

GRAND IN LEGAL LIQUORS.

[Continued from Second Page.]

nothing that negligence does not constitute an impeachable offense. The prosecution says an impeachable offense need not necessarily be a misdemeanor.

No offense is impeachable unless it is in direct violation of a known law, and the act must be committed wilfully and knowingly. In the Andrew Johnson case his public speeches were not crimes and did not constitute offenses punishable under the laws of the United States.

Will any man say the respondents are not fit to fill the offices to which they were elected? If so, so be it, but that is not the question put before this court. It is, have they committed any offense? Bouteille as prosecutor in the Johnson case put the proposition straight. He did not ask that the president be impeached from anything less than violation of law.

Others of the prosecution in Johnson case were quoted, but not one of the defense were quoted. Impeachment is rarely brought in to remove officers because so few offenses are impeachable. As an eminent authority for the same reason that one does not use a steam hammer to crack nuts.

In regard to the writing of Judge Lawrence, Mr. Webster said the document was broadened and filed by Benjamin Butler in the Johnson case. The conclusion of the document was read by Mr. Webster to show that there was an improper motive or intent.

True crimes only constitute an impeachable misdemeanor, but if there be a diversity of opinion of the point the defense stands on the broader principle that there must be improper motive. Judge Curtis and other eminent jurists hold that only indictable crimes constitute an impeachable misdemeanor.

Webster's Peroration. In the last ten minutes of his speech John L. Webster spoke as follows:

The members of this court will remember that incident of George Washington's Valley Forge. This court will remember that while he lay there with his troops, without arms, without clothing and without food, there were men in the continental congress that were ready to ask to have him removed for incompetency and neglect of duty. This court will remember that it is recorded historically that a committee was appointed to see whether he could be removed from his responsible trust.

To go further, when the time came when it was proposed in the congress to appropriate \$2,000 for a bust to the memory of Chief Justice Taney, great senators arose in their places and charged him with some of the heinous offenses. Why, it was said in that case by Charles Sumner that Taney would be handed down in the pages of history of an emancipated country, and time would fix upon his name the stigma he deserved; he had administered justice scandalously, had degraded the judiciary, and had lowered the age. Senator Wilson denounced the Dred Scott decision as the greatest crime in the judicial annals of the republic and declared it to be the abhorrence and scorn and jeer of the patriotic hearts of America. Senator Hale of New Hampshire in opposition said a monument to Taney would be a lie to the thinking judgment of the great Senator Reverdy Johnson who said to the great senator of Massachusetts, you will be happy if your name will stand as high upon the historical page as that of the learned judge who is now no more.

Then came Lyman Trumbull, who said he had added to the reputation of the judiciary of the United States throughout the world; suppose he did make a wrong decision. No one is infallible; he was a great, learned and able judge. Mark your honors, what Lyman Trumbull said came to be true. Nine years afterward Salmon Chase is dead. He had been the chief justice of the United States; the time came to put a monument to his memory placed on the pedestal that decorate the supreme court room of the United States. Then the great concourse of senators, and all without a single dissenting vote, united their public sentiment, that Chief Justice Taney's attitude to that monument. Time has revolutionized public sentiment. No matter if he did make a mistake; no matter if he had rendered a wrong decision; all things considered, he was a great lawyer and a great judge.

Come down a little later, and I will refer to but one more. Most people about this court room will remember that in the dark days of the rebellion when Thomas was at Nashville, when he had been in camp about that city month after month, the country became impatient, the rebel hosts were gathered about and danger seemed imminent, even sturdy old General Grant became impatient. He had issued an order to General Logan to proceed to relieve General Thomas from command on the charge of inactivity and neglect of duty. General Logan proceeded as far as Cincinnati. He felt Thomas was being wronged; he stopped there over night; he gathered information that General Thomas was exerting every power he had to get ready to assail the enemy. He telegraphed back to Grant: "I am unwell; can I wait a day or two?" Grant answered: "Yes." Logan went to the hotel and went to bed to wait for Thomas to get ready for his movements. Low and behold, within two days Thomas had achieved that great victory which went thrilling through the hearts of the whole country and echoed through the mountains of Tennessee, and the southern confederacy became shattered into pieces. Time rights these wrongs; time demonstrates that people are mistaken. We have no right to fathom the mind or the knowledge or judgment of another. We have got to weigh the conduct of our fellowman by a higher standard than that.

I stand here drawing near a conclusion of what I have to say, pleading for these men, not because I think they have been guilty of any neglect of duty. I do not appeal for them upon the proposition that I think they have been guilty of any misconduct. But I am standing here urging this case upon the broad proposition that this court now for the first time in the history of the world has established by words which come from a judicial tribunal—not from a political senate—what it is that shall constitute an impeachable misdemeanor. It shall then go down in the future as a precedent to which all lawyers and judges shall come after us may refer.

These people whom I represent have been elected to this trust, and it became known to the people at large substantially all that has been said here.

I said during the course of the admission of evidence that I should undertake to show that their re-election to office after this public disclosure acted, as it were, as a condemnation of their wrongs if they had committed any, but as I watch the hands of that clock, I am astonished that I have not the time to do it; but great men have spoken upon that question, and great men have expressed the opinion which I have expressed and if I feel the time I should deliver it to the court now, but I forget the time of his official conduct, that is patent to the mind of every listener in that it is considered a great honor when the people of the state after having lived for two years under the administration of a public officer, re-elect him for a second term to fill that office; it is considered an endorsement of his career and of his official conduct. Yet a witness who spoke upon this question said that what he knew of this question was proclaimed in the theater and published in the newspapers, two of which were admitted in evidence—and I would refer to one of them if it were not that I forget the time to do so.

The editor of the other, and I might create an alibi about which of them has the largest circulation throughout the state. I will grant it to both, that both had told it to everybody, everybody had heard of it, republicans, democrats and independents. But

that election these men were re-elected to these offices. The people said, "Notwithstanding all you proclaimed from your theater, Mr. Rawick; notwithstanding all the public press has said about these men; if there is any wrong about it, do not blame me; it were my wrong about it, do not blame me. We endorse your conduct, and we put you back in these public places."

The question now comes to the court simply, is it not time to pause before the court shall undertake to remove them from the trust to which they have been elected. You have the power to remove, but you have not the power to re-elect.

With one thought more I am done with my remarks. I can not quite close this discussion without thinking just for a moment of the sore affliction to be given to these people if they should suffer under the ban of a conviction. It is not a simple punishment; it is not a simple removal from office that I speak about. That of itself may be unimportant, but your honors should remember another thing, that in the history of a human life, there is little about it that is of value when you strip it of ambition. The child thinks of it when it is but able to walk. No pedagogue ever taught a common school but he undertook to tell the smallest child, the pathway of fame is open to you in this great free country of ours. Ambition is a wide scope; it is the great prompting machinery that stands back of man, that leads him forward to education, to power and to place; the incentive that makes him a man instead of a mere machine. When, by the judgment of the court, you stamp out the right to exercise the thought of fame, ambition is taken away, you blast the character just as much as Dante when standing at the gates of hell would have wiped out the last word printed by God on the face of man, "Hope." You might just as well bury him in the sea, which is described as the inexorable night into which the criminal laws of our country cast its victims. As there are birds in the clouds, so there are angels of distress. And to such sentiments do I appeal in behalf of these people, for justice and charity, nothing more and nothing less.

THE PROSECUTION CLOSES. G. M. Lambertson Particularly Harsh With the Defendants. G. M. Lambertson opened the closing argument for the state at 8 o'clock. On behalf of the management appointed by the joint convention and on behalf of attorneys he thanked the court for the broad and liberal lines followed out.

It is a matter of interest where the three coordinate branches of government are represented, where the action of the executive is challenged by the legislative before the judicial branch. The whole legislature is here questioning the alleged misconduct of the respondents. It is well that the trial be before the court. It is said that this branch is far removed from the strife of politics. However, there is no doubt that behind the gown hearts are stirred by political feeling as well as elsewhere, but in view of the high standing of the court, their reputed integrity and long public service, it would be foolish to doubt that respondents would have a fair trial.

Referring to the point made by Joseph R. Webster that no evidence was before the joint convention, Mr. Lambertson told of the letter written by respondents asking that articles of impeachment be adopted. The point raised was made to trick the court.

Results Ridiculed. The awful results of conviction portrayed by the defense were ridiculed, and the assertion made that the object was to remove from office and divest of political capacity.

Mr. Lambertson submitted his brief on the subject of misdemeanor in office, citing authorities to show that misdemeanor did not mean a statutory offense, but any offense prejudicial to the state. Frankly the state constitution knew the meaning of this word, which is not only common in the common law of England, but the common law of this country.

Edmunds was quoted by Mr. Lambertson to show that John L. Webster had picked out one sentence and based an argument on the thought thus culled out. This court, he said, was not bound by any law or precedent, but only by its own conscience.

Counsel for the defense had defied any one, with assurance born of ignorance, to point out where a person had been impeached as a member of a body or board. An example was close at hand in the case of Governor Butler who was impeached also as a member of a board.

Some Explanations. The prosecution had labored under the disadvantage of being compelled to call witnesses who were close to respondents and taunts had come out about "witnesses for the state." W. H. Dorgan was called by the state, but instead of sitting by counsel, giving aid he was checked by fowl with the defense, until he was advised for the good of his friends to leave, and he quietly disappeared not to return again.

Mr. Lambertson continued to give some excuses. He declared books were sent for, but the railroad company was unable to find them, although he ventured to say if the board of transportation had ordered the books they would have been forthcoming. John T. Dorgan was called as a witness but was excused because he declined to testify as he might incriminate himself.

Dorgan's Appointment. The appointment of W. H. Dorgan as superintendent, when he was acting for the prison contractor, showed that the respondents were utterly unfit to hold their places. Dorgan sold convict labor to himself. As the agent of the state he bought from himself or his superior, labor amounting to \$12,296. Yet respondents regret it not, but glory in the appointment.

Respondents say they did fear wrong in the keeping of time, but after an investigation they found guards were the time keepers, under direction of the warden. Every one knows that wardens in the past have been not only under the thumb of the prison contractor, but also under his pay.

What would the respondents have done if they had started out to flinch from the state? They first appointed a man whose interest it was to beat the state, and made no inquiry about his purchases. What else could they have done to have stolen \$20,000 more than they did?

The high humanitarian impulses which were beating through their veins, prompted them to take \$700 out of what was Dorgan's money.

Why was not other superintendents favored with money in advance? What pull had he? Was it because Mosher stood behind and furnished the shew of war in a political contest shortly before?

Price of Stone. As to the value of stone there ought not to be any controversy. Dorgan paid thirty-five cents for stone which Zook sold for ten cents.

Taking up figures of witnesses for the defense Mr. Lambertson said Dorgan spent nearly \$20,000 for work when the two walls built when he resigned, according to their own witnesses, cost only \$10,000. It would be said, perhaps, that Dorgan had material on hand and had cut stone, but not very much of either would be found.

Mr. Lambertson, however, said he did not feel competent to discuss architect's figures, and he did not believe it was necessary. It was noticed that the defense did not call Lincoln architects or a Lincoln man who knew anything about the stone. Lawyers, it is said, are first rotten, next green, and then ripe, but architects were different. They were first rotten and then never got any further. Omaha architects are especially that way.

Lambertson that he did not know anything about architecture. The drawing of \$300 for a trip of inspection on which the board visited cities and examined prison cells was not drawn for the purpose ascribed through Mr. Lambertson. He believed the board made that inspection a pretext for a trip to all the large cities of the northwest.

Corrupt Intent. If respondents intended to do an act prejudicial to the state, the intent and act meet and the offense is complete.

The board is responsible for the disbursement of public funds. They cannot shift it onto the superintendent or steward. Evidence shows that in asylum coal vouchers there was coal paid for but not delivered to the amount of \$12,853. But when it was proven the defense said it investigated that affair and turned it over to the grand jury, and claim all the glory for it.

Mr. Lambertson said he did not want to be bound by a statement quoted by counsel for defense. He wanted to be understood as saying it was not necessary that the board should have actual notice of fraud. What did they do? They sat down and made a few computations and comparisons. They simply threw up their hands and took the certificate of the asylum superintendent. It can be said that they might as well never have been in office so far as protecting the state is concerned. They absolutely shut their eyes, and by their negligence \$12,000 was stolen in one year in asylum accounts and \$24,000 in the two institutions.

The challenge to show where men had ever been impeached, Mr. Lambertson said, could be met. A list of four or five names were given as proof.

It is claimed that the respondents were vindicated by reelection was denied and in reply it was said they pulled through by the skin of their teeth, and moreover the charges were not fully or fairly discussed in the campaign. Everyone knew the republican party succeeded only by superhuman effort. "If they can get a nomination let them run again," said Mr. Lambertson. The evidence has been read at large and they need not think that the people are with them. The people have considered the evidence and condemned them. The court can approve that decision but it cannot unroll the verdict of the court as good and faithful public servants, then will the court throughout the borders of the commonwealth pronounce for the first time as a tribunal of impeachment a judgment that will not only protect a person's reputation but one that will seriously impair the respect and veneration in which it is held and lessen that high sense of public duty in officers which is at once the safety and protection of the state.

Steketee's Great Pinworm DESTROYER. Never Failing to destroy the worst case of

Worms in Horses. A Sure Remedy for Worms in Horses, Hogs, Dogs, Cats, and a Splendid Remedy for Sick Fowls, or Roup, and is better known as

STEKETEE'S HOG CHOLERA OURE. ASK YOUR DRUGGIST FOR STEKETEE'S HOG CHOLERA OURE. Price 50 cents; by mail 60 cents for one B.; 3 lbs. \$1.50, express paid; 6 lbs., \$2.00 and pay your own express. U. S. Stamps taken in payment. Address,

GEO. G. STEKETEE, GRAND RAPIDS, MICH. Mention THE ALLIANCE-INDEPENDENT.

"THE HANDY" FORCE PUMP. For spraying trees, washing windows. Has two long handles, shown that the respondents were utterly unfit to hold their places. Dorgan sold convict labor to himself. As the agent of the state he bought from himself or his superior, labor amounting to \$12,296. Yet respondents regret it not, but glory in the appointment.

Respondents say they did fear wrong in the keeping of time, but after an investigation they found guards were the time keepers, under direction of the warden. Every one knows that wardens in the past have been not only under the thumb of the prison contractor, but also under his pay.

What would the respondents have done if they had started out to flinch from the state? They first appointed a man whose interest it was to beat the state, and made no inquiry about his purchases. What else could they have done to have stolen \$20,000 more than they did?

The high humanitarian impulses which were beating through their veins, prompted them to take \$700 out of what was Dorgan's money.

Why was not other superintendents favored with money in advance? What pull had he? Was it because Mosher stood behind and furnished the shew of war in a political contest shortly before?

Price of Stone. As to the value of stone there ought not to be any controversy. Dorgan paid thirty-five cents for stone which Zook sold for ten cents.

Taking up figures of witnesses for the defense Mr. Lambertson said Dorgan spent nearly \$20,000 for work when the two walls built when he resigned, according to their own witnesses, cost only \$10,000. It would be said, perhaps, that Dorgan had material on hand and had cut stone, but not very much of either would be found.

Mr. Lambertson, however, said he did not feel competent to discuss architect's figures, and he did not believe it was necessary. It was noticed that the defense did not call Lincoln architects or a Lincoln man who knew anything about the stone. Lawyers, it is said, are first rotten, next green, and then ripe, but architects were different. They were first rotten and then never got any further. Omaha architects are especially that way.

Hankers After Old Times. "I wish," said Mr. Lambertson, "that the same law that is used to be in England when private citizens were impeached. I would like to put in a bid against some of them."

This was followed up by a speech ridiculing the minute details and descriptions of stone, turrets, towers and other parts of the prison given by architects for the defense. This was closed with his statement by Mr.

The constant demand of the traveling public to the far west for a comfortable and at the same time an economical mode of traveling, has led to the establishment of what is known as Pullman Colonist Sleepers.

These cars are built on the same general plan as the regular first-class Pullman Sleepers, the only difference being that they are not upholstered. They are furnished complete with good comfortable hair mattresses, warm blankets, snow white linen curtains, plenty of towels, combs, brushes, etc., which secure to the occupant of a berth as much privacy as is to be had in first-class sleepers. There are also separate toilet rooms for ladies and gentlemen, and smoking is absolutely prohibited. For full information send for Pullman Colonist Sleeper Leaflet. J. T. MARTIN, C. T. A. 1944 O. St., E. B. STANLEY, Gen. Agt., Lincoln, Neb.

Subscribe for THE ALLIANCE-INDEPENDENT.

HILL'S Double Chloride of Gold Tablets. REMEMBER WE GUARANTEE A CURE and invite the most careful investigation as to our responsibility and the merits of our Tablets. DRUNKENNESS and MORPHINE HABIT can be cured at home, and without any effort on the part of the patient, by the use of our SPECIAL FORMULA GOLD CURE TABLETS. During treatment patients are allowed the free use of Liquor or Morphine until such time as they shall voluntarily give them up. We send particulars and pamphlet of testimonials free, and shall be glad to place sufferers from any of these habits in communication with persons who have been cured by the use of our TABLETS. HILL'S TABLETS are for sale by all first-class druggists at \$1.00 per package. If your druggist does not keep them, enclose us \$1.00 and we will send you, by return mail, a package of our Tablets. Write your name and address plainly, and state whether Tablets are for Tobacco, Morphine or Liquor Habit. DO NOT BE DECEIVED into purchasing any of the various nostrums that are being offered for sale. Ask for HILL'S TABLETS and take no other. Manufactured only by THE OHIO CHEMICAL CO., 51, 53 & 55 Opera Block, LIMA, OHIO. PARTICULARS FREE. RESPONSIBLE AGENTS WANTED. THE OHIO CHEMICAL CO., 51, 53 and 55 Opera Block, LIMA, OHIO.

A Picnic On a Farm. In a sequestered, wooded spot, by a cooling stream—a very pleasant contemplation this for city folk. They wonder why it is that the farmer does not more frequently go picknicking—why he does not get more enjoyment out of life. They do not realize that the now-a-days farmer finds enjoyment in his work. The McCormick Machine of Steel is one of the modern pleasure-inviting acquisitions of the farmer. It is such a handy machine and so reliable in its performance that the old-time dread of harvest is done away with. The makers of the McCormick get many of their ideas from the farmers and crystallize them into practical working mechanisms. You can O. K. the hints you get from the practical farmers—perhaps that's why the practical farmers O. K. the "Machine of Steel"—it's made to meet their needs. The McCormick Catalogue is invaluable to the inquirer after improved harvesting machinery. MCCORMICK HARVESTING MACHINE CO. CHICAGO, ILL. R. BINFORD, Agent, Lincoln, Neb.

BALD HEAD. NO CURE NO PAY. NO MOUS TACHE NO PAY. PROF. BIRKHOFF, Z. MASSIC TEMPLE, CHICAGO.

FURNAS : COUNTY : HERD. BIG BERKS. Holstein : Cattle! A few EXTRA GOOD September Pigs, and a No. 1 butter bred bull, yearling, registered—for sale. Prices right. H. S. Williamson, BEAVER CITY, NEB.

Notice to Contractors. Sealed bids will be received at the office of the County Clerk of Sherman County, at Lepp City, Neb., until noon of the 12th day of June, 1893 for the construction of the approaches at the McAlpine bridge and the protection to said approaches. The approaches will probably be 400 or more feet in length and must be sufficiently wide for safe public travel. Bidders to furnish plans and specifications and guarantee their work to stand a reasonable length of time. The County reserves the right to reject any or all bids. Dated this 29 day of April 1893. (SEAL) E. H. KITTEL, County Clerk.

AN ENTERPRISING MAN. MAOON, Mo., April 1, 1892. Queen City Silver and Nickel Plating Co., East St. Louis, Ill. I read Mrs. Bailey's experience selling games, and I am tempted to give my experience plating. I paid \$5.00 for one of Queen Platers, for plating gold, silver or nickel. I had no trouble to get all the knives, forks, spoons, casters and jewelry I could plate. The first week I made \$27 clear profit; the second, \$32.40, and am now averaging \$45 per week. I have advised a number of my friends to try this business, and they are all doing well. The machine is complete and does the work rapidly. I can make as much selling Platers as plating. Hoping my experience will benefit others, I am Yours truly, B. G. STOOKEY.

I want to make more clear money than you ever made in your life, send for circulars and price of the Queen Plater; for gold, silver, nickel, copper, and brass plating; can be used by any one. Plates beautiful, and equal to the finest new work. Every class of goods or metals. Twenty dollars a day can easily be made. Address, Queen City Silver and Nickel Plating Co. 13 N Main St. EAST ST. LOUIS, ILL. Mention this paper.

OBTAIN CHICAGO PRICES FOR ALL YOUR PRODUCE.

The way to do this is to ship your Butter, Poultry, Eggs, Veal, Hay, Grain, Wool, Hides, Beans, Broom Corn, Green and Dried Fruits, Vegetables, or anything you have to us. The fact that you may have been selling cheaper at home for years is no reason that you should continue to do so if you can find a better market. make a specialty of receiving shipments direct from FARMERS AND PRODUCERS, and probably have the largest trade in this way of any house in the market. While you are looking around for the cheapest market in which to buy your goods, and thus economize in that way, it will certainly pay you to give some attention to INDIVIDUALS, ALLIANCES, CLUBS, and all organizations who desire to ship their produce direct to this market. If requested, we will send you free of charge our daily market report, shipping directions and such information as will be of service to you, if you contemplate shipping. When so requested proceeds for shipments will be deposited to the credit of the shipper with any wholesale house in Chicago. Let us hear from you, 47-48

SUMMERS MORRISON & Co., COMMISSION MERCHANTS, 174 South Water Street, Chicago. Reference: Metropolitan National Bank, Chicago. J. W. CASTOR, Pres. E. E. NOTT, STATE AGENT. A. GREENAWAY, Treas. J. P. ROUSE, Vice-Pres.

THE FARMERS MUTUAL INSURANCE CO. NEBRASKA. INSURE ONLY FARM PROPERTY.

FARMERS, we invite your attention to the Farmers' Mutual Insurance Company of Nebraska, if you are in want of insurance you can not afford to insure in any other company, and if you do not want insurance now, write and get a copy of our By-laws and Constitution and learn what we are doing anyway. Remember we are for Farmers only. PRINCIPAL OFFICE, Room 407 Bruce Building. LINCOLN, NEB.

\$11.76. Will buy a—

TWELVE YARD PATTERN. —OF—

Faille - Francaise - Silk. In the New Spring Shades of

Cafe au Lait, Military Black, Emerald, Tabac, and Violet.

ORDER . SAMPLES. 38 inch Subline Silk Warp, all colors, . . . \$1.00

38 inch All Wool Whip Cord in Changeable Colors.85

40 inch All Wool Suitings, Spring Styles.50

46 inch All Wool Satin Finish German Henrietta in all colors.88

40 inch English Serge, Changeable colors.50

Samples cheerfully sent to out-of-town customers. HAYDEN BROS., 18th and Dodge Sts., OMAHA, NEB.