proposed now will be entirely too late to remedy evils which can easily be prevented, but can scarcely be curved. "The people of Nebraska must remember

that it is now the established doctrine of con stitutional authority that the legislature of a state is, in fact, the people acting by their representatives, and that as such they may do any act not expressly problemted by the state constitution, or opposed to the constitu-tion of the United States. It is impossible, as all experience has shown, to expect pure as all experience has shown, to expect pure legislation as long as it rests exclusively in the discretion of the members to vote for or ngainst a bill. There will always be a lobby demanding legislation opposed to common right, and that lobby will always be prepared to expend any required sum to obtain what is considered an irrepealable monopoly or grant of privilege or property. The only way to prevent this is to prohibit any special legis-lation and confine the general assembly to acts of a general character.

"The n-w constitution like that of Illinois has annie provision against the creation by the logislature of any state debt without the previously ascertained coasent of the people. No wiser provision could have been made against the improvidence or corruption of legislation. The state of Illinois, after nearly forty years of bondage, is just escaping from debis contracted by an unrestrained legis-lature. Against the possibility of like folly Nebraska ought not to throw away this restrictica. Five years hence a new constitu-tion may have to provide for taxation to pay a debt contracted in the interval.

"The new constitution further and wisely adopts a system of salaries for all its state officers, and prohibits their increase during the term of its officers. So admirably is the system protected that, is stead of the fee sys tem, under which each officer may roll up enormous annual incomes, the fees are to be paid into the state treasury. Assuming the bala into the state of taxable property in the state to be \$55,000,000, the entire salaries of the state covernment will not require a tax of more than three-fifths of a mill annually; and in five years, when the valuation stall be quadrupied, the entire salaries of the state government will not equal in the aggre-gate the amount of fees which a single offi-cer may foceive in case the new constitution

T por the subject of vailroad subscriptions by. municipalities alternative propositions are submitted. One prohibits such subscrip-tions and the other requires a vote of three fifths of the voters. Our advice would be to accept the total prohibition. "A new feature of this constitution is the

limitation of the exemption from taxation of 'buildings and grounds belonging to and used by any religious society for religious purposes to the value of \$5,000.' That is to say, this provision requires that every piece of property used for church purposes shall pay taxes upon so much of its value as is in excess of \$5,000. The injustice of any exemption of property from trastion must be ap-parent to every person. Why should not the ordinary taxes pertaining to a church build-ing form part of its regular expenditures? Who is benefited by the exemption? Assum-ing the church property of Chicago to be mark by our low phone to produce by its as worth \$25,000,000 who is bonefited by its ex-emption from taxation? The loss of the \$575. 000 taxable upon that property has to be made up by increased taxation on other property, including the property of persons who do not belong to and take no part in the services of such churches. If a Methodist church building and lot be worth \$59,000 it escapes the payment of \$759 tax; but when a like exemption is extended to all other churches it is probable that the members of that church pay more of the tax necessary to supply the deficiency of revenue than they would if they paid the tax in the first instance on their own building. The whole system of exemptions from taxation is wrong In principle, and doubly wrong in practice. It is the pretext for evasion of just obliga-tions and affords counties opportunities, all soized, for abuses which, if practiced in be half of any other interest than religion, would be properly styled frauds. Nebraska proposes to place this matter right by requir-ing each congregation to pay taxes on the property it owns, and releases the members from paying taxes on any other person's churches or on churches to which they do not belong in any way. A more just principle was never incorporated in the form of inw." With the constitution proper five separate

propositions were submitted to the people, The first of these prohibited the sale of liquor. The second prohibited the voting of municipal bonds to rairoads. The third pro-vided for the individual responsibility of ttockholders of banks in four times the amount of stock held by each. The fourth submitted the question of woman suffrage,

and the fifth compulsor, education. From the very outset the constitution was bitterly opposed by the then leading organs of both political parties, the Omaha Repub-lican and Omaha Herald. It was supported vigorously by Tuz BEE, which had come into

but the fields and groves and he called not the rich but the poor. Yours truly, "O. P. Mason." This letter, garbled and brazenly, forged, MEMORABLE

This letter, garoled and brazenty, forged, to suit the anti-constitutionalists was cir-culated broadcast over the state, and Judge Mason was made to appear as an opponent to the constitution, while he was in fact its uncompromising supporter. The new con-stitution provided that ballots be forwarded by the secretary of state to the respective by the secretary of state to the respective county clerks and through them to the elec-tion officers. The vote in favor of the constitution and each separate proposition was to be printed on each bailot, and electors who desired to vote against the constitution or either of the propositions were directed to scratch out the proposition with pen or pencil. To insure the defeat of the constitu-

tion Secretary of State James, who was also acting governor, entered into a con-spiracy with federal office holders and the corporation managers. The first step to-ward carrying out the plot was to scratch the tickets directed to county clerks and thus render them useless for parties desiring to vote for the constitution.

Omaha being the general distributing office for the mails to all points in the state, the entire clerical force of the Omaha postoffice was set to work to scratch the tickets that were passing through Omaha on their way from the state house to the various county seats. This high-handed criminal in-terference with the mails was dis-covered a few days before the election and jublicly donounced, but no attention was paid to the protests. The supporters of the constitution had other tickets printed and forwarded, but in many cases they failed to reach their destination. The next step of the conspirators was to tamper with the returns as they passed through the Omaha postoffice. The canvass was held at Lincoln, October 4, 1871, and the returns were to be transmitted under seal and cover to the secretary of state, who together with the auditor and president of the consti-tutional convention, acting as a board of canvassers, was to open them, canvass the vote and publicly declare the result. By the connivance of the Omaha postmaster these packages were intercepted at Omaha, when it was found that the constitution had actually carried the returns were altered so as to show a majority against the constitu

tion. A few days before the meeting of the board of canvassers General Strickland was apprised of the illegal opening of the re-turns, and after conferring with several of the leading supporters of the constitution be decided upon a plan of action to defeat the conspirators. Intense excitement prevailed all over the state, and especially at the state capital, on the day of the canvass. When General Strickland reached Lincoln and intimated to his associates of the cauvassing board that he believed the returns to have been doctoted and therefore considered himself in duty bound to expose and denounce the fraud and refuse to take part in the canvass or proclaim the result, he was implored to desist from his purpose. Pledges were then and there made to him that if the legislature, which had taken a recess and would reconvene in the following January, would pass a bill to resubmit the constitution, omitting the objectionable clauses. Acting Governor James and the state officials would use all their influence to help, it through. Thereupon Ge eral Stricklaud receded from his purpose and pro-

2

inst

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 156

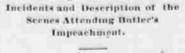
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1	allowed the canvass to proce	ed without	3
ł	test.		
I	The vote as canvassed stoo	d as follow	9
Į	Counties.	For. Ag	ñ
1	Buffalo		1
i	Burt	-70	
I	Butler		
I	Cass	569	
l	Cedar		
1	Cheyenne		
ł	Colfax		
l	Cuming	210	
ł	Dakota	. 11	
	Dawson		
	Dixon		
	Dodge	933	
	Douglas	. 672	
l	Villmore		
1	Gage	. 195	
1	Ball		
	Jefferson		
1	Johnson	226	
ļ	L'Eau Qui Court		
1	Lancaster	. 1,237	
	Lincoln		
	Madison		
ł	Merrick	(*) (*) (*) (*) (*)	
	Nemaha Otoe		
1	Otoe		
Ì	Pierce		
	Platte		
j	Palk		
1	Richardson		
	Sailne.	•	
l	Surpy		
1	Saunders.		
1	Seward		
1	-tanton		
1	Washington	208	
	Wayne	. 22	
	York	. 55	
J			÷
l	Total	. 7,936	1

Impeachment of Governor David Butler and Deposition by Legislature of 1871.

A NARRATIVE OF THRILLING INTEREST A Plain and Straightforward Recital of th

EPISODE



The imponchment and removal from office of David Butler, first governor of the state of Nebraska, stands out in bold relief as one of the milestones in the political history of "a state A wide divergence of opinion exists at this day even regarding the motives

that actuated the men who took a leading part in the impeachment proceedings, and up to this time nobody possessed of reliable information has ventured to write a true history of all the circumstances that culminated in the conviction of Butler and his removal from the office of governor. Butler was a magnetic leader and untiring worker, and a firm believer in the doctrine that in politics as in war the spoils belong to the victors. He was an aggressive fighter, a man of rare executive ability, but reckless as regards the ways and means to accomptish ends. A man of generous impulses, but totally indifferen A man is associates either in politics or business, he naturally fell in with a class of jobbers, who sought, through him, to pro-

When Butler was made governor in 1867 he became the head of the commission for re-locating the state capitol and erecting the necessary state building at Lincoln. This commission had almost unlimited powers and opportunities for speculation and peculation. They not only had charge of the sale of thou-sands of lots in the city of Lincoln, but were empowered to lease and dispose of the milins of acres of lands with which the state

had been endowed by the government for in-ternal improvements (railroads), for educational institutions (public schools, university and normal school) and for public buildings including the state capitol, peaitentiary, insane hospital, etc. This commission was also empowered to loan out the per-manent school fund on real estate security. In the middle of his first term charges were freely made against Butler and his associates that they had recklessly misappropriated building funds and corruptly entered into collusion with These charges were brought to the notice of the legislature in 1869 and a legislative committee was appointed to investigate them. Butler's magnetism and the pressure of the contractors converted the committee and the charges were whitewashed. Emboldened by his success in covering up

his lawless transactions. Butler became almost deflant. In 1570, after he was renom-inated by the republicans, specific charges were made against him by the leading organ of the democrats, the Omaha Herald, assert-ing that he had appropriated to his own use \$17,000 of the state school fund and had been guilty of official corruption in sev-

guitty of official corruption in sev-eral other respects. The republican state central committee was called together with a view of demanding Butler's withdrawal from the ticket, but Butler boldiy denounced the charges as base faorications, and made such vigorous onslaughts in his public speeches against Dr. Miller and the Herald that republicans refused to believe him guilty, and regarding him as a victim of political malignity supported him without wavering. It was expected by everybody that Butler would refute the charges that he had appropriated money from the school fund in his message to the legislature, but Butler studiously refrained from referring to the subject either in his message or inaugural.

The first three weeks of the legislature of 1871 were taken up with an exciting senator-ial contest. When the members had settled down to business it began to be whispered that leading democrats and independent republicans, who had been elected elected pledges investigate Butler. to were getting ready for an onslaught. To head off this movement the following resolution was introduced in the house by Edward

private secretary appeared before the house of representatives with the the

representatives with the following

"To the Honorable Speaker of the House

States government, credited to the state school fund, in the spring of 1869, and that

"Whereas, The reports of the state auditor

404 40 307 145 13 100 305 30 30 Rosewater, on January 25: "Resolved, That the governor is hereby requested to communicate to this house, at the earliest moment, the name of the agent ap-pointed by authority of an act of the legisla-

ture to collect from the United States the 5 627 er cent upon the sale of public la

message:

was adopted:

treasurer from the fact that the said money bas never been paid into the treasury of the state, and no receipt has been given by the treasurer for said amount; and further, th there is no entry upon the books of this offi that at this date, showing such credit. I am, sir, very respectfully, your obecient servant, "Joux Grazzerie, State Auditor." Immediately after the reading of this com-

numediately after the reading of this com-munication a committee of three was ap-pointed to wait on his excellency, the gov-ernor, and ask for an explanation of the dis-crepancy between his message and the com-munication of the state auditor in reference

to the school fund. On the second day after this committee had waited on the governorits chairman subhad waited on the governor its chairman sub-mitted a report which in substance represented that the governor had had succeeded in collecting a claim amounting to \$16,881.26 from the United States. The money was deposited with N. C. Brock, a banker, who was also deputy state treasurer, but as there was no deputy state treasurer, but as there was no aw specifically placing the proceeds of the claim in the common school fund the gov-ernor had borrowed the money from the state treasury for his own use. To secure this toan the governor had issued mortgages on 23,000 acres of Pawnee county lands dated back to May 25, 1859, but executed on the 28th day of Docember, 1870, a few days before the legislature convened. The committee reported that the mortgages had been laced in the office of the treasurer and the nterest on the loan hud been paid for one year. The whole subject was thereupon re-ferred to the committee on common schools, colleges and universities, who at once requested the attorney general to interpret the law authorizing the loaning of the permanent school and the 5 per cent fund derived from the sale of public lands. In response to these interrogations the attorney gen-eral stated in substance that the governor bad no right to convert any part of the 5 per cent fund to his own use, nor was there any law authorizing the loaning of said fund.

On Saturday, January 28, the day following the report of the committee, Mr. Myers of Douglas offered the following resolution : "Resolved, That a committee of five

elected by this house to prepare articles of imperchment against his excellency, David Butler, governor of Nebraska, for misde-meanors in office."

The resolution was made a special order for the following Wednesday, February 1. On the day and at the hour fixed a vote was taken on the Myers resolution after a most exciting debate, with Governor Butler on the floor and the house packed with specta-The vote stood 17 for the tors. The vote stood 17 for the resolution and 22 against-falling short by five votes of a majority of the house it was declared

A resolution to appoint a joint committee to investigate the conduct of all the state officers was thereupon passed for a unanimous vote. On the evening of the same day Governor Butler gave a recep-tion to the members of the legislature, which must have cost him more than half a year's salary. The joint resolution for an investigating

committee passed the senate the next day, on February 2, and as soon as the house had been notified the election of this committee was proceeded with by its members. The committee was composed of Einm Clark of Washington county, chairman; Lewis S. Reed of Douglas and E. N. Grennell of Sarny on the part of the house, and E. W. Thomas and Lawson Sheldon of the senate. This committee at once proceeded to work and summoned a large number of witnesses. On Fobruary 8 the house adopted a resolu-tion directing the committee to investigate, among other things, the manner in which certain state lands had been deeded away to railway companies by the commissioners. On the same day the following resolution was "Whereas, One George L. Miller,

editor and proprietor of the Omaha Herald, has assorted time and again that Governor Butler and the state officers have stolen the school fund state lands, and committed divers other crimes, all of which the aforesaid George L. Miller has asserted through the columns of the Omaha Heraid that he could prove in fifteen minutes; and "Whereas, The interests of the state demand that such testimony and proof is of great im-portance to the state; therefore, be it

Resolved. That the committee on investifor the person and the papers of the aforesaid George L. Miller instanter, to give the nec-essary testimony to said committee in order to expedite the business now before said ommittee and relieve the state from further expense in preparing the evidence necessary to conviction.

On the 10th of February the house passed a resolution empowering the committee on a resolution empowering the committee on investigation to examine the condition of the railroads that had received land grant subsi-dies from the state and to employ two com-petent engineers to examine the condition of that he state treasury, well knowing that he apart for school purposes prior to the admis-sion of the state, the amount so accrued and due to the state, and the amount collected and said roads and report to the committee under oath At noon of the same day the legislature took a recess until Tuesday, February 28, in paid into the state treasury. Also the amount paid to the said state agent for his order to enable the investigating committee to hold sessions in various parts of the state The resolution was unanimously adopted. and complete its work. Within five minutes after it had been passed Rosewater stepped into the executive When the legislature reconvened Gover-nor Butler sent a special message to the house protesting against the manner chamber and informed Governor Butler that he had introduced the resolution because as a republican be thought the party should have the credit of clearing up these school fund charges. Butler expressed himself highly because and then want on to explain that he in which the investigating committee had pursued its inquiries into the management of state affairs. He remonstrated against the taking of expert testimony, and stated that "the parties most interested have had no pleased and then went on to explain that he nad borrowed this money and secured the state by mortgages which he then and there exhibited. These mortgages appeared to be from David Butler to David Butler. He opportunity to cross-examine witnesses or to rebut testimony given by them, although they have frequently offered to do so." The house paid no attention to this remonstrance. because its function under the constitution then asked whother he could depend upon the gentleman to help him legalize his action. The answer was that he was not prepared to

before whom impeachments are tried, exercises the functions, of a petty jury before whom both sides have a fair hearing before a verdict is rendered.

a verdict is rendered. Immediately after the remonstrance of Butter had been read, the investigating com-mittee submitted a very elaborate report concerning the conduct of state officers, and as soon as the reading of the report had been concluded, the following conductions were concluded, the following resolutions were introduced by Mr. Myers:

Resolved, That David Rutler, governor of the state of Nebraska, be impeached for mis-demeanors in office. Resolved, That this house will immediately proceed to elect a coamittee of five members, who shall prepare articles of impeachment atainst David Butler, governor of the state of Nebraska, for misdemeanors in office and said committee shall also be fully empowered to net in the case as managers on behalf of this house in the impeachment before the senate. Resolved, That a committee of two be ap-pointed to go to the senate and at the bar thereof, in the mame of the house of repre-sentatives and of all the people of the state of Nebraska, to impeach David Butler, governor of the state of Nebraska, of misdemeanors in office and acquaint the senate that the house office and acquaint the senate that the house office and acquaint the senate that the house of representatives will, without delay, ex-hibit particular articles of impeachment against him and make good the same, and that the committee do demand that the sen-ale take immediate order for the appearance ate take immediate order for the appearance of said David Butler to answer the said Im

After laying over one day the resolutions were carried without debate by a vote of 33

The house at once elected as manager impeachment Messrs, John C. Myers, H. J. Hudson of Platte, J. E. Doom of Otee, Deorest Porter of Nemaha, and H. C. Riardon of Washington. On March 2d Mr. Rosewater introduced the

following resolution: "Resolved by the house of representatives

of the state of Nebraska that the treasure of the state of Nebraska and the state audi tor thereof are hereby authorized, 10 structed and empowered to make an immediate demand upon David Butler, governor of the state of Nebraska, for the immediate payment to the state treasury of the proceeds of the sale of public lands of the United States received by him from the general government for the benefit of the state of Nebraska, under and by virtue of a joint resolution of the legislature of the state of Neoraska approved June 24, 1869 under the provisions of which joint resolution the said David Butler, governor as aforesaid, was authorized to demand and re ceive and pay over to the state treasury; and which said sum of money, amounting in the aggregate to \$16,881.26, the said David Bntthe ler has converted to his own use, without authority of law and in violation of the stat ute in such cases, made and provided."

The resolution was tabled on motion of one of Governor Butler's friends. Its adoption would have given Butler his last chance to avoid the fatal consequences of impeachment On the 2d day of March a resolution passed the house in conformity with an opinion of the supreme court that the secretary of state, William H. James, who by the constitution was the next in succession to the governor should act as governor during the suspension of Butler and until pending his trial before the senate sitting as a court of impeachment. The managers of impeachment engaged Gen-erat Experience Estabrook and Judge Eleazar Wakeley as attorneys for the state to as-Sist the prosecution in the impeachment trial. On March 3 the articles of impeachment formulated against David Butler were fornally discussed and adopted by the house. These articles were eleven in number

The first charged Butler with unlawfully appropriating to his own use \$16,881.26 of school moneys. This article charged that he had unlawfully and corruptly drawn out, handled, employed and used the amount specifled as his own private funds and for his own private use and benefit. The second article charged him with being

in collusion with and accepting a bripe from certain contractors for the construction public buildings. Specification 4 of this article also charged him with levying black-mail on lessees of Saline lands near Lincoln. Specification 7 charged him with fraudulently conveying certain lots in the town site of Lincoln, belonging to the state. The third article charged him with appro-

priating a part of the attorney general salary to his own use. Article 4 charged him with corruptly ai-

lowing Joseph Ward, contractor for several public buildings, a larger sum than he was entitled to. Article 5 charged him with becoming

party to an excessive contract price in the erection of the university building. Article 6 charged him with wilfully falsifying facts in his answer to the re-

solution introduced to the house requesting him to report the amount collected by him for school funds and what

which the railroad company was not entitled

this state house in words legible to all who shall enter it hereafter, Immunity to cor-Article 10 charged Butler with divers cor rupt deals in the sale of lots and lands in an around Lincoin, and among those specified was quarter section 30 in township 10, north of range 6 cast in Lancaster county, sold for \$1,920, of which sum Butler had approruption guaranteed here! "But, you will not do this. You will give just and righteous judgment. Here, in the canitol of Nebraska, you will say to all her people that under their constitution there is no place so exalted that it lifts the incumbent

priated to his own use the sum of \$1,120. Article 11 charged him with the sale of six lots to one Andrew J. Crapsey, at private sale, causing the titles therefor to be exe-cuted in the name of the state, for the sum above accountability. You will say in language that will be heeded as long as your state shall endure, that whoseever in times of \$2,400, of which amount Butler appropri to come shall cross these threshholds to enter the public service must come with clean hands, and his passwords must be: Integated a part to his own use and benefit. On Monday, March 6, the senate resolved

On Monday, March 6, the senate resolved ltself into a court of impeachment with the following named members: E. E. Cunning-ham, Richardson county; George P. Tucker, Johnson county; Andrew J. Cropsey, Lan-caster county; David Brown and Robert Hawke, Otoe county; Lawson Sheldon, Cass county; A. W. Kennedy, Sarpy; Frederick Metz and I. S. Hascall, Douglas; I. F. Hil-ton, Washington; A. W. Fennant, Dodge, and Leander Gerrard, Platte county. On Thursday, March 9, the managers of

The formula was as follows: The secretary: Mr. Brown. Senator Brown rose in his sent. The President: Mr. Senator, how say you! Is the respondent, David Butler, governor of the state of Nebraska, guilty or not guilty of Leander Gerrard, Platte county. On Thursday, March 9, the managers of Impeachment, accompanied by the whole house of representatives, and also Governor Butler by his counsel, T. M. Marquette, Clin-ton Briggs and John K. Redick, appeared bofore the bar of the misdemeanor in office as charged in this nrticlet After each senator had been called with the same ceremony and voted the secretary turned to the president (Hascall). At this senate, and the answer of the governor to the articles of impeachment was formally read, The court ordered the managers of impeachjuncture there was a deadly silence and every eye was riveted on Hascall, as eight senators had already voted "Guilty," and his vote ment to file their replication to the gov-ernor's answer within twenty four hours and would give the three-fourths necessary to a conviction. the formal trial was set for Tuesday, March

The Secretary: Mr. President, how say you; is the respondent, David Butler, gov-ernor of the state of Nebraska, guilty or not 14, at 3 p. m. The opening arguments were very elabo-rate on both sides, lasting for four consecu-tive days. On March 18 the taking of testiguilty of misdemeanor in office, as charged in this article nony was commenced, and on March 27 the court of impeachment was adjourned at the request of Butler's counsel to May 30. By that time E. E. Cunningham, president of the senate, had resigned his seat to accept a federal office and Isaac S. Hascali was elected president in his stead. The die was cast. David Butler stood con-victed before the high court of impreachment from whose decision there is no appeal and whose decisions cannot even be reversed or rescinded by its own body.

elected president in his stead. The legislature reconvened on May 30 and on the following day the proceedings in the impeachment trial were resumed. Governor Butter presented a communication to the burst of commu Butler presented a communication to the house of representatives expressing his wilsufficient to convict. On the same day, June 2, an order was voted declaring David Butler guilty of misdemeanor in office and therefore inguess to deposit in the state treasury the full amount he had taken out of the school fund with interest to date, providing the legislature would pass an act to cancel the securities. This letter was re-ferred to a special committee. By this time it had become manitest, although not abso-lutely known, that notwithstanding the tremendous pressure which Butler and his in duential backers brought to bear on mem-bers of the senate, that body would be comnelled by the overwhelming evidence adduced to vote Butler guilty at least on the first article of the impeachment. The only

possible chance of securing an acquittal was in the withdrawal of this article by the house. All efforts were therefore centered upon the impeachment managers and four out of the five were mysteriously brought over to favor the acceptance of Butter's proposition to pay in the school money which

ne had wrongfully appropriated. When the proposition came up in the house a very exciting debate took place, in which the man-agers who had been converted by Butler were worsted and the proposition rejected. At 5 p. m. on June 1 the arguments of counsel on both sides were

closed. Butler and his whole family were on the floor of the house and the scene was intensely affecting and almost tragic. Mr. Redick made a touching appeal on be-half of the accused. "Here stands David Butler," he said, "there are his wife and children. Shoot him on the spot but don't send him out into the world with the brand of Cain upon him."

Judge Wakeley closed on behalf of the state as follows: "From all the wide prairies of Nebraska;

from every town and every valley in its borders comes the voice of a wronged and betrayed people domanding that you do your whole duty in this, the crisis of her history; that you do it sternly; that you do it fearlessly. "Four years only Nebraska has been a state

MISSION OF THE STATE INTO THE UNION. XXXIXth congress, 1865-67, T. M. Marquetto, XLth congress, 1865-67, John Taffe, XLith congress, 1871-73, John Taffe, XLith congress, 1871-74, John Taffe, XLith congress, 1871-74, John Taffe, XLith congress, 1871-74, John Taffe, XLith congress, 1871-75, Lorenzo Crounse, XLith congress, 1871-78, Erank Weich, Thomas J. Majors, 1881-83, E. K. Valentine, XLivith congress, 1881-83, E. K. Valentine, XLivith congress, 1885-85; First District-J. J. Weaver, Second District-James Laird, Third District-George W. E. Dorsoy, Lith congress, 1887-80; First District-John A. McShane, Second District-John A. McShane, Second District-John S. Lith congress, 1891; First District-William J. Bryan, Second District-William J. Bryan, Second District-O, M. Kem. They have been years of misrule and of malfeasance at her capitol, years filled with dis regard of law and defiance of constitutional restraint, where the law should have found their sworn defender; years filled with fraud and wrong, with corruption and rapacity on the part of her chief executive officer, taint-SENATORS AND REPRESENTATIVES IN THE FIFAT.

FIRST CONGRESS. Senators-Algernon S. Paddock, Charles F.

ing and disgracing his whole administra Manderson. Representatives: First District-W. J. Bryan. Second District-W. A. McKelghan. Third District-O, M. Kem. "If now you shall say, by your judgment, that there is nothing wrong in all this, noth-ing that should be condemned, nothing that

should be punished, let the state go one step

rity, fidenty, obedience to the laws." After roading each article the president directed the secretary to call the roll, and as

each name was called the senator rose in his seat and voted guilty or not guilty.

The formula was as follows :

Senator Brown : Guilty.

The President: Guilty.

removed from the office of governor.

NEBRASKA IN CONGRESS.

Senators from Nebraska Since the Admis-

sion of the State Into the Union.

John M. Thayer. 1867-71 Thomas W. Tipton 1867-72 Pilneas W. Hitchcock 1871-73 Algernon S. Paddook 1877-83 Alvin Saunders. 1877-83 C. H. Van Wyck 1881-83 Charles F. Manderson 1881-84 Algernon S. Paddock 1887-93

DELEGATES TO CONGRESS FROM THE TERRITORY

REPRESENTATIVES TO CONGRESS SINCE THE AD-

MISSION OF THE STATE INTO THE UNION.

OF NEBRASKA.

1807-75 1871-77 1875-81

1877-83 1881-87

1887-94

further. Let her write over the portais of

existence only ninety days previously, and which was in fact the only daily paper north of the Platte river favorable to the constitution, although it opposed two of the propositions separately submitted, namely: prohibition and woman suffrage, It soon became manifest that the railroad companies and bankers, who regarded the anti-monopoly features of the constitution as inimical to their interests, had determined to defeat the constitution at all hazards. With With this end in view they not only enlisted the leading party organs and the federal officials ander the leadership of Nebraska's United States senators, Hitchco.k and Tipton, but may also found very effective and active conductors in the churches militant. While the railroad and bank issue was studiously ignored a religious crushed against the constitution was carried on from the pulous. The clause that furnished the incentive for this religious uprising was the provision in the constitution prohibiting the exemption from taxation of church property not exceed-ing \$5,000 in value and in actual use for religious worship. This provision was derounced as an attack upon religious bodies, and for once Catholics and Protestants made common cause in a political campaign. The Catholic bishop lanneled an edict against the constitution, and Kev. Gilbert Delamater, who then officiated as minister of the First Methodist church in Omaha, but has since gained notoriety as a rank anti-monopoly agritator, not only preached against the constitution from his own pulpit, but took the stump and worked with the corporation cohorts to defeat the adoption of a constitu-tion framed to curb the nower and greed of the monopolies. As a reward for his services Rev. Mr. Delamator was presented after the election with a silver service worth \$1,200 by the railroad managers and money leaders. People who lived in Nebraska during that memorable struggle will recall the placards in studhorse type, "To Your Teats, O. Is-rael!" that were to be seen on every tight board fence.

Incendiary dodgers in all languages were people to vote against the constitution. The emissaries who were bired to do this work and the preachers and priests who peram-bulated the state were all liberally supplied with railroad passes and funds contributed the bauking pool. Fighting against such odds the supporters

of the constitution had upbill work, but they had the sympathy of the people, and more-over were ably championed by the most impressive orators and indefatigable politicians of the state.

The following letter from the late Judge O. P. Mason, published in The BEE a few days before the election, sounds the keynote of the campaign >

"NUMASKA CITY, Sept. 14, 1871. - Hon. John C. Myers: There never was an instrument framed so perfectly and completely in the interests of the people as this. It protects capital and by just guarantees protects labor ie unconscionable grasp of the I am amazed at the fight organagainst the ized against it.

"Now that we have destroyed African slavery, are the people to be made shaves to the carrying monopolies of the world and the carrying monopolies of the world and deliver themselves over, bound hand and foot, to monsters that have no eyes to see, no heart to feel, no ears to hear, no soul to save and no hell to shun. Well, it looks so, but f still have faith and hope for struggling bumanity—hope, because I believe in the final triumph of right over wrong. For good or evil, on the people the burden lies. God's balaure watched by his angels is hung across the skies to mark accurately the conduct of individuals and hatlons; to note whether justice, trath and

hations; to note whether justice, truth and freedom and the rights of labor are recog-nized and vindicated in their councils and isws or whether ovil triumphs and robs and wrong prevails. I feel a full consciousness of having done my duty and that the work of of having done my duty and that the work of the convention is eminently right and just. Let ministers sheltered behind the eminence of a pulpit condemn and monopolies rare against the work, all history shows that each alike in its way has been and now is the enemy of the toiling millions of earth. True religion, as taught by Jesus of Nazareth, Came speaking hope and joy to the laborers-of the world and He chose not the gorgeous ten pics of Judea to prin ugate his doctrine

Majority against adoption On the five coupons the vote stood as fol-tows: The clause fixing the liability of stockholders was declared defoated by a vote of 8,580 to 7,286. The clause prohibiting municipal aid to railroads was defeated by a vote of 9,549 to 6,690. Compulsory education was voted down by 9,958 to 6,256. Prohibiservices.' tion was defeated by 10,160 to 6,071, and woman suffrage was submerged under a vote

of 12,676 against to 8,502 for. When the legislature met in January, 1872, When the legislature met in January, 1872, the bill to resubmit the constitution as re-vised was passed by a majority of the two houses, but when it reached Acting Governor James ho returned it with his veto, thus violating the sacred pledge he had made to Gen-eral Strickland and leaving the state under an infantile constitution entirely unsuited to the wants of the state. This last act of per-idy on the part of James was doubtless inspired by corporation influences and by sen-atorial pressure that sought to perpetuate a corrupt dynasty which was finally over-thrown by the people of Nebraska in 1876. The answer was that he was not prepared to pass upon the question, but hoped that the governor would straighten out the matter and relieve the republican party from any odum. Within loss than thirty minutes after this interview had taken place, Butler's

## POPULATION.

Official Figures Showing State and Municipal Growth.

The estimated population of Nebraska at the time of its admission as a state was 70,000.

When the federal census was taken in 1870 the number of inhabitants was 122,998. In of Representatives: In response to a reso-lution passed by the honorable house of rep the succeeding two census decades the popu-lation increased over eight fold, or to the magnificent total of 1.058,910, according to the federal consus of 1800. Twenty-five resentatives relative to the collection of the five per cent fund, I submit the following report: Amount accrued and due the state January 1, 1869, \$16,851.26. While in Wash-ington in the spring of 1869, I secured the auditing and payment of this claim, and de-posited the above amount in the state trensury. No fee or commission was paid years' growth in population is best shown in the following: 70,000

1867, estimated. 1892, estimated. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* ..... 1,030,000 Increase. .....

"Executive Department, January 25, 1871." Next morning, January 25, Mr. Rosewater presented the following resolution, which "Whereas, His excellency the governor, in reply to an inquiry from this house, reports the collection of \$16,881.26 from the United he deposited this amount in the state treas

will between 500 and 600. Lincoln was only a hamlet and Lancaster county only mus-tered 500 population. The growth of the towns and cities of Ne-braska has been within the last tweive years. In 1850 sixteen cities returned a popand state treasurer for 1869 and 1870 fail to exhibit the transfer of said amount to or from the state treasury, therefore

years. In 1850 sixteen cities returned a pop-ulation of 2,500 or more, or a total of 201,194. In 1880 these places had an aggrogate popula-tion of only 70,452. Thus in ten years they increased 220,749, or 313,39 per cent. The advance made in the decade between 1880 and 1850, as shown by the national cen-us as as follows: "Resolved, That the chairman of the com-mittee on ways and means is hereby in-structed to proceed forthwith to the offices of sus, is as follows:

TOWNS.

Omaha... Lineola.

Norfolk

ilair. Wymore ... Chadron. David City

oldrege Cook

Schuyler ... Falls City

Seward

attsmouth ...

Kearney South Omaha

Grand Island

airoury .....

North Platte .....

the state auditor and treasurer and request from said state auditor and treasurer a statement for the information of this house, why the amount above mentioned is not credited to the state in their reports, and whether the 180  $\begin{array}{r} 10,518\\ 13,003\\ 2,447\\ 2,817\\ 4,183\\ 4,173\\ 1.782\end{array}$ 140,455 said amount is now on their books to the credit of this state." At the afternoon session of the same day the chairman of the committee lineoin leatrice..... fastings..... 13,58411,494ebraska City ..... 8,893 8,074 2,9633,0131,2502,131remont.....

383 547 1.551

1,317

1,003

1.870

1,525

January 21, 1867 January 15, 1873 Jonuary 14, 1875 January 1, 1875 January 1, 1885 January 6, 1887 January 6, 1891

NEBRASKA GOVERNORS.

David Butler, term began... Robert W. Furnas Silas Garber Albinas Nance James W. Dawes John M. The

day the chairman of the committee on finance submitted the following: "STATE OF NERRASK, AUDITOR'S OFFICE, LINCOLN, Neb., Jan. 30, 1871.—Honorable Thomas F. Hall, Chairman Committee of Finance, Ways and Means: Dear Sir—In compliance with the following resolutions of the house of representatives of this date, viz.: 8,002 6,743 6,743 3,134 3,005 5,200 1,435 2,003 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,200 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,000 2,0000 2,000 2,000 2,000 2,0000 2,000 2,000 2,0000 2,0000 2,000000

Whereas, His excellency, the governor, in reply to an inquiry from this house, re-ports the collection of \$16,851.26 from the United States government, credited to the state school fund, in the spring of 1869, and that he deposited this amount in the state treasury; and, 'Whereas, The reports of the state nuditor and state treasurer for 1869 and 1870 fail to

exhibit the transfer of said amounts to or from the state treasurer; therefore, 'Resolved, Tifat the chairman of the com-

mittee of ways and means is hereby in-structed to proceed forthwith to the offices of the state auditor and treasurer and request 

 Albinas Nance
 January 9, 1850

 James W. Dawes
 January 4, 1881

 John M. Thayer
 January 6, 1887

 James E. Boyd
 January 6, 1887

 Territorial Governors.
 Francis Burt, term began
 October 16, 1854

 Mar. W. Tard
 February 20, 1855
 Issi

 W. A. Richardson
 January 5, 1857

 Samuel W. Riack
 May 2, 1858

 Alvin Saunders
 May 15, 1851

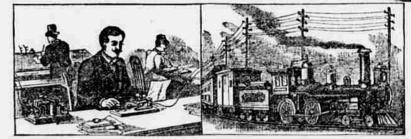
had not deposited the same or any part thereof in such treasury, and intending thereby to deceive the house of representatives, the legislaturd and the people of said state contrary to his duty and oath of office. Article 7 churged him with loaning out large amounts of the permanent school fund to certain parties, knowing at the time that the securities were wholly inadequate and insufficient.

Article 8 charged Butler with receiving and appropriating \$648.43 balance of money in hand of one, Thomas L. Griffey, treasurer of the board of emigration, and which sum of money said David Butler never paid into the treasury, but wilfully, corruptly and un

lawfully appropriated to his own use. Article 9 charged Butler with conveying patents for seventy-five sections of land to the Sioux City & Pacific railroad company, was that of a grand jury, while the senate, I located in Dodge, Burt and Cuming counties

DRREE

OMAHA TELEGRAPH S



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