had with the secretary of state after it was all over with? A .- My step-son died then there was two jobs of masonry. I went to ask for one of them and they promised it to

Q .- Who did? A .- Blake, Edmisten and the whole outfit.

Q.-Who were the whole outfit?

A .- Maret.

Q.-Who was Maret?

A .- The private secretary of the governor. Q .- How did Maret come to promise you that place?

A .- They promised to use their influence to get me the position.

Q.-Did Maret know anything about what you had been doing in the vault?

A .- Yes, sir. Q .- Did he ever say anything to you about it?

A .- No; in marking the ballots he only said to be careful, don't let them

Q.-When did he say that?

A .- While the work was going on. Q .- How did you know what he meant?

A .- I saw him in Edmisten's office. Q.-Was he there while the work was going on?

A .- No. sir. Q .- Did he ever say anything or did you hear anybody say anything while the work was going on?

A .- I got some pencils to mark up the ballots with from him and he sharnened up a little one.

Q.-What was the little one made

A .- To put in my fingers so when I made a cross it couldn't be distinguish-

Q .- About how long was this pencil Maret made for you?

A .- A little over half an inch. Q .- How did you use it?

A .- Yes sir.

A.—Between those two fingers Q.—That is between the index finger and the one next to it?

Q .- The pencil was easily concealed there?

A .- Yes sir. Q.-How did you learn how to hold

A .- I made one and when I got in a hurry I told him to make one?

Q .- You didn't make the first one?

A .- Yes sir. Q .- And he made the second one? A .- Yes sir.

MARET WAS ON HAND. Q.-When Maret made the second pencil for you did you say anything

to him about what you wanted it for? A .- Yes sir, he saw me use it. O.-Where?

A.-Where we were working. -What were you doing?

A .- Working for the second count. Q.—What were you doing? A .- Counting the ballots.

Q.-And marking ballots? A.-I was. Q .- And was Maret in there when

you were marking the ballots? A. Yes sir.

STOLE EIGHT THOUSAND VOTES. Q .- Now have you any way Mr. Simons by which you can tell or approximately tell the number of ballots. before the governor's commission and before the legislative commission fook hold of them, were changed? A .- I should judge about seven or

eight thousand ballots. Q.-And this increase of votes was

all made from the remarking ballots. and some substituting ballots? A .- I judge there was seven or

eight thousand ballots marked. Q.-Did you use any of the ballots that had not been marked at all, by the voters, I mean?

A .- Yes sir. Q.-What would you do with them?

A .- Mark a cross on them. Q.—Then there were but two ways if I understand you that you increased the ballots in favor of the amendment, or three ways rather, by marking two yeses to overcome one no, and by using blank ballots and by taking out ballots that were against the amend-

A .- No, I didn't take any out. Q.—Then there were only two ways you increased the vote in favor of the amendment?

A .- Some of the ballots had two marks on at the top and one at the bottom against the amendment, and we would put two for it, we would mark the blanks if it had a cross at the head for all the amendments or against it we put one at the top and

Q.-You mean where you changed one for the amendment you make a cross at the top and then make another down at the bottom and by these two marks you would increase the bal-

lots? A .- Yes sir.

ment?

SCHEME HATCHED AT HOLCOMB'S Q.-Mr. Simons, didn't you have a conversation with Mr. Holcomb at one

time about this matter? A.-No, I never had a conversation with him, the thing started in his house

Q.-At his home?

A.—Yes sir. Q.—Who was there? A .- Maret, Dahlman, Edmisten and

I forget who else. Q.-You were there?

A .- No, I wasn't there.

Q.-How did you know these men were all there. A .- I was told so by a party that was

there. Q.-Who were you told by? A .- I don't know whether it was Dahlman or Edmisten, but as I was informed by a party that was there

they decided to give this charge to Edmisten and he was to see to A. Q .- That is all hearsay, you don't know anything about it of your own personal knowledge?

A .- Those that was there told me. Q.—Edmisten you say told you that? A .- I wouldn't say whether it was

Eimisten or Dahlman. Q.-Would you be positive it was either one of them?

home of the governor? A .- Yes sir. PORTER PROVIDED CUSTODIAN.

Q.-Who put the custodian in charge of these ballots? A .- Porter.

Q .- Was that the man that let you in after the pallots? A .- Yes sir.

Q .- Who fixed that with him? A .- Edmisten. Q.-Did you hear Edmisten when he was doing it?

A .- No gir. Q .- How do you know? A .- When he started for the first package of ballots he said I will go in

and see Kelsey. Q .- Where is Kelsey?

about this matter?

it here?

A .- Yes sir. doing this and he said don't stay and tion. talk to me here, I don't want to hear

GOT HOLCOMB TO HELP. A .- We were working on Fremont in Dodge county. We had the Dodge county ballots on our table and I took the first ward and put on the second and the second on the third and counted them and we had more ballots than voters and I was afraid of an investigation and I went in and told the Gov-

Q .- That was during the first count,

few minutes so I could straighten them

## A.—Yes sir. Q.—Then one or the other of those men told you of the meeting at the A BOLD PLOT UNCOVERED

gressional committee for the Sixth democracy. district?" That is the question that the explanation sought.

A .- He is chief janitor of the State on a joint candidate slipped a cog. As inevitable-The future of democracy Q .- Do you remember talking with in nomination. The democrats pre- upon the number we can draw from me last winter during 'he legislature sented M. C. Harrington of North populist ranks. There will be but two Q.-What was it you told me there the time both parties were obdurate ed leaders then. Submit gracefully, in relation to your going into the ex- and considerable bitter feeling was even though we have to stretch a Governor's office and telling him about engendered by the unavailing conten- point to do so."

til after I got back to the ballots for a

KEARNEY, Neb., Oct. 18 .- (Spe-, who suggested to him that his withcial.)-"Why did Juan Boyle resign drawal would wipe out the third party for all time to come. After 1900 there chairmanship of the democratic con- by winning the populists over to the

It was also undoubtedly in pursuhas been frequently of late propound- ance of the plans adopted at that party. I will prepare a communication ed by the Bee, but no fusionist of meeting that Harrington at once the district has rushed into print with placed himseelf in correspondence Sixth district today-making formal with Juan Boyle, chairman of his It will be remembered that when committee, in order to justify his the populists and democrats met in withdrawal. His letters to Boyle aftwo conventions some weeks since at ford an insight into those plans, which Lexington to nominate a candidate can rest on nothing less than downfor congress to flat the vacancy in the right perjury. In one of them he Sixth district created by the death of writes to Boyle a suggestion that the late W. L. Greene last winter in must be of intense interest to the hon-Omaha, the efforts of the fusion con- est follower of the populist cause. spirators to secure a combination up- namely, that "We must accept the a result two candidates were placed in the Sixth district depends largely Platte, and the populists put up Wil- parties, and the leaders of the demoliam Neville of the same place. At cratic party now will be the recogniz-

What Harrington meant by this in-No sooner was the result of the con- vitation to "stretch a point" is the ventions heralded broadcast than the act at which Juan Boyle balked. It leaders of the fusion machine, who meant simply that Boyle should make conveniently find lodgement in both a sworn certificate to the effect that Dr. Baker of Lexington. Yours very parties and manage to act as bell- the convention which had nominted wethers to the neighborly herds of Harrington had by resolution authorconfiding voters, began to clamor for ized the congressional committee to the withdrawal of Harrington. For a fill any vacancies that might occur on time Harrington and his friends put the ticket. With the letter Harrington on a determined front, protested that sent a certificate ready prepared, even the democrats were entitled to the ambodying therein what purported to nomination and that he would cer- be the resolution adopted for the filling ernor to hold the commission back un- tainly make the race. This apparent- of vacancies. The reason Mr. Boyle ly dauntless determination of Har- balked was that n such resolution was rington to hold to the nomination re- ever passed by that convention, and mained unshaken until the gathering he was not ready to perjure himself of the fusion clans later at Omaha for even for Bryan's sake. That was the during your manipulation of the bal- the triangular state convention, when rock upon which the ark of fusion it went out with a suddenness akin conspiracy split for some time, until a

race for congress. There is no other solution of the matter. It is the only logical thing to do. It will not hurt the democratic party of this district, on the contrary it will strengthen us will be no necessity for a third party, and by our many sacrifices we will win over nearly all the populists to our to the congressional committee of the withdrawal and send a copy of same to you. The vacancy ought to be filled at once by the chairman and secretary by placing the name of William Neville at the head of the democratic ticket. The chairman of every county central committee in the Sixth district has written urging prompt action as above indicated excepting Dawson county. It would be disastrous to wait any longer.

Please give me your answer as soon withdrawal. Mr. Neal, secretary, is absent in Virginia and I am author-William Neville by virtue of authority

M. C. HARRINGTON. On October 3 another (fac-simile of which is herewith given) and a certifi-

cate formed to sign and swear to was secured from Mr. Harrington. WHAT THEY ASKED BOYLE TO

SWEAR TO. State of Nebraska, Sixth Congressional

District, ss:

We hereby certify that at a delegate convention held on the 18th day of August, 1899, at Lexington, Dawson county, Neb., pursuant to a duly advertised call for the purpose of plac-

my intentions to withdraw from the

as you receive official notice of my ized to act for him-and can sign any paper necessary. The procedure next will be to file with secretary of state a document substituting the name of vested in the congressional committee. They have all agreed to it excepting respectfully,

be the last year we would be called upon to do it. When it comes to stretching the pointing and making a false oath. I must decline to do it, even when urged by my friends or by this reform movement, so-called.

I believe that you should have been endorsed by the populists, but I believe you would have won whether endorsed

Lincoln county, Neb., do solemnly

swear that I was duly elected secre-

tary of the democratic congressional

district of Nebraska and that the

above certificates and the statements

therein are true to the best of my

Subscribed in my presence and sworn to before me this —— day of

MR. BOYLE'S REPLY.

KEARNEY, Neb., Oct. 5, 1899.

Dear Sir: I had expected to visit

North Platte and see you in person. I

received your letter and enclosed af-

fidavits which you sent for me to sign;

also telegram from Mr. McNeal. Of

course I could not sign the affidavits,

as the convention did not pass any

resolution authorizing the committee

to place any name on the ticket in

case you should withdraw. While I

am greatly disappointed in your with-

drawal, I realize fully that you have

only yourself to consult as to your

I neither rely upon any promises

that were made for the future by the

populists nor do I believe anything

that is square or honorable can be

expected from them. I have no sym-

pathy whatever for the socalled deni-

ocrats who have for years been trad-

ing with these people and each year

using the argument that this would

best interests in this matter.

knowledge and belief.

, 1899.

by them or not. I attended the last convention as a democrat and I am perfectly willing, if the democrats wish another convention called to renominate in your place, to call the same if the committee will

indicate its desire on the subject. I am sorry, Mr. Harrington, that you did not make the race and am also sorry to be obliged to decline to do what you apparently wish me to do. I do not understand, of course, how it is in human nature for you to sincerely desire this, as, if you will take warning by what I say, there is nothing in the future for you to expect by being a party to this trade between a few democrats and populists, no matter what their professions may be.

I will be very glad to hear from you further in this matter and if I can in any way serve you will be glad to do so. Yours very truly, JUAN BOYLE.

As will be seen I offered in this letter to call together a convention where the democrats would have the privilege of deciding who should e named on the ticket. I received no reply to this, but my attention was called to a call made by Mr. McNeal, secretary of the committee, for last Monday to be held in North Platte. I received no notice by mail or wire as to this committee meeting, but I went to North Platte to look after the interests of the democrats of the district. Mr. McNeal and myself were the only persons present. At 5 o'clock, after waiting all day for some one of the committee to appear, we issued a notice to the democrats of the district and sent the same to the World-Herald and Bee, saying that the democrats sould vote as they pleased, committee was not authorized to act, as none were present. At 6 o'clock p. m. a Mr. MyEvoy appeared on the scene and wanted to claim that he was the committee and wanted me to call the meeting to order. I declined to do so, as the committee numbers thirty and he was only one-thirtieth of the number. I saw I was very distasteful to him so told him I would resign, which I did, placing my resignation in the hands of Mr. McNeal to be handed in when the committee would meet. McEvoy has placed a certificate on file at the state house, placing the name of Mr. Neville as our candidate. This .s contrary to law and to the usage of the democratic party for one man to assume to be chairman and committee. The party is controlled by the majority. I protest against it, and if we are to have a party in the Sixth district now is the time to assert ourselves. Mr. McEvoy had a few letters from members of the committee advising Neville's name be placed on the ticket through the committee, but in almost every case they were men who had received nominations in the counties on the so-called fusion ticket, for coroner or some other office and wanted Neville to help them through. Mr. Neville, I see by a notice in the World-Herald, denies the writing of a letter showing him as advocating expansion, but says his brother wrote it, but I am informed by Mr. Minor and Mr. Harrington of North Platte that they heard Neville in a speech a short time since declare himself in favor of expansion. Mr. McEvoy says a man may change his mind. Inis is true, but he may change it again at Washington if he should be elected. Our convention at Lexington was,

with few exceptions, a representative body of rock-ribbed democrats, the exception being a few court reporters and those receiving pap from pop judges and at the state house. Let us be democrats and not recognize this fraud and let the gentlemen at Lincoln and Omaha understand that hereafter they must make us acquainted with their trades before we call our convention and have to travel hundreds of miles to fulfill our duty to the party, and when we do nominate a clean, honcrable gentleman as our candidate, not be ordered by those out of our party, as well as some in it, to take him off our ticket.

Believing I am acting in harmony with the wishes of all honest, honorable democrats in the Sixth district, I will make the contest of this placing Mr. Neville's name on the democratic ticket, and hope that in the future we will be permitted to act without the interference of any other parties outside our district. In our votes on election day let us shuck corn or vote for Mr. Harrington, although he is not on our ticket, so as to show our loyalty to the democratic party. Mr. McNeal, our secretary, informed me that there was no record whatever of a resolution having been passed to place the name on the ticket, although he had every other record of every motion and resolution passed. Respectfully,

JUAN BOYLE.

all over - Where will we have to statch a point sign in the two places maised by Lustice of the peace or a noting Public who has of seal. Moles who has been about in ligging will be home

lative second recount.

Q.—Did you tell the Governor at that | circuit. time the difficulty you had got into? A .- Yes sir, I told him I had made a voters and I didn't want an investiga-

Q.-What reply did he make? A .- He said I am sorry you told me about that, I didn't want to know any-

thing about this. Q.-What else did he say? A .- That is all I remember.

Q.-Did he say he would hold the commission back?

A .- He didn't say he would. Q.-He did do it? A .- Yes sir. Q .- You had time enough?

A .- Yes sir. I fixed the matter. Q.-How long did it take you to fix the matter? A .- It only took long enough to take up three packages and put a part of

proposition was so they didn't see anything anyway. Q.-I will ask you whether at any time you have stated what you here testified to other than your testimony here given and the published account in the paper?

A .- Well, I have in a private conversation. Q .- To whom?

A .- Oh, I made it to Hedlund and William Lease. Q .- When did you tell Hedlund? A .- I don't know that I told him, he knew there was work being done.

Q.-Was, that after it was all done?

A .- Yes sir. Telephone company, and professor of doughty leader which prompted him

A.—No sir, it was during the legisto that which marks the extinction of an electric light tickled by a broken Boyle, finding that his scruples had congressman for the Sixth congressman.

Of course Colonel Bryan was in Omaha at that time and from his mistake, that we had more ballots than room in a hotel was directing the operations of the three conventions through his lieutenants in each much as one would marshal the pawns upon the boards in a three-cornered,

one-sided game of chess. Noon of the day of the conventions, before they had been called to order, saw a rush of Sixth district fusion statesmen toward Bryan's room. Among them was M. C. Harrington, and it was given out that the "row in the Sixth district was about to be straightened out." Just what occurred in that room during the secret conclave that followed may never be definitely known to those not actually present, but, judging from events that immediately followed, a plan was agreed on that contemplated the election of a populist to congress them in different envelopes. When the from the Sixth district by the aid of committee went to work the legislative deception and perjury, the conspirators being moved to this sacrifice by the consideration and understanding among themselves that

"After 1900 there will be no necessity of a third party and by our many sacrifices we will win over nearly all the populists to our party.

It is not merely surmised that this was the moving consideration that prompted the participants in that meeting. It is absolutely known that Mr. Harrington came out of the meeting imbued with that conviction, as it appears in his correspondence subsequently had with Juan Boyle, the chairman of his congressional committee. Whether Harrington suddenly conceived this idea or imbibed it from Bryan is not stated, but some-Morris F. Tyler, Yale, 1870, presi- thing new must have been presented dent of the Southern New England to him during that meeting by his general jurisprudence in the uinvers- to relinquish his nomination, as that ity, has been elected treasurer of Yale, is the reason he assigns to the chairin place of Mr. Farnum, whose resig- man of his committee for giving up

made him distasteful to some of his sional district, which convention was composed of voters representing the former associates, resigned. democratic party, a political party which at the last election polled more

This is the simple story of facts re-

vealed in the correspondence of its

cast in this congressional district, the participants, the original letters of which are reproduced in the public following resolution was adopted: statement of Juan Boyle as follows: JUAN BOYLE'S ADDRESS. The crime for fusion. Mr. Boyle ex- 'Nebraska, in convention assembled, poses the fraudulent scheme to place that the congressional committee con-

the name of Neville on the ballot. Cor- sisting of the chairman of the county respondence that passed between Boyle central committees of the several and Harrington: To the Democrats of the Sixth Congressional District:

I desire to state to you my recent action as chairman of your committee. had the honor to preside as your chairman at the convention at Lexington. We nominated Hon. M. C. Harrington. We made every effort to have him accepted by the populist convention; even offered to join them in convention with our 137 delegates, while they had 208, and abide by the result. They turned us down with scorn, demanding that the only thing we could do was to take Mr. Harrington off. I was elected chairman of the congressional district committee. Soon after the convention Mr. Harrington withhe issued a notice that he would make the race, I receiving my notice by telegraph. He afterward withdrew. Soon after that I received the following letter, enclosed the appended certificat? for me to make affidavit to, which I declined to do on the grounds that the convention at Lexington had not authorized the committee to place any name on the ticket:

HARRINGTON'S GIVE-AWAY LETTER. NORTH PLATTE, Neb., Sept. 27,

JUAN BOYLE, Chairman, Kearney,

Dear Sir-I trust by this time that State of Nebraska, Lincoln county, ss: hation takes effect January 1 next. his fight. It must have been Bryan you are reconciled and satisfied with I, W. B. McNeal, of North Platte,

Neb., as chairman and presiding officer, and W. B. McNeal of North Platte, Lincoln county, Neb., as secretary, and that said committee hereby names and nominates William Neville of North Platte, Lincoln county, Neb., as the regular candidate representing the party above named, for drew, aithough just pervious to this the office of congressman for the Sixth Congressional district of Nebraska. Chairman. Secretary. State of Nebraska, Buffalo County, ss: I, Juan Boyle, of Kearney, Buffalo county, Neb., do solemnly swear that I was duly elected chairman of the

democratic congressional committee

of the Sixth congressional district of

Nebraska and that the above certifi-

than 1 per cent of the entire vote

"Resolved, By the democratic party

of the Sixth Congressional district of

counties in this district, be and they

are hereby empowered and authorized

to fill any vacancies which may occur

on the ticket named by us here to-

We further certify that a vacancy

has occurred by the resignation and

withdrawal of M. C. Harrington as a

candidate for congress, and we fur-

ther certify that the said committee

was organized by the election of Juan

Boyle of Kearney, Buffalo county,

cate and the statements therein are true to the best of my knowledge and belief. Subscribed in my presence and sworn to before me this --- day of