Work and Publishes

Result.

(From a Staff Correspondent.)

of the soil survey of Lancaster county, Ne

Senator Burkett was today advised by

the Postoffice deptriment that two addi-

anceln and Kansas City railway postoffice

well as on the inlet canal of the Belle

his portion of the Belle Fourche system

this year. Water will turned on this land

through the inlet ditch, Johnson lateral,

and through the temporary canal that was

built on Dry creek to conduct it to the

south capal and there will be an ample

Frank R. White, formerly of Lyons, Burt

R. E. Moore and wife of Lincoln are in

Washington and today were guests of Sen-

ator Burkett at luncheon in the senate

R. B. Morgan of Lincoln, secretary to

senator Burkett, and bride arrived in

Washington last night and have an apart-

ment at Martha Washington inn on Capi-

ness Mr. Morgan's wedding trip was cut

short and he was at his desk this morn-

ing in the senator's office in the capitol.

Senator and Mrs. Burkett tender Mr. and

Mrs. Morgan a reception tomorrow night.

appointed clerk at Panama.

ple and 78 families.

Nellie Vates of David City, Neb., has

seen appointed stenographer in the na-

Rural route No. 2 has been ordered es-

ounty, South Dakota, serving 300 peo-

SYMPOSIUM ON WATER WORKS

Attorneys in the Case Give Opinions

on City's Position and Probable

End of the Matter.

which was hearly a year ago.

on this fight. It was forced upon the

company and we have beaten the city

WATERHOUSE TO FREMONT

Tendered Position as Superintendent

and Signs a Three-Year

FREMONT, Neb., April 9 .- (Special Tele-

"We have lost a ser ystrong man and

Will Soon Take Extended

Enstern Trip.

LINCOLN, April 3.-William J. Bryan ar

PRORIA, Ill., April 9 .- William J. Bryan

has notified the Mandan club of this city

that he will reach Peorla next Tuesday

where he will deliver a political speech a

the raily which takes place at the Coll-

to all prominent democrate of central Illit

Invitations were burriedly issued

school board and who introduced the

unanimous in his favor.

Owing to the pressure of busi-

nap of Lancaster county

rains Nos. 41 and 42.

the youthful Filipinos.

estaurant.

# SENATE PASSES BILL

Carriers' Liability Measure Goes Through Without Amendment.

NOW READY FOR SIGNATURE

It Amends Fellow Servant Clause of Common Law Liability.

SHORT DEBATE IN SENATE 26 27 28 29 30 -= "

Mr. Nelson Contends that Certain Section is Unconstitutional.

DOLLIVER SUGGESTS CHANGES

Motion to Substitute Senat House Bill is Voted " 21-Bill Par out."

WARHINGTON 28 to the limbility of roads passed by th tives on April 6 wak

The senate bill on the at fined to railroads, but co diver. of common carriers, and 5 who had reported it from the mittee on education and labor, sought to substitute it for the house bill, but his motion was defeated. Numerous amendments were offered to the bill, but all were voted down. As passed, the bill is expected to meet the objections of the United States supreme yourt to the common carrier liability law of of additional legislation regulating an-1890; decided to be unconstitutional by the archy. The bill abolishes the strict common law liability which bars a recovery for tra session of the New York egislature personal injury or death of an employe secasioned by the negligence of a fellow servant. It also relaxes the common law rule which makes contributory negligence a defense to claims for such injuries and permits an employe to recover for an injury caused by the negligence of a co-employe The bill does not bar recovery, even though the injured one contributed by his own negligence to the injury. The amount of the recovery is diminished in the same degree that the negligence of the injured one con

tributed to the infury.

of common carriers." was no purpose to facilitate commerce in

this bill." he thought the warrant for its constitutionalty would be doubtful. Senator Heyburn wanted to have It unmixed blessing, as it would substitute th's phine Rummelhart October 7, 1908. federal legislation for legislation by the states in matters covered by the bill. It

to the nearest state courts.

Amendment Voted Down, By a vote of \$6 to 21 a motion by Senator Dolliver to substitute the senate for the se bill was laid on the table.

Senator Carter made a strong plea that the senate should confine this legislation to railroads as was done by the house bill and should not enter upon the ancient field of commerce on shipboard as might be contemplated by the senate bill. A motion by Senator Dolliver to amend

the house bill by inserting the words "All questions of fact relating to negligence shall he for the jury to determine" was defeated after Mr. Dolliver said it was intended to be a suggestion to judges that they were to leave the question of fact to juries and not invade their province as he said had become the practice of some judges who undertake to instruct juries in this respect. The bill was passed without amendment

and without a division.

PROCEEDINGS OF THE HOUSE

Demorrats Porce Republicans to Produce Quorum Three Times.

WASHINGTON, April 8.-Three times today in the house the democrats caught the licans of the Sixth district met here torepublicans napping and forced them to day to nominate a candidate for congress produce a querum. On one occasion a to succeed James E. Watson, republican vote by tellers disclosed the absence of a candidate for governor. There are six quorum, but Speaker Cannon peremptorily candidates for the nomination. The resapplied, the Reed rule and declared a clutions adopted at the convention quorum to be present. In doing so he had strongly indorsed Vice President Charles a brief but lively clash with Mr. Williams. Notwithstanding the repeated roll calls. rogress was made in the transaction of

public business. Both the army and the sional district met this morning to sefortifications appropriation bills were sent hea was, with democratic help, nassed, and eral administration and the delegates were the bill to promote the safe transports- instructed to vote for Joseph G. Cannon tion in interstate commerce of explosives for president. The delegates chosen are posed of tomorrow.

The democrats prevented the adoption of the conference report on the Indian apback to conference At 5 welock the house took a recess un-

#### CHARLES HENDERSON RESIGNS Second Vice President of Reading Bailroad Will Leave His Position Soon.

PHILADELPHIA. April 9. - Announcement was made today that Charles E. Henderson, second vice president of the Reading & Pennsylvania railroad, has sent his resignation to President Baer, to take offeet at Mr. Baer's convenience, or not later than May 1. The cause for the resignation was not given out. The resignation will be

was not given out. The resignation will be acted upon next week.

President Baer has appointed B. H. Ball freight traffic manager. It is understood he will ersure some of the work attached to the size of second vice president. to the silice of second vice president.

## SUMMARY OF THE BEE HUGHES FOR EXTRA SESSION SAINTS

Friday, April 10, 1908. 1908 SAPRIIS 1908 STN. NON. TOE | WED THE PRI. SAT

-- - + 1 2 3 5 6 2 8 9 10 11 12 18 14 15 16 17 18 19 20 21 22 28 24 25

THE WEATHER. For Omaha, Council Bluffs and Vicinity For Omana, Council Billia and Vicinity-Fair and cooler Friday, For Nebraska-Partly cloudy Friday, with probably showers east portion; cooler. For Iowa-Probably showers Friday; cooler west portion.

Temperature at Omahai Hour. 5 a. m ... 6 a. m. ...... 7 A. M ...... 8 a. m...... 11 a. m.. 12 m..... 1 p. m.,..... 2 p. m ..... 3 p. m ........

DOMESTIC. Senate passed the bill holding railroads responsible for personal injuries of em- legislature a message renewing his recom ployes. It is now ready for the presi-Page 1 dent's signature. Latter Day Saints in annual conference discuss marriage of divorced persons.

Page 1 President Roosevelt submits message to congress calling attention to the need Page 1 60 Governor Hughes decides to call an ex-

now in session. Page 1 Alabama supreme court holds the prohibition law and nine-hour closing law Some of the mining districts are able to settle their own differences and opposition to a general conference exists.

Page 1

Grover Cleveland is reported to be much mproved after a week's illness. Page 1 Bulgarians in Chicago found to have been brought over from the old country under false representations.

Omaha High school, has been tendered Mr. Smith declared that that was an im- and accepted the position of superinportant question. "If." he said, "there tendent of the Fremont schools. Page 1

LOCAL. Police capture Ben Marshall, colored, strongly suspected of the assault on a number of young women and answering known that the pending bill was not an description of negro who murdered. Jose-

would make necessary the bringing of suits and South Dakota ask railroad companies under this law in federal courts often far to name new rates on wool to Omaha removed from the place of accident, and from Omaha to the manufacturers, whereas in the past they have been taken with a view to building a warehouse in this city with a capacity of at least 40,-000,000 pounds. Page 5 L. Iten & Sons, cracker manufacturers, decide to build their new plant in Omana 50 per cent larger than at first intended.

> COMMUNICIAL AND INDUSTRIAL. Live stock markets. Page 7 Grain markets.

Page 9

WOODYARD IS RENOMINATED District Given Honor on Platter-Taft Wins.

PARKERSBURG, W. V., April 9 .- Con gressman Harry C. Woodyard was renominated by acclamation by the republicans of the Fourth West Virginia district here late yesterday. General C. W. Curtin and J. H. Lininger were elected district delegates to the national republican convention and M. A. Lowther a presidential elector. They were instructed to vote for Secretary Taft for the presidential nomina-

SHELBYVILLE, Ind., April 9 .- Repub Fairbanks for the presidency.

PEORIA. III., April 9 .- The republican convention for the Sixteenth congress lect two delegates and two alternates to conference; the senate bill to increase the national convention at Chicago. Resof the revenue cutter serv- olutions were adopted indorsing the fedwas considered. It will be finally dis- Walter S. Horton and Robert D. Ctark

WATERTOWN, N. Y., April 9 .-- At the republican convention here of the Twentypropriation bill and caused it to be sent eighth congressional district George Cobb year in the first cabins, while the number of this city and Luther W. Mott of Oswego were selected delegates to the na- that direction was 5.22 greater than last tional convention. The delegates were year. The travel for the week ending last

> MINNEAPOLIS, Minn. April 9 .- Otto E. Greely and W. H. Eustis were elected delegates from the Fifth congressional national convention today. The delegatien is instructed for Taft.

Carr's Case Proves Serious. MARION, Kan. April 9 - Eight witnesses were on the stand before dinner today for of Oacar Balley. They were mostly playes of the Wells-Fargo Express

Governor of New York Comes Back at Legislature.

STILL INSISTS UPON PROGRAM

Anti-Race Gambling Bill, Direct Primary Nominations, Wider Scope of Public Service Commission Included.

ALBANY, N. Y., April 9.-Governor Hughes has decided to call a special election for the election of a successor to the late Senator Franchot, who represented the Forty-seventh district, comprising the counties of Niagara and Orleans. The call, which probably will be issued today or tomorrow, will be for May 12. There also was an authoritative intimation from the executive chamber that an extra session | of the legislature will be called by the gov-

53 being called a recess would be taken until vorced. 55 the end of the year. The governor smiled, 56 but refused to discuss the matter.

Renews His Recommendations. Following the fallure of the senate last night to pass the anti-race track gambling bills, Governor Hughes today sent to the mendation for the enactment of this legisla tion and asked for the enactment of eight other propositions now pending before the legislature.

The recommendations included: The passage of appropriate legislation to prevent the so-called discrimination of the Perry-Gray act, which practically legalises gambling on race tracks.

Legislation to reform banking methods.

Direct primary to the church deem this a highly important subject.

While the Eatler Day Saints, owing to

Direct primary nominating conventions.

Legislation which will place telephone and telegraph companies under the jurisdiction of the Public Service commission.

The passage of bills which will facilitate the construction of audways in New York to consider matters not done by the one

City.

The governor also urges investigation by commission of, first, Wall street speculation; second, the question of immigration; third, the question of the unemployed in this state, and fourth, the relation of the inferior courts to certain criminal pro-

cedure. Governor Urges Action. Relative to the Hart-Agnew bills the governor in his message says:

During the discussion of the measure there was extended references to campaign contributions by railroad man and especially to the Harriman contribution to the republican campaign fund of 1904.

Nelson Raises Validity.

Because the senate bill did not specify the cause for the injury or death of the employs. Mr. Nelson (Minn.) said he believed it would be pronounced unconstitutional. The bill would make the company limits for injury or death whether it related to the service or not.

Two employes of a railroad might by their negligence wreck a train and kill a hundred people, and Mr. Elkins, and yet the proposed law would pay for the injuried people, and Mr. Elkins, and yet the proposed law would pay for the injuried people, and Mr. Elkins, and yet the proposed law would pay for the injuried people. I again urge you to enact appropriat egislation to abolish the existing discrimi

the proposed law would pay for the injuries received by those employes. He did
not believe that was a just provision.

Senator W. A. Smith inquired whether
the bill would facilitate interstate commetre. Senator Deliver replied that it was
"intended to pramote the rights of employes
of common carriers."

the American consulate at Mukden show
the wrong.

Page 2

Error in the count of votes in Lincoln
for a time made it appear as if the prohibitionists had won. The excise board
declared the reverse to be true.

Page 3

Intended to pramote the rights of employes
of common carriers."

the American consulate at Mukden show
in another.

Chapter 30 of the laws of 196 known as
the Percy-Gray law, pretchdes in its provisions with regard to authorized race
tracks to prohibit gambling. This pretense
for a time made it appear as if the prohibitionists had won. The excise board
declared the reverse to be true.

A. H. Waterhouse, principal of the
Omaha High school, has been tendered. was supposed that this was an apt law to prevent the offenses mentioned in the constitution no one now cherishes the Illusion. It is a mockery of prohibition, and pool selling and bookmaking flourism at the race tracks as though they were legally authorized. Not only is this the result, but the enforcement of the law elsewhere is embarrassed by these undemocratic disembarrassed by these undemocratic du

Existing Prohibition Inadequate. ture has no right to permit it or to reg

inture has no right to permit it or to regulate it. The people have spoken upon that question. You are asked to make existing prohibitions effective.

Instead of virtually protecting pool selling and bookmaking upon the race tracks—instead of favoring them and subjecting them to an inadequate penalty—the law can and should effectively prohibit them by imposing penalties similar to those which are visited upon identical offenses claewhers.

The demoralizing influences and the manace to the welfare of the state which are involved in the continuance of this evil are obvious. Still more important is the necessity of vindicating the fundamental law of the land and demonstrating that this is a state where law and order prevail and where no interest is powerful enough to keep on the statute books deceitful provisions whereby prohibition becomes prefitable license and a favored class of law breakers are afforded substantial in-

munity.

Respect for law is the security of our government, and the guarantees of the rights of liberty will not long avail if the people are taught to view the constitution

fest duty and to end the discriminations in favor of race track gambling, which cupidity inspired and now seeks to main-Governor Hughes recommended the cres

which shall give their service without pay, to inquire into "the facts relating to speculation in securities and commodities with the view of ascertaining the manner in which illegitimate transaction may be prevented and legitimate business safe-

OCEAN TRAVEL UNAFFECTED Another Record-Breaking Year for Water Business is in Prospect.

NEW YORK, April 9.-Another record breaking year for ocean travel is possible if present prospects continue. steamship agents at the beginning of the year were dubious of the outlook, their attitude during the last few weeks has changed and they themselves were greatly surprised when the statistics for the first three months of the year were computed

Instead of the cabin passenger traffic eastward having decreased by thousands. as many persons had supposed, the figures show a decrease of only 365 from last of second cabin passengers traveling in astructd to support Governor Hughes for Friday was a record breaker for this time of the year, for the various steamships leaving took out 110 more first cabin passengers than vessels carried in the corresponding week of last year. Incoming district of Minnesota to the republican liners, up to April 3, brought in 66 merfirst-class cabin passengers than they did

> during the first three months of last year. STEEL PRICES STAY FIRM No Reduction Contemplated by Magnates Under Present Condi-

NEW YORK, April 9.- No reduction the price of steel is now contemplated, according to a statement made today by E.

DISCUSS Sentiment Unanimous that Something Should Be Done to Curb

16v11.

INDEPENDENCE, Mo., April 9,-(8pe cial Telegram, -A record-breaking crowd was in attendance at the business session of the conference of the Reorganized Church of Jesus Christ of Latter Day Saints today, the large attendance being due to an anticipated warm debate on a matter which had been made the special order for this day at the last conference, namely, the question of divorce and remarriage. The resolutions which were made the special order are: Resolved. That in our opinion the mar-riage of persons who were formerly di-

approved or condoned by the church.

Resolved further, That our ministers be required to honor this declaration and to refuse to perform the marriage ceremony in all instances among persons within or without the church where said wrong is the church where said wrong is

Resolved further, That where it is in eviof the legislature will be called by the governor to begin May 11.

The legislature has set April E as the date for final adjournment. It was suggested to the governor that certain opponents of the race track legislation had stated that in the event of an extra session same persons who have been formally divorced.

> The special order was scarely taken up before a substitute was moved, which, in man who attempted to assault Miss Mollia general way was the same as the resolutions pending, except that inhibition for ministers to perform marriage in the case of divorced parties was eliminated. Debate on this substitute had proceeded but a little way before an amendment was had to the substitute placing the inhibition in it. The debate on this question consumed the entire session and was still in progress when adjournment was had. It was appar-

the confusion in the minds of the people concerning this organization and the Mormone of Utah, are thought to be some what lax on the marriage question; any one who listened today to the debate on the floor of their conference would be impressed with the fact that they are peculiar in their views on marriage, but the peculiarity consists of the rigidness with which they insist that there is only one ground for divorce and that the scriptural ground as given by Christ; namely, a violation of the marriage vows.

No debater on the floor today seemed to question that this was the unequivocal at itude of the church, but the heat of the debate is developing along the line of whether or not it is politic or proper for the church to inhibit their ministers from exercising liberty of action or conscience as to whether or not they shall perform the marriage ceremony for divorced people.

The debaters seem to recognize and greatly deplore the wide extent of the divorce evil, as it is termed, or as on speaker spoke of it, "the curse of the nation," and it is evident that these men are earnest in their search for a remedy for the divorce evil.

It is anticipated that the debate will con sume the sessions of conference for two or three days.

WYOMING STOCKMEN CONVENE Land Leasing Bill Endorsed and Present Forest Policy with Some Restrictions.

CHRYENNE Wyo., April 9 .- (Special.) The thirty-sixth annual convention of the held here Tuesday and the old officers reelected, as follows:

President-W C. Irvine, Ross, Wyo. Vice President-Robert De Trow. Secretary-Miss Alice Smith, Cheyenne. Treasurer-J. D. Freborn, Cheyenne Resolutions were adopted endorsing the Culberson bill relative to the furnishing of cars, transportation of live stock, etc. The movement of the state and national government in its efforts to eradicate scables and other diseases among sheep cattle and horses was endorsed. The policy of the general government in establishing forest reserves was endorsed, but the convention believed that these reserves should be confined to the forest areas; also that The demoralizing influences and the men- be confined to the forest areas; also that are the Rummelhart murder. I myself are to the welfare of the state which are the practice of making contracts which like the Rummelhart murder. I myself permitted the denuding of large areas of

trees should be discontinued. The leasing bill endorsed by the Ameri- tacked Miss Gran." can National Live Stock association in Denver last January was endorsed by the Wyoming cattlemen here today.

The most important action taken was the adoption of a resolution instructing President Irvine to appoint a committee of five members to arrange for a con vention of the stockmen and others of Wyoming interested in the disposition of threfore urge you to discharge a mani- the unoccupied lands, to be held in Cheyenne on September 15 next, at which there are to be general discussions of the questions of leasing, etc., by cattlemen, sheepmen, horsemen and citizens generally, and tion of a commission, the members of at which an effort is to be made to evolve a measure, or system, of controlling and leasing the ranges that will be satisfactory to all.

The reports of inspectors showed that 1907 was the best year in the history of the cattle business in Wyoming, cattle netting \$40.65 per head, or 10 cents more than the previous year. The inspectors inspected 236,624 estray cattle at the several markets and returned several thousand to members.

HARRIMAN HAS HOLD OF ERIE Recent Change Will Give Him Transcontinental System of

NEW YORK, April 9 .- Following the ac tion of E. H. Harriman in providing \$5,500,-600 yesterday for the payment of maturing notes, it was said today in Wall street that the Eric railroad will shortly pass under the absolute control of Mr. Harriman and his associates, who stand ready to spend, under certain conditions, from \$30,000,000 to \$40,000,000 for improvements in terminal tunnels, trackage and rolling stock. If these plans are completed, Mr Harriman's long cherished plans of a perfectly equipped complete transcontinental road, with the Eric as the eastern outlet

FINES FOR MEN IN LOTTERIES Thirty-Two Thousand Dollars Aggregate of Penalties Imposed on Cincinnati Men.

CINCINNATI. April 9 .- Fines aggregaling \$32,200 were today assessed against Morris Richmond and six others, who were arrested some weeks ago, charged with conducting the Kentucky lottery contrary to law. The men were arraigned before United States Judge Cochran in Covington today under the indictments recently re turned and all pleaded guilty, the fine fined \$10,000 and lesser amounts were an- said; neunced against the others, all of whom H. Gary, chairman of the United States declared that they were through with the lottery business forever,

DIVORCE POLICE MAKE BIG ARREST SOIL SURVEY OF LANCASTER Capture Man Whom They Believe

Killed Josephine Rummelhart. OTHER LIKE DEEDS LAID TO HIM

Chief Donahue Certain He Attacked Miss Gran and Regards His Capture as of Most Im-

portance.

Attempted assault and murder of Mrs. Annie Grabowski, south end of Twenty fourth street viaduct, three weeks ago. Two other assaults on women in th last two months.

Attempted assault on little daughter of Assistant Chief of the Fire Department Dineen in 1900. Assault and murder of Miss Josephine

Rummelhart, Twenty-sixth and Dodge streets, October 7, 1906. Ben Marshall, a porter in a saloon at Sixteenth and Leavenworth streets, was captured by Detectives Davis, Pattullo, Maloney and Van Dusen shortly before noor Thursday while tryng to make his escape Evidence which Chief of Detectives Say age has gathered points to Marshall, with scarcely the shadow of a doubt, as the

Gran, a telephone girl, Monday night, He is the man arrested and tried for as sault of the little daughter of Assistant Firs Chief Dincen in 1900. Because the girl was only a child no convicting evi dence could be secured and Marshall was only sentenced to ninety days in Jail,

Chief is Firmly Convinced. Chief of Police Donahue believes firmly that Marshall is the man who on the night of October 7, 1906, crept up behind Miss Josephine Rummelhart at Twentysixth and Dodge streets, struck her a stun ning blow on the head, dragged her away and assaulted her and then cut her throat, Since the bold assault on Miss Gran last Monday night Chief Donahue and his men have exerted every effort to locate the man who has been perpetrating crimes of this nature with reckless persistence. good description of the negro was at hand. Every officer was on watch. Thursday morning Policeman Holden saw Marshall in Reimers' saloon. He called for Miss Gran and she came down and saw the negro, who was washing the saloon win dows. She said he was the man.

The moment the negro saw the girl he dropped his brush, rushed into the saloon secured his hat and coat and disappeared. Immediately Chief of Detectives Savage sent out his entire available force of plain clothes men on the trall. The four de tectives named surrounded the negro or South Nineteenth street. He was making toward his room at 3003 South Eighteenth

unmistakably as the negro who attempted the assault on Miss Gran. The rope which he placed around the girl's neck when he seized her and with which he attempted to strangle her as he dragged her away was secured by the detectives. It is a ragged but stout rope, about six feet long and with a snap at one end. This rope was taken to Reimers' saloon and shown to

"If that isn't my rope Ive got one just like it," he said, He went to a drawer where he kept the e and it was

Answers the Description Marshall is about five feet four inches Wyoming Stock Growers' association was tall. This is the description given by Miss Gran of her assailant. It is also the de-It is the description given by the only two persons who saw the negro in the vicinity of the Rummelhart murder just

before that crime occurred.

will or will not appeal." Chief Donahue, Chief of Detectives Savage and all the department are relieved city of Omaha and the water board in the by the capture of the fiend. case, said: "I do not think that we have "I consider it one of the best and most the right of appeal. But we may get into important captures ever made in Omaha," the supreme court on a writ of certiorari. said Chief Donahue. "I have lain awake But I do not know just now what we shall at night many a time in the last month tormented by the thought that we might R. S. Hall, the principal attorney for the wake up in the morning and find that this Water company, said: "I cannot see that man had committed some borrible crime the city has anything left to do but to

NOT SETTLED IN WISCONSIN Pollette Supporters Claim Solid Delegation for Him in the

worked until after 2 o'clock Monday night

in an effort to trace the negro who at-

Badger State. MILWAUKEE, Win., April 9 .- Specia dispatches to the Milwaukee afterngor papers indicate the election of Walter Alexander of Wausau as a Taft delegate to the republican national convention. It is said that the race for the second delegate in the Tenth is so close that an official

ount will be necessary. In the Eighth district George W. Payne a Taft supporter, is running a nose to nos race with Torrison of the La Follette siste At La Follette headquarters in Madison solid delegation is claimed for the Wis-

MADISON, Wis., April 9.-Returns re seived from the Eighth district at the La Poilette headquarters in this city indicate that George M. Payne, who is for Taft, is defeated and that a complete La Follette ielegation to the republican national conention is elected from that district. Their figures also indicate that Theodore W. Brazeau in the Tenth district, also for Taft, will be defeated.

READY FOR THE PAPER TRUST a man whom it will be hard to replace," said George D. Rice, who was one of Mr. Fight Against Combination Will Be Taken Up in Courts by Depart-

Waterhouse's strongest supporters on the WASHINGTON, April 2.- The house res- olution recently which was passed inolution introduced by Speaker Cannon re- dorsing him. When he was re-elected questing information as to what steps last Tuesday evening at the hoard meet have been taken to prosecute the paper ing that election was bons fide and was trust reached Attorney General Bonaparts made with the expectation that he would today and were by him referred to Mr. accept the place for another year. Purdy, assistant to the attorney general who has been charged with the prepara-BRYAN HAS TWO DAYS AT HOME tion of the reply to the house. It is understood that this reply will show that the Nebraskan Arrives in Lincoln and Department of Justice already has taken the initial steps to bring the paper trust officials to trial on criminal charges and that probably for that reason it will not be possible to supply congress with much rived in the city this morning and will detailed information, which might feoparspend two days at his home at Pairview. dize the success of the prosecution.

GROVER CLEVELAND IS BETTER

Improved After Illness He Has Suffered the Last

LAKEWOOD, N. J., April 2-Mrs. Grover Cleveland, when asked today concerning a being at once announced. Richmond was report that Mr. Cleveland was seriously ill,

> "Mr Cleveland has been ill during the he was going through here Tuesday he last week, but is much better and hopes in a few days to be quite himself."

#### NEW LAW IS NEEDED Department of Agriculture Completes

President Sends Special Message to Congress on Anarchy.

WASHINGTON, April 9.-(Special Telegram.)-The Department of Agriculture has HE COUNSELS IMMEDIATE ACTION ssued an interesting bulletin on the result

braska. This survey was started through Papers Advocating Arson and Murder the persistent efforts of Senator Burkett, commenced two years ago, and is nov to Be Kept from Mails. complete and in published form. The

pamphlet contain twenty-four pages and a OPINION OF MR. BONAPARTE

tional clerks have been allowed on the Executive Transmits Discussion of

Legal Phases of Question. Water is now ready on a portion of the outh side canal north of the river, as FEDERAL STATUTE IS NECESSARY

Fourche irrigation project in South Dakota Seditions Libel is Not New an or 12,000 acres of land. It is believed that Offense Against United States, about 4,000 acres will be put in crops under but Should Be Made So by Congress.

WASHINGTON, April 2 .- In one of the shortest messages which he has yet supply for all land that will be put in transmitted to congress, President Roosevelt today called the attention of that body to the necessity for further legislation on ounty, Neb., now superintendent of schools | the subject of anarchy. With the message n the Philippines, is in Washington to he transmitted a report reviewing the legal consult with the Civil Service commission phases of the question by Attorney Genas to securing the services of some 250 eral Bonaparte.

chool teachers for the Islands. The Civil The message of the president is as fol-Service commission, it is understood, say lows: they have an eligible list of more than "To the Senate and House of Representa-

the number of teachers needed to teach | tives: "I herewith submit a letter from the Department of Justice which explains itself. Under this opinion, I hold that existing statutes give to the president the power to prohibit the postmaster general from being used as an instrument in the con mission of crime; that is, to prohibit the use of the mails for the advocacy of murder, arson and treason, and I shall act upon such construction. Unquestionably, however, there should be further legisla-

tion by congress in this matter, "When compared with the suppression of anarchy, every other question sinks into insignificance. The anarchist is the enemy of humanity, the enemy of all mankind, and his is a deeper degree of oriminality than any other. No immigrant is allowed W. W. Brown of Waterleo, Ia., has been to come to our shores if he is an anarchist, and no paper published here or abroad should be permitted circulation in ablished June 1 at Columbia, Brown this country if it propagates anarchistic

> opinions. THEODORE ROOSEVELT. "The White House, April 9, 1906."

One Anarchist Paper. Besides his direction to the postmaster general to exclude from the mails such publications as La Questione Sectale, President Roosevelt in his letter to Attorney Just what will be the final disposition General Bonaparte, asking for an epinion of the water works since the United States on the legal phases of the subject, says he court of appeals has decided that the ap- has had the particular case called to the praisement of the property was just is still attention of the governor of New Jersey somewhat in doubt and opinions differ as by Secretary Root, that the governor may

to whether the city has the right to appeal proceed under the state laws. still further or whether it is bound to buy The opinion of the attorney general, the waterworks at the price which the which the president transmits to congress. appraisers but upon the property and the embraces a discussion of the whole subject price at which it was tendered to the from many legal angles. His first conmayor and city council. There is even a clusion is that the article in question worse possibility, namely, that the city which advocates the use of arms and dynawill have to pay interest on the sum from the time the property was offered to the that anarchy may prevail, constitutes : city by the water work's attorneys, "seditious libel" and is "undoubtedly a crime at common law." He declares that Asked If the city will appeal from the there is no federal statute which makes decision of the United States circuit court such publications an offense against the of appeals. John L. Wester, special at-United States and the federal courts co. atorney for the city in the case, said: "I sequently have no jurisdiction in the mathave not decided yet just what we shall do. ter. That there is full power in the poswill not know for ten days whether we session of congress to make such publication criminal, the attorney general asserts, Carl C. Wright, also representing the and quotes Chief Justice Fuller of the supreme court, and Mr. Justice Field as

authority. The greater portion of his opinion is devoted to the question of whether in the absence of any legislation by congress the postmaster general has the right to exclude such publications.

Exclusion from Mails. On this point his conclusion is:

settle. The Water company did not bring "The postmaster general will be justified in excluding from the mails any issue any periodical, otherwise antitled to the everywhere along the line. I cannot see privileges of second class mail matter. where the city will gain anything by going which shall contain any article constituting to the supreme court. I have not seen the a seditious libel and counseling such crimes complete decision, but my understanding as murder, arson, riot and treason."

of it is about as stated in the telegram In arriving at the latter conclusion, the from Clerk Jordan. I would infer that the attorney general makes a clear distinction city might have to pay interest on the amount of the appraisoment at 7 per cent with reference to the authority of the postal officials over sealed and unscaled from the date that President Woodbury mail matter. In conveying letters and and myself made the formal tender of the newspapers to persons to whom they are property under appraisement to the mayor directed, he says, the United States "unand city water board. That was on July dertakes the business of a messenger," He

"In so far as it conveys scaled docu ments, its agents not only are not bound to know, but are expressly forbidden to ascertain what the purport of such messages may be; therefore, neither the government nor its officers can be held either legally or morally responsible for the nagram.)-The Fremont School board held a ture of the letters to which they thus, in special meeting this morning and elected intentional ignorance, afford transports, Principal A. H. Waterhouse of Omaha tion. But in the case of printed matter, superintendent of the city schools for a intended for general circulation, and which, period of three years at a salary of \$2,500. by virtue of the statutes above mention Mr. Waterhouse was present and signed and in consideration of the reduced ratthe contract. He will move here as soon at which it is transported, the officers of as the school year closes in Omaha, in the Postoffice department have the legal order to familiarize himself with the local right to thoroughly inspect, it seems obneeds and conditions. The board was vious that neither of these officers, nor the government which employs them, can escape responsibility for the consequences if they knowingly transmit matter which comes, and which they must know might reasonably be expected to become a cause of crime."

## BULGARIANS SEEKING RELIEF Former Foot Ball Player on Chicago

Eleven Calls Attention to CHICAGO, April 2 - A foot ball player of the University of Chicago is chief of the hungry Bulgarians who marched on the

city hall here yesterday. Investigation reveals that Ivan Doseff, a graduate of the university, is the instigator of the plan to march on the city hall Doneff, who is a Bulgarian and last year played left tackle on the Chicago foot hall eleven, says he sent the mob to the city hall in order to "call public attention to the distressing condition of his country

Doseff said presponsible Bulgarian Cemployment agents' and steamship ticket agents are responsible for bringing the men over from the old country. More than children dependent upon them in Bulgaria. Several of them mortgaged their small properties to get money for their passage. been accepted. The original plan was that Dozeff said he will visit the immigration Mr. Bryan would be here April 24, but as officers today to see if some of the men concluded to stop over and deliver his can be sent back to their homes in Bul-