had been recorded was as follows:

Ayes—Aldrich, Ashton, Buck, Byrnes (Platte), Clarke, Dodson, Epperson, Gibson, Goodrich, Holbrook, King, Lace, McKesson, Patrick, Phillips, Randall, Root, Sackett, Saunders, Sibley, Thomas, Thompson, Thorne, Wilcox, Willize (Cass), Wilcey (Pierce), Wilson—27.

Nays—Burns, Hanna—4.

Absent—Latta, O'Connell.

**House Members Interested.**

The fight in the senate was watched with considerable interest from the other end of the state house. If the assault on the emergency clause had been successful it had been agreed among the leaders in the house would take up and pass with the emergency clause the Sackett bill which went through the senate several days ago with the emergency clause. This would have put the senate in the awkward position either of receding from its hostility to the emergency or killing a part of a bill had already passed.

As soon as the bill had passed the senate it was reported with the amendment to the house, which by a vote of 91 to 1 concurred in the senate amendment. The bill was enrolled during the noon recess and went to the governor before 2:30 in the afternoon. The senate amendment consisted of a change in the wording of the provision that tickets need not be sold for less than 5 cents.

**Water Board's Salary Sticks.**

The doing nothing members of the Omaha Water board will continue to draw $50 a month, or rather $50 an hour for each time they meet, because the house this afternoon indefinitely postponed the bill of Barnes providing members of the board shall draw no salary until after the plant is acquired. Inasmuch as the board has been "acquiring" the plant for four