

CLEAR CASE OF FRAUD.

So Says the Following Report of the Senatorial Investigating Committee.

The preamble to the report of the committee appointed by the late legislature to investigate the state officers cites the governor to the resolutions as passed by the senate from which they received their authority...

after the word "Yes" opposite the amendment to increase the number of judges of the supreme court and the two "Yeses" was marked under a rule which it appears had been adopted...

Forged Signatures. It further appears from the evidence that unused ballots which were enclosed in the envelope by the judges and clerks of election when they were returned to the county clerk...

The evidence discloses that in McFadden precinct in the county of York the judges and clerks of election returned 52 votes in favor of the amendment, and 71 votes against the amendment.

In the city of York, and in the first ward the poll books that were identified by the judges who presided at this election show that 103 votes were cast in favor of the amendment, and 28 votes against it.

Changes Discovered. In the Second ward of the same city as shown by the poll books and as testified to be the judges of that election, it appears that 124 votes were cast for the amendment and 30 against it.

It appears that in pursuance to the instructions of the secretary of state given by virtue of house roll No. 8, the county clerk of York county forwarded by express the ballots and poll books of the election referred to in said bill to the secretary of state...

The evidence discloses that on the night prior to the commencement of such recount James H. Edmisten, state oil inspector, Geo. W. Blake, member of the recount commission appointed by the governor; Edward L. Simon, an assistant to the commission, and one or two others whose names the committee were unable to procure, met at the office of the oil inspector...

This committee has earnestly sought to obtain the tally sheets used both by the recount commission appointed by the governor and the legislative recount commission, but has been unable to do so.

manner of recounting the ballots under the second commission which discloses that the ballots were counted more than once, and were also counted for the amendments whether the will of the voter as expressed was for or against the same.

It is shown by the evidence that this method of re-marking the ballots was pursued by the commission in twenty-one counties of the state, and one witness, Mr. Hedlund, who was a member of the commission, testifies that the vote in Hall county as made out by the commission was 2,424 affirmative votes, being about 800 more than the vote as returned by the judges and clerks of election in that county in favor of the amendments.

Benton Maret, the governor's private secretary, sent to the committee, or left at the Lincoln hotel for the committee, a letter enclosing an affidavit denying his connection with this matter.

Corroborative Evidence. We are aware that the witness Simon, having confessed that he was a party to this crime, stands in the light of a witness whose testimony should be received with caution, but the inspection, as heretofore stated, of the ballots or change that had been made in them from the condition in which they were when counted by the judges and clerks of election, and the testimony of the county clerk of York county and his deputy to the effect that these ballots were never opened while in his custody, has led the committee to the unqualified conclusion that the ballots were changed, and that they must have been changed by someone other than the county clerk of York county.

The description given by the witness Simon with reference to the methods used in the marking of these ballots was before the committee previous to the opening of the packages containing the ballots, and therefore before either Mr. Simon or the committee had inspected them.

We repeat that this committee would have been glad to have had the officers whose names have been connected with this fraud, to appear before them, but they refused, denied our authority, and by such refusal prevented us from having the benefit of their testimony, and by their example influenced others to follow in the lead of men high in public position, and likewise disputed the authority of the committee, and refused to obey its demands.

In closing this branch of our investigation we desire to say to you to whom we were directed to report, that it unquestionably appears that a crime, the magnitude of which we cannot commend language to describe, was planned and partially executed with a view of changing the constitution of this state by declaring or counting as carried the amendment to the constitution that the voters at the polls had failed to ratify in the manner prescribed by the constitution itself.

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