

## LAST FROM SHELDON

Retiring Governor Shields Lawmakers in Leg. Assembly.

FAVORS STRINGENT OR LAW Prohibition, to Be in Three-Fifths Vote in

WOULD REGULATE MESSAGES

Drastic Measures for Delinquents is Also Advocated.

EQUALIZATION BOARD DEFENDED

Practical Wiping Out of State Debt Through One-Mill Levy and Saving from General Fund Taxes.

LINCOLN, Neb., Jan. 7.—(Special.)—Governor Sheldon's farewell message read to the legislature today was a lengthy document, covering many subjects of state policy and legislation. Chief among the topics touched on which will attract more than ordinary attention are his recommendations relating to taxation, the revision of the state primary law and to liquor legislation. The portions of his message on these topics are quoted in full below. Other recommendations and comments he makes are as follows:

The governor is given discretion to refuse to review applications for pardon or commutation of sentence.

That an indeterminate sentence law be passed by the legislature and a board of pardons be established by an amendment to the constitution.

That a plant be established at the penitentiary to manufacture goods used by the various state institutions.

That the state institutions are in good condition and great improvements have been made during the last few years.

That the state carry its own insurance wherever suitable fire protection has been provided.

Commends National Guard.

Commending the National Guard as deserving of the most loyal support by the citizens of the state.

Deplores that there are not better militia companies in Lincoln and Omaha and pointing out lack of means is the cause of inefficiency.

That the state build armories in those cities which are maintaining militia companies.

That officers of militia companies be appointed by the governor after a competitive examination.

Calling attention to the fact he has appointed a commission on the conservation of natural resources, to serve without pay and to report by the end of the year.

That the legislature make provision so that Nebraska can be represented at the Alaska-Tukon exposition.

That the state fair grounds be equipped as speedily as possible with permanent buildings.

Commending the National Corn exposition as a credit to the commonwealth and praising the Nebraska exhibits.

Reporting that the silver service donated by the state to the Baltimore Nebraska had been presented at San Francisco June 2.

Recommending the legislature appropriate \$15,000 to apply on the payment of a monument to Abraham Lincoln on the capitol grounds.

Calling attention to the necessity of repairing and improving some portions of the capitol, more particularly the basement.

Concurrence in the recommendation of the state veterinarian that a live stock sanitary commission be established.

Recommending an appropriation sufficient to enable the state veterinarian to maintain a live stock quarantine where needed.

Favoring an appropriation to enable the experiment station to make investigations for the cure and prevention of hog cholera.

Favoring means be provided for the establishment of a bacteriological laboratory.

Public Education.

Recommending liberal appropriations for the training of teachers in the State university and normal schools.

Favoring an appropriation of at least \$20,000 to further junior normal work.

Favoring an appropriation to assist weak school districts.

Directing attention to the fact that the increased valuation of assessment property will care for the normal growth of the State university and for the payment of increasing the salaries of some professors.

Favoring an increase in the size of the university campus so that an athletic field and a place for cadets to drill can be provided.

Favoring appropriation for agricultural experiment work.

The establishment of additional experiment stations, one in the extreme western part of the state and another in the irrigated section.

That in grazing counties the county board or the people might require that crop land be fenced instead of grazing lands.

The December report of State Treasurer Brian shows \$411,086.73 on deposit in eighty-eight banks. During the last biennium there were no losses on state funds, but instead an increase on account of the treasurer requiring depositors to pay 2 per cent interest of 2 per cent interest.

Reduction in State Debt.

There was a greater reduction in the state debt during the last biennium than ever before. On November 30, 1906, there were warrants outstanding against the general fund amounting to \$1,916,671.13. On November 30, 1908, this had been reduced to \$708,557.72. The reduction in 1907 amounted to \$311,666.66, and in 1908 the reduction was \$262,622.80, making a total reduction of \$574,289.46.

The 1908 levy, provided by law to reimburse the debt, produced during the biennium, \$465,123.28. Therefore, the levy which was made for the general fund produced \$11,916.74 more than was necessary for the general expense of the state government, and that amount was applied on the payment of the debt. The levy for general purposes during the biennium was 8 mills, the same as in previous years.

Calling attention to the report of the commissioner of public lands and buildings to the effect the permanent school fund should be reimbursed \$285,387.50 and showing there is in all about \$8,260,000 of trust funds in the permanent school fund.

Recommending a change in the law for the securing of public funds, so that first mortgages on real estate may be used as security of equal value may be so used as security.

New Savings Bank Law.

Calling attention to the need in this state for a law that encourages the establishment of private savings banks. The conditions are such in most of the smaller towns of the state that a savings bank of itself will not pay, and consequently none

## SUMMARY OF THE BEE

Friday, January 8, 1909.

1909 JANUARY 1909

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**THE WEATHER.**  
FOR OMAHA, COUNCIL BLUFFS AND VICINITY—Snow flurries Friday, with light temperature.  
FOR NEBRASKA—Snow flurries Friday, with rising temperature.  
FOR IOWA—Snow flurries Friday, with rising temperature.  
Temperature at Omaha yesterday: High, 5; low, 0.

**DOUBTED.**  
Governor Shallenberger takes oath of office before a large crowd of spectators and he and retiring Governor Sheldon read their messages to the legislature.

Governor Sheldon in his message to the legislature advocates state-wide prohibition with suspension clause, favors physical examination of candidates for matrimony and reviews condition of state affairs.

Governor Shallenberger advocates bank guaranty law with a fund created by tax of 1/4 of 1 per cent on capital stock of banks.

Farmer faction in the senate win a victory when the senate committee report on banking committee of senate is adopted.

Governor Folk of Missouri in his message to the legislature advocates state commission on waterways and forest preservation.

American relief party leaves Rome for earthquake stricken regions.

Senator Culberson in an extended speech in the senate said the president's action in Steel trust merger was arbitrary and lawless.

Papers sent to the senate by the president show that secret service agents investigated Senator Tillman's alleged connection with certain Oregon land deals.

House committee today will recommend to the president's message on secret service, details be laid on the table as unresponsive and disrespectful.

Colonel James H. Pratt brings suit to have the home which he deeded to his wife, who sued for divorce, deeded back to him.

Coviction of Thomas O'Brien for counterfeiting bank notes a legal precedent.

Moving picture films in Karbach block start a fire which does \$10,000 worth of damage, mostly to picture films.

Omaha men express views regarding Governor Sheldon's recommendations for the treatment of delinquents.

**COMMERCE AND INDUSTRIAL.**  
Live stock markets.  
Grain markets.  
Cattle and hogs.

**MOVEMENTS OF OCEAN STEAMSHIPS.**  
Left Arrived.  
NEW YORK.....Lansing.....Hamburg  
NEW YORK.....Lansing.....Lansing  
NEW YORK.....Lansing.....Lansing  
NEW YORK.....Lansing.....Lansing  
NEW YORK.....Lansing.....Lansing  
NEW YORK.....Lansing.....Lansing

## GRAIN DEALERS STATE WANTS

E. J. McVeen of Omaha Delivers an Address at Meeting of Association.

FORT DODGE, Ia., Jan. 7.—(Special Telegram.)—The Western Grain Dealers association met in session at Fort Dodge today. It heard exhaustive talks by President Lincoln of the National Grain Traffic League and E. J. Vann of Omaha on rate legislation and about the uniform bill of lading, now pending. Resolutions were adopted and many committees appointed.

It was resolved to oppose freight rate legislation and the bill about erroneous quotations by station agents, allowing no recourse to the shipper. Also to introduce a bill specifying the right of the shipper to route freight and a third bill giving the commission power to suspend tariffs before effective on a prima facie showing that tariffs are unreasonable.

A resolution in reference to the objectionable conditions of the uniform bill of lading concerning shrinkage allowance for loss in transit and the 10 per cent additional rate charged by railroads when assuming common law liability was adopted.

A resolution to try for an amicable agreement with the railroad companies about the rental of station grounds for elevator sites at a nominal rental, now being denied by many companies.

## GRAND ISLAND BANK SOLD

Commercial State Bought by M. Dowling of Omaha and E. Williams of Fremont.

The Commercial State bank of Grand Island has been sold by H. B. Stewart of Chariton and E. J. Clayton of Indiana, Ia., to Michael Dowling, 1222 South Thirty-first street, Omaha, and E. Williams of Fremont. The sale was negotiated by F. L. Harper, a real estate man of Wallace, Neb., and a relative of the former stockholders of the bank.

The bank's stock is valued at \$50,000 and its surplus amounts nearly to \$20,000. Harry Dowling, son of Michael Dowling, and E. Williams will go to Grand Island to assume the management of the bank. Mr. Dowling, following so closely upon the heels of L. M. Tallmage, formerly of the United States National bank, is the second Omaha man to go to a Grand Island bank within a month or so.

## NIGHT RIDERS FOUND GUILTY

Six Are Convicted of Murder in the First Degree and Two in Second Degree.

UNION CITY, Tenn., Jan. 7.—The verdict of the jury in the night rider case finds six men guilty of murder in the first degree, with mitigating circumstances. Bob Hoffman and Bud Morris are found guilty of murder in the second degree.

## SENATOR TILLMAN SHADOWED

Secret Service Men Look Into His Connection with Land Deals.

### EVIDENCE GOES TO SENATE

It is Now in Hands of Committee on Appropriations—South Carolina Dealer Any Wrongdoing.

WASHINGTON, Jan. 7.—By direction of President Roosevelt, secret service men shadowed Senator Tillman of South Carolina, on the theory that he possibly was interested in an "Oregon land grab," and the result of that investigation is before the senate. The information was contained in a communication from President Roosevelt in response to a request made by Senator Hale for a statement of the activities of secret service operatives. Exhaustive replies were made by the various departments and all these were forwarded to Senator Hale by the president. They have not been made public and Senator Hale announced that they would not be given out until they had been considered by the subcommittee on appropriations, which will be charged with the duty of acting on that part of the president's annual message relating to the secret service and criticizing congressmen for restricting its use.

Soon after President Roosevelt's communication to the senate was received at the capital, it was said it contained a reflection on a senator from a southern state. The name of the senator was not divulged for a time and as a result the senate was surcharged with curiosity and much speculation. When it finally became known that Senator Tillman was the member named, further efforts to press legislation concerning the character of the charges were made, but they were without avail.

**Origin of Charges.**  
Through the fact that several senators had advance information of the character of the report, it was learned that the investigation of Senator Tillman followed an attack he made in the senate nearly a year ago on an Oregon and company which had used his name as one of the persons interested in the concern. Previous to that attack Senator Tillman had introduced a resolution directing the attorney general to prosecute suits against an Oregon railroad corporation, which had received land grants for a line from California to Portland, Ore. Mr. Tillman had said the use of his name was without authority, and as a result it is declared that several persons interested in the land grants became angered.

**Letters from Mr. Tillman.**  
Some of the interested parties are reported to have sent to President Roosevelt copies of letters which they have written by Senator Tillman, alleging that he had either an interest in one of the land companies or would be benefited through land companies obtaining possession of the grants in question. After receiving this information, it is said, the president directed a secret service operative to investigate the part Senator Tillman was alleged to have in the land cases.

The report is understood to contain an account of the investigation. It is known that the secret service men photographed copies of Senator Tillman's correspondence, but whether these exhibits were sent to Senator Hale is not known.

Senator Tillman was not aware of the fact that his name figured in the reports until late in the year. He then informed himself that the reports were well founded, but said he would not make any statement until the fact of the use of his name had been officially promulgated, when he would discuss the matter in the senate. It is known, however, that Mr. Tillman regards the mention of his name as an attack on himself by the president and he has indicated to friends that he will not mince matters in his reply. He also has declared to those with whom he conversed that he would welcome the report as it would show his views and explain the situation. Senator Hale probably will lay the entire matter before the committee on appropriations and in that event it is probable Mr. Tillman will be heard on Monday.

**Tillman Denies Charges.**  
On February 13, 1908, Senator Tillman rose in the senate to a question of personal privilege and said that his attention had been called to a scheme of swindling, in which his name had been used rather unpleasantly and without the slightest warrant. The senator, held in his hand a circular headed: "How to make \$5,000 out of \$200."

This circular called attention to certain land grants in Oregon and to the activity of Senator Tillman in having the senate investigate them. It stated that "Senator Tillman takes eleven quarters" and that the lawsuits be instituted in order to recover these lands were promised to be pressed with great vigor because Senator Tillman was behind them.

Commenting on this situation Senator Tillman at that time said:

"As a matter of fact, I have not bought any lands anywhere in the west, nor undertaken to buy any. I have made some inquiries, as one naturally would, in roaming through the west. I simply want the people of the country to be made aware that this swindler at Portland has no warrant whatever for endeavoring to inveigle others into his game."

Senator Tillman said here that he had asked the Post-office department to take cognizance of the circular. In the debate that followed an order to print the circular in the Congressional Record it was brought out that the name of the company issuing the circular was "The St. Paul and Pacific Timber Syndicate, 335 Chamber of Commerce building, Portland, Ore."

Senator Fulton said he had read the circular and that the scheme very evidently is "for the company issuing the circular to accumulate a large sum of money by dupes throughout the country sending it to them."

## CANNOT ATTEND IOWA DINNER

African Trip Will Prevent President from Accepting Döllinger's Invitation.

WASHINGTON, Jan. 7.—Senator Döllinger today invited President Roosevelt to attend the dinner of the Iowa society in New York, March 13. The president said that he regretted he could not go, the date being too near his African trip.

## Democrats Fare Well

PIERRE, S. D., Jan. 7.—(Special Telegram.)—The democrats of the legislature, while few in number, are not complaining over their committee assignments, and for the first time, under republican organization of the house they have been given a chairmanship, that honor going to Hale of Omaha, on the manufacturers' committee.

## GENERAL DEBATE ON DISTRICT OF COLUMBIA BILL

WASHINGTON, Jan. 7.—Although technically under consideration in the house of representatives today the District of Columbia appropriation bill was sidetracked while the members indulged in general debate. This took a wide range, the proceedings opening with a defense of the rules of the house.

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Committee Finds President's Reply Disrespectful and Unresponsive.

## INVASION OF HOUSE PRIVILEGES

It is Also Charged that the Executive Questions the Motives and Intelligence of Representatives.

WASHINGTON, Jan. 7.—As disrespectful and unresponsive to the inquiry of the house the Perkins committee will recommend tomorrow that President Roosevelt's secret service message of January 4 be laid on the table. A similar request will be made for the tabling of that portion of the president's annual message relating to the secret service where it reflects on the integrity of the house.



From the Cleveland Plain Dealer.

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The unusual and extreme course advised by the committee, that of declining to consider any communication which in the judgment of the house is not respectful to the house as a reflection on its members, of the committee will make the paragraph of the message which refers to the secret service and suggests that the reason congress restricted its use was because members of congress themselves did not wish to be investigated.

This will be followed by an excerpt from the message of January 4 in respect to the requests made by the president for an explanation of the language used by the language in the report of the house.

The report of the committee will say that the language itself will be judged according to the accepted interpretation of the English language.

That the house is charged only with its responsibility to the people and to preserve its own dignity will be asserted with great force in the report of the house.

It will be asserted that the language was unjustified and without basis of fact and that it constituted a breach of the privilege of the house. For that reason the special committee will ask to be discharged from further consideration of that portion of the president's message which refers to the secret service and will recommend that it, together with the subsequent message of the president in reply to the house demand for an explanation, be laid upon the table as being unresponsive and constituting an invasion of the privileges of the house by questioning the motives and intelligence of members.

## PROCEEDINGS OF THE SENATE

**Culberson Replies to President's Message Regarding Steel Trust.**  
WASHINGTON, Jan. 7.—Characterizing the action of the president in directing the attorney general not to prosecute the United States Steel corporation for its absorption of the Tennessee Coal and Iron company as "another arbitrary and lawless act of the chief magistrate," Senator Culberson introduced a resolution in the senate instructing the committee on judiciary to report as early as practicable whether in the opinion of the committee the president was authorized to permit such absorption.

Mr. Culberson at considerable length criticized the president and insisted that congress had the right to give directions to a head of an executive department under certain conditions.

Senator Hopkins declared that the Texas senator was not properly representing the president and said that Mr. Roosevelt had not approved the action of the Steel corporation, but that he had "mercifully not felt his duty to oppose such action."

Senator Foraker gave notice that he would speak on the Brownsville affair next Monday, when he said he would ask to make his bill for the relief of the soldiers of the Twenty-fifth regiment the unfinished business of the senate.

An amendment was today reported to the senate from the committee on finance providing for an increase of the salary of the president to \$100,000 and of the salary of the vice president and the speaker of the house of representatives to \$30,000 each.

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## SHALLENBERGER'S MESSAGE

In his message to the legislature Governor Shallenberger felicitates the legislators on the fact, while he was elected by a modest plurality, the legislature is overwhelmingly democratic; suggests improvement of the banking laws; proposes a guaranty deposit system maintaining a guaranty fund raised by levying a tax of one-fourth of 1 per cent on the capital stock of each bank and largely under the control of the bankers; recommends an amendment of the revenue law and the election of precinct assessors; endorses home rule for Omaha and South Omaha; suggests the amendment or repeal of the present primary law; proposes to put fee officers on salaries and urges caution in regard to appropriations.

The full text of the message will be found on page 7.

## ERB CASE ENDS IN ACQUITTAL

Sisters Charged with Murder Embroil Each Other When Verdict is Read.

MEDIA, Pa., Jan. 7.—Mrs. M. Florence Erb, wife of Captain J. Clayton Erb, who was well known in political circles all over Pennsylvania, and her sister, Mrs. Catherine Beisel, who were charged with the sensational murder of Captain Erb on the night of October 5, 1908, today walked from the Delaware county court house, free women. After the jury had been out nearly eighteen hours it brought in a verdict of not guilty, in the case of each woman, both of whom had been charged separately and jointly with shooting the captain. Thus ends a trial that has held the interest of the people of the state for more than a week, during which much scandalous evidence was brought out, some of which did not reach the reading public.

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## STOECKER IN LIMELIGHT

Late Candidate for Speaker Objects to Being Sponsor for Employee.

PULLS OUT BOLAND'S CHESTNUTS

Discovers the Trick Too Late and Zellers is Charged Up to Stoecker on the Patrons' Books.

(From a Staff Correspondent.)  
LINCOLN, Jan. 7.—(Special Telegram.)—The Douglas delegation in the house again enlivened the proceedings this morning and kept the members from growing stale. Stoecker was the hero. The house was up against the proposition of voting on the employees selected in caucus last night.

"If that Zellers is charged up to me I won't stand for him"—Zellers was chosen timekeeper last night—said Stoecker as his face went white.

Jeremiah Howard and Connelly both caught at the coat-tails of the late Stoecker and tried to pull him down into his seat.

"No, sir," vehemently continued Stoecker. "He is not my man. I will not stand for him. He is Boland's man. If he is to be charged up to me I won't withdraw his name."

Then Taylor of Custer, who took Ransom's measure yesterday, came to the front.

"You can't do that," he said. "The matter was settled in caucus. That was the place to make your fight."

"Well, I withdraw my motion," said Stoecker.

Then Connelly came near whipping Jeremiah Howard because Connelly had told him how it happened that Stoecker got around wrong side up. But here is that story which Jeremiah was not permitted to tell.

At the caucus last night Stoecker was given a certified copy of the election returns to nominate Zellers and the delegation would back him up. Stoecker did so. So Zellers appears as "Stoecker's man" when he really is, just as Stoecker said, "Boland's."

Aside from the Stoecker incident there was nothing doing in the house save the selection of committees to arrange for the joint session. The house adjourned until 2:30 Monday afternoon, though caucus or two will be held in the meantime.

## NEW TACK TAKEN ON JUDGES

Senate Orders Secretary of State to Furnish Certified Returns.

(From a Staff Correspondent.)  
LINCOLN, Jan. 7.—(Special Telegram.)—By a strict party vote the senate tonight, after the inaugural ceremonies, ordered the secretary of state to furnish them with a certified copy of the election returns cast on the two constitutional amendments in November. Earlier in the day a similar motion by Ransom of Douglas was not acted upon and an appeal from the decision of the chair in ruling it out of order was sustained.

This puts it up to the secretary of state whether he will obey the senate and probably raises a technically different question than the one of handing over the original returns. If the senate secures the certified copy, it evidently is the intention to have the legislature canvass the vote on this authority and proceed with the effort, in which Governor Shallenberger concurs, to name four new judges.

By this method it would be possible to test their right to sit, by a quo warranto suit—the plan most favored by the democratic counselors.

## FOLK FOR STATE COMMISSION

Propose Boards on Waterway Improvements and Conservation of Forests.

JEFFERSON CITY, Mo., Jan. 7.—The appointment of state commissioners to advise and devise measures for conservation of the forests of the state was a leading recommendation in the message which Governor Folk sent to the legislature today.

"With the Mississippi deepened and the Missouri improved, the commercial advantages to the state would be incalculable," the message read, and the governor added:

"If the federal government should fall in its duty in this regard, the commission will devise some plan whereby, with the consent of the federal government, the state can improve the waterways by the sale of the water power."