

## THE BROKER BUSINESS.

### Liberal Distribution of Railroad Passes Among Friendly Fellows.

### In Which Carns Performed the Part of Pasteboard Bearer.

### Thurston Details His Connection With the Bribery Case.

### And Feebly Fortifies the Political Fortunes of His Eminent Friend.

### Kimball relates How He Spurred the Offer—Life Was Too Short, You Know.

### Special Correspondence of THE BEE.

LINCOLN, May 22.—The unexpected adjournment over this week was brought about by two causes. The two investigating committees had not brought in their testimony by Saturday noon, and in the senate the adherents of the Stocumb appointment bill found themselves, through the absence of Myers, just one vote short of a majority, and they adjourned sooner than have the bill come up for passage and get defeated.

Q. What is your place of residence? A. Omaha.

Q. What is your profession? A. Attorney; I am assistant attorney for the Union Pacific.

Q. How long have you held that position? A. Five years.

Q. Do you know Mr. Carns? A. Yes, sir.

Q. Were you present last winter during the session? A. Yes, sir; I was.

Q. Where did you board? A. At the Commercial hotel.

Q. Do you know where Carns boarded? A. He was at the same hotel.

Q. Where did Roberts board? A. My impression is that he was there also.

Q. Do you know Church Howell? A. Yes, sir.

Q. Where did he stop? A. At the same place.

Q. Was he on the same floor with you? A. Yes, sir; nearly opposite to my room.

Q. Did you have any conversation with Mr. Carns at the last session of the legislature, in which you authorized him in any way to influence Mr. Roberts's vote? A. I never had any conversation with Mr. Carns. I never authorized him to offer money to anyone.

Q. Did you know that he had made a proposition of that kind to Roberts? A. No, sir.

Q. Did Carns have any authority to make such an offer for anybody? A. Not to my knowledge. He certainly had none from me.

Q. What did occur between you and Mr. Carns? A. I wish to state before going further that I never had any conversation with Mr. Roberts, and why he had used my name in connection with it.

Q. You don't think Mr. Carns had any authority to purchase votes? A. I know nothing about it; he had none to my knowledge.

Q. Was he authorized to extend any favors in any way, for the road? A. Sometimes he asked me for passes for different parties.

Q. What do you think anything like the payment of bills that Carns was authorized to make? A. Not that I know of.

Q. What is the fact then regarding the expense of members being paid by railroad companies? A. I know of none personally; probably I paid the room rent of my room mate, Mr. Kyner; but if so he paid his own board bills.

Q. Was the propriety of giving Mr. Roberts \$5,000 ever discussed by you, or the other railroad officials? A. No, sir; I never heard of it.

Q. By Roberts's letter is it a fact that Carns left the room where you and I were talking that morning? A. I guess you are right about that.

Q. You remember that Carns and I left together? A. Yes, I do.

Q. Whom did you see with Carns that Saturday and Sunday? A. I don't know that I saw anybody, unless it was Ireland.

Q. Do you know whether they roomed together at the hotel? A. I don't know how that was.

Q. Did you send Mr. Hall to the hotel for Mr. A. I did; I wanted to see you.

By Carns: Q. After you had had your conversation, I came in and talked to Roberts didn't I, A. Yes.

Q. Did you talk to Roberts while Carns was present? A. A very few words. I said, "Roberts, I heard something that surprised me very much about you, I hear that you have made an affidavit that Carns offered \$5,000, and that I authorized it." He said, "Now John, I'll talk that over with you, but not while Carns is present." We then went into another room and we had some considerable conversation. I told him that I did not know whether he had made any affidavit, but I was anxious to see him for I did not believe he had ever made any such affidavit. He said, "Look here, John; whatever affidavit I have made will not hurt you in Butler county or anywhere else." I said I did not like to have affidavits shown around the county with my name in them. He said, "It won't hurt you. It was made to show to some of my friends." Roberts said that the affidavit was made at the time when Carns' friends in Butler county were circulating reports on him, and he made the affidavit to satisfy his friends that he was all straight. "It will never hurt you John, anywhere." I then talked with him about Mr. Carns.

Q. How was the interview brought about? A. It was at my request. I had heard of this affidavit from two or three parties. (Mr. Thurston then related a conversation between him and Carns in which the latter showed him a letter from Reynolds threatening exposure in case he didn't settle with him.)

Q. Was Carns friendly to the railroad? A. Yes, sir, he was.

Q. Had he any official connection with the railroad during the session? A. Not that I am aware of.

Q. Did he give Roberts any encouragement that the railroad would buy him up? A. No; Mr. Carns said to me, "I only bring to you what Mr. Roberts said because I am asked to do it."

Q. Did he state that as a matter of policy it would be better to pay him anything at all? A. No, sir; I think perhaps I said that he was an almighty high priced man.

Q. Was that the special objection you made, that he was so high priced? A. No, sir; that was my first impulse only.

Q. Did you suggest to Mr. Ireland to relate to Roberts? A. We were talking about the matter when Ireland came in and I said that I didn't believe Jake had ever made any such affidavit and that I hoped that it was in existence the legislature would have a special session and have it investigated. Ireland said, "Why don't you telegraph to him?" I said that if I wrote or telegraphed to him about this matter he would go right to Reynolds and tell him about it if there was anything between them. Ireland then said, "I'll telegraph him."

Q. Did he suggest this to you or to you to him? A. I suggested this to Carns.

Q. Was it the intention to have him come there and have him explain, or did you have the idea of attempting to induce him to drop the fight? A. I desired to know in the first place whether I had made any affidavit, and why he had used my name in connection with it.

Q. You don't think Mr. Carns had any authority to purchase votes? A. I know nothing about it; he had none to my knowledge.

Q. Was he authorized to extend any favors in any way, for the road? A. Sometimes he asked me for passes for different parties.

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Q. Do you know whether they roomed together at the hotel? A. I don't know how that was.

Q. Did you send Mr. Hall to the hotel for Mr. A. I did; I wanted to see you.

By Carns: Q. After you had had your conversation, I came in and talked to Roberts didn't I, A. Yes.

Q. Did you not say that there wasn't anything in that affidavit that would hurt me? A. I don't remember the language. Roberts said to me that the affidavit would never hurt you.

KIMBALL'S TESTIMONY.

Mr. Kimball testified as follows: Q. Where do you reside and what is your official business? A. I reside at Omaha and am in the railroad business.

Q. Do you know Carns and Thurston? A. Yes, sir.

Q. Did you have any conversation with Thurston during the last session of the legislature concerning Roberts? A. Yes, sir; Thurston came to my office on his return from Lincoln, and said Roberts wanted \$5,000, and by implied threats said we should be punished if he didn't get it. He then told me all he knew about it. I asked him whether Mr. Roberts had personally made such a demand. He said that he didn't; Mr. Roberts insisted that I should bring it to you. I told him that we didn't

propose to buy any member of the legislature, and Mr. Roberts might do as he pleased.

Q. Did he state to you that Mr. Carns in substance as to what Mr. Carns said to him, and how he conducted himself? A. I understood that Carns was simply bearing a message between Roberts and Thurston.

Q. Do you know of any money being placed in Thurston's hands to influence matters at the session? No, sir; there was no money used.

Q. Did you ever converse with Roberts? A. Never.

Q. Did you understand that Carns acted as agent for Roberts? A. No, sir. I got the impression that it was a reluctant matter on Mr. Carns' part.

THE UNIVERSITY.

The following resolution, which was introduced in the house Saturday by Mr. Cantlin, of Dodge county, and was laid on the table by a close vote, 37 to 33:

Whereas, The educational interests of our young and growing state should ever be held sacred; and

Whereas, The action of Regents Field, Persinger and Carson (the latter since resigned), taken during the absence of Regents Gannett and Powers, in removing Professors Church, Emerson and Woodberry from our State University, is unbecomingly impolitic, and establishing a bad precedent; therefore be it

Resolved, That we, as the people's representatives of the state of Nebraska, do hereby condemn the course taken by said regents, inasmuch as they did not remove the entire professorship, including the chancellor, and that the resignation of said regents would be acceptable to the taxpayers of the state at large.

Several of the members, in explaining their votes on this resolution, stated that if it had been introduced earlier in the session they would have voted for it. The narrow majority by which the motion to table was carried gave all the moral effect that would have been secured by its passage.

It is said that Gage county is in a turmoil over the stand taken by Senator Castle on the appropriation bill, and that his visit home yesterday was not altogether an agreeable one.

It is enough to bear upon him, to overbalance the governor's influence the bill will go by the board. AKUSA.

## APPORTIONMENT AND BRIBERY.

### Special to THE BEE.

### THE DAY'S WORK OF THE LEGISLATURE.

### LINCOLN, Neb., May 22.—The senate to-day passed the Stocumb apportionment bill by a vote of seventeen to twelve, Graham going over to the majority.

The house ordered the printing of the testimony in the Roberts investigation case, but very likely will adjourn to-morrow without waiting to consider it.

It is reported here that Gere was offered the regency some time since and still has it under consideration.

## DEVIOUS DOCTORS.

### Who Fall in a Box at Plattsmouth.

### Special Dispatch to THE BEE.

### PLATTSMOUTH, May 22.—Four doctors from Omaha came here to-day on the invitation of a, so called, Dr. Bogge, to prove we had no small pox. Our sheriff and board of health corralled them at the post house, where they had gone without permission and they had to get hard to get released. They concluded that they were doing wrong and that we had small pox. The boys are having lots of fun over it. VERITAS.

## Labor Troubles.

### National Associated Press.

### New York, May 22.—All boiler makers in New York, Brooklyn and Greenpoint struck for 10 per cent. increase to-day.

Journeyman plumbers renewed the strike to-day because some of the bosses were paying less than \$4 a day.

## Small Pox.

### National Associated Press.

### CHICAGO, May 22.—A St. Paul dispatch says small pox has been introduced along the Missouri and Yellowstone rivers by immigrants. There are six cases at Miles City, ten at Glenville and several at Bismarck.

## Arthur Threatened.

### National Associated Press.

### NEW YORK, May 22.—A postal card threatening assassination of the president by Fenians unless he recalls Lowell was dropped in the city post-office yesterday. The clerks are much excited.

## Fire.

### National Associated Press.

### WARREN, Ind., May 22.—The large grist mill of Nelson & Co., near Marion, was burned last night. The fire originated in a pile of shavings by sparks from the furnace. Loss, \$8,000; no insurance.

## Obscene Poetry.

### National Associated Press.

### BOSTON, May 22.—The state attorney general has prohibited Osgood & Co. from further printing and circulating Walt Whitman's "Leaves of Grass." The firm has complied. Whitman refused to allow the proscribed poems to be called "A Common Prostitute" and "A Woman Waits for Me" to be left out.

## Kansas Crops.

### National Associated Press.

### KANSAS CITY, May 22.—The Journal will publish to-morrow an extended report of the condition of crops in the great grain growing section of Kansas. This report covers twenty-eight counties along the line of the Kansas division of the Union Pacific road. The general opinion of the people in that section is that the pros-

pects were never better. Winter wheat is universally reported in good condition, and little fear is expressed of damage done by the chinch bugs. Very little spring wheat has been sown. Most of the spring wheat men have planted corn. Corn is backward owing to the recent cold weather. Considerable oats, flax and millet seed has been sown. Grass generally is in good condition. Cattle and sheep are also reported as looking fine.

## FINNEGAN'S WAKE.

### A Close Watch on a Suspected Assassin at Philadelphia.

### A Mysterious Emigrant Arrested.

### National Associated Press.

### PHILADELPHIA, May 22.—On the arrival of the American line steamer British King at 1:15 this afternoon, Detective Chas. Miller, representing the British consul, boarded her and arrested a middle aged Irishman who gave the name of Finnegan on suspicion of being concerned in the Cavendish-Burke assassination. He was found stowed away when two days out from Liverpool, the vessel not stopping at Queens-town. When questioned he replied evasively that he came to sea friends in New York. He said at first that he was a Scotchman and then admitted that he was an Irishman. When two days from Delaware breakwater he washed his pants, which had several spots of blood. He has a sore foot and a partially sprained ankle, which he claims came from having fallen from a vehicle. He was taken to the British consulate for examination. There were six Irish-Americans among the passengers. Finnegan was terribly agitated when arrested.

The consul committed Finnegan to the custody of Detective Miller, pending investigation of his statement.

Four Irish Americans, two claiming Chicago as their residence, are also being shadowed.

Finnegan slept in the lodging house to-night, a detective being unknown to him in the next room. In a statement to the British consul he said he was a coal hauler out of work, and thought if he could get to America he could get work. He claimed to have friends in New York, but refused to give their names. The impression produced by his statement is that he is only a "bum," but it is considered advisable to have him shadowed for the present. He is middle-aged and has a sandy complexion, and his height corresponds strongly with the published description of one of the Phoenix Park assassins. Hence his arrest.

## Conkling's Denial.

### National Associated Press.

### NEW YORK, May 22.—The Herald to-day publishes an interview with ex-Senator Conkling denying in toto the charges recently published by the Kingston (N. Y.) Freeman, in effect that Mr. Conkling's candidacy for reelection to the senate was against the advice and wish of party associates but his own determination, and further, that they advised his withdrawal and he refused, and lastly that a corrupt bargain was about to be consummated by his election and that of another person and that he was a party thereto.

Conkling, replying to these charges states that his name was used for election and he went to Albany against his own inclination and under the advice of friends, who said he should be on hand and give information in person and explanation of his resignation. He never asked a man to vote for him. His withdrawal was never suggested by his friends, but frequently by himself, and his friends advised against it; that he knew of no bargain, corrupt or otherwise. The whole story was false, as also that recently circulated that in Cleveland he grossly insulted a number of leading citizens who offered to escort him to Cincinnati.

## Soldiers.

### National Associated Press.

### ATLANTON, Ga., May 22.—Hiram Sweet, a prominent jeweler, committed suicide yesterday. He left a note stating domestic trouble was the cause.

## Whitewater, Wis., May 22.—

Robert Grant, a well known young man of this place, suicided by shooting himself with a revolver. No cause is assigned.

## Base Ball.

### National Associated Press.

### TRON, N. Y., May 22.—Troys 3, Boston 7.

### WORCESTER, May 22.—Worcesters 3, Providence 3.

### CHICAGO, May 22.—Chicago 12, Detroit 5.

### CLEVELAND, May 22.—No game on account of rain.

## A Dying Bishop.

### National Associated Press.

### MINNEAPOLIS, May 22.—The condition of Bishop Foss to-day is alarming, and the worst is feared, and preparations have been made for it, as very pronounced symptoms of blood poisoning are apparent.

## Sunday in New York.

### National Associated Press.

### NEW YORK, May 21.—This was the first bright spring-like Sabbath that New York has had, and the effect was noticeable in crowded churches and thronged streets. The beautiful scenery of the Hudson and the bay, the ocean islands, Rye and other seaside resorts, and thousands left the city by various means of transportation. It was estimated that 100,000 people were on Coney Island, Fort Lee and other places. Up the river it was also crowded.

## The Mecklenburg Declaration.

### National Associated Press.

### CHARLOTTE, N. C., May 21.—The celebration of the hundred and thirtieth anniversary of the Mecklenburg county declaration of independ-

ence took place yesterday. Many prominent men were present, including Senators Hampton, Butler, Vance, Ransom and Bayard. The latter delivered the address of the day. A great military demonstration was made there. Houses were decorated and the streets crowded.

## FOREIGN NOTES.

### National Associated Press.

### PARNELL AND DAVITT.

LONDON, May 22.—Parnell has decided to continue to lead the Irish party in the commons. Davitt proposes to take the American platform in a campaign in favor of the land league.

### ARABI TO REIGN.

CAIRO, May 22.—Arabi Bey Pasha, it is expected will resign the war portfolio. Chief Pasha will form a new ministry.

### A MINISTER HUFFED.

PARIS, May 22.—M. Leon Say has resigned the office of minister of finance in consequence of the chamber of deputies voting for the remission of 1,000,000 francs collected as taxes on drink.

### WINTER.

WINNEPEG, Man., May 22.—The severe snow storm yesterday seriously affected early vegetation and is a source of alarm to the agricultural community.

### A Treasury Bond Plate Thief.

### National Associated Press.

### BROOKLYN, N. Y., May 22.—Before United States Commissioner Benedict, Charles H. Smith, indicted by the Washington (D. C.) grand jury on the charge of stealing from the United States treasury a plate of a \$1,000 bond of 6 per cent denomination on January 15, 1880, pleaded misdemeanor, alleging that his name is not Charles H. Smith. The case was adjourned for investigation.

### Going Under Surety.

### National Associated Press.

BOSTON, May 22.—The Pacific National bank suspended for the second time within six months this morning for liquidation. It is generally thought this means bankruptcy.

### Fancy Farm Sold for Fancy Money.

### National Associated Press.

### PHILADELPHIA, May 22.—Aristides Welch sold his Chestnut Hill stock farm to-day to Commodore Norman W. Kittson, of St. Paul, Minn., for \$125,000.

## Marine Intelligence.

### National Associated Press.

### NEW YORK, May 22.—Arrived: The Maize, from Rotterdam, and City of New York, from Liverpool.

### PHILADELPHIA, May 22.—Arrived: The British King, from Liverpool.

### ANTWERP, May 22.—Arrived: The Bengeland, from New York. Sailed: On the 20th, the Rhyland, for New York.

### AMSTERDAM, May 22.—Sailed: The Servia, for New York.

### HAVRE, May 22.—Arrived the 21st: The Canada, from New York; the Adriatic, from New York; Lord Gough, from Philadelphia, and Missouri, from Boston.

### PLYMOUTH, May 22.—Arrived: The Wieland, from New York, for Hamburg.

### SOUTHAMPTON, May 22.—Arrived: The Maine, from New York, for Bremen.

### QUEBEC, Can., May 22.—The Allan steamer Peruvian reached this port this evening, having left Liverpool April 27.

### ST. JOHNS, N. F., May 22.—There are twenty-one ships in the ice lock northwest of Cape Ray. Two large ocean steamers were caught in the ice and driven on the coast between Cape Ray and Angall. A 1,000 ton ship driven upon a sloping cliff by the pressure of the ice, is resting forty feet above the sea level. The fate of the crew has not been learned.

## Bull-dozed.

### LITTLE ROCK, Ark., May 22.—In Union county, Zachariah Johnson, colored, was caught in the woods and hanged five times, the rope being released when death was near. The object was to make him confess theft which he denied. He has had the sheriff and a deputy arrested as persecutors.

## Pearson's Place.

### National Associated Press.

### NEW YORK, May 22.—There were rumors about the city hall this afternoon that when the United States senate adjourns President Arthur contemplates a change in the postoffice of this city and that ex-Police Commissioner Ehardt is anxious to fill the postmastership.

## Indications.

### National Associated Press.

### WASHINGTON, D. C., May 22, 1 a. m.—For the upper Mississippi valley: Fair weather, stationary or higher temperature. For the lower Mississippi valley: Partly cloudy weather, local rains, variable winds, shifting to southeast, stationary or higher temperature, generally lower pressure.

More people have used St. Jacobs Oil for Rheumatism, than you have any idea of.

## Utah as a State.

### National Associated Press.

SALT LAKE, Utah, May 22.—An unusually large vote was cast at the election to-day. With the exception of perhaps a dozen, all votes were in favor of a constitution. Very few gentlemen voted, as they looked upon the proceedings as a farce. The constitutional convention meet again June 6th, when delegates will be chosen to carry the constitution to Washington and urge the admission of Utah as a state.

## Hartford, Pa.

### Thomas Fitch, Bradford, Pa., writes:

"I enclose money for Spring Blossom as I said I said if I sure I see. My dyspepsia has vanished, with all its symptoms. Many thanks; I shall never be without it in the house." Price 50 cents, trial bottle 10 cents.

## THE DEATH BLOW.

### The Decision of the Court-in-Banc Dooms the Assassin.

### An Elaborate Document, Setting Several Important Points.

### The Democrats Succeeded in Blocking All Business in the House.

### Additional Correspondence Relating to American Prisoners in Ireland.

### THE COURT IN BANC.

### National Associated Press.

### DISCUSSION IN THE OUTREAU CHAMBER.

WASHINGTON, May 22.—In Guiteau's case to-day the court decided the court had jurisdiction, and that it was proper to try for murder in the district where the murderous assault was made. In regard to the point that the law of Maryland at the time of the commission of the crime of Columbia to the United States, claimed to be still in force, according to which, where a fatal blow was struck in one county and death occurred in another, the crime could not be punished in the former and possibly in neither, Judge Wagner read a special decision covering the ground, and reciting all the precedents, and concluding by holding that the crime was punishable under the Maryland law, where the murderous blow was struck. The first part of the opinion was read by Judge James. After Judge Wagner had concluded, Chief Justice Carter announced that the opinion read was the unanimous conclusion of the court; that a new trial be denied, and the judgment of the court below be affirmed.