

ALLEGED CONTESTS CLOSED

Democrats Introduce Testimony Up Till the Last Moment and Then Disappear.

ANXIOUS TO SHUT OUT THE DEFENSE

Every Known Subterfuge Practiced to the End That the Contesters Should Not Be Permitted to Take Any Testimony in the Case.

It is all ready for the legislature now—the Douglas county election contest. And the democrats have made a record for themselves that will give aid and comfort to all men who have hitherto supported the republican party in its efforts to secure representative government, and one that will enable many wavering democrats to make up their minds to vote with the republicans in the future.

With the manifestly unfair spirit that has marked their action all through the proceedings, the contestants strung out their case until the very last minute, with the intention of preventing the introduction of any evidence whatever on the part of the contestants. Every subterfuge known to lawyers was practiced for the purpose of delay, and when finally the object became apparent to all, the democrats proceeded boldly to carry out their intentions. So flimsy, too, has been the fabric woven out of the evidence adduced by the contestants that it would seem unnecessary that a defense should be made, but the contestants will ask the legislature to extend the time, so that they can introduce the evidence of a few of the throng of witnesses they have, and thus counteract more completely the loud vauntings of disappointed officeholders in the democratic party, who refused to acquiesce in the decision of the people honestly rendered at the ballot on the 8th day of November, and correctly and properly reported by the officers of election.

Loose and Little Wood. The great conspiracy of which so much had been said has slipped down to the fact that on the election boards a larger number were republicans than democrats, and sample ballots of the American Protective association were distributed on the day of election, the charge that the voters were obstructed in exercising their franchises, and many were prevented from voting at all, while others had their purposes thwarted, has not been substantiated, and no evidence has been adduced that would tend to show that such was the case at any polling place in the county. The third count indictment found by the democrats that fraud was practiced by the returning boards and that a recount would result in seating a portion of the democratic aspirants for legislative honors. All the evidence has gone to show that it was simply folly to raise the question of the count and that the republicans would lose nothing in case of a recount of the votes.

The contest has been a farce and its principal characteristic has been its resemblance to a farce. Time has been needlessly consumed by the contestants, who have refused to close their case until the expiration of the time allotted by law, and thus prevent the contestants from making any defense. Yesterday morning they adjourned until afternoon, and when they did convene consumed the whole afternoon in examining three or four witnesses. At 5 o'clock they closed their case and refused to remain and participate in the examination of witnesses by the republicans. They left the building in great haste, and even suggested that it would suit them better if the democrats would vacate the building and not use the little furniture there in the room. The contestants remained as long as possible before concluding their case, and it was so near the close of the day that they felt perfectly secure as to the contest holding a very short session. The electric globe had been removed in this manner that the republicans were prevented from holding an examination. But the republicans have not been deterred by this device to completely deprive every democratic charge and in order that they may secure the testimony will ask the legislature to grant an extension of time as to enable them to make the necessary defense in the contest proceedings.

Yesterday morning the contestants' attorney and notary adjourned until 2 o'clock in the afternoon, and left the contest in sole possession. The contestants immediately got down to business and examined half a dozen witnesses before noon. H. E. Roberts, Frank Ledyard, J. B. Bell and C. Hough, the four republican judges from the tenth district of the Fifth ward, were placed upon the stand, and the witness dispelled the democratic claim of fraud, conspiracy and corruption in that voting precinct. It will be remembered that Henry Osthoff was a democratic witness and told of his being elected from the booth, and he incidentally spoke of other irregularities. The four witnesses related a very different story and if their statements are to be relied upon Mr. Osthoff has a faculty of wonderfully misrepresenting the true state of affairs. He positively denied that there was any vacancy on the board on the morning of election, and it is not true that a vacancy was filled by the judges and that privilege denied Mr. Osthoff and the electors in attendance. The witnesses each corroboratively told of how Mr. Osthoff was elected. The crowd of voters in the booth were bringing among themselves about some matter and the disturbance grew to such proportions that the police officer intervened and ordered all of them to leave the booth. The officer did not act at the instance of any person, and the voters who were requested to leave did so, and Mr. Osthoff among the number. They were not again denied admission when they desired to vote.

A democratic witness named Reardon a few days ago told of finding a witness in the booth and intimating that it was the property of the election board, although he had not seen any of the members sampling the ferry staff. The evidence of the four witnesses this morning was corroborative of what Mr. Reardon stated, so far as the bottle of liquor being in the booth is concerned. The witnesses were better acquainted with that bottle and its disposition than was Mr. Reardon. The only member of the board who tasted of the contents of the bottle was the democratic clerk, Mr. Solon, and he called it cordial, and cordially grasped the flask very often and pressed it to his lips as frequently, until but a very little remained.

That Valley Precinct Mistake. County Clerk Sackett was recalled. He testified to the fact of the error in the Valley precinct ticket, and stated that the printer was the person at fault. The copy furnished the printer was corrected and so was the proof sheet when presented to him. When the error was discovered he was informed by telephone and instructed the judges to correct it with pen and ink, putting the word democrat after Mr. Johnson's name, and independent after Mr. Johnson's name.

A witness for the democrats had sauntered in and the republicans being informed of the fact placed him on the stand, and he made a better witness for them than he ever would have for the contestants. The witness was John H. Smalley, a democrat, who votes in Valley precinct. Mr. Smalley was at the polls nearly all day, and in his judgment the election was a fair one, properly conducted, and the votes correctly counted. The ballot given the witness to vote was corrected by the judges, and the word democrat appeared after Mr. Johnson's name, and independent after Mr. Johnson's name. He understood that this correction was made upon all the ballots after 9 o'clock, but could not swear that such was the case. He stated one objection raised and that was when a voter was being assisted in preparing his ticket, and that objection was withdrawn.

In his opinion the election was as fairly conducted as former ones and he could see no evidences of fraud.

Came with Witnesses. The contestants were on hand at the afternoon session with a number of witnesses, and for the first time since the opening days showed an inclination to take up the entire time in offering testimony.

R. E. Hardman was the first witness called by the contestants, and told of counting school board tickets of several precincts and finding short discrepancies in the votes. When asked to produce the tickets, he produced a ticket for the precinct of Dr. J. T. Duryea, democrat, in favor of the latter. Fred J. Sackett, county clerk, was recalled by the contestants and gave the names of the judges and clerks who served at the November election.

John Smalley, the Valley precinct democrat, who was placed upon the stand by the contestants, was called by the contestants. The witness was assisted by one of the judges in preparing his ballot. He saw the ballot open at the ballot handed him by a voter who stood near.

On cross-examination the witness said that he did not know why the ballot was opened by the judges, and might have been done for the purpose of determining into which ballot box to deposit it. J. M. Gillan, a fire reporter, was called to the stand, and he testified that he granted admittance a few minutes later and was told that the doors were locked for the reason that there was a discrepancy between the ballot and the poll book, and the number of names on the poll book, and that it was thought best not to have the doors open until the error was rectified. In the afternoon Mr. Gillan saw two ballots counted, upon which ten candidates were voted for on the legislative tickets, and when the kind occurred, the attention of the judges was called to the fact and the error was corrected. The only thing the witness said that would indicate that the purpose of the voter was thwarted was when they had not properly marked the ballots, and for that reason they were thrown out as being illegal.

Out in the Country. F. S. Tucker, the city clerk of Florence, was the next witness placed upon the stand. The witness saw a small number of American Protective association tickets distributed near the booth, and saw parties inside the building with them in their hands. Two of the judges made a wager prior to election day on the result on president and county commissioner. He saw no other occurrence which indicated that the election was not fairly conducted. It was rumored that two Iowa men had voted at Florence, but he did not have any knowledge of the fact, and their votes were not challenged.

L. W. Denton of Waterloo was brought in to tell of an American Protective association ticket being shown him by a judge of election. One democratic witness who was very angry when he saw the ticket and noticed that his friends' names had not been placed thereon, and stated that he voted the democratic ticket. Nothing else was noticed that was irregular or indicated that the election was not fairly conducted.

W. A. J. Cook, secretary of the people's party county central committee, was put on the stand to show how many of the men agreed upon by that party had been elected by Mayor Benoit to serve as members of the boards of election. With this the contestants closed their case, their notary and attorneys immediately leaving the room, refusing to receive any testimony. Regardless of this rather inconsiderate move the contestants proceeded to introduce their testimony.

County Commissioner Stenberg was called to tell of the manner in which the judges and clerks of election were selected. He testified that the contest was very evident that there was no conspiracy in the selection of the judges and clerks, and that every resource was exhausted to secure a fair distribution of the political parties, and to secure competent and trustworthy men. In Mr. Stenberg's opinion they were very evenly divided among the political parties, and the democratic party was better represented than the republican party in the Eighth ward, where he resided.

Fred C. Timme was the last witness called and told of how the election was conducted at Benning. The election was fairly conducted and everything was carried on in a regular and impartial manner. There was no electioneering in the booth and no tickets were peddled there. There was no democratic party out of the building who was peddling tickets in the booth, as had been stated by a witness for the contestants.

No light being provided the contestants were compelled to bring the proceedings to a close. And thus ended the contest, which has been a very expensive one for the taxpayers.

An Invaluable Remedy for Colds. Sheriff Hardman of Taylor county, West Virginia, was almost prostrated with a cold when he began using Chamberlain's Cough Remedy. He writes: "I find it to be an invaluable remedy for colds." For sale by druggists.

Real estate. Bargains only. My word is good. W. G. Albright. 621-2-3 N. Y. Life bldg.

The Public Will Take Notice That the undersigned has lost one certain promissory note described as follows: Note given by Julian Walker, dated June 1, 1892, for \$1,000, payable December 1, 1893. Given to C. H. West, an original party and endorsed in blank on top of the back of the note by C. H. West. Again under printed "rubber stamp" by C. H. West. All persons are notified to purchase the same as it is my property. A liberal reward will be paid the party returning the same to me. T. B. Clawson, South Omaha, Neb.

See the celebrated Schmeer piano at Ford & Charlton Music Co., 1508 Dodge.

If you will call at our new store you will present you with a copy of a beautiful piece of music. Ford & Charlton, 1508 Dodge.

EAST OR SOUTH Via the Washburn Route. The short line to St. Louis and quickest route south. Only 37 hours to Hot Springs. Only 59 hours to New Orleans. Only 84 hours to Atlanta. Only 62 hours to Jacksonville. With corresponding fast time to all points east and south. Round trip tickets to Hot Springs, New Orleans, Lake Charles, Galveston, San Antonio, City of Mexico, Los Angeles, San Francisco, Mobile, Jacksonville, Tampa, Havana and all the winter resorts of the south. Free to St. Louis, Toledo and Detroit. Pullman buffet sleeping cars on all trains. Baggage checked from hotels and private residences to destination. For tickets, sleeping car accommodations and further information call at Washburn ticket office, 1502 Farnam street, or write, G. N. CLAYTON, Agent, Omaha.

DR. RICHARDS' Cream Baking Powder. The only Pure Cream of Tartar Powder.—No Ammonia; No Alum. Sold in Millions of Homes—40 Years the Standard.

CLUTCH OF CORPORATE GREED

Yellowstone National Park Menaced by Cooke City Speculators.

DANGEROUS BILLS PENDING IN CONGRESS

Perilous Measures Readily Denounced by the Eastern Press—Mineral Development in the Leading Camps of Idaho and Colorado.

The eastern press shows far greater interest in the preservation of the Yellowstone national park than the press of the west. The reason for this is not far to seek. Newspapers published near the park are either ignorant of the schemes of mercenary speculators or they sacrifice future advantages for immediate gain. The former supposition is doubtless the correct one, for the reason that all movements of corporations to obtain rights on party lines are carried on in Washington with all possible secrecy.

Three bills pending in congress propose radical changes in the great national park. The first proposes to change the boundary line, taking from it in the north and west and adding to on the east and south, ostensibly to bring the entire park within the boundaries of Wyoming. In reality the object is to so change the lines as to give a Cooke City railroad company a right of way along the valleys of Soda Butte creek, the East Fork and the Yellowstone, now embraced within the park. The other two bills propose giving the railroad right of way through these valleys without changing the boundaries, virtually allowing the railroad to enter park territory on the plea that the road is necessary to develop mineral properties adjacent to Cooke City.

These measures are vigorously attacked by the Sun and Times of New York and Forest and Stream. All three denounce the pending bills as destructive of much of the natural beauty of the park and wholly unwarranted by the local interests at stake.

Unlike Anything in the World. "Yellowstone park," says the Sun, "is a magnificent pleasure ground, set apart for the enjoyment of the people of the United States. The like of it exists nowhere else in the world; and in a future generation, when its southern and beautiful borders are more widely known and access to it is easier, it will be a resort for all peoples. It is also the great zoological garden and game preserve of this continent. From the park and its buffalo herds today than are left roaming in all the rest of the United States. Vast herds of elk and deer may be described by the tourist, and hundreds of antelope in a single band. The value of its fur-bearing animals, and the possibilities of restocking from this source parts of the country must be kept in mind. This noble reservation is also a valuable natural reservoir and water supply, great rivers rising there, which take divergent courses toward other ocean. A prime duty of congress is to guard against any injury to this national possession and to prevent any encroachment upon it in private interests."

Only a Raid of Speculators. To arouse public interest and to show the inequity of the pending measure, Forest and Stream issued a pamphlet showing the present condition of the park and the changes proposed. One of the primary reasons advanced in favor of the changes is that the prosperity of Cooke City is retarded and mineral development checked owing to inaccessibility, whereas it is pointed out that President Oakes of the Northern Pacific, after a thorough investigation, has declared to a committee of congress that "there was nothing in the Cooke City mines." Actual surveys demonstrate that a railroad can be run through the park in various routes on grades not nearly as heavy as now exist on many western roads. To change the park boundary to accommodate the Cooke City railroad would be to exchange quality for quantity. It robs the park of beautiful and accessible scenery, of a magnificent game preserve, and of the most beautiful accessible mountain region which tourists will never visit, and which heavy winter snows render incapable of supporting game.

Returning to the railroad, if, under the bill for segregating a part of the park and adding other area, the proposed railroad should be built, it would be restricted to the park and its immediate vicinity. But for fifteen miles the route passes through a canon of the Yellowstone with lofty vertical walls abutting directly on each other. Should it avoid this difficulty by crossing and recrossing the river, it would intrude upon the park as before, and the valuable and picturesque northwestern section of the park would be abandoned without securing freedom from railroad encroachments. At all events the difference in practicability between the route through the park and either of the other suggested routes is apparently not so great as it has sometimes been represented. It is alleged that land speculators and others at Cooke City and Livingston are counting on congressional permission for the railroad in order to increase the value of their property, and that they are the chief urgers of this scheme.

Opinion of an Expert. To clinch its argument against the pending measure, Forest and Stream prints a letter from Dan C. Kingman, captain of engineers, U. S. A., who for four years had charge of the construction of roads and bridges in the park. Captain Kingman says: "The 150,000 acres of land, in round numbers, which it is proposed to take from the park for the benefit of a few individuals, is almost valueless for the purpose of grazing or agriculture. But it lies upon mountain slopes, and forms a valuable and very necessary part of the watershed of the Yellowstone river. Being high and well timbered, it is admirably adapted to catch and hold snow, and by allowing it to melt gradually it tends to prevent freshets and subsequent periods of very low water. Thus it is a direct benefit to agriculture and navigation in the lower valley. If this region is deforested, as it undoubtedly will be in time, if it is removed from the park and delivered to the railroad, the violence of the freshets will certainly increase and the whole valley will suffer accordingly. No one who has ever visited Yellowstone Park can fail to appreciate the wisdom that dictated it to its present uses, or can doubt that it is destined to a great and valuable future. It is not too much to say that if the park can be preserved as it now is, subject only to such slight changes as are necessary to secure good roads and trails for the benefit and proper hotels to insure the comfort of its visitors, it will in time become a health and pleasure resort unequalled in the whole world. Its maintenance is of more than national importance; it is an object of direct personal interest, now and in time to come, to travelers and scientists the world over."

HOLDING UP WELL. Crede and Cripple Camps Producing Heavily. Crede continues to keep up its reputation as a first-class camp. A five-foot vein of amethyst quartz carrying native silver has been struck in the Yellow Jacket. A new vein has been opened in Spar Lake. It has been found to contain thirty to sixty ounces. The Cleopatra has made another strike of high grade ore, and the property is rapidly

meeting with as much success as characterized the Amethyst, Holy Moses and the last Cleopatra. Little Mafra and Kreutzer Sonata struck some high-grade ore during the week, and operations are being actively prosecuted. A half interest in the property owned by the Sun by Denver parties for \$20,000. Prospectors have struck a vein of hematite and manganese running 85 per cent. in iron. A five-foot vein of amethyst has been struck between the Eclat and Nancy Hanks. Cripple Creek inaugurated over a project to tunnel Bull mountain by an electric tramway. It carried into operation this enterprise would pierce the richest portion of the camp at a depth of 1,300 feet from the summit. Work on the Cripple Creek tunnel has been suspended. No reasons are given. The tunnel is at a depth of 880 feet. A large vein of free milling ore was cut at a depth of eighty feet, another of eighteen inches at a depth of 180 feet. Other properties in this camp, notably the Pharmacist, Tom O'Shanter and Work give favorable reports.

Idaho Mines. The Trade Dollar at Silver City. Is one of the best paying mines in the state. For the month of November the profits were \$44,181. Machinery has been ordered and work will commence soon on a smelter and concentrator for the Idaho Mining company at Wardner. The Black Jack mine and mill on Florida mountain are running right along. A fine vein of ore has been struck in the mine, and the mill will continue running through the winter. The mines of Wood river have done very well this year, notwithstanding the low price of silver. The reports of the sampling works show an increase of 1,100 tons over that of last year. Owners of new prospects on Castle Creek are busy developing them. A tunnel is running to cut the Headlight at the depth of 100 feet, while the Cliff mine, owned by John Way and Sheriff McCabe, is opening up into a bonanza. The Helena and Frisco Mining company, operating in Shoshone county, has filed with the board of county commissioners a claim of upward of \$200,000 account of damages in the destruction of the mill in the riot at Jem in July last. The Red Cloud and Caledonian mines, near Halley, are both sinking their shafts at the rate of one and a half feet per day. When down at a regular depth the mines will be connected. The ore from the Star mine is shipped direct to Salt Lake.

Thousands sink into an early grave year after year, not that they are so weak, but that they do not know of Dr. Bull's Cough Syrup. This great remedy would have saved them.

AMUSEMENTS. BOYD'S NEW THEATER RHEA Friday and Saturday, December 30 and 31. Matinee Saturday. RHEA Under the management of W. D. LOUDOU. Friday Evening and Saturday Mat. Haven's Great Historical Play. Josephine, Empress of French Saturday Evening. Shakespeare's Brilliant Comedy. MUCH AD ABOUT NOTHING Sale of seats opens Thursday. BOYD'S NEW THEATER HAPPY NEW YEAR Sunday, Monday and Tuesday, January 1, 2 and 3. Special holiday matinee Monday. Engagement of the entire troupe to actor JAMES O'NEILL In his latest success. FONTENELLE A worthy successor to "Moate Cristo." New York Sun. Metropolitan Cast. Elaborate Costumes. Mr. O'Neil's first appearance in Omaha in four years. Usual prices. FARNAM STREET THEATER POPULAR PRICES Like Rome, all roads lead to the house of success. The Foundation of All Sensational Dramas. All Next Week ANZO Beginning with M.A.N. Sunday, Jan. 1. See the Iron Mills in Full Blast. Matinee Sunday, Monday, Wednesday, Saturday. WONDERLAND and BIJOU THEATRE. ALL THIS WEEK BURTON STANLEY COMEDY CO. IN RAZZLE DAZZLE LE PETIT FREDDIE The wonder and fun hour of specialties. DAILY MATINEES. MATINEE PRICES—25c to all parts of house EVENING PRICES—1st Parquet, 50c.

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