OMAHA, SUNDAY MONTH VG, JANUARY 10, 1909-FIVE SECTIONS-THIRTY PAGES.

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RELIEF FOR IRELAND SUMMARY OF THE BEE HARRIMAN

British Parliament Passes Two First-Class Measures.

MUST NOW BE WORKED OUT Benefits Depend on Way in Which

They Are Applied.

NEW SCHOOLS ARE ALLOWED

One Dominated by Catholics and One by Presbyterians.

ACT IS VALUABLE HOUSING Gives Power to Build Workmen's Dwellings by Taxation, Rentals to Recoup for Expendi-

ture Ouly.

DUBLIN, Jan. 9 .- (Special.) - Now that Parliament has risen, it is possible to take stock of what Ireland has gained this session. Two distinctively Irlsh measures of the first class have been passed into law and it remains with the Irish people to determine by their administration how useful they will prove from a national point of view. The greatest, of course, is forever the injustice worked to the youth ing in the west. of Ireland by the fact that her only university, Trinity college, Dublin, was in the ture to refund to the state of North Carhands of the Anglican church authorities, olina the amount recovered on bond suit. The two new universities are nominally unsectarian, but the National university of been elected chancellor, will be under gate secret service work in all depart-Queen's university at Belfast will be three great religious denominations in ent congress.

Ireland are placed on an equal footing. The great question which is now being discussed is the compulsory teaching of Irish in the new universities and I am sorry to say that there is a good deal of bitterness displayed on the question. European scholars cannot understand how the universities can be described as Irish, if the national language is neglected, but there to teach Irish would in some way lower seat of the controversy. There is now little its introduction at Dublin.

Housing Act Beneficial. The other first-class Irish measure is the Irish bousing act, which may be made

state of land tenure in Ireland, would do now up to the governor. much to improve it. The new act gives Uncle Billy Snowden, the first power to the local authorities to raise settler in Omaha, dies of old age. money by taxation for the erection of workingmen's dwellings, which shall be let at rents sufficient only to recoup the expenditure.

Some minor measures have also been passed, but the great measure for which Irishmen have been working and looking for generations-home rule-seems as far off as ever. The liberals have been strangely silent about it recently, and it is feared that they will forget their promise to make it a plank in the liberal platform at the next general election, as their war on the House of Lords and the fiscal controversy, will give them an excuse for saying that "minor issues"-like home rule

must wait. More Pay for Constabulary.

The constabulary act, which has also been passed, is a measure which will benefit the rank and file of the police force but it will cost the Irish taxpayers \$50,000 NEW YORK ... Batavia.... a year, and complaint is justly made that more than this could have been saved if the increase of pay to the men had been coupled with a reorganization of the commissioned ranks. The fact is that the ordinary policemen in the Royal Irish concrorworked, while the officers are underworked and overpaid. The force has been rduced three or four times, but the numher of officers has remained the same. the only result of the reductions being that each officer retained a smaller command, with less work, at the same pay, Each commissioned officer receives an allowance of \$200 a year for a horse and \$225 year for a groom, whereas not more than half of them need a horse more than half a dozen times in the year. There are very few grooms in Ireland either who are receiving more than \$75 a year. It is estimated that the cost of command in each county in Ireland works out at about \$20 .-000, and that the work could be done just as well for half the sum.

Women Paupers Fight for Eggs. County Clare, is nursing several injuries man. which he received a few days ago in an engounter with a band of mutinous women the pantry, where they found the master, throw crockery and kitchen ware at him. and only stopped when there was nothing left to throw. Three of the ring leaders were brought before the magistrates later in the day, and although they complained that they were treated like "black slaves" in the workhouse, they were sent to jail for two months.

Oldest Map in Donegal. The mantle of Charles Kelly, the oldest man in Donegal, who died a few days ago at the age of 111, has failen on Bryan O'Donnell, who lives in the parish of Inveras did Kelly. Bryan is 107 years old and as keen a patriot as was Kelly. He has never been known to wear any garb but the Irish kilt, and he does not understand a word of English. He is still very active and walks four miles to mass every Sunday. He is immensely proud of telling of his former prowress with the blackthorn, and when I called on him a few days ago during a trip through Donegal, he told me SIX NIGHT RIDERS TO HANG with great pride of the great battle be tween the parishes of Inver and Glenties in which he took part nearly ninety years ago. The inver men were getting the best of it, but the women of Gienties filled their stockings with stones and came to the rescue of their men. These amazons | Pebruary 19. Two were given twenty-year fought so effectively with their novel sentences in the penitentiary. weapone that the men of Inver were glad

(Continued on Second Page.)

Sunday, January 10, 1909.

1909 JANUARY 1909

SUN MON TUE WED THU FRI SAT

3 4 5 6 7 8 9

10 11 12 13 14 15 16

17 18 19 20 21 22 23

3 25 26 27 28 29 30

THE WEATHER.

DOMESTIC.

feud.

county delegation.

Live stock markets.

Grain markets.

LIVERPOOL

NAPLES ..

COTTERDAM ... Nordam.

is a simple fake.

Stocks and bonds

Harriman secures control of the New

NEBRASKA.

The democratic majority of the Ne-

LOCAL.

Deings of the Omaha society world.

COMMERCIAL AND INDUSTRIAL.

COMIC SECTION.

HALF-TONE SECTION.

Sailed.

Corsican.

Ruffles becomes popular in Paris.

Louisiana

Report Magnate is Sick is Flatly

Contradicted at Union Pacific

Offices.

lot-End of Factionalism

Predicted.

Judge Pronounces Sentence and De-

fense Appeals to Supreme

Court.

The attorneys for the defense immediately

gave notice of an appeal to the state su-

eral progressive candidates.

7 a. m.....

FOR NEBRASKA—Snew Sunday, FOR IOWA—Snew Sunday, Temperature at Omaha yesterday;

Gains Control of New York Central, Completing Span of Continent.

LINE FROM ATLANTIC TO PACIFIC

News Comes Direct Through Private Chanels from Metropolis.

CULMINATION OF PLAN OF YEARS

FOR OMAHA, COUNCIL BLUFFS AND Effective Retaliation for Hill's Ac-

quisition of Colorado Road.

INSURES BIG BUILDING IN WEST

Harriman Displayed His Authority When President Newman Resigned by Deliberately Naming W. C. Brown.

If James J. Hill secured an advantage over E. H. Harriman when he acquired the Colorado & Southern Mr. Harriman has retaliated with overwhelming effect by obtaining control of the New York Central.

The fact that Harriman has gained possession of this powerful factor in the York Central, completing his chain of railroads from the Atlantic to the Pa- railroad world is conveyed to Omaha the Irish Universities act which removes cific and insuring vast campaign of build- through channels of information from New I, Page 1 York whose reliability cannot be ques-Bill introduced in South Dakota legisla- tioned.

When the Central stocks began to shoot upward a few days ago a rumor quietly I, Page 1 gained currency that Harriman had landed The house of representatives yesterday the road and the information which The Dublin, of which Archbishop Walsh has appointed a special committee to investi- Bee has been given confirms that rumor. This gives Harriman a complete line of Roman Catholic influence, and the new ments of the government. I, Page 1 the finest tracks in the world from At-Advocates of general waterways appro- lantic to Pacific and marks the culminadominated by the Presbyterians. Thus the printions will push measure before pres- tion of plans he is said to have set on I, Page 2 foot when he ascended to the control of One girl killed and five other persons the Pacific lines.

When the resignation of William H. Newinjured is the result of a street fight at Williamstown, Ky., growing out of a man as president of the New York Central I, Page 3 lines was announced rumors were strong that Harriman had secured control and since that time these rumors have been braska legislature is backing away from verified. In the first place Harriman told the proposition to canvass the vote on W. C. Brown, then vice president, that the supreme court amendment, for the purpose of ousting Governor Sheldon's Central and had several conferences with seem to be some Irishmen who think that appointees. Bryan is thought to have in- Mr. Brown before he was elected. It is spired this change in plans. Attorney also known by Omaha men that Mr. Harthe educational standing of the universi- General Thompson has furnished an opin- riman for the last two months has been ties. Strangely enough the institution at ion upholding the State Canvassing board acting as chairman of the executive com-Dublin which has taken to itself the name in its right to canvass the vote on the mittee of the Central and that no move national, seems to have become the chief amendment.

I, Page 1 has been made without his sanction. This Report of house committee on commitdoubt that Irish will be taught at Belfast, tees, which has been completed, will be a those who are in a position to know, for but there is still considerable doubt about blow to Speaker Pool and the Douglas they have been getting their orders from I, Page 1 Mr. Harriman.

Harriman's Dream of Years.

It is no secret that it has been the II, Page 2 dream of Mr. Harriman for years to have housing of the Irish working class in the past has been a scandal, and it has been too much to expect that landlords or sloners send resignations. In the local authorities. The ers.

Members Cowell and Kennedy of the landic to the Pacific, and with the New York Central added to his holdings, which to expect that landlords or sloners send resignations. too much to expect that landlords or sioners send resignations to Governor tenant farmers, in the present unsettled Shallenberger, and the reorganization is

I, Page 4 this dream. The New York Central with its four Uncle Billy Snowden, the first white rails from New York to Buffulo and its splendid road on to Chicago, the Northwestern with its double tracks from Chi-II. Page 9 II, Page 9 Buster and Tige get uncle into a coast-

ing match. Page for the little folks. tinent. As soon as the resignation of Mr. Newman Gosatp about the women folks. Fluffy Four Pages tractive in Nebraska. New movements lines include about 12,000 miles of rail and five to be named by the speaker. Tomorthat have taken hold of Japan. Experisone of the finest equipment in the countrow's session will be devoted to memorial life-saving apparatus for try, and to be linked with the big Harriman miners Building the greatest sewer in systems of the west was enough to force Vermont. the west to drain a portion of Omaha. up the stocks. The acquisition of the New Short stories from the story tellers' pack. York Central gives Harriman dominating with its action of yesterday in rebuking

MOVEMENTS OF OCEAN STEAMSRIPS, road. Wanted the C. & S. Railroad activity in the west is now as

sured. There is no doubt that Harriman wanted to buy the Colorado & Southern, but the price was a little more than he thought was right, and while he was jocklying for an opening Mr. Hill stepped in and secured the prize. This is not to the stabulary are wretchedly underpaid and FAKE-HARRIMAN IS NOT ILL liking of Mr. Harriman and it is rumored that he will start a campaign of building in the spring the like of which the west has never seen. He is practically forced to make some strenuous moves to counteract "Mr. Harriman is not 'a very sick man.' the advantage gained by Hill.

Before the financial troubles came in Oc-I have not been in conference with the Harriman home by wire. The whole report tober, 1907, Mr. Harriman had announced several lines of road which he expected to This statement was made to The Bee build and had also said it would be his pollast evening by A. L. Mohler, vice preside to provide some good feeders for the dent of the Union Pacific. Mr. Mohler Union Pacific, which is now a big main was prompted to make the statement be- artery from the Pacific coast to Omaha. cause of a story in a local evening sheet That he intends to carry out this policy in saying it was rumored around Union Pa- the spring and to renew his activity in railcific headquarters that Mr. Harriman was roud building is now regarded as an assured

very ill and that Mr. Mohler had spent fact. Several of the enterprises which had been "the last two evenings" in conference with the Harriman home. From this false started before the panic were stopped along premise was deducted the false conclusion with all other new work, but two of these The master of the workhouse at Kilrush, that Mr. Harriman must be a very sick have been taken up and practically completed. The Lane cut-off was stopped, but Mr. Mohler was not in Omaha "the last this work was quietly resumed and is now two evenings" in the first place. He has nearing completion. Trains have been runpuppers. The women decided to go on been out of the city and says he has not ning over the cut-off for several months, strike one morning because they had not been conferring with Mr. Harriman or his but some of the overhead crossings yet reggs for breakfast, and they marched to home. He nor anyone else around Union main to be completed. Work on the Carr-Pacific headquarters has any information Borie cut-off was also stopped, but this and demanded that they should receive the that Mr. Harriman is sick. The last re- has been finished and trains are now runsame food as was served at his table. ports of Mr. Harriman in Omaha were ning over the new ralls. Work was also When he refused, they promptly began to that he was attending strictly to business, stopped on the new line from North Platte to Northport, running up the north fork of the Platte river, but work on this has FEELY NAMED FOR SPEAKER Iowa Republicans Agree on Fifth Bal- port.

To Cut Off Distance.

While this line will be a good feeder in DES MOINES, Ia., Jan. 9.-Guy A. Feely itself, as it will run through a productive of Waterloo was nominated for speaker of section of the state of Nebraska, the main the Iowa house of representatives in a cau- object of the line is to make it a part of cus of all the republican members here this a cut off to be built between North Piatte morning. The nomination occurred on the and Medicine Bow, which will save fortyfifth ballot. Feely receiving forty votes, six miles of travel for the overland trains Votes changed in the first to fourth bai- and will also save a climb of 1,000 feet up ots at the individual will of the member, Sherman Hill.

but in the fifth the Harding stand-pat vote When work was stopped over a year ago swung to Feely, as did the backing of sev- Harriman was also busy with a new line from Omaha to the south. Part of this line It is freely predicted that the caucus this is built, but work on it was stopped. The morning means the end of factionalism in pian was to have a short line to Lincoln from Omaha, raise the line from Omaha New York and Cooper of Wisconsin. The to Marysville, and then build a short cut from Maryaville to Topeka. The Union Pacific now has a double track from Topeka to Kansas City. This line would have given Omaha a third direct line to Kansas City, line which would pass through the capitnls of both Nebraska and Kansas. UNION CITY, Tenn., Jan. 9 .- The six night riders were today sentenced to hang

Several surveys were made for the line between Omaha and Lincoln, but it was a hard matter to get a short line which would tour of the country. One of the plans was

(Continued on Second Page.)

If it Hurts Him So Much



WHY DOESN'T HE GIVE UP THAT FORM OF EXERCISE!

From the Chicago News

HOUSE CONTINUES THE FIGHT

Resolution to Investigate Secret Service Work in All Departments.

FEW CALLERS AT WHITE HOUSE

Only Four Representatives Are Among Those Who Wish to See the President-Senators Also Stay Away.

WASHINGTON, Jan. 8.-The strenuous cago to Omaha and the Union Pacific with work of yesterday strained the house of its magnificent roadbed and double track representatives and in consequence, after all of Monday's session to make his arguand electric automatic block signals nearly being in session a little less than an hour completed and the Southern Pacific from today, the body adjourned until tomorrow. Ogden to San Francisco are conceded to be During that short period of time, however, the finest chain of roads across the con- 500 pension bills were passed, as was also a resolution for the rigid inquiry into the whole question of the investigation of was announced the stocks of the New York frauds against the government. The sum Central took a jump of 2 points, and have of \$5,000 was appropriated for the inquiry, since moved up. The New York Central which is to be made by a committee of

That the house does not intend to stop Four Pages influence and control over 41,388 miles of the president in connection with his evidenced today when, at the instance of Mr. Tawney of Minnesota, and without a dissenting vote, it adopted a sweeping resolution of inquiry into the amount moneys appropriated for the present fiscal year for detecting frauds and the efforts made to bring to trial offenders against

the law. Provisions of Resolution.

The resolution called for the appointment of a committee of five members to conduct the investigation and it was authorized to employ stenographers and clerks, to send for persons and papers and to administer oaths. The sum of \$5,000 was appropriated to cover the expenses involved.

After providing that the committee shall ascertain the amount of money appropriated for the present fiscal year that could be used to prevent frauds upon the several branches of the public service with particular reference to the public lands. the resolution instructs the committee to ascertain "what branches of the public service, paid for in whole or in part, out of the United States treasury, are authorized o- are in existence and supported by appropriations made by congress, whose principal duties are to detect and prevent frauds, or to apprehend and bring to trial and punishment persons charged with vio lating the laws of the United States; whether such branches of the public service or any persons employed therein have been or are engaged in any duty not conestablishing or providing for such service; the halls being filled with smoke. Richard the names of the persons employed, for any | Dornett, a fireman, fell from a ladder and period, in each branch of such service during the current and last fiscal year, the extinguished, the loss being slight. rates of compensation and allowance paid been resumed and will be pushed to North- or being paid to each of them, by whom WOULD BAR OUT OREGON PINE they were appointed and of whose recomduty performed, or engaged upon by each of such employes, each day since the beginning of the fiscal year 1968." Few Callers at White House.

further from the president on the matter of at Palmerston-north today to discuss the the secret service resolution adopted by the question of the importation of Oregon house yesterday. The list of Saturday callers from con- of the delegates asserted after the congresa usually is large, but today there were ference that owing to recent wholesale imonly four representatives to see the presi- portation of pine, fully fifty saw mills dent, two of these to introduce friends, would close down indefinitely. The mill

callers from the senate also were few. THREE GIRLS DEAD IN FIRE Harper, Kansas, Man Believed to

Fourth Fatally Injured in Destruction of North Dakota Homesteader's House.

DICKINSON, N. D., Jan. R.-Fire yesterday destroyed the home of Joseph Kohl, a and feet were tied and there was a gag in not be most expensive because of the con- homesteader, living twelve miles from here. his mouth. It is believed that Johnson was Four young girls were alone in the house killed for money, a large sum of which is and three of them were burned to death. missing from his house. There is no clus The fourth will not recover. to the murderer.

HAINS' DEFENSE NEARS END | 1WOTO PASS ON COMMITTEES His Attorneys Announce that Their

Evidence Will All Be in Monday Morning.

FLUSHING, N. Y., Jan. 9 .- With the calling of one or two minor witnesses on Monday morning, the defense in the trial of Thornton J. Hains will conclude its case Prosecutor Darrin promised Justice Crane his afternoon that he would only take an hour more to get in all the evidence. Upon John F. McIntyre rests the burden of assembling all the evidence which the defense asserts has proved that the defendant was not a principal in the killing of William E. Annis at the Bayside Yacht club last Au gust. McIntyre said that he would require

ment. All of the session today was given over to rebuttal of the evidence that James Tierney, the defense's eye witness to the shooting of the publisher, who was on the float when ganization.

the tragedy occurred. Members of the Bayside Yacht club swore that they did not thus satisfied the Burlington railroad and see Tierney. These witnesses further declared that the C. Hains were those of a rational man.

FOUND HANGING TO RAFTER Prominent Resident of Harlan, Ia., Ends Life Because of Ill Health.

HARLAN, Ia., Jan. 9 .- (Special Telegram.) Captain J. H. Louis, formerly mayor of standing committees. He said: Harlan, at one time a member of the leghis barn at 8:30 this morning. He was afternoon." dead when found.

in the finding of his body. Two weeks ago tion has got in bad with the powers that he resigned as mayor, giving ill health as he. So Shallenberger is the only hope. the reason. It is believed he became de- Dr. P. L. Hall, banker of Lincoln and spondent over his condition.

property owners in Harlan and has been from being chairman of the committee on

HOTEL GUESTS IN A PANIC Many Escape in Night Clothes and Others Try to Jump from

CLEVELAND, O., Jan. 9.-Fire in the morning caused a panic among the guests, many of whom left the hotel in their night eral persons from jumping from upper story windows. The majority of the guests emplated by the law or the appropriation | left the building by way of the fire escapes, was serinously injured. he fire was soon

mendation and a statement of the specific New Zealand Timber Magnates Demand Duty on Imported Product.

WELLINGTON. N. Z., Jan. 9.-A great It is understood that there will be nothing conference of the timber trade was held pine. The press was excluded, but several They were Representatives Burton of Dela- owners demand the imposition of a duty ware, Edwards of Kentucky, Parsons of on all imported timber except in bulk.

DEAD, GAGGED AND ROBBED

Have Been Killed for His Money.

HARPER, Kan., Jan. 9 .- Charles Johnson ho lived alone near this city, was found dead in his home early today. His hands

List Prepared for House Must Have 0. K. of Bryan and Shallenberger.

CAUCUS ALSO TO TAKE A TURN

Report of Committee Does Not Suit Many of the Members and There is Chance of a Hot Fight In the Caucus.

(From a Staff Correspondent.) LINCOLN. Jan. 9 .- (Special.) -- Speaker

about all. H. R. Henry, the man he defeated for speaker, is in control of the committee or-

Mr. Bryan chose Pool for speaker and

the browers. Then Mr. Bryan took from Mr. Pool all of his authority and he limactions and appearance of Captain Peter self named the standing committee chairmen through his lieutenants. For the first time in the history of Nebraska a complete list of all the standing committees will be submitted to two met for confirmaion before they are officially reported even to a caucus of the members The two men to pass upon the committees

"We will submit the committees to Mr. islature and an incumbent of various Bryan and Governor Shallesbarger, after offices, was found hanging to a rafter in which they will go to a caucus Monday

The only hope the delegation from Omaha He had been seen going into the barn by has in getting those chairmanships asked embers of his family about an hour be- for will be through Governor Shallenberger. fore and when he did not return to the The governor is under obligations to the house search was instituted, which resulted Omaha democracy and the Omaha delega-

vice chairman of the national committee, Captain Louis was one of the largest used his influence in keeping W. J. Taylor minent for years in local and state af- banking. Taylor is opposed to any bill fairs. He leaves a wife and three children, which will make a farce of the guaranty of bank deposits, such as that contemplated in the hands of the board of state canvassby the bankers of the legislature, and for that reason it was desirable that he be kept in the background in so far as being ficers, and at the same time intended that chairman of the banking committee is con-

cerned. Henry of Holt and several other prominent candidates for speaker resented the basement of the Tavistock hotel early this interference of Bryan in the organization when he forced Pool down their throats after they had the brewers and the Burclothes. Police and firemen restrained sev- lington railroad about whipped, so it was up to Mr. Bryan to appease the wrath of this faction of the house. He did it by taking from Mr. Pool the authority to name committees.

Speaker Pool has intimated that he intends to have his way in the appointment of committees, so when the list is before the caucus Mr. Pool may make a fight- vassed the returns on constitutional amendtaken all the fight out of both factions of ernors and public officials. Thus the

Following is a few of the chairmen said have been selected by the standing com- the result of the vote on these amendm mittee, but the names will not be official was duly certified to the governor and he Bryan:

Judiciary-Wilson of Polk Finance, Ways and Means-Clark of Rich-Roads and Bridges-Fries of Howard, Engrossed and Enrolled Bills-Taylor of

Accounts and Expenditures-Shoemaker Railroads-Henry of Holt. Telegraph and Telephones-Bowman of

Medical Societies-Talcott of Knox Fees and Salaries-Mariatt of Kearney Fish and Game-Heffernan of Dakota. Insurance-Sink of Hall.

Insurance—cank of Hall.
Cities and Towns—Thomas of Douglas.
Banks—Graff of Cuming.
Mines and Manerals—Killen of Gage (rep.).
Manufactures—Fogarty of Greely.
Soldiers Homes—Netfleton of Clay.
Irrigation—Miller of Custer. Deficiencies-Murphy of Fillmore.

(Continued on Eccond Page.)

READY TO BACK AWAY

Democrats Willing to Drop Attack on Supreme Court.

RANSOM LOSES PARTY SUPPORT

Douglas County Senator in Bad with Other Leaders.

BRYAN CREDITED WITH CHANGE

Peerless Leader Believed to Have Turned Down Plan.

ATTORNEY GENERAL ON THE CASE

Thompson Furnishes Secretary of State Junkin with Opinion Upholding Canvassing Board's

Right to Canvass Votes

(From a Staff Correspondent.) LINCOLN. Jan. 9 .- (Special.) -"I do not think the democrats of this legislature will ecanvass the votes on the constitutional amendments. Very little is to be gained by such action and there is a growing sentiment against it among the members of the majority. I shall be much surprised Tuesday if the result of the joint session is in favor of the plan sprung by Senator

Ransom upon the legislature." This view was expressed today by Representative Fred Humphrey of Lancaster county, son of one of the pionear democrats of the state capital, O. N. Humphrey, and a young politician who has, it is believed, received his inspiration from Fairview. During the joint session for the inaugural ceremonies Mr. Bryan was seated by Mr. Humphrey's side, and there are numerous other indications that he may be the mouthpiece of the Nebraska leader, who has become frightened by the lineup against him in the preliminaries and will undertake to influence the house members at least, if he cannot the senate, to follow his desires.

Representative Humphrey was busity engaged in the office of the secretary of state during the entire afternoon looking up the record on the amendment matter and ognsulted a number of original documents to become fortified when the battie begins again on the floor in join ses-

"Senator Ransom sprung the matter in caucus when the senators had been called together for another purpose," said Representative Humphrey. "They were unprepared and were taken by surprise, without due time to investigate. You will find a great change in sentiment by Tuesday.'

This is but one indication of the attitude of the democrats to the plan to seize the court, which at the outset had the full consent of Governor Shallenberger, as the Douglas county senator stated in caucus. It indicates a decided split among the leaders of the party and is but one of the uppercuts in store for the big chief from the metropolis.

Opinion of Attorney General.

Attorney General Thompson, in an opin Pool may be permitted to preside over the ion written in answer to an inquiry from deliberations of the house, but that 's the secretary of state, today said the State Canvassing board had a legal right to canvass the vote on constitutional amendments. The opinion discusses the question at length. In part the attorney general says;

"From the provisions of the law quoted it is evident that the State Canvassing board is the only body having jurisdiction over the returns on constitutional amendments, presidential electors, judges of supreme and district courts and regents of the State university. These provisions of the law are meaningless unless they fix upon the Board of State Canvassers the duty to canvass the returns on constitutional amendments. If not, why does the law place these returns in the custody of that board and then prescribe the proceare Mr. Bryan and Governor Shallenberdure and their duties in making the canger, and the information came from a memvass? If the legislature had intended that ber of the committee which is selecting the the returns on constitutional amendments and the officers designated above should be canvassed by that body it would have so provided, and made the abstracts of votes cast therefor returnable to the speaker of the house of representatives. In other words, instead of providing that the county clerks of the various countles make return to the Board of State Canvassers in the manner provided by section 53, chapter xxvi, Compiled Statutes of 1905, it would have required them to make return to the speaker of the house of representatives in the manner provided by section 51 of the same chapter, which deals with an entirely

different class of officers. "Certainly it cannot be contended with reason, that the legislature required the return o nthese amendments to be placed ers, who had the exclusive right to canvass the returns on a specific class of ofthe legislature itself should have the right to make the canvass thereon when its jurisdiction to make a canvass is limited to an altogether different class of officers designed by another provision of law. No provision is found, either in the constitution or the statutes, which directly or indirectly places the returns on constitutional amendments in the hands of the speaker of the house of representatives or which directly or indirectly authorizes the legisla-

ture to canvass the same. Never Before Questioned. "The board of state canvassers has can-

but he won't. He could still fight it out ments continuously for a period of twelve on the floor of the hose-but it is an even years. Its right to so act has been conbreak that he will not. Mr. Bryan has ceded and acquiesced in by the various govthe house and net a single bill will be conferring such authority upon the board enacted into law or a single bill of any of state cunvassers has received a practical importance killed without the responsibil- construction by the officials and various ity being solely at the door of the late departments of state for a long term of

"Under the statement submitted by you until they have been passed upon by Mr. made a finding that they had carried and issued his proclamation declaring them part of the constitution of the state. He then appointed four judges of the supreme court as rpovided in the one relating to judicial powers. In view of the fact that there is no express rpovisions for the canvass of the crtures on constitutional amendments, that there is no board or tribunal to which the statute directs these returns to be made other than the state canvasing board, and having due regard to the contemporaneous construction placed upon the law by the officers of the state for twelve years and for the other reason herein pointed out, I conclude that the board of state canvassers was the legal constituted body to make the canvass of returns on said constitutional amendments and that its acts and findings in the premises, as well as those