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STOCK YARDS BILLS

A History of the Effort to Control the Stock Yards Corporations.

POYNTERS RECORD IN 1891

Uniformly Worked and Voted for the Advancement of Stock Yard Bills.

The Facts in the Case.

The Omaha Bee and a few republican papers have tried by innuendo throughout the present campaign to make it appear that W. A. Poynter was opposed to regulation of the South Omaha stock yards and when a member of the senate in 1891 prevented the bill regulating stock yards from being advanced and becoming a law.

Not much attention has been given these insinuations for the reason that the great body of farmers in this state know that Mr. Poynter has consistently throughout his public career stood for control of corporations in the interest of the public.

As it is evident that the republican managers persist circulating these reports it is well to find the exact facts regarding the stock yard legislation in 1891 from the official record so far as there are any.

House Bill No. 34 was the stock yards bill in the 1891 session. It was introduced by Mr. Williams, of Gage. It was read the first time January 13, the second time January 14, referred to committee and reported back with amendments February 15. The original bill reduced the yardage charges to ten cents per head for cattle, four cents for hogs and three cents for sheep and fixed the charges for hay and grain at double the retail market price. The amendments made yardage charges: fifteen cents for cattle, five cents for hogs, three cents for sheep and left the charges for hay and grain the same as the original bill.

This bill was ordered enposed for third reading on February 12 and passed the house February 26 by the following vote: Ayes 87, Nays 7. The nays were Bertrand, Breen, Brennan, Felker, Ford, Gardner, Huse—nearly all from Douglas county.

The bill came to the senate and was there read the first time February 27. On February 28 it was read the second time and referred to the committee on corporations. March 10 the committee reported it back favorably and it was placed on the general file.

So many bills were already on general file that it was impossible ever to reach this bill without having it advanced out of its order. On the very day that this bill was reported Senator Poynter made the following motion which carried: "That the chair appoint a committee of seven as a sifting committee, whose duty it shall be to report to the senate such bills as shall be deemed of most importance and bills so recommended shall take precedence of others now before the senate."

Under this motion the president of the senate, Hon. Thos. J. Majors, appointed the following as the members of the committee:

Poynter, Stevens, Collins, (populists), Woods, Moore, (republican), Switzer, Schram, (democrats).

When the sifting committee met Senator Stevens moved to advance Senate file No. 34. Both the republicans and Senator Switzer, who was from Douglas county, opposed the motion. Senator Poynter, Stevens and Schram supported the motion and Senator Collins, of Gage county, gave the deciding vote in favor of the corporations on this occasion as he did generally during the session. As a result the sifting committee was never able to advance the bill.

But the friends of the bill were determined to force it to the front in the senate in spite of the treachery of Collins. The Senate Journal of 1891 has at page 850 the following record:

Mr. Collins moved, That the senate resolve itself into a committee of the whole to consider bills on general file.

Mr. Beck moved, To amend, by inserting House Bill No. 34 and other important bills.

Mr. Warner moved, That the rules be suspended for the purpose of adopting the amendment.

The yeas and nays being called for, Those voting in the affirmative, were: Messrs. Beck, Dysart, Hill, Keiper, Michener, Poynter, Randall, Sanders, Smith, Warner, Williams—11.

Those voting in the negative were: Messrs. Christofferson, Collins, Eggleston, Mattes, Moore, Schram, Shumway, Stevens, Switzer, Thomas, VanHousen, Wilson, Woods—13.

Not voting: Messrs. Brown, Coulter, Day, Horn, Koonitz, Shea, Starbuck, Taylor, Turner—9.

A majority not having voted in the affirmative, The motion was not agreed to.

Every one of the votes for advancing the bill was a populist except Keiper (democrat).

All the republicans voted against its advancement.

The friends of the bill were not satisfied and resolved to make another effort. On page 914 of the Senate Journal is

found the record of the next attempt as follows:

Mr. Coulter moved, That the senate resolve itself into a committee of the whole to consider bills reported by the sifting committee.

Mr. Randall moved as an amendment, To take up House Bill No. 34.

The yeas and nays being called for, Those voting in the affirmative, were: Messrs. Beck, Coulter, Dysart, Hill, Horn, Keiper, Michener, Poynter, Randall, Sanders, Shumway, Smith, Turner, Warner—14.

Those voting in the negative were: Messrs. Brown, Christofferson, Collins, Eggleston, Mattes, Moore, Schram, Stevens, Switzer, Thomas, Wilson, Woods—12.

Not voting: Messrs. Day, Koonitz, Shea, Starbuck, Taylor, VanHousen, Williams—7.

The necessary two-thirds not voting in the affirmative, The motion was not agreed to.

On both these test votes Senator Poynter and nearly all the other populists voted to advance the bill while the republicans and democrats combined against it.

It remained for the Nebraska and Kansas legislatures of 1897 to finally pass stock yards bills which have resulted in a reduction of feeding chops and a saving of thousands of dollars annually to the stockmen of the west.

Today as in 1891 W. A. Poynter and the populist party of Nebraska stands for the people and for control of corporations—stock yards and other trusts.

THEY DON'T LIKE IT.

The appointment of "Coin" Jarvey as financial manager of the joint executive committees of the three free silver parties, is giving the gold democrats and republicans a good deal of uneasiness, as it means a probable union of those forces in the campaign of 1900 and a renewal of the political struggle on the lines of 1896.

THEY MUST PUT UP.

Much complaint is heard among the government employes at Washington over the heavy campaign tax demanded of them. One-fourth of the month's salary received is not an unusual demand.

VETERAN BIMETALLISTS

Rousing Meeting Passes Strong Resolutions at Lincoln.

Lincoln, Neb., Oct. 25.—The Veterans Bimetallic club met last night in the Lincoln hotel and held a rousing and enthusiastic session. O. E. Goodell was elected president and Joseph McGraw selected to act as the secretary. The following resolutions were unanimously adopted:

"Whereas, Camrade Mart Howe is now affiliating with the republican party of this state, and is now supporting the goldbug republican ticket, therefore, be it

Resolved, that he be expelled from membership in this club and that a copy of this resolution be mailed to Mr. Howe.

"Resolved, That we, the members of the Veterans Soldiers' Bryan Bimetallic club of Lancaster county, of 257 members, again renew our allegiance to the cause of bimetallicism and urge all voters who hold dear the home and fireside to protect the same by casting their votes for the nominees of the bimetallic parties of this state who are opposed to the single gold standard, advocated by the republican party of this state who, in 1896, advocated international bimetallicism and in 1898 came out boldly for the single gold standard; and further be it

Resolved, That we, the veterans of this club, urge the old soldiers of the state to not be misled by circulars and speeches issued and made by gold bug republicans, for they are seeking only to use you as tools to help them into power, and we urge you to stand by Senator Allen by voting the fusion legislative ticket, for he was a brave soldier who has the interest of all old soldiers at heart. He is your true friend and one who will not desert you; and further be it

Resolved, That we oppose the efforts of the combination of national banks to destroy the greenbacks that paid the soldiers of 1861 to 1865, the result of whose efforts in fighting down the rebellion made the greenback dollar as good as gold, and we are opposed to their retirement by the government and the consolidation of the money power in the hands of bank commissioners as proposed by the McCleary bill now before congress and endorsed by the present administration.

"We congratulate the volunteer soldiers of the army and navy for the brilliant victories achieved at Santiago, Manila and Porto Rico and we express our sympathy with all soldiers and sailors who are now lying sick in the hospitals. We deeply regret to hear of the sickness of Colonel W. J. Bryan, caused by his self-sacrificing devotion to his men and we earnestly hope for his speedy recovery.

"Resolved, That we earnestly endorse the liberal policy of Land Commissioner Wolfe toward ex-union soldiers and their families in that he has employed in his office three losers who are the daughters of old soldiers, also Comrade A. K. Giff, who was not drafted as stated by Mr. Howe, but was a volunteer."

The meeting adjourned to meet Saturday evening, October 29 at 8 o'clock at the Lincoln hotel. All comrades are earnestly requested to be present and to notify all others that they may come.



MR BURKETT'S RECORD

He was Always and Every Time for the Corporations and Against the People

WANTED MEN BLACKLISTED

He Voted for the Sugar Bounties and in Favor of Unlimited Passes

Afraid to Debate.

The two candidates for congress before the people of the First congressional district are presented to the voters of this district for them to choose their next congressional representative. The fusion forces consider that the issue upon which the canvass is being made are vital to the people of this state and should be fairly and openly discussed before the public.

The fusion candidate, Mr. Mannaugh, has labored industriously to obtain from his opponent an open discussion of the issues, and Mr. Burkett has carefully avoided any such discussion, and by his silence has refused to enter into the discussion.

Mr. Burkett's political opponents insist that he is unwilling to take a position upon any of the vital questions that would come before the next congress in which he hopes to represent the people of the First district. And further insist that Mr. Burkett's record in the past, and a fair estimate placed upon his abilities to accomplish anything for his constituents in the future, do not entitle him to the votes for which he seeks.

Mr. Burkett has served his country in one capacity as a member of the state legislature of the state of Nebraska, for the year 1897. Upon this record and the fact that his nomination was forced by the political machine of Lancaster county, he is recommended to the suffrage of the people.

Mr. Burkett in the legislature represented the second county in the state in wealth, population and political influence. His home county was especially situated to exercise great control and influence in the legislature. If Mr. Burkett possesses the ability and energy necessary for a successful administration of the office of congressman, we would expect that that ability and energy would be shown in his legislative work.

We find upon examination that Mr. Burkett introduced in the legislature six bills, none of them showing any authority by Mr. Burkett. All of them show evidence that they were prepared and presented to Mr. Burkett for introduction in behalf of special interests. Three of these became incorporated as laws of the state, two of them being simply corrections of existing statutes, and the third providing for the conditions under which teachers who are graduates of universities, etc., shall be granted state certificates, the latter being supposed to be in the special interests of an institution in which the present chairman of Mr. Burkett's campaign committee was especially interested.

We further find that Mr. Burkett before the house, of which he was a member, made some sixteen or seventeen motions, most of them frivolous in their character, being motions to adjourn, etc., and some of them falling of consideration for reason that they were out of order. The only time that Mr. Burkett showed any evidence of energy was in resistance of the indefinite postponement of one of the bills introduced in the interest of insurance companies.

Mr. Burkett's record upon all questions involving the rights of trusts and monopolies and affecting their interests is not such as would recommend him to the voters of his district. One of the principal responsibilities that will be placed on the congressman-elect will be the consideration of the interests of trusts and large combinations, who expect to obtain favor-

able legislation, which will enable them to reap greater profits in their transactions with the common people. We make the charge that at every turn and in his every act in the state legislature Mr. Burkett operated in the interests of the trusts and combinations that were seeking favorable legislation, or resisting unfavorable legislation.

Upon page 239 of the house journal is found the vote of Mr. Burkett in favor of the bill perpetuating the beet sugar bounty on the people of this state, for the benefit of the Oxnard company, whose lobbying methods have not only disgusted the people of the state of Nebraska, but have attracted attention at the national capital.

And upon page 268 of the house journal is found recorded Mr. Burkett's vote against the repeal of the sugar bounty law that was passed by a republican legislature for the benefit of the same interests. If Mr. Burkett is unable to resist the demands of Mr. Oxnard as a member of the legislature of the state of Nebraska, what can constituents expect of him when these demands are made by the sugar trust and Claus Spreckles when they demand favorable legislation in congress?

Upon page 277 of the house journal, Mr. Burkett's vote is recorded against house bill No. 40, which was a bill for an act to prohibit the issuance of free transportation to persons by railroads of the state of Nebraska. It is quite probable that in this vote Mr. Burkett may have had proper regard for his own special interests and voted to protect his own railroad pass, which he carried on his inside pocket.

Upon page 750 of the house journal, Mr. Burkett's vote is recorded against a bill that was introduced, designing to give voters the right to vote upon legislative questions affecting their particular district. Doubtless in the opinion of Mr. Burkett the common people could not be trusted with the right of placing a check upon pernicious legislation.

Upon page 898 of the house journal and again upon page 953, Mr. Burkett's vote is recorded against the abolishing of deficiency judgments in case of foreclosure of mortgages. A law that was designed for the relief of debtors and Mr. Burkett voted against establishing such a law, presumably in the interests of his political friends, the eastern loan companies.

Upon page 635 of the house journal, Mr. Burkett's vote is recorded against a bill for an act to compel all railroads within the state to erect and maintain union passenger depots where four or more roads enter the same town. This proposed law was in the interest of the traveling public, and opposition to it was in the interests of the railroad companies. Again, we presume that Mr. Burkett's vote was cast in the interests of his political friends.

Upon page 1099 of the house journal is given the vote upon a bill designed to give the state board of transportation the power to regulate the charges of telegraph and telephone companies, and we again find Mr. Burkett's vote cast against the people and in the interests of the corporate telegraph and telephone companies.

A bill was introduced entitled, "A bill for an act to define trusts and conspiracies against trade, defining the same unlawful and void, and providing means for the suppression of the same, and remedies for the persons injured thereby, and to provide punishment for violation," and we find Mr. Burkett's vote recorded upon pages 1087 and 1088 of the house journal against this bill, and in opposition to the interests of the people of the state at large.

A bill for an act to prevent fire insurance companies from making combinations and providing penalties therefor, we find that Mr. Burkett dodged the final vote upon it, although the bill was an important one, was closely contested, and was designed in the interests of the people of the state, and to protect them against combinations and consequent oppressions of insurance companies.

Upon page 1078 we find Mr. Burkett's vote recorded against a bill for an act to protect employes from being blacklisted through the machinations of guarantee bond companies.

Another important bill before the legislature, upon which Mr. Burkett was called to act, was known as sen-

ate file No. 33, "A bill for an act to regulate stockyards and fixing commissions for selling live stock therein, and providing punishment for violations thereof." This bill was an important one, and was viciously fought by the stock yards companies of South Omaha with a powerful lobby. Mr. Burkett lent his assistance to the defeating of this bill, voted against it at all times to the final passage. The test and decisive vote upon this bill was in the committee of the whole, where Mr. Burkett voted against it. For the purpose of making his record right, after it was seen that the bill was certain to pass the house, Mr. Burkett voted in favor of the passage of the bill, and his vote is found in the house journal, page 758. If this bill was sufficiently righteous to receive Mr. Burkett's vote upon final passage, it was certainly good enough to receive his vote in the committee of the whole, where the test vote was taken, and where his vote would have amounted to something. The change of his vote was only the shift of a politician who desires to deceive his constituents, and make them believe that he is laboring in their interests and not laboring in the interests of special corporations who are attempting to put a burdensome tax upon all who are obliged to market live stock through the medium of the Omaha stock yards.

With this legislative record, it seems presumptuous in Mr. Burkett to ask the voters of the First congressional district to elect him to higher legislative duties, where his responsibility is greater and greater energy is needed to resist the influence of corporations and trusts and other special interests than in the state legislature. It would have been gratifying to have Mr. Burkett, in joint debate with his opponent, explain his action in the legislature and his vote upon corporate bills, and to have him define his position upon the questions involving interests of trusts and corporations, and state what his action would be in the national legislature, upon these questions, in case he were successful in this district.

We caution the voters to so direct their vote at the next election that Mr. Burkett will not take a snap judgment upon the people.

READ THE RECORD.

Invite your republican neighbors to go with you to the office of some reputable attorney; ask to be shown the 37th Nebraska supreme court report, and then turn to page 69 and read to page 157 if you have time. And be sure to have your republican friend hear what Judge Post, one of the judges of the supreme court, says on page 125:

"It is evident that outrageous frauds were perpetrated upon the state during the period covered by the charges (1890 to 1891), and that the vouchers certified by the superintendent were grossly in excess of the amount of coal actually furnished, although the amount of such overcharges cannot be accurately determined from the proof."

Then on page 147 read what Judge Maxwell says in his dissenting opinion: "Contracts for coal were let every three months and the Whitebreast Coal and Lime company and Betts, Weaver and Company seem to have monopolized the business. From October 1, 1890, to December 31, 1891, and the month of February, 1892, the amount of coal alleged to have been delivered to the asylum at Lincoln was 17,551,907 pounds, and the amount actually received, so far as the evidence shows, was 7,589,600 pounds, leaving a shortage of 9,962,307 pounds, which cost \$12,855.47."

The Nebraska reports are not populistic and so was Judge Maxwell in 1892. The board of public lands and buildings was then composed of republican state officers. The superintendent of the Lincoln asylum was a republican.

Here is republican evidence of republican rascality. Enough said.

"Neither did I ever hear any well informed republican assert that the 'comparatively high price of wheat' was due primarily to any other cause than the shortage in other countries."—John W. Barry, in State Journal, October 31, 1898.

The question now confronting us is, has Mr. Barry become totally deaf, or are "well informed" republicans exceedingly hard to find? He might read with considerable interest some particularly asserine editorials published in the republican papers of Nebraska, giving "McKinley prosperity" and the Dingley bill the whole credit for advance in prices of wheat and corn last May.

President McKinley should remember that it is not so important to him what the people think as to what they will do two years hence.

If army officers are to be believed, nobody gets the credit for any of our successes in the Spanish war. There does not appear to be much fraternal feeling among them.

ASSISTANT HANNAITES.

W. O. Atkeson, a middle-of-the-road, candidate for circuit judge in one of the Missouri districts, and who was a leading shouter for Wharton Baker at the late Cincinnati convention, has withdrawn from the race and substituted the name of the republican nominee for that position. This is but one of many instances that are daily occurring.

A POLITICAL FAKE

The Meeting at the Oliver was a Plea for Funds to Fight the State Officers.

WHOLE AFFAIR EXPLAINED

A Very Quiser Position for an Attorney to Take and how He Stated it.

The Home of the Friendless.

Editor Independent:

The writer abandoned a meeting of his political associates last Saturday evening for the purpose of attending an alleged mass meeting at the Oliver theatre in the interests of the home for the friendless.

The attorney for the corporation which now holds forcible possession of the home, in defiance of law refusing admittance to the board of public lands and buildings and the officers legally appointed and qualified to take charge of the home was given an opportunity to present a very bad case to the political friends of his client and he proceeded to show very clearly that the meeting was a grand stand play upon the sympathies of the audience for chumperty and maintenance.

According to his own statement and that of others who were upon the pre-arranged program, there is ample means, about \$30,000 in the treasury appropriated for the use of the home but which his client will not allow the home to use except through his client. That he has advised this corporation to violate the law and its officers to hold possession of the home in defiance of law and asks the public to contribute funds to enable it to do so.

What is there to justify this usurpation? Why does this society which has always claimed (and had its claim allowed) that it was a band of noble women who had at heart the interests of the home and its inmates and not their own aggrandizement or the political fortunes of their families, parade the empty banner, the hollow coin, the empty raiment and ill-shod feet of the inmates, to bolster up the unsound theories of its lawyer before the public when it can feed and warm and cloth and house three wards of the state within the hour by complying with the law under which the money was appropriated? Why does it allow itself to be used for the purpose of fattening the lawyer's purse and making capital for cheap politicians by attempting to make the state officials technically embezzle this fund for their benefit and because the officials will not do it, but insist upon complying with the law, starve and freeze the inmates of the home into objects of public pity.

The statements of those on the program and in the article which appears in the Sunday morning Journal over the signature of John M. Thayer are spread broad cast over the state, to the effect that this property was deeded to the society for the home for the friendless and that appropriations have been made by the state to the society, are not facts, but fiction for which there can be no excuse while the deed remains of record and the appropriation acts open to the inspection of any one who can read.

The deed is for a consideration of \$2,100.00 from Lottie N. Franklin and husband, to the state of Nebraska for the use and benefit of the home for the friendless not the society of the home for the friendless. This consideration was paid by the state and not by the society. The sums of money raised at that time by private individuals were required by the act establishing the home as a bonus to be paid by the town or city where it was located for the location. The act approved February 28, 1891, Section 1, establishing a home for the friendless in the state. Section 2 provides that it shall be located under the direction of the board of public lands and buildings in the city or town which should donate the largest amount to the home not to the society. Every appropriation by the state has been made to the home and not one dollar has been appropriated or could be appropriated to this society.

It is true as stated by the attorney for the society that General Webster, city attorney, appeared in the Jones-Williams case as amicus curiae for interested party, and cited in his able brief section 15 of article 3 of the constitution prohibiting the legislature from granting to any corporation association, or individuals any special or exclusive privileges, immunity or franchise whatever." And section 8 of article 12, "the credit of the state shall never be given or loaned to any individual, association or corporation." But it is not true that the question thereby raised was settled or even considered in that hearing. Those two provisions have always prevented legislation giving this society exclusive control of the home and the appropriation of money to the society instead of the home.

The attorney for this corporation stated that they relied upon the rule established in the famous Dartmouth College case. If this is true he should pay back his retainer and retire from the practice. Dartmouth college was estab-

(Continued on Eighth Page.)