

WHAT A CELL HOUSE COSTS

Experts for the Respondents Raise the Price

ENCOURAGEMENT FOR THE MARGINAL

Architect Grant Stumbles a Little in His
Testimony, but Architects Fisher and
Coots Make the Way Bright

LINCOLN, NEB., May 18.—[Special to **THE TRIBUNE**.]—The impeached state officials are in better spirits tonight than they have been in any day since the beginning of the impeachment trial. This feeling has been brought on by reason of the fact that they have been having their inning today, and as a natural result everything has been coming their way, and coming hard, too. Expert testimony has been the order of the day, and the principal object has been to show that not one of the state make an elegant deal when Dorgan built the cell house, but that the respondents used great discretion when they put him on to superintend the job.

When Architect Grant was placed in the range of Mr. Lamberton's guns on cross-examination, he showed signs of weakness, but he managed to hold up to the end and continue firm in the belief that the cell house cost \$38,611.55, though he admitted that he had but little knowledge of the

Architects-Fisher and Coots of Omaha were the best witnesses who have been upon the stand for the respondents, as they went into detail, describing in a most minute manner the cost of about every stone and stick of lumber in the building. After listening to this testimony, the respondents and their attorneys poked each other in the ribs, feeling that they had made several points, as they had succeeded in raising the state's figures all along the line.

for the managers to claim that they have expected just what has happened. They say that expert testimony is subject to a great deal of variation and that in this instance the unexpected has not happened.

The fight today has been more bitter than on any previous occasion, as the lawyers have contested every point, step by step, being anxious to prevent any opponent from stealing a march. There are some who claim that the wide variance in the prices shown by the bidders is liable to befog the minds of the court, and send them to sea on what stone is worth.

Marked a Course for Webster.

Archibuteo Grant, the Beatrice man, whose examination was not concluded yesterday, was again called to the stand to detail the facts of the case. The witnesses had made in computing the cost of the stone.

Justice Maxwell replied that the proper way to go to his idea, was to have the witness make a statement. The court then thought, should have credit of possessing some knowledge. The testimony was clearly incompetent, as the court was not trying the architects who had testified for the state.

Mr. Webster thought that he could see the force of the remarks by the court, and said that he would submit without further argument.

Now Mr. Webster," suggested Justice Maxwell, "ask your witness the length, breadth and height of the walls and excavations which were excavated that way."

"What would the excavation under the south wall of the cell house cost?" asked Mr. Webster.

"About one hundred and eighty dollars," answered the witness, "or 40 cents per cubic foot; then there were other excavations which should be done at 25 cents."

"Taking into those two figures together can you state if the amount is in excess of that computed by Mr. Latenser?"

"I object," said Mr. Lamberson, "as that point has been decided by the court, and this is another of Mr. Webster's attempts to whip the devil around the bush."

"If the witness can state how many yards there were in him and his men?"

"That I cannot do," answered the Beatrice man.

"The question is clearly incompetent," remarked Judge Post.

By way of explanation, Mr. Grant said that he had data showing all of the measurements, but they had slipped out of his possession.

He Wasn't Very Well Posted.

"Mr. Grant, how do you get at the concrete under that wall?" asked Mr. Lamberson.

"By measurements and by examining the plans."

"By looking at the plans you could not tell how much concrete was excavated?"

"No sir, of course not."

"I dug down and took measurements."
 "How wide was it at the base?"
 "I don't remember the width."
 "How many holes did you dig in the base of this wall?"
 "Four: two on each side."
 "Then you dug four holes and then guessed at the width of the rest of the wall. How did you get the size of your footings?"
 "The same way, and in addition to this I talked with people who ought to know."
 "How did you talk with them?"
 "Mr. Veister, Mr. Dorgan and a convict."
 "Then this is the way you got your estimates on these footings?"
 "I looked at the plans."
 "Outside of what you saw in these two holes, and outside of what the people down there told you, you know nothing?"

is a very excellent wall."
 "How long is the wall?"
 "About 237 feet."
 "What kind of stone did you find in the footings?"
 "Dimension stone of the proper size."
 "What do the drawings show as to the size of the footings?"
 "I don't know."
 "Is it not a fact that those footings are simply big rubble stone?"
 "Why. I don't know; I think not."
 "Do you know who dug that hole at the point where you looked at the footings?"
 "I don't know."

"Thirty cents per cubic foot in the wall."
"What would be the expense of laying the stone in the wall?"
"I should say from 8 to 12 cents."
He Wasn't Very Certain.
"If you testified yesterday that it was 80 or 40 cents a cubic foot, you were mistaken."
"When I testified then I had my mind confused and was thinking of random ashlar."
"What would the stone be worth f. o. b. at Cedar Creek?"
"From 18 to 22 cents here."
"If it should turn out that the price of this stone was 8 cents, would you change your mind as to the market value of the stone?"
"I think not."
"What do you figure the price of coping in the market?"
"I should say about 22 cents per cubic foot here."
"Then, when you charged \$1 per foot you

"No, sir; it would not."

WHAT A CELL HOUSE COSTS

Experts for the Respondents Raise the Price
to the Appropriation's Limit.

ENCOURAGEMENT FOR THE IMPEACHED

Architect Grant Stumbles a Little in His Testimony, but Architects Fisher and Coots Make the Way Bright for the Accused.

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LINCOLN, Neb., May 18.—[Special to THE NEWS.]—The impeached state officials are in better spirits tonight than they have been in any state since the beginning of the impeachment trial. The feeling has been brought on by reason of the fact that they have been having their inning today, and as a natural result everything has been coming their way, and coming hard, too. Expert testimony has been the order of the day, and the principal object has been to show that not only did the state make an elegant deal when Dorgan built the cell house, but that the respondents used great discretion when they put him on to superintend the job.

When Architect Grant was placed in the range of Mr. Lambertson's guns on cross-ex-

he managed to hold up to the end and continue firm in the belief that the cell house cost \$385,651.95, though he admitted that he had but little knowledge regarding the market value of stone.

Architects Fisher and Coats of Omaha were the best witnesses who have been upon the stand for the respondents, as they went into detail, describing in a most minute manner the cost of about every stone and stick of lumber in the building. After listening to this testimony, the respondents and their attorneys poked each other in the ribs, feeling that they had made several points, as they had succeeded in raising the state's figures all along the line.

Notwithstanding all of this, the attorneys for the managers claim that they have expected just what has happened. They say

The fight today has been more bitter than on any previous occasion, as the lawyers have contested every point, step by step, being anxious to prevent any opponent from stealing a march. There are some who

shown by the experts is liable to baffle the minds of the court and send them to sea on what stone is worth.

Marked a Course for Webster.

Architect Grant, the Beatrice man, whose examination was concluded yesterday, was again called to the stand to detail the errors which the state's witnesses had made in computing the cost of the cell house.

But Lauretson objected to the line of testimony.

Justice Maxwell replied that the proper way, according to his idea, was to have the witnesses state the facts, and let the court, he thought, should have credit of possessing some knowledge.

Judge Post held that the testimony was correct, and the remarks by the court, not trying the architects who had testified for the state.

Mr. Webster thought that he could see the wisdom of the remarks by the court, and said that he would submit without further argument.

"Now, Mr. Webster," suggested Justice Maxwell, "ask your witness the length, breadth and height of the walls and excavations and we can ascertain that way."

"What would the excavation under the south end of the cell house cost?" asked Mr. Webster.

"One hundred and eighty dollars," answered the witness, "or 40 cents per cubic

"I object," said Mr. Lamberson, "as that part has not been decided by the court, and this is another attempt of Webster's attorney to whip the devil around the bush."

"If the witness can state how many yards there were let him answer."

"That I cannot do," answered the Beatrice man.

"The question is clearly incompetent," remarked Judge Post.

By way of explanation, Mr. Grant said that the jury had thrown all of the measurements, but they had slipped out of his possession.

He Wasn't Very Well Posted.

"Mr. Grant, how do you get at the con-

son, on cross-examination.

"By measurements and by examining the plans."

"By looking at the plans you could not tell how the walls were built?"

"No, sir; of course not."

"Now, how did you get the width of the wall?"

"I dug down and took measurements."

"How wide was it at the base?"

"I don't remember now."

"How many holes did you dig in the base of the wall?"

"Four; two on each side."

"Then you dug four holes and then guessed at the width of the rest of the wall. How did you get the size of your footings?"

"The same way. In addition to this I talked with people who ought to know."

"Who did you talk with?"

"Then this is the way you got your estimates on these footings?"

"I looked at the plans."

"Outside of what you saw in these two holes, and outside of what the people down here told you, you know nothing?"

"No, sir; I do not, though I think that is a very excellent wall."

"How long is the wall?"

"About 225 feet."

"What kind of stone did you find in the footings?"

"I don't know."

"Is it not a fact that those footings are simply big rubble stone?"

"Why, I don't know, I think not."

"Do you know who dug that hole at the point where you looked at the footings?"

"I don't know."

"What would be the value of that footing stone?"

"What would be the expense of laying the stone in the wall?"
 "I should say from 8 to 12 cents."
He Wasn't Very Certain.
 "If you testified yesterday that it was 30 or 40 cents you were mistaken?"
 "When I testified then I had my mind confused and was thinking of random ashler."
 "What would the stone be worth f. o. b. Cedar Creek?"
 "From 18 to 22 cents here."
 "If it should turn out that the price of this

mind as to the market value of the stone?"

"I think not."

"What do you figure the price of coping in the market?"

"I should say about 22 cents per cubic foot here."

"Then when you charged \$1 per foot you were mistaken?"

"I don't give that as data as I am not sure."

"Should it turn out that the price which Atwood charged was only 16 cents, would it change your mind as to the market value?"

"No, sir; it would not."

"Now, gentlemen, on this point, Atwood