THE OMAHA DAILY BEE: THURSDAN DECEMBER 18, 1890.-TWELVE PAGES.

a polling place where there were forty or at persons peddling tickets such as I have mentioned, and a portion of them assaulted the peddlers of tickets and forcibly wrested the tickets from their hands and run against them and jecred and chaffed and used insulting language and epithets, and in some in-tances go to the extent of striking them with tarces to the extent of straining down with down, and no effort is made to protect these persons from such assaults and indignities, but on the contrary, the assaults and indigmittee are apparently acquiesced in by per-cons at the polls, would you say that was a free polling place and a free election $\{A - If$ Free pointing place and a free election A - iiwhat you say was true in every particular it would not be a free access to the election, although the election might go right on free for all people. You assert that, but don't

A

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Bhow it. Q. -Do you agree with Rev. Mr. Harsha that the election held in Omaha was some-thing like a funeral day, very quiet? A. -It

Q.-You regard an election day as a very sacred day, do you not? A .- I regard elec-tion day just like any other day. The only ce here is that the saloons are closed and the people closed their stores on this par-ticular day, which they don't usually do, and

Q.—Isn't it true that in the contemplation Q.—Isn't it true that in the contemplation of the law election day is a sacred day set Bart for every voter to express himself fairly and fully at the polls ! A.—It depends upon what you consider sacred. I don't know to what extent.— Q.—The purity of the ballot lies at the foundation of our government. A.-Cer-tably

Q.-And the right of every citizen to express himself and vote for his candidate in a peaceable manner existed A.-Yes, sir;

Q.-And anything that obstructs that per-son in exercising that privilege is a disorder and contrary to the principles of our institu-tions! A.-Anything that obstructs him

from voting-Q.-Anything that obstructs a man from going to the polls and advocating any meas the best of the point and a constraint of the point of th paign, and the poling place is where we ma-terialize them. Consequently, I say that in a year from now we will not see any of this; there will be no pedding of tickets if we have the Australian ballot or the laws that they now have in California, and where people cannot come within 100 feet of the polling place, and this idea that men have the right to talk and abuse people and chaff them, and pull them by the coat tail every time they have a school election. They make out that it is a sacred election, but I know of wten they have teld school elec-tions in this city of school teachers having gone so far as to pull men by the coal tails to get them to vote their ticket. I don't think that is a sacred election. Q.-I am not particularly interested in the

school board of Omaha. I ask you this ques-tion: Do you pretend to say that the voter has not the right to go to the polls with such tickets as he sees fit to take there, and in an orderly and gentlemanly manner, distribute those tickets and solicit voters: $A_{...}$ -Any-thing that is not forbidden by the law is con-sidered to be right, and I suppose I have the right to peddle milk if I want to at an elec-

 $Q_{\rm c}$ —You know as a matter of fact that the prohibitory amendment was submitted to the voters of this state by joint act of the legis-Inture! A .- Yes, sir

Q.-And you know that it was submitted y proclamation of the governor A.-I

Q.-And you know it was one of the things to be voted on at the election, November 4 of this year! A. -Yes, sir. Q.-And you know that every citizen who

is eligible to vote had the right to freely and fairly express his opinion on that subject? Q .- And he had the right to freely advo-

cate his opinion without being subjected to

Insult and assault? A. – Yes, sir, Q. – Now, then, if the citizen was obstructed in the manner in which I have stated, his Idekets taken away from him by orce and he was knocked down and insulted and sub-jected to insulting epithets and assaults of any kind, do you think that was proper A.— I say he had his redress and could get the parties arrested, and that would not interfere with the election - he had would not interfere with the election; he had voted and that was e could do.

Q.-Do you say that was proper? A.-It

seace f **A**. — At the polling place, Q.—Do you mean merely the place phys-cally occupied by the judges and clerks f**A**.—I mean the place occupied by the clerks peace? and the judges and the voters near the win dow where they take votes, but they can't go Q. outside.

Q.—That is, the space occupied by the per-sons at the election. A.—Trying to vote; not those loading around. Q_i —Not those standing around in the neigh-

borhood! A .- No sir, if they did we would have no need of police.

A set of the set of police. Q.—Den't you know that it extends to all the territory adjacent to the place of voting which may have a tendency to disturb the peace of the judges of election or of any per-son in that neighborhood sitending for the purpose of voting! A .- Disturbing the peace of the judges would not extend into the middie of the street.

Q.—Don't you know that it is the duty of the judges and clerks of election to protect every man in his right to go there peacably and vote, and to go there peacably and advo-cate such men and measures as he sees fit! A .- The word advocate don't occur in the

Q .- Don't it occur in the traditions of this country! A .- Traditions are not law. Q.-Don't it occur in the history of this country! A .- No, sir; it doesn't occur in history, anything about advocating and talk-

ing at the poils. Q.-Don't you know that it has been advo-cated ever since the organization of this goverument down to the present time by statement, by writers, and by congress itself, that the duty of the judges of election is to protect every man within the neighborhood of the polling place: A.-I don't know anything about what you would call the neighborhood. The neighborhood may extend from the top

The heighborhood may extend from the top of the hill to the river. $Q_{.-}$ Do you regard the polling place as a place for riot? A.—There never was a riot in this town on election day that I know of, Q.-I am not speaking of riot in a general sense, but riotous conduct? A.-A riot would mean the violence of people gathered to-

Q.-I suppose a riot, technically speaking, would be the riotous and unlawful conduct of three or more persons? A.-Of a number of

persons. Q.-And if three or more persons were engaged concurrently in making an assault; that is, one assaulting and the others aiding and abetting or encouraging it, don't you know that would be s riot? A .- It might be.

A rivulet might be an ocean some day. Q.-1 understand you to say that some one broke into THE BER office, into your room? ng. A.-Yes, sir. Q.-You had the information only from the

Q.-You had the information only from the night watchmant Λ_* - From the night Q .- Did the uight watchman identify the

man! A .- No, if he had I would have put him through. Q .- So when you say that when a prohibi-

tionist broke into your room and interfered with youy papers, you really cannot state whether it was a prohibitionist or not, can you? A.-I cannot tell, only that this man Johnson was seen prowling around there. Yesterday morning the taking of testimony

Q.-Well, there were a great many around here? A.-Of course I don't know positestant, was resumed.

there? A.-Of course I don't know posi-tively; if I had any definite evidence I would arrest him. Q.-You don't know as a matter of fact whether it was a prohibitionist or arti-prohi-bitionist, or a regular burglar in search of plunder! A.-I don't know, and Mr. Cooke probably don'a know whether it was or not. Q.-I understand you to say also that the prohibitionists broke into Mr. Cooke's office?

A.—That is what he thinks. Q.—Personally you don't know anything about that! A.—Only what he says, Q.—You don't know whether it was a pro-

about that! A.—Only what he says, Q.—You don't know whether it was a pro-hibitionist or an anti-prohibitionist! A.—All we know is that the documents that disap-peared from Mr. Cooke's office were given as the basis, or pretended basis, for the assault upon Lincoln and Omaha that appeared in the New York Voice and Lincoln Call.

Q.-Isn't it true that the campaign in this city and state, so far as the prohibitionists are concerned, was in the hands of responsi-ble citizens! A.-I don't consider some of them responsible, and I have got proof of it here that there are scoundrels who could be seen up.

Q.—Is the percentage of scoundrels who could be sent up. Q.—Is the percentage of scoundrels in the prohibition party greater than in other ranks of life Λ .—I don't know; probably not, but you take that boy cold business—they started to boy cold us and I have got the documents to up of the to prove it.

-Isn't it true that these ministers who Q.-15A't it true that these infiniters who have testified in this costest of your city are responsible ministers? A.-I think they are; I should be favorable to the ministers. Q. Mea whose integrity cannot be ques-

lar tickets, irrespective of the different parties, excepting they had "for the amend-ment" at the bottom? A.—Some of them were and some of them were tickets like this that were complained of -mongrel tickets. Q.-Did you see any other ticket than this

and the second and

A.-Yes, I saw some more mixed. Q.-Don't you know that a man has a right to vote any ticket he wants to and that it is entitled to be counted? A.-But this ticket s deceptive. Q.-But as a matter of law it is not fraudu-lent and bogus? A.-The people thought--the men believed that these tickets were

bogus. I myself believed that those tickets were legal. Q.-Don't you know that a man can take any ticket he wants to and vote it? A.-The

man himself may vote it.

man himself may vote it. Q.—And don't you know that if a man can get another man to vote by proper represen-tations to him he has a right to do that! A.— I don't know about that. Our law makes it illegal for any person to handle bogus tick-ets, and these tickets have a party head with names inserted that don't belong there. O —Don't all these belong under there? Q .- Don't all these belong under there?

A.—No, there are all kinds. Q.—But suppose the independent working-man's party adopted this ticket! A.—There is no such party. Q.-But suppose there was an independent

workingman's party that adopted that ticket and took a portion of it from all the different tickets, wouldn't it be as legal as the republican or democratic ticket: A. Yes, sir, if here was such a party.

Q.—And wouldn't a man have the right to go to the polls with it? A.—Yes, sir. Q.—And hand it to his neighbor to vote? A.—Yes, sir.

A.—Yes, sir. Q.—And would he be properly chargeable with peddling bogus tickets? A.—No, not if they were the nominations of some particular

party The straight democratic, and republican, and independent, and prohibition ticket, with the words, "for the amendment," on it, wasn't that a legal ticket / A .-- I think it was legal, but I saw it stated to parties at

Q.-Regardless of whether the words "for the amendment" were put under it or at the head (A.-Regardless of that, Q.-That was the subject of complaint at

those polling places mentioned where the parties would say it was illegal? A.-The people there believed it was illegal, and that was why they had all this racket. Q.--And the people who believe they were illegal indulged in some excesses, did they not! A.--They indulged in excessive talk-

Q.-And in some places more than exces-sive talking? A.-It may be for all I know;

was not there when it was done. Adjourned to 2 p. m.

PEDDLED ILLEGAL TICKETS.

Two Prohibitionists Tell How They Sought to Deceive People.

in the Powers-Boyd case, in favor of the con-J. L. Rice (cross-examined) said-I voted

at the Fifth precinct of the Sixth ward, Lake and Twenty-sixth streets. Everything was orderly up to 12 o'clock, aside from threats. Don't know who made the threats. It was very boisterous there at the primaries, also. I was intimidated election day, but I held the fort. They called me names-"fraud" and other names. They said I was peddling fraudulent tickets. I am a republican. had republican, democratic and independent tickets, all with the amendment on them. Frank Kemmer tore up my tickets about 10 o'clock. He resides at 1724 North Twenty

eighth street. There were Powers and Boyd cight street. There were rowers and Boyd tickets in the bunch. Knew the prohibition papers had attacked the census of this city. It aroused a good deal of indignation. I got another supply of tickets after Kemmer destroyed the first. They then surrounded me and tore my tickets up again. I armed myself in the afternoon. When I was at dinner they strengt a man for me

surrounded me and tore my teckets up again. I armed myself in the afternoon. When I was at dinner they struck a man for me. They didn't strike me, but would if I had been there. I don't remember any one being prevented from voting his choice. Mr. Richard Berlin was recalled and testi-fied substantially to the same facts published

I his previous testimony. John A. Plerson testified—I voted at the last election, in the Fourth district, Eighth ward. I work on the Swedish Journal as advertising manager. Was at the polls election day, several of them. I nad tickets of all parties with the amendment on them. I went to Ciontari precince. Saw a special policeman wearing a personal rights badge. He had Boyd tickets. One of rights badge to the that he didn't think it safe for me to remain there, and I left. At Twenty second and Cuming streets my tickets were taken away from me and The second secon Clontarf precinct. Nobody interferred with me when I voted. Our paper was organized at Holdrege to come here and was organized at Holdrege to come here and influence the Swedish vote for the amend-ment. I saw no violence at Clontarf. I next came up to Sixteenth and Dodge poiling place. Gustave Anderson was there and he advised some man who was ped-dling amendment tickets to leave the polls, because his tickets were fraudulent, and he was liable to be ar-rested. His tickets were the same as mine rested. His tickets were the same as mine, I got them at the amendment headquarters. They had the name of John T. Crowe on them for county attorney, which I under-stood was the wrong name. They poured whisky on this man and took his tickets away from him and tore them up. I knew it was whisky because I smelled it. I didn't was whisky because I smelled it. I didn't see it poured on him. In the afternoon I went to Twenty-second and Cuming. My tickets were taken from me there. They said they were fraudulent. They were for Powers and the amendment. They invited me to leave. No one hald hands on me. I next went to Tenth and Davenport. They took tickets away from a man there. They were independent tickets. They did not lay hands on him; only snatched his tickets. They claimed they were fraudulent. They claimed they were fraudulent. Charles A. Coe, treasurer of the Business Men's association, sworn -- Haven't much idea Men's association, sworn-Haven't much losa how much money was paid to The Bre Pub-lishing company. It would not reach \$1,000, neither would that paid Gibson, Miller & Richardson. Don't recollect of any money being checked to W. A. Paxton, Herman Kountze, Guy C. Barton or Edward Rosewatter. We paid out in Douglas county probably \$1,000. Don't know what the secretary's ex-penses were. Haven't the slightest idea what has become of his reports, checks, stubs or papers. They were left in our office unprotected; they amounted to nothing and we have paid but little attention to them since. None of this association knows any-thing about the condition of these funds. There has never been a settlement with me. eral election, which was very quiet and orderly; in fact, the most orderly and sober election he ever saw either in Omaha or else where. Cross examined -Anticipated more trouble Cross examined—Anticipated more trouble at the polls than I saw there. An egg may have been thrown or some person stoned, but I deny the statements made by the Voice, which conveyed the impression that those seenes were general. If one person at every poll in the city did something of that kind I would say it was a quiet election, as that would represent less than 1 per cent of the people about the polls. The sending out of reports that were pub lighed did not use this city fairly. There was nothing to prevent men getting There has never been a settlement with me. Don't know what became of the re-turned checks. Don't know what has become of the deposit books. Don't become of the deposit books. Don't think I have had them in my possession since this contest began. All money I received was deposited in the First National bank. Can't say where the papers and records of the Bankers' and Busiliquor the day previous and keeping it in flasks, but the saloons were not open on elec-tion day. Voted for Mr. Richards and against the amondment. Mr. Rosewater and others represented that I am a prohibitionist and I am sorry to say that some people who ness Men's association are, or what has be-come of them. Have not consulted a medium have known me for years preferred to be-heve Mr. Rosewater. The charge was made against me malificiously for the purpose of come of them. Have not consulted a medium yet. Don't remember how much money was sent outside of the county. It was not \$10,000, but I can't tell how much; don't re-member how much, but I do know there was as much as a nickle. Can't say, whether there was \$1,000 sent out or not; \$don't recol-lect anything about it. Think it took more than \$10,000 to organize the auxillary associations outside the county. Have never made a statement, either written or oral, to any one yet. I offered to; don't remember to whom. Our expenses in this city on election day were very small. About \$15, I think. Don't know of any debts contracted on that day. Did not get \$1 from the whisky trust. I refuse to answer whether we received any money from members of the whisky trust or not, but we did not to my knowledge. Don't lieve Mr. Rosewater. The charge was made against me malificiously for the purpose of hurting me politically, as it was made just before the primaries that had in view the nomination of state officers. My optimion of the election is formed by what I saw and heard and what I know of elec-tions in general. I was solicited to contribute to organizations in this city formed for the purpose of opposing the amendment. I re-fused to contribute. I believe Mr. Moffatt was sent to me by Mr. Rosewater, knowing that I would refrae, for the sole purpose of getting my refusal to use against me. Re-direct examination—There is no speci-fied term for the members of the board of fire and police commissioners, as they are ap-pointed by the governor and virtually hold office during good behavior. During my term of affice I doubt if the members of the board knew of the polities of the policemen. I presume the majority of the policemen of duty at the last election were appointed dur-ing my term of office. I feit that our police was as efficient a body of men as there is in any city in the country. W.S. Seavey, the present chief of police was appointed under my administration. Major John B. Furay sworn—Have lived in Omaha twenty, four years. Voted at the last money from members of the whisky trust or not, but we did not to my knowledge. Don't know how much we got from persons outside of the state. Never got a \$15,000 check from the outside. Not \$1 came from Peoria or Chicago. Fifty dollars, I think, where received from New York, from some man who owns real estate here. Don't know whether there is a resident member of the whisky trust bere or not. A L. Miles acted whisky trust here or not. A. L. Miles acted as treasurer during my absence. Cross-examined—The Bankers' and Busi-Major John B. Furay sworn-Have lived in Omaha twenty-four years. Voted at the last general election in the First district of the Cross-examined — The Bankers' and Busi-ness Men's association was formed for the le-gitimate purpose of defeating prohibition. None of our fund was expended to secure the election of any candidate on the republican, democratic or independent tackets, or for the defeat of any of them. It was solely used to defeat prohibition. None of the contestees contributed any money to our fund, unless some legislative candidate of this county did so as a business man of this county. None of general election in the First district of the highth ward. Parties peddled all kinds of tickets-democratic, republican, independent and a kind of bastard arrangement with tick-ets of all kinds with a vote for the amend-ment tacked on. The peddlers asked voters what their politics were and then handed them a ticket which professed to be in accordance with the expressed view.

the contestees for state officers contributed anything. Not \$1 was spent for any of these candidates. VEST-POCKET VOTES.

These Were the find of Ballots Cast at the State Election.

Mr. Charles Offut was not in his accus omed place sesterday, morning by the side of Mr. Ogden at the table where evidence was being taken in the gubernatorial case, and the latter gentleman conducted the examination for Mr. Boyd.

D. G. Courtnay of Lincoln appeared for Mr. T. H. Benton.

George I. Gilbert sworn-Am a member of the board of fire and police commissioners of the city of Omaha. Was appointed by Governor Thayer. Visited the polling places of the city at the last general election. Never saw a more quiet and orderly election in my life. Heard of no outrages having taken place,

Cross-examined-Have been a democrat for the past twelve or fourteen years. Decline to say for whom I voted at the last election. Voted a scratched ticket. Voted against the prohibitory amendment. Visited possibly a quarter of the polling places in the city. Made two circuits of them, one about noon and the other-slater. Remained at each perhaps about ten minutes. It is possible that one egg was thrown or that one man was knocked down. One egg or one knock-down do not make a riot and one swal-low does not make spring. I should not be-lieve that it was otherwise than a quiet election, even if citizens of Omaha swore that there were disturbances in thirty-one of the forty-one precincts of the city. Such disturbances would constitute a very bolsterous, uncivil election, and I know of my own knowledge that it was not so. Saw a partner of mine named Anderson peddling prohibition tickets in the First ward. Knew

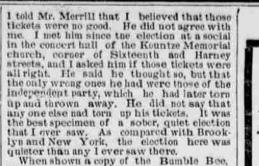
before election day that he would peddle these tickets, as he is a prohibitionist. He was not interfered with while I was there. I asked him if there had been quiet. That was he said everything had been quiet. That was about 11:30 o'clock

about 11:30 o'clock. W. F. Gurley sworn-Am a lawyer. Have been practicing for five years. Have lived here for ten years. Visited anumbar of poli-ing places in this city at the last general election. Think the polling places were doubled before that election. Voted early in the morning and there were few about the polls. Noticed parties peddling tickets. Some tickets were headed independent, also others bended have such and marking the headed democratic and republican. There was larger per cent of what we call the better element of our citizens about the polls than I ever saw at any previous election. They were peddling tickets and working about the polls in the various precincts. I think I visited thirteen precincts. Was a candidate on the republican ticket for the state senate Was about the polls all day until toward evening. It was the most quiet and orderly general election that I ever saw in this city. That was the general impression, and in many instances it was a matter of surprise. It was much quieter than many of the municipal and ward clections that have been held here, The stores were generally closed, and the saloons were apparently hermetically sealed, A very large "yest pocket" vote was polled. Knew of no organization here that was calculated to deprive Mr. Powers of any votes It was not generally regarded here that Mr. Powers was in it. A large per cent of the votes was cast early, in the day. The city papers published articles urging the people to acts the pells could not wate go to the polls carly and vote. Cross-examined-Voted for Mr. Richards

and against both amendments. Was not par-ticularly intimate with those who supported the amendment. Know of no arrangement made by the republican committee to chal

lenge every prohibition voter. W. F. Bechel, sworn-Have lived in Omaha twelye years. Was a candidate for the state twelve years. Was a candidate for the state senate on the republican ticket at the last election. Voted at the corner of Sixteenth and Farnam about 9:30 in the morning. Took my place in line and it took me about half an hour to get to the window. There was perfect order and perfect sobriety. It was the most orderly election 1 ever saw in this city. Saw more vest-pocket voting than ever before is my life, that is, voters who went with their ballots already pre-pared. Saw no obstruction in the matter of casting his uote. There was an understandcasting his note. There was an understand-ing among the business men that their places should be closed, and it was generally ob-

should be closed, and it was generally ob-served. Die not soe a drunken man or a whisky flask on the day of election. I was even refused my usual bottle of ale with my Monday lunch. Saw no one intimi-dating any prohibition workers Am a member of the city council of Omaha. before the last election the number of polling places were increased from nineteen to forty-Mr. Wharton, attorney for Boyd, wanted adjourn until 10 o'clock this n Mr. Strickler, the prohibition attorney for Mr. Powers, declared that the hour should be 9 o'clock. The Powers notary, E. E. Thomas, immediately coincided with Strickler's views. Mr. Whaton thereupon took occasion to ease his mind regarding the noticeable manner in which the notary had invariably ruled in Strickler's favor, and charged "Thomas with being a tool of his attorney. Thomas denied it, and finally branded Whaton is charged to like places were increased from nineteen to forty one in order that every voter would have an opportunity to vote without taking up too much of his time. Think there are still too few polling places. At some of the polling places nearly 1,000 votes were cast. The lar ger cities have reduced the number to 400 or 500, and New York to 300. Cards were given Wharton's statement as a lie. Wharton took no notice of it, but reiterated his statement, ger clues have reduced the humber to 400 or 500, and New York to 300. Cards were given out to facilitate voting, as the voter could give his number and his name be more readily found. The strong feeling against prohibition when Thomas gathered up a copy of the no-tice of contest and dashed it in Wharton's face, and then grabbed a chair in order to be prepared for the expected retaliation It didn't come, as Mr. Wharton picked up the bundle of papers and politely handed was what caused the large turnout of voters. Know of no intention on the part of any organization that any unjust discrimination should be manifested against Mr. Powers. Under the old system many of the laboring men were unable to get in their votes. The full registered vote was not cast at the last election. About the usual proportion of the registered vote was cast. There was a genwas what caused the large turnout of voters them back. At this juncture Strickler concluded that Wharton was just the kind of an adversary he wanted to fight with, and drawing his ab breviated frame up to its full height of 4 feet and 2 inches, suped out that Wharton was a "cowardly liar." Wharton reached over the table and soothingly eral feeling in the city that the inflammatory articles printed in the Bumble Bee were natted the excited pantam on the head, and atteriy untrue and were a gross libel on the Cross-examined-On general principles Strickler finally yielded to the admonition to "be a good little boy." The scene attracted the attention of every was satisfied that whatever was in the Call with reference to this city was false. Have been a member of the city cobnell for six years. I voted for L. D. Richards and the straight republican ticket with one exception. one in the room and the other tables whre de-serted. Matters soon quieted down to their normal condition, however, and the monotonous grind was resumed. Voted against prohibition and for high license. Did not see a vote challenged on election day. Passed by probably a hundred saloons on election day, and believe that all saloons in the city were closed. An adjournment was then taken until 2 o'clock. The Price of Metals. The following statement of prices per pound for various metals may be inter-esting: Gold, \$309; platinum, \$124; sil-ver, \$15; nickel, 51 cents; manganese, AFTERNOON SESSION. 57 cents; tin, 24 cents; copper, 13 cents; In the afternoon W. J. Broatch was the first witness sworn. He said he was ex-mayor of Omaha and attended the last gen-eral election, which was very quiet and zine, 6 cents; lead, 4 cents; cast steel, 31 cents; iron, 2 cents; aluminum, \$1.



lyn and New York, the election here was quieter than any I ever saw there. When shown a copy of the Bumble Bee, the major said that some person without the fear of God or respect of mankind before him had left copies of the paper on his porch be-fore the election, and he had read it as a literary curiosity. Several others whom he knew had been similarly inflicted. Such a careful canvass of the vote was kept in my district that all but seventeen of the registered votes were polled at a quarter after 5 o'clock, and six of those were subse-quently polled. The tickets peddled by the quently polled. The tickets peddled by the prohibitionists created distrust, and reports were carrent before we got onto it that sev-eral of those tickets had been voted inadertently.

Cross-examined-There was not a voter challenged because he was voting a prohibi-tion ticket. Three challenges, one of a republican and two of democrats, were successful, because they had moved out of the ward.

E. L. Magnus sworn-Am in the real es-tate business. Saw Mr. Merrill , peddling tickets in the Fifth ward at the last election. Was present when he solicited parties to vote tickets which were estensibly the regular party tickets with an amendment vote at the bottom. Was struck with the wrong spelling of the names of Mr. Capek, Mr Higgins and Mr. Cushing, Had previand Mr. Cushing, Had previ-ously seen one of those tickets. They did not explain about the amendment, and I never heard anyone deny that the parties intended to deceive the voters. Th The election would compare very favorably with any other election I ever saw. I never heard of a cross word being exchanged, and I would have heard it if it had occurred. In Omaha Mr. Powers was not regarded as a formidable candidate against either Mr. Richards or Mr. Boyd. The crdinary voter did not regard that Powers had a ghost of a show I words and worked for Mr. Biohards did not regard that Powers had a ghost of a show. I voted and worked for Mr. Richards and the whole republican ticket. Did not see anyone offering liquor about the polling places. The officers conducted affairs around the polls with perfect decorum. J. B. Reeve, sworn—Have resided here four years. Am a legal voter and was at the polling place of the Sixth precinct of the

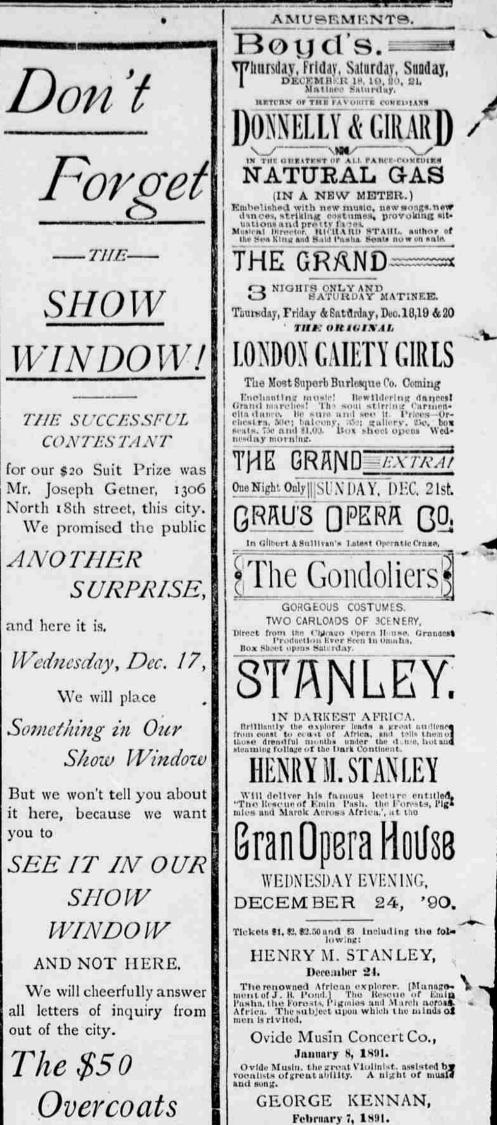
four years. Am a legal voter and was at the polling place of the Sixth predict of the Sixth ward all day on the day of election. Anthony Johnson was there peddling all kinds of tickets, having a vote at the bottom for the prohibitory amendment. Judge Doane swore—Voted in the Third

district of the Fourth ward shortly after noon on the day of election. Am judge of the Third judicial district. Visited several other polling places. There was no drunkenness, and the utmost facilities were offered to woters in casting their votes. There was nothing approximating a mob that came under my observation. It was surprisingly quiet. There was certainly no foundation for the charges of anarchy published in certain papers. The last general election would compare very favorably with any elections I ever saw here or elsewhere. I might designate it as the most quiet and orderly election over saw.

Cross-examined—At previous elections I had seen more or less intoxication, but on the last election day I saw none of it. If it was sworn that isolated cases of assault occurred in thirty-one of the forty-one precincts it would not change my idea that it was a quiet election. Even fortv isolated cases of this nature would not change my mind. If they were cases of organized assault it would change my mind. There were no grounds whatever for the charges of anarchy and that Omaha had been given over to a mob. Have read the pub-lished testimony taken at this contest. Have seen not hing that would cause me to change my mind. Have affiliated with the democrats. Voted for Boyd and against the pro-hibitory amendment. An adjournment was taken at 5:45 o'clock

until 13 o'clock this morning.

Attorneys Exchange Compliments. A lively little by-play was enacted just at the hour of adjournment at the table at which evidence was being taken for the contestant in the gubernatorial case.



Was improper. Q.—And it was just as improper to knock down a prohibitionist as it would be to knock down a republican! A.—Yet, but it would have been as improper to knock him down two hundred miles away from the polling place as it was to knock him down at the rolls. polls.

Q .- So far as you know there were no disturbances in this city? A.-I saw none. Q.-You don't pretend to say there were none? A.-All of that was news that reached

Q.-You are a reader of THE BEE! A.-1 read a good many other papers. Q.-You have read the evidence of a number of witnesses taken in this contest who have sworn to indignities of that character? A .-- I have

-Many of them ministers of the gospel Q.—Many of them ministers of the gospei and many responsible clizens: A.—I don't pretend to say that all of them don't tell the truth, but I think one or two, not some of the ministers, have not told the truth. I don't believe any man was ever followed into a street car and assumbed in the street car and decord but assaulted in the street car and dragged out, in the city of Omaha, and you can't prove it except by this man.

Q.—If these gentlemen told their experi-ence, and told it truthfully, you don't regard that as fair treatment! A.—I would regard it as very unfair, but they had their redress; some of them claim they did appeal to the

police and that the police protected them. Q.—If the policemen at some of these poli-ing places used the subterfuge that they did Ing places used the subterruge that they did not see the transaction, and that therefore it was necessary for the assaulted party to go and file a formal complaint, you would not regard that as proper? A.—That would be improper for the policeman; but they would have to prove that they did so. O — And suppose the policeman was part of

Q.-And suppose the policeman was part of the crowd that engaged in this. A.-Then

would have the policeman arrested. Q.—And timely turned his back at the time he saw the assault was coming and antici-pated it, would you say that was proper con-duct 1 Λ —I would say that was improper conduct and would complain of the police-

man. Q.-Would you say that under these circumstances the policeman ought to put the assaulted party to the trouble of going and swearing out a complaint! A.-Yes, sir, they did that with me; I have had such trouble myself

Q. — Don't you know that by the statutes of this state if a crime is committed within the hearing or vision of an officer it is the duty of the officer to arrest without a warrant! A. Yes, sir, but you have got to trust to his vision and his own judgment of his vision. You have to leave it to him to say whether

You have to leave it to him to say whether he saw it ornot. Q.-Suppose it occurs it the neighborhood where he is! A.-The only way to do is to complain of him. Q.-Do you know that by the statute of this state he is authorized to arrest without a warrant! A.-Yes, he has the right to ar-rest anybody that commits a crime within his sight and hearing.

rest anybody that commits a crime within his sight and hearing. Q.-But suppose they claim as a mere sub-terfuge that they did not see or hear it? A. -The only thing he can do is to go to the police commissioner and have him arrested. Q.-And if that was the case at these poll-ing places, would you regard it as improper conduct? A.-I would regard it as improper conduct on the part of the police. Q.-If at any of those polling places any of these men's conduct or these assaults came ander the observation of the judges and clerks

these men's conduct or these assaults came ander the observation of the judges and clerks of the election, and no effort was made on their part to prevent it or quell it, would you regard that as proper! A.-I don't regard them in the light of police officers. I think as long as they know that the voter is allowed to go unob-structed to the voting place and put in his ballot i don't suppose they have any right to interfere.

ballot I don't suppose they have any right to interfere. Q. — Don't you know that it is the duty of the judges and clerks of election to keep peace at the polls! A. — Yes, sir, but not a hundred yards away from the polls. Q. — Weil, at all places around the polls! A. — They could not come out of the polling place to enforce order on the outside. Q. — Don't you know that that principle of law is as old as the government itself! A. — I

law is as old as the government itself! A.I don't at ow of a single instance where a judge of election ever arrested any body outside of

Dependence of the state of the poly of th

tioned f A -I don't know anything about hat. They may be all honest, Q_{-} You understood when those gentlemen

were gathering up persons to have them nat-uralized that they proposed to gather up those persons so as to have them vote upon the question of prohibition! A.-It was thought that the naturalized citizens were by their education abroad intensely opposed to prohibition legislation of any kind, and we simply took it for granted that these men

that.

simply took it for granted that these men would vote that way. Q.—Of course, you would not have paid for the naturalization papers of a pro-hibitionist! A.—Not if we knew him. Q.—And you intended, of course, when you paid for those papers, that those parties should vote against prohibition ! A.—Our in-tention was to aid the different committees that were having this energing in hand in that were having this question m hand in getting these people to take out their papers because, as 1 state, many of them were poor and had to give up their time and we thought that all that we could do for them was to pay

for their papers. Q.-And you expected them to vote against the amendment? A .-- We expected the most of them would.

Q.—That is, you would not have paid for them if you had not? A.—We supposed they would vote against prohibition. Q.—Was it reported to you as a memoer of the computing

the executive committee, or to your com-mittee, that those persons for whom these papers were taken out would vote against the aniendment! A .- No, because we could not tell anything about that.

tell anything about that. Q.—When these gentlemen came to you for orders upon Mr. Moores for naturalization papers, and the character or the sentiment of the persons who sought the naturalization papers made known to you? A.—No. Q.—Was it made known to you whether they would or would not support the prohibi-tory amendment? A.—When a Bohemian came to me I knew of my own knowledge of the Bohemian people there was not a prohi-bitionist among them, and I could take my chances on it. chances on it Be kind enough to answer the ques-

tion? A.-I never inquired and could not very well, because they themselves did not know.

Q.-Wasn't this money paid to Mr. Moores Q.—wash this money paid to Mr. Moores upon the supposition, either expressed or im-plied, that the persons whose papers were purchased would vote against the amend-ment? A.—The money that was paid to Mr. Moores was simply paid to him for his services; so far as he was concerned, there was no understanding about it.

Q .- To make these persons eligible to vote? -Yes.

Q .- And you expected those persons thus made eligible to vote against prohibition? A.-We expected nine-tenths of them would. Q.-And as a matter of fact, they did? A.-I suppose they did; I don't know. Q.—And as a matter of fact, also, they sup

ported the democratic ticket! A .- That is Not true. Q.-Isn't it largely true? A.-I think per-haps the majority of them voted the demo-

cratic ticket. -Are you not satisfied that eight-tenths

Q.—Are you hot satisfied that eight-tenths of them supported the democratic ticket. A.—No, 1 am not, Q.—What percentage would you put it at? A.—I could not tell you, but I know a num-ber of the men for whom the papers were furnished that were working for the republi-cans, and hence I suppose they voted the re-publican ticket. Q.-Where did you get this ticket marked

Q.—Where did von get this to one of the exhibit H? A.—I got it from one of the ticket peddlers that had the tickets; I don't ticket peddlers that had the tickets; I don't ticket peddlers that had the tickets; I don't know just which one of the polling places. Q.-You don't know whether it was gotten out by authority or not! A.-I don't know

anything about the authority. Q.-Now the tickets that were complained of and called illegal and bogus were the tickof and called illegal and bogns were the tick-ets that were the regular party tickets, irre-spective of democrat, republican and prohi-bition, and so on, except that it had "for the amendment" instead of "against" at the bot-tom? A.—The principal compaint was of the democratic tickets because their ticket had "against the prohibitory amendment" at the head, and their party had gone against prohibition in the platform, and the demo-cratic workers in particular were very angry about that and thought they were bogus to have "for prohibition" at the bottom. Q.—Answer my question please? A.—That was the principal ticket; I don't know what badge the man had on.

Dadge the man had on. Q.-The tickets that were complained of at the several poils in your city were the regu-



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