

A—Well, I think it would be more favorable both ways; they hadn't had any convictions under the felony clause in ten years; the law has been a failure.

Q—You left an argument along that line to present? A—Well, I guess you are mistaken about my leaving that.

Q—Who else? A—I don't know about the who else.

Q—Don't you know who it was that had them? A—I know that I had them, but I think I didn't leave them with Mr. Rigg.

Q—What I understand from you is that that was an argument to be used? A—Yes, sir.

Q—But that wasn't the real reason behind this bill, was it? A—Well, I don't know; I don't think it was.

Q—The real reason behind the bill was that they wanted a less stringent law on gambling? A—Probably.

Examined by Victor Rosewater: Q—You say there never have been any convictions under this law; are you quite sure? A—There have been no convictions under this law, I don't think.

Q—What about the case against Mr. White? A—He was fined \$400.

Q—Was that a conviction? A—Yes, sir; what I mean is, nobody ever went to the penitentiary.

Q—But there were convictions under the law? A—Yes, sir.

Q—And parties who have said there were no convictions made a mistake, then? A—Yes, sir. Why was fined \$400.

Q—If anybody said on the floor of the senate that there never had been any convictions under this law, they made a mistake? A—I think so; if I remember right, and I think that is the way, he was fined \$400.

Q—What about the case against Mr. White? A—He was fined \$400.

Q—And do you remember where court this was done in? A—I think it was Judge Scott's.

Q—And instead of sending him to the penitentiary he merely fined him? A—He was fined \$400.

Q—He had the privilege of sending him to the penitentiary if he wanted to, under the law? A—Yes, sir, I guess so.

Q—And if Senator Howell on the floor of the senate said there never had been any conviction under this law, he made a mistake? A—Yes, sir, to the best of my recollection, he was fined.

Q—It being now 10:30 p. m., and no other witnesses being at hand, an adjournment was taken until the following evening, March 20, 1897.

Victor Rosewater handed in to Chairman Murphy the following names of witnesses to be subpoenaed to appear before the investigating committee: Miss Gertrude O'Sullivan, Louis J. Piatti and Charles Bibbins.

HOW THE BILL GOT IN. LINDELL HOTEL, ROOM 118, LINCOLN, Neb., March 30, 1897, 8:30 p. m., present: Senators Murphy, Ransom, Osborn, Ritchie and Talbot.

Miss Gertrude O'Sullivan, being duly sworn, testified as follows; examination by Victor Rosewater:

Q—State your name. A—Gertrude O'Sullivan.

Q—Your residence? A—West Point, Neb.

Q—Your business? A—Stenographer and typewriter.

Q—And your present official position? A—Typewriter for the senate.

Q—Are you acquainted with the bill which was introduced in the senate for the purpose of amending the law relating to gambling from that of felony to misdemeanor and which has become known as senate bill 331? A—Why, I am not acquainted with the bill, but I know what it is; I know what bill you have reference to.

Q—Do anything with it after it was introduced? A—You expected to get a good fee for doing nothing? A—If the bill wanted to pay me a good fee and that bill passed, it was all right.

Q—Have you ever spoken to Lee Herdman about this bill? A—No, sir, never.

Q—And your present official capacity at Lincoln? A—Chief clerk in the engraving room in the senate, committee clerk.

Q—Did you go up to Omaha with Lee Herdman last night? A—Yes, sir, I did.

Q—Did you speak to him at that time about this bill? A—No, sir, I did not.

Q—Had your business in Omaha any connection with this bill or this investigation? A—No, sir; my visit to Omaha last night was not in connection with this investigation. It had absolutely nothing to do with it.

Q—When you went in the Kewen saloon Thursday night, did you go in connection with any business in connection with this bill? A—No, sir, I did not.

Q—When you went into the Jacksonian saloon last night, did you go in connection with any business in connection with this bill? A—No, sir, I did not.

Q—When you went into the saloon on the corner of Sixth and Leavenworth, did you go there for any purpose connected with this bill? A—No, sir, I did not.

Q—Have you spoken to Dominic Cosgrove about this bill? A—No, sir.

Q—Or about this investigation? A—No, sir, not a word.

HAD CONFIDENCE IN BIBBINS. Q—Have you ever done business for Mr. Bibbins? A—No, sir, I have never done business for him in connection with his promise of this fee? A—Why, I have never done business with Bibbins personally, no, sir.

Q—Did you have any conversation with him in his capacity as member of the firm? A—No, sir, I have never done business with him in that capacity; I have done business with him as a partner in the firm.

Q—So your general knowledge in regard to Mr. Bibbins was that his promise was that he would give you \$100? A—Yes, sir.

Q—You know of no member of the senate or house who has been influenced by money which has been raised by Bibbins for the procurement of the passage of this bill? A—No, sir.

Senator Ransom—Did you go up to Omaha to look after Mr. Howell's interest in the coming campaign? A—Not exactly, but I did look after the interests of the firm in the Second ward; they all seemed to be for Howell down there, but there is one crowd.

Senator Talbot—That was the object of your trip there last night, was it? A—Yes, sir, our primaries come on Thursday and we have to look after our ticket by tonight.

Senator Ransom—You are a friend of Mr. Howell's? A—Yes, sir.

Senator Ransom—You are also a political agent of Howell's? A—Yes, sir, political and otherwise.

Senator Murphy, Chairman—Have you had any correspondence with Charles Bibbins in the past? A—Yes, sir, I have had some correspondence, concerning the bill? A—No, sir, I only corresponded with him with him, I sent him a telegram after the bill passed the senate; that is the only correspondence, if you call that correspondence.

Q—What was the nature of that telegram? A—Simply stated that the bill passed the senate.

Q—Did you have any reply from him? A—No, sir.

Q—Did you follow the bill up over there in the house after it went over there? A—No, sir, I didn't take any further steps.

Q—Were you in the senate chamber at that time? A—No, sir, I was sitting directly behind you, Mr. Murphy, and I remained in the seat there; I didn't go around the hall.

Q—Did you know that this money was deposited in the Omaha National bank? A—No, sir.

Q—Or that any sum was deposited anywhere? A—No, sir.

Q—How long before the introduction of the bill did you have this conversation with Mr. Bibbins? A—Two or three days probably.

Q—Where was Mr. Bibbins at the time of the introduction of the bill? A—He was in the saloon on Douglas street between the fourteenth and fifteenth.

view the action of the senate here at all. The objection to this testimony is sustained by the chair.

Senator Talbot—After you discovered the contents of your bill you put it to sleep, did you not? A—Yes, sir, I did.

Senator Talbot—It was in the judicial committee, was it? A—Yes, sir, he is the chairman of that committee.

Senator Talbot—Do you know of any senator being unduly influenced in this or any other bill? A—No, sir, I do not.

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THE ENGRAVING ROOM. Q. B. Beverage, being produced and duly sworn, testified as follows; examination by Victor Rosewater:

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