THE OMAHA DAILY BEE.

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WON A BIG VICTORY.

A Majority of the Senate Decide to Bury the Railroad Commission.

THE MINORITY REPORT ADOPTED

A Long and Heated Discussion Precedes the Final Vote.

MR. CASPER'S RINGING SPEECH

The Holmes-Butler Contest Decided in Favor of the Former.

KUKLUX METHODS SHOWN UP

Unwarranted Action of the House in Adjourning to Allow a Junketing Trip of Representatives to Beatrice.

Proceedings of the Senate.

LINCOLN, Neb., Feb. 2.—[Special Telegram to the BEE.]—For the first time the senate has shown its sense in favor of railway legislation by a vote of 18 to 15, which was cast against recommitting senate file 41. This bill is the repeal of the railway commission, consideration of which came up at 10 o'clock as a special order. The vote shows conclusively that this senate proposes to do away with this offensive commission and give the people some effective railway legislation. Mr. Snell of Jefferson moved that the bill be recommitted, notwithstanding the fact that the minority and majority reports of the railroad committee were made several days since, and have not been acted upon by the senate.

Mr. Robbins of Valley said: "My people have waited patiently for this railroad commission to develop into something of good, until they have come to think that it is simply a stumbling-block to other effective railroad legislation. That is the view our people take of it. The idea of trimming this bill up is for the purpose of getting matters delayed. The commission law has been in force two years. Its advocates say they will fix this part up and that part up, and it will go over another two years, and then some other excuse will be given to put it over for another two years, and thus the people will be cheated. My people think that if this law is out of the way then this legislature will be in some shape to give the people relief, but so long as that stands as an excuse there can be no fair and reasonable legislation upon that question. Now, in view of all this, our people think that this commissioner system should be done away with. They have tried it and weighed it in the balance and it has been found wanting. In all sincerity, without any attempt to arraign the railway companies, but with a view to exact and even justice to the producer, consumer and shipper, and all concerned, our people have candidly looked this matter in the face. They have said, 'We do not want this commission.' They have said it in their conventions and at the polls; they have said it in various ways, and I, as their representative, am here to re-echo their wishes, by saying that they as a people and a large constituency do not desire the further preservation of this commission law."

Mr. Snell of Jefferson said: "The gentleman from Valley says that the people have at various times said that they did not want the commission system. He says they enunciated that doctrine at conventions and at the polls. Now, if they have ever done such a thing as that it has been in some isolated county that I have heard nothing of. The fact of the matter has been given us by the gentleman from Clay (Brown) that the people in their representative capacity in a republican convention of this state said distinctly by a large and overwhelming majority that they did not favor the repeal of the commission law. That question came up in the republican convention, and that convention said in language that was clear and unmistakable that they were not in favor of the repeal of the commission law. Here the people spoke in language which cannot be misinterpreted. But the gentleman insinuates that the people at the polls said they did not want this law. Is that true? When this question of amending the constitution was submitted to the people for the establishment of a board of railway commissioners, what was the vote upon that question? Out of 150,000 votes only 40,000 said they did not want it. If a man is not opposed to it sufficiently to vote against it, his silence can be taken as consent, and until you can convince me that 40,000 is a majority of 150,000 I will never believe that the people have said they do not want this commission. A very small portion of the votes cast were against the amendment to the constitution. Now, then, why not treat this subject like we do all other subjects? If there is a law upon our statute books which we think does not meet the requirements of the people, what do we do? Do we condemn the bill and wipe it out, or do we amend it? Then why not treat this subject as we do others? If this commission bill is lame, mend it—make it stronger; if the board has not got sufficient power, give them more power. But do not commence to tear down; let us build up. The facts are there; are some people who would not be satisfied no matter what we give them, but it seems to me that the only reasonable and only sensible way to grapple with this question is to grapple with it through the commission system, and I am in favor of perfecting it and continuing it. I am consequently in favor of the majority report."

Mr. Sterling said: "It occurs to me that this motion comes from the gentleman this morning with rather poor grace. He has aired his eloquence and considerably agitated himself in the interest of the corporations of this state in an endeavor to persuade this senate to believe that the corporations of this state were the parties who were being oppressed instead of the people. He has endeavored to make us believe that the iniquitous institution that was created two years ago called the railroad commission was well calculated to conserve the best interests of the people. It may be that he feels a special interest in perpetuating this fraud, although I have never believed that he was the author of it. I would not like to charge a measure so absolutely worthless, so devoid of merit, and so wanting in results to be a product of his mind. Thus it occurs to me that this is a proper time for this senate to consider the expediency of adopting the minority or majority report of the railroad committee on this bill. The fact that other bills are introduced looking to the enlargement of the powers of the commissioners, and also to the repeal of the present act, has no bearing on this question. I hope that the gentleman's motion to recommit will not prevail."

Mr. Casper said: "This bill proposes to deal with an institution that was created two years ago in face of the well known opposition of the people of this state who expressed their positive antipathy to its creation. It can have but one purpose—and that is the simple perpetuation of a tax-eating incubus at the expense of the people for the mere amusement of the gentlemen who represent railroads. The gentleman who introduced the bill two years ago had no desire to do anything that was displeasing to the railroads. He never expected that it would do any good—he does not expect its perpetuation now will accomplish anything further than prolong the contest and delude and defraud the people. It is advocated as a scheme to prevent the establishing of a maximum freight rate. The whole scheme was born and conceived in the brain of some railroad attorney. No man can do the people of this state justice by voting for the continuance of the railroad commission. I do not deny but that the commission has compiled some very valuable statistics, but what good are statistics to the gentlemen of this legislature? The commissioners have earned enough to penitentiary half the railroad managers in this state, if justice had her dues. I am fully persuaded that in one-half hour they could have some of the very friends of this very commission cavaling over the facts that can be calculated and deduced from the statistics they have furnished. By the figures which they present it can be readily ascertained that the net earnings of railroads over the cost of labor is 33 per cent of their real capital invested, while the farmers of this state are only earning 3 1-10 per cent by the same terms. It is not impossible to prove that the railroads of this state are taking $5,000,000 more than they ought from the people of this state every year—an average cost of $50 to each agricultural per annum. Who cares whether there is an outhouse at one station, a hog yard at another, or a five-foot depot platform extension at another? What the people of this state object to is being gouged out of more money than is just and legitimate for hauling freights and suborning legislatures to cough up railroad slush to spit in their faces. They want rates cut on the same principles that the city of Lincoln adopts to regulate the fare that shall be charged by hack drivers. They want every advocate of this commission known to the general public as their secret enemy. They want every railroad attorney on this floor to show his hand. What if the republican state convention did support the railroad commission, as was stoutly maintained here, by the gentleman from Jefferson, yesterday, it only shows more conclusively than ever before that the grand old party of Lincoln has become the vehicle of rotten politics, and ought to accept the obloquy that it deserves with good grace. It will only be necessary for it to pass a few more commission bills to close its career, when half of its now boastful champions will be posing as immaculate reformers in some new organization. The gentleman from Jefferson made the statement on this floor yesterday that silence on the part of those who didn't vote two years ago gave consent. In face of the supreme court decision to the contrary, and the more emphatic law of common sense, that was a sycamen of time serving demgoguery that ill becomes the clamorous screecher for something that will benefit the dear people. The rates are five cents a hundred more in Nebraska to-day than they were two years ago. If I mistake not, a gentleman made the statement on this floor yesterday to the effect that they were lower. I don't like frauds of any description, and when I see gentlemen continually closeting themselves with known railroad lobbyists, it is not tasteful to have them presuming on their superior sanctity as friends of the people. I do not object to any man's coming here to represent railroad interests, if that is satisfactory to his constituents, but I do object to being played for a sucker, and be expected to accept downright pettifogging with courteous complacency. When any man endeavors to persuade me that the people of this state want a continuance of the railroad commission, I must either doubt his honesty or quarrel with his judgment. When men endeavor to appear what they know others do not accept as truth and genuine, they certainly show a display of cheek that borders on downright impudence. It is a reckless disregard of the amenities. If the railroads own this senate, the votes on this bill will easily demonstrate it. There is no need to conceal the issue. The railroads of Nebraska want this railroad commission continued. No man of average intelligence need sit here a single hour without finding that out. It permeates the atmosphere of the whole capitol building. The people want a square rate bill. They want a law that will prevent the Union Pacific from charging 9 cents a hundred more in Nebraska for hauling a hundred pounds of corn 100 miles than it charges the same company charges for a like service in Kansas. Twenty cents a 100 for hauling corn means 11.20 cents a bushel. This is 4 cents more than the trip of 3,500 miles across the ocean. It is within 2 cents of the rate charged between Chicago and New York during the whole of the year 1885. It is as much as is charged between Omaha and Chicago—a distance of 500 miles—by the Iowa pool lines. The people of this state want a law that protects them from being compelled to pay 100 per cent more than the local rates in force in Illinois. The people of this state and of the United States, have given the B. & M. in bonds and lands, a sum to equal $11,000 per mile average, on all its main line and branches in the state. From the same source the Union Pacific has gathered in enough wealth to reach the total sum of $92,000,000—or six to seven times more than its actual value. They ask protection from these syndicated robbers—chartered for plunder by the United States congress. They have had enough of senatorial gush and ornamental commissions. They don't believe that a dollar invested in railroads is entitled to eleven times the interest drawing quality of a dollar invested in land. Having mortgaged everything else they have, the farmers of Nebraska do not now desire to mortgage their bed-clothes and kitchen utensils, in order that railroad watered stock may continue to earn 7 per cent interest. There are only two sides to this question. You are either for the people or against them. The world has not changed any in this respect since the Son of God made the famous announcement, nearly 2,000 years ago, that: 'He who is not for me is against me.'"

Mr. Duras of Saline said: "In relation to the repeal of this law I would be simply guided by the wish of the people of this state. The gentleman from Jefferson (Snell) has endeavored to convince the senate that the people of Nebraska want the commission, but I do not happen to see it in that light. The constitution of the state of Nebraska provides plainly that all the electors who do not vote for a constitutional amendment were supposed to vote against it. As the gentleman from Butler (Casper) has stated, the supreme court has also declared the constitution in that light. Now, I happen to see in the abstract of votes cast in 1884 that there were in all 133,544 votes cast in that election for governor, and only 22,297 votes cast for the railroad commission. This shows me plainly enough, according to the decision of the supreme court and according to the constitution, that 111,247 electors in the state were in 1884 against the railroad commission."

Mr. Casper's speech attracted the attention of the entire body, something that no senator has yet done, and to his forcible arraignment of the railways of this state is due in part the decisive vote as given above. It braced up some of the weaker members and enabled them to face the question fairly. His speech struck terror to the hearts of the railroad lobbyists, seven of whom I saw listening with breathless attention. Mr. Colby even became so restless under the hot shot showered upon the advocates of the commission that he rose to his feet, walked over back of Mr. Casper to see the manuscript from which he was taking his points, walked on over to the opposite side, then retraced his steps, passing back of Mr. Casper to get another view of the ammunition, possibly to learn just how much more could be expected. It was evident that Mr. Colby's eyes had just been opened to the fact that the gentleman from Butler was a man whom he will not be able to down on the question of railroad legislation.

Mr. Snell made a plea for more time and argued that his people wanted the commission to stand, and he was sent by them to advocate it.

Mr. Casper rose and read the vote cast in Jefferson county for and against the railway commission. It showed a majority of 40 votes against the commission. His showing knocked the wind out of the gentleman from Jefferson and created a ripple of laughter at his expense.

Mr. Keckley made a powerful speech to show the utter worthlessness of the commission and quoted incident after incident in his own county (York) to support his position.

Mr. Meiklejohn said that he agreed with the printed statements of the railway commission, who recommend a repeal of the present law if it could not be amended. He believed the commission law was no law at all. It had cost the state $24,000, and should be repealed without delay. He would vote to adopt the minority report of the committee.

Up to this time Mr. Colby had not said a word but he knew his opportunity. He moved that the three bills for the repeal of the commission be placed on the general file.

Mr. Sterling moved to amend by moving that the minority report be adopted.

Mr. Colby made a long appeal for time to stop and consider. It was unfair and unwise for the senate to take up this bill or any other one of the regular order and push it through. He had never asked it for a bill he had introduced and never would.

The chair interrupted to say that the adoption of the minority report would put the bill on the general file. This announcement very much disconcerted the advocate of procrastination, but he gathered himself up shortly and struck out on a new lay. He did not propose to see a minority report embodying such stuff as did this one be adopted if he could prevent it.

This remark raised the native ire of Mr. Keckley, a member of the railroad committee, who jumped up and said: "Now you are again trying to befog this senate just to kill time."

Mr. Colby replied: "I am seeking simply justice. I only ask for this bill what I ask for my own. Because you gentlemen stand here to howl that you are for the interests of the people, that does not make it so. It is not in the mouth of any man in this senate to impugn my motives in advocating any measure. I yield to no man on this floor, when it comes to a question of integrity. Any man who says I am a railroad attorney I will say in his face he is a liar." By this time the senator from Gage had worked himself up to a very high pitch, but a motion to adjourn was carried and shut off his wind.

AFTERNOON SESSION.

The senate met at 3 o'clock. The galleries and lobby were crowded, and visitors' easy chairs in the senate chamber were all taken, the house having adjourned for the afternoon.

Mr. Sterling moved the previous question, which was upon the adoption of the minority report of the railroad committee. The ayes and nays being called for, the vote stood 19 in favor of the adoption of the minority report and 14 against it. This vote shows the anti-commission strength to have gained one vote since morning, and is an almost certain indication that some stringent railway legislation may be expected this session, as both houses have expressed themselves squarely in favor of the suppression of the state railway commission, which is to be wiped out to give way to legislation which the people demand. Those who voted for the minority report which was signed by Messrs. Keckley (who wrote it), Lininger and Robbins, were the following:

Bonesteel, Calkins, Casper, Duras, Fuller, Higgins of Cass, Higgins of Colfax, Keckley, Lininger, Meiklejohn, Robbins, Schminke, Shervin, Spriek, Sterling, Tzschuck, Vandemark, Wolbach, Wright.—19.

Those who voted against the adoption of the minority report, or who are in favor of the continuance of the railway commission, were the following:

Brown, Burnham, Campbell, Colby, Conger, Heartwell, Holmes, Kent, Lindsay, Linn, Majors, McNamar, Moore and Snell.—14.

Mr. Schminke then called up the special order, which was the Butler-Holmes contest case. He renewed his motion to permit the contestant (Governor Butler) to appear on the floor of the senate, which was voted down. This meant, of course, that no hearing would be granted the contestant and as the senate knew nothing of the case, they could do nothing else than except Mr. Holmes' certificate of election.

Mr. Colby moved the adoption of the majority report, (which was in favor of securing Mr. Holmes in his seat), which was amended by Mr. Casper, that the minority report be adopted.

The yeas and nays being called, the vote stood 15 to 17 against the amendment. A like vote was then taken in the majority report, which resulted 21 for and 10 against.

Thus the doom of Governor Butler was sealed and a long-drawn-out controversy brought to an ignominious end. There was considerable feeling expressed by some of the members on the question. Mr. Conger, when his name was called, said he desired to be excused from voting for the present. Mr. Vandemark made the same request, which caused Mr. Schminke to positively object to such dodging of votes, as he termed it. He was not afraid to put himself on record, and wanted the other members to do the same.

After the vote had been taken Mr. Conger said: "It is not because I wish to dodge my vote, by any means. I think that it has been wrong from the start that these gentlemen were not permitted to be heard. The evidence before the senate has been very meagre and very few senators know anything about it. It has been reported on the part of the majority, and that majority is composed of gentlemen whom I respect, and in their judgment I have confidence. The minority report has been given us by a gentleman whom I respect, but I think it proper and right, and voted to have the two contestants given an opportunity to make their cases plainer to the senators. This action just taken is wrong. At other times men have been allowed to come before us and I see no reason why these gentlemen should not be permitted to come before us. I will vote no."

Mr. Vandemark explained as follows: "Mr. President, I am not like the gentleman from Sherman (Conger). I really want to dodge my vote, [laughter] and I have good reasons for doing so. I am placed in a peculiar position. I do not want to see my vote necessary to keep a man in or put him out, and for that reason I reiterate that I wish to dodge my vote. But after the question has come down to this—that this senate wishes to dodge the responsibility of investigating a case in which every American citizen is interested—I do not propose to vote upon the question. I have made this testimony, and I assert here upon the floor of this senate that more outrages have been committed in Nemaha precinct than in South Carolina and Mississippi. I am free to admit that when this question was first presented I thought it was political and political only. I thought it was an adverse question upon which the senatorial issue of the state rested, and that that was all there was in it; but I am now convinced that Captain Humphrey and G. K. Goudy did perpetrate high crime and misdemeanor against the electors of Turkey Creek and Pawnee City. I vote to seat Governor Butler."

In his explanation Mr. Casper said he didn't believe in complimenting anybody in a case like this, and he voted for the minority report because he didn't think the majority of the committee ever intended to make a fair report. But as the senate had seen fit to kill the minority report he would not detain the senate longer, and voted yea.

Mr. Moore thought the majority report just and voted for it.

Mr. Schminke said he had met with the committee, but as he was no lawyer he told those of it who were to go ahead and draw up the report. He expected it would be fair and just, but it was not, and he refused to sign it. He therefore made a minority report, and not one of the committee had assailed it before the senate, but they appeared to have put up a job and bound themselves together to keep Mr. Holmes in his seat. The vote just taken had given the lie to his report. He knew that the crimes committed in this election had been worse than any in Mississippi. He had been told that if he didn't keep still on this subject an effort would be made to get the prohibition vote to defeat him next election. He declared that he was not elected on that issue. He was not a saloon-keeper or a brewer, but simply a miller. He wasn't afraid to talk against any attorney in this contest case. Captain Humphreys was enough to drive anybody away from the polls. What business had he to go to the polls and ask questions? What were the judges of election for? He then arraigned the crime committed in the manipulation of the tickets, by which the judges knew how everybody voted, which was contrary to law. Governor Butler had carried the county in which Mr. Holmes lived by eighty majority, and yet was beaten in his own (Pawnee) by fraud.

Mr. Sterling said that he had examined the exhibits of ballots that were alleged to be fraudulent and rejected by the election board, and thought such rejection in open violence of the existing election laws. If there were a sufficient number of these ballots rejected, and he believed there were, then Governor Butler was elected. He voted no.

NOTES.

Mr. Meiklejohn looks at the legal aspect of all questions, and dives down and fishes up some unlooked for legal point which is usually decided well taken. He is a hard worker and knows a thing or two.

Just before the vote was taken which showed the complexion of the senate on the railroad question, a lobbyist stepped up to a senator and attempted to dictate how he should vote on the question. The senator afterward told me that he could not be forced to vote on any question, no matter what, and in this instance he voted for the repeal of the commission law.

The following groundhog resolution was offered this afternoon by Mr. Wright:

Resolved, That the senate return especial thanks to the American groundhog for his seclusion on this memorable occasion, hoping that hoar frost and humid clouds may obscure the sun during the live-long day, and that early spring bring birds that sing, without a long delay.

The committee of the whole this afternoon recommended the passage of S. F. 29, which is another bill to repeal the railway commission. This action makes assurance doubly sure.

A resolution was offered fixing the thirtieth day of the session as the last day upon which bills may be introduced in the senate and failed of passage.

The rules were suspended and the memorial to congress asking the passage of the Miller live stock bill was passed by the senate.

Mr. Colby looked up the BEE reporter to-day to ask him to have pity on a poor orphan, and then asked the scribe if he had not heard the story of the boy who had killed his father and mother, and then asked the court to have mercy upon him—a poor orphan. If Colby considers the railroad question one of his parents, the vote to-day would indicate that the alleged parent is not quite dead.

Doings in the House.

LINCOLN, Neb., Feb. 2.—[Special Telegram to the BEE.]—Recommendations made this morning, after the house convened, by standing committees, as follows: Bills to pass: Authoring the sale of lands owned by the state of Nebraska, and heretofore leased under specific law; giving owners of male animals a lien upon the get of such animals, provided the owner of the sire file for record a description of the progeny within twenty days after the birth; refunding to the cities of Beatrice and Columbus money paid for registration of bonds; appropriating $3,870 to pay for the publication of constitutional amendments submitted last November; to establish a home for indigent soldiers, sailors and marines. Bill to not pass: For relief of William Fulton, of Otoe county; to create an immigration bureau. Several bills were indefinitely postponed.

Mr. McConaughy asked for the report of the committee on constitutional amendments upon the bill providing for submission of a constitutional amendment to prohibit the manufacture or sale of liquor.

Mr. Slater, chairman of the committee, replied that the majority report was ready, but he was waiting for preparation of the minority report.

Mr. Caldwell moved that when the house adjourned at noon it should be until 10 o'clock a. m. to-morrow. In support of his motion he stated that the committee on public lands and buildings, on insane hospital and other asylums go to Beatrice this afternoon. The motion prevailed.

The house thus gives away the afternoon for the accommodation of twenty-five or thirty members. The real reason for the adjournment is that Senator-elect Paddock will give a reception at Beatrice this evening, and a special train is to run from Lincoln for the accommodation of members. The incidental object of adjournment is to cause farther delay on the railway commission bill and other measures of pressing importance. The vote to adjourn was taken without many members of the house reflecting upon the propriety of the action and subsequently an effort was made to reconsider the vote and take a recess until 2 o'clock this afternoon, but the first failed and the second was ruled out of order by the speaker. Under motions, Mr. Harrison of Saunders introduced one for the appointment of a committee of three to inspect railroad bridges across the Platte river at Ashland, Fremont and Valley and ascertain if the bridge at Valley prevents ice gorges which causes water to overflow farms, destroying cultivatable land. The resolution was tabled.

The following bills were introduced:

By Bick—To amend section 40 and 74 of article 1 of chapter 77 of the compiled statutes of Nebraska for 1885 entitled "Revenue."

By Miller—To perfect the title to the southeast of the southeast quarter and the southeast quarter of the southwest quarter of section 6, township 8, No. of range 7 East Lancaster county in the state of Nebraska for the benefit of the permanent school fund.

By McCann—To transfer the obligations of purchases of school lands in cases of assignment.

By Norris—For the relief of Ezra Leonard Smith.

By Cope—To prevent swindling.

By Ewing—To amend section 531 of title 14 entitled "Executions" of the code of civil procedure and to repeal the said section so amended.

By Fuchs—Giving town boards jurisdiction to vacate and establish roads in certain cases.

By Veach—To amend section 43, chapter 40, compiled statutes of Nebraska and to repeal said sections.

By Smyth—Relating to evidence in actions upon accounts in certain cases.

By Heimrod—Authorizing the incorporation of union depot companies.

Mr. Cole resurrected the bill granting $30.00 to every veteran of the first and second regiments of Nebraska volunteers from the paw of indefinite postponement into which it was imprisoned yesterday. The house then adjourned until to-morrow.

Mistake of the House.

LINCOLN, Neb., Feb. 2.—[Special to the BEE.]—The house of representatives of the legislature made a mistake to-day. It is to be hoped that it will not be fruitful of the results which are hoped for by the members who investigated it; but the enemies of honest railroad legislation have certainly scored another point.

This morning Mr. Caldwell of Lancaster county, who is Mr. Agee's alterego in everything of moment, succeeded in securing passage of a motion that when the house adjourned at noon it should be until to-morrow at 10 o'clock. The excuse for the motion was that the committees on public lands and buildings, insane hospital and other asylums desired to visit the state institution at Beatrice this afternoon. Should every member of these committees go only thirty-one members out of the 100 in the house would be absent. As it transpires, however, from inquiry, only about twenty of these gentlemen desired to go to Beatrice on this particular day, and there was nothing very pressing about anyone going until the latter part of the week. The object, therefore, of cutting the session of the house short is to be found in some other direction. It is not possible, to say the least, that the adjournment was taken to prevent consideration for another day of the bill which both Messrs. Caldwell and Agee are vigorously opposing—to repeal the railway commission law. The purpose of such delay can be easily explained. Not only are B. & M. and Union Pacific lobbyists in Lincoln and conspicuous in and about the legislative halls, but the general manager, general freight agent and general construction superintendent of the Fremont, Elkhorn & Missouri Valley, Messrs. Fitch, Morehouse and Hall are here actively exerting themselves to prevent passage of the same bill. As your correspondent is writing General Manager Fitch is talking with members of the house and examining the railway bills which have been introduced. It is not to be presumed that he is doing it for pure enjoyment's sake. Such a converging of railroad interests at the capital is evidently only for one purpose—to secure, if possible, the defeat of the repeal bill or to cause fatal delay in its consideration. If the house had not adjourned this important measure would have been reached in committee of the whole to-day. It is now probable that the railroad committee will report back Agee's bill, amending the present commission law, and palpably a corporation measure, to-morrow morning. Then the house will have on file a bill to perpetuate the obnoxious law, and an attempt will unquestionably be made to force its consideration before the repeal is finally acted upon. Thus the less acute members of the house will become confused and they will lose sight of the one thing which they know their constituents want them to do.

The Fremont, Elkhorn & Missouri Valley company are opening up a large and fertile country in Northwestern Nebraska. They want the commission system retained and do not want any legislation on freight rates or passenger rates. With headquarters in Omaha, where they will be established within two years, the company will become one of the most powerful corporations in Nebraska. The presence of the chief officials here at this particular time is therefore very suggestive. And there are reasons to believe that these gentlemen are also interested in securing the defeat of the Omaha charter bill. They profess indifference regarding the railroad bills to outsiders, but to members they talk most earnestly, and it is reported, even suggestively. One member has changed his mind since yesterday. The vote in the senate to-day whereby the minority report on the commission repeal bill (which report favors a repeal), was adopted, was something of a deadener to the corporation expectations, but the lobbyists are working actively and even desperately and will make strenuous exertions to delay the bill's further progress.

Although it is somewhat too early to determine what the appearance of Mr. Agee's bill will be when it is reported by the committee, it will interest many to read the following paragraphs from it:

"And it shall not be deemed a sufficient excuse or justification of such discrimination on the part of such railroad corporation that the railroad station or point at which it shall charge, collect, or receive the same or less rates of toll or compensation for the transportation of such freight, or for the use and transportation of such railroad car, the greater distance than for the shorter distance, is a railroad station or a point where there exists competition with any other railroad, except in cases where the board of commissioners have by special rule permitted such discrimination at such station or point."

"Except in cases where the board of commissioners have by special rule permitted such discrimination," is good. Mr. Agee is generous with the railroad commission to such an extent that by passing the bill with that section in it the legislature would delegate to the commission a power that would be a constant menace to the whole law, and would practically make the provision against discrimination a dead letter. The whole bill is full of these adroit protecting clauses. Here is another:

"The board of railroad commissioners are hereby directed to make for each railroad corporation doing business in this state, as soon as practicable, a schedule of reasonable maximum rates of charges for the transportation of passengers and cars on each of said railroads." Isn't that nice? In the meeting of the committee last night Mr. Cameron desired to add to this clause substantially the following: "Provided, that no maximum rate so fixed by the commissioners shall be greater than 70 per cent of the B. & M. rates on January 1, 1885." Would Mr. Agee consent to that addition? Not much. He excitedly opposed it and said that it "would spoil the whole bill." It probably would spoil some of the attractiveness of it for the corporations, in whose behalf the bill is introduced.

Favorable For Pat.

LINCOLN, Neb., Feb. 2.—[Special Telegram to the BEE.]—The committee on claims in the house will report favorably in the morning on Pat O'Hawes' claim for $4,520.30, and unfavorably on O. V. Owen's claim for $300 as compensation for horses killed because they were diseased.

CENTRAL TRAFFIC ASSOCIATION.

It Resolves to Maintain Contracts For the Present.

CHICAGO, Feb. 2.—At a general meeting of the Central Traffic association held here to-day the following resolutions were adopted:

Resolved, That it is the sense of this meeting that the present association and pool contracts in existence thereunder be continued and the obligations involved therein be carried out in good faith until the pending inter-state commerce bill becomes operative on the railroads of the United States and the present association and its contracts are dissolved by the formal action of the association or continued in some new form; that the association records its desire that the difficulties pending in the pools at St. Louis, Peoria and Indianapolis may be adjusted in the spirit of the contracts ruling at those points and as expressed in the above resolution.

Resolved, That this association records its determination to maintain the basis of the 30 cent rate at Chicago until other action is taken by the association.

The question of continuing the association was referred to the executive committee who are to meet at Cleveland Tuesday next and report. Judge T. M. Cooley, receiver of the Wabash company, is a member of this committee.

Bribery in the Illinois Legislature.

SPRINGFIELD, Ill., Feb. 2.—A ripple of excitement was caused in the house this morning by Merritt rising to a point of privilege and reading an article in a St. Louis paper, giving a report of a speech made by Representative Bailey before a labor meeting in East St. Louis, the evening of January 30, in which he stated, while the labor caucus was balloting for senator, Dixon had been called out by a prominent business man of Chicago and told in effect that votes for Farwell were worth from $1,000 to $5,000. Merritt wanted an explanation of the article. Bailey stated that he had substantially stated what the article represented him as saying. Merritt wanted to know if the person who offered the bribe was a member of the house. Calls were made for Dixon, who said that he saw nothing in the article to indicate that the person was a member of the house. He stated that he had been called out of the caucus by a business man from Chicago who proposed to him that if he (Dixon) would control five votes he could control the same number and thus block the election of Farwell and that there was a big speculation in it. Dixon said, in reply, that he indignantly repelled the proposition and returned to the caucus and informed his colleagues.

Vance—Was the man who made this proposition a member of this house?

Dixon—He was not.

Merritt stated that he had been in the legislature nineteen years, and that he had never been offered a bribe. It remained for the immaculate leader of the labor party of Chicago to receive such a proposition before he had been in the house ten days, then to skulk away and get his name in the newspapers instead of coming on the floor of the house as was his duty and make the matter known.

Further discussion was prevented by the speaker announcing that the question of privilege had been exhausted.

In the senate Funk's bill enlarging the powers of the live stock commissioners and appropriating money to exterminate pleuro-pneumonia was read a second time. Streeter offered an amendment, punishing by fine any veterinarian who shall report pleuro-pneumonia when none exists. The amendment was voted down. The bill was amended in a few minor respects and was passed to a third reading.

In the house the following bills were introduced: By Fuller, prohibiting the employment of girls under sixteen years of age; by Hamilton of McLean, appropriating $108,000 to the orphans' home at Bloomington for ordinary expenses and repairs; by Haven, to reorganize the state militia, embodying all the recommendations made by the Illinois National Guard association held in Chicago in November. It provides that after three years' service a man may re-enlist for a short term, and after a term of six years he is exempted from jury duty; provides for compensation of $2 a day for actual service; prohibits anybody not belonging to the national guards from carrying arms during parades, and asks for an appropriation of $30,000 for an additional camp in the northern part of the state. A bill introduced by Miller proposes to employ convict labor, first by classified labor, which is to be used in the erection of buildings and walls necessary to the penitentiary; to quarry and work stone for sale and use upon public highways, to be sold at remunerative prices; to manufacture brick for sale and manufacture wearing apparel, and prohibiting contract labor.

Another Big Telephone Suit.

PHILADELPHIA, Feb. 2.—A telephone suit involving the right to erect and maintain long distance telephone wires between New York, Philadelphia and various large cities was begun in the United States circuit court by a bill in equity filed this afternoon by the attorney for the Brooks Telegraph Construction company. The defendants are part of the Bell telephone syndicate and have organized a corporation which has recently opened offices in various cities. The plaintiffs claim they bought the exclusive right under patent to make and use metallic circuits throughout the United States for a term of seventeen years from February, 1881; that they have expended large sums of money in perfecting the system, but that defendants are violating this exclusive right. It is claimed that the rapid application of the long distance telephone to modern business purposes renders the prospective value of ownership of the metallic circuit to be contested in the country's second only to that of the telephone itself.

THE INDIANA CONTEST.

Turpie Declared Elected United States Senator.

INDIANAPOLIS, Ind., Feb. 2.—Turpie has been elected United States senator. During the balloting for United States senator Representative Robinson arose and made a statement of the agreement entered into by himself and Gates, Glover and Mackey to secure the election of Allen. He added that he was now convinced it was hopeless to endeavor to elect for senator any man not a member of the two great parties, and as his constituents were urgent in their demands, he had decided to cast his ballot for Turpie. This announcement was greeted with wild, enthusiastic cheers from the democrats. Gates, Glover and Mackey, republican labor members, then made brief explanations and cast their ballots for Harrison, the vote standing: Turpie 76, Harrison 74. In the senate Turpie received 32, Harrison 20; in the house, Turpie 44, Harrison 54. Immediately on the termination of the house roll call Speaker Sayre announced that there was no election and passed the figures to the president of the senate, whose privilege it is, under the agreement, to announce the total vote and he at once called out that Turpie was elected. Speaker Sayre declared President Smith was a usurper and had no right to make such an announcement, but the speaker's remarks were unheeded and the announcement made as above. All protests against the votes of members as recorded on the day the joint balloting began under the compromise agreement apply to the ballot taken to-day, the sixteenth and last of the series. After the announcement of the vote Gardiner (republican) moved that the joint convention adjourn until noon tomorrow. Speaker Sayre put the motion and declared it carried. What further action, if any, will be taken by the republicans has not yet been made known. It is understood, although not authoritively announced, that the republican members will hold a joint convention to-morrow and cast their ballots for Harrison, thus making up a formal case for presentation to the United States senate.

Camden's Friends Stand Firm.

CHARLESTON, W. Va., Feb. 2.—Twelve democrats who refused to vote for Mr. Camden had a conference yesterday evening and made out a list of senatorial candidates and submitted it to the thirty-eight Camden democrats, agreeing to support any one on the list. The Camden democrats met to-night and declined all overtures made by the twelve, but asked the recalcitrants to return to them and aid in electing Camden.

Reagan Resigns as Representative.

GALVESTON, Feb. 2.—Hon. John H. Reagan handed in his resignation as a member of the house of representatives of the Fiftieth congress this morning before he left for home. He will serve out his time in the Forty-ninth congress.

Ten Votes For Abbett.

TRENTON, N. J., Feb. 2.—At the joint meeting of the legislature this noon ten democrats were present, and all voted for Abbett for senator. Adjourned.

A POLITICAL OUTRAGE.

A Democratic Sheriff Turns Out the County Commissioners.

DENVER, Col., Feb. 2.—A special from Pagosa Springs says: J. B. Martinez, J. P. Archuleta and Mr. Scase, republican county commissioners, were on January 3 unseated by the democratic sheriff named Height. The act was perpetrated with political intent, and the mob which followed the sheriff after having accomplished the act of intimidation burned the house of Mr. Scase at Pagosa Springs. This last act was committed Monday during the absence of Scease in Denver. Last November the above named commissioners were elected by republican votes at the same time a democrat named Height was elected sheriff. There was a great deal of feeling at the polls, but the preponderating Mexican vote assured Mart'nez Archuleta and Scase their triumph over the attacks of their antagonists. They were Mexicans, and this, too, added strength to the bitterness prevalent. The feeling increased rather than diminished as the time of their induction into office approached, and January 2, at the county seat, the time for their official appearance, an armed mob of fifteen or twenty determined men, led by Sheriff Height, forced their way into the room where the commissioners were, took possession of them and locked them in the room, declaring it to be their purpose to starve them into submission. At the expiration of five or six hours, the mob permitted their prisoners to go. The mob, however, with the sheriff at their head, followed Commissioner Scase to his home, dragged him from the midst of his family, and with a gun barrel at his head compelled him to resign his office as commissioner. The resignation so obtained was at once forwarded to Governor Adams and instructions sent with it that he appoint at once a democrat in place of Scase. Since that time the board has not met. The commissioners have not been permitted to set foot in the county since the day they were warned at the peril of their lives not to return. The matter was brought before the general assembly to-day and a joint committee appointed to investigate the affair at once.

A Cincinnati Sensation.

CINCINNATI, Feb. 2.—The attempt upon the life of Judge Fitzgerald, of the police court, last night, has produced a profound sensation. The judge for a long time has been a terror to evil doers. Only yesterday he had over one hundred cock fighters before him. The circumstances of the attack made last night, gives color to the suspicion that someone interested in the defendants had undertaken the desperate scheme of murdering the judge. The judge was greatly prostracted by a nervous shock about a week ago. After attending a business meeting near the court house he started home, when some one hurled a brickbat or boulder at his head, narrowly missing him. It was dark and the judge could not see his assailant, who instantly ran. The judge appeared on the bench as usual this morning. He says he has no doubt he can recognize the voice and form of his assailant.

Ohio Valley Stock Growers.

CINCINNATI, O., Feb. 2.—About forty or fifty cattle growers of the states of Pennsylvania, Ohio, West Virginia, Kentucky, Tennessee, Indiana and Illinois met to-day at the Grand hotel and organized the Ohio Valley Cattle Growers' association for promoting co-operation among breeders and for holding an annual fair of stock, dairy products, wool exhibits, etc. Judge T. C. Jones, of Delaware, O., was made chairman. A constitution was adopted providing for three directors from each of the states named, who are to meet in Cincinnati February 16 to name the place for holding the first annual fair.

Mrs. Spies' Aunt Talks.

PITTSBURG, Pa., Feb. 2.—Mrs. John Arthurs, aunt of Mrs. Spies, nee Miss Van Zandt, was visited by a reporter at her residence in Oakland this afternoon. She appeared very much distressed and was loth to believe the report. "I can hardly believe," she said, "that the law will permit this infamous marriage to stand. If it should be decided binding Nina's life will be wrecked. Since this unenviable notoriety has been thrust upon us I have been deluged with letters from all parts of the country soliciting money and tendering kindly advice in regard to the distribution of my wealth in the event of my death."

The Western National Bank.

PHILADELPHIA, Pa., Feb. 2.—United States Treasurer C. N. Jordan was in town to-day and held a conference with Samuel R. Shipley, George F. Tyler and others relative to the allotment of stock in Philadelphia of the Western National bank, to begin business in New York May 1. It is stated definitely that Secretary Manning will be president, and Jordan is to be cashier.

Favor Organizing Alaska.

WASHINGTON, Feb. 2.—The house committee on territories to-day favorably considered the bill for the organizing of the territory of Alaska.

STILL THE STRIKE GOES ON

New Recruits Constantly Joining the Army of Idlers in New York.

NON-UNION MEN ASSAULTED

Moral and Financial Aid Promised the Strikers By the Knights of Three States—Transportation Business Greatly Impeded.

The Strike in New York.

NEW YORK, Feb. 2.