

HOUSE PROCEEDINGS

WORK ACCOMPLISHED BY THE LOWER BRANCH.

Summary of the Past Week's Doings of the Nebraska House of Representatives—A Strictly Non-Partisan Review of Each Day's Session.

Thursday, March 25. On third reading of bills the senate passed H. R. 144, making grave robbing a felony.

The senate tried a new plan today of getting bills advanced, the sifting committee plan not working to their liking. As a result they got themselves all mixed up in a scramble to have pet bills advanced to third reading.

From the disorder came Senator Mutz with a motion to go into committee of the whole to consider his judicial apportionment bill.

After some debate the bill was amended and recommended for passage. As amended, the bill creates district 16, comprising the counties of Cherry, Sheridan, Box, Butte, Dawes, and Sioux, and district 17, comprising Washington and Burt counties.

One of the seven judges in the Fourth district will reside in the Seventeenth district. No change is made in the number of judges in the state.

The woman's municipal suffrage bill was defeated.

Several bills were considered and recommended for correction and the senate adjourned.

Friday, March 26.

As soon as the house was ready for business today the speaker announced the members of the recount commission, which he was to appoint under the last measure passed.

Messrs. Dobson, Gerdes, Loomis and Fernow, all fusionists. He had read his reasons for not appointing a republican.

Mr. McCracken moved that the recount committee be requested to employ as far as possible clerks of the house in order to save expense in the canvass. The motion carried.

S. F. 327, regulating the fees of secretary of state, was passed with the emergency clause.

H. R. 193, the one-year redemption law, was passed without the emergency clause.

H. R. 651, enlarging the powers of the attorney-general, was under a call of the house passed with the emergency clause.

The claims bill was considered in committee of the whole. A clause was inserted allowing the irrepresible John Currie \$200 on condition that he relinquish all claim to state and marble. As amended it was recommended for passage. The report was adopted.

The bill enlarging the powers of the board of transportation was favorably recommended and the house adjourned to Monday at 2 p. m.

SENATE PROCEEDINGS

WORK ACCOMPLISHED BY THE UPPER BRANCH.

A Condensed and Concise Non-Partisan Report of the Labors of the Nebraska Senate for the Past Week—Action Taken on the Various Measures.

Thursday, March 25. Only 23 members of the senate were present today.

The new canvass bill and the bill enlarging the powers of the attorney-general and governor in the matter of disposing of suits already in court or hereafter filed in court by any person, were read the second time and ordered engrossed for a third reading.

The special bill amending the Omaha charter bill was ordered engrossed for a third reading.

Senate files 111, repealing some dead statutes relating to fees of masters and registers in chancery; 94, authorizing county treasurers to invest not to exceed 75 per cent of sinking fund in county warrants; 85, relating to jurisdiction of justices of the peace, were passed.

S. F. 133, Senator Dundas' bill for reducing rates for legal advertising and county printing was slaughtered, only six votes being cast for it.

S. F. 267, by Senator Dundas, reducing salary of state veterinarian to \$5 a day for time actually served, and fixing pay of live stock commission at \$3 per day for time employed, was declared passed after Senator Talbot changed from no to yes.

Several other bills were called up but no action taken owing to the absence of several senators.

Adjourned to Monday.

Monday, March 22.

Senator Haller's insurance bill to prevent combined fire rates, was this afternoon in the senate thoroughly discussed in committee of the whole.

An amendment to exempt Omaha and Lincoln from its provisions was defeated and the bill recommended for passage.

The new recount act which creates a board to be composed of seven members of the legislature was passed, as was also the special act amending the Omaha charter bill.

The third bill passed was senate file 383, enlarging the powers of the attorney-general.

Senator Goding's general anti-trust bill, S. F. 330, was passed with twenty-seven votes to its credit and none against.

S. F. 251, giving to medical colleges unclaimed dead bodies, was passed.

Three or four other measures were passed and the senate adjourned.

Tuesday, March 23.

The first thing the senate did this morning when the preliminaries were over was to legislate backward on S. F. 196, appropriating \$20,000 for a dormitory at the Penitentiary.

Under suspension of the rules the bill was recalled from the house, the vote by which it had been passed was reconsidered and after all this had been effected the measure found itself buried on general file, its only hope of resurrection being the sifting committee, which is said to be unfriendly to it.

A report was read from Attorney General Smyth relative to the causes of delay in the progress of the maximum rate case in the supreme court.

Sensors Beal and Mutz were appointed by Lieutenant Governor Harris to serve on the committee to investigate state offices and state institutions.

S. F. 339, extending terms of county officers for four years, was a special order. After some debate it was recommended to standing committee for amendment.

Several bills were passed, among which were S. F. anti-insurance combine bill; 251, placing telephone, express and telegraph companies under control of board of transportation; H. R. 185, legalizing certain actions of Buffalo county officers.

In committee of the whole the senate considered S. F. 371, taxing net earnings of express companies 2 per cent. The bill was amended to tax the earnings 3 per cent.

Senator Talbot moved to amend so as to tax business men, professional men and farmers.

Senator Howell moved to strike out the word farmers.

Both propositions were voted down and the bill recommended for passage.

The committee arose and reported. The senate then adopted the report and adjourned.

Wednesday, March 24.

Consideration of the bill to establish a normal school at Scotia occupied the attention of the senate today.

After a debate lasting until 4:30, a motion to indefinitely postpone the bill and all similar bills was carried.

The senate stopped to undo what it did Monday evening when bills ordered to a third reading were passed without consideration. Senator Osborn moved to reconsider the vote whereby senate file 331, the gamblers' bill, had slipped through the senate.

Senator Caldwell moved to recall the bill from the house, which was done.

The vote was reconsidered and the bill referred to committee of the whole, where it was killed.

On motion of Senator Talbot it was decided to have the chair appoint a committee of three to confer with a like committee from the house in regard to fixing a date for final adjournment. Senators Talbot, Goding and Howell were appointed to serve as such committee.

Thursday, March 25.

In the house this morning there were several objections made to the rushing of bills through without any consideration. One or two important measures were placed on general file.

A motion for a committee of three to meet a senate committee to fix time for adjournment was tabled.

H. R. 401, raising school levy in cities under 25,000 2 1/4 per cent, was passed; 309, for application of Morrill fund to University of Nebraska, passed.

S. F. 382, the new recount bill was read a third time and passed by a strict party vote, republican members explaining their votes, and claiming the existence of a conspiracy to count judges in.

In committee of the whole the house considered S. F. 109, Senator Beal's

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The republicans thought fraud had been committed and wanted an open recount. After much debate the resolution was tabled. Adjourned to Monday.

Monday, March 22.

H. R. 492 was considered in committee of the whole. The bill provides that a receiver may not be appointed where the mortgage indebtedness exceeds the value of the property repealing the present law allowing the appointment of receivers when the property is probably insufficient to discharge the mortgage debt. The bill provoked a long discussion.

Sheldon of Dawes offered an amendment that no receiver may be appointed for property occupied as a homestead. The amendment carried and the bill was recommended to pass. The amendment as it was inserted in the bill simply made more clear a point of law about which some judges differ.

In effects all other provisions of the bill agree with the law as it now stands.

H. R. 6 was the bill providing for the extinguishment of liability of mortgagors on deficiency judgments.

Mr. Burkett of Lancaster offered an amendment providing that that the act shall not affect collateral security. Accepted.

Mr. Hull offered an amendment providing that if a holder of a mortgage shall elect to bring an action at law on his mortgage he shall be deemed to have abandoned his mortgage security. Carried.

On motion of Mr. Burkett the committee recommended that a committee of three be appointed by the house to draft a substitute bill.

S. F. 46, to compel street car companies to vestibule their cars, was discussed. After a running debate it was recommended for passage.

H. R. 652, providing for a legislative committee to recount ballots, was reported for third reading by committee on privileges and elections with an amendment that the minority representation on the committee "may" instead of "shall" consist of one republican from the house and one from the senate.

Tuesday, March 23.

In the house this morning the sifting committee made a report and recommended quite a number of bills for advancement.

Messrs. Shull and Hull were opposed to advancement to third reading of important bills, as there was a liability of one or two getting through that were unworthy, as had already happened in the senate.

The special committee appointed to draft a substitute for the deficiency judgment bill reported same, and recommended S. F. 108 be considered with it. Adopted.

A resolution by Mr. Roddy, indorsing Congressman Maxwell for introducing a sugar bounty bill, was tabled.

A motion to change the rules so as to require thirty members to secure a roll call or call of the house was voted down.

On third reading a number of bills were passed, chief among which were house rolls 615, the salary appropriation bill; 630, the claims bill; 358, providing for payment by counties of premium on bonds of county treasurers where such are executed by bond companies; and 354, containing same provisions, but relating to state treasurer's bonds; 320, providing state and county officers may give guaranty bonds if they desire (passed with emergency clause); S. F. 47, providing that the signatures of both husband and wife shall be needed on chattel mortgages on household goods; S. F. 46, requiring street car companies to vestibule their cars.

Adjourned.

Wednesday, March 24.

The house took up bills on final passage. H. R. 474, by Speaker Giffin, was voted on first. It permits county agricultural societies to participate in the trans-Mississippi exposition and provides that counties may use the funds which they would otherwise give to the county fair associations for exhibits at the exposition. The bill passed by a vote of 61 to 28.

H. R. 519, appropriating \$2,000 for the relief of Mrs. Lucius Lawson, who lost an eye last charter day by being struck by a gun wall during the drill of the Pershing rifles, passed by a vote of 86 to 5.

Four bills allowing officials to give guaranty bonds were passed.

A lengthy discussion of S. F. 108, deficiency judgment bill, was considered in committee of the whole, amended so as to not apply to existing contracts, and then recommended to committee that the amendment could be defeated, friends of the bill claiming that it was put on there to defeat the bill.

The new recount bill was considered, ordered to a third reading and the house adjourned.

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Friday, March 26. The lieutenant-governor announced his selections for the recount commission. The members appointed being: Senators Canaday, Sykes and Heapy. He gave reasons why he did not appoint a republican.

In committee of the whole the pure food bill was considered and recommended for passage. H. R. 267, preventing corporations from contributing to campaign funds, was recommended for passage. S. F. 371, to tax express companies, which was amended several days ago to read "3 per cent on net earnings," was again amended to read 1 per cent on gross earnings and recommended for passage. S. F. 375, to tax telephone companies was amended to tax said companies one-half of one per cent, and recommended.

The senate adjourned to Saturday at 9 a. m.

TO ADJOURN OR NOT?

That is the question now agitating the Members of the Legislature.

The bill introduced in the senate which repeals the recent recount act and creates another canvassing board to be composed of members of the legislature, was ordered engrossed for a third reading and will be passed Monday if possible. The talk about an extra session of the legislature, to be called for the purpose of declaring the result of the canvass, and rumors of a recess of two or three weeks so as to give the canvassing board time to complete its work, carries some weight with the fusion leaders, but many of the lawyer members are of the opinion that the legislature ought to remain in session until the work is done. They fear to adjourn because there is no provision in the new bill for a canvass of the vote at an extra session and they do not think it advisable to take a recess, for fear that members of the legislature will not be exempt from actions of the court while the legislature is not in session. Governor Holcomb is said to be of the opinion that the vote can be counted in ten days. Saturday was the fifty-seventh day of the session and some of the leaders anticipate trouble in keeping the members in session after the sixtieth day is past. The new bill places no limit on the number of clerks that may be employed by the proposed board, and if a large army of assistants is called in the count may be finished in ten days. Some object to this kind of a count because it would be entrusted to clerks almost entirely.

STILL A PROMOTER.

Stuart Thinks the Big Fighters Will Meet Again—He Will Be a Bidder.

DALLAS, Texas, March 27.—Dan Stuart talked freely on pugilism today. He said: "I feel sure that Corbett and Fitzsimmons will fight again. I have no idea how soon, but Billy Brady seems determined to get on another match for his fallen idol. I believe if the side bet was made \$25,000 each Fitzsimmons would give Corbett another battle. Fitz can get as much backing as any pugilist ever could. In this respect Corbett has no advantage over him now. If another match is made I shall be a bidder for it. This is all I care to say on pugilism now."

"An agent of the Variscope company will sail from New York for Liverpool to-morrow. The fight production will be copyrighted in England and other European countries. We are satisfied with the outlook."

MYSTERIOUS MURDER.

A Trenton, Mo., Man Called to the Back Door and Killed With an Ax.

TRENTON, Mo., March 27.—About 11 o'clock last night some one went to the back door of S. G. Wilson's restaurant and called him out. He soon returned, went to the money drawer, got some money and went back. When he did not return his wife called, and listening a moment heard a sound which so frightened her that she telephoned for the police. On their arrival they found Wilson dead in the back room, with three large gashes in his head, and near by a blood stained ax. Blood hounds were put on the trail and caused the arrest of Ella Mooney and Shanty Coyle. The woman is a notorious character and her name has been associated with the murdered man.

State Now Owns the Home.

LEXINGTON, Mo., March 27.—The warranty deed conveying the Confederate home property to the state of Missouri was filed for record yesterday with the recorder of deeds for Lafayette county. The property conveyed is valued at \$350,000 and consists of 223 acres of land, the buildings there and the personal property and together with all the rights and privileges and appurtenances belonging or in any way pertaining thereto, is now the property of the Confederate home of Missouri forever.

Pilgrims Received by the Pope.

ROME, March 27.—The pope's mass in the throne room of the Vatican yesterday was attended by 100 visitors, of whom thirty were American pilgrims, mostly clergymen, from New York, Massachusetts, Connecticut and New Jersey, conducted by Father Throop. After mass, the pope, seated in front of the altar, permitted the pilgrims to kiss his foot.

Leadville Mine Managers Threatened.

LEADVILLE, Col., March 27.—John F. Champion and other mine managers have received letters signed "The Committee," threatening to blow up the mines unless they immediately discharge all non-union workmen. These letters have caused considerable uneasiness, although in some quarters they are believed to have been sent as a practical joke.

NO FRAUD IN RECOUNT

STATEMENT FROM OTHER COMMISSIONERS

Take Empatic Exceptions to Mr. Hedlund's Charges of Fraud—Issue a Signed Communication to the Governor Denying the Statements Made.

Following P. O. Hedlund's sensational letter to Governor Holcomb charging fraud in the recount of the votes on the constitutional amendment creating two new judges of the supreme court, comes the following denial signed by the other six commissioners, among whom is Mr. Ross, republican:

LINCOLN, Neb., March 19, 1897.—To His Excellency, Silas A. Holcomb, Governor of Nebraska, Lincoln, Neb.—Sir:

In justice to ourselves, as members of the commission appointed by your excellency under the provisions of the law to recount the vote on the constitutional amendment providing for an increase of the number of supreme judges, we deem it proper to make a statement concerning our connection with the recount.

Prefacing this statement, we desire to say that to the best of our knowledge and belief, the recount has been fairly and honestly conducted, and that no member of this commission, with possibly the exception of Mr. Hedlund, has ever conceived to change or interfere with an accurate count of the ballots. On the other hand, we have faithfully endeavored to the best of our ability to ascertain the vote cast and accurately recorded it. When the commission appointed by you met at the office of the secretary of state to open the ballots and make the count, we were organized by the election of Mr. Campbell as president. The packages from the different counties were usually opened by Mr. Campbell or Mr. Porter, secretary of state, and invariably in the presence of the other commissioners. The vote was called off by Messrs. Oberfelder, Ross, Bowley, Campbell and Porter, and at all times, at least one other commissioner watched the ballots as they were being called by one of these commissioners. The tally sheets were kept by Messrs. Hedlund and Blake. Sometimes Messrs. Porter and Bowley relieved Mr. Blake, but Mr. Hedlund kept one tally sheet without assistance.

While it is perhaps unnecessary at this time to enter into detail, we unqualifiedly state that no package opened by us has shown any evidence of having been tampered with while in our possession. The seals of the county clerks were not injured, until broken in the presence of this commission.

We have been particularly watchful to have at least two commissioners watch the ballots as they have been called off. We have had any ballot recorded differently from the manner in which it was recorded. When the vote of any precinct has been recorded the ballots have been at once, and in the presence of all commissioners, sealed up in an envelope, used for that purpose, and when the canvass of a county has completed, all the poll books and ballots were securely packed in boxes, or wrapped in heavy paper, tied and marked for return to the county clerks.

Mr. Hedlund has at all times checked off only as he recorded the votes, and in every instance where there was a difference in the tally sheets, the record kept by Mr. Hedlund was accepted as conclusive. In this connection, we desire to say that very frequently there was a difference in the tally. Mr. Hedlund has always accepted, even though the difference amounted to five or ten votes, on account of his superior clerical skill in the performance of such work.

Now, in view of several suspicious circumstances which we will herein relate, we verily believe that the recount has been made to make us the victims of a conspiracy in order to violate our canvass and destroy the integrity of the ballots.

We are firmly convinced that Mr. Hedlund has been made the willing tool of a set of political pirates, extending their hands occupying the most exalted positions in the state, to a disreputable puppet, who has spent his time and talents in the past in besmirching the reputation of honest men.

First, we would call attention to the conduct of Mr. Hedlund on the board of election, in which by word or act any intimation of fraud was ever made was when Mr. Hedlund remarked one day, "Boys, be careful when anybody is in here, and I will make it up when no one is present." Mr. Bowley, at once asked, "What do you mean by that?" Mr. Hedlund, then told him that they wanted him to understand that they were endeavoring to honestly and correctly count the ballots, and would not permit anything else.

On his letter, Mr. Hedlund says, "I have recounted the ballots of several of the precincts for the purpose of verifying the call of the ballots. We denounce, as an unqualified falsehood this assertion, without he has done so by breaking open packages already sealed, and at times when no other member of this commission was present. Never in our presence did he recount the vote or any part of the vote of any precinct. We wish to say that we have had no knowledge whatever until the publication of his letter, that Mr. Hedlund had tampered with the ballots during the absence of the commissioners at night. Invariably Mr. Hedlund has been the first to arrive at the office in the morning, and upon his arrival the guard has left his post of duty, presuming the ballots to be safe in the hands of the commission. We do not recall a single morning in which any one of us arriving at the office have not found Mr. Hedlund there. We assert that he could not have recounted the ballots of any precinct during our session without our knowledge, and we have every confidence in the guard, and we are satisfied that he has not allowed Mr. Hedlund or any one else to tamper with the precinct packages during the night. The only time that we can conjecture that Mr. Hedlund had an opportunity to open sealed packages, and go through the ballots, has been in the early morning before our arrival, when the guard had gone. We wish emphatically to state that we had no suspicions as to Mr. Hedlund's honesty, except for the remark above quoted, until the publication of his letter to the board. No other member of the commission than Mr. Hedlund has ever been alone with the ballots. Our suspicions as to the existence of a conspiracy were first aroused when opening the package containing the vote of York county. The seal had not been broken and the packages had certainly not been tampered with after leaving the county clerk's office. Mr. Bowley called off the vote of this county; assisted by Mr. Ross. The country precincts showed unusual gains for the amendment, and in some instances there were more votes cast than amendment than the total votes of the precinct. Mr. Bowley's suspicions were aroused and while canvassing the vote of the wards in York, he looked on the back of the ballots and found that many did not have the signature of the judges of the election, evidently having been blank ballots marked up by some person after the

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election, and before received at the office of the secretary of state. Mr. Bowley at once declared that somebody had put up a job on the commission. It was the generally expressed opinion of the commissioners. And we especially call attention to the fact that it was concurred in by Mr. Hedlund, that some person or persons in York county had wilfully and maliciously, and for the purpose of discrediting this commission and the recount of the votes, tampered with the ballots until after, and that the commission would go over the ballots again to make sure that no fraudulent votes had been counted in precincts canvassed prior to the discovery of the unsigned ballots. The fraudulent ballots were being practiced by any member of the recount in the event the results showed that the amendment had been carried.

If fraud had been perpetrated by members of this commission other than himself, Mr. Hedlund undoubtedly communicated it to other conspirators against the integrity of these ballots. If he did so, why have not the other eminent gentlemen who connived with him disclosed the information before the issuance of the intimation? If he knew that any irregularities were being practiced by any member of this commission, why did he not call attention to it at the time? Why did he enter upon the tally sheets the votes he claims were erroneously called? Why should he wait till the conclusion of our work, as he says in his letter, to expose the fraud? Was he not a party to the fraud, if one was committed, as he alleges? No honest man, no man with an atom of self-respect or any regard for personal integrity or manhood would sit by and watch men perpetrating fraud, and offer no protest. He knows that the count was fair and honestly made. He mistakes the facts, at the behest of his sinister allies, when he says he detected fraud.

We sincerely hope that the efforts of Mr. Hedlund and his conspirators to discredit us, will not result in the object sought to be obtained by them, viz: In preventing the ascertaining of the vote actually cast on the amendment. We have every confidence that a review of our work will show the falseness of his charges.

If your excellency desires any further information from this commission, we stand ready to answer any and all inquiries when relieved of the restraint placed upon us by an order of the court. We are, with great respect, very truly yours,

J. N. CAMPBELL, PRESIDENT,
GEORGE W. OBERFELDER,
JOSEPH W. BLAKE,
C. J. BOWLEY,
F. M. ROSS,
WM. F. PORTER.

MR. HEDLUND IS REMOVED.

Governor Considers Him Not a Fit Person to Serve on the Commission.

Governor Holcomb has addressed the following letter to P. O. Hedlund in response to Mr. Hedlund's letter in which he charges fraud in the recount of ballots on the constitutional amendment creating two new supreme judges.

LINCOLN, Neb. March 19, 1897.—Sir: Your communication of the 18th was handed me by messenger shortly before 11 o'clock last evening. The information contained therein would be startling indeed were its value not destroyed by the disclosure that you have been cognizant of the frauds you speak of without any attempt to redress or expose them until by force of circumstances a contrary course seemed best suited to your purposes. You say "you expected at the close of the canvass to make me a full report of the transactions and doings of the board, and in the event that you could not agree with the majority of the members of the board it was your intention to enter your protest to the manner in which the vote had been counted."

I do not understand by this whether you expected at the close of all this work to agree with the majority of the board to a false report which would be a crime against the people, or whether the majority of the board should agree with you that all had been guilty of a gross offense against the law, and the report would be the evidence of the fact. You will pardon me if I express skepticism respecting your intention in this respect. By your communication the principal work done by you has been keeping the tally list. If there are any frauds in the tally on this list recorded by you knowingly, you are responsible for the wrong above all others.

In view of your statements no uneasiness on your part regarding the safe keeping of the ballots and tally sheets is required. In appointing this commission I relied on the honesty and integrity of each of them. I regret I have been so grievously mistaken in your case, which feeling is aggravated by the emphatic declarations of the other members as to the integrity of their action while performing the duties imposed upon them under the law creating the commission.

In the light of your own statements I deem it my duty to hereby relieve you from further service as a member of the board to which you were appointed. Yours, etc.,
SILAS A. HOLCOMB, GOVERNOR.

HAS QUIT FOR GOOD.

Fitzsimmons Says a Promise Made His Wife Will Be Kept.

CARSON, Nev., March 23.—Robert Fitzsimmons, champion of the world, left last evening from the scenes of the battle ground on which he received his laurels of superiority. He walked down the street under thick flakes of snow and was greeted from every quarter, acknowledging all tributes with a bow. His gait was spry and alert, and his countenance was free from marks of the battle with the exception of his lower lip and that is healing rapidly. Mrs. Fitzsimmons was driven to the depot last evening, husband and wife sat in a corner of the waiting room alone awaiting the arrival of the train. Fitzsimmons reiterated his intention of leaving the ring.

"I do this in compliance with a request made by my wife before I met Corbett on Wednesday last."

Cross Call from Asphyxiation.

ST. JOSEPH, Mo., March 20.—Mrs. M. Moran and her daughter, Miss Frances Moran, milliners of Cape, Neb., were partially asphyxiated at the Woman's house last night, and have not fully recovered.