

LAND GRANTS VOID

Department of Justice to Bring Suit Against Oregon Roads.

PUBLIC DOMAIN ILLEGALLY HELD

Title to Millions of Acres at Yet

SENATE DEBAR

Resolution Presented by Mr. Fulton Brings Up Legal Issue

MR. FORAKER DOES NOT KNOW

Ohio Senator Doubts the Propriety or Necessity of Passing a Resolution—Tillman Talks of Conditions.

WASHINGTON, Feb. 18.—The fact that the Department of Justice has made all preparations to begin a suit to enforce the terms of government land grants in the state of Oregon was brought out in the senate today when Senator Fulton of the committee on judiciary, reported a resolution authorizing the department to bring such suits and asked for its immediate adoption. Senator Heyburn asserted that hundreds of millions of dollars would be found to be involved if the proceedings were made general.

The resolution was generally discussed by senators, the only action urged against it being based on the idea that the attorney general was now empowered by law to do all that was suggested by the resolution.

Senator Fulton announced that the department was ready to proceed and merely wanted the authority of congress to meet any possible question that may be raised as to the legality of the proceedings.

The resolution also applies to the grant made to aid in the construction of a telegraph line from Portland to Ontario and McMinville, Ore., under the act of May 4, 1878. The resolution authorizes the attorney general to ascertain and enforce all the rights relating to the lands of the United States if it appears that the lands are forfeited to the United States by the violation of the conditions of these acts.

Senator Fulton said there was no question but that the roads had violated the terms of these grants as the violation had been admitted by a subcommittee of the committee on judiciary.

Land Withheld from Settlers.

Mr. Tillman explained that he had introduced the original resolutions in view of what he had learned while on a visit to the Pacific coast. He was satisfied that railroads are withholding from settlement lands worth millions of dollars.

The propriety and necessity of passing such a resolution was questioned by Mr. Foraker.

Mr. Fulton did not personally believe the resolution was necessary, but the attorney general wanted it he thought it should be passed.

Senator Nelson said the supreme court had decided that the forfeiture of such grants could be enforced either in the courts or by congress.

"This resolution," he said, "is merely an expression that congress prefers to have the court take action. Congress could only declare absolute forfeiture, but the court of equity could say to the railroads that if they proceed to comply with the terms of the grant their grants would not be forfeited."

Condition in Other States.

Senator Heyburn said the same condition referred to in the resolution exists in all land grant states, although only Oregon is referred to in the resolution. For forty years the railroads, he said, had refused to comply with the terms of these grants. The settler could not proceed against the railroads to force them to comply with the terms of their grants to the land, because the proceeding could only be brought by the government which gave the grant.

"This question," he added, "involves millions of acres of land worth hundreds of millions of dollars."

In reply to a question by Mr. Dixon, Mr. Heyburn said he thought the same limitation existed in the land grant of the Northern Pacific railway. Senators Dixon, Foraker and Nelson did not agree with him in that statement.

STEENERSON IS VINDICATED

Marine Who was Drowned Lost Life Will be Paid to Survive

NEWPORT, R. I., Feb. 18.—That Private Benjamin R. Steenerson of the marine corps, who with his comrade John R. McIntosh, was drowned off a tugboat in Narragansett bay last Sunday did not commit suicide and had not been drinking was the report tonight of the naval board which has been investigating the deaths of the two men. The naval board learned that McIntosh had fallen overboard and that the tug had turned around and had been searching for him for about twenty minutes, when Steenerson, thinking he saw his comrade's body, reached for it and losing his balance fell overboard. He cried for help and tried to reach a lifebuoy which had been thrown out, but the buoy drifted away from him and he sank. These facts, the board declares, prove that Steenerson did not commit suicide and it has been established, the report says, that the young man had not been drinking.

CORPORATIONS BARRED OUT

Attorney General of Iowa Decides They May Not Own Saloons in State.

DES MOINES, Feb. 18.—Attorney General Byers has decided that corporations cannot lawfully own and operate retail saloons in Iowa. It is believed that half of the saloons in the state are owned, operated or controlled by corporations, including the brewery companies.

The opinion was elicited by inquiry submitted by the executive council and the decision was transmitted to the council yesterday morning by Attorney General Byers.

GILLETTE MUST DIE IN CHAIR

Supreme Court of New York Decides Chester Gillette Guilty of Murder.

ALBANY, N. Y., Feb. 18.—The court of appeals today decided that Chester Gillette of Cortland, must die in the electric chair for the murder of his sweetheart, Grace Brown of South Otselic, Chenango county, at Big Moose lake in the Adirondacks, on July 11, 1906. The court affirms the judgment of conviction of murder in the first degree and the sentence of death, rendered at the extraordinary term of the supreme court in Herkimer county.

SUMMARY OF THE BEE

Wednesday, February 19, 1908.

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THE WEATHER

FOR OMAHA, COUNCIL BLUFFS AND LINCOLN—Wednesday, fair and warmer.

FOR NEBRASKA—Wednesday, fair and warmer.

FOR IOWA—Wednesday, partly cloudy, with warmer in west portion.

Temperature at Omaha yesterday:

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STORM COVERS WIDE AREA

Snow Extends from Central Nebraska to Chicago.

TRAFFIC IS GREATLY DELAYED

Snow Nine to Twelve Inches Deep and Still Falling at Many Points—Temperature is Falling.

LINCOLN, Feb. 18.—The storm which broke over southeastern Nebraska early this morning and prevailed furiously during the day, continued tonight with but slightly decreased intensity. In Lincoln snow fell to the depth of six inches, drifting badly in places and all but bringing street traffic to a standstill. Starting at 2 o'clock a. m. with shovellers and snow plows, both street car companies made an effort to keep their lines open, and succeeded in a measure, but before noon the Citizens' line gave up, and such cars as were not stopped blocked and were sent to the barns. The traction company maintained a sort of service most of the day. Railroad trains were not badly delayed, but trainmen said it was the worst storm experienced for years, blizzard conditions prevailing in the country where the wind had a sweeping effect on the cars starting this morning from the city got in the country three or four miles and were obliged to turn back, their horses missing the roads and floundering helplessly in the drifts. City carriers made only partial deliveries.

Southeast of Lincoln as far as the Missouri river, the storm was worse than here. At Beatrice and Nebraska City the snowfall amounted to ten inches and the wind blew a gale. Westward the storm was severe as far as Hastings and northwest to Johnson. While snow had fallen in the high wind and low temperature was unexpected, and farmers were caught unprepared. The stock range country, however, is outside the storm area, and there will be no losses of consequence. Tonight in Lincoln the temperature is falling and the air is full of snow.

Railroads Badly Crippled.

BEATRICE, Neb., Feb. 18.—(Special Telegram.)—A blizzard has been raging here today and snow covers the ground to the depth of ten inches. It has drifted badly in places and as a result traffic on the railroads has been interrupted. The Burlington did not succeed in getting any cars through to Lincoln today, and the Nebraska City until tonight. Trains on all the roads were from one to six hours behind time. The storm is the most severe visiting this section in several years. The temperature is falling tonight.

HARVARD, Neb., Feb. 18.—(Special.)—A severe storm is blowing from the north today which has continued for the most part of the night though only a small amount of snow had fallen at daylight.

PLATTSBOURNE, Neb., Feb. 18.—(Special.)—The worst snow storm of the winter visited this vicinity Monday night. The snow has fallen all night and a strong wind blowing from the north drifted it badly and in places from four to six feet high. More snow fell last night than has previously fallen this winter. Trains are all late today and the storm continues.

WEST POINT, Neb., Feb. 18.—(Special.)—A snowstorm closely approaching to a blizzard has been prevailing in this section for the last eighteen hours without cessation. Snow is falling heavily, with a strong northeast wind. Drifts are forming in some places for a distance of fifty miles. The snow is blowing furiously. Railroad traffic is considerably delayed and travel in the country roads is almost impossible by reason of the deep drifts.

LINWOOD, Neb., Feb. 18.—(Special.)—It began to snow about 10 o'clock last night and has snowed continuously for over twenty hours. It is very damp and a high north wind prevails, drifting and packing it badly. It is hard on stock where it is not sheltered. All trains will be delayed.

Violent Storm in Chicago.

CHICAGO, Feb. 18.—The most violent storm that has visited Chicago in many years commenced at 7 o'clock this morning and tonight is raging with increasing violence and there is no prospect of a lessening of its violence before morning.

By 4 o'clock this afternoon seven inches of snow had fallen and it was still coming down heavily. The wind at frequent intervals is blowing with fury for over an hour, and it is hurling the snow through the streets in such blinding clouds that it was impossible to see for a greater distance than a half square and often the range of vision would be limited to a few feet. A great number of accidents of a minor character were caused by the cold winds between wagons and street cars. Up to 6 o'clock tonight no serious casualties had been reported, although quite a number of people had been injured by wagons and by falls on the pavement.

At 6 o'clock when the home-going crowd was at its thickest the wind was blowing so heavily and the snow was falling in such blinding sheets that it was positively dangerous to attempt to cross Michigan avenue and its intersection with either Jackson boulevard or Van Buren street.

These crossings are used by thousands of people every night to reach their homes in the southern part of the city, and in the suburbs by means of the Illinois Central railroad. It was found necessary to station a large number of city and park police at these corners to assist women and often it was all the officers could do to plow a way across without assistance. It was out of the question for a woman to cross the street by herself. An officer was stationed a half a square west of the crossing of Jackson boulevard and Michigan avenue with orders to send women back or to bring them through the Stratford hotel, by which means the worst portion of the crossing was evaded. The street car companies and the elevated roads fared well throughout the day, but the heavy increase of snow that came in the late afternoon made desperate work for them. Every available man and all the snow plows were constantly at work in keeping the tracks clear. In the suburbs the trolley lines were operated with great difficulty, because of the constantly increasing drifts and locomotion became constantly more difficult. It was estimated at the weather bureau that the fall of snow would amount to one foot or more by morning.

Blizzard Over Kansas.

TOPEKA, Kan., Feb. 18.—A blizzard prevails over Kansas today. The railroad offices report a high wind and drifting snow, but no delay to traffic so far. The Rock Island, however, is running its passenger trains with double-header engines. In Jewell county the worst storm of years is reported.

KANSAS CITY, Mo., Feb. 18.—With a temperature slightly below the freezing point, a heavy, soft snow began falling throughout western Missouri early today.

WICHITA, Kan., Feb. 18.—A thirty-six

(Continued on Page Two)

SETTLEMENT REGARDED FINAL

Reply of Japan to Memorandum from United States on Immigration Received.

ANNIVERSARY OF FIRST SPEECH

Young Man Admitted Having Oats in His Pockets and Fled the Critics to Watch Them Grow.

TOKYO, Feb. 18.—The reply of Japan to the memorandum from the American government of January 25 will be handed to Ambassador Thomas J. O'Brien tomorrow, February 19.

The document which has been carefully prepared, outlines plans for the future control of the emigration of Japanese to America. It includes many concessions which followed conferences between Ambassador O'Brien, Viscount Hayashi, Japanese minister of foreign affairs, Baron Ishii, chief of the bureau of commerce and Mr. D. W. Stevens, minister to the Japanese embassy at Washington. The latter is acting as adviser to the foreign office pending the arrival of Mr. Denison, who is expected to resume duties of that position on April 15, upon his return from his visit to the United States.

The Japanese officials at the State department of the Japanese embassy, who were present and heard his remarks. Among them he mentioned Speaker Blaine, Joseph B. Hawley of Connecticut, William P. Frye and Eugene Hale of Maine, Henry L. Davies, E. Rockwood Hoar, George B. Burdette, Benjamin F. Butler, Julius C. Burrows, James A. Garfield, Alexander H. Stephens of Georgia, William R. Morrison of Illinois, William S. Holman of Indiana, Lucius Q. C. Lamar of Mississippi, Richard P. Bland of Missouri, Fernando Wood of New York, Samuel Randall of Pennsylvania and Roger Q. Mills of Texas.

Details of First Speech.

Mr. Boutell said that Mr. Cannon, then 31 years old, spoke on a bill reducing rates of postage on books, for the carrying free of newspapers within the countries of their publication and for the extension of the franking privileges to public correspondance. Several extracts from the speech were read by Mr. Boutell, who spoke of a gibe by a member directed at Mr. Cannon that "the gentleman must have oats in his pocket."

Mr. Boutell said that tumultuous applause greeted Mr. Cannon's retort when he said: "I have oats in my pocket, and I expect that the seed, being good, will yield a good crop—I trust tenfold—and the sooner legislation is had, not only as proposed by me, but in all respects as the people desire and equity and justice shall dictate, the better it will be in the long run for all people in this country, whatever may be their calling or wherever they may reside."

Cannon's Reply to Critics.

He said that it had been charged that the city general committee had, on the point Mr. Boutell quoted Mr. Cannon as follows: "I do not believe that the city press will as a unit oppose this bill. A portion of it may from selfish motives; honest in others. I certainly have no desire to call upon any of the assistants of the city press or a portion of it. Nor do I fear it as long as I truly represent my constituents and act, in my representative capacity, for the interest of the people. Nor would I change the power of the press to assail my acts or those of anyone else on the other hand, every member of congress or other agency of the people should court a fair criticism of his acts, and if he vitally misrepresents the people, they should, and no doubt would, fail to continue him in places of trust. But no man is a proper person to represent the people unless he has the honesty and the backbone to stand and do what is right and for the interest of the people without reference to what anyone else may say of him or what the action of the press may be in the premises."

"That speech," said Mr. Boutell, gave Mr. Cannon a position as one of the strong men in the house and won for him the respect of his colleagues in both branches of congress and of the leaders in official life.

King Alfonso is present at Seville.

MADRID, Feb. 18.—There is no truth in the report current in Paris last night that King Alfonso had been assassinated. The normal demands of the government have been met, and the king is expected to return to his country tomorrow.

Sanction Fleeing for Refuge.

HAYTIAN MINISTER OF FOREIGN AFFAIRS SEES IN FRENCH LEGATION.

PORT AU PRINCE, Hayti, Feb. 18.—The leaders of the last unsuccessful revolutionary movement including General Firmin, who took refuge several weeks ago in the foreign legations at Gonaves, still refuse to come out and surrender, and in spite of the demands of the government, neither the consuls nor the foreign diplomatic presentation will turn the refugees over to the authorities.

President Nord, thoroughly dissatisfied with the negligence in this matter of his minister of foreign affairs, M. Sanson, reported here today elected Henry W. Menckie of Sedalia and Harry E. Patton of Springfield, delegates to the republican national convention at Chicago and instructed for Taft.

Herbert B. Hadley was endorsed for governor.

SEDALIA, Mo., Feb. 18.—Republicans of the Seventh congressional district in convention here today elected Henry W. Menckie of Sedalia and Harry E. Patton of Springfield, delegates to the republican national convention at Chicago and instructed for Taft.

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HARGIS' ESTATE FOOTS BILL.

Cost of Defense of Son Will Be Paid from Share in Property.

LEXINGTON, Ky., Feb. 17.—In the defense of Beech Hargis for the murder of his father, Judge James Hargis, the expenses will be paid out of the \$50,000 which is the boy's share of his father's estate. When Judge Adams convened court at Jackson today the Hargis case was the most important matter awaiting action. It is expected that Beech Hargis will be promptly indicted, and if this is done his trial for the murder will at once begin. The defense will be self-defense.

BRAKEMAN CONFESSES THEFT

Employee on Missouri Line Tells How He Secured It and Returns Money.

NEVADA, Mo., Feb. 18.—F. L. Smith, the Missouri, Kansas & Texas brakeman on the Eldorado train which was robbed Saturday night of a package containing \$3,000, confessed last night to having abstracted the package from the conductor's iron box and took the officers today to the express car, where the money was found secured. Smith is held under a charge of grand larceny.

SHIPS APPROACHING CALLAO

Wireless Dispatch from Admiral Evans Says Fleet Not Far from There.

LIMA, Peru, Feb. 18.—10:50 a. m.—A wireless dispatch has just been received here from the fleet of American battleships under Rear Admiral Evans. It is dated Tuesday, Feb. 18, and says that that hour the vessels were 30 miles from Callao.

VALPARAISO, Feb. 18.—The things on the coast of Chile of the Japanese steamer Kasato Maru in view of the proximity of the American battleship fleet, attracted considerable attention here. The Kasato Maru left Iquique on January 28, and steamed out to sea. Nothing was heard from it until two days ago, when it arrived at Topolica, a small maritime town in Antofagasta province, 16 miles distant from Iquique. The fact that the vessel spent twenty-four days between these two ports leads to the suspicion in some quarters that it has been observing the progress of the American fleet or studying the Chilean coast in the vicinity of Topolica. The Kasato Maru is equipped with wireless telegraphy.

According to the elapsed time and the distance covered since leaving Punta Arenas on February 18, it is evident that the American battleships are proceeding at the rate of about ten knots an hour. At this rate they should reach Callao about midnight of Wednesday. It is probable, however, that they will slow down and enter the harbor Thursday morning.

ASSASSINATION STORY FALSE

Humor King Alfonso Was Killed Arose from Bomb Throwing at Madrid.

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BOUTELL TALKS OF CANNON

Illinois Congressman Recalls Incidents of Early Career.