

SENATE TANGLED ON DIRECT VOTE

Upper Chamber Adjourns in Face of
Opposition from Champions
of Measure.

NO PROGRESS MADE DURING DAY

Three Speeches Delivered on Subject
for and Against.

HEYBURN BALKS ON PROPOSAL

Refuses Consent to Adjournment for
Ballot on Wednesday.

RAYNER SPEAKS FOR AMENDMENT

He Pleads with His Colleagues Not to
Load the Proposition with Bur-
den that May Endan-
ger It.

WASHINGTON, Feb. 17.—(Special.)—In an apparently hopeless tangle over the joint resolution providing for the election of United States senators by direct vote and in the face of positive opposition from the champions of the measure, the senate adjourned a few minutes before 4 o'clock today.

It had been hoped by friends of the measure that a night session might be held and a vote taken at least on the Sutherland amendment retaining the control of senatorial elections in congress. As a matter of fact, however, no progress was made save that three speeches on the subject were delivered. These were made by Senator Heyburn in opposition to the Sutherland provision and by Senators Carier and Heyburn in support of it.

Mr. Heyburn was the last speaker. While he was on the floor several senators engaged in an active propaganda in favor of an agreement upon a definite time for a vote and the adjournment was made at last that Mr. Heyburn was the only senator whose assent to this arrangement had not been obtained. When he was approached on the subject he declined.

Heyburn Objects.
When Mr. Borah the other Idaho senator, asked for an agreement to vote next Wednesday Mr. Heyburn promptly objected. One objection is sufficient to prevent unanimous agreement, and because of the attitude of his colleague no course was left to Mr. Borah except that of pressing the measure by asking the senate to stay for a night session. Mr. Gallinger moved an adjournment. The friends of the measure rallied and on a roll call voted the motion down, 41 to 38, but when a few minutes later Senator Nelson, who had waited patiently all day to get an opportunity to speak, made a plea for a night's rest the objection to closing the session faded away, adjournment coming soon afterward.

It was understood the election question would be taken up early tomorrow.

In view of the fact that another order of business has been arranged for 10 o'clock there may be a change of program.

President Taft was appealed to by Senator Carier to assist in getting a night session on the resolution in the interest of the dispatch of general business.

Senator Carier, however, who had come to the senate in the morning with the proposition, which he had not been able to do anything in that direction. At the close of the sitting the friends of the measure were by no means hopeful of getting a vote at any time in the session as previously they had been.

Rayner for Amendment.

Senator Rayner of Maryland took the floor yesterday. He gave most of his attention to the amendment.

He contended that even without the Sutherland provision the federal government had the right to protect voters against fraud or intimidation. He therefore appealed to supporters of the original proposition to burden it with any amendment which, like the pending proposition, would imperil the success of the resolution itself.

Then the first interruption began.

"Why did it imperil the resolution?" asked Mr. Nelson.

"Because," replied Mr. Rayner, "it would affect a large number of votes on the democratic side of the chamber who would vote against the proposition with the Sutherland amendment incorporated in it."

Attitude of Democrats.
"Why should they vote against it?" asked the Minnesota senator.

"I am not a reader and cannot undertake to say," Mr. Rayner replied. "If a senator will visit this side he will find out. But I am sure that the amendment will weaken the resolution. We need a two-thirds vote to adopt the resolution and cannot afford to take chances."

Mr. Rayner contended that the amendment would have the effect of injecting a new provision into the constitution, because he said the election of senators by the people is a different proposition from election by the state legislatures.

"It is a new application of an existing principle," said Mr. Sutherland.

"Absolutely it is not," declared the Maryland senator. "It is now impossible to go behind the action of the legislature."

Injunction in Water Case is Set Aside

Order Restraining Des Moines from
Flushing Streets Dismissed by
Judge McPherson.

RED OAK, Ia., Feb. 17.—(Special Telegram.)—By a decision which will be announced in the federal court at Des Moines tomorrow Judge Smith McPherson sets aside the temporary injunction which the Citizens' Water Works of Des Moines recently secured against the city of Des Moines to stop it from using water to flush streets, sewers and reservoirs.

Judge McPherson said that while there may be cause for a damage action there are no apparent grounds for a permanent injunction.

It is alleged that when the Citizens' Water Works began operation it was under obligation to furnish the city water in exchange for the franchise. After the recent heavy snow storm the city connected many leads of base 12 hydrants and flushed the streets and sewers and some say reservoirs. The water company objected to this use of water and secured a temporary injunction against the city.

Ends Life Because Success is Elusive; Mother is Too Late

Young Man Shoots Himself in Heart
and Lingers Alive for Three
Hours.

George O. Rees of Schuyler, Neb., dependent because of financial troubles, committed suicide in his room at the Schiltz hotel yesterday afternoon at 1 o'clock. Rees shot himself through the base of the heart with a .32-caliber revolver, but tenaciously clung to life until 4 o'clock in the afternoon, when he died at the Omaha General hospital. He was the only son of a widowed mother, who arrived from Schuyler just a few minutes too late to see her son alive.

Rees was engaged in the advertising business. He worked as a solicitor in a random way since he left the state university three years ago. He came here about two months ago with the plan of organizing a concern, which he named the Omaha Specialty Manufacturing company. Meantime he was living at the Schiltz. He had not done much with his project, although he had rented an office in the Brandeis building, room 311.

Six weeks ago, in the same room at the hotel and at about the same hour, Margaret Johnson, a chambermaid, passing his open door, discovered him slining a revolver at his head. She was successful in knocking it from his hand. The revolver was taken from him at the time and up until a few days ago had been kept in the hotel office. However, he seemed to recover from his melancholy, and when he last night asked for the revolver a few days ago the clerk handed it over to him with a laughing admonition to be careful about any future accidents.

Margaret Johnson, by a strange coincidence, was the first to discover him yesterday. Rees at noon had eaten a light lunch, accompanied by several drinks. At 1 o'clock the shot was heard, and the chambermaid, the first to get into the room, found him lying fully dressed across the bed.

He was taken to the Omaha General hospital, unconscious. He remained unconscious until he died at 4 o'clock.

Rees was just 25 years of age. His birthday was the day before he shot himself. Coroner Crosby has taken charge of the body. No arrangements for either the funeral or inquest have yet been made.

Measure to Prevent Gambling in Cotton Reported to Senate

Committee Strikes Out Three Sections
It Considers Too Drastic, but
Makes No Recommendation.

WASHINGTON, Feb. 17.—Under an agreement that they would vote today on the bill to prohibit gambling in cotton futures the committee on interstate commerce decided by a vote of 5 to 5 to report it to the senate without recommendations.

The failure of the committee to make recommendation to the senate resulted from the conviction on the part of several members that a measure of such importance should be given more consideration. An agreement had been made, however, and Senators Clark of Arkansas and Tillman of South Carolina held the committee to its word.

Three sections of the bill as it passed the house were eliminated by the senate committee and some of the friends of the measure say the changes will make the measure ineffective.

The sections struck out are those which would authorize agents of telegraph, telephone and cable companies to administer oaths in their efforts to ascertain whether messages offered for transmission were in violation of the law; declaring that books, newspapers, pamphlets, letters or other writings or publications containing quotations which might induce the making of contracts in violation of the proposed law should be nonmailable; and providing that any person who had entered the industry to himself, might return mail to the sender, when he believed it unlawful under the proposed act.

The action was preceded by a hearing which consumed the entire forenoon, so that when the committee came to determine its course it had no time for an exchange of views. The result, so that most of the members were unwilling to endorse a bill of so drastic a character.

Representatives of the New Orleans Cotton exchange and exchanges in New York and Chicago declared the bill hurtful to the farmers and impossible of enforcement.

Epidemic of Grip and Pneumonia

Hundreds of Deaths from These Dis-
eases in City of New York Since
First of Year.

NEW YORK, Feb. 17.—The epidemic of grip shows no signs of subsidence and health department records show a large increase in the number of deaths from grip and pneumonia over last year. Inclement and changeable weather is the cause of the unusual number of cases of grip.

Records of the Board of Health made public today show that during the month of January 73 deaths in New York City from pneumonia. Also there were 352 deaths from grip. Last year in January grip caused forty-seven deaths and pneumonia 70.

The affair was given the character of a social event through the presence of prominent Mexican and foreign society women, while twelve of the leading belles of the city acted as "guests."

The bill was dispatched by some of the best-known maidens, including the millionaire, Segura, the American, Marjorie Lee, and a Mexican, Luis Treg, all of whom gave services. Between \$250 and \$300 was realized.

MEXICALI, Mexico, Feb. 16.—Defeated in full retreat, the army of Governor Vega of Lower California is hurrying back tonight toward Ensenada, by way of the Colorado mountains past southwest of here. Vega himself is severely wounded.

This was confirmed today by couriers who got into communication with the fleeing federalists.

One insurgent bullet pierced Vega's neck and another his left side, causing a serious wound.

COMMITTEE KILLS ANNEXATION BILL

Resolutions by Representative Ben-
nett to Be Reported Adversely by
Foreign Affairs Members.

CONFERENCES WITH MR. TAFT

Chairmen Foster and McCall Talk
with the President.

NO NEGOTIATIONS ARE WANTED

Chief Executive Does Not Care to
Gather Facts.

THEIR AUTHOR STANDS ALONE

He is the Only Member Who Favors
the Proposition to Ask President
to Open Annexation Ne-
gotiations.

WASHINGTON, Feb. 17.—To offset the Canadian annexation talk which the administration feared might affect the reciprocity agreement, the house committee on foreign affairs today by a vote of 5 to 1 reported adversely on the resolutions reported yesterday by Representative Bennett of New York for the opening of negotiations with Great Britain looking to the annexation of Canada.

Mr. Bennett was the only member of the committee who voted for the resolution. The committee action followed conferences of Chairman Foster and Acting Chairman McCall of the ways and means committee with President Taft today.

One of the Bennett resolutions asked the president to report to the house for its information all the facts concerning any reciprocity agreement, the house committee on foreign affairs today by a vote of 5 to 1 reported adversely on the resolutions reported yesterday by Representative Bennett of New York for the opening of negotiations with Great Britain looking to the annexation of Canada.

The other resolution, a concurrent one, requested the president "to enter upon and to prosecute from time to time such negotiations with the British government as he may deem expedient for the annexation of the Dominion of Canada to the United States."

BAD IMPRESSION IN LONDON

Bennett Resolutions Taken Seriously
by Imperial Preference Party.

LONDON, Feb. 17.—Whether, as is suspected in some quarters, Congressman Bennett of New York had no more sinister motive than to embarrass the reciprocity forces in his own country, there is no room for doubt that this Canadian annexation resolution introduced in the house yesterday has greatly disturbed certain minds on this side of the Atlantic.

So seriously is the matter taken by the Imperial preference party that it will be made a subject of interpellation of the government in the House of Commons on February 20. Premier Asquith will be asked at that time if he intends to send any communication on the subject to the United States government.

The fury caused by Representative Clark's declaration that he hoped to see the day when the American flag would float over the British North American possessions had scarcely passed when the cabinet brought Mr. Bennett's resolution asking the president to enter upon such negotiations with the British government as he might deem expedient for the annexation of Canada.

At once the dying agitation in opposition to the United States-Canada reciprocity agreement was revived. The Liberal refused to take either the speech of Mr. Clark or Mr. Bennett's resolution seriously, but a portion of the tariff reform press is making the most of both for their own uses.

Among the liberals there is a disposition to view both moves from the standpoint of partisan or factional expediency, while there are not a few who think the congressmen are having a bit of fun at the expense of their British cousins.

QUEBEC WILL KEEP THE WOOD

Province Will Adhere to Policy of Re-
stricting Its Exportation.

QUEBEC, Quebec, Feb. 17.—The province of Quebec will adhere to the policy of restricting exportation of pulp wood despite the proposed reciprocity agreement, according to a statement made by Premier Guen to Henri Bourassa, the nationalist leader.

"The desire of the provincial government is to make Quebec the center of the pulp and paper industry of the world," said the premier, "and there is no reason why this should not be accomplished, for Quebec has the essential pulp wood and water power."

"If the provincial government has to choose between the Dominion and the United States, the choice will be for the Dominion, and if the choice lies between Quebec and Ottawa, the interests of Quebec will receive first consideration."

Nebraska Millers Divided.

HASTINGS, Neb., Feb. 17.—(Special Telegram.)—The South Platte millers' association in special session here last night to consider a Canadian reciprocity agreement, but on that subject no agreement was reached. Twenty-five millers attended and they were about evenly divided for and against the proposed agreement.

H. B. Smith of Lincoln, secretary of the State Millers' association, thought reciprocity would be beneficial to the millers by putting their business on an expert basis. No vote was taken.

The letter to Senator Frye relates to the bill introduced by Senator Oliver of Pennsylvania, which carries congressional approval of hydraulic development in the St. Lawrence river by the Long Sault Development company, chartered on May 27, 1907, by the legislature of New York.

"In my opinion," Governor Dix wrote, "the pending bill fails to cover properly the interests of navigation. While a survey of that part of the channel to be affected is provided for in the bill, the survey should, in my opinion, be made prior to final action by congress. Official approval of the secretary of war, and if possible, by the Dominion, or other necessary authorities, of any specific plans for construction work should be secured before instead of after final action by congress, and I would suggest that procedure in place of the course proposed by the bill."

"The possession by this company of enormous powers, defined in the act of the state legislature, would embrace both the state and federal authorities in negotiations with our Canadian neighbors concerning this matter and embarrass efforts to conserve the interests of navigation and of other property owners, whose holdings would be within the reach of the impounded flood waters and be of the great value."

In a letter, signed by a senior chair, he is being carried southward by his men.

Back in the Ring.



DIX ON WATERWAYS BILLS

Governor of New York Criticizes Bill
Pending in Congress.

ONE AFFECTS THE ERIE CANAL

Measure to Regulate Power Plants at
Niagara Falls Interferes with
Authority of State to Con-
trol Over Affairs.

ALBANY, N. Y., Feb. 17.—Governor Dix today transmitted to the legislature letters which he had written to Representative D. S. Alexander, chairman of the house committee on rivers and harbors, and Senator Frye, chairman of the senate committee on commerce.

The first letter treats of the bill known as the Alexander power bill, relating to the use of hydraulic power of the Niagara river, now before the house committee of which Mr. Alexander is chairman. The letter disputes the jurisdiction of the federal government in the matter of the disposition of Erie canal surplus water, and says:

"The Erie canal lies wholly within this state and was built at the sole expense of New York, with the acquiescence of the federal congress at the time and it has since been maintained at vast expense to this state, but with great benefit to the country at large. Assuming, but not conceding that congress as against the state could now justly interfere and place a limit on the amount of water from the Niagara river to feed to the Erie canal, nevertheless such water, having once entered the canal, passes into an artificial channel wholly within the state and within its natural jurisdiction."

Bill Might Permit Monopoly.

The governor takes the ground that under the Alexander bill, if a combination or interest between the present users at Niagara Falls already has, or shall hereafter occur, the whole of the 20,000 cubic feet per second authorized by the treaty of May 12, 1910, with Great Britain, could be granted to a single user or to a combination of users.

"In my opinion," the governor continues, "the Alexander bill should be so amended as to prevent a monopoly in the product of the power affected to remove unnecessary restrictions on the number of those persons or corporations located on sites available for use of power, and which may desire to share in its use, and so as to leave New York state with the sole and undisputed jurisdiction to control the use of Erie canal waters at all points within its own boundaries. The question of the transmission of power originating in the natural waters of the state of New York to points without the state, to be prejudicial to New York and perhaps to the prejudice of United States as well, suggests itself."

Oliver Bill Criticized.

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Clash Between Grand Jury and Sheriff at Danville Probable

Since Elimination of District At-
torney Foreman Has Trouble in Get-
ting Warrants Served.

DANVILLE, Ill., Feb. 17.—A clash between the grand jury and the sheriff's office is among the probabilities in the section, fraud investigation. Ever since the elimination of State's Attorney Leonard it is asserted that Foreman Woodard has been having trouble in securing witnesses.

Bench warrants have not been served and Woodard believes that such a condition antagonistic to the work of the grand jury exists in the sheriff's office that he will be justified in starting something. Frank Collier, former Danville saloon keeper, converted during the Billy Sunday revival last year, and now himself an evangelist, voluntarily appeared before the grand jury today.

Curtiss Alights in Water Near Cruiser

Unannounced Test of New Hydro-
Aeroplane Proves it of Prac-
tical Value.

SAN DIEGO, Cal., Feb. 17.—Using one of his hydro-aeroplanes, Glenn Curtiss alighted today on the water alongside the armored cruiser Pennsylvania and was hoisted on board. Soon afterward the aeroplane was dropped back into the water and the aviator flew away to his hangar on North Island. The test was made to show the Navy department that an aeroplane does not need an especially constructed platform on a ship's deck to make it of practical use to the navy.

The trial by Curtiss was unannounced. His hydro-aeroplane was wheeled out of its hangar and he flew alongside the cruiser. Within a few minutes Curtiss and his machine were on the cruiser's deck. After a stay of fifteen minutes the machine and its pilot were lowered, when the hydro-aeroplane arose gracefully from the surface of the water and without incident flew back to its hangar.

STEALS LUMBER FOR CHURCH

Officer of Independent Catholic So-
ciety at Flint, Mich., Makes Un-
usual Confession.

FLINT, Mich., Feb. 17.—Kamrrez Kilow, an officer of the Independent Catholic church, today confessed in police court that he stole lumber which he intended to use for repairs in his church. He was sent to jail for ten days.

Senator Root Advocates Organization in Business

WASHINGTON, Feb. 17.—With a plea for organization and combination on the part of the American business men for the promotion of trade with Latin America, Senator Root of New York today lauded the principle of organization in business in an address at the closing session of the Pan-American commercial conference. He declared the fact that the operations of the law against the great industrial organizations "reduced the industrial efficiency of the country."

"It is important to break up organizations," said Mr. Root, "when they are monopolizing the means of subsistence, but there is one way to counteract this influence, and that is by substituting organizations on a sound basis, not violating any law, but securing the concerted action of great numbers of Americans who have a common purpose."

The great principle of organization which is recognizing the business of the world applies in the subject of the extension of trade. Germany to a considerable extent requires a combination of its manufacturers, producers and commercial concerns, Japan also practically does this.

"But in the United States it cannot be done under government leadership because the people do not conceive it to be the government's functions. It seems to be rather that the government is largely taken up with breaking up organizations and that reduces the industrial efficiency of the country."

Senator Root, while secretary of state, made a tour through Latin America and he acquired enthusiasm by his concluding remarks that difference in the language and customs of a foreign people did not involve inferiority, and that nowhere on earth were there "a more noble and admirable people than in Latin America."

Henry White, former United States ambassador to France, spoke of the business reciprocity with all nations.

HOUSE CLINGS TO CAPITAL SYSTEM

Lower Body of Nebraska Legislature
Refuses to Abolish Extreme Pen-
alty for High Crimes.

EXTENDED DEBATE TAKES PLACE

Decisive Vote Recorded on Recur-
rence of Movement.

GALT HAS PROHIBITION MEASURE

Clay County Member Plans to Put
Legislators on Record.

ANTI-TREAT BILL GOES BY BOARD

Members Defeat It in House When It
Is Reported—Hogland Pressing
Host of Termination Acts to
Alter Existing Laws.

(From a Staff Correspondent.)
LINCOLN, Neb., Feb. 17.—(Special.)—Two bills abolishing capital punishment were killed in the house this afternoon after a spirited debate in which there was considerable quoting of the scripture and some acerbic oratory.

Routledge and Neil were the authors and they advanced the usual arguments against capital punishment, that it is barbarous, not a deterrent of crime and exceeding the right of society as against the individual. Kotouche quoted statistics from other states where capital punishment has been abolished, proving that in states where there is punishment by death it is harder to secure a conviction for murder. Mockett of Lancaster and Johnson of Johnson both spoke for the bills.

Neil's bill was only applicable to cases where the conviction was secured through circumstantial evidence, but even it was objected to. Sken of Nemaha was particularly strong against the bills because he was of the opinion that only capital punishment was a strong enough punishment for murder.

For Statewide Prohibition.

State-wide prohibition is contemplated in a bill introduced this afternoon by Representative Galt of Clay. The bill prohibits all dealing in intoxicating liquors of all kinds, exempting the home manufacture of wine and cider and the making of wine for sacramental purposes. The law reads as follows:

"Any person who shall either directly or indirectly, whether as principal, agent or employee, manufacturer, sell or barter or distribute any intoxicating malt, stout, fermented or other intoxicating liquors shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$500, or be imprisoned in the county jail not less than thirty days nor more than sixty days, or both. Provided, that no person shall be prohibited from making wine or cider from grapes, apples or other fruit growing and raised by such person, or from the making of wine for sacramental purposes."

The bill was given the number 408. It has been criticized by the members who have been examining it for discrepancies in the legal phrasing of the title and the actual contents of the bill and it is generally supposed that the purpose of introducing it is to set the members of the house on record for or opposed to prohibition.

Anti-Treat Bill is Killed.
The Evans anti-treat bill and the Hatfield bill limiting the number of saloons in all cities to one per thousand inhabitants, were reported for indefinite postponement in the house this morning by the judiciary committee. The Evans bill was one of the most severe liquor bills up for consideration and amended the present laws to make the saloon keeper and his tender responsible for serving and liable to heavy penalties and the revoking of the license. Mr. Evans made no effort to fight for his bill, either in the committee or on the floor.

The Hatfield bill was to limit saloons in cities of more than 1,000 to one per 1,000 and allowing no licenses in places smaller than 1,500. Hatfield also refused to fight for the bill, declaring that he was introducing it by request.

Insurance Reserve Funds.
Kotouche's bill, introduced at recommendation of State Auditor Barton, to require insurance companies to deposit with the state the securities for reserve funds, was put on general file. The measure has been much opposed by state insurance organizations.

Stock Yards Bill Goes Over.
The senate deferred action on the Ollis stock yards bill at his request because of the number of senators absent. The Hogland bill for a parole board similar to the one passed by the last legislature and vetoed by the governor was recommended for passage.

Licensing Pool Halls.
Moody's bill requiring pool halls in unincorporated villages to take out licenses with the city was recommended for passage after a number of changes. Attempts were made to completely change the effect of the bill by amendments requiring the board to issue licenses to all that applied and by an amendment exempting fishing clubs, a term which could be made to include any sort of a pool hall for billiard room. It was found just in time that there was no penalty and one was added before the recommendation was made.

The bill introduced by Polis requiring that patrons on rural mail routes should clear up the roads when blocked by snow or other obstructions under the direction of the road overseer and receive for it 30 cents an hour, was recommended for passage.

Lincoln Charter Goes.
The Lincoln city charter introduced by Senator Bellack was recommended for passage to the afternoon session of the senate. The length of the bill and its complicated provisions prevented its being read through, and after an explanation by the author it went through without objection.

A few slight amendments in terms were made by the senate. The senate decided also to pass seven bills modifying the laws governing the technicalities of irrigation in the western states. Senator Headland, representing a number of counties in the dry belt, has irrigation as his specialty and is introducing enough measures to completely rearrange the irrigation laws in such a manner more satisfactory to the people of his district.

MR. BASSETT THANKS THE HOUSE

On Question of Privilege He Talks

About Removal Vote.

(From a Staff Correspondent.)

LINCOLN, Feb. 17.—(Special.)—Represen-

tative E. C. Bassett thanked the house