# THE OMAHA DAILY BEE.

## TWENTY-SECOND YEAR.

STOLE ALL IN SIGHT

at the Lincoln Penitentiary.

Contractor to Plunder.

at the \$40,000 Appropriation.

NO CHECK KEPT OF THE EXPENDITURES

Contractor Drew the Money in Advance and

Spent it as He Chose-Report of the

Investigating Committee to

the Legislature.

LINCOLN, Neb., March 10 .- [Special Tele-

grain to THE BEE. |-The committee appoint-

ed to investigate the crookedness in connec-

tion with the penitentiary cell house con-

struction made its report this afternoon. It

contains some very sensational fladings, and

ing of the land commissioner, secretary of state, treasurer and attorney general. On

or about the 1st day of May, 1891, the board appointed W. H. Dorgan its superintendent

Appointed w. H. Dorgan its superintendent with full power to employ all labor and pur-chase all material and to oversee generally the erection of this cell house at a salary of \$50 per month. At this time and up to Feb-ruary 1, 1892, one C. W. Mosher was the prison contractor, and Dorgan was his man-ger, and had full charge of all his interest

ager, and had full charge of all his interest

at the penitentiary, including subletting of convicts to third parties. On the 7th day of May, 1891, Dorgan entered into a bond in the sum of \$10,000 for the faithful performance of his during at the sum of successful the sum of \$10,000 for the faithful performance

of his duties as the representative of the

Dorgan's Rake-Off on Convict Labor.

counting for the money was this: The board would ellow an estimate in favor of Dorgan

prior to any outlay on his part for a certain sum, as \$5,000, and Dorgan would make re-ports to the board of his expenditures. In conformity to this plan Dorgan drew \$32,100

of this money and made five reports, which are now on file in the office of the secretary of state. The amounts charged for labor

The method adopted in expending and ac-

Public Lands and Buildings.

lows:

board

## OMAHA, SATURDAY MORNING, MARCH 11, 1893.

### NUMBER 263.

## PASSED THE HOUSE

Bill to Regulate the Railroad Charges in the State Well Started.

OBSTRUCTIONISTS BAFFLED EVERYWHERE

Corporation Champions Fail to Block the Progress of the Measure.

ANTI-MONOPOLISTS WIN AT ALL POINTS

Republicans, Democrats and Independents

Stick Together for the People's Interests.

VOTE: SIXTY-THREE YEAS: THIRTY NAYS

Hard Struggle in the House Ended in the

Passage of the Committee's Maximum

Rate Bill-Davies' Speech on the

Cell House Job.

LINCOLN, Neb., March 10 .- [Special Tele-

gram to THE BEE.]-The reading of the rail-

road committee bill was begun in the house

immediately after the completion of the roll

call at 9 o'clock this morning, and continued

without interruption until it was com-pleted. The clerk and his quartet

of assistants relieved each other

during the reading, which occupied

over five hours. No recess was taken for

dinner, although none of the members missed

Work of a Brave Fireman.

Horace O Connor of engine 7 stated that his engine was the first at the scene of the conflagration and he was sent to the second story of the Ames building to help save the employes of the Partridge concern. Said he: I have been in many a tight place, but what I have been through tonight I shall remem-ber as long as I live. When I reached the second story and entered the room on the Lincoln street side, the sight was pitiful. Men, women and girls, frenzled with fear, were struggling to reach the windows to throw themselves into the street. Taking

of the frightened creatures were heartrend-ing, while the men seemed to lose all pres-ence of mind and fought like demons. I

fifth and sixth floors of the seven-story building, corner of Essex and Lincoln streets, owned by L. F. Ames. The cause of the fire suilding tonight." is at present unknown, but the start is described by those nearest it as resembling No Time to Escape. the bursting of a fire cracker. The flames

with hardly any report, the smoke was dense, blinding and suffocating and very

dense, blinding and suffocating and very hot. The rapid progress of the flames was the most marked feature. The small might have been one of burning rubber. There was no smell of gunpowder." The conflagration as viewed from a dis-tance was grand. A dense pall of black smoke covered that entire section of the city and as darkness came on this was lighted up by the flames, while occusional tongues of by the flames, while occasional tongues of fire and burning embers shot up volcano-like, into the ebony mass. In the immediate vicinity the scene was awful. While the Ames building was burning there were re-

peated explosions like fireworks, mingled with the hoarse shouts of ficemen, the engines pulling, the crash of falling walls and the rumble of the vast crowds which

Firms Burned Out.

soon gathered. It would be impossible to narrate all the The roll call developed the presence of but events of this exciting night; there were deeds of valor that are worthy of a more ex-tended a count than can be given here. There were plenty of witnesses to and actors in the flory drama. sixty-nine members. Pages were sent seurrying through the halls, corridors and committee rooms drumming up the absent members. The roll call developed that Ames (democrat) and Grammar (independent) have been excused for the week.

After reading the names of the absentees Schappel moved that Ricketts of Douglas be excused on account of sickness and death in his family. Stevens of Furnas objected, but a majority voted to excuse him. On motion James (republican) was excused.

A motion was made to excuse Crane by Goss of Douglas, Kloke and Rhea, all republicans, but the proposition was not agreed to, and the sergeant-at-arms was directed to serve warrants upon the absentces not excused at the time of the conclusion of the reading of the bill

Railroad Republicans at Work.

The majority of the republicans

were in caucus in the supreme

of action to pursue. They arrived at

no definite conclusion except that each

should vote as he pleased. The

railroad contingent was stirring vigorously to

induce the anti-monopoly element to stay

with them and knock the independents' bill.

The hope was held out to them that if this

was done a republican bili could be

passed later that would reflect credit on the

party and overwhelm the populists. These

specious promises of the railroad men were

rejected by the straight line republicans.

Several of the anti monopoly republicans, led

by Keckley, refused to attend the meeting.

saying they would not consort with that

Dispensing with the Call,

The door was closed on the call of the

At 2:30 Woods, believing that the inde-endents had enough votes to carry the bill brough on its final passage, moved that

further proceeding under the call be dis-pensed with. The motion was not agreed to, but forty-five members standing where fifty-

Barry offered a motion to excuse the ab-

sentees, saying the friends and opponents of the bill were ready to meet the issue. There

were a dozen seconds from the independent

he stated that the bill might as well be

Fifty-three members voted for the propo-

sition and the absentces were excused. The call of the house was then, at 2:35,

Explaining Their Votes.

Watson was also one of the seconds, and

crowd.

one were required.

side of the house.

raised.

(Hopkins) and the then chaplain (Howe), to a prison congress held in Pittsburg, but there is no itemized account of their ex-penses, nor is it apparent to your committee how this fund could be used for such a pur-In the first instance the money was paid to the secretary of state, J. C. Allen, and in the second to Dan Hopkins, and in each case prior to the trip being entered upon. How Bill Dorgan Built the New Cell House Loose Business Methods. STATE BOLDLY ROBBED ON EVERY HAND Within a few months after Hopkins became superintendent, a portion of the south wall that surrounds the prison yard feil in and it became necessary to repair it. Al-though Mr. Hopkins has not filed any re-ports with the Board of Public Lands and halldness be better to the source of the s No Limit Placed on the Opportunities of the Buildings, he submitted to your committee an itemized statement of his expenditures an itemized statement of his expenditures up to January 1, 1803, on the south wall as well as on the cell house. There is one item of \$1,024.28 for stone, being twenty-one car boads, all of which with the exception of one piece of coping, was used in the cell house, that is charged to the south wall. This, Mr. STATE OFFICIALS LET IT GO ANY WAY Dorgan and His Successor Given Full Swing

that is charged to the south wall. This, Mr-that is charged to the south wall. This, Mr-Hopkins states, was done on the authority of the board to balance a like amount of labor (estimated) that was actually per-limited in ballding a stockade around the formed in building a stockade around the open space where the wall had fallen in and which had been charged to the cell house. The attention of the house is called to this to indicate the loose manner in which this whole matter has been conducted. Accord-ing to the books in the secretary of state's office, there is yet on hands of the cell house fund \$1,700, but something like \$1,100 of debts for work and material are yet outstanding, and then when the above item of \$1,624.25 is charged where it belongs it will e seen that the fund is more than exhausted. As above indicated, Mr. Hopkins has not filed a single voucher with the board to enlighten that body or any other. How he has disbursed the money intrusted to him Mr. Dorgan has filed a number, but he fails to return any for \$5,151.77, which he claims to have seen! have spent. It is the opinion of the committee that this

involves the members of the State Board of work ought not to have cost over \$22,000. Paying the Contractor's Debts. The report made is substantially as fol-

A receipt attached to one of Dorgan's

statements shows 6,500 fire brick, costing \$205, and six burrels of fire ciay, costing \$24. TO THE HONORABLE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NEBRASKA Your com-mittee appointed to investigate the state penitentiary submits the following report: \$205, and six barrels of fire citay, costing \$24. This material was used in softling some boilers that belonged to the state. These boilers, with others, are used to generate steam to heat the penitentiary buildings (in-cluding the new cell house when complete) and to furnish power to run the machinery. The last legislature made an appropriation of \$40,000 for building a new cell house by day's work. The evidence taken has been almost entirely in reference to the expenditure of this money. This cell house abuts on the main building and is about 218 feet long by 44 feet wide; its west wall is the east wall of the man building; its north and east walls Your committee is of the opinion that under the contract with Mosher, the prison contracor should bear all such expenses himself. In this case the state not only furnished the boilers and material but the labor also and the north and east walls that surround the be north and east wails that surround the penitentiary grounds, and its south wall a new one entirely. This work, under the laws of the state, was under the direc-tion and supervision of the Board of Public Lands and Buildings, consistall is charged to the cell house fund.

#### Bill Dorgan's Honesty.

Your committee, after hearing the testi-Your committee, after hearing the testi-mony of ex-Treasurer Hill, Commissioner Humphrey, Secretary Allen and Attorney General Hastings, is compelled to believe and report to this house that the interests of the state were not guarded by even ordinary care. Instead of throw-ing every safeguard which honesty and business methods would sng-gest around the appropriation and its expenditure, the way was left open for extrav-agance and corruption, which expanded and grew more rapidly than did the walls of the cell house. To begin with, Mr. W. H. Dorgan, who was chosen superintendent of construction, did not sustain that nigh charconstruction, and not sustain that night char-acter for honesty which is a prerequisite in such a position; but had that not been true, he was disqualified because of the fact that he was agent or foreman for C. W. Mosher, whose interests constantly came in conflict with those of the state. Under such circumstances, we are inable to comprehend by what process of reasoning the board could expect an honest disbursement of the money. The prices

a somewhat milder form, the same is true of the present superintendent. Total Lack of Care.

Members of the board had a very imperon the trip, but was positive that he had spent all the money that had been given to intimating. when questioned by the committee, that they were too busy with other duties to give attention to this. It appears from the evidence that the board as appears from the evidence that the board as such, and the individual members as well, utterly failed to exercise any supervising care over the building or restraint over the super-intendent, establishing a condition of affairs that made waste and collusion inevitable; and while members of the board spent \$500 or \$500 drawn a thereas check against the and while memoers of the board spent \$500or \$600, drawn on Dorgan's check against the cell house fund, on a trip to other states, made-ostensibly for the purpose of enabling them to improve on our prison management, the convicts have not had the advantage of the most ordinary rules in regard to sa illary arrangements, as evidenced by the filthy condition in which your committee found the condition in which your committee found the cells. It is the opinion of the com-mittee that justice would compel ex-Governor Boyd and ex-Warden Mallon ex-Governor Thayer and ex-Warden Hopkins to share the blame with the board for this condition of affairs at the prison. We are thoroughly convinced by the circum-stances which have been brought to our attention during this investigation that the public service is being demoralized and the public interests jeopardized by official neg-lect and carelessness which merit the severest consure, and it is recommended that the authorities take immediate action to recover the amount corruptly diverted from its proper channel.

f of that institution. He related in detail the several improvements that had been made at the penitentiary under the supervision of the board, stating that the work had the board, stating that the work had generally been put in the hands of some competent person. The work on the new wing authorized by the legislature two years ago was done by the day under the direction of William Dorgan. The board held that the provisions of the law precluded the necessity of adver-tising for bids or for a superintendent. When the board took up the matter of build-ing the cell house Mr. Dorgan was employed as superintendent at a salary of \$50 per as superintendent at a salary of \$50 per month. Mr. Hill stated that he was honest personally as far as the employment of Der-

gan was concerned, and that he believed that Dorgan was a straight min and would make the money go as far as possible. He could not tell whether any plans or specifica-tions had ever been adopted by the board or not, but he saw what purported to be the plans for the new wing while visiting the penitentiary some time after the work on the builting had been commenced. He had al-ways believed that plans and specifications of some sort had been file i with the commissioner of public lands and buildings. Trusted to Dorgan's Integrity.

Referring to the employment of Dorgan as the superintenient of construction, Mr. Hill was asked if the fact that Dorgan was acting as Mosher's agent at the same time had not been considered by the beard. He re-plied that the matter had been discussed afterward, but no steps were taken to rec-tify any mistake that had been made in the selection. He thought at the time that \$50 a month was a pretty small salary for the services required, but that he had at the services required, but that he mount the time every confidence in Dorgan's business integrity. The matter of employing con-victs on the work as well as the purchase of material had been left almost entirely to Dorgan, who from time to time work may are provided as time would make reports to the board, accompanied by vouchers and receipts. The board examined these reports from time to time. The board examined the bills and youchers for material, but never made any time. inquiries as to whether the material had been actually furnished or not. He admitted that there had oeen many items reported by Dorgan which had not been accompanied by

vouchers. These items were placed on file to be considered in the final settlement, and a few weeks before the board's term of office expired Dorgan was ordered to present the receipts, but witness did not know whether the receipts had been furnished or not. Mr. Hill was then examined as to the as-signment of the contract from Mosher to Dorgan. He said that the assignment had been made in February 1892, and that the

board at once discharged Dorgan as superin-tendent and employed Dan Hopkins, ex-warden of the penitentiary, at a salary of \$150 per month. He thought the board took steps to require Dorgan to put up a bond steps to require Dorgan to put up a bond under the assignment of the contract, but he could not say whether that individual had ever done so or not. He could not remember the names of Mosher's bondsmen.

#### Took a Pleasant Trip.

Attorney General Hastings was examined as to the particulars of the junket made by several members of the board a year ago at the state's expense, the ostensible object the state's expense, the ostensible object being to examine the management of other state penal institutions. He testified that the party consisted of himself, Secretary Allen, Commissioner Humphrey and Warden Hopkins. Dorgan handed them \$500 the day they started and this amount was used for the expenses of the trip. They visited Leavenworth, Kan., Jefferson City, Mo., St. Louis, Chester, III., Chicaro and one or two of them went to Michigan City. Ind. They had transportation as far as St. Louis and some members of the party had passes from some members of the party had passes from that city to Chicago. The others paid their fare. They were gone about two weeks. They made some investigation of the matter of ventilating cell houses, etc., and made paid for material indicate his total unfitness for the trust reposed in him, or his utter lack of business integrity or honesty, and in some sort of a report to Dorgan when they returned, but the witness didn't know whether the ideas were alonged in the Nebraska cell house or not. He had never made an itemized statement of his expenses

was turned over to Dorgan, who used it for the purchase of material. Dorgan took re-ceipted checks, and these checks would be in the possession of the board when the final settlement was made. He remembered that some machinery had been purchased at about the time the work was commenced on the cell house, but he didn't know what the machinery was nor how much it cost. Colonel Dorgan on the Stand. One of the most entertaining witnesses before the committee was Bill Dorgan, the superintendent of construction, who acted as superintendent of construction, who acted as the agent of the prison contractor and at the same time drew \$50 a month to look after the interests of the state in the construction of the new cell house. He stated that he was at present the prison contractor, but that at the time he acted as superintendent of con-tinuity for the bound becomes

struction for the board ho was simply the manager of the contract for Mosher and had charge of all his interests at the peniten-tiary. In letting out the convicts to sub-contractors he charged as much as he could and the state angle as much as he could get. The state was charged \$1 per day. Private contractors were charged less, as a rule, and the average price received from private contractors was about 40 cents a day or each convict. The number of convicts employed on the cell

house varied from time to time. The following dialogue between the committee and its witness will give an idea of the manner in which the time of this convict labor was kept and charged up to the state:

#### fits Charges Always Worked.

"Isn't it a fact, Mr. Dorgan, that all the men who were employed and put into that gang were checked up and charged for unless they were in the hospital?" "Yes sir, they ought to be."

"And were charged up to whether they worked or not?" the state Yes sir. 'And the state paid for them?"

Yes sir.'

"How much time have you charged up to the state that they didn't work?" "Oh, there might have been a day or two, or something like that." "Wasn't there about twenty days, from January 10 till January 30, last year, that they didn't work on the cell house at all?" "There may have been; I wouldn't say." spread with incredible rapidity and in a very

That time was all checked up and charged to the state?" I suppose it was checked up and charged

#### to the state." His Little Deal With Atwood,

Leaving the question of the employment of convicts on the cell house, the board turned its attention to the prices charged the state or the stone and sand used in that building. Dorgan stated that he had purchased the stone of S. H. Atwood & Co. of Plattsmouth. He met Atwood in Omsha and had been rec-ommended to him by one of the general officers of the B. & M. railroad. He visited Atwood's quarry at Cedar Creek, and agreed upon the price to be paid for the stone. He consulted no other stone dealer and made ne effort to ascertain the regular prices for the kind of stone to be used in the walls of the cll house. He denied that he had obtained any prices of J. L. Farthing of Plattsmouth, and said that he never heard of such a man. He knew the state paid 35 cents a foot for the stone, but didn't know how much the stone cost Atwood. He supposed 35 cents was the regular price for that class of stone, but didn't know much about it, as he didn't class of stone.

claim to be much of a stone man, anyway. He believed he had noticed in some circulars that stone was worth about 35 cents a foot. Then the following entertaining conversation took place:

Densely Ignorant Regarding Stone. "Do you know as a matter of fact that

"No sir." "If that was what it cost, would you say 35 cents was the regular price of stone?" "I would not, because I am not a stone man.

"Do you know as a matter of fact that the "bo you have as a matter of fact that the price you paid for the stone was three times the regular price for stone in this country?" "As a matter of fact, I don't know." "With whom did you talk to ascertain the

"I told you I didn't talk with anyone but

'I understood you to say you talked with

persons who understood the price of stone?" "I told you that I had circulars of stone." "Whose circulars did you have at that time?"

"Well, was stone worth 35 cents a foot at Joliet at that time?"

"I think that was the price on the circu-lars for that kind of stone."

"What kind was third?" "I told you I was not a stone man." "How do you know if it was the same kind

"I suppose; I don't know very much about

"I don't know of a stone man in Lincoln."

"There may be a hundred, but I don't

know one man in Lincoln who handles

Some Whaling Big Carloads.

The committee then called Dorgan's atten

tion to the manner in which the state had been charged for stone that had never been delivered, but on this subject he was as ignorant as upon the price of the stone he had purchased of Atwood. One car of stone

Made the State Pay for All.

"Did you purchase them out of the state's

oney or your own?" "I aimed to make the state pay for every

thing. If I didn't 1 overlooked it. I aimed to make the state pay for everything I used in connection with the building."

He stated that he had made no agreement with the Board of Public Lands and Build-

ings as to the kind of a cell house to be built

Hopkins Had No Limit.

ceiling. He had no agreement with Board of Public Lands and B ings except that he was to

Testimony of a Stone Salesman.

"You don't know of any that handle and

"There were a great many stone men in town that you were acquainted with at that time, were there not?"

"I had some from Joliet."

'What kind was that?"

of stone if you don't know?

"What kind of stone was it?" "The kind I used down there."

Atwood.

time?

use stone?"

stone.

The entire fire department was speedily on the scene, the departments of Sewerville, Cambridge, Newton and Brockton arrived later by train, and aid was requested to be in readiness from more distant cities. For-tunately help was not needed. Vast crowds of people began at once to flock to the scene and, as a matter of precaution, Governor Russell ordered two com-panies of military out and he proceeded to

the fire in person. the fire in person. The fire spread rapidly from building to building, and despite the heroic efforts of the entire fire system of Suffolk county, it was not controlled until the whole square bounded by Essex street on the north, Lin-coln on the east and Kingston on the west had been leveled, also one building north of Essex street, extending along Columbia Essex street, extending along Columbia street, three more on the east side of Lincoln street and one corner of the United States hotel, south of Essix street, which corner contained the average beaution contained the emergency hospital.

and they would catch them. A good many did this, and, though bruised, the blankets broke the otherwise fatal force of the fall. One little girl, too timid to jump, was saved by a man reaching out for her on his way down the pole. A long stepladder was brought over and standing on it the firemen reached up as far as they could and caught others in their arms. In, a minute the other apparatus came and ladders were put up to save the rest. But they were not in time to save one man in the third story. He must have either jumped or been overtaken by the flames and fell back. Before the new apparatus could get to work the entire black hurst into flames for the save black PITIFUL AND HEARTRENDING SCENES Cut Off from Escape Many People Lose Their 5 Lives in the Burning Building-Over apparatus could get to work the entire block burst into flames from every window. It was so sudden that the steamer which had been playing in front of the building had no time to leave. It must have been destroyed. \$4,000,000 Worth of Property Destroyed. BOSTON, Mass., March 10 .- One of the Lincoln street at that place was in an instant a roaring flame." most destructive fires in the history of Boston, next in magnitude to the one of Thanksriving day of 1885, and in the same district, woke out shortly after 4 o'clock this afternoon, and before it was placed under control, three hours later, had burned over more than a square, had reduced to ashes several of the magnificent new buildings recently

DEATH IN SEETHING FLAMES

Boston, Mass., Visited by a Fatal and Dis-

astrous Conflagration.

some of whom will die of their injuries.

few moments the entire interior of the build-

There were many employes of the Partridge

company at work at the time, and the other

floors of the building were sprinkled with

human beings. The usual avenues of escape

were at once cut off and then began a scram-

ble for life, which sickened beholders. The

panic-stricken inmates fied to the windows

and rooms. Some escaped by sliding down

telegraph poles, others by leaping into blan-

kets. Several jumped to the pavement, six

or eight stories, and were terribly mangled,

and others, how many cannot now be told,

fell back into the cauldron of flames, or

were overcome by the dense black smoke,

which suffocated all who did not speedily

Awful Scenes of Death.

ing was burning.

escape.

completed on the territory burned over three and a half years ago, had consumed property valued by a conservative estimate at \$4,500,-000, had caused scenes of panic and distress never before equaled here, and had deone at a time I lowered them by the hands as far as I could and then drop-ped them into the nets spread be-low, at the same time fighting the crowd back from the window. The cries of the functional sectors of the function of the function of the sectors of the stroyed, perhaps, many human lives, and mangled or maimed at least thirty persons, The first alarm at 4:25 was soon followed by a second and then a general alarm. The

flames broke out in the toy department of think I lowered twenty-five or thirty. I should say there must have been at least thirty who never came out of the burning building alive, although it is impossible for any one to estimate the loss of life in this Horace Partridge & Co., who occupied the

> J. C. Young, manager of the Lauriat, said J. C. Young, manager of the Lauriat, said, "We saw cace man jump from the fourth story, landing on his head. Of our employes Muss Littlian Scott, Miss A. Levis, Miss Perrins, Miss Richards, Edward Lambley and a boy are missing. The first smoke came with a puff like a flashed' fire cracker, with handle any mount, the smoke was

their noonday lunch on that account, as they departed almost in a body, and the hall presented fully as deserted an appearance as during the noon recess on other days. Cooley sat by the side of the reading clerk all through the reading to see that no portion of

the voluminous measure was omitted. He was assisted by Oakley during the first two hours, but the gentleman from Lancaster then gave it up, and, with the exception of the erratic Cooley, the opposition gave up the effort to tire out the independents by holding them strictly to the constitutional provisions for the reading of the

At 2 p. m. the reading of the bill was completed. Casper demanded a call of the house and his demand was instantly seconded by a score of independents.

full copy of the engrossed bill. Bringing In the Absentees.

and stone constitute by far the largest items, and convict labor had the preference over free labor, Of \$11,659,17 charged to labor by Dorgan, \$9,064.50 was for only \$2.64.67 for free labor. This convict labor is charged at the rate of \$1 per day, while the average price paid by others who subcontracted for convicts is only at the rate of 40 cents per day. But Dorgan, as the representative of the Board of Public representative of the Board of Public ds and Buildings, contracted with Dorgan, as the representative of Mosher, the prison contractor, with the above results. Again, there were days when the convicts could not work on account of the weather or lack of material, yet a charge is made the same as if they had. The most glaring Instance of this kind is from January 21 to January 31, 1892.

#### Nice Little Deal on Stone.

Dorgan purchased all stone for the con-struction of the building of S. H. Atwood & Co. of Plattsmouth. The stone was shipped from Cedar Creek, where Atwood's quarries were located, and from Nemana county, this state, a part coming from Johnson, from the guarry of one John W. Zook and the balance from Auburn from the quarry of Van Court & Rood. Dorgan paid the freight in all instances. On all stone from his own quarry Atwood's price was by the hundred pounds viz Rubble, 6 and 8 cents, dimension 10 cents and coping 16 cents, and was sold by actual weight. This stone weighed about 165 pounds to the cubic foot. The evidence shows that the same kind of stone was worth about one-half of the above figures, or less. On the stone from Newsley weight less. On the stone from Nemaha county Atwood paid for the dimension stone 44 cents per 100 pounds and turned it in to Dorgan at 16 cents per foot, estimating only 100 pounds to the cubic foot, whereas the stone weighed about 150 pounds to the cubic foot. In other words, for a ear of stone weighing 40,000 pounds Atwood paid \$18 and charged Dorgan \$64. For the dimension stone, plugged to size, Atwood paid 10 cents a foot and charged Dorgan 35 cents a foot; or for a car containing 200 feet of this stone Atwood would pay \$20 and charge Dorgan \$70, thus clearing \$50 per car without in any way bacding it. way handling it.

What has been said of the stone holds true of the sand also. Atwood had the contract for it at the rate of \$1 per yard at the pit, while it was worth not to exceed 40 cents a yand

It is in evidence that prior to Dorgan's tering into any agreement with Atwood & Co. to buy stone and sand from them that other parties had offered to furnish the same to him at reasonable prices, viz: the Nemaha county stone at the figures at which Atwood & Co. purchased the same, as above given, and for the sand and Cedar Creek stone at figures ranging from one-third to one-half of the amounts charged by Atwood & Co. Dor-gan denies that he ever consulted anyone except S. H. Atwood prior to his agreement with that firm. He states that he was not a practical stone man, did not know what it was worth, but relied on Atwood & Co. to make him fair and reasonable rates.

#### Other Little Et Ceteras.

From February 1, 1892, Dorgan was the prison contractor. Mosher having assigned the contract to him on that date, but Dorgan has never entered into any bond as such contractor. From that time to March 15, 1892, he, as a representa-March 15, 1892, he, as a representa-tive of the Board of Public Lands and Build-ings, contracted with himself as prison contractor for all convict labor em-ployed during that period, and as prison contractor kept the time of the con-victs. On March 15, 782, Dan Hopkins was appointed superintendent in place of Dorgan, his compensation being at the rate of \$5 per day. He seems to have followed the general at no charges for such labor were made, so far as the committee is aware, when they

and the then warden of the penitentiary, Dan Hopkins, to inspect other prisons as to Hopkins, to inspect other prisons as to methods of ventilation, etc. There is no pretense of a statement as to the actual ex-ponses paid out by these gentlemen, and it is in evidence that they had transportation except for a very short distance. The second was then warden used on a trip taken by the then warden

#### TESTIMONY IN THE CASE.

Some Light Let in on the Very Peculiar Methods Employed. The formal report of the committee to the house sets forth in a brief and condensed form some of the things which were uncovered by the investigation, but it is in the exhibits from the report of the expert, thereto attached, that are found the most interesting features in connection with the fraud, steal and jobbery associated with the appropriation and the building of the new cell house,

The "reports" filed by Superintendent Dorgan with the board are five in number. but there are no vouchers for anything but the freight. Out of \$62,100 drawn by him from the fund by the consent of the board, there are no vouchers for \$5,151.77, and for the \$6,331.15 received by Hopkins from Dorgan, no vouchers have ever been filed. The evidence shows that before expending the money for material, Dorgan received bids for the furnishing of stone and sand, but notwithstanding this fact, he bought the material of an outsider, paying in nearly all cases two or three times as much, and in some cases four times as much as would have been the case had the material been furnished by the bidders, or by others at the praces bid by them. prices bid by them.

A liberal estimate for the stone used is computed by capable authorities at \$2,820.02, while the state was compelled, through the extravagance of the superintendent, and the contrivance of the board, to pay therefor \$777.32, an overcharge on that one item of nearly \$6,000. Sand was a lesser item, but in that particular there was an overcharge, as shown by the report of the expert, of \$250.40 Labor cost the state \$12,297.25, while had

a private contractor been leasing the same help from the same source, it would have cost but \$4,918.90. Here is a steal on these three items of nearly \$14,000 on a \$40,000 appleted. propriation

It is further demonstrated that the appro-It is further demonstrated that the appro-priation was much more than sufficient to have completed the building, but, as it is, the appropriation is more than exhausted, the building has been barely enclosed, and there are debts as yet unsatisfied for work that has already been performed. The evi-dence shows that several other matters were dence shows that several other matters were allowed to figure as a part of the cell house deal, at the expense of the state, although they had no connection with it. Herewith is reproduced some of the evi-

lence submitted before the committee: Ex-Treasurer Hill's Testimony.

J. E. Hill testified that he had been J. E. Hill testified that he had been a member of the Board of Public Lands and not. He had asked the warden and the men Buildings for four years; that the board had had charge of the penitentiary under the law passed by the legislature two years ago and that it superintended the expenditures drawn in advance of the expenditures and

General Hustings was then questioned losely as to his knowledge of the manuer in which Dorgan had been permitted to draw money on the cell house fund from time to time, but his ideas were not very clear on the subject. He felt sure, however, that Dorgan was never allowed any money until after he got the bills for the work. He admitted that several thousand dollars of the fund might have been checked out for which no receipts had been presented, but he claimed that he had no knowledge of the fact. He asserted that the board was in the habit of going over the claims very carefully. that he never gave the matter much attention himself.

#### Where Information May Be Had.

"I think if you go to Mr. Allen or Mr. Humphrey," said the attorney general, "either one of them can give you very definite information as Mr. Allen is secretary and Mr. Humphrey is president, and my office is attached to it simply as a matter of orna-ment, I suppose. I was attending to mak-ing briefs in the supreme court and attending to the affairs of my office as attorney general." He admitted that he probably did not

give critical attention to the matter of ex-penditures, claiming that his duties as attorney general made it absolutely impos-sible for him to stay in the other offices and check over accounts. As an attorney he considered that a bond for \$10,000 was reasonably sufficient for a man who had to ex-pend \$40,000 of the state's money.

Coming to the matter of the assignment of Mosher's contract to Dorgan, the attorney general stated that the board heard of the ceived. Dorgan didn't know anything about this item. He claimed that there were bond given by Mosher to the state had not been released. When shown the original bond the attorney general admitted that he had never seen it before.

#### Simply Took William's Word.

Secretary of State Ailen took the witness stand and told the committee what he knew about the trip taken by several members of the board to the penicentiaries of several castern states. His statements did not vary smuch from the ones made by th spent it. When they returned the amount was charged up to the state. Speaking of the manner in which the money had been expended on the ceil house, Mr. Allen suid that Dorgan would be given a warrant for a certain sum and that he would check against this money multiple in the suid check against this amount until it was exhausted. Then he would be allowed to draw another sum. The only thing the board had to go by was Dorgan's statements of the amounts he had paid out. The board never got together and figured up how much Dorgan had contracted or how much he ought to draw. In many instances the board took Dorgan's

statement without any vouchers. Mr. Allen made the somewhat startling statement that there was no record of the board's account with Dorgan in the matter of the construction of the cell house, either in the books of his office or the books of the board. He did not consider that the board had as yet approved the accounts of Dorgan and that no settlement had ever be with that person. He "supposed" the board would pass upon the accounts and make a settlement when the cell house was com-

Knows Nothing of the Details. R. Humphrey, commissioner of public lands and buildings, was next called to the stand. He also told the committee of the swing around the circle made by himself and other members of the board last year, and his story failed to place that memorable junket in any better light. Regarding the board's contract with Dorgan, he stated that no final settlement had yet been made. He had never made any ex-amination as to the correctness of the vouchers presented by Dorgan for material fur-nished. Neither did he know anything about the manner in which convict labor had been employed on the new cell house. His never scrutinized the vouchers for materia furnished and did not know whether the charges for such material were reasonable or

board

#### List of the Dead.

The following victims of the fire were alten to the city hospital. Dead: taken to the city hospital. Dead : UNKNOWN MAN, aged 25, supposed to be Fred Mendowcraft. ROBERT J. RESITAUX, aged 25. A. L. ADDERMAN.

GIRL, too badly burned to be identified. LEONIDAS II. REDPATH, merchant, died

## at hospital. Those Injured.

J. J. SULLIVAN, engine man, fell off ladder and received serious injuries. JOSHUA SHEPARD, injured ankle. JOHN F. DENNISON, dislocated shoulder MICHAEL HARENS, injured thigh. DANIEL R. MURRAY, compound fracture of

PAUL MURRAY, injured leg. BENJAMIN HERD, injured by falling walls MR. RICH, seriously injured. MICHAEL DEVLIN, fractured thigh. JOHN F. RYAN, injured ankle. JAMES RYAN, injured ankle, A. W. REDPATH, badly cut. A. W. REDPATH, Saddy cut. MISS MARY FLYNN, badly cut. C. J. WALWORTH, badly hurt. GEORGE L. RUFFIN, arm broker CHARLES GASKINS, Scalded and burned, MATILDA RICHARDS, injured slightly on hip y jumping out of a window J. J. LYONS, fireman, fractured hip

KEMPTON TWESS, fireman, fractured hip, CHARLES J. WELLSWORTH, aged 30, jumped om third story; condition critical. ROBERT J. ROSTRACK, ladder man, fell, inernally injured. FRANK MARSHLAND, hurt by fall from iad-

had been charged up to the state as contain-ing 403 feet of stone. This would make a weight of 66,000 pounds of stone on one car. There was a difference of 23,000 pounds be-tween the amount Dorgan charged the state for and the amount the state actually re-JOHN SULLIVAN, fireman, burned and inured by fall.

MANGARET FLYNN, stenographer, scalp

MISS MAGGIE LOVE, numerous co DISTRICT CHIEF EAGAN of East Boston. ervous prostration

ceived. Dorgan didn't know anything about this item. He claimed that there were many cars in use on the B. & M. which had a capacity of 64,000 pounds. He had never made any estimate of the amount of stone he had purchased of Atwood or of the amount he put into the cell house. He had purchased derricks, heads to be and heads to be used in creed. Miss BESSIE ALVIS, shaken up. Tom GIBLIN, fireman, cut and burned. BENJAMIN POND, injured by failing walls. MICHAEL HARKINS, badly hurt. Miss ADA PERRINS, aged 22, jumped from hoisting tackle and tools to be used in crect-ing the cell house. He was asked: third story, badly hurt.

#### One Mass of Secthing Flames.

George M. McCaller, bookkeeper at the "But five minutes elapsed between the cry "Fire?" and the arrival of the engines, yet in that time the whole building seemed to be in one seething mass of flames. In the rush one seething mass of names. In the rush from the building many of the people were knocked down and trampled upon. "The pitiful appeals of the young girls, mingled with the shouts of the men, as they

strove to pull them to a place of safety, was the most exciting. I have no doubt that many of the firm's employes who were on the fifth and sixth floors of the building have met with serious injury, if some of them are william R. Rummell, another employed

ings as to the kind of a cell house to be built under his direction. He employed an archi-tect to draw him some 'plans and specifica-tions. He claimed that all the board asked him to do was to put up a good building, and he asserted with sublime confidence that there wasn't a better building in the state, if he did say it himself. within R. Runner, another employe, said: "I first saw a man with his hair liter-ally singed off rushing up the street to the nearest fire alarm box. I sprang to the door and saw a spectacle that appalled me. A torernt of flame was literally pouring out of Ex-Warden Dan Hopkins, who succeeded Dorgan as superintendent of construction of the cell house, took the stand to tell the committee just what he didn't know of the business methods adopted in doing the work. the windows in the center of the front on the second floor of the Ames building. Upon the He testified that when he took up the work where Dorgan left of nothing had been completed but the inside wall. There was parapet up the street were four men and a woman clinging to the stone work. There was no such thing as getting a ladder up to no material on hand, and he purchased some twenty-seven car loads of stone of Atwood them, owing to the network of wires, for that is the worst corner for wires in Boston. at the same price paid by Dorgan. He had also purchased large quantities of sand, ce-ment, lumber and material for the roof and We watched the quartet as they clung for a few moments, while the crowd in the street stood in breathless silence. Then the four, one after the other, jumped off. Down they came, a height of six stories, and struck the frozen ground. It was horrible; all four Bulldings except that he was to go ahead and put up as good a building as he could for the money. No fimit had been placed upon his expenditures. He claimed that he had talked with men who were familiar with the sol were unconscious when picked up and there could hardly have been a whole hone in their

bodies."

#### Story of an Onlooker.

smaller streems are breaking up. Rock fiver in Illinois is clear below the rapids. The residents of Milan hope to be spared the flood of last spring. The Iowa and Cedar are breaking at their spring. amiliar with the prices of building materia Francis Galloup says: "I was going the Summer street just as the fire started. One steamer had just arrived in front of the building. I saw men, women and girls try-building. I say men, women and girls tryand had been told that the prices be paid were reasonable enough. He also told of the are breaking at their confluence near Colum-bus Junction. Ia. The approach to the Rock Island's bridge there has been slightly moved, but trains are using it. Apprehentrip he had taken with the members of the state board to other states, ostensibly to in-vestigate cell houses in other penitentiaries. building. I saw men, women and girls try-ing to get out of the upper stories. They were excited. I should to them not to jump, as the ladders would be there in a minute. But they were too frightened. One man jumped from the second story and caught a wire. He hung there until ex-hausted, then dropped. I could not see whether the fail killed him or not. I saw another man jump to the telegraph pole He and also related the details of a trip taken by himself and Chaplain Howe when they Pa., last November at the state's expense. This trip cost the state \$200. Two spans of the Keokuk & Northwestern railroad bridge across Skunk river below here were carried out by the ice and other One of the witnesses who was able to throw some light upon the peculiar business another man jump to the telegraph pole. He slid down without injury.

the frenzied crowd at the windows to drop is feared.

Firms Burned Out. The largest firms burned out are: Woon-socket Rubber company, Barbour Bros., Amazenne Machine company, Consolidated Last company, Merrick Thread company, A. Packard & Co., Hanover Shoe company, Lariat Manufacturing company, Ciaffin Laroeb & Co., United States Rubber com-pany, J. A. Jaquith, Rubber company, Tapley Machine company, Horace Partridge & Co., fancy goods; Hathaway, Soule & Harrison, boots and shoes; Cape Cod Glass company; American Pin company; Partridge Bros., wholesale fancy goods, and Singer Manufacturing company, and numerous small firms and office renters were among those burned out. Very few saved anything. those burned out. Very few saved anything. Incoming trains from all directions were heavily loaded during the evening, and probably 5,000 outsiders viewed the conflagracourt room considering what course

A conservative estimate of the total loss is \$4,500,000. The insurance will amount to \$4,000,000. No effort will be made to compile the insurance tonight.

#### Nashville, Tenn., on Fire.

NASHVILLE, Tenn., March 11 .- Fire has ust broken out in the heart of the wholesale district. The fire is raging fiercely and the full department has been ordered out. SETTLES THEAR CASES.

> Yesterday's Proceedings in the Panama Trial Winds Up Fioquet and His Colleagues.

[Copyrighted 1893 by James Gordon Bennett.] PARIS, March 10.-[New York Herald Cable-Special to THE BEE ]-The adjourned heaving in the Panama corruption trial today was the most important of any held up to the present. M. Floquet and his colleagues received their political death blow. The explanations of M. de Freveinet.

showing that he had never done anything for his personal interest, made a good impression, but M. Clemenceau made a still better impression and produced a good effect even upon his bitter adversaries. M. Clemenceau replied victoriously to the

accusations against him and explained the role that Cornelius Herzhad played. His most important statement was that he was put en rapporte with M. de Lesseps by M. Carnot, then minister of France. It is probable that this declaration will bring about some awkward complications. It produced a profound impression. JACQUES ST. CERE,

#### STRIKING RAILROADERS.

Ann Arbor Engineers,

Sent Out Two Freight Trains.

Neur Davenport.

sions of a gorge are felt here when the move-ment comes. The ice is mearly two feet

BURLINGTON, Ia., March 10.-[Special Tele-gram to The Beg ]-The Mississippi river is rising at the rate of five feet a day.

to 1,500 cars a month.

Ann Arbor road.

thick.

The roll call on the final passage of the Nothing New 1 : the Affairs of the Toledo & bill was then ordered, and many of the members explained their votes. DETROIT, Mich., March 10.-A special from

Burns voted no because he believed the bill would prove disastrous to the best inter-Hamburg, Mich., says: The Grand Trunk ests of the state. engineers have decided to help the strikers Carpenter voted no for the reason that he

on the Toledo, Ann Arbor & Northern Michfavored a 20 per cent reduction. He be-lieved the senate would pass a bill better to Igan railroad and today refused to take any of their freight from here. This place is one his taste.

Gerdes explained that he had pledged himself to vote for a rate bill, and, as he was a servant of the people, he therefore voted of their principal delivery points, as all the castern freight comes this way, amounting

A query by the Associated press repre-sentative here this afternoon elicited a de-Church Howe passed when his name was the general superintendent. He declared that there is no probability of the Grand

Jenkins said that having carefully ex-amined the bill he found that it made an average reduction of 30 to 35 per cent and voted no.

a better bill.

trains were sent out on the Toledo & Ann

Kessler did not believe the oill would sub-serve the best interests of the state, but he believed the railroad companies would not be injured by its provisions. He voted aye and he received a round of independent applause for his determination.

Nason thought the bill was antagonistic to the best interests of the state. He

ing lengthy verbal explanations until Keck-ey rose to a point of order. He declared that speeches from the independents. The friends of the bill wanted to vote on it, not o listen to speeches. The roll call was completed at 3 o'clock,

but it took ten minutes to verify the vote. Howe voted a stentorian "aye," and gracefully acknowle iged the expected round of ap-

plause with a smile. The vote was announced at 3:10 as follows -63 for and 30 against. The announce-ment of the result was received without demonstration or applause. The vote in detail

How They Voted.

Ayes-Barry, Beal, Brockman, Cain, Cas

Arbor road from here this morning. Superintendent Connors asserts that all trains will be running in a few days. Everything is quiet. The conductors have made no move yet to go out. WHEN THE ICE GOES OUT.

The

Trunk taking any such action, as no freight is being offered or taken from the Toledo & Jensen voted ave. Kaup voted no because he did not like the bill and believed the senate would give him Owosso, Mich., March 10 .- Two freight

Keckley voted for the bill.

McKesson voted no because he deemed the bill unwise, because it was never read three times nor discussed in committee of the whole and because he did not believe any

Fears of Great Damage Along the Mississippi nember of the house could vote intelligently DAVENPORT, In., March 10 .- [Special Tele-

n favor of the bill. gram to THE BRE.]-The ice in the Mississippl is unbroken from here to Burlington. but is becoming very rotten and movement at several places are expected soon. Th

voted no. Shut Off Stamp Speeches. Many of the independents insisted on mak