THE OMAHA DAILY BEE: WEDNESDAY, MARCH 6, 1907.



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distribution of railroad values. Mr. Ben- not. King's motion to indefinitely postpone nett informed the house that members of was lost by a large majority.

Governor Sheldon has signed the so-called the board would be better authority but he answered all questions put to him, and ex- bulk sales law introduced into the senate plained the board considered everything by Senator Thomas of Douglas county and that goes to make value in arriving at a the bill is now a law. As it did not have valuation of railroad property. The distri- an emergency clause attached to it it will bution was made according to main and not become effective until three months branch lines, he said, because the board after the adjournment of the legislature. The senate in committee of the whole so interpreted the statutes. this morning recommended for passage the

Educational Institutions Clash. bill offered by Senator Aldrich some time H. R. 264, by McMullen of Gage, approago as a companion to S. F. 35, the measprinting \$180,000 from the general fund of ure which permits street rallway comthe state for the erection of a woman's panies to buy and sell securities of interuilding, a horticultural building and other urban railway companies and own, lease structures at the agricultural farm, was and operate interurban lines. The street placed on general file. Inasmuch as the railway bill was opposed in the senate committee is not favorable to the appropriation of \$100,000 for the erection of a wing by Aldrich and several others, but they withdrew their opposition on the grounds at the Kearney normal school, there is Aldrich's bill would cure the evils they liable to be a big fight on the appropriation for the university. It is said there will be feared would arise under the street railway bill. The Aldrich measure requires ma than 350 pupils enrolled at the agricultural farm next year, while there is liable common carriers before issuing bonds or other securities or before buying or selling to be 1,300 at the Kearney normal school. Inasmuch as there is over \$1,000,000 to be the securities of other common carriers appropriated for the Lincoln institution, there is some feeling that an even distrito secure the authority of the state railway commission. The bill is intended to bution is not being made. Some contend prevent the watering of stock or the using that no appropriation for the university of street railway companies as holding comshould be made out of the general fund, as panies for competing interurban companies the one-mill levy will be sufficient under The bill was recommended for passage proper management to meet all the requirewithout debate. The house is said to be ents of the institution.

The senate today killed S. F. 212, one of the insurance bills recommended by the state insurance department, after the measure had been recommended for passage in the committee of the whole. It was on this bill that a powerful insurance lobby, afternoon after considerable discussion, has been at work in Lincoln for the last The bill is S. F. 42, by Partick, and it is

Holt and Clarke of Adams. The committee was authorized by the menate last Friday and its purpose is to select the important measures for early action. The committee

appear tomorrow night before the house Goedde claim for land in Bloux county resented the beirs to the property before the legislature two and four years ago and put in a claim for \$11,500. This year the im was put in by a relative of the heirs and the amount is \$1,500. Captain Fisher now says he has a deed to the land and an assignment of the claim.

The house committee on cities and towns tonight recommended for passage two bills by Leeder of Douglas, one for the closing of barber shops on Sunday and the other for a fire warden for Omaha. His bill to elect the boiler inspector of Omaha was indefinitely postponed.

ROUTINE PROCEEDINGS OF SENATE The Anti-Pass Bil Goes on the

General File. a Staff Correspondent.) LINCOLN, March 6 .- (Special.)-At the

eginning of today's session the senate on motion of Sibley placed H. R. 273, the anti-pass bill, on general file without the formality of its going through a standing committee. The action places it where it can be reached whenever the senate so de-

Fifteen bills were reported from standing committees and placed on general file. Among them were Hill's joint resolution indorsing the Alaska-Yukon-Pacific exposition and asking the national government to take part in it; the judiciary committee bill increasing the filing fees for filing articles of incorporation; King's bill defining as intoxicating liquor medicines and liquors containing more than 2 per cent of alcohol; Patrick's measure to suppress the exhibition of obscene and immoral pictures and statuary; King's joint resolution to amend the constitution to allow right to appeal to the supreme court to be governed by statute, and the joint com-

mittee primary bill. The following bills were indefinitel postponed:

6. F. 333-By Sibley. To enable partner-ships and associations to hold and transfer B. F. 408-By Hanna. To authorize pro-clucts, villages, cilles of the second class and townships to issue bonds in aid of rallroads. B. F. 286-By Burns. Providing for a la-bor tax of \$5 to be collected on failure to vote.

The senate then went into committee of the whole and considered the following

bills: S. F. 308-By Aldrich. Requiring com carriers to secure authority from the State Rallway commission before issuing bonds or securities. For passage. S. F. 250-By King. Making the state treasurer treasurer of the state university and custodian of university funds. For

passage. S. F. 115-By Gibson. Providing double shift system for South Omaha firemen; for

shift system for south online in englected passage. S. F. 280-By Thorne. Defining neglected and dependent children; for passage. S. F. 265-By Patrick. Relating to duties, salaries and expenses of fish and game commission; for passage. S. F. 18-By Thomas. Giving county at-torney power to conduct examinations, summon witnesses and administer oaths; for passage.

for passage. B. F. 378-By Patrick. Providing new trial shall not be granted in a criminal case for error where it appears justice has been done; for passage. The following bills came up for passage

on third reading: S. F. 213-By Aldrich. Providing insurance holding up the street railway bill until the

S. F. 212-By Aldrich. Providing insurance companies must make apportionment annu-ally of divisible surplus in their hands be-boaring to policyholders; failed to pass by vote of 11 to 16. B. F. 213-By Aldrich. Requiring insur-appe companies to furnish vouchers for all expenditure over \$100 and prohibiting com-panies doing business in this state if they pays milaries of more than \$50,000 a year, passed. A radical change in the road laws of the state is proposed in a bill which was recommended to pass in the senate this

a town located in a township where rallroad property is already taxed for township purposes is double taxation and would not stand the test of the courts. The opinion as selected is satisfactory to the progressive dug up by Mr. Clarke is from the supreme court of Indiana and is directly in line

Captain Allen G. Fisher arrived in Lin- with the terminal taxition bill. The cause coln today and has been subpoenzed to is entitled The Cleveland, Cincinnati, Chiear tomorrow night before the house cago & St. Louis Railway company against imittee on claims to testify as to the the town of Waynetown et al. It was a suit brought to restrain by injunction, the escheated to the state. Captain Fisher rep- sale of property for the payment of taxes. In the syliabus of the opinion the court said:

The fact that a railroad company paid taxes to the township upon its property located within the corporate limits of a town will not entitle it to an injunction to provent the town from collecting the taxes due it.

In the body of the opinion this statement is made:

ment is made: If the amount of the assessment and com-putation of taxes thoreon were correct, which must be taken in admitted in the absence of a denial, we cannot perceiva how the appellant is injured by the irregu-larity as to say that payment of iaxes to Wayne township on all of its railroad in that townshin. Including that part in the corporate limits of Waynetown, is equally barron of coulty.

A well-defined rumor is in circulation that Governor George L. Sheldon is re-

sponsible for the action of the railroads in accepting the 2-cent fare law without appeal to the courts, it being taken for granted all of the roads will follow the example set by the Burlington. It is told on reliable authority that Governor Sheldon, who during the session has had little to say, but who has been sawing some

whod, wielded the big stick on the giant corporations and forced them to come to time, and thus saved the state the expense and annoyance of going through the courts the first thing with the 2-cent bill. The big railroad officials appeared before the governor and asked for a hearing on the question. It is told on good authority that the executive was perfectly willing to allow the roads to make any showing they might desire but it is said he also told them their showing would do no good. as he himself had studied the matter pretty thoroughly. The officials wanted the governor to veto the bill, and he emphatically refused to grant this request. Then, it is said, and there is every reason to believe the story is true, the rallroad men offered to put in a 2%-cent rate if

the governor would refuse to sign the measure, but would veto ft. Again the executive showed his backbone and refused, and then he began to do the talking. He demanded that the railroads accept the 2-cent rate without a contest. It is the general impression that by giving the railroad men five days in which prepare for the change Governor Bheldon forced them to consent' to take the 2-cent rate without a court trial. Whether it is his due or not, Governor Sheldon is being congratulated for the outcome of the fight. The State Board of Public Lands and Buildings has been organized with Governor Sheldon chairman and Land Commismoner Eaton secretary and the manner of doing business has been completely revolutionized. Heretofore it has been custo mary for a state superintendent needing supplies to buy the same and later get a permit from some member of the board.

The heads of these institutions have been informed that beneafter they will get the permits first and the permits will be lasued only by the board and not by a particular member, which practice has been in vogue for so long. Heretofore it has been the custom for the land commission, as secretary of the board, to open all bids and

tabulate them previous to the quarterly buying. This has been changed and the bids will be opened in the presence of the board. The secretary of the board holds his position by the grace of the members and not by statute of constitution and therefore he is subject to the orders of the board. This hoard is gomposed of Governor Sheldon, Secretary of State Junkin, Land Commissioner Eaton. Treasurer Brian and Attorney General Thompson. At the first



naping is suspected. DIAMONDS-Frenzer, 15th and Dodge. FULTON ON WITNESS STAND egram.)-Dr. H. N. Marvin, whose 3-year-BIOUX CITY, Ia., March 5 .- (Special Telold son Horace was kidnaped at Dover.

500 acres near Dover with the purpose of

retiring from the practice of medicine. He

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two or three weeks. All of the local com panles in the state except one was against it and the opponents of the measure asserted that the big insurance companies of the east sent lobbyists here to help push it. This is denied, however, by the friends of the bill. The measure would have more influence on the life insurance business in the state than any other of the fifteen or twenty insurance measures that have been introduced. tricts.

It requires companies issuing deferred payment policies to make an annual distribution of the divisible surplus instead of waiting until the polley matures to divide it. Those who were back of it said it would prevent the building up of im mense surplus funds which are alleged to have been used for corrupt purposes by the insurance companies of the east. The opponents declared if the bill became a law the local companies would be hadly handlcapped in competition with the eastern companies, which have already built up large surplus funds. Benator Sackett, who led the fight for the bill in committee of the whole, was sick in bed and unable to be present.

The vote on the bill was 11 ayes and 16 nays. The following voted against it : Buck, Burns of Lancaster, Clarke, Glover, Goodrich, Hanna, Holbrook, Latta, McKesson, Phillips, Root, Thompson, Thorne, Wiltse, Wilney

Blow at Legal Technicalities. Patrick's bill providing a new trial shall not be granted in criminal cases for error of the court where it is shown there has been no miscarriage of justice was recom-mended for passage in the senate after a lively fight against it led by King of Polk bill is intended to prevent the reversal. recommend important measures for adof cases for mere technicalities which do not affect the merits of the case. King spoke against it declaring it was prejudicial to the interests of the defendant in criminal cases and virtually allowed the judges

to say whether justice had been done or



prompted heavy buying and close pricing that the Spring selling may know no limit.

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 B. F. 771-By Aldrich. Allowing live stock insurance companies to do business in this state; passed.
B. F. 281-By Randall. Allowing county depository banks to give guarantee bonds to secure county funds; passed. intended to centralize the business of road building in the different counties. In some ways it follows the plan indorsed by the Agricultural department at Washington, As at first drawn the bill provided for a On motion of Epperson the senate decided highway commissioner in each county, but to have printed for distribution 500 copies this provision was cut out, owing to the of the address commemorative of the forexpense it would involve, and the memtleth anniversary of the admission of Nebers of the county board were made highbrasks to the union, prepared by the senway commissioners in their respective disate committee and read Monday. They are given complete control The afternoon was spent by the senate of road building in their districts and the committee of the whole. The following old overseer system is abolished. The road were taken up by the committee: fund is to be raised by levy by the county board and by the poll tax, which the bill requires to be paid in cash. After the bill was amended it encountered practically no opposition as it appeared to be the gen-

Aldrich bill reaches it.

Change in Road Law.

8. F. 42-By Patrick. Enacting an en-traly new road law, making the county commissioners road commissioners in their espective districts and providing for the King system of constructing roads under contract. For passage. S. F. 265-By Burns. Providing a board of examiners for plumbers for the city of Lincoin. For passage. S. F. 270-By Randall. Allowing state depositories to give guarantee bonds to se-cure state deposits. For passage. S. F. 286-By Phillips. Providing major-fly of votes cast on county animal bounty proposition shall be sufficient to carry ft instead of a majority of all the votes cast, as at present. For passage. S. F. 146-By McKesson. Providing any foreign insurance company that transfers a suit from the state to the federal court shall forfeil its right to do business in this state. For passage. ing system of constructing roads under eral opin on that the present road laws are very inefficient. The Patrick bill provides for the use of what is known as the King system of building roads. The Omaha-South Omaha consolidation

bills were reached on general file this morning, but at the request of Senator Thomas they went over. The senate probably will not take action until after the house passes on the bills before it. The Gibson bill providing for a double

a suit from the state to the federal court shall forfell its right to do business in this state. For passage. S. F. 227-By Randall. Providing for a jury list of 300 in each precinct from which justice court jurors shall be drawn. For shift system for South Omaha firemen was recommended for passage in the senate. The senate really got down to business today and during the two sessions disposed Bassage. S. F. 340-By Sibley. Permitting the United States government to purchase and have jurisdiction over a lot in North Platte for a weather bureau station. For of fifteen of the 115 or 120 bills now on gen eral file. This heavy work is demanded by the fact that the general file is being reased every day by standing committee reports, and only eighteen more pay days remain during which to act on them.

Thomas of Douglas, Whitse of Cedar, Ald-

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B. F. 200-By Wilson. Relating to the disposition to medical colleges of cadavers. For passage. Sifting Committee in Senate. The senate adjourned until 9 a. m. ROUTINE PROCEEDINGS OF HOUSE vancement was selected tonight at a meet One Bill Passed and Number Advanced ing of the standing committee on commit tees. It consists of one member from each

in Committee. (From a Staff Correspondent.) congressional district and one at large. The LINCOLN, March 5 .- (Special.)-The folfollowing are the members: Roct of Casa,

lowing bill was passed in the house today on third reading:

H. R. 126-By Kuhl of Pierce. Provides that guardians of insane persons may com-plete contracts for the transfer of property made with such insane person before dis-ability.

Signed by the governor! H R. 102-By the committee on fish and game. Provides that the killing of deer, elk, antelope or beaver is unlawful. S. F. 29-Provides that county judges may receive unclaimed legacies and fees and turn them over to the proper persons or his successor.

S. sales his successor. F. 114-By Thomas of Douglas. Bulk is law. In committee of the whole the following

bills were recommeded for passage: H. P. 184-By Baker of York. Prohibits the giving away or selling of liquor to

the giving away or sering a straight minors. H. R. 196-By Byrum of Burt. To make how stealing a felony. H. R. III-By Gliem of Red Willow. Per-mits an abstracter to give a surety bond. S. F. 25-Constitutional amendment to prevent railroad companies from enjoining state, county, school and municipal taxes until the same have been paid, when suit may be brought to recover. H. R. 278-By Knowles of Dodge. Drain-age, district law.

H. R. 57-By Gliem of Red Willow. For the purchase of 60 conies of statutes for use of state officers and legislature. H. R. 57-By Davis of Cass. Specifying the state officers entitled to statutes; post-

GOSSIP AMONG THE LEGISLATORS Indiana Decision in Support of Ter-

minal Taxation. (From a Staff Correspondent.) LINCOLN, March 5.-(Special.)-Repre-rentative Clarke today dug up a supremo court decision which certainly knocks the wops from under one of the arguments be ing put up by the railroad lobby in its ef-forts to defeat the bill providing for the taxation of railroad terminals. The argu-ment which is so effectually knocked out, and which has been so industriously cir-culated by the milroad lobby, is in effect

meeting the new members dug deep into the practices of the old board and at once decided to change the order of things. All of the heads of the state institutions were

brought in and given to understand bustness methods would prevail in the future. The following letter endorsing Senator McKesson's bill to require elevator companies to report their prices daily to the labor commissioner , has been received by the trial of Representative Einger Her-

St. Paul, Minn., March 2, 1907-Dear Sen-ator McKesson: The Inclosed clipping from the Minneapolis Journal attracted my at-tention as it deals with a subject that I know is of the greatest importance to the grain producers of the country. Here in Minnesota we have the matter of grading well regulated, but, in the matter of grading well regulated, but, in the matter of prices things are not what they ought to be. Wherever the line companies prevail there has been a tendency to underpay, and I have thought of just such a law as you propose. Publicity will do more to check the évil than anything else. If I am not asking too much kindly favor me with a copy of your bill; our legislature is now in mession and they may take up this mat-ter. I observe that you will require re-ports to the labor commissioner. Here in Minnesota we would have these reports sent to the Railroad and Warehouse commis-sion who are the supervisors of the grain St. Paul, Minn., March 2, 1907-Dear Sen to the Railroad and Warehouse commis-sion who are the supervisors of the grain interests of the state. We have here a country elevator department of which I have had charge for five years and my opportunities for noticing local price man-pulations have been abundant. Thanking you in advance for any favors shown. I am yours truly.

him

HARRY FEIG, Supervising Inspector. YEARS

(Continued from First Page.)

with a few words and Councilman Harry. B. Zimman closed the speechmaking with a neat little address on what Omaha has to show today in the way of improvements and made interesting comparisons between the ordinances needed fifty years ago and those of today.

Judge E. Wakeley, who was down for a talk, was unable to leave his home. The Elks' quartet of Council Bluffs, con-

sisting of Charles Haverstock, Dr. Claude P. Lewis, W. S. Rigdon and J. R. Gerke, furnished music during the evening.

Regrets from Absent Ones. John M. Thurston sent a telegram of regret from Washington, D. C. R. C. Cushng, an ex-mayor, wired from Kansas City hat he would be unable to attend the dele ration, but hoped to attend the next one fifty years hence. Cadet Taylor sent a letter explaining his inability to attend. Among the old timers and former and

present city officials present were: present city officials present were: Captain Charles H. Downs and daughter. Mr. and Mrs. James W. Van Nostrand. Judge Goorge W. Doane, James Stephan-son, William Altstadt, S. R. Watson, Ernest Stuht, Joseph Redman, John Steen of Wahoo, Joseph Cornsman, James Alian, Richard O'Keete, Dennis Cunningham, Mr. and Mrs. C. O. Lobeck, W. W. Hingham, Isake Hascall, W. B. Christle, Tom Crocker, W. H. Elbourn, Tom Plynn, Dr. R. E. Moore, Emmet Solomon, Fred-orick Dellone, A. K. Leach, E. F. Berry-man, Robert Duncan, Judge George B. Lake, Frank J. Kaspar, Dr. J. B. Ralph, Al Sorenson, Al Waggoner, A. J. Simpson,

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Del., Monday, left Sloux City only a few Senator Says He Did Not Write Letter

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had practiced in Sloux City twenty-eight years and was one of the most prominent WASHINGTON, March 5. - Senator homeopathic doctors in Iowa. His two Charles W. Fulton of Oregon was recalled youngest sons, John, aged 5, and Horace, to the stand today on the resumption of are sons by his second wife, who died re-

cently. mann of Oregon, charged with the destruction of public records while he was commissioner of the general land office. Mt Fulton said that while he was acquainted with William G. Gosslin and W. E. Burke he never was identified with either of them as counsel. He teatfied that he had no recollection of sending a telegram to Binger Herman requesting that he use his influence to secure a compromise of the case against Gossiin and Burke. Gossiin had talked to him about the matter, but he was too busy to undertake any additional work at that time. He remembered seeing Attorney Hall, but said he did not act in the capacity of counsel for Hermann District Attorney Baker introduced as evidence a letter from Senator Fulton to District Attorney Hall asking him to secure a compromise c! the case against Gossiin and Burke in, accordance with a letter which he had received from Hermann, which he inclosed to Hall with a request that it be returned to him. Mr. Baker said it was his understanding that the charges against Gossiin and Burke had

been dismissed. Senator Fulton on cross-examination said that he knew George T. Brownell. In answer to a question by the district attorney. he replied that he did not promise to support Hall for reappointment as district attorney if he would not indict Brownell. Asked by the district attorney if he had not written a letter to Hall, Senator Fulton replied: "I did not so write to Hall." On an intimation from the district attorney that he could produce such a letter,

Senator Fulton said: "I would like to have you produce it." Senator Fulton was then excused from

further attendance upon the court and Senator Teller of Colorado was called to testify as to the character of Binger Hermann. He said he had known Hermann for about twenty years and that his reputation for honeby and integrity had been

good during that time. Senator Thomas H. Carter of Montana. who was commissioner of the general land office in 1891 and 1892, identified letter-press books containing the record of letters written by him during his administration of the land office. He left these books in the offices, but said they were subsequently sent to him. They remained in a package under seal for a long time until he accidentally discovered them when they were returned to the land office, as being documents pertaining to that office.

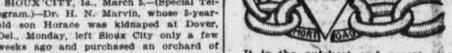
MORE VENEZUELAN POLITICS few Party to Be Formed with Ob-

ject of Enforcing the

Constitution.

NEW YORK, March 5 .- Nicarat Bolet, on of the late General Bolet Perasa, exnister of Venezuela at Washington, is one of the promoters here of a new political party for Venezuela, to be known as the party independente. Mr. Bolet hopes bring to its ranks many of the members of the liberal party, as well as memhere of the nationalist or conservative party, of which General Jose Manuel Hermandes (El Mocha) is the recognized head. The independente party will advocate ab solute adherence to the constitution. Therefore it will favor the succession of Vice President Juan Vincente Gomez (when Castro dies), but only for the unexpired term of Castro. When the term expires it is the hope of

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