# THE ST. PAUL GLOBE.

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## NATIONAL SUPREME COURT AND SECURITIES CASE

### Officials of the Department of Justice Confident That the Decision of the Circuit Judges Will Be Sustained—Both Sides Anxious for the Final Decree in the Matter.

Special to The Globe.

WASHINGTON, D. C., April 10.—Attorney General Knox, Special Attorney W. A. Day and other officials of the department of justice, who were concerned in the suit brought by the government to prevent the merger of the Northern Pacific and Great Northern railroads, are elated over the decision of the United States circuit court. They believe the government has been strengthened immensely in its determination to regulate the trusts. This case has been regarded by the department of justice as the most important under the anti-trust law.

The officials seem to have no doubt that if the case is taken to the supreme court of the United States on appeal that tribunal will sustain the decision of the lower court. It is so unusual for four judges to agree on a question of great moment that the unanimity of the four United States judges who heard the Northern Securities case is considered very significant. This is especially so, as three of the judges have had long experience on the bench and are jurists whose opinions always have great weight, while the fourth, though a young judge, has a reputation for deep learning in the law.

#### Other Movements in Abeyance.

As the financiers concerned in the Northern Securities merger have other meager plans of similar character which have been held up while the suit to enjoin the securities company from voting the stock of the Great Northern and Northern Pacific was being considered, it is considered probable that they are anxious for an early settlement of the case. If the supreme court sustains the decision of the lower court a serious setback will be given to the merging of other great transportation lines. Such a decision would be a severe blow also to those planning monopolies of interstate commerce.

Under the new law the attorneys for the Northern Securities company have sixty days in which to file their appeal with the supreme court. The last day will be June 8, or a week after the court will have adjourned for the summer. If the attorneys for the merger desire to delay settlement of the issue they will postpone filing their appeal until the last moment, that the supreme court may not have an opportunity to fix an early day for the hearing. If, however, the appeal is filed before the supreme court adjourns for its summer recess, the case will be argued early in October, a motion to advance being made by the attorney general. Otherwise it cannot be heard before the first week in December. In that case the decision cannot be handed down before the end of February.

#### OWNERSHIP OF STOCK.

##### Assistant Attorney General Beck Construes the Decision.

PHILADELPHIA, Pa., April 10.—James M. Beck, assistant attorney general, who argued the Northern Securities case for the government, said today:

"Disclaiming any purpose to express any opinion but my own, the clear and exhaustive opinion of Jaudge Thayer seems to me to leave nothing to be desired in the matter of a full exposition of the federal law applicable to the consolidation of competing interstate carriers. All interests should welcome such a result, for it seems to me of first importance that the exact meaning of existing statutory law should be definitely ascertained. When so ascertained, the question of the wisdom of the statutes can be fairly debated in the greater court of public opinion. The decision of the circuit court accomplishes this purpose. It destroys the last legal device for the suppression of competition, shifts the whole question from the courts to the people and leaves for their consideration and ultimate decision the question whether railway consolidation, under proper regulation, is desirable, or whether it should be altogether prohibited. The wild suggestion that this decision is 'revolutionary' and will disrupt the American railway system is absurd. It simply reaffirms existing principles and has no application whatever to legitimate extensions of railway lines, but solely applies to the suppression of competition by railway consolidation.

"Judge Thayer's decision, in effect, demonstrates the inaccuracy of the phrase 'holding company,' and also shows that the 'community-of-interest' plan through stock ownership, when it suppresses competition and promotes monopoly, is unlawful. It holds in substance that whenever the control of competing interstate carriers is secured, either by a combination of persons or by a corporation which they create, and the motive for competition has thus been destroyed by the consequent unity of interest, the anti-trust law is violated. The fact that each of the competing lines is nominally operated by a separate board of directors is held immaterial, and the court, disregarding form and looking to substance, holds that the real policy of a railroad 'is controlled by those who own the majority of their stock,' and that such individual holders 'in a real sense determine all important corporate acts.'

"The decision is also of first importance in holding that the mere ownership in an interstate railroad brings the owner in such direct relation with interstate commerce as to subject him to the plenary powers of the federal government with respect thereto. Perhaps this holding gives the decision its greatest importance. The defendants' attorneys contended that the mere acquisition of such shares had either no direct relation to interstate commerce or that in any event such relation was indirect, collateral and remote. They sought to establish an unsound distinction between the ownership of a road and its operation. This view the court negatives and holds that the purchase of shares of stock in an interstate railroad subjects the purchaser to the constitutional power of the federal government. The importance of this holding, coming as it does upon the heels of the lottehy cases, cannot well be overestimated. It greatly widens the scope of federal activity. The constitution remains unchanged, but the sphere of human action to which it is applied is, by means of wholly exterior forces, greatly widened.

"The decision makes it doubly necessary to determine as a matter of public policy the exact and proper relation between the railways, upon which our prosperity so vitally depends, and the state."

#### "WHAT'S THE DIFFERENCE?"

##### This Question Is Propounded by Vice President Lamont.

NEW YORK, April 10.—Daniel S. Lamont, a director of the Northern Securities and vice president of the Northern Pacific, said today that as long as the railroads affected by the decision in the Northern Securities case had never lost their identity, even if the decision were made final by the higher court, little difference would result.

"The same men who own and control the Northern Securities own and control the Northern Pacific, the Chicago, Burlington & Quincy and the Great Northern. What's the difference? The Northern Securities company simply made it easier for those men to run the roads."

## PRESIDENT CASTRO STANDS BY BOWEN

### Remainder of the Venezuelan Protocols Will Probably Be Ready Soon

WASHINGTON, D. C., April 10.—News was received here today from Venezuela that President Castro will remain firm and sustain Herbert Bowen, Venezuela's plenipotentiary, in the attitude he has taken respecting the settlement of the claims against Venezuela and in favor of referring the question of preferential treatment of the blockading powers to The Hague for determination.

The same statement contained the information that no overtures have been made to President Castro directly by the representatives of the allied governments for settling the controversy, but overtures with this object in view have been made to the government by some financial syndicates.

Mr. Bowen has opposed bitterly any settlement through financial syndicates and President Castro has sustained him. It is believed by Mr. Bowen that, now this matter is settled, the protocols remaining to be agreed on prior to a reference to The Hague will be concluded before very long.

## DAY'S NEWS SUMMARIZED

Weather for St. Paul and vicinity: Rain today; fair and colder tomorrow.

LEGISLATIVE—

Anti- compulsory vaccination bill is defeated by the senate.

House declines to approve Fullerton's request for relief from demand for financial report.

Gross earnings bill and other tax measures to be considered in senate Tuesday.

House has established a record for dispatch of business.

DOMESTIC—

United States officials in Cuba are said to charge exorbitantly for disinterring and shipping soldiers' bodies, which should be done without cost.

Frank Tanke is convicted at St. James of murder of John Wellner and sentenced to penitentiary for life.

Pennell inquist is held, but does not prove whether Pennell's death was accidental or designed.

Northwestern university becomes champion of Central Debating league.

Decree is entered against Diamond Jo line of steamers and property ordered sold.

Americans capture Bacolod, killing 100 Moros and wounding many more.

Average condition of winter wheat is 97.3, against 78.7 a year ago.

FOREIGN—

Plot against life of king of Servia is discovered.

Explosion in powder factory in Canton, China, kills 1,500 people.

Sultan of Turkey is placed in quandary by murder of Russian consul.

LOCAL—

An episode in the recent visit of the president to St. Paul shows that he carries a revolver for his own protection. The governor also learns that the governor of Minnesota.

Jury declares that Patrick J. O'Keefe was not responsible for the death of Joseph Jacques.

Demand of property owners on certain streets that the telephone and electric wires go underground hits companies hard.

Judge Lewis finds the Vapor Light company entitled to continue the street lighting of St. Paul.

Mayor Smith vetoes the resolution for the surfacing of parts of Summit avenue with gravel.

Clemency will be asked of the board of pardons Monday in four cases where murder was the crime.

Fire raging in the coal sheds at Gladstone.

Sunshine predicted for Easter Sunday.

MINNEAPOLIS—

Cigarmakers' strike is aimed at cheap labor and machines in manufacture of cigars.

Judges evade action in the matter of cancellation of forfeited bonds of ex-Mayor Ames.

City council objects to the plan for making an auditorium in the city and county building.

RAILROADS—

Attorney General Knox and assistants believe supreme court will confirm decision of circuit judges in Northern Securities case.

SPORTING—

Cup defender Reliance to be launched at Bristol, L. I., this afternoon.

Benny Yanger throws over fight with McGovern to fight Eddie Hanlon.

FINE TIME IN THE PARK.

## FIRE REVOLVERS OVER CARD TABLE

### Three Men and a Woman Fatally Shot in an Ohio Town.

JACKSONVILLE, Ohio, April 10.—In a fight here tonight four people were fatally and one seriously shot. The fatally wounded are: Mrs. Henry Skrotsky, Charles Riley, Charles Cochran and Seth Tinkham. The seriously wounded is Henry Hoblett.

The fight occurred in a saloon of which Mrs. Skrotsky is proprietor. Tonight a large crowd assembled in the saloon for an evening of card playing and drinking. Tinkham and Hoblett, as partners, were playing Riley and Cochran, who were badly beating their companions. Presently Tinkham threw down his cards, declaring he had been cheated. He pulled his revolver, his three companions followed suit and the four began to shoot at each other at arm's length.

A dozen shots were fired and when their weapons were emptied four men, three dying, lay in pools of blood, while Mrs. Skrotsky, shot through the breast, accidentally, lay behind the bar. She and Tinkham cannot survive the night. Mayor Ginnan has sworn in many extra policemen to assist Marshal Charles Stewart in preserving order.

## DIVISION AMONG THE DUTCH STRIKERS

### Some Say Quit, but Most Persevere in Staying Out.

AMSTERDAM, April 10.—The workmen's defense committee today decided to proclaim a cessation of the general strike. The strike was never really effective.

At a large mass meeting held later the Federated Trades union repudiated the action of the workmen's defense committee and decided to continue the strike without the consent of the committee. The tumult prevented the members of the defense committee from securing a hearing. With the exception of the diamond cutters, all the men will remain out.

The workmen's defense committee has issued a manifesto explaining that a continuance of the strike will only expose the strikers to the vigorous penalties of the new anti-strike bill, which has practically become law. The committee has therefore decided to leave each trade union free to act as it thinks best.

The calling off of the strike has resulted in the holding of angry mass meetings of strikers. The anarchists and socialists are exploiting the situation, urging the men to ignore the committee and continue the strike. The men are inclined to follow this course, finding themselves confronted by dismissal and too deeply committed to withdraw. Some rioting occurred at the gas works tonight, the police charging a mob of strikers who were intimidating the non-strikers.

A cabinet council was held this evening, and it was resolved to continue the strong military precautions which had begun to be relaxed.

ROME, April 10.—All the strikers, with the exception of the compositors, have resumed work, and Rome has regained its normal aspect. Many foreigners who left this city temporarily are returning.

## DEADLY WORK OF ARKANSAS TORNADO

### More Fatalities Come to Light—Five Villages Destroyed.

NEWPORT, Ark., April 10.—During the tornado of Tuesday night a family of three pearl fishers named Tapp, who lived in a shanty boat on White river, were drowned.

Belated reports from Van Buren county and from the village of Pearson, Cleburne county, show that the damage done by the tornado has been underestimated. Pearson was almost wiped out of existence. Among those who are known to be probably fatally injured are J. M. Clayton, his wife and his daughter Ida.

Five villages in Van Buren county are known to have been destroyed.

## FIFTEEN HUNDRED PEOPLE KILLED

### Terrible Work of an Explosion in Chinese Powder Factory.

HONGKONG, April 10.—An explosion has occurred at the Canton arsenal powder factory. Fifteen hundred persons are reported to have been killed.

## PLOT AGAINST THE LIFE OF KING ALEXANDER

### Discovery Thereof Hastened His Recent Coup d'Etat.

VIENNA, April 10.—The rumors current of a plot against the life of King Alexander of Servia received apparent confirmation in private dispatches received at Budapest, and according to which an attack on the king's life was planned for next Sunday. The plot was discovered and fifty persons suspected of complicity therein were arrested. Other arrests are expected.

Semi-official reports from Belgrade declare that these rumors are false, but it is thought here that King Alexander's recent coup d'etat was hastened by the discovery of the alleged plot.

## THREE THOUSAND TANNERS AND CURRIERS RESUME WORK

### Chicago Employers' Association Scores Its Initial Victory.

CHICAGO, April 10.—Three thousand tanners and curriers returned to work today, ending a strike of several weeks, the settlement marking the first victory for the Chicago Employers' association since it made a rule to grant absolute union recognition to no labor organization.

The employers' association and the striking tanners have been at swords' points for more than two weeks over the one point of union recognition. The strikers refused to submit their grievances to arbitration unless the manufacturers would first agree to employ none but union men. This the employers refused to do.

The tanners yielded today, however, and returned to work, having obtained the concession of a nine-hour day, with no reduction in wages and the promise of the manufacturers not to discriminate against union men.

## IS A BRIDLE A PORTION OF THE HARNESS?

### Question That Causes a Strike Unsettled, Though the Strike Ends.

JOHNSTOWN, Pa., April 10. — The 1,200 miners employed by the Beech Creek Coal and Coke company, at Patton, this county, who went on strike recently, will return to work tomorrow. The question as to whether a bridle constitutes a portion of the harness, which caused the strike, remains unsettled. The executive board of District No. 2, United Mine Workers, in session at Clearfield, was unable to decide the question, and finally recommended that the mules be driven without a bridle. This was satisfactory to the company, and in the future the company will harness and unharness the mules, but the bridles will be dispensed with.

The men anticipate some trouble in handling the animals without the headgear, but say they will attempt it rather than go back on their contention that it is a part of the harness.

## NICARAGUA'S REVOLUTION IS REPORTED SUPPRESSED

### It Didn't Amount to Such an Awful Lot, Anyhow.

WASHINGTON, D. C., April 10.—Senor Corea, the Nicaraguan minister, has received a dispatch dated today from Foreign Minister Sanchez, at Managua, which says:

"Revolution is suppressed. The entire republic is at peace."

Senor Corea said: "The revolution to which this patch has reference had its origin in a contest for the election of a mayor in the town of San Pablo, in the department of Chontales. It was an insignificant affair, in which no lives were lost and no one injured."

## PENNELL INQUEST BEGUN AND DONE

### Conclusion Is Unsatisfactory and Throws No Light on Burdick Murder.

BUFFALO, N. Y., April 10.—The evidence given today at the inquest into the deaths of Arthur R. Pennell and Mrs. Pennell before Justice Murphy will not help the authorities in any way to a solution of the Burdick murder mystery. Whether the tragedy at Gehres' stone quarry, on March 10, in which Pennell was killed and Mrs. Pennell was fatally injured, was due to accident or design, was not proved.

Thomas Penney, who acted as attorney for the Pennell family since Arthur Pennell's death, declared that, so far as he was aware, nothing in the papers left by Mr. Pennell would throw any light upon the murder of Edwin Burdick. When questioned regarding the alleged defalcations by Pennell, Mr. Penney declined to answer. J. Frederick Pennell, brother of the dead lawyer and administrator of his estate, who has possession of most of the papers, was out of the city, and Mr. Penney informed the court that he did not know where he was or when he would return.

"Evidence that would show defalcation would simply be accumulative," said Justice Murphy, after the evidence was all in. "No stronger motive could be proved than has already been brought out here in the Burdick inquest. But proving a motive does not establish suicide. The court is prepared to announce its findings."

Judge Murphy then delivered his verdict as follows:

"I find and certify that Arthur R. Pennell came to his death on the 10th day of March, 1903, as a result of injuries received while riding in an automobile, the said automobile plunging from an embankment into the Gehres stone quarry. That I cannot determine from the evidence submitted whether such plunge was accidental or designed. That Carrie Lamb Pennell came to her death as a result of the said plunge of the automobile into the quarry."

W. C. Omphelius, Pennell's stenographer, produced a typewritten copy of the first draft of a statement prepared for publication by Pennell before his death. Mr. Coatsworth read it. It was prepared on the Saturday following the murder and was addressed to the public.

In the statement Pennell stated that he had satisfied the district attorney and the police that he had nothing to do with the Burdick murder. With reference to his connection to the divorce proceeding, he said that the living have their lives to live and have greater rights than the dead. He declared that there was no truth in the charges brought against Mrs. Burdick or himself in the complaint. He declared that there was no reason why she should have been driven from home by Burdick; that Burdick had been intimate with a woman whom he intended to marry and that it was not until Burdick learned that Mrs. Burdick was to sue him for divorce that Burdick himself decided to sue his wife for a divorce. Pennell declared that Burdick learned of his wife's intention to sue for divorce when he secured her papers from the safe deposit vault, by forging an order on the deposit company. Pennell declared Burdick was killed by an unknown woman whom he had invited to his house at midnight.

## BECOMES CHAMPION OF THE CENTRAL DEBATING LEAGUE

### Northwestern University Bests the University of Chicago.

CHICAGO, April 10.—Northwestern university won the championship in the Central Debating league tonight, defeating the University of Chicago, 2 to 1. The league is composed of the universities of Minnesota, Michigan, Chicago and Northwestern. Prior to tonight's debate Northwestern had defeated Minnesota and Michigan had lost to Chicago. The question under debate was:

"Resolved, That United States senators should be elected by direct vote of the people."

Northwestern took the negative and Chicago the affirmative.

## FIGHT ON VACCINE LOST SPOIL FULLERTON'S GAME

### Gregory Bill Prohibiting Compulsory Vaccination as a Condition Precedent to Admission to Public Schools Is Defeated by Close Vote—Suspends Anti's Battle Another Two Years.

The Gregory anti-vaccination bill died in the senate yesterday, failing of final passage by the vote of 28 to 27. The last chance to save the bill went by the boards when Senator Thompson objected to Senator Dunn's amendment, which would have made the proposed law apply only to children.

Senator Witherstine, one of the physicians in the senate, notified the senators when the bill was reached on the calendar that the doctors, although opposed to the bill, had decided to refrain from making further objection. The senator from Olmsted said that the question of how far the personal liberty of the citizen might be invaded was a question that he was willing to leave to the senate.

#### Horton Appeals for Children.

Senator Horton, the champion of the bill, made a last effort to secure its passage. The senator from Ramsey appealed to the senate for the children of the state, and declared that he protested not against vaccination, but against the violation of the person of the innocent children. The senator from Ramsey admitted that his children were vaccinated and would not say that persons should not be vaccinated, but he insisted that the parent should be allowed to judge whether his children were to be vaccinated.

The vote on the bill was as follows:

Yeas—Barker, Calhoun, Cooke, Dart, Du Toit, Eberhart, Everett, Fitzpatrick, Gjertsen, Hardy, Horton, Laugen, Laybourn, Mausten, McGowan, McNamee, Morgan, Pugh, Putnam, Rieke, Schain, Schutz, Smith, E. E., Somerville, Stephens, Thompson, Thorpe, Wood—28.

Nays—Alley, Batz, Benson, Buck, Campbell, Cole, Coller, Collester, Cowan, Dale, Dunn, Durant, Ferris, Harrington, Hawkins, Johnson, Lord, McGill, Nicols, Peachey, Peterson, Schaller, Shell, Sundberg, Torson, Wilson, Witherstine—27.

## ROOSEVELT GOES OUT FOR MOUNTAIN LIONS

### His Life in Yellowstone Park Begins to Take on the Strenuous.

CINNABAR, Mont., April 10.—It is generally believed here that the president, with Maj. Pitcher and the escort, is off in the vicinity of Yancy's on a mountain lion hunt. They have taken most of the dogs from the post with them. These are the dogs which the soldiers have been training for several weeks to track a mountain lion cub. The lion they have used for the purpose is one captured by Buffalo Jones last month. The cub is led along a trail by a trooper on horseback, and then a few hours later the dogs are put on the scent.

Dr. Rixey, surgeon general of the navy, who came down from Mammoth Springs yesterday, left Livingston today for Washington. He will remain in the East until about the time for the president's departure from the park, when he will again join the party at Gardiner or Livingston and complete the remainder of the trip.

## SCANDAL IN CUBA MAY COME TO LIGHT

### Exorbitant Charges for Disinterment and Shipment of Soldiers' Bodies.

TOLEDO, Ohio, April 10.—Congressman J. H. Southard, of this city, has started an investigation which may bring to light a scandal among United States officials at Havana, Cuba. The charge is that exorbitant charges are being made for the disinterment and shipment of the bodies of soldiers from Cuba, when it should be done free of cost, according to Mr. Southard.

Homer Pugh, who enlisted in the navy last August, died at Havana, April 2. His mother here was notified April 7. Two days later she received a cablegram stating that the body would be exhumed, embalmed and shipped to New York for $225. The mother brought the matter to the attention of Congressman Southard, who has started an investigation. The dispatches received here are signed "Springer."

## MANHATTAN ELEVATED MEN WANT NINE HOURS

### They Are Satisfied With Their Wages and Don't Think of Striking.

NEW YORK, April 10.—Employes of the Manhattan Elevated railroad were in session almost continuously from early this morning until late tonight, discussing the recent offer of the officials of the road to increase wages and reduce the hours of labor. The new wage scale was accepted, but the men will continue to agitate for a day of nine hours, instead of nine and one-half hours, as proposed by the company. After the meeting, George E. Pepper, president of the Manhattan division of the Amalgamated Street Railway Employes, who presided, said:

"I want to state positively that no strike is contemplated on the L roads. Any member of this division who makes such a statement does so to mislead the public. We are making a fight for better conditions, but are doing it on a business basis. The company has been more than fair in meeting us half way on this proposition, and there is no doubt that the matter will be settled to the satisfaction of all. We have given no ultimatum to the company that they must do so and so by a certain time, and the question of striking has not been brought up at any of the meetings."

#### Another Immigrant Army.

NEW YORK, April 10.—The heaviest week that the immigration bureau at Ellis island has ever had in April and the record ten days for the first part of April ended today with the landing and shipping to other places of 38,076 immigrants since April 1. The class arriving is above the average regarding education. A large majority of them go at once to the West and Northwest.

## Representative Nyquist Has Expunged From House Records a Letter, Which if Approved With Journal Would Absolve Executive Agent From Making Distasteful Financial Report.

Representative Nyquist yesterday morning spoiled a neat little plan by which Executive Agent Fullerton evidently expected to put the house in a hole and relieve himself of the necessity of complying with the house demand for a detailed financial report.

Thursday morning Chief Clerk Schmahl received a letter from Fullerton, in which the latter begged that the house would not compel him to furnish the report, and suggested that the special committee would hunt up the desired information from his records. This letter was printed in the house journal for Thursday and approval of the journal would indirectly have given the house's sanction to Fullerton's request.

It was a clever scheme, but did not catch Nyquist napping. When the usual motion for approval of the journal was made Nyquist objected, and had the Fullerton letter expunged from the records. He said:

#### Nyquist Was Alert.

"I don't see why the game warden hasn't time to make a report, as asked by the house, and we should not have any such letter as this on record. He can't come such dodges on me."

The house evidently realized what had been attempted, and the Nyquist motion to expunge was adopted without debate or dissent.

The special committee appointed to investigate Fullerton's office is well into the work. Chairman A. M. Schroeder yesterday said that it would be impossible for the committee to finish in the seven days prescribed by his resolution. The committee will insist that Mr. Fullerton make the desired report. Mr. Schroeder said that if the vouchers are, as Fullerton claims, in his possession, he can make the report within a week or eight days at the most.

In the meantime the committee will continue the investigation, asking the house for an extension of time. Chairman Schroeder yesterday asked the representatives of the press to extend, on behalf of the special committee, an invitation to all persons having grievances or complaints, capable of substantiation, to present themselves for a hearing, or send in their complaints.

#### STATE PAYS FOR DINNERS.

##### Public Accounts Committee Discusses Board of Health Finances.

Traveling expenses of Secretary Bracken and dinners for the state board of health at state expense were the subjects of interested discussion by the house committee on public accounts and expenditures yesterday.

The financial report of the state board of health, which is not entirely pleasing to all of the members of Mr. Von Wold's committee, was dissected in executive session. The report will be printed and submitted to the house for its consideration.

The items of expense reported by Secretary Bracken which do not meet the approval of the committee are traveling expenses for the secretary, aggregating $800, and a comfortable bill for monthly dinners at a fashionable down-town restaurant for members of the board. A member of the committee last night said:

"We do not think there is anything irregular in the board of health finances, and will submit the report to the house without recommendation. We cannot, however, quite see the propriety of the state paying for dinners when, according to the requests of the board for increased appropriations, its work is hampered by lack of funds, and will let the house examine the report for itself."

#### WORK WELL IN HAND.

##### House Has Made Enviable Record for Dispatch of Business.

The house has its work well in hand. It is, in fact, in better shape than any of its predecessors for many years have been at this stage of a session. It is absolutely up with its work and clears the decks each day.

As an evidence of this unusual condition the house yesterday adjourned at noon for lack of work. It had passed the bills on its calendar and finished up general orders, thereby providing for a comfortable calendar today. The committees have kept well apace with the house and by Tuesday of next week no bills which are to receive reports entitling them to consideration by the house will remain in committee custody.

#### SCHMAHL NOT TO BLAME.

##### Chief Clerk Innocent of Interruption of Senate Roll Call.

Chief Clerk Julius Schmahl, through no fault of his own, was Thursday made the victim of senatorial wrath. Mr. Schmahl entered the senate chamber with a communication from the house while a roll call was in progress.

Mr. Schmahl was announced by the sergeant-at-arms, and, not knowing that a roll call was in progress, delivered his communication. After the chief clerk left the senate Senator McGill entered an objection to the interruption of the roll call.

The newspaper reports of the incident made it appear that Mr. Schmahl was the culpable one, while in fact the fault was not his.

#### CONSIDER TAX MEASURES.

##### Gross Earnings Bill a Special Order in Senate Tuesday.

The Fryberger gross earnings tax bill and the other measures relating to taxation and tax amendments have been made a special order by the senate for next Tuesday morning.

The Fryberger bill, H. F. No. 684, which provides for placing questions relating to the amendment of the constitution on a separate ballot, and H. F. No. 289 are to be considered in the special order.

#### PROTECT CANDIDATES.

##### House Indorses Bill to Hamper Grafters' Operations.

The house yesterday morning dealt a body blow to the ancient order of "grafters" who co-operate either as individual "moochers" or as members of so-called political social clubs.

By a practically unanimous vote it recommended Representative Shepard's

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