

Historical Society  
Box 153



### The Alliance-Independent

Is the best  
Advertising medium  
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### The Alliance-Independent

Advocates  
The government ownership of railroads and telegraphs.  
That freight rates in Nebraska be reduced to a level with those in force in Iowa.  
The building by the national government of a great trunk line from North Dakota to the Gulf of Mexico.

## IMPEACHMENT CASES.

### Preliminary Hearing in the Great Impeachment trial. Great Display of Legal Learning.

### DOAN EX-OFFICERS BE IMPEACHED?

### Attorneys for Hill and Benton Argue for a Dismissal of Their Cases. Doane and Pound Make Able Replies.

### Begins in Earnest Next Monday.

Last week Hastings, Allen and Humphrey filed their answers to the impeachment charges. They are all alike and drawn in legal language, cover a good deal of space. But the substance can be given in a few words: They first set forth the vast amount of official work devolving upon them in their capacity as state officers, and members of the various state boards. They are compelled to depend on subordinates. They do not deny that there has been crooked dealing on the part of these subordinates, but say they never did it themselves, and never knew there was anything wrong. They end up by alleging that the legislature was moved by passion, and acted without evidence or due consideration.

The meeting of the court Monday and Tuesday was to consider the question of jurisdiction in the matter of trying ex-state officers. Attorneys Pound and Doane argued in behalf of the state, and they made a most clear and convincing argument in support of the right to impeach ex-state officers. Attorneys Greene and Lambertson are busy preparing the evidence for the trial which begins in earnest Monday.

### The following is the press report of Monday's and Tuesday's proceedings:

### Impeachment Proceedings.

LINCOLN, April 25.

The supreme court of Nebraska convened yesterday afternoon for the second time as a court of impeachment to hear argument on the question of the court's jurisdiction over ex-state officers. Ex-State Treasurer Hill and ex-Auditor Benton were represented by Judge Broady, John H. Ames and R. D. Stearns all of this city, while the state was represented by Messrs. Doane, Pound, Lambertson and Greene. Both Messrs Hill and Benton had filed pleas to the jurisdiction of the court and this was the question to be argued orally. The hearing called out many eminent attorneys of the state, some of whom came from a great distance to hear discussions on a question which is so unusual and which is governed by few if any precedents.

Judge Broady commenced to talk a few moments after 3 o'clock. He opened by a speech on the fiction of the law, relating the history and object of impeachment, showing how it was really obsolete and describing the rare cases wherein it was a form used to extend the liability for criminal acts. Going back to English history he showed that impeachment fell into desuetude from the time of Edward IV. to the time of Elizabeth. It was revived during the reign of James III. Private citizens could always be impeached in England, a succinct illustration of the omnipotence of parliament. The sovereign could handle parliament in getting rid of obnoxious subjects. When parliament could not be handled the star chamber was organized and cruel and unusual punishment was meted out. Any subject could be impeached and anything could be done with him. Ears and limbs were cut off, blood tainted and outlaws made, but it has been obsolete for nearly 100 years.

It is the last remnant of parliament imported to this country. There is a peculiar propriety in confining impeachment to persons holding office. Story makes this assertion. Closing this brief historical review the attention of the court was called to the constitution adopted at Philadelphia in 1787. Hamilton's idea is the Nebraska idea, two-thirds of the impeachment court is required to convict. But if the heat and passion of corrupt politics is to enter into impeachment, why throw it before the judiciary and attempt to contaminate the courts? Removal from office had nothing to do with impeachment in England, but in this country it has all to do with it. If there must be a judgment of removal from office, it follows that the accused must be in office at the time, or the judgment fails. Offenses can be com-

mitted under the ordinary statutes if the accused is out of office. Nearly all eminent jurists take this stand. It is held that an officer subject to impeachment, suffers immunity from indictment, for malfeasance in office. You can't take an official from his duties in that way. Public policy would not stand it. It must be by impeachment. The wheels of government cannot be stopped by the ordinary indictment for crime.

Judge Pound commenced to speak for the state at 4:30. He alluded to evils under the law of impeachment, but desired to remind his friend that there had been advancement in all branches of law. Because harsh and cruel punishment was inflicted in impeachment in England was no reason why there should not be any law for impeachment now. But if some of these respondents are not amenable to impeachment it would be well to have the question determined before entering into trial.

John H. Ames arose at this juncture and stated that he appeared for Thomas H. Benton, but that he had intended presenting argument entirely different from what had been given in behalf of his client. He desired a hearing even if another sitting of court was necessary. R. D. Stearns also made a few remarks on behalf of Mr. Benton. Chief Justice Maxwell said the court had a rush of business and the regular docket will must be gone through the following day. The court desired to give all a fair hearing, and in order to do so would hear further argument today, beginning at 4 o'clock, each side to have one hour's time.

Judge Pound continued by reading sections 8 and 9, statutes of 1879, relating to impeachment. The words "shall be tried," he construed in their broadest sense. Interpreting the two together and granting that the act is valid, he declared they meant that an officer could be tried notwithstanding his resignation or expiration of office. That is the legislative construction of the constitution. At any rate if the constitutional provision has no restrictions the legislative act will not be observed by the courts. It will not be construed to be unconstitutional unless it is clearly so.

Judge Pound closed his argument by summing up the different authorities and interpreting them to mean that the constitution admitted of the impeachment of ex-state officers. He closed at 5 o'clock. Judge Doane had intended to close for the state but owing to the lateness of the hour he declined to speak, and the court of impeachment adjourned to convene again at 4 o'clock today.

### Tuesday's Session.

LINCOLN, Neb., April 26.—The supreme court was in session from 4 o'clock to 6 yesterday afternoon to give the counsel on both sides in the impeachment cases opportunity to argue the special appearances entered by ex-Auditor Benton and ex-Treasurer Hill challenging the jurisdiction of the court.

The court convened promptly at 4 o'clock, and Judge Doane argued at length for the prosecution. He said that he appeared to uphold the right of the court to exercise its jurisdiction in the cases; that if the supreme court of the state was not within that jurisdiction there was no other place to go under the constitution. He had hoped that the defendants would make an open fight and seek vindication at the hands of the court. They had thrown themselves upon the sympathies of the court when they asked that the house should not hear their case and allow it to go before the court.

Numerous instances were cited where impeachment proceedings had been instituted against different ex-officials and convictions had. The case of Leslie Warren, one year after he retired from office, Count Melville, treasurer of the navy after he had been retired from office for seventeen years, Judge Hubbel, of Wisconsin, Judge Barnard and other similar cases. He also maintained the impeachment of Governor Butler. He read from Butler's answer to the articles of impeachment where he also had challenged the jurisdiction of the senate to try cases where the acts alleged to have been committed related back to a previous term of office.

We call the attention of our readers to the advertisement of the Omaha Optical Co., 222 South Sixteenth street which appears in this issue. The company is thoroughly reliable and carries a first class stock of optical goods. J. F. Ponder, the manager, was for several years with Max Meyer Bros., & Co. in charge of their optical department and is well known throughout the west. He is an optician of many years experience and a graduate from two ophthalmic institutions. We would advise any one needing the service of an optician to call on the Omaha Optical company.

Subscribe for THE ALLIANCE-INDEPENDENT.

## The Modern Pirates.

In the days of old  
The pirate bold  
Clung to the rolling seas.  
On the vast expanse  
Where the billows dance  
He felt him most at his ease.  
When he scuttled a boat  
Or cut a throat  
'Twas quite convenient then  
To be up in the "Roaring Forties"  
Or down on the Spanish Main.  
At least it was so in the days of old—  
When rogues were timid and honest men bold.

Or if ever the land  
A pirate band  
To pillage and plunder came—  
If to ransack a town  
Or to burn it down  
The devil had made it their game—  
They'd at least hid away  
Until close of day  
With their rick's craft in the still lagoon,  
Sheltered from view by a tropical growth  
Like a bird of prey 'neath the Southern moon.

But that was all in the days of old,  
When rogues were timid and honest men bold.

The sea is swept clean  
From the robbers' spleen;  
The black flag flutters down,  
One may sail away  
By inlet and bay,  
For the pirate has come to town.  
He has doffed his boots  
And outlandish suits;  
He is dressed like the upper ten;  
Disguise and weapon he needs no more  
For fishing the purse of the citizen;  
For those are not the days of old;  
The good man is timid, and the roguish have grown bold.

Instead of the sea,  
The city must be  
The fount whence fortune flows;  
He will pocket a street  
In a fashion neat  
Without ever coming to blows.  
In a big combine  
He will intertwine  
Himself with a resolute few  
Who are keen and strong for work ahead,  
And can go with a rush straight through;  
Since they know that game are the days of old.

When rogues were timid and honest men bold.

### Marketing Farm Products.

We take it for granted that none of our readers are working for fun; but that they desire to reap as much benefit as possible from their toil and labor and the question: "How to do this" should be an important one to them. If you are fortunate enough to raise good crops and have a surplus to sell you should endeavor to sell in such a way as to bring you the most money possible. The nearer the farmer can be brought in contact with the consumer when disposing of his products the more money he is likely to realize. It should therefore be his aim to reach the consumer as direct as possible. The great consuming and distributing points are our large markets. Shipments made direct to these points will doubtless net the shippers more than if they disposed of it at home or through the middlemen. The first and principal requisite in order to do your own shipping is to have some good responsible house to whom you can ship with safety, and you should not be deterred from shipping by those who may be interested in, having you not do so, that they may feed and fatten off your labor.

Some of the best and most progressive farmers in the country are now shipping all their surplus stock direct to market for they recognize the fact that this is the only way to get the true market value of what they have to sell. We think that the question of confidence is now the only one that stands in the way of all farmers' doing their own shipping and it is the only one that prevents a complete revolution in the distribution of all farm products. It is just as much the business of the farmer to put his produce into market as it is to raise it and if he does not do so he is not attending to his business, but allowing the middleman or some one else to attend to it for him, and as long as he continues to do this, he should not complain if he does not get what belongs to him. There is no necessity of selling outside of the great markets if you have responsible parties to whom you can ship in confidence and this question of confidence is becoming more fully established every day. Why? Because there are good responsible houses in large markets to whom shippers can ship in confidence and be fairly and justly dealt with. We believe that all that is necessary to have our readers avail themselves of the advantages of shipping direct is to acquaint themselves with these houses.

To any of our readers who desire to

ship to Chicago we desire to call attention to the well and favorably known commission house of Summers, Morrison & Co., No. 174 So. Water Street.

This firm is responsible and makes a specialty of receiving shipments direct from the farmers and producers, and they have a reputation of making quick sales and sending prompt returns. They handle butter, eggs, veal, hay, grain and all other lines of produce. They also handle wool extensively and should you desire to place your wool in the best market you can find, we would advise that you correspond with them in regard to it before selling. They will cheerfully give you prices on anything that you may want in regard to their business. Their advertisement may be found on page 3.

### THE "PERCHERON BEAUTY."

A Horse With a Mane Nine Feet in Length, with the Ringling Bros.

"Prince Chaldean, the percheron Beauty" is the name that has been appropriately bestowed upon one of the most beautiful specimens of the equine that nature has ever produced, and which through the enterprise of the famous Ringling Brothers, has now for the first time been placed upon exhibition. This wonderful horse is worth a day's travel to behold. One cannot conceive anything more beautiful in horse-flesh. Picture the finest and heaviest percheron ever imported, give him a lordly mien and a noble carriage, inspire him with the pride of an irrefragable pedigree, and crowning all, imagine such a horse with a mane so long that despite his great height it sweeps the ground, and that will be a mind-drawing of this marvel among equines. Prince Chaldean's mane by actual measurement is nine feet two inches in length, and his tail is correspondingly long. His weight is over 1800 pounds. He was sired in Euro et Loir, Normandy, and is registered as Nos 854 and 837. Nothing like this noble animal has hitherto been seen in America, and as one of the novel features of the Ringling Brothers' World's Greatest Shows he has created a sensation. This famous animal is the leading feature of the wonderful horse fair, given in connection with Ringling Brothers' World's Greatest Shows. This magnificent equine exhibition embraces 400 head of the finest imported and domestic stock, gathered from many lands, at an outlay of hundreds of thousands of dollars. It will be open to all who visit Ringling Brothers' Shows at Lincoln, Wednesday May 8.

### ST. JOSEPH BUGGY CO.

St. Joseph Buggy Co. Carriages and Buggies at lowest prices. Catalogue and prices list free. 6th and Missouri Sts. St. Joe, Mo.

### Weekly Crop Bulletin.

BOSWELL OBSERVATORY, DOANE COLLEGE, CRETE, April 26.—Weather reports have been received from ninety-eight observers in fifty-seven counties. The weather has continued cold, dry and windy except in the northeast corner of the state where a normal amount of rain and snow have fallen. The temperature has been about six degrees below the normal throughout the state. There have been several frosts several nights injuring fruit buds generally. The rainfall has been about normal in the northeast section of the state; about half the normal in the southeast, decreasing westward to none along the western border and south-western corner. There has been little or no improvement in the condition of crops during the week. The ground is generally in good condition for farm work, but in the southwest section it is beginning to be too dry to plow.

### Welcome Rain.

ALMA, Neb., April 26.—At last the first rain of the season is pouring down its humble blessings on the soil of Harlan county today. For several weeks the weather has been hot, with almost constant wind and the possibility of another drought this season was an occasional expression of regret. However there is a vast acreage of small grain in this section and the farmers are all feeling jubilant over the prospects for a big crop again this season, now that a rain has put the ground in good condition. The small grain is looking very good and Harlan county's production of corn this fall will be simply immense with anything like a favorable season.

### Struck by Lightning.

TABLE ROCK, Neb., April 26.—During the thunder storm yesterday morning the depot here was struck by lightning and took fire. Mr. Stanford, the night man, got up to extinguish the fire and touched one of the wires which nearly knocked him senseless. He had a narrow escape, but is again around. The damage to the building was slight.

### Train Ditched.

NEBRASKA CITY, Nebraska, April 26.—The Kansas City passenger train, due at this city at 4:30 p.m., was ditched about two miles this side of Mousquito junction this afternoon. No one was injured and beyond several hours' delay but little damage resulted.

### Omaha Briefs.

The thousand Union Pacific shoppers who have been on a strike for a week, returned to work today.  
C. W. Mosher remains at the Millard hotel. He said today that he did not intend to give bond, but would remain at the hotel in charge of the deputy marshal until his trial in May.  
Brothers of the late Albert Martin, who committed suicide Sunday, arrived in this city this morning to take charge of the remains. They left for Lamark, Ill., this afternoon with the remains.  
May Miller, the absconding young lady bookkeeper, has returned to the city. She was in the custody of the police station during the day, but her foster parents would not allow her to be interviewed. The case will probably be settled without prosecution.  
Chief of Detectives Hazo is after a man named Fletcher, who advertised for girls to go on the stage. A young lady called yesterday and applied for a position and she was taken down to a house of assignation by the supposed employer. Fletcher is charged by the detectives with selling her valise and is said to have left for parts unknown.

### Early Seed Corn.

Farmers wanting early and prolific varieties of seed corn that will mature in 90 days, should write J. R. Rutekin, Shenandoah, Iowa, enclosing \$1.25 per bushel, sack included, for early White Dent, or Gold Dust, Yellow Dent. He will send it the day the order is received.

Follow the crowd to the furniture and household goods emporium of Meisner & Sweetman at 127-129 North Fourteenth street, where you will find everything in their line of the best quality and cheapest price; especially bed room suits.

### THE MARKETS.

Chicago Grain and Live Stock  
CHICAGO, April 25, 1893.  
CATTLE—Receipts 6,000 head; market steady; good to choice steers, \$5 25 to \$5 40; others, \$4 25 to \$4 50; stockers, \$4 50 to \$4 75; cows and heifers, \$4 00 to \$4 25.  
HOGS—Receipts, 11,000 head; market steady and higher; mixed and packers, \$5 25 to \$5 50; prime heavy and butcher's weights, \$5 15 to \$5 30; prime light, \$5 10 to \$5 25.  
SHEEP—Receipts, 11,000 head; market active and higher; native, \$4 25 to \$4 50; westerns, \$4 00 to \$4 25; Texas, \$4 00 to \$4 25; Montana, \$4 00 to \$4 25.  
GRAIN—Wheat, 72; corn, 41; oats, 35 1/2.

### Omaha Live Stock.

OMAHA, April 25, 1893.  
CATTLE—Good to choice steers, \$4 50 to \$5 00; others, \$4 25 to \$4 50.  
HOGS—\$4 25 to \$4 50; stockers and feeders, 3 15 to 3 75.  
SHEEP—\$4 25 to \$5 00.

### OUR PREMIUM LIST.

We now have our premium list struck off in circular form and will be glad to furnish copies to anyone who will drop us a postal card request.  
The following is our GREAT PREMIUM OFFER IN BRIEF:  
**GRAND PREMIUM.**  
For the largest list sent in by June 1st. A Goodhue windmill and feed grinder worth \$140.  
**DISTRICT PREMIUMS.**  
For the largest list sent in from each congressional district in Nebraska (not less than seventy yearly subscribers required) a first-class sewing machine, the "Columbian," worth \$20.  
**COUNTY PREMIUMS.**  
For largest list from any county in Nebraska (not less than fifty required) a family library of twenty cloth-bound books, worth nearly \$20.  
For second largest list (not less than twenty required) a useful library of twenty paper-bound books.  
Premiums for other states are the same as the above.  
**FOR A CLUB OF TWO**  
We will send three of our sheet music songs of the people; or one package of Hall's Acme Horn Preventer for cattle raisers.  
**FOR A CLUB OF THREE**  
We will send a handsome pearl-handled lady's knife, or a good strong two-bladed boy's knife, or a half dozen nickel silver teaspoons.  
**FOR A CLUB OF FIVE**  
We will send a strong two-bladed farmer's knife guaranteed to be first class, worth \$1.00. This knife is one of A. Field & Co.'s "Progress" brand and is warranted.  
**FOR A CLUB OF SIX**  
We will send an elegant first class razor worth \$1.40. Warranted.  
**FOR A CLUB OF SEVEN**  
We will send one-half dozen plated tea spoons, heavy silver plate on nickel silver base—not on brass—worth \$1.50.  
**FOR A CLUB OF TEN**  
We will send a potato planter worth \$2.00.  
Still other premiums will be added to this list.  
Remember that each subscriber in these clubs pays \$1.00 and gets a premium book worth 25 cents.  
**RENEW! RENEW!!**  
We urge all our old subscribers to renew promptly as fast as their time expires. You can't afford to miss an issue.  
NEBRASKA is not alone in the impeachment business. The legislature of Texas has impeached land commissioner Mr. Gaughy of that state for crookedness in dealing with the state land.  
THE State Journal, as the old lady said about the devil, has some good points. It is showing a great deal of spirit and vigor in showing up the Powell murder at the penitentiary. There is, however, a strong suspicion that the Journal is actuated solely by partisan motives. If Powell was murdered the guilty parties are democrats. She can't find time to make any exposures that will fix guilt on republicans.

### World's Fair Rates.

The Northwestern line is now selling round trip tickets, Lincoln to Chicago, account of World's Fair, good to return until November 15th, for \$23.65. By our business men's train leaving Lincoln at 5:25 p.m. Passengers reach Chicago at 9:30 the next morning. Get further particulars at city office, 1133 O street.  
W. M. SHIPMAN,  
Gen., Ggt.

### A. S. FIELDING.

City Tkt. Agt.  
Depot Corner 8th and Eighth streets.  
E. T. MOORE, Tkt. Agent.  
**Lost or Strayed.**  
One Black Colt, three years old, 13 hands high. Four white feet. A reward will be paid for its return to K. G. Aukerman, Normal, Neb.

### WANTED.

White beans, honey, sorghum molasses butter and eggs to sell on commission.  
J. W. HARTLEY,  
State Agent.  
Our seeds are tested carefully before leaving the store. Griswold, 140 South Eleventh street.  
Ripans Tabules assist digestion; ripens a sour stomach; cures liver troubles.