

STATE LEGISLATURE.

PROCEEDINGS IN THE NEBRASKA SENATE AND HOUSE.

Impachment Resolution Passed in the Senate and House—Appointment of the Committee to Conduct Prosecution Before the Supreme Court—A Letter from the Accused—A Letter from the Accused—The Legislature Now Working Without Pay—Miscellaneous Legislative Notes.

Nebraska Legislature.

SENATE.—In the senate on the 27th, at the hour of 3:15 arrived, the maximum railroad bill was considered in committee of the whole. The amendments to the first six lines of the third article, which fixes the maximum rates, amended by the senate railroad committee, were adopted. The amendments make a slight increase in the rates.

On motion of Senator Mullen, chairman of the senate railroad committee, all railroads built in Nebraska between January 1, 1887, and before December 31, 1890, were exempt from the provisions of the bill. Senator Mullen offered an amendment, which was substituted moved by Senator Mullen and Clark. Action on the bill was blocked by a motion by Senator Mullen that the committee rise and report the bill back to the senate with the recommendation that it be passed without amendment.

At 7:10 the committee rose and reported the bill to the senate. The bill was read and ordered engrossed for a final reading. The opponents made a final effort to defeat it. It came to adopting the report of the committee. Pope offered his substitute and after considerable discussion, a running, off-hand character was decided by the chair that the substitute should be read. Senator Mullen moved that the substitute be laid on the table, but in the confusion it was not seconded. Afterwards Mullen moved to have seconded the motion to draw the motion, which would be fatal to the bill itself, Mullen refused to withdraw his motion. After the reading had proceeded for some moments Campbell moved that the further reading be dispensed with. The motion to adopt the report of the committee of the whole, to effect that the bill do pass, was then voted on by a vote on the adoption of the report of the committee: Yeas—Mullen, Clark, Dale, Darnier, Dysart, Gray, Hale, Harris, Johnson, Mullen, Packwood, Saunders, Stewart, Thomsen, Young—18. Nays—Babcock, Correll, Eggleston, Hahn, Lobeck, Lowley, McDonald, Miller, Moore, North, Scott, Tefft—15.

HOUSE.—In the house on the 27th, a number of measures were advanced to a final reading, among them being: Senate bill No. 11, to prohibit the importation of armed men into the state for any duty, and to prevent the appointment of any but bona fide citizens for any service. Senate file No. 74, to amend section 5025 of chapter I of the consolidated Statutes of Nebraska, and to repeal said original section. Senate file No. 13, to amend subdivision of section 69 of article I of chapter V, Compiled Statutes of 1889, and to repeal said original section. Senate file No. 2, for a joint resolution to submit the electors of the state the following proposition, viz: Shall a convention be called to amend, revise or change the constitution. Senate file No. 14, to amend section 3, Criminal Code, known as section 5579 Consolidated Statutes. Senate file No. 53, to assist the Nebraska State Historical Society to augment their collections. The Omaha charter was considered without definite action. Senate file No. 63, by McCarty, to amend section 1,832, chapter xviii, consolidated statutes of Nebraska, and to amend section 527, by Leitch, to fix the rate charged by telegraph companies for the transmission of messages in the state of Nebraska, and providing a penalty for violation thereof; indefinitely postponed.

SENATE.—In the senate on the 28th of March, committee on engrossed and enrolled bills reported that house roll No. 209, to amend section 1,832, chapter xviii, consolidated statutes of Nebraska, and to amend section 527, by Leitch, to fix the rate charged by telegraph companies for the transmission of messages in the state of Nebraska, and providing a penalty for violation thereof; indefinitely postponed.

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SENATE.—In the senate on the 30th of March, committee on engrossed and enrolled bills reported that house roll No. 209, to amend section 1,832, chapter xviii, consolidated statutes of Nebraska, and to amend section 527, by Leitch, to fix the rate charged by telegraph companies for the transmission of messages in the state of Nebraska, and providing a penalty for violation thereof; indefinitely postponed.

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the state, and defining the duties of the governor and of officers in connection therewith; house roll No. 443, by Higgins, amending section 3,452, chapter xliii of statutes of Nebraska of 1891, and to regulate the duties of the chaplain of the state penitentiary. Considerable discussion was given to the banking bill. The bill applies entirely to state and savings banks, and provides that bank examiners must have had five years practical experience in actual banking. It further provides that no examiner shall be an officer or own stock in any bank and reduces the examination fee to \$10. It requires all banks doing a commercial and savings business to keep two sets of books and allows twelve months for the change to be completed when the committee rose at noon and asked leave to sit again.

SENATE.—In the senate on the 29th house roll No. 207, the current expenses appropriation bill, was read third time and put upon its final passage with the emergency clause. The vote on the passage brought about the usual call of the house. The absentees came in immediately, and the further proceedings under the call were dispensed with. The vote stood 19 for 14 against, not sufficient, two-thirds being necessary to pass with the emergency clause. The democrats and the republicans voted together for the bill. The bill was then passed without the emergency clause.

Senator Pope moved that the world's fair appropriation bill, house roll No. 268, be placed upon its third reading. Senator Stewart moved to amend by adding house roll No. 53. Both the amendment and original motion were lost and the regular order was proceeded with by reading the third time senate file No. 62, a bill relating to fees of clerks of the district court and the amendments of the committee of the whole relating to pay of clerks and assistants was read and passed. A number of bills were placed on the general file, among them being: A bill for an act to require railroad corporations to transfer freight and cars from one railroad to another, to regulate the charges thereof, and to prevent discrimination in respect thereto. A bill for an act to compel corporations, companies or persons intending to construct or operate railroads in the state of Nebraska to complete and operate fifty miles of their said railroad every two years, after the expiration of three years from the date of their purchase of the right of way, and to provide a penalty for their failure to so complete and operate their said railroad.

HOUSE.—In the senate on the 29th the following bills were passed: House roll 545, appropriating money for the payment of miscellaneous indebtedness owing by the state of Nebraska; house roll No. 447, to amend section 477, page 915, compiled statutes of 1889, entitled "Executions;" house roll No. 391, to amend chapter lxxv of the general laws of the state of Nebraska of 1887, entitled "An Act to Provide Security to the Public Against Errors, Omissions and Defects in Abstracts of Titles to Real Estate and for the Use of Abstracts on Evidence," and providing a penalty for the violation thereof; senate file No. 90, to amend section 3,518, consolidated statutes of Nebraska of 1891, relating to notaries public; senate file No. 48, to amend section 3,157, chapter xxxix, of the consolidated statutes of Nebraska of 1891, relating to the duties of registrars of deeds, and to repeal said original section and to provide a penalty for the violation of this act. House roll No. 40, This bill makes several important amendments to the state depository act passed by the legislature two years ago. Under a strict construction of the provisions of the present law, banks cannot be compelled to pay interest on any state funds which may happen to be in the hands of county treasurers and deposited under the act.

SENATE.—In the senate on the 30th, Senator Sanders, from the senate committee appointed early in the session to superintend the recount of the ballots on the constitutional amendments, in his report explained that at the last general election there had been cast for the head of the several tickets 209,593 votes. The vote for members of the legislature aggregated 197,510, making a difference of 12,083 between the two ends of the tickets. The committee had found 80,565 votes for the railroad amendment, while the secretary of state had officially reported 80,032, making a difference of 533. The recount of the ballots for the school fund amendment showed 89,056, while the official returns showed 89,436, making a difference of 4,824. The school fund amendment lacked 9,707 votes of carrying and the railroad amendment 18,199. The report was adopted. Senate file No. 182, by Stewart, asking congress to call a convention of the several states of the purpose of proposing an amendment to the national constitution providing for the election of United States senators by direct vote of the people was passed. The chief clerk of the house appeared with a message announcing that that branch of the legislature had entertained resolutions impeaching Secretary of State Allen, Commissioner of Public Lands Humphrey, Attorney General Hastings and ex-State Treasurer Hill, and asking the concurrence of the senate in the same. On motion of Senator Tefft the house was notified that the senate would meet with that body at 4 o'clock for the purpose of considering the impeachment resolutions.

HOUSE.—The house on the 30th at 2 o'clock considered the committee's resolution to prepare articles of impeachment. At 3 o'clock the resolution offered by the impeachment committee was adopted. At 4 o'clock the senate and house met in joint convention to consider the matter of impeachment of state officials. The joint convention was called to order by the lieutenant governor. The secretary of the senate called the roll of that body and the clerk of the house called the roll for the representatives. The lieutenant governor then said: "Gentlemen of the joint convention: Pursuant to a resolution adopted by the house you are assembled for the purpose of considering a resolution of impeachment adopted by the house. The vote will recur on that resolution." Mr. Horst of Polk asked if it would require a majority of each house or a majority of the members of the joint convention. The lieutenant governor replied that sixty-seven would be required to adopt the resolution. Senator Babcock asked that all absentees in the senate be called. There were no absentees. Mr. Kyner asked that the house absentees be called. It was done. The resolution adopted by the house was read. Senator Tefft asked that it be read again. The resolu-

tion was again read. Senator Moore called for the reading of the opinions of the three lawyers, as the senate had not yet heard it. The secretary of the senate read the opinions of Attorneys Doane, Greene and Pound. At the conclusion of the reading Barry of Greeley moved to adopt the house resolution. The doors were closed and the joint convention settled down under the call of the house. In fifteen minutes Senator Mattes moved to suspend proceedings under the call of the house. He said he did this with the understanding that the joint convention would take a recess until 11 o'clock tomorrow. Casper of Butler jumped up and shouted, "Well, we won't make any agreement of that kind." Captain Barry said: "On behalf of the committee I will say that if you will make it 4 o'clock tomorrow afternoon we will accept it." Senator Mattes said this was agreeable. Senator Mattes' motion to suspend proceedings was adopted and the joint convention took a recess until 4 o'clock tomorrow afternoon.

SENATE.—On the 31st the senate applied itself very industriously to listening to reports from standing committees. These reports were very voluminous and consumed almost the entire time, to the exclusion of all other business. The special committee appointed to investigate the condition and management of the State Industrial school at Kearney submitted its report. The resolution adopted early in the week by the house to the effect that the state should annul its contract with W. H. B. Stout, subsequently assigned to C. W. Mosher and now purported to be in the hands of W. H. Dorgan, and asking the concurrence of the senate, came up, but after discussion went over one day. Then the senate adjourned to the house of representatives to consider the impeachment resolutions. After the joint convention Mattes moved to adjourn, but Dale promptly amended by moving that the senate take a recess until tomorrow at 10 o'clock. The object was to force the order of bills on third reading as soon as the senate convened tomorrow morning. The amendment was lost, however, as Hale and Thomsen voted with their former associates. The report on the Kearney industrial school was adopted. The following communication was read from Hon. Eugene Moore, auditor of public accounts, in answer to a resolution adopted by the senate last week:

Replying to your resolution of the 25th inst., I have the honor to report that the books of this office have been carefully checked with the warrant book of the commandant of the Soldiers and Sailors Home at Grand Island and that they check together, except the books of this office show one warrant for putting in steam heat, amounting to \$2,150, and one warrant for repairing pump, amounting to \$116.62, that does not appear upon the book of the commandant. The warrant book of the commandant has one warrant for \$339.20 charged to the maintenance and clothing account that should be charged to the accounts for fuel and lights. It is quite apparent that the discrepancies in the balance as shown by the books of the commandant and this office are due (except as above cited) to inaccuracies in the footing in the commandant's books. Very respectfully,

EUGENE MOORE, Auditor Public Accounts.

HOUSE.—In the house on the 31st at 4 o'clock the senate appeared in the hall of representatives to meet in joint convention to take action on the impeachment resolution. Senator Pope offered a communication from the four accused officials asking the adoption of the impeachment resolution in order that they be allowed a chance to be heard in their own defense. The communication reads:

TO THE MEMBERS OF THE TWENTY-THIRD LEGISLATIVE ASSEMBLY:—The board of public lands and buildings has been charged before your honorable body with certain official neglect and malfeasance in office, and steps have been taken looking to the impeachment of the officers comprising that board. We are anxious to have a full, fair and impartial investigation of all charges which will be, or may be brought against us, where the star chamber method of investigation will not prevail, but where we will be permitted to know the accusation and face our accusers, knowing as we do such a trial can only result in our vindication.

We therefore respectfully ask that the resolution looking to our impeachment may be adopted, and such measures may be taken as will result in a speedy trial of the charges, and that we may be given an opportunity to refute the same, and be heard in our own defense, an opportunity which has been wholly denied us up to this time. We ask those members of the legislature who have conscientiously opposed the methods that have obtained in the partial investigations thus far carried out to withdraw such opposition and let the resolution pass, and we only ask that judgment upon the case be withheld until we can produce our proof and be heard in our own defense.

A. R. HUMPHREY, President of the Board of Public Lands and Buildings.

JOHN C. ALLEN, Secretary of the Board of Public Lands and Buildings.

GEORGE H. HASTINGS, Attorney General.

J. E. HILL, Ex-State Treasurer.

It was received and made a part of the records by an unanimous vote. The clerk was called upon to read the resolution of impeachment. After explanations by a number of representatives the vote was announced as follows: Yeas, 127; nays, 4. Those voting no were Kyner, Cooley, North and Rhea. The resolution of impeachment was declared to be agreed to. The following were appointed to conduct impeachment before the supreme court: Senators Lowley and North and Representatives Coulter, Vanhousen and Barry.

Will Marry a Rich Chinese Girl.

SAN FRANCISCO, Cal., March 30.—A Honolulu letter says the engagement of Commander Whiting of the United States Man-of-War Alliance to Miss Etta Ah Fong, daughter of Ah Fong, a wealthy Chinese merchant of Honolulu, has been formally announced. The father of the prospective bride is very wealthy and entertains in princely and oriental style. The bride-to-be is one of a family of thirteen children, and is a beautiful and accomplished girl of 17, while the prospective groom, Capt. Whiting, is said to be 50 years of age.

PROTRACTED DEBATE.

IT IS LIKELY TO TAKE PLACE IN THE SENATE.

The Matter Under Discussion Being the Report of the Committee on Privileges and Elections in Favor of Seating Senators Appointed by Governors—Parties Interested in Timber Claims to be Heard—Office Seekers Continue to Swarm in the National Capital—S. H. H. Clark to Remain with the Union Pacific and Give His Whole Time and Attention Thereto.

PROMISE OF A PROTRACTED DEBATE.

WASHINGTON, March 30.—The senate has entered on what promises to be a protracted debate. The report of the committee on privileges and elections in favor of seating the three senators appointed by the governors of the states of Montana, Wyoming and Washington was called up and Mr. Pugh delivered a constitutional argument in support of the position taken by the committee.

The discussion that followed was participated in by senators on both sides of the chamber, most of them indicating concurrence with the views of the minority of the committee, adverse to the admission of the three senators. The question will come up again tomorrow.

Mr. Pugh, speaking on the question, said: "The importance of the question presented would be conceded as well as the necessity of a solution of it by the senate that would be accepted hereafter as final. Unfortunately the decision of the same question heretofore has been influenced more or less by the fact that the governor's appointee was a democrat or republican—as was shown by the division of the votes of senators on party lines." He argued from the debates in the constitutional convention that the "existence of a vacancy from any cause" was the crucial test of the power of the governor to fill the vacancy. The vacancy "happened," he argued, if it existed. In illustrating the possible evils that might result from prohibiting state governors to fill vacancies in the senate, Mr. Pugh said that "the force bill would now be a law if one senator opposed to it had been kept out of his seat by the operation of such a rule. Were senators, he asked, prepared to establish that rule? Three or more political parties, he said, existed by regular organization in several states. These parties favored specific principles and policies that were fundamental and irreconcilable. Was it right in such a case for the senate to establish the tyrannical, arbitrary and inflexible rules that these parties should surrender their opinions and convictions disregard their pledges and their fidelity to their constituents, and come to some agreement for the election of a senator?"

Timber Cases.

WASHINGTON, March 30.—Secretary Hoke Smith has announced that next Friday he will hear all persons interested in the permits recently granted by Secretary Noble and since suspended to the Big Black Foot Milling company and the Bitter Root Developing company to cut 50 per cent of the timber on about 26,000 acres of land in Montana. Secretary Smith holds strongly to the opinion that the granting of permits to cut large bodies of timber in the west is against the public interest.

A board has been appointed to visit the Mare Island navy yard, California, and make a general examination into its condition and workings with the view of ascertaining what, if any improvements are necessary.

Drives of Office Seekers.

WASHINGTON, March 30.—Yesterday was the most fatiguing day the president has had since his inauguration, and he was completely tired out after three hours and a half talk with senators, representatives and office seekers. Among the visitors was J. J. O'Donnell of Chicago, who is a prominent candidate for the office of public printer. He informed the president that he desired the office because he believed that his long experience as a practical printer and his ability fitted him for it. He was supported he said, more largely among business men than politicians. After he had explained his mission to the president, the latter remarked to him: "Why, you're just the kind of man I am looking for."

The departments were thronged with visitors today, mostly political, who made up for the time they were compelled to lose yesterday. The secretaries were practically unable to attend to their regular departmental business. The question has arisen as to the expediency of amending the president's order prohibiting the reception of visitors at the departments on cabinet days, so as to include one or more days of the week. If today's experiences are repeated throughout the week the heads of the departments will have to transact all their official business on Tuesdays and Fridays and surrender the remaining four secular days of the week to office seekers and friends.

Clark Will Remain with the Union Pacific.

NEW YORK, March 30.—At a called meeting of the board of directors of the Union Pacific yesterday S. H. H. Clark, the president of the road, withdrew his resignation, which was sent in several weeks ago, at the unanimous request of the board. He will continue the presidency until his term of office expires on April 28, the understanding being that he will at once resign from the presidency of the Missouri Pacific, to which he was elected as soon as his resignation from the Union Pacific was made known.

After the meeting was over George Gould was seen in regard to the matter and refused to discuss it. He said it was too early to speak of Mr. Clark's successor in the Union Pacific.

Director Sam Sloan thus explained the action of the directors: "Mr. Clark has been a valuable man to the Union Pacific and the board of directors did not want to let him go. He was, therefore, prevailed upon to withdraw his resignation as president of the road. There is no discord between the Missouri Pacific over the matter. The Missouri Pacific directors have not yet met. When they do they will elect another president for their road. The two boards are acting in harmony with each other."

Religious Views No Ground for Discrimination in this Country.

WASHINGTON, April 3.—Cable messages from Vienna stating that the anti-Semitic organizations and other bodies in that city are vigorously protesting against the reception of Mr. Max Judd of Missouri, a Hebrew citizen of the United States and a native of Austria, nominated and confirmed as consul general to Vienna, have necessarily recalled the Kelly incident previous to the present administration, in connection with that same country.

The anti-Semitic feeling, it will be recollected, played an important part in the refusal of Austria to receive Minister Kelly, and resulted in the practical suspension of diplomatic relations between the two countries for over a year.

Mr. Anthony M. Kelly, a citizen of Richmond, Va., was first selected by President Cleveland and his secretary of state, Mr. Bayard, as minister to Italy, but was declared persona non grata by the king of Italy on account of very strong opinions he had publicly expressed as to the overthrow of the temporal power of the pope by the Italian government. Resigning as minister to Italy on this objection being made known, Mr. Kelly was almost immediately nominated as minister to Austria.

To Discuss Tariff Revision.

NEW YORK, April 8.—Mr. E. Ellery Anderson returned yesterday from a trip to Charleston, S. C., and incidentally to Washington, where he had an interview with President Cleveland and the members of the cabinet.

"I simply called on the president and his cabinet officers," said Mr. Anderson, "to pay my respects. I conferred with Representative John D. Warner on the tariff. My visit there had nothing to do with securing patronage or getting appointments. That is not in my line. You know that the Chicago convention declared that protection was wrong. We believe this and my conference with Mr. Warner was for the purpose of devising some means whereby this great and important subject may be properly discussed before congress meets. The tariff should be subjected to a public discussion before congress is ready to work. Mr. Warner and I simply talked over the steps to be taken in such a discussion. My trip to Washington had no other significance."

Nebraska Appointments.

WASHINGTON, April 3.—It was given out yesterday that no more important appointments for Nebraska would be made under some months; that there will be some minor places filled, like special agencies, clerkships and possibly a land office or two, but that district attorney, a collector of internal revenue and a collector of customs will not be named under some months. It is the intention to permit all of these officers to serve out the four years of their commission, where there is a tenure to their offices, and where there is no tenure to give them four years of service, with the possible exception of District Attorney Baker.

It is conceded here that a democrat will be in Mr. Baker's position before the middle of May. No one knows this better than the district attorney himself, and knowing it, he recently said that he intended to resign about the 1st of May. If this is understood and not controverted by Mr. Baker he will be permitted to keep his office, but if he persists in serving out his four years, which does not expire till about next January, he will probably be removed.

A Good Excuse.

"You are evidently not fond of society, Baron."

"On the contrary, madam, I adore society."

"Then why do you give so few dinner parties?"

"For this reason, madam: Whenever I entertain my friends I am obliged to remain at home, and it prevents me from enjoying society."

Special Excursions South.—To Cincinnati, Ala.

Will leave Council Bluffs on April 10th and May 5th. Six hundred thousand acres of fine farming and fruit growing land along the line of the Mobile & Ohio Railroad for sale at from \$1.50 to \$5.00 per acre. Stop over privileges at all points south of the Ohio river. For rates and descriptive pamphlet with full information for Home Seekers, call on or write