

## COUNTY OPTION LAW WAS SAVED IN THE SENATE

Great Fight Came to an End  
Late Yesterday Afternoon  
When Enacting Clause Was  
Stricken Out of Bill.

OPTIONISTS TRIUMPH  
BY VOTE OF 26 TO 23

Senator Wood Causes Great  
Surprise by Voting With His  
Party to Kill the Proctor  
Repeal Bill.

Palladium Bureau,  
Indianapolis, March 3.

The county option law stands. The only possible chance of repealing it was defeated in the senate yesterday afternoon, when the Tomlinson bill was killed by a vote of 26 to 23, to strike out the enacting clause.

The vote on this question was:  
Ayes—Bland, Benz, Bingham, Clark,  
Cronacker, Gonnemann, Heileck, H.  
L. Hanna, George L. Hanna, Hawkins,  
Higgins, Kane, Kimmel, Kirkman,  
Kling, Lambert, McCallum, McCarty,  
Mattingly, Moore, Orndorf, Pearson,  
Springer, Strange, Tilden, Wood; to-  
tal, 26. McCarty and Tilden are dem-  
ocrats.

Noes—Beal, Benz, Bingham, Clark,  
Durre, Farrell, Fleming, Grube, Har-  
lan, Kistler, Long, McCullough, Mc-  
Dowell, Parks, Patterson, Peizer, Pow-  
ers, Proctor, Rank, Roys, Shafer, Stot-  
tenburg and Yarling; total, 23. Durre  
and Peizer are Republicans.

Galleries and Lobbies Crowded.

The galleries and lobbies were crowded when the Tomlinson bill was taken up at 3 o'clock in the afternoon on the motion of Senator Durre, making the bill a special order for that time.

Senator Mattingly moved that further consideration of the bill be postponed and demanded the previous question. On the protest of a number of senators he withdrew his demand for the previous question.

Senator Kistler made a point of order, declaring that the question before the house was whether the senate should leave the regular order and go to senate bills on second reading and not to the Tomlinson bill.

Senator Mattingly, to correct any possible error, called up the Tomlinson bill on second reading and renewed his motion to postpone.

Senator Kistler still insisted that the special order was Tilden's motion made in the forenoon that the senate should go to the Tomlinson bill on second reading. The chair read the Tilden motion and declared that he did not think the Tilden motion had done away with the Durre motion for a special order.

Wood Ready for Action.

"Mr. President," said Senator Wood, "I believe the senate is now ready to consider this bill one way or the other."

### Is This Fair?

Certain Proof Will Be Made That  
Stuart's Dypsopha Tablets Cure  
Stomach Trouble.

THIS EXPERIMENT FREE.

Stuart's Dypsopha Tablets are made to give to the system, through the digestive tract and the stomach, the necessary chemicals not only to digest food, but to enrich the fluids of the body so that it may no longer suffer from dyspepsia or other stomach trouble.

We will send you a quantity of these tablets free, so that their power to cure may be proven to you.

Thousands upon thousands of people are using these tablets for the aid and cure of every known stomach disease. Know what you put into your stomach, and use discretion in doing so.

Stuart's Dypsopha Tablets contain fruit and vegetable essences, the pure concentrated tincture of Hydrastis, Golden Seal, which tone up and strengthen the mucous lining of the stomach, and increase the flow of gastric and other digestive juices; Lactose (extracted from milk); Nux, to strengthen the nerves controlling the action of the stomach and to cure nervous dyspepsia; pure aseptic Pepto of the highest digestive power and approved by the United States Pharmacopeia.

One of the ablest professors of the University of Michigan recently stated that this Pepto was the only aseptic Pepto he had found that was absolutely pure—free from animal impurities; Bismuth, to absorb gases and prevent flatulence with concentrated Jamaica Ginger—indeed a well known stomach tonic.

Liquid medicines lose their strength the longer they are kept, through evaporation, fermentation and chemical changes, hence Stuart's Dypsopha Tablets are recognized as the only true and logical manner of preserving the ingredients given above in their fullest strength.

If you really doubt the power of these tablets, take this advertisement to a druggist and ask his opinion of the formula.

It is your stomach to give it the trouble. It costs nothing to try. You know what you are taking, and the fame of these tablets prove their value. All druggists sell them. Price 50 cents. Send us your name and address and we will send you a trial package by mail free. Address F. A. Stuart Co., 150 Stuart Building, Marshall, Mich.

er." Senator Wood believed the Tomlinson bill should be taken up on second reading.

Senator Mattingly then moved that the senate rules be suspended and the senate take up the Tomlinson bill on second reading.

Senator Proctor insisted that the special order was on Senator Tilden's motion. The ayes and noes were demanded on the Tilden motion.

The result of this was 26 to 20 in favor of the Tilden motion.

Senator Mattingly then moved to strike out the enacting clause, and thus kill the bill.

Senator Stotsenburg objected, saying the motion just passed required the bill to be taken up on second reading, and that the bill had not been read a second time. The bill was then read by title.

Senator Mattingly then renewed his motion to strike out the enacting clause. Senator Durre moved that this motion be laid on the table. Kling and Kana called for the ayes and noes. Senator Durre withdrew his motion, and the vote was on the Mattingly motion to kill the bill.

This motion was debatable, and opened up the field for oratory.

Durre Denounces Hanly.

Senator Durre, republican, repealer spoke first. "It strikes me," he said, "that a motion to strike out the enacting clause comes like an assassin in the dark. It shuts out every hope for the bill, and every hope of making it a satisfactory measure. I have only one thing in mind now, and that is to make this a satisfactory and meritorious bill."

He then recalled the enacted platforms of the two parties and said that the whole question had been surrounded by hatred, which had emanated from the man who made the "hate" speech. He referred to former Governor Hanly and the latter's famous speech at the Republican state convention.

"This spirit of vindictiveness," he said, "is the spirit which surrounded the French guillotine. It is the spirit of the savage who sinks his fangs into the flesh of his foe. It is the spirit of the assassin who lurks in the dark. The question is before you, shall the people rule? If it is fair to say the majority shall rule, why is it fair to say they shall rule only when they rule your way?"

Senator Durre insisted that the question should be taken out of politics. "I want it out of politics," he said, "so that each campaign we can go on our way in peace. Make your regulations as strong as you will, but let us not say that with one fell swoop we'll wipe the question out because the people have not so ruled."

There was cheering in the lobbies when Senator Durre closed his speech.

"I want to enter my protest against this unnecessary noise in the senate chamber. This is a place for legislation," said the lieutenant-governor, who warned the visitors that they should remain quiet.

Kling Denounces the Bill.

Senator Kling spoke next, declaring that the Tomlinson bill was one of the most vicious pieces of legislation that had ever been presented.

"You democrats," he said, "put in your platform a declaration for ward and township option and now what do you do? You present a bill here that has none of the platform features."

Senator Stotsenburg protested that the only question was on the bill and that there should be no discussion of platform declaration. The point was sustained by the chair.

Kling then took up the county option law.

"We enacted a law here," he said, "which gives the people a chance to rule, and they are ruling. I say to you that the Tomlinson bill is vicious."

Senator Kling answered Durre, declaring that the stand for local option had not been taken at the behest of any one man.

"The result of the last election," he said, "did not prove to me that the people did not want county option."

"What was the issue?" asked Kistler.

"There were many issues," senator Kling said. "The bill should be disposed of one way or the other and then the legislature should take up questions of interest to the people."

Senator Stotsenburg (Dem.) supported the statement of Proctor made in the forenoon that the Tomlinson bill was one of the most drastic bills ever presented.

"I am glad," said Senator Stotsenburg, "that the people are here to hear this bill discussed. I am glad the lobbyists are here, the men who are paid to keep this question agitated. I do not mean the ministers, who have a right to be here, but the men who are paid for agitating and keeping alive this question."

"Who's paying them?" asked Springer. "The Democrats?"

"The republicans paid them last fall," answered Stotsenburg.

Stotsenburg Discusses It.

Senator Stotsenburg then began a discussion of the Tomlinson bill taking up first the license fee provided. The bill, he pointed out, called for a maximum license fee of \$900, and this, he said, was an advanced step. He then referred to the fact that the bill prohibited a brewer from having any interest in a saloon. Another step, he said, was the fact that the saloon license should be revoked when the license laws were violated.

Senator Stotsenburg pointed out then that under the bill, saloons could be established in the country districts only when a majority of the voters petitioned for it. This, he declared, was an advancement over the remonstrance law. He next referred to the city and town option provision and made the point that it preserved the Nicholson and Moore laws.

"It has been charged," he said, "by the paid agitators that the bill would repeal the Moore and Nicholson laws. If that be true the county option law repeals the remonstrance laws, and the county option law, I understand, was drawn by one of these paid agitators."

The provision in the Tomlinson bill, he declared, relating to the remonstrance laws, was just the same as the provision in the county option law. He pointed out that there is now no law limiting the number of saloons,

but that the Tomlinson bill would limit the number to one for each 500 inhabitants.

"The question on this motion," he said, "is not whether the county option law should be repealed or kept on the books. The question is whether you are going to allow this bill to come fairly before the senate for debate and amendments." The people, he declared, were misled in regard to the provisions of the bill.

Senator Wood's Remarks.

"I believe the democratic party is responsible," said Senator Wood, "for injecting this question which is purely moral into politics. The democrats met in convention and adopted a ward and township option declaration in anticipation of what the republicans would do. The republican party did come along and in an unguarded moment, went one step further and adopted a county option plank.

One man with an ambition that could not be curbed by his friends, that satiation of his own desire, called a special session of the legislature. When this man sought to be bigger and greater than the whole people of Indiana the people rebelled as they have ever rebelled against tyrants.

"Then came the special session, and I believed it was the beginning of the end. I came here with a resolution and submitted it to the leaders of the party." Senator Wood explained that the option question had gone to the people and that if they would elect a republican governor and a republican legislature the county option plank would be enacted.

Recalls Election Prophecy.

"Then," he continued, "they came here and told us that if this law were enacted the republicans would carry the state by 150,000. I didn't believe it, and I recalled then what had happened in the past. I asked you then to beware lest history repeat itself, and it did. I went out on the stump and I said then that if they reduced the republican majority the law should be repealed. The result was 14,000 people in the state said we do not believe in county local option."

"Now we are besieged on one side to keep it on the books, and on the other to repeal it. I am not shirking responsibility. I know what you democratic brethren will do if it is not repealed. You will go out to the people and say you did your best to repeal it, and you will say now give us a democratic senate and we will repeal it. And every normal democrat will vote his ticket and every liberal republican will join you."

Wood for Restrictions.

"I would have this business regulated by the strong arm of the law. I would not vote for this bill as it is now. But I would vote for a high license bill and a bill limiting saloons to one for each one thousand inhabitants. I would destroy the damnable roadhouses. I would have the saloons regulated by law. The best temperance laws in the United States may be found in Massachusetts and Pennsylvania."

Senator Wood then pointed out that liquor is sold in Indiana in counties where the saloons have been remonstrated out.

Senator Fleming Speaks.

Senator Fleming spoke next. "It is my desire," he said, "to raise the question of property interests, and to give you some of the best thoughts of the day on this subject. My position is well known. It is clear to my constituents. I spoke in every ward in my campaign and the result was I was sent here by a larger majority than ever was given before. If this law is left on the statute books Indiana will be dry by the year 1912."

Senator Fleming then read from that section of the Declaration of Independence which promises equal rights to all men. He then quoted from a speech of Lincoln in which he said that prohibition was a blow at the basis of all government. He then quoted the words of John Quincy Adams, Thomas Jefferson, President Eliot, of Harvard and others, all of which he construed as being opposed to prohibition.

"The great minds of the present day are agreed," he said, "on the one question that prohibition and its offspring local option, are evil."

Speaking of property interests, Senator Fleming said: "A few months ago we heard that the insurance business was rotten, that the funds had been diverted from the widows and orphans to help a president but nobody said the insurance companies should be destroyed. We hear of crimes committed by the railroads, but we do not say the railroads should be destroyed."

"The great minds of the present day are agreed," he said, "on the one question that prohibition and its offspring local option, are evil."

Graustark.

"The public only realizes what an intensely dramatic and thrilling story Graustark really is there will not be a vacant seat in the theater when the play is presented here."

The company is positively guaranteed by the management to be equal in every respect of any of the high class attractions on tour.

"The Lion and the Mouse."

Maud Lambert, who is featured with Billy S. Clifford in "A Girl at the Helm," the latest LaSalle theater, (Chicago) musical comedy success, which will shortly be seen in this city

which was the first to sing the role of Dolores in the American production of "Florodora." She is also the original Queen Lili in "King Dodo" and she was featured in "When Johnny Comes Marching Home," "The Babes and the Baron," "The White Cat" and "Lonesome Town."

Stotsenburg.

"The great minds of the present day are agreed," he said, "on the one question that prohibition and its offspring local option, are evil."

Speaking of property interests, Senator Fleming said: "A few months ago we heard that the insurance business was rotten, that the funds had been diverted from the widows and orphans to help a president but nobody said the insurance companies should be destroyed. We hear of crimes committed by the railroads, but we do not say the railroads should be destroyed."

"The great minds of the present day are agreed," he said, "on the one question that prohibition and its offspring local option, are evil."

Graustark.

"The public only realizes what an intensely dramatic and thrilling story Graustark really is there will not be a vacant seat in the theater when the play is presented here."

The company is positively guaranteed by the management to be equal in every respect of any of the high class attractions on tour.

"The Lion and the Mouse."

In "The Lion and the Mouse" which Henry B. Harris will present here at the Gennett theater matinee and night March 6. Charles Klein, the author, has written a play that promises to be of enduring popularity. Indeed, it may be said that the success already achieved by this drama is beyond anything known in America in the past ten years.

The theme is most pertinent to the present day when everyone is keenly alive to the machination of trusts and kings of finance. Mr. Klein has displayed excellent judgment in presenting a phase of American life with which the public has become familiar through the newspapers and magazines of the times. He depicts a king of finance as he is, robbed of melodramatic attributes. In opposition to him he places a true figure of American womanhood—it is their struggle with the final victory for the girl that constitutes the basis upon which this powerful drama of emotion is built.

From this complication arises a series of situations of strong emotion, and admirably as they are written, they gain in power of conviction from their adroit handling by the exceptionally fine cast which Mr. Klein has selected for the presentation of this drama.

The announcement of the play here cannot fail to elicit the keen interest of all classes of theatergoers.

"A Midsummer Night's Dream."

On Wednesday, March 17, a remarkable performance of "A Midsummer Night's Dream" by the Ben Greet Players and the entire Russian Symphony orchestra of New York City, who will render Mendelssohn's exquisite incidental music, will be given at the Gennett theater.

Ben Greet and his entire English

er have been injected into politics. "I have been told," he said, "that I was not elected on the county option issue. But I think I am in a position to tell you on what issue I was elected. I went into every hamlet and every school house and told the people that I would work for the repeal of the county option law. I was for a \$1,000 license provision when I came down here, but I couldn't get that provision through the house and that's why it is not in the bill. I was unfortunate once in politics. I was defeated for city judge by the saloon keepers."

Senator Proctor apparently was almost exhausted when Senator Springer raised the point that Proctor's time had expired, and Senator Proctor was compelled to yield the floor. Senator Kane then asked for the previous question.

The vote for the previous question was 46 to 3. Grube, Kling and Lambert voting no.

Then came the vote on Mattingly's amendment to strike out the enacting clause, which was 26 to 23, the enacting clause being stricken out and the bill killed.

## &lt;h2