

JUDGE SULLIVAN'S RECORD.

The Bills That He Introduced in the Legislature of 1887.

The nomination of Judge Sullivan of Columbus for Justice of the supreme court was received, I presume, by most of the populists of Nebraska as it was by the writer—with disappointment. It is not the intent of this article to mitigate or argue against that disappointment which springs, as the writer believes, from the worthy and patriotic sentiment that the people's independent party was formed to furnish a common meeting ground for honest anti-monopoly voters of all parties, that it was commissioned to lead in that conflict and not to follow and that it was no part of its mission to relinquish its leadership or infuse life into either of the old parties, that, in short, until it became necessary to organize a new party with a new name, but standing for populist principles, the people's party should maintain its leadership both in campaign and in candidates.

The disappointment arising from the nomination of a democrat by the populist party was followed immediately by an intense desire to know what kind of a democrat he was and two hours after the nomination was made the writer was engaged in studying the House Journal of 1887. The record made by Judge Sullivan when a member of that legislature is one that every voter and particularly every populist in Nebraska will be interested in. It is the object of this article to give it without whitewash, eulogy or detraction, leaving the people to draw their own conclusions.

Judge Sullivan was elected from Platte county to the legislature of 1887. There was no populist party in those days. Jim North, late Cleveland collector of internal revenue for this state, was as good material as the democratic party could nominate for governor and he was beaten by John M. Thayer by over 20,000 plurality. H. W. Hardy, who wrote the hardy "bite" for this paper now, received nearly 9,000 votes for governor on the prohibition ticket and Jay Burrows who ran on the anti-monopoly ticket for governor received 1422 votes—half of them in Platte county. The great bulk of the men now enlisted for the war in the people's independent party were republicans in those days. Many of them were "kick ing" republicans, making lots of trouble for the corporation party managers, but still holding fast to the old party and swallowing unmy a bitter dose of party medicine for the sake of the organization they loved and in whose history they gloried. To show the absolute supremacy of the republican party here it may be remembered that North carried only nine counties in the whole state for governor and in most of the western counties, now gone irrevocably from the republican column, the vote was three or four to one for the g. o. p.

The house that session contained 74 republicans and 26 democrats. A large number of the republican members were "anti-monopoly" republicans and they elected one of these, Hon. M. V. Harlan, of York county, as speaker. Representative Sullivan was made chairman of the committee on counties and county boundaries and a member of two important committees—rules and judiciary. Soon after the organization of the house, Mr. Sullivan introduced and secured the adoption of the following resolutions touching on one phase of a subject which was then coming upon the arena of political action and which has since grown to overshadowing dimensions:

Whereas, The plain dictates of common sense require that the ordinary judicial business of our citizens should be transacted in the courts of the counties wherein they reside; and

Whereas, Congress, by the enactment of various statutes, and the federal judges by tortured constructions of the same, have so extended the jurisdiction of the United States Courts as to compel our citizens in defending their rights and pursuing their remedies against non-residents and foreign corporations to attend the sessions of said courts at places remote from their homes for long periods and at enormous expense; and

Whereas, From the hardships and injustice of the present system there is promise of a considerable measure of relief in a bill amending the law regulating the removal of causes from state to federal courts which bill has passed the House of Representatives of the United States and is now pending in the Senate there; therefore,

Resolved, That our senators in congress are instructed to vote for and use all honorable means to secure the speedy passage of said bill in the Senate of the United States.

Resolved that the Secretary of State be requested to forward a copy hereof to each of our senators in congress. Representative Sullivan introduced eleven bills during the session the substance and date of each being given below:

H. R. 57.—Providing that in cities in counties under the township organization each ward having 700 voters or over should elect one supervisor. (Indefinitely postponed.)

H. R. 58.—Wiping out the distinction in law between the accessory before the fact and the principal in a crime and providing that thereafter all persons concerned in a crime before its commission should be held as principals. (Indefinitely postponed.)

H. R. 59.—Providing that any stipulation in any mortgage or note for an attorney's fee should be void. (This bill was reported from committee and placed upon the general file where it remained, never reaching a vote.)

H. R. 110.—Providing that in counties under township organization bridges over streams 500 feet wide and upwards shall be built and maintained by the entire county. (Passed both houses and became a law.)

H. R. 127.—For refunding to the city of Columbus \$62.50 exacted by the state auditor for registering \$25,000 water-works bonds, the supreme court having decided such fee by the auditor illegal. (Passed both houses and became a law.)

H. R. 128.—Providing for the certification by the auditor of state of cost of keeping insane patients at state asylums to the county boards of the several counties whose duty it shall be to collect the same from persons legally bound for their support. (Indefinitely postponed.)

H. R. 282.—Provides that each clerk of the district court in counties below 30,000 in population turn into the county treasury all fees received in ex-

cess of \$2,000 a year and necessary clerk hire. In counties of 30,000 and over he shall turn in all fees in excess of \$3,000 and necessary clerk hire. The question of what is necessary clerk hire to be determined by the county board not to exceed \$1,000 per year to a deputy or \$600 a month for other clerk. (This important bill which a dozen legislatures have failed to pass was killed by indefinite postponement. It is interesting to note that H. C. Russell, late commissioner of public lands and buildings, was chairman of the committee which reported it for indefinite postponement.)

H. R. 316.—Provides that in all actions for libel, slander, assault, false imprisonment, etc., the plaintiff shall recover no costs where the verdict of damages is for less than five dollars. Passed House and killed in Senate by indefinite postponement at end of session in Senate.

H. R. 317.—Relates to township organization, fixing maximum rate of levy for township purposes at fifteen mills—permits county board to make levy where town board refuses or neglects and fixes maximum pay of member of board of supervisors, exclusive of mileage, at \$1.00 per annum. Passed House and killed in Senate by indefinite postponement at end of session.

H. R. 361.—Provides that all foreign corporations doing business in this state shall incorporate in this state, that if any of them petition to remove any lawsuit in which it is interested from state courts to the federal courts on the ground that it is a non-resident of Nebraska that it shall forfeit its right of incorporation here and if it persists in doing business thereafter shall forfeit and pay a fine of \$100 per day. This bill was indefinitely postponed along with many others by the House sitting committee.

H. R. 404.—Providing penalties for sporting on Sunday—indefinitely postponed by sitting committee. The election of a United States Senator to succeed C. H. Van Wyck was the first work of the session of 1888. Van Wyck had been elected as a republican, but there was intense opposition to his re-election in the republican party. When the legislature met it was known that Van Wyck had enough republican votes if joined by the thirty-six democratic votes in both Houses to elect, but that he never could get enough republican votes to elect. The aim of the Van Wyck managers was to get the democratic votes, while the opposition endeavor was to keep the democrats by themselves until a republican caucus should unite on someone to beat Van Wyck. The tactics of the democrats, or at least some of them, was to work upon the factional division in the republican party to secure the election of a democrat.

The first ballot for United States Senator was taken in separate Houses. Van Wyck got 33 votes in the lower House and J. Sterling Morton 25. Representative Sullivan voted for Morton with all the other democrats except two who voted for George L. Miller. On the second ballot, January 19th, in joint convention, Van Wyck received 49 votes. A few democrats voted for him on this ballot, but the bulk of the democratic vote went to George L. Miller who received 19, including Mr. Sullivan's vote.

The third ballot was taken January 20, with intense interest in and out of the legislature. It was known that a supreme effort would be made to secure for Van Wyck the necessary democratic votes. During the call of the roll C. J. Smyth, present attorney general, changed his vote from Munger to Van Wyck, offering a written explanation that he wanted to see Mr. Munger elected, but feared that he could not be, and therefore voted for Van Wyck as preferable to any other republican candidate. This was the signal for changing of democratic votes to Van Wyck, all of them going to him but ten. Representative Sullivan and seven other democrats stood by Munger, one democrat voted for McShane and one for George Broadly. Van Wyck's vote was 60, lacking seven of making him the choice. The joint convention adjourned and before the next one met the republican caucus had made A. S. Paddock its choice and elected him.

There was a prolonged struggle for railway legislation in the session of 1887. The legislature of 1885 had passed an act providing for a board of transportation substantially the same we have today. The board of transportation had done practically nothing to lower freight charges and there was great dissatisfaction over the state thereof. Numerous bills were introduced fixing maximum freight charges on Nebraska railroads, and amending the law as it then stood on the statute book. The fight for the abolition of the board of transportation was led in the house by C. J. Smyth, who moved on January 28 that the house resolve itself into committee of the whole for the purpose of considering H. R. 2, repealing the board of transportation law. The vote stood, ayes 55, nays 43. Representative Sullivan voted in the affirmative.

The bill was favorably reported and passed the house 69 to 23 on Feb. 10. Mr. Sullivan being recorded in its favor. This bill was sent to the senate where it was indefinitely postponed. The senate passed and sent over to the house, senate file 41, a bill modifying and extending the board of transportation act and giving the board additional powers. This bill was not satisfactory to the anti-monopoly sentiment in the house. Agee, of Hamilton, a republican, had introduced H. R. 192, a bill somewhat similar to the senate bill. Effort was made to have this bill made a special order. The first effort was unsuccessful the vote standing 62 for and 32 against. Representative Sullivan voted against. Another effort prevailed and the house went into committee of the whole on the bill Feb. 18th. An amendment offered by Mr. Sullivan providing that "not more than two secretaries of the board of transportation should be from the same political party" was adopted.

Mr. Harlan offered an amendment fixing maximum freight rates in Nebraska at about 20 per cent less than the B. & M. rates then in force. This was carried after a hard fight by 58 to 24. Representative Sullivan voting in the affirmative. March 9th the bill as amended passed the house 78 to 12. Mr. Sullivan voting yes. A conference committee was appointed between the senate and the house on railroad legislation. Majority and minority reports were submitted. The majority report favored passing the senate bill as the only bill that could be got through that session and as being better than the law as it stood. The minority were in favor of the house standing for the maximum rate schedule. A motion to adopt the minority report was defeated, ayes 45,

nays 49, Mr. Sullivan voting in the negative. A motion to order the senate bill to a third reading carried 47 to 44. Mr. Sullivan voting in the affirmative. Senate file 41 was then placed on final passage and carried by 64 to 28. Mr. Sullivan voting aye. House roll 31, fixing passenger fare at three cents a mile was passed by a vote of 98 to 0, Mr. Sullivan voting aye. This comprised the railroad legislation of the 1887 session.

The present anti-gambling act upon our statute book was passed by the 1887 session. Representative Sullivan took the lead in pushing the bill in the House. March 24th it was on his motion made a special order for the next day. March 25th he moved that it be ordered to a third reading. The motion was vigorously debated, but prevailed by a vote of 50 to 40 and the bill passed.

Representative Sullivan is recorded as voting aye on H. R. 345, a bill for the corporal punishment of wife beaters which was lost by 41 to 43; voting aye on H. R. 77 to prevent employment of children in working shops, etc., which passed by a vote of 63 to 30; voting aye on H. R. 174 providing a stringent method of collecting taxes, which failed to pass; voting no on a resolution memorializing congress to present an amendment to the constitution for the election of United States senators by the people; as absent and not voting on H. R. 21, submitting the question of a prohibitory amendment to the people.

This record while brief covers most of the matters of importance which were in controversy during the session of 1887. Every man familiar with the action of legislative bodies knows that the larger part of a member's services in promoting or preventing legislation does not go into the printed records. Still the record does contain some indication of the member's purposes and whatever it is he must be expected to stand or fall with it. And the record made by Judge Sullivan two years ago will so doubt be of interest to thousands of voters who do not know him personally.

A. E. SHELTON.
Lincoln, Sept. 15, 1897.

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PRIESTS CHECK STRIKERS

All Quiet at Hazelton Thanks to the Church—No Arrests of Deputies.
HAZELTON, Pa., Sept. 15.—All has been quiet here since yesterday and no further trouble is expected in this immediate vicinity, but about the coal mines, eighteen miles from here, strikers are marching and additions have been made to the list of strikers at several points.

The strikers have been held in check by the priests. At several turbulent meetings, which threatened to end in bloodshed, the prelates went among the excited foreigners, commanding silence and forcing them back. They warned the men that to destroy the coal companies' property would be only to take food from their own mouths by shutting off future employment. The priests, however, have no plea of mercy for the sheriff's deputies who shot the men at Latimer, and some of them are active members of the committee that is to push the murder charges in court.

It is now certain that no attempt will be made to arrest the deputies as long as the troops are camped at Hazelton. General Gobin's declaration that he will protect the sheriff's men just as long as he shall be in command has cooled the ardor of those who were for going about the matter hastily. The strike leaders and their attorneys deny the right of General Gobin to enforce such an order, but they admit that he has the power.

NO NATIONAL AID.

The Government Unable to Relieve Alaska Gold Seekers.

WASHINGTON, Sept. 15.—The condition of affairs in the Klondike and danger of persons who have started for the gold fields without an adequate supply of provisions are matters about which members of the administration have a great deal of anxiety, and there will be a discussion of the possibility of affording some relief to those persons. Assistant Secretary of the Treasury Vandenberg said that he and the secretary had given it much consideration, but he was at a loss to see what could be done at this time. The administration has no money at its disposal that could be legally expended on a relief expedition, and the physical conditions of the country in Alaska are such that it would be impossible to do anything if there was plenty of money to draw on.

MILLIONS FROM KLONDIKE.

The Steamer Excelsior Reached San Francisco With a Big Precious Cargo.
SAN FRANCISCO, Sept. 16.—The steamer Excelsior which left St. Michaels, Alaska, six weeks ago, and was compelled to put back to Unalakleet for repairs, having broken two blades of its propeller, arrived here this morning with sixty-three passengers and about \$7,500,000 dollars in gold.

The American Party for Texas.

DALLAS, Tex., Sept. 16.—On instructions from E. H. Sellers of Detroit, Mich., president of the national organization of the new "American" party, a state convention is to be held here about October 20 to organize the "American" party in Texas. Secret circulars were sent out for county and precinct organizations. The leaders of the new movement in Texas are General Paul Vandervoort, formerly of Nebraska, and A. B. Norton of Dallas.

Herpolsheimer Ho.

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Child's heavy fleeced cotton union suits, with drop seat, all sizes, 49c values, each..... 29c
Children's half wool union suits, natural color, all sizes, each..... 69c
Children's extra fine fleeced cotton vests and pants, vests elegantly trimmed, pants made with finished seams, size 20, each..... 20c (Size of 3c on size.)
Children's heavy Egyptian ribbed cotton fleeced vests and pants, finished seams, our regular 39c quality, each..... 25c
Ladies' high neck, long sleeve vests, medium weight, merino; finely trimmed, worth 40c, each..... 25c
Ladies' extra heavy fleeced cotton vests and pants, our 39c quality, each..... 25c
Ladies' fine natural wool vests and pants, ribbed, pants made with French bands, worth 30c, each 65c

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NEW LOCATION—Extreme west end of store.

This department is in daily receipt of goods from the eastern markets, goods that were bought at old tariff prices, although the latest of late productions. Special care and attention has been given to the selection of our fall and winter stock of Jackets, Capes, Furs, Suits, Skirts, Wrappers, Dressing Sackes, etc., and that our efforts to place before the people the best values that ready money could buy, are being appreciated is clearly proven by the lively selling already underway here. I possible, visit this department, or if you cannot, send for descriptions and prices of articles desired. Our Fall and Winter Shopping Guide will soon be ready. Write for it.

The New Grocery Dept.

The finest line of Staple and Fancy groceries ever carried in the city at prices never heard of before. We promise our patrons that a dollar will buy more groceries here than it has ever been known to do elsewhere.

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NEBRASKA'S GREATEST MAIL-ORDER HOUSE.

Herpolsheimer Ho.

DEPUTIES BLAMED.

It Is Said That There Was Absolutely No Necessity for the Shooting.

HAZELTON, Pa., Sept. 15.—Indignation against the deputies is running high and the charge is publicly made that there was absolutely no necessity for the shooting. The miners it is declared, were not armed in any way, and if the deputies feared trouble a single shot over their heads would have dispersed them. The fact is undisputed that many of the victims were shot through the back while flying from the guns of the deputies. The local police force has been considerably increased and has received orders from Chief Filor to stop the slightest attempt at disorder. While Filor does not anticipate an outbreak yet from his long experience with the foreign element he considers them treacherous. Mayor Altmeier of Hazelton has been ill for some time and is now laid up with the rheumatism. The physicians have flatly refused to permit him to take a hand in the trouble.

This afternoon 1,500 men employed in the Latimer mines voluntarily joined the strikers. Almost immediately after the shooting the men quit work in a body and to-day they held a meeting and decided not to return to work until every demand made at every mine in the region should be conceded by the operators.

The meeting was held in front of a tumbledown frame school house a few yards from the scene of last night's tragedy. It was entirely orderly, and the leaders were careful to counsel moderation. The principal speaker was Antoine Leuse, a bright young Poleander, who had hitherto acted as a messenger between the strikers and operators. He said: "I am satisfied that you are not armed and that you will not arm, and I want to tell you you will best serve your cause by remaining unarmed."

No further action than this will be taken to-day. "It is too soon after," one of the men said with a shudder. Monday a committee consisting of four Italians and Hungarians and four Poleanders will be sent to inform the operators of their action.

While everything is perfectly quiet this afternoon, the situation remains extremely critical. Night may bring with it a continuation of the calm or it may see a new outbreak. The foreigners are apparently cowed by the presence of the troops, but Saturday night is a drunken period with them, and apprehension is felt with the approach of darkness.

General Gobin ordered the Ninth regiment to Hazel park, commanding the road from Drifton and one from Latimer, the Twelfth regiment to Donagel Hill, upon the opposite side of the town holding the Jeanville road leading from Anderlecht; the Second battalion of the Eighth regiment to Schuykill county.

at Anderlecht to be joined by the Fourth; the Thirteenth regiment to Latimer to take up a position overlooking the Latimer mines. The governor's troops as soon as it arrives will be stationed at brigade headquarters and Battery B will be distributed among the different commands. In addition to the usual equipment the battery has two breechloaders and two Gatlin guns. General Gobin also sent to Philadelphia for the City troop and will hold them at headquarters.

Three weeks ago, drivers and miners in the Honeybrook No. 5 colony of the Lehigh & Wilkesbarre Coal company struck against extra work without extra pay. Superintendent Jones tried to persuade the men to return to work and was knocked down and kicked and would have been badly beaten had not Joseph Thomas, an engineer, and Levi Walsh a carpenter, reached the spot on a mine engine just in time to go to his assistance. With the aid of some others who soon afterward arrived they drove off the strikers.

The strike lasted a week and then the men went back to work upon the promise of the officials to make an investigation and settle the difficulties. The settlement did not take place as promised, however, and the men went out again, the strike spreading gradually over the whole region, as the men at each colliery had one grievance or another. Each day the men have marched, and each day their numbers have been augmented, owing to their plan of marching to breaker after breaker and calling upon the men to come out. Most of the strikers are Hungarians, Slavs, Italians and Poles, but most of their leaders are naturalized and fairly intelligent citizens.

PHILADELPHIA, Pa., Sept. 13.—A special to the Press from Hazelton states that early in the day a number of miners were marching on the Hazelton mines, owned by Calvin Parden, and that two of their number were arrested. The crowd of about 200 then turned towards the Latimer mines, moving entirely on the highway and avoiding private property. When they reached the edge of the town marching ten in a line, they were met by Sheriff Martin and about seventy deputies. Martin halted them and read the riot act to them and, brandishing a revolver above his head, ordered them to go back. The strikers answered that they were not doing any harm and began to brush by Martin. Immediately a volley was fired, and when the smoke had cleared eleven dead and thirty-eight wounded were stretched on the ground and the remaining miners began to scatter in all points for shelter.

Japan Buying American Paper.

APPLETON, Wis., Sept. 16.—Local paper mills within the past two weeks have received orders from Japan for 2,000 tons of print paper. This opens up a new market to American paper manufacturers.

MOB THREATENS TO LYNCH.

Brute Attempts to Assault a Telephone Operator.

CARTHAGE, Mo., Sept. 16.—Early yesterday morning an attempt was made to assault Miss Nannie Rankin, night operator at the office of the Missouri and Kansas Telephone company. She was aroused by some one trying to throttle her. She sprang up and struggled with her assailant. While struggling she started the night alarm bell. This, with her screams, attracted the attention of Daleo Bottenfield, who notified the police.

Soon a crowd gathered and meanwhile the brute, finding he was pursued, jumped from the window to the sheds below, but was seen and chased by the crowd. He was finally located by Councilman Mike Tophy in a paper closet in the office of the Evening Press, in the same block. He held him at the point of a revolver until officers came.

A mob which had assembled threatened to stone the brute, who was in a semi-nude condition, but the officers finally succeeded in leading him to jail.

His name is Charles Johnson, once a respected printer, but of late years has been half demented by drink. The grand jury is now in session, and he will probably be sent to the penitentiary.

Short Crops in Sicily.

WASHINGTON, Sept. 16.—The wheat crop of Sicily and Calabria this year, according to the estimates of the local agent newspapers which are transmitted to the state department by United States Consul Bruhl at Catania, will range from one-half to two-thirds of an average crop. Almonds will also be very short. In Calabria the olive crop is slightly above the average, but in Sicily it will be only half a crop. The grape product ranges from middling to good.

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