

BROWN'S STIRS SENATE

Nebraska Refuses to Act on Committee on...

FORCES FIGHT OVER MATTER

Remarks on Subject of Attention of His...

COMMITTEE DEED TO ACT

Chairman Now Says it Has Had Too Much Work.

RESOLUTION NOW CALLED UP

Junior Senator from Antelope State Asks Senate to Take Bill from Committee, but Not Right Now.

(From a Staff Correspondent.)

WASHINGTON, Jan. 28.—(Special Telegram.)—Senator Brown is a fighter. He showed his red blood today when he demanded consideration of his resolution to take from the judiciary committee of the senate his bill to prevent federal courts from enjoining collection of state taxes and his remarks compelled attention. He spoke on the measure, in which people of Nebraska are intensely interested, who are Union Pacific and Burlington roads could enjoy taxes levied by the state by court procedure and get through without paying them.

Mr. Brown asked members of the committee to make a report on his bill, either favorably or unfavorably. They had refused to do either. So he took the bill by the horns and presented his resolution yesterday to have the fate of the bill settled on the floor of the senate. Senators Fulton and Clark of Wyoming, the latter chairman of the committee, stated at the close of Senator Brown's speech that their committee had an immense amount of work on hand and this alone had prevented action on Mr. Brown's bill.

"It is patent from the history of this bill," said Senator Brown, "which I introduced a year or more ago, almost at the beginning of the present congress, that we would have some report either for or against the bill if the committee had had an opportunity to give its consideration. The resolution was offered, therefore, more in a spirit of discouragement on the part of the author of the bill as to whether it will ever give any evidence of life.

Federal Taxes Free. The collection of taxes must be made when they are due and not when some court of equity adjudicates that they are due. In order to sustain the life of a government taxes are collected summarily and necessarily without intervention of any injunction writ from our own courts.

"If it is good public policy to have that rule obtain as to our own federal revenues, the argument is much stronger as to state and municipal and school district taxes. We have had illustrations in the country of the operation of that right exercised by our courts under the law as it exists to the effect of tax collectors in states and in school districts and municipalities of several states, and in the judgment of the state legislatures prohibiting state courts from issuing writs restraining the collection of state taxes. That the same reason exists for permitting the state government to collect taxes when they are due as for the federal government in municipalities.

"The question we are discussing is jurisdiction of circuit courts. Can it be that we would have a different jurisdiction exercised by those courts in different states? Let jurisdiction be that of the circuit court in one state, let it have the right to join it in all states. It ought to be denied the right to join it in any state so long as the government takes care of its taxes and assess them from writ of injunction."

Senator Brown declared he would not insist on a vote on his resolution at the present time, but was willing it should lie on the table subject to call, and the judiciary committee would see fit to make some sort of a report next week.

Indiana are interested. The senate committee on Indian affairs today made a favorable report on Senator Dumble's bill to authorize the sale and distribution of the surplus and unappropriated lands in Rosebud Indian reservation.

Dr. L. E. Miesel, superintendent of the Cheyenne River Indian agency, accompanied by the following Indian chiefs, are in Washington, and were at the capital and interior department today. Straight Head, Iron Lightning and Glosa Tapitola. The Indians are in Washington to confer with the secretary of the interior and commissioner of Indian affairs as to details relating to the proposed opening to white settlement of certain portions of their reservation on the Cheyenne river in South Dakota.

New Rural Routes. Rural free delivery routes ordered established April 1: Nebraska—Berkman, Dundy county, routes Nos. 1 and 2, serving 15 families; Clearwater, Antelope county, route No. 3, serving 12 families; Clearwater, Knox county, route No. 2, serving 10 families; Dannebrog, Howard county, route No. 2, serving 10 families; Fordyce, Cedar county, route No. 3, serving 10 families; Hartington, Cedar county, routes Nos. 4 and 2, serving 18 families; Laurel, Knox county, route No. 3, serving 10 families; Mitchell, Scott's Bluff county, routes Nos. 1 and 2, serving 15 families; Thurston, Thurston county, route No. 1, serving 10 families; Wausa, Knox county, routes Nos. 1 and 2, serving 15 families.

John Red Oak, Montgomery county, route No. 8, serving 10 families. Rural route No. 1 at St. James, Cedar county, Neb., will be transferred April 1 to Wynot, and designated as route No. 1. Route No. 8 at Blountfield, Knox county, Neb., will be transferred April 1 to Crofton, and designated as route No. 3. Jesse F. Rose is appointed regular, and A. M. Rose, substitute, rural route carrier of route No. 1, at Auburn, Ia.

CHILE AND PERU ARE UGLY Rupture of Relations Threatened and Chilean Squadron Ordered North.

VALPARAISO, Chile, Jan. 28.—The rupture of diplomatic relations between Chile and Peru, signalled by the withdrawal of Senator J. M. Echique, the Chilean minister at Lima, has aroused more or less excitement here and the old animosities between the two countries, dating back to the war of 1839 and the consequent abrogation of the Peruvian province of Tacna and Arica by Chile have, to a certain measure, been revived.

It is declared here today that the Chilean squadron under Admiral Wilson, now in the strait of Magellan, has been ordered north.

SUMMARY OF THE BEE

Friday, January 29, 1909.

909 JANUARY 1909

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THE WEATHER.

FOR OMAHA, COUNCIL BLUFFS AND SOUTHERN SOUTH DAKOTA—Friday, and Saturday, fair, with light snow or sleet.

FOR NEBRASKA—Friday, fair, with light snow or sleet.

FOR IOWA—Friday, clearing and colder. Temperature at Omaha yesterday:

Hour. Deg. 5 a. m. 44 6 a. m. 44 7 a. m. 44 8 a. m. 44 9 a. m. 44 10 a. m. 44 11 a. m. 44 12 m. 44 1 p. m. 44 2 p. m. 44 3 p. m. 44 4 p. m. 44 5 p. m. 44 6 p. m. 44 7 p. m. 44 8 p. m. 44 9 p. m. 44

POLITICAL.

Hopkins loses another vote for senator in the Illinois legislature.

Stephenson still one vote short of enough to elect him senator in Wisconsin.

NEBRASKA.

Blinding snowstorm is raging over large part of Nebraska, but temperature at present is not low. Locally much damage is done by the high wind.

State senate employees will be paid only for the time they actually have been employed.

Judge J. J. Sullivan takes oath of office at Omaha and accepts appointment as state judge on judicial circuit from Governor Shallenberger.

FOREIGN.

President Gomez is inaugurated at Havana and Provisional Governor Magoon and staff sail at once for home.

DOMESTIC.

Mirer's arrest at Indianapolis demanded the release of Jan. Fourteen and favored public ownership of wealth-producing agencies.

Charles E. Nord, arrested in Omaha for forgery, and returned to Kansas City, has been released on his own recognizance.

American Live Stock association yesterday passed a resolution asking law prohibiting advance in freight rates unapproved by the commission has had opportunity to approve them.

SPORTS.

Wrestling match made between the Turk and the Frenchman to be pulled off at the Auditorium.

LOCAL.

Jackonian club announces it will oppose Dahlman for mayor and intimates its members will bolt if he is nominated.

Garment workers to the number of over 100 quit work in the Novelty Cloak company's factory.

Two brothers from Thurston county marry two sisters.

Coroner's jury shows Bennie Talbot committed suicide on account of breaking of engagement with wife.

Attorneys for W. D. Oldham plan to bring ouster suit against Judge Dean.

Union Pacific preparing to build three short lines in Colorado.

COMMERCIAL AND INDUSTRIAL.

Live stock markets.

Grain markets.

MOVEMENTS OF OCEAN STEAMSHIPS.

Per. Arrived. Sailed.

NEW YORK. Arrived. Sailed.

BOSTON. Arrived. Sailed.

LIVERPOOL. Arrived. Sailed.

GENOA. Arrived. Sailed.

CHICAGO. Arrived. Sailed.

WINDS RAGE, SNOW HEAVY

Terrific Storm Sweeps Over Nebraska Thursday Night.

SOUTHERN SOUTH DAKOTA CAUGHT

Plate Glass Smashed and Chimneys Blown Down Give Evidence in Omaha of Severity of Visitation.

A storm of wind, rain, snow and more wind attacked the state of Nebraska and southern South Dakota yesterday and came off easily victorious. The snow was blown down heavily, but window glass ran a close enough second to make window insurance men have a disturbed night.

Before telegraphic communication with the west was entirely suspended, a sufficient number of reports filtered through to indicate that the storm was of great severity and wide area. Kearney reported a suspension of business on account of unaccountable darkness and blizzard. Yankton, S. D., declared that the worst blizzard in many years was raging over South Dakota. At Norfolk falling temperature accompanied the snow and gave promise of unaccountable darkness.

The telegraph companies began to have wire trouble west of Omaha early in the evening, and this later became manifest in the opposite direction, indicating the spread of the storm toward the Mississippi. The railroads had their own problems to face and the Union Pacific had an added complication because at Maxwell the roof of a car blew off and falling snow and ice dropped on a string of wires and snapped them off. The Burlington reported about half of its western wires working.

Omaha Gets Its Share. Tales of severe storm throughout the state will be accepted locally without a shade of suspicion, for the Omaha visitation was heavy. The wind blew with force enough to take storm soaked pedestrians off their feet and everything not nailed down or clinched on the under side blew away.

Early in the evening reports of damage by the wind began to come in from various parts of the city. Plate glass windows in the room occupied by the Goodfellow Rubber company at Sixteenth and Davenport, gave way and it was only by prompt work that another light at the same place was saved.

About 10 o'clock a string of wires on North Thirty-third street were blown down and dropped on the home of John P. Burns, turkey at the city jail. The falling brick crashed through a window of his immediate neighbor, Frank M. Parsons, a draughtsman employed by the Union Pacific railroad, but no one was injured.

The Associated Press had one wire working to Kansas City early in the evening. The Lincoln wire "went out" soon after 5 p. m.

The weather bureau at 9 o'clock reported the velocity of the wind to be fifty miles an hour.

Out in the State.

LINCOLN, Jan. 28.—(Special Telegram.)—It began snowing here about 4 o'clock this afternoon and it is still snowing hard at this hour, 9 o'clock, with every indication of a continuance. The snow lay accompanied by an exceptionally high and cold wind. While the temperature is not low the thermometer is steadily going down.

KEARNEY, Neb., Jan. 28.—(Special Telegram.)—A blinding snowstorm is raging in this vicinity, the snow falling so thickly that it is impossible to see fifty feet in any direction. Traffic on the streets and roads is suspended.

NORFOLK, Neb., Jan. 28.—A heavy snow storm, driven by a strong northwest wind, prevails over southern South Dakota and northern Nebraska, which has retarded the proportions of a blizzard. The temperature began falling early in the evening, giving promise of a visitation of the severest weather of the winter.

YANKTON, S. D., Jan. 28.—(Special Telegram.)—The worst blizzard in a great many years is raging here, effectually stopping all traffic.

Cloudburst at St. Joseph.

ST. JOSEPH, Mo., Jan. 28.—A rain which almost reached the proportions of a cloudburst did great damage in St. Joseph and vicinity last night. A number of bridges and culverts were washed out and railroads suffered. It is the first time in many years that such a rain has fallen in January.

ENID, Okl., Jan. 28.—The most severe wind and dust storm in six years prevailed in northwest Oklahoma this afternoon, causing more or less damage. As far as known no lives were lost. At Goltzy, twenty miles west of Enid, Oklahoma, the houses were blown down, and at Carman, 40 miles west of here, flames, driven by a force wind, destroyed half the business houses in town.

WILL IGNORE OLD CUSTOM

President Roosevelt Will Go Straight from Inaugural to New York Train.

WASHINGTON, Jan. 28.—President Roosevelt will not follow the custom and ride back to the White House March 4 with his successor in office. He told a New York congressman today that he would go direct from the capitol after President-elect Taft takes the oath of office to the Union station, and take a train for New York. The president's purpose was made known in accepting an invitation of the New York county committee to be allowed to address his personal escort on the way from the capitol to the depot. The county committee will have 500 members in line. They will form a part of the great parade, will go with the ex-president to the train and return to their places in the return march.

SUIT FOR HOLDING LIVE STOCK

St. Louis Terminal Company Made Defendant in Government Action.

DANVILLE, Ill., Jan. 28.—The St. Louis Merchants' Bridge and Terminal Railroad company was made defendant in a suit filed here today by the treasury department, charging violation of the twenty-eight-hour law regarding the shipment of stock. The government alleges that a carload of horses, enroute from Iowa to North Carolina, was held in the car without feed, water and exercise for a longer period than twenty-eight hours.

Waterways Bill Presented

Illinois Measure Provides for Commission to Connect Lockport and Utica.

SPRINGFIELD, Ill., Jan. 28.—The eagerly awaited administration deep waterway bill was introduced in the senate today by a board of five commissioners, holding office for six years each, to be appointed by the governor, to carry on the building of a deep waterway from Lockport to Utica, and specifies that before the work is begun the commission must satisfy itself that it can be kept within the limit of the \$50,000,000 bond issue voted by the people of the state.

Boy Killed by Brother.

REDAVA, Mo., Jan. 28.—Kirk, Bailey, aged 15 years, who was stabbed by his 13-year-old brother, Victor, during a quarrel at their home here last Sunday, died today. The boys are sons of Mrs. Lucy Bailey, a widow.

Skatin' Spoiled Again.

WE USED TO HAVE ICE ALL WINTER AND SNOW THIS DEEP

YIP, NEVER A TEN TILL SPRING



"Either granddad's a awful liar or else I was born about forty years too late."

From the Cleveland Leader.

RESOLUTIONS BY STOCKMEN

Association Asks for Law Prohibiting Advance in Rates Without Notice.

FOREST SERVICE IS COMMENDED

Vote of Thanks Tendered Secretary Wilson for His Services in Behalf of Live Stock and Farm Interests.

LOS ANGELES, Cal., Jan. 28.—When the American National Live Stock association convened today for its final session, former United States Senator J. M. Carey of Wyoming, chairman of the committee on resolutions, presented the unanimous report of the committee. A summary of the report follows:

"Congress is memorialized to enact a law which shall prohibit any railroad company from advancing interstate rates, fares and charges, except upon approval of the Interstate Commerce commission after notice thereof to the interested parties in such cases as the commission shall deem necessary; that parties shall have the right to complain of any proposed advance in rates, whereupon it shall be the duty of the Interstate Commerce commission to suspend the taking effect of such proposed advances until an opportunity shall be heard, and that the Interstate Commerce commission shall be authorized to suspend and to determine whether the same are just and reasonable."

"Heartily endorsing the bill pending in congress known as the Culbertson-Smith car and transportation bill, Congress is memorialized to enact a law to provide for a minimum speed limit for the transportation of live stock and other perishable freight of not less than twenty miles an hour.

"The railroads are respectfully requested to adopt reasonable rules and regulations with respect to granting return transportation for the attendants of live stock shipments.

Maximum and Minimum Tariff.

"Favoring adequate and needed protection to all live stock and its products and approving such modification and adjustment of our tariff relations with foreign countries, especially with Europe, as will increase American export trade in live stock and meat and meat products, by authorizing the executive to make commercial agreements under maximum and minimum duties to be fixed by congress and that the executive should have the aid and advice of an expert tariff commission in preparing and negotiating such agreements.

"Recognizing that James Wilson, secretary of agriculture, has served the country faithfully and with great efficiency and that the policies which he has pursued are of lasting benefit to the farmers and stock raisers of the entire country, representatives of the live stock interests in convention assembled tender him their sincere thanks.

"Tendering the thanks of the organization to President Roosevelt for all of his efforts in behalf of the live stock industry.

Commendation of Pinchot.

"Commending the administration of the forestry service under Mr. Gifford Pinchot as having been conducted along practical and businesslike lines with a view to obtaining the greatest use of the forest consistent with their preservation.

"Heartily endorsing the bill introduced in congress by Senator Curtis and Congressman Scott as a 'reasonable, just and equitable measure,' that under businesslike administration would do much to improve the stock raising and agricultural interests of the west.

"Extending thanks to the officers of the association and citizens of Los Angeles."

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GOLDEN RULE FOR LUMBERMEN

Code of Ethics Occupies Time of the Southwestern Dealers at Kansas City.

KANSAS CITY, Mo., Jan. 28.—The "code of ethics" which hereafter will bind its members to treat the consumer according to the golden rule, again occupied the attention of the Southwestern Lumbermen's association when it convened today. The code also provides the basis of settlements of disputes and claims between the manufacturers of lumber and the retailers. It probably will be accepted by the convention this afternoon.

The election of officers will take place today. W. D. Frantz, a brother of ex-territorial Governor Frantz of Oklahoma, will be named president, and Harry A. Gorchuch of Kansas City secretary.

At its final session this afternoon the convention decided to send two delegates to the national tariff commission convention, to be held in Indianapolis February 10. This suggestion was embodied in the report of the committee on resolutions, which also declared in favor of good roads, deep water ways, forest conservation and approving the parcels post. W. D. Frantz, Enid, Okla., was elected president; C. E. Matthews, Webb City, Mo., and Andrew Aiken, St. John, Kan., vice presidents.

John Reibel of St. Louis and James Costello of Liberty, Mo., were elected directors.

HASKELL'S FRIENDS TESTIFY

Witnesses from Governor's Old Ohio Home Called Before Grand Jury.

MUSKOGEE, Okl., Jan. 28.—Today's time of the federal grand jury investigating the alleged Muskogee town lot frauds was taken up in the examination of witnesses brought here by the government from Ohio and Michigan. Among the witnesses who expected to testify today were Daniel M. Bailey, an attorney of Oklawaha, O., Governor Haskell's old home town; Walter J. Ritchie, an attorney of Lima, and James S. Bailey, mayor of Wauseon. The Michigan witnesses are those from Hastings, the former home of Walter R. Eaton, secretary of the Indiana Contracting company, of which the governor is president, which company is charged with scheduling the names of more than 100 "dummies" to secure town lots.

The semi-official announcement was made today that the government relies on its conspiracy charge to secure conviction and not on the forgery charge or that of the personal scheduling of the "dummies."

GOMEZ AND ENVOY LOCK HORNS

Proceedings Looking to Settlement of Venezuelan Claims Come to Standstill.

CARACAS, Venezuela, Tuesday, Jan. 28.—Via Port of Spain, Trinidad, Jan. 28.—The negotiations between W. I. Buchanan, the special envoy of the United States, and the Venezuelan government, looking to a settlement of the outstanding difficulties between the two countries came yesterday to a complete deadlock on certain points contained in the draft of the protocol.

President Gomez considers it unjust and out of place because Mr. Buchanan was not agreed to submit to arbitration, as to preliminary points, the questions of the validity of the judgments of the Venezuelan courts, the safeguards of the mixed commissions, or the complexity of the New York and Bermudez Asphalt company in the Mato's revolution.

President Gomez professes to be extremely desirous of reaching a settlement with the United States, but at the same time, he says, he feels that he must protect the honor and dignity of Venezuela.

INSULT TO FLAG IS DENIED

American Emblem Was Not Torn Down in Riot of Bohemian Students.

WASHINGTON, Jan. 28.—Reporting upon the recent riots in Prague, Ambassador Francis of Austria-Hungary takes occasion to deny the report that an American flag was torn into strips and trampled in the mud. The riots were the result of the advertised laying of a cornerstone of a new German university in Prague. The Bohemian students wanted a Bohemian university instead.

The British and American flags were displayed together, says Mr. Francis, but the rioters tore down only the flag of England and left the stately banner in its place. These facts were established after an investigation made by Consul Brittain in Prague and are brought out in a communication from Mr. Francis recently forwarded to the house by the secretary of state.

REPUBLIC OWNERS IN COURT

Sue Proprietors of Steamship Florida for Heavy Damages.

CHARGE LATTER WAS AT FAULT

Libel Asserts Italian Boat Was Running at Immoderate Speed and Failed to Give Warning Signals.

NEW YORK, Jan. 28.—Counsel for the Oceanic Steamship Navigation company, owners of the White Star line steamer Republic, today filed a libel suit in the United States district court against the steamer Florida of the Lloyd-Italian line, which ran down and sank the Republic off Nantucket lights. Damages amounting to \$1,500,000 for the loss of the ship and \$500,000 for the loss of the cargo and effects of the passengers and crew were claimed. It was asserted in the libel that the collision was due to no fault on the part of Captain Sealy of the Republic, but wholly to the fault of the Florida, which, it is alleged, did not keep a proper course, had no sufficient lookout, did not give proper whistles nor pay heed to the whistles of the Republic; that the Florida failed to indicate its change of helm; that it was proceeding at an immoderate speed and did not stop or back its engines. The assertion was made that when the officers of the Republic first heard the whistles of the Florida in the fog the steamer's engines were run full speed astern and that its helm was put astern. Shortly afterward the Florida appeared broadside off the Republic's portside, tearing down at right angle below amidships.

"In the effort to escape the blow," declared the libel, "the master put the engines of the Republic ahead, but the Florida came on at a high rate of speed, apparently sailing under a starboard helm, and crashed head-on into the port side of the Republic, penetrating into the engine room."

It was also asserted that at the time of the collision the Republic was in the Indianola contracting company, of which the governor is president, which company is charged with scheduling the names of more than 100 "dummies" to secure town lots.

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