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THE HOUSE STANDS FOR TEMPERANCE

INSISTS THAT HOISTING ENGINEERS MUST BE SOBER

PRIMARY ELECTION BILL CONSIDERED

Bryan's Comprehensive Measure Pertaining to Nomination of Candidates

The house again had senate measures up for consideration this morning. The matter that occupied most of the time of the session was the mining bill by Senator Sorrells. It was read at length and then taken up by sections. There was but little discussion and there were no amendments of great importance.

Engineers Must Be Temperate.

Murdoch moved to strike out Section 7. This provides that persons seeking certificates of competency as hoisting engineers must produce satisfactory evidence that they are citizens of the United States and of Oklahoma, have had two years' experience, are temperate and of good repute. Martin and others opposed this amendment, stating that the section was intended as a protection to the lives of miners. Finally the Murdoch motion was tabled and the section was adopted without amendment.

When the bill was placed on final passage it was passed without a dissenting vote.

Bryan's Primary Bill Up.

The next bill taken up was the primary election bill by Bryan, of Shawnee. The bill was read at length and taken up by sections. Bryan offered a substitute for Section 1. The original section enumerated the various offices, thus limiting nominations to those named and preventing the nomination of candidates for offices that might later be created. The substitute contains a blanket clause which obviates this difficulty. It was promptly adopted.

United States Senators Too.

The bill compels the nomination by primary of all state, legislative and county officers, and also includes United States senators. The first Tuesday in August is fixed as the date for the primaries. A member raised the point that this might make necessary the renomination of presidential electors. Speaker Murray caused a smile when he said:

"Yes, and it might make necessary another selection of the delegates to Denver."

The bill was still under discussion when the house adjourned for the noon recess.

Ellis Put a Bill Through.

The first bill passed this morning was that by Ellis, legalizing the incorporation of the town of Marshall, in Logan county. It received a unanimous vote.

Thomas Election Bill Passed.

Senate Bill No. 234, by Thomas, was passed on third reading by an almost unanimous vote. It is a bill providing for the holding of special elections to select permanent locations for county seats.

Routine Work.

The early portion of the session was devoted to routine work. Many petitions were received, among them being a number relating to the sale of the school lands.

The bills on second reading, thirteen in number, were referred to the proper committees. Several committee reports were also received on pending bills.

Anti Black Listing Bill Passed.

In the house this afternoon senate bill No. 74, commonly known as the "anti blacklisting bill," was returned from the senate with amendments. Tillotson moved that the senate amendments be not agreed to.

Crouch thought the senate amendments would not protect employes against secret signs in letters stating they had quit work or been

Later Tillotson withdrew his motion and moved that the house do agree to the senate amendments, this motion prevailed and on roll call the amended bill passed by a vote of 78 to 4.

Bryan Bill Up Again,

under discussion this morning, is again before the house at the time of going to press.

DOG DIED IN DEFENSE OF MASTER "OLD DAD"

Special to Daily Leader.

Tulsa, Okla., April 14.—A bird dog died in defense of his master at Jenks Saturday. The master, "Old Dad" Johnston, lay prostrate upon the floor and a "bad man," Elmer Higgins, was shooting at him. The dog divined the danger his master was in and frantically sprang upon the man who held the gun. The man shot the dog, fired another shot at "Old Dad" and then went out into the street. "Old Dad" was unhurt.

Higgins was arrested by citizens and held pending the arrival of an officer from Tulsa. He was brought here and jailed. Higgins is under indictment for murder at Bartlesville.

BUTLER CALLS DOWN CHAPPELL

A rum and puerile attempt to spring something was made in the house yesterday afternoon by Representative Chappell at the instigation of blue-oil. The "gentleman from Logan" introduced a resolution "demanding an investigation of the printing affairs of the house." Mr. Chappell was promptly called by Representative Butler, chairman of the house printing committee, who informed the member from Logan that the house committee on printing had made a contract with the Leader Dec. 20, to do the house printing, which contract was subsequently sanctioned by the state printer. Mr. Butler says Chappell's resolution is merely a republican attempt to make capital for the minority. If such was the motive it was a dismal failure. "If that's all the minority leader has to offer he may as well go way back and sit down. We are not making thunder for the republican party and its creepy organ, the State Capital."

Big Fleet At Anchor

(By Associated Press.)

San Deigo, Calif., April 14.—Its southern seas and changing climes of the Western Hemisphere ended, the American battleship fleet under command of Rear Admiral Chas. M. Thomas signalled, saluted and cast anchor off Coronado beach this afternoon. The four days of the scheduled stay of the ships will be marked by a ceaseless round of gayeties. Rear Admiral Robley D. Evans, who is ill at Paso Robles hot springs, is unable to be present, and it is considered doubtful if he will be able to participate in any of the fetes on the coast.

LEDBETTER GETS BUSY IN COURT

OLD FEDERAL COURT CASES WILL BE PUSHED

STATEHOOD NOT AN AMNESTY PROCLAMATION

Significant Statement By Chief Justice Williams From Bench

Judge W. A. Ledbetter, who was appointed special assistant attorney general by Attorney General West a few days ago and placed in charge of the prosecution of the criminal cases instituted in the federal courts of the Indian territory prior to statehood in the name of the United States government and over which the state assumed original jurisdiction, today appeared in the supreme court and submitted a number of cases on briefs.

Chief Justice Williams said that the people over the state had the impression that statehood meant amnesty to every criminal. "This is not our view," continued the chief justice, in addressing the bar. "The prisoners need lawyers and that should get them immediately. Criminal cases, according to the present law, should have preference over other matters in this court and should be disposed of speedily. The state has assumed original jurisdiction in these cases and lawyers having criminal cases in this court should prepare themselves for a speedy trial."

The chief justice said that the activity shown by Judge Ledbetter this morning in digging into his duties convinced him that the state would prosecute these cases in due form and that it was the defendants who needed the prodding.

Chief Justice Williams announced that the rules of the court would be printed and ready for distribution in a few days and that after they had been distributed the court would enforce them, and if the lawyers do not pay more attention to their cases they would find them dismissed.

the counsel in the case, Judge Ledbetter and Assistant Attorney General Henshaw were members of the constitutional convention and that Chief Justice Williams and Justice Hays and Kane wer also members of that august body

"We do not mean to lay down a rule to which there is no exception that the terms public school" and "common school" are always interchangeable terms. There may be circumstances under which the term "public school" might be conceived to include the university or other institutions of higher learning in this state. We believe, however, that the correct rule is the one laid down in the Alabama case, supra, that: 'When words and phrases are employed which have acquired a defined popular signification, the manifest inference is that they are used in their known and defined meaning and sense, no intention being apparent, from the nature and manner of use or otherwise, to attach any other signification.' There is nothing apparent from the nature and manner of the use of the term "public school" as it appears in section 5, of article 13, to indicate that the constitutional convention or the people, when they adopted their constitution, intended to attach to it any other signification than its well known, popular one.

We are, therefore, irresistably lead, by both reason and authority, to the conclusion that the term "public school" as used in section 5, of article 13, of the constitution of Oklahoma, does not include in its meaning the university of Oklahoma; that said section 5, of article 13 of the constitution, providing that the supervision of instruction in the public schools shall be vested in a board of education of the state of Oklahoma does not vest the board of education of the state of Oklahoma with supervision of the university of Oklahoma. That there is no repugnancy between section 5, article 13, of the constitution, and article 17, chapter 77, of Wilson's statutes of Oklahoma, entitled, 'An act to establish and locate the university of Oklahoma;' that article 17, chapter 77 Wilson's statutes of Oklahoma, is not locally inapplicable and was, by section 2 of the schedule to the constitution, extended to, and out in force in the state of Oklahoma until it expires by its own limitations, or is altered or repealed by law.

"It follows that the plaintiff is entitled to the relief prayed for in its petition, but as the defendant, the board of education, by its answer shows clearly that it intended no usurpation of the functions or duties of the regents of the university of Okla-

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WEATHER FORECAST.

(By Associated Press.)

Chicago, Ill., April 14.—Partly cloudy tonight and Wednesday.

STOOD FOR THE "TOUCH"

But Menefee Got "Next" When Gerlach Overplayed His Hand

Coming down from Wichita, wither they had been with Governor Haskell for two days, were ten practical jokers, bent on making someone pay the freight for a hearty laugh, and "Sunny" Jim Menefee was the victim, saving himself from a complete "cork and all bite" by the awkwardness of Banker Gerlach, who is lacking in the gentlemanly art of "touch and get away" with suavity.

One by one until eight had visited the "treasury" the crowd called on Mr. Menefee, each explaining that he was a trifle short of cash, and "I hate to trouble, old fellow, but can you spare five?"

Mr. Menefee, glad to be of service to his friends, stood for the touch brigade until Mr. Gerlach got too careful about the return. He wanted to know if a check, postal order or draft would be best to return the loan, and, as Menefee was chasing his last ten-spot around with the idea of dividing it, he happened to think it was passing strange that each of the crowd was short of cash; that none wanted more or less than five dollars, and that Gerlach was afraid the lender would fear the money would not be returned. Rising to expostulate, he saw ten food tunnels stretched to their full limit, and sides shaking to see him perform his service of friendship. He agreed to make the loans permanent if the story were not told, and all solemnly pledged they would not say a single work about the financial transaction. As a guarantee of good faith, the crowd took a generous portion of one of the bills to wire the story back to Wichita.

Mr. Menefee declares some of the perpetrators of the joke have had at some time more or less experience, as the art shown by some of the fellows was not born with them, and experience alone would give that finished grace to their modest requests.

SUICIDE CAUSES SENSATION.

(By Associated Press.)

Hong Kong, April 14.—A sensation has been caused here by the death of a Canadian flour miller named Rennie, who committed suicide by jumping overboard from the launch.

Miss Stevens Sponsor.

Miss Louise Stevens, the accomplished daughter of Representative Stevens, of Comanche county, has been appointed sponsor for the third brigade to the Confederate reunion.

It is said the enforcement of the prohibitory law will be left to the attorney general's office for the present. No special attorney will be appointed.

Governor and Mrs. Haskell returned today from Wichita.

FORTUNE IN OIL STRIKE

MAN WHO QUIT THE BUTCHER-SHOP FOR WELLS

SELLS FOR $1,500,000

Young Partners Holding Out for Hundred Thousand

Special to Daily Leader.

Pittsburg, April, 14.—Cyrus Ferguson, butcher and oil operator of Pittsburg and the West Virginia panhandle, was to-day offered $1,500,000 for his oil properties in Hancock county, West Virginia, and he will accept.

Nineteen years ago Cyrus Ferguson was an impoverished butcher in Steubenville, Ohio. When word came that the big Matthews gusher had been struck at McDonald, Pa., Ferguson quit in the midst of cutting pork chops and started for the new oil fields.

Four years ago Ferguson, having gained some money, returned to Holloday's Cove W. Va., where he bought an immense tract, intending to spend the rest of his life as a farmer. But copperhead snakes drove Ferguson back to oil production. He decided to sink wells in a little forbidden looking tract, choosing a location which had been passed up by all other operators. Ferguson took two young men in with him, each of them furnishing $262. They struck it right, and now the butcher is selling out for $1,500,000 and his young partners are holding out for $100,000.

DISCUSSED SUPPLIES ACCOUNTS

SENATE PASSES SPECIAL HOUSE APPROPRIATION BILL

BUT ELIMINATES EMERGENCY CLAUSE

Carries Total of Over $33,000 For Furniture and Office Supplies

The senate received a volume of committee reports at the early morning session, recommending for consideration Nos. 267, 342 and 190, of the senate, and No. 103 from the house.

The special house appropriation bill, No. 515, met a stormy reception in committee of the whole, Mathews in the chair.

The items covered all supplies for both branches of the legislature and all state officials, in the furnishing and office supply line, and made a total of more than $33,000.

Senator Stafford, for the committee on appropriations, said the bills had been audited most carefully, and while some of the prices were retail, considered that it was a poor time to get wholesale rates after goods had been used for some four or five months.

Dr. Conn and others protested against the price of several things declaring they were too high, a typewriting concern getting some terrific whacks by the charging economical columns.

Senator Blair declared the state was having its purse punctured by carelessness of someone not trying to get the wholesale price on the items required.

After lengthy and dull discussion the matter was put to a vote, and the committee of the whole recommended the bill for adoption. The senate, as a body placed the bill on final passage, it carrying on the roll call, 27 ayes to 8 nays, Memminger later transferring his vote to the "aye" column.

Wrane voted aye, but declared it was the first time during the session he had asked to explain his vote, Davis, Eggerman and Stafford also stating reasons for voting aye.

An emergency section was attached to the bill, and the senators protested against an emergency clause on an appropriation measure, declaring it unnecessary. The vote killed the emergency, 27 ayes, 8 nays, 30 being required to carry.

Morris Drew Fire.

When the vote was announced Mr. Morris grilled the senate for passing a measure and then refusing to apply it at the time. He wanted to know why the measure should be passed, if the men having the bills were to wait four or five months for their pay, and declared the way to remedy, if the bill were wrong, was to kill the measure.

Senators Hatchett and Mathews declared they voted nay in hope of killing the bill and wanted to kill it. Senator Blair also said he voted against the emergency because he "thought it was not right to vote for it."

"We feel no senator would vote against a bill thinking it right to vote for it" was the Little response.

"I move, Mr. President, that each senator who voted against this bill be allowed to apologize to the state of Oklahoma," was the rejoinder of Agee, followed by Stafford stating that postponement meant six per cent interest on the part of the state to its creditors.

The accounts were, when audited carefully, in most cases retail prices for small matters, and in no place wild of the usual price.

General Appropriation Bill.

Brushing all minor affairs out of the way, suspending rules and forcing consideration in senate proper, guided by Stafford and Memminger, the senate at 2 o'clock this afternoon, passed the general appropriation bill, Senate Bill No. 347, by Eggerman.

The bill appropriates the sum of $438,374.20, to which may be added the amount of $35,000 appropriated before the holidays.

The measure takes out the $700 allowed for contingent expenses in the lieutenant governor's office—that being the senate concession.

It also eliminates the $1,800 appropriation for oil inspector, that concession being asked of the house.

Mr. Thomas tried to get the $700 left in, but the haste to get the bill to the house with the hope of agreement caused all to bow to the will of the ushers, Memminger and Stafford, who declared there would have to be concessions or no bill.

On roll call Hatchett and Brazell voted nay.

Attorney General J. C. Roberts is here from Enid.

Union Station's Narrow Escape.

Much excitement prevailed this afternoon when "central" informed inquirers over the 'phone that the magnificent Santa Fe Union station was on fire. Teh department was called at 2:10, and made a quick run and extinguished the fire, which was getting good headway in the wood work between teh ceiling and the slate roof of the building, with chemicals. The fire caught from an overheated range and was so hot that it burned through the galvanized iron flue, setting the wood work on fire. The whole building would have been in flames a few minutes later.

Bellamy Will Preside Monday.

Lieutenant Governor Geo. W. Bellamy sends word from El Reno that he will preside over the session of the senate Monday.

Will Hear Liquor Cases Monday.

Monday, April 20th, was set by the supreme court to hear the arguments on about forty-five liquor cases in whih all appeal to the court for a delsion on the question of whether the city and county can legally hold the money collected in advance for liquor licenses in which had not expired November 17, 1907.

TELEPHONE CO. REPORTS

Taxable Property in State, Aside From Building Valued at $1,019,811.80

The annual statement of the taxable property of the Pioneer Telephone and Telegraph company, which has been filed with State Auditor M. E. Trapp, shows the total mileage of wires owned by this company in Oklahoma to be 65, 278.51.

The mileage of poles is shown to be 4,650.

According to the statement of the officers, the total valuation of the property, exclusive of building property, exclusive of building property located in five cities, is $1,019,811.80.

Accompanying the report of the Pioneer Telephone company are the statements of the South McAlester-Eufaula Telephone company, the South Arkansas Valley and the New Era Telephone companies, which show a total of 2,000 miles of wires and 78 miles of poles. The total valuation of these three subs diary companies is $28,131.60.

The Pioneer Telephone company operates in 66 of the 75 counties in the state. The South McAlester-Eufaula Telephone company in Pittsburg, Latimer and McIntosh, the South Arkansas Valley Telephone company in Hughes county, and the New Era Telephone company in Grant county.

Foraker's Old Grouch

(By Associated Press.)

Washington, D. C., April 14.—A careful analysis of the testimony taken in the investigation of the shooting up of Brownsville and argument in favor of the re-enlistment of the colored soldiers of the Twenty-fifth regiment was made in a speech today by Senator Foraker, of Ohio, in the senate. He said that nothing remains to show the negroes' complete vindication except only the discovery of the real culprits. He declared that most of the witnesses against the soldiers gave testimony sufficiently contradictory to show that it is unreliable. He concluded with the very complimentary reference to the colored soldiers: "They ask no favors because they are negroes; only but for justice because they are men," said he.

ALL EYES TURN TO NEW YORK

WHERE DEMOCRATIC STATE CONVENTION IS IN SESSION

WILL DELEGATES GO UNINSTRUCTED?

State Chairman "Fingy" Connors Says Bryan Sentiment is Lacking

(By Associated Press.)

New York, April 14.—The democratic state convention was called to order this afternoon. The sentiment is entirely in favor of an uninstructed delegation to Denver, although it was said early that the convention might be given an opportunity to pass upon a resolution presented by Bryan followers in favor of the Nebraskan.

Chairman William J. Connors of the state committee has said that there is very little real sentiment throughout the state for the nomination of William J. Bryan and the majority of delegates elected to the state convention from the various counties have been left free to act as the organization wills.

Enough Bryan sentiment remains, however, to give promise of a lively convention and there is a possibility of a warm debate out the committee on resolutions in the event of any Bryan supporters being given a place on the committee. Some of the Bryan men may try to prevent the organization from consummating its plans, by carrying the fight for an instructed delegation for Bryan to the floor of the convention. The association of democrats of Western New York has gone on record in favor of Bryan's nomination and will urge the convention to instruct its delegates to vote for the Nebraskan first, last and all the time.

The committee on credentials will have some political tangles to unsnarl, as several counties will send contesting delegations to the convention.

Chairman Connors, while favoring an uninstructed delegation to Denver, has expressed the belief that Governor Johnson, of Minnesota, is the strongest candidate in the democratic field of presidential possibilities. Governor Johnson's friends are watching the action of New York and Pennsylvania, both of which are expected to send their delegates uninstructed to Denver.

Gray Deen's Want Instructions.

(By Associated Press.)

Dover, Del., April 14.—Prior to this afternoon's session of the democratic state convention a letter by Judge George Gray to Thomas F. Bayard, chairman of the state committee, was shown to the leaders in which the judge requested emphatically that the convention refrain from endorsing him for president. It is understood that in spite of the judge's declination the convention will endorse him and instruct the delegates to vote for him.

The 101 ranch show will be a hummer. All Guthrie will turn out—providing it doesn't rain.

REGENTS GET COURT DECISION

Contentions Sustained Against State Board of Education for Control of University.

The Supreme court today sustained the contentions of the board of regents of the state university in the suit filed against the state board of education praying that a writ of prohibition be issued restraining the defendants from usurping the powers and duties conferred upon the regents by law. The suit was brought about by the action of the board of education in selecting A. Grant Evans, of Tulsa, president of the university upon the advice of Attorney General West, who contended that the board of education had absolute power to select the faculty of the state institutions, holding that the term "public school" as used in the Oklahoma constitution means all schools maintained by public money and that the term "common school" means the graded schools and that the two terms are not synonimous. The board of regents, represented in the case by Judge W. A. Ledbetter, of Ardmore, contended that under the terms of the enabling act and the Oklahoma statutes the terms "common school" and "public school" were used interchangeably and mean practically the same thing, that they had been so construed by other state courts and that the term "public schools" did not embrace the state institutions. The regents also contended that both under the provisions of the Oklahoma constitution and the statutes of Oklahoma now in force the board had certain specific duties, including the duty of the government and control of the university and that they should select a president and a requisite number of teachers.

Although sustaining the plaintiffs' contentions the court refused to issue the writ of prohibition asked for by the plaintiffs, on the ground that the defendants showed clearly in their answer that they would abide by the decision of the court and not usurp any of the duties of the plaintiffs. The petition was not dismissed, however, and the matter is left pending so that a writ could be issued at any time upon additional showing by the plaintiffs.

The opinion of the court is written by Justice M. J. Kane, who was a member of the constitutional convention and help write the terms in conflict. A significant feature is that both of

HASKELL EVOKES ENTHUSIASM

Oklahoma's Great Chief Executive Tendered a Remarkable Ovation By Democrats at Wichita.

Special to Daily Leader.

Wichita, Kas., April 14.—The Jefferson banquet of the Wichita Bryan club at the Carey hotel last night was the greatest even that the local democrats have held in Wichita for a long time. It was attended by 250 persons—all that the banquet room could hold—and there were many who were turned away, who went there hoping that they would be able at the last moment to get a seat.

Governor Haskell of Oklahoma was the chief speaker of the evening and he defended bryanism and the Oklahoma constitution in an address that was weighthed with enthusiasm and much oratorical display. His reference to Bryan as the next president of the United States, and to Jerry Botkin, who was seated at the banquet table as the next executive of the state of Kansas, brought forth prolonged enthusiasm from the body of democrats there.

The Oklahoma executive opened his speech by telling of the hospitality of the people of Wichita and said it was fortunate that the people of Oklahoma had such good neighbors. He then said:

"There is one thing worthy of mention of Kansas and that is the patience of the people of the state. Kansas has for a generation kissed the hand that robbed their pocket, and stood by the senators from the East in their protective policies, which had not benefited the people of the state. I say to you the people are not going to stand it any longer, and that when we visit Topeka next year we will find Governor Botkin in the executive chair.

"Government is for the protection of the people and the human family. The parties are the forces that promote the government. While democracy was never more Jeffersonian than now, republicanism was never farther from Lincolnism.

"You have only to read the message of Roosevelt to see how the party is lined up to the policies of the interests. They have kept promising reforms, but keep putting it off by saying, 'Please wait until the next election.' When the rate bill was up they said, 'Modify your bill,' and Roosevelt had to say that he would rather take

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