THE OWARL DAILY PRES PRIDAY PERCERT 18

senate ngula, forty-eight senators answer-

Daylight Aroused Them. By this time the day had blotted out the garish yellow light that illuminated the chamber, Vice President Stevenson had returned to the chair refreshed by his long rest, the senators had read the morning papers, were chatting with a fair degree of sprightliness and the senate seemed once more thoroughly awake. The flowers on the desk of Senator Martin of Kansac, who was to follow Mr. Allen, remained where they had been placed twelve hours before, droop ing, it is true, but adding a tone of freshness to the reanimate chamber. The lady who had sat throughout the night in the gallery was reinforced by four others who

came in at daybreak. The silver men were not as severe on their opponents as it was thought they would be, for it was believed and expected that the silver men would maist that the advocates of repea, should continuously maintain a quorum within the senate enumber. The quorum immediately disappeared and often an hour clapsed before the demand for the presence of senators in the chambers was presence of senators in the chambers was made. Thus they were enabled to obtain considerable sleep during the night.

At 2:10 Mr. Allen had held the floor nine hours and was reading extracts from John Stuart Mills. Five minutes later Mr. Daniel

made the point of no quorum and the call developed the presence of fifty two senators. At 2:45 Mr. Geary of California, who assailed the president in the house yester-day, came in, accompanied by his colleague. Benton McMillin of Tennessee, to see what progress was being made in the senate, and little later Senator Gallinger got into a hot altereation with Senator Allen over the cause of agricultural depression in New Eng-

At 3:45 a. m. Mr. Dubois again made the point of no quorum. On this roll call Mr. Wolcott appeared in the chamber for the first time during the night, but with the other free silver republicans refrained from answering. Fifty-four senators responded. Chairman Voorhees, who was snatching a few moments' rest on a lounge in the cloak room, was not disturbed.

At 4:15 John Allen, the wit of the house, trudged in with his big slovch hat under his arm and immediately became the center of an interested group. Alien's jokes were halled with delight by those who were trying to keep awake.

At 4:30 Senator Wolcott made the point of no quorum and forty-eight senators answered the call. At 4:35 Mr. Kyle demanded a roll call again. The temporary rest gave the senator from Nebraska an opportunity to take a sip of coffee. Forty-seven senators having answered Mr. Allen continued his wonderful effort. At 5:10 Mr. Faulkner yielded the chair to

Mr. Blackburn of Kentucky, and in another half hour Senator Voorhees returned to the senate and relieved Mr. McPherson, who had been on guard during his absence. At 5:50 Mr. Dubois' watchful eye again disclosed the absence of a quorum. Fortyfive senators responded to the call.

Silver Men Obdurate.

An effort was made between 6 and 7 o'clock to reach an agreement to take a recess from that hour until 11. The proposition was made to the silver men, who decided to reject it. They said that the repeal senators had forced the continuous session and would be obliged to suffer the consequences. The silver men would not aid in any effort to take a recess or adjourn until some settlement of the question had been reached. Senator Allen's powers of endurance were

simply amazing. His wonderful stand made one who had watched him go on hour after hour, sustained by his indomitable en ergies, wonder how long he would last. About 7 o'clock Mr. Palmer interrupted him while speaking of the poverty and distress of the people to remark rather sneeringly that the Nebraskan seemed able to give only words; he wanted to give them netual relief. Mr. Allen turned savagely upon Mr. Palmer and declared that he had given to the poor of his means, given until he had kept himself poor and he did not want to be chided on that score. The altercation that ensued led Mr. Palmer at that point to say that he would give \$600 to some charity, whereupon Mr. Allen declared that although Mr. Palmer was four times as wealthy as he, he (Allen) would give a like

What Constitutes a Quorum.

F fteen minutes later Mr. Shoup made the point of no quorum. Only forty senators appeared, three short of a quorum. The quorum had broken down for the first time On the motion of Mr. Faulkner, Sergeant-at-Arms Bright was directed to bring in Within two minutes three n absentees senators had come in and answered to their names. The vice president announced that a quorum was present.

Mr. Wolcott suddenly sprang to his feet

and made the point that a quorum was not a majority of memoers chosen to the senate, Idaho, Wyoming and Washington being only partially represented, but a majority of the number entitled to be chosen. He asked the ruling of the chair.

The vice president had the rule read to be effect that a majority of the senators chosen and sworn shall constitute a quorum.

Mr. Manderson explained that the constitation required a majority of all senators entitled to be elected, and that this rule obtained in the house. The present rule was adopted under the stress of circ stances in 1864, when the thirteen southern states were unrepresented. He contended that now, however, the necessity no longer existed for the rule, which was in c ntradiction of the constitution.

Mr. Paimer, Mr. McPherson and Mr. Hale contended that forty-three was a quorum if the senate was July constituted. Vice President Stevensoa ruled that the senate, as constituted, was composed of eighty-five senators, and that forty-three

was a quorum.

Mr. Wolcott appealed from the decision Mr. Hale moved to lay the appeal on the table, and the appeal was tabled, 38 to 5. Messrs. Alien, Manderson, Martin, Peffer and Morgan voted in the negative. To ettain a quorum on this vote it was necessary several democratic senators to break their pairs.

Wolcott Causes a Laugh.

The quorum question was disposed of a few minutes before 8 o'clock, and Mr. Allen rose, apparently as fresh and vigorous when he beran fourteen hours before. While he talked about Shylock and the Trojan horse, told of the voyage and landing of the Pilgrim fathers on New England's shore, pictured the wees of the Arcadian peasants, sketched the events leading up to the revolutionary war and told how that conflict was fought and won, the senators changed their seats and the galleries took opportunity to change shifts. Those who had remained all night moved out, but new watchers came in to take their place. There were at this hour about fifty people in the gallecies, and the number increased

gradually.
Senator Allen grew elequent in his peroration, which was devoted to showing how England had gone on for centuries making her encroachments. When he was in the middle of one of his best sentences Mr. Wolcott interrupted him to ask from what was reading. "I was reading." replied M. Allen, "from a slight production of my own. In the midst of a burst of laughter, such as one would hardly have expected at the hour under such circumstances, Mr. Wolcott "I like it extremely, and I had posed the senator was quoting from some distinguished author."

Played Out at Last.

At 8:15 Mr. Allen concluded his long speech by saying that he yielded the floor to Mr. Martin of Kansas. To this proceeding Voorhees took exception, and asked Mr Allen if he proposed to farm out the floor. Mr. Allen declared he had no such intention. Instead of permitting Mr. Martin to go Mr. Voorhees moved to lay the Peffer free coinage amendment to the repeal bill on the Senator Aldrich called for the and nays. There was considerable sparring during the taking of the vote, and when the result was announced it showed that the senate was short of a querum by two votes. This was occasioned by the announcement of pairs, and by the refusal of seme of the er men present to vote.

Another Point of Ord r.

Mr. Vilas made the point of order that senator was present he was comneiled to vote unless excused by the senate. After a roll call, which showed a quorum present, and a second effort to secure a parum vote on the amendment, which lly forty-one scuators present and roting. Mr. Vilas renewed his point of or-

Senator Dubois being the first senator on

plain his refusal. This he did, saving that considered the amendment too important o be passed upon without debate. On a motion to excuse Mr. Dubois the ayes and mays were called and the vote re-

suited, 21 aves and 29 mays.

Mr. Dubois' name was then called, and notwithstanding the vote of the senate, he did not respond to the roll call.

Here followed a discussion as to whether Senator Dubois could be compelled to vote, and the mechanical parliamentary questions which were involved, but the point was

Mr. Dubois sat in his seat all the time, out his name did not appear in the list of the voters who voted. Neither did the names of several other senators on the silver ide who were present all the time.

While this discussion was in progress the hands on the old senate clock were moving on, and the hour of 9 o'clock saw several sen ators present who had not been it the chamber for several hours. Some o them not at all during the night. them voted on the motion to lay the Peffer menument on the table. The result of the ond vote on this motion had not been anenced at the time and when therefore, at 9-15, the vote was announced, the result showed that there were fifty senators voting, even more than a quorum. The vote in deil was as follows: Yeas—Caffrey, Camden, Carey, Chandler,

Cullom, Davis, Dixon, Dolph, Faulkner, Frye, Gallinger, Gordon, Gray, Hale, Hawley, Hill, Hoar, Lindsay, McMillan, Mc-Pherson, Mills, Mitchell of Wisconsin, Piatt, Proctor, Quay, Ransom, Sherman, ith, Squire, Voorhees, Washburn, White Nays-Bate, Berry, Blackburn, Butler, all, Cameron, Coke, Daniel, George, Hun-on, Irby, Martin, Morgan, Peffer, Vest,

When the chair had announced the vote and stated that the Peffer amendment had been laid upon the table, Mr. Voorhees was recognized. He stated that the Peffer amendment to the Voorbees bill was the only one pending except that offered by committee on finance, which is the Wilson bill, or house bill No. 1. He said, however here were other amendments which had been proposed by senators but had not as yet been offered, but these would be in order when offered by their authors. He added that the finance committee's amend-ment was now before the senate, and asked

Martin Held the Fort. Martin of Kansas took the floor at

30 and began a plea for the free coinage of

that Mr. Martin of Kansas be recognized to

liscuss this question.

At frequent intervals he was interrupted by roll calls and delays necessitated by the absence of a quorum. During one of the inervals Mr. Stewart read a letter warning iim to desist in "obstructing legislation" or ie might be blown up with a dynamite There was some laughter at the leter, which no one took seriously. Mr. Martin then resumed, making an at-tack on the eastern bankers, whom he

Mr. Martin was still speaking. The program of the silver senators is to have Teller or Jones follow Martin, and Stewart to follow them. Stewart, Jones, Morgan, Pugh, and other of the older silver men who remained away from the senate last night, came in during the morning prepared to take up the work whenever necessary and Teller, Wolcott, Dubois and others who had been in the chamber all night, went away to, if posible, secure rest. The silver men assert

called slave drivers and shylocks. At 1:30

hat they are in condition to go on indefinitely, and say that now that the physical endurance test has begun, it shall be carried to its legitimate conclusion. Continuing his speech Mr. Martin de-clared that if the president had, during the recent campaign, written such a letter as he recently wrote Governor Northen of leorgia, or if democrat senators had made such speeches to the people as they had made in the senate on the financial question, the democratic party in the parlance of the

day would not have been in it. (Laughter.) Mr. Joues of Nevada expressed doubt as to the presence of a quorum. But thirty-seven senators answered to their names. Senator Jones, after the suggestion of the absence of a quorum, did not announce his presence when his name was called. In fact, none of the senators from what are called the silver states responded on any of the recent roll An incomplete canvas of the senate at 3 o'clock indicated a general opinion that the

continuous session will last at least through a second night. Some say they will not remain longer than that time. There is much of this talk on the republican side,

Senator Voorhees denounces in unqualified terms the story sent out last night to a New York paper to the effect that Secretary Carlisle and Senator Gorman had agreed upon a compromise measure and that it was to be placed in the hands of Voorhees to be put through the senate. He declares that no such measure had been given to him and that the administration is not seeking a

Voorhees Taking Every Advantage

Mr. Voorhees is taking advantage of every opportunity offered to secure rest so as to conserve his powers as far as possible. There has been some comment upon the fact that he was absent at two or three roll calls last night, and it was asserted that he had made an agreement with the silver men so; to attempt to reach a vote during the With Mr. Allen constantly in the night. chamber there would have been no chance to get a vote if he had been present all the time. It also appears that the attendants at the senator's room, when they found him there, muffled the call bell and thus prevented his being disturbed. there was no perceptible change in the senate. As the steam whistles and huge bells scattered over the city autounced the hour of midday, Senator Martin still had the floor, and of the forty ven senators who responded to the call at 11:30 but eight were present. In the gal-leries the night audience had disappeared and fresh faces greeted the senators. The chamber bore evidence of the nocturnal struggle in its disordered state, and of the spick and span condition which con ronts the senators ordinarily at this the floor was literally covered with paper and the senatorial desks presented an un

tidy appearance. When a quorum was secured Mr. Harris of Tennessee moved that the order made after a prior call directing the sergeant-atarms to request the attendance of be rescinded. The presiding officer, Faulkner, being in the chair, on putting question inadvertently referred to Mr. Har ris as the "senator from Mussachusetts."

Did Not Like the Suggestion.

"From where?" asked Mr. Harris, indignantly 'From Tennessee," apologetically said the chair and the occupants of the gallery joined in the mughter which the incident provoked

among the senators. Mr. Martin then resumed his speech, ecting himself to a critical analysis of the democratic platform on the financial ques-

There was another call of the senate at

12:50 and forty-four senators responded. Mr. Martin resumed. After the lapse of exactly thirty minutes Mr. Power, republican of Montana, apparently thred of sug-gesting the absence of a quorum, simply said: "Call the roll." When the result was announced, orty-three senators having answered, Mr. Voornees arose and said: "Mr. President, t is obvious that there is to be a call of the coate every fifteen or twenty minutes or at the most, thirty minutes, with the notable absence of certain notables opposed to the bill and their object doubtless being to com pel an attendance on the part of the friends of the bill all day, while they are sleeping at ight. Now I give notice that on every for a quorum of the senate from this time on I shall insist on having the names of absentees called and to compet their attendance.
If I were to sit here all the time, subject to a call every fifteen minutes, they should do the same, as far as it is in their power to

No Terror for Repeal Opponents. Mr. Martin then continued his speech

Mr. Voorbees' statement apparently had no terror for the opponents of repeat.

At 1:50 p. m. Mr. Jones of Nevada called attention to the lack of a quorum. The senators from the silver states did not answer to their names. A quorum was secured, nevertheless, and Mr. Martin proceeded

with his speech.

There was another call of the senate at 2:15 and forty-five senators responded.

Mr. Martin declared his belief that if the question of unconditional repeal of the Sherman law were submitted to the people of the Chital States there would be a majority Senator Dubois being the first senator on the list who had not voted of those present. Mr. Vilas addressed his remarks to that states. The chair asked Dubois to expectation of the control of the chair asked Dubois to expectation of the chair asked Dubois to expectation.

so and he would now return to it and pro-ceed in a quiet way for the next few hours. [Laughter.]

Another call was had at 5:15, forty-five

nators answering. Mr. Martin continued. At 4:05 p said he would close his speech for the pres-cut with the hope that he might continue the

discussion at some future time, as there were many important phases of the question o which he had not alluded.

Gave Notice of an Amendment, Mr. Morgan, democrat, of Alabama gave notice of an amendment to the repeal bill prepared, he said, by the representative of his state, Mr. Pugh. The amendment pro-vides for the coinage of silver dollars of 41214 grains, which, together with all silver like weight and fineness, are made legal tenders, except where otherwise expressly stipulated. The secretary of the treasury is directed to purchase silver bullion at the market price (to be paid for in silver dollars) and to have it coined into silver standard dollars to an equal amount monthly and yearly with the gold dollars coined. Mr. Morgan said that the only provision of the amendment which did not have his ap-proval was that excepting the legal tender quality in cases where otherwise stipulated. Mr. Teller, republican, of Colorado then took the floor and resumed his speech against the bill, began last week. At 6:20 Mr. Teller said be had an important appointment which he was desirous of keeping, and, if agreeable to the senate, he would now yield the floor with the understanding that he could resume tomorrow. To this there was no objection, and Mr. Stewart, republican, of Nevada was recognized.

Another Roll Call.

Before he proceeded, however, Mr. Dubois, republican, of Idaho suggested the absence of a quorum. The roll was called and forty-six senators respended. Mr. Stewart then proceeded with his speech. He said in his own experience he could respect to the said in his own experience. call several important questions which have been read in the senate, which, if they had been decided hastily under the previous question, would have brought untold misery upon the country.
At 7:20 Mr. Power interrupted Mr. Stew

art to call attention to the tack of a quorum, there being but two senators on the democratic side and not more than six on the re-publican side. When the roll was called forty-two senators answered.

The repeal forces were about to carry their program announced by Mr. Voorhees earlier in the day, of having the names of absentees read preparatory to compell ing their attendance, but several senators appeared immediately after the vice president announced the result of the call, and Mr. Faulkner did not press a request he had made that the names of the absentees be reported.

Mr. Stewart had but expressed his regret at the lack of conception on the part of the administration and administration senators what bimetallism was and how to maintain the parity of the two metals when Mr. Shoup, republican, of Idaho interposed with the usual suggestion of the lack of a quorum. The presence of forty-three sena-tors was temporarily secured through the instrumentality of the lately much-invoked roll call, and Mr. Stewart resumed his speech. He asked to have read a newspaper article, because it had some of the American spirit about it. spirit about it. "It may not be from the higher class," said Mr. Stewart, "because it is not fashionable to be an American." Mr. Stewart spoke from Sepator Colquitt's

seat, the first in the front row on the demo-cratic side. Beside him sat his clerk, who every now and then furnished the senator with ammunition in the way of newspaper articles and books.

Helplessness of the Senate.

No more perfect demonstration of help essness of the senate under the present system of rules has been given than by the vent that followed Mr. Voorhees' inquiry Mr. President, my inquiry is whether there is any limit or restraint on the rule permitting senators to make the point of no

"In the terms of the rule," said Mr. Frye, who was presiding, "there is no limitation, and the chair knows of no power in the presiding officer to put a limitation."

Mr. Voorhees sank back in his seat angry, but with no further word of protest. roll call brought forty-four unwilling vic-

tims into the chamber. As soon as the announcement was made Mr. Quay of Pennsylvania got to his feet and suggested the absence of a quorum. He said because the decision of the chair put it absolutely in the power of any one senator to block legislation, for as rapidly as a computation was made a senator could suggest the absence of a quorum and the roll would

'The United States senate," said Mr. Frye slowly, and with a gravity that caused the galleries to titter, "is the most dignified body in the world," here he paused. he proceeded, "the framers of its rules did not suppose any senator would violate the proprieties or the decencies of the senate. Therefore the rule is made without any limitation upon a senator except his own sense

"The theory of constitution," said Mr. Quay disgustedly, "may be stated by the chair, but our recent experience has shown that the senate is very differently consti-

He then withdrew his suggestion of the fact of a quorum not being present, when, to the astonishment of all, Mr. Carey of Wyoming, who evidently desired to show the country exactly how powerless the senate was, repeated it. The chair had the rule read. It provides that if at any time any senator raises a question as to the presence of a quorum the presiding officer shall forth with direct the roll to be called.

Suggested a Roll Call.

At 9:45 Mr. Dubois blandly suggested that nly seventeen senators were present. Fortysix senators appeared.

Mr. Wolcott allowed his opponents just half an hour's respite before he announced: There is a conspicuous absence of a quo rum," and asked for a roll call. Thirty-nine senators responded, and, upon the request of Mr. Voorhees, the names of absentees were

Upon motion of various senators, Messrs George and Walthall of Mississippi, Gibson of Maryland, Stockbridge of Michigan, Col-quitt of Georgia, Dolph of Oregon and Vance of North Carolina were excused from attendance on account of illness and fatigue

se who did not answer the call were Aldrich, Allen, Berry, Blackburn, Butler. Call, Cameron, Carey, Chandler, Cockrell Coke, Daniels, Dubois, Hansbrough, Irby Jones of Nevada, Jones of Arkansas, Kyle Martin, Mills, Mitchell of Oregon, Morrill Palmer, Peffer, Perkins, Pettigrew, Power, Ransom. Roach, Sherman, Teller, Vest, Vilas, White, Wilson and Wol cott.

Beginning of the End.

The loss of a quorum for this length of time was generally believed to be the beginting of the end. The quorum was broken by the refusal of certain silver democrats to vote. Another call at 11:15 p. m. only brought four senators to the chamber. An-other hour bassed and still the senate was without a quorum.

Mr. Gallinger then arose and stated that

he had been continuously in attendance since Wednesday morning without obtaining any sieep, he now found the senate without a quorum and without the likelihood of get-He asked Mr. Voorhees what the outlook was.

Mr. Voorhees replied at length, explaining that he was aware of the suffering, but thought a quorum would appear. He was willing to take a recess. but did not wish to break the continuous session by adjournment. At 1:05 a. m. Mr. Blackburn came in and completed the quorum, and the venerable completed the quorum, and the venera senator from Nevada resumed his speech. At 1:25 Mr. Wolcott made the point of no

At 1:30 the senate lacked five of a quorum, and the silver men say that another quorum cannot be obtained tonight. They declare that nothing is now left but adjournment.

Agreed to an Adjournment. At 1:45 a. m. the sergeant-at-arms re

ported that two were absent from the city twelve had been excused, four answered to the statement that they were ill, infic in the capitol made no answer and sixteen reported as absent from their residences and could Mr. Voorhees immediately arose and said: Mr. President, I feet that I have done my

duty in this matter and without comment now move that the senate adjourn. motion was unanimously agreed to and in an instant the senate chamber descrited after a continuous session of thirty-eight hours and forty minutes.

Sweet breath, sweet stomach, sweet met-per! Then use DeWitt's Little Early Risers.

CONTINUED PROM FIRST PAGE.

said I. "I have made up my mind that I am willing and will turn Scott over to any man clothed with a proper warrant, who would receipt me for Scott, first paying the reward and my expenses offered by the county." Akin said that was very measonable; that he did not my expenses offered by the county." Akin said that was very reasonable; that he did not expect to get Scott any other way; that he was a friend of Scott's and that he did not want to see me theaten out of the reward; that he had believed me a fair man, and all he asked in the matter was to get Scott turned over to him after paying me the reward. Said he, "Mr. Cunningham, how much reward do you get?" "Two theatsand dollars," said I, "and my expenses. "Aren't you mistaken?" said he. "No, sir. Ffave a contract with H. E. Murphy, who represents himself to be the county attorney of the county of floit, by which he agreed to pay me \$2,000 and my expenses, and before I will take any less I will allow Scott to go scot free in Mexico." "You will remember, Mr. Cunningham, that I told you the other evening while in your room that Murphy represented a ganz of scoundrels and populists in O'Neill and they have, to my knowledge, voted \$2,000 in county warrants for the purpose of getting Scott back to their midst and there persecute him? Now, sir," said he, "Holt county warrants are worth about 45 cents on the dollar; the gang that I have been talking to you about has voted \$2,000 in warrants. Now, if you deal with Murphy you understand about how much you are to get." Said I: "Mr. Akin, I say to you, sir, as I would say to Mr. Murphy cannot get his man, neither can you nor any other man in Holt county, so long as I have anything to do with him, until the contract which I have entered into with Murphy nor any other man in Hole county, in the con-have anything to do with him, until the con-tract which. I have entered into with Murphy tract which. I have entered into the letter has at least been carried out to the lette, which I have never had reason to believ which I have never had reason to believe would be forfeited by him. Mr. Murphy has always seemed, from his correspondence, a most sanguine man in this matter, anxious to get Scott returned to O'Nelli, there to answer his indictment. Anxious to Get Scott Off.

Anxious to Get Scott Off.

"No doubt," said Akin, "Murphy has been and is still now making himself quite officious in this matter, trying to persecute this man Scott. I am a friend of Scott's," said Akin, "and I desire to deal direct with you, whereby Scott may be able to return with me." "Said I: Mr. Akin, you can't deal with me by paying me off \$2,000 at 45 cents on the dollar, nor do I believe that is the intention of Murphy." "How much reward do you want, Mr. Cunningham?" said Akin. "I am not prepared at this time, said I, "to tell you just how much my expenses will be, but as an estimate, something like \$5,000," "Five thousand dollars?" said he. "Yes," said I. "Can you stand it?" "Can I see Scott?" said he. "No," said I, "you can't." "Well, then, "said he. "No," said I. "I think he has," said he. "Has he got the money that he stands accused of stealing?" said I. "I don't know," said he. "Well, don't you have any idea as to about how much money Scott has with him?" "No," said he, "I haven't been living in O'Neill for some time and don't know much about Scott's affairs." "Well," said I, "I seems to me, Mr. Akin, you are taking a very great interest in this matter not to know anything about Scott's affairs." Said he, "I mean Scott's affairs financially." "How are you interested in this case, Akin?" said I. "I am a friend of Scott's bondsmen."

Scott's Bondsmen Secure.

Scott's Bondsmen Secure.

"Isn't it a fact, Akin, that you fellows have

"Isn't it a fact, Akin, that you fellows have matters so arranged that you are not liable for any of this money that Scott has stolen? I mean Scott's bondsmen." Akin sudied and said it was generally understood Scott's bondsmen would not be troubled. "Pil see you later," said I. At 5:15 on the last named date, I stepped in a hack to be driven to the depot for the purpose of going eighteen miles to a station with the viaw of meeting Murphy. To my surprise Akin Stepped into the hack, and from all indications seemed to be about to leave, having with him a small satchel, which I had nothed in his hand when he arrived. We were driven to the train. Nothing was said about matters in question until we had trayfied about nine miles, or about half the distance which I calculated trayeling. Akin arose from the rear end of the car and walked hip to where I was slitting down, and again beran the conversation.

"Have you made up 1 your mind, Cunningham, what you can do lit his matter?" "Yes," said I, "I am willing to turn Scott over to any man who will give me a receipt for him and pay me a reward which has been agreed upon by Holt county and can I see him."

"Doesn't make any difference," said I, "that I know of, to you where Scott is, and you can't see him. You will bear in mind, Akin, that you are a stranger fo me, and that I have this follow as a prispner charged with robbery, and am going to held him until I am settled with according to lagreenent with Holt county." Where are you going, Cunningham?—said he. "I am going-down to Lamy," said I. "How far is it?" said he. "About eighteen miles from Santa Fe," said I. "Where are you going, Akin?" said he. "You will nover have the permission of seeing Scott down there," said I. "To El Paso," said he. "You will nover have the permission of seeing Scott down there," said I. "To El Paso," said he rail reached Lamy, which is situated on the main line of the Atchison, Topeka & Santa Fe railroad, a distance of eighteen miles from Santa Fe in Santa Fe county.

"Here we met Murphy, Gaz

Trying to Balk Murphy.

Trying to Balk Murphy.

"Here we met Murphy, Gazing at each other for several moments, Murphy says, "Hello, Dell;" Akin says, "Hello, Murphy," "How long have you been down here?" said Murphy to Akin. "Several days" said Akin. "When are you going back? said Murphy "Don't know," said Akin. "Where are you going?" said Akin. "Going up to Santa Fe," said Murphy, "About that thise Akin signaled for me to come on. "Cunningham," said Akin, "there is the fellow I have been talking to you about. Can't you see that he don't know anything? Now, I am going to El Paso tonight, and I don't want you to have any dealings with Murphy, and I would like to know where Scott is." "Scott's in jull in Chihuahua," said I. "Where is that?" said Akin. "In Old Mexico," said I, "and you can't get to see him, elther, Akin." "Will you give me an order to the jailer, that I may get to talk with Scott and arrange matters so that we can pay you your reward and take him home with us?" said Akin. "I can send you an order," said I. "All right," said he. "Don't you deal with Murphy, for I and Scott's friends will do better by you than Murphy will; you'll find out what I have told you is true," said Akin. "All right, Akin. "We shook hands and I joined Murphy to Santa Fe, Akin called to me as I started off and says, "Cunningham, you will hear from me tomorrow." "All right," said I.

They Met in El Paso.

They Met in El Paso.

Tuesday, September 12, I receiveed the following message, dated El Paso, Tex., September 12, I 893; "W. P. Cunningham, sheriff Sante Fe county, New Mexico, Santa Fe: Can't deal with you until I see Scott. Dell Akin." Which message I never replied to, and never saw Akin after that until the 21st day of September, 1893, on my arrival at El Paso. I met Akin at the Vendome hotel. "Hello, Cunningham!" said Akin. "How are you, Akin?" said I. "How are you getting along, Akin?" said I. "How are you getting along, Akin?" said I. "First rate," said he. "How are you succeeded in getting Scott out?" said I. "No, but I think I will." said he. "How are you going to do it, Akin?" said I. "My lawyers tell me that I can beat the extradition," said he. "Your lawyers are blowing you b," said I to Akin. "Just arrived," said I. "What attorneys have you got employed in this case, Akin?" said I. "A man by the name of Fountain," said Akin. "And he tells you that he can defeat the extradition?" "Without doubt," said Akin. "All right." said I. "Akin, go in; we'll fight you to a finish." As soon as I ate my dinner I called on my agent. Frank B. Simmons, sheriff of El Paso county, to learn precisely what was going on. He gave me positive evidence and informed me of the following named Inwyers who had been employed by Akin for the purpose of defeating extradition on the 19th day of September, returning the papers, which at that time I was informed by wire from Isanc P. Gray, general consults of Mexico, that President Diazhad found sufficient evidence in the papers for extradition on the 19th day of September, returning the, papers to ——, governor of Chihuahua, for his approval.

When Akin Was Arrested.

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The lawyers employed were: A. J. Fountain, Las Cruces, N. M.: Davis & Pierce, El Paso, Tex.; Seljes & Sänchez, Jiarez, Mexico. I also learned that lawyers had been employed at Chilmahua, also at the City of Mexico. On the 21st of September 1 received a message, as follows: "O'Nelli, Neb., September 21, 1893. W. P. Cunningham, sheriff, Santa Fe, N. M. to W. P. Cunningham, sheriff, Santa Fe, N. M. to W. P. Cunningham, sheriff, El Paso, Tex.: Warrant in my hand for bell Akin. Arrest and hold him, high! requisition papers can be procured. "Spied, H. C. Mckony, sheriff; H. E. Murphy, county attorney." I carried this order "tofil the 23d day of September, 1893, when I found 1 could get no more information from Akin, and that he had but one purpose, which was to defeat the extradition of Barrett Scott from Mexico, when I, in company with E. B. Simmons, caused his arrest and placed him in the county half at El Paso, Tex., which was the last time I have seen Mr. Akin.

Subscribed in my presence and sworn to before me this 9th day of October, A. D., 1893.

EB F. GALLAGHER.

[SEAL.]

My commission expires May 5, 1846.

About Their 14fe in Jail. When Akin Was Arrested.

About Their Life in Jail.

Both Scott and Akin rehearse with no signs of weariness tales of the indignity, brutarity and abuse persistently visited upon them while incarcerated in the jails of Mexico and Texas, and they are so promptly denied by both Sheriffs Cubhingham and Sim mons that it is currently believed that a great deal of this talk is indulged in for the shamefolly abused individual, while Conningham repeatedly declared that the de-faulter was well treated and was shown as nany courtesies as any prisoner had a right

He admitted that he had no respect for a riminal and that other things being equal a should always consuit his own convenience rather than the wishes of a prisoner. He brought Scott into town in irons, but said that Scott had no one but himself to bleme for it, as he had told his aptor that his friends would take possess f him as soon as he got to O'Neil. Cuoningham made up his mind that they would not take Scott until he got ready to give him up, and ironed him accordingly.

Both Prisoners at Large.

Since his return, Scott has been in the cus tody of the sheriff, but has not been in jail. He goes where he pleases, accompanied by deputy sheriff, and a stranger would not, for an instant, suppose that he was even under surveillance.

Akin was virtually turned loose by Mati Daugherty, as soon as ther reached this city. Daugherty going up to the hotel in omnibus, and Akin walking up to the hotel in an omnibus, and Akin walking up town with a number of friends. Daugherty stept at the hotel, and Akin went alone to Scott's residence, where he spent the night. Akin was not arrested by Sheriff McLyony, who had a warrant for his arrest under indictment, and he was allowed to come and go without interference or surveillance, although not

Inasmuch as it has been charged that Scott had been "persecuted" by the county commissioners, it may not be out of place to give the history of Scott's "persecution."

History of the "Persecution," The trouble began in January, 1892, at the lose of Scott's first term, when he was asked to allow the commissioners to see the cash that his books showed to be in his hands. This demand was largely the result

of the general knowledge that Scott had spent a large sum of money in his campaign for re-election during the preceding fall, and it was current talk that county funds had een used for the purpose.
Scott did not have the money on hand, there being but \$7.348 in the vault when the commissioners made their first visit. They then gave Scott ten days in which to the showing, and money was secured from Omaha for the purpose. The matter was arranged by J. H. Thomaz, president of the State bank of O'Neill, who visited Omaha and arranged with J. H. Millard for the use of \$40,000 for one day. The money was shipped up by express, and on the same train went State Treasurer J. S. Bartley

treasurer. The books called for \$73,000 and the balance was made up by the banks of O'Neill and others of Scott's friends. Started the Storm.

who is one of Scott's bondsmen and who

witnessed the count by the special commit

tee of the commissioners in the vault of the

When the borrowed money was shipped out the next day, and the board learned of it and that \$75 was paid for the use of it and expressage, an investigation was started, and it was ascertained from the testime of the local bankers under eath that Scott had told them that if they would let him take the money to make the showing they need not bid for the county deposits, as provided by the law that had just gone into effect, as he would see that they got the deposits anyway for the payment of less interest than they would be compelled by the county board to bid. Several of the bankers ab sented themselves in order to avoid having to testify, but sufficient testimony was introduced to satisfy the commissioners of the existence of a conspiracy between Scott and the bankers for the purpose of defrauding the county, and he was removed from office on a complaint filed by J. H. Hopkins, a tax-

payer of the county.

The ouster case was taken to the district court, where it was reversed by Judge Bar-tow on error. Thence it went to the supreme court, where it was advanced on the docket, and was taken under advisement in Septem ber, 1892, but is still hanging fire. good authority for the statement that the case was decided and given to one of the justices to write the opinion, but the opinion has not been forthcoming

His Bond Got Weak.

It was ascertained by the commissioners in June of that year, some time after the beginning of the litigation, that a number of the sureties on Scott's bond were transferring their property, and he was notified that he must secure additional bond. He had two names added to the list, but they were approved by the board on the that they were "straw" men, and added nothing to the strength of the bond. And right here it may be stated that the addi-tion of these two names to the bond has been seized upon by Scott and his attorneys who claim that this action has invalidated the whole bond, and that none of the sure ties can be held.

Acting on the failure of Scott to furnish a satisfactory bond, the board again declared the office vacant, and appointed R. J. Haves, a republican, to the place in June, 1892. Scott refused so surrender, and Haves began mandamus proceedings to get possession of the office, but the case went to the district court, where it was hung up for a year, awaiting the decision of the supreme court in the case started a few months before, an it was not definitely acted on until after Scott had skipped to Mexico, when Judge Marshail of the Fremont district was invited by Judge Kincaid to pass upon it. and he declared Scott removed from practically confirming the voluntary abdication of the defaulter.

Out on Ball When He Skipped, But that is anticipating the story some

what, as another mandamus case started last January, when Scott refused point blank to make his annual settlement with the board and show the cash, and he was arrested on a charge of embezzlement preferred in the county court, charging the embezzlement of \$82,000. The mandam writ to force the settlement was refused by Judge Kincaid because of a defect in the pe tition of the plaintiff. Scott waived a pre-liminary examination in the county court, and was released on a \$15,000 bond, which the ourt declared forfeited when Scott skipped to Mexico, but the bondsmen and attorneys claimed that the bond had been released before that time by the failure of the county attorney to cause it to be re newed at the term of court to which Scot was originally bound over, but at which was not tried. At any rate several of the condsmen began unloading their property when he skipped, although a number of them have once more enrolled their names bond which is now required in the indictment case.

Refused to Settle in July.

Last July the commissioners made another demand for the semi-annual settlement and again they were refused. At this time he was collecting taxes, but refused to pay out the money on warrants that were presented compelling the county to pay interest on the warrants while there was cash in his possession with which to pay them. Two more mandamus cases were started to force him to pay out the money, and after several continuances the hearing was set for the Friday morning on which he skipped. An Friday morning on which he skipped. An other continuance was taken until the following Monday, July 31, when his attorneys said he would be back from Sloux City, but he failed to appear and the writ was issued as prayed for. Then came the decision in the ouster case. Haves, below the decision in ouster case, Hayes being given posses-

This, together with the work done to bring Scott back from Texas to answer to the charge of embezzlement, comprises the "political persecution" of which he has been the victim

Money in the Broken Bank. When the Holt County bank failed on Jul,

 Scott claimed that there was about \$40,000 of the county funds tied up there, but after statements were made by the bank officials he gradually medified the statement to \$20,-000. The statements of the bank ex-aminer and receiver are to the effect that the sum was but \$14,000, and of this amount \$7,000 was deposited by Scott to his amount \$7.000 was deposited by Scott to his private account. It was undoubtedly county money, but the examiner took it, as the books showed, and applied it to the satisfaction of private accounts of the bank against Scott, using it to offset Scott's indebtedness to the bank on personal notes and other papers, so that the books of the concern show but \$7.000 of county funds tied up in the institution. up in the institution.

Cleaned Up H s Bank Accounts.

A month before Scott's departure, he had \$2.388 of county money deposited in the Stuart State bank, and \$66 in the State Bank of O'Nelli, and this was all he had on deposit in the banks of the county with the exception of the above named amount in the Holt County bank. Before leaving he drew out all this money. purpose of exciting sympathy for the accused. Scott insists that Sheriff Cunningham made a public exhibition of him, and refuses to be persuaded that he was not a completely as if the earth had swallowed it

up, just as did the collections of the month. at the same time that Scott took his depar-

It is in evidence that he drew out the money that was in the Stuart State bank a week before he fled. It had been deposited week before he ned. It had been deposited it in his own name, and he redeposited it in the name of George H. Bowering, the cashier of the institution, and took the certificate of deposit in Bowering's name. The bank has been served with a notice not to pay out the money.
On arriving at Sioux City Scott looked up

a tax sale purchaser by the name of Thompson, who had invested at the last sale o property for delinquent taxes, and turned over to him \$5,000 worth of tax certificates, receiving the money therefor. He induced receiving the money therefor. He induced Thompson to make the payment then on the ground that he needed the money to make a settlement with the commissioners, and now Mr. Thompson finds that the commisners have canceled the certificates on he ground that the payment was illegal, as was made out of the state, and not at the treasurer's proper place of business, and the money was never in the possession or within the confines of the county. It will mean a lot of expensive lingation in the Ne-braska confer.

Squandered the School Funds.

One of the most serious phases of the shoring is the condition in which it leaves the district schools of the county, as it is certain that they will not be able to have the terms of school voted at the annual election unless especial measures can be devised. It has been suggested that the teachers could take warrants to be paid at some future time, but it has caused a large number of the best teachers in these schools to go to

Knox and other counties to teach The school district of O Neill suffers to the extent of \$16,000 and it is stated that the term will be shortened here. The vacation will probably come in midwinter, when the saving of fuel is an item that has been con-sidered. School bond funds have also suffered, as the general grab caught them all and the school district will not recover from the raid for at least two years, according to Superintendent Dudley

Where Did the Money Go?

What has become of the stolen money is a problem that all are trying to solve. not believed by any one that Scott got away with it all, and it is also conceded by every one that a great deal of it is in the hands o various parties all over the county, to whom it was loaned by Scott. A good-sized amount is undoubtedly out in small sums, ranging from \$5 to \$500, and there is no question but that some of the parties who received it never intended to pay it back. It is the general belief that a certain few, however, who constitute the ring that controls the political machine, have the bulk of this loaned money, and it is further believed that this is the main reason why they were so apxious to keep him awa from Holt county, that they might never be

called upon to disgorge. It is currently reported that Scott lost considerable money over the gaming table and he is reported to have lost \$1,800 on one occasion on "Crazy-Horse's" table at Nor folk, and at another time \$4,500 at Fremont while he is also said to have played largely

Some of His Side Schemes.

It is positively known that he gambled in this city, although no heavy winnings or losings are reported. Scott dipped into a number of speculations, and the greater part of them resulted disastrously. He is credited with putting quite an amount of money into the purchase of ninety acres south of town, which were platted as Hazelet's addition. In this he was associated with Cheeve Hazelet, ex-county clerk, and it was not a winning speculation. He next tried to make something by starting a and tile concern, but a costly experiment. next interested in the brick proved

proved a was next County Cattle company, which absorbed several thousand dollars. He was asso-ciated in that with Dell Akin, Dr. W. D. Matthews, McRoberts, Sample and others. The loss was heavy and it is openly talked that Scott paid Akin's share. This company was subsequently reorganized and Matt Daugherty and Akin have been doing business on the ruins of the other concern. has been supposed for some time that they were doing business on Holt county funds as Akin was not surpassingly well with this world's goods before his association in a business way with Scott, who i his brother-in-law.

Between Bank and Mills.

Dave Darr, ex-cashier of the defunct Holt ounty bank, is another brother-in-law of scott, and that fact is popularly regarded as having had something to do with the close relations between Scott and the bank. Darr s now running a roller flour mill here, and that concern is pointed to as another monu ment to the goaheadativeness of Scott with

the county money.
Still another concern in which he is be lieved to be interested is the chicory mill which is estensibly the property of Hazelet & Dickson, but in which Scott has always evinced a great deal of interest. This, to gether with his known intimate relations with the men named, gives rise to the belief that the mili is another receptacle of the hard-carned dollars of the people of this county. The chicory mill has not paid as yet, and is getting no better at a rate that does not promise well in the way of ultimate returns, while the flouring mill investment was, of course, in such a condi-tion that the full amount could not be immediately realized when Scott found the ground slipping from under him.

The failure of the Holt County bank was

The failure of the Holt County bank was dre to the grossest mismanagement, as "Bills Receivable" were found short \$4.664.34, and it was for a long time impossible to locate them, but they have now turned up in the Quincy State bank of Quincy, Ill., where they were deposited as collateral for the private indebtedness of President Adams. How Some Loans Were Made.

A large percentage of the bills receivable found in the bank represent loans made in the most reckless manner and utterly re gardless of the interests of the depositors of the bank. One case in point was that of the note of C. A. Peterson, which had the commodation endorsement of the bank and is held by the Citizens National bank of Norfolk and was further secured by collateral taken from the assets of the Holt County bank. Another note of the same amoun was found at the same place, and it was se cured by certificate of deposit No. 13,167 fo \$2,000, which was marked "spoiled" on the certificate register and not on the books of the bank. There were a number of these cases, and it was ascertained that President Adams had been in the habit of marking spaces in the certificate register "spoiled." and then filling out the certificates for various sums, one of them running as high as \$12,000 and then using them to secure matters having no connection what-ever with the bank. It is therefore impossible to tell how many of these certificates are still out, or to what extent the bank is involved in this manner in addition to the regular habilities.

It is also known that Adams obligated the bank even further than this by officially en-dorsing paper that had no connection with the pank, and it is practically certain that the county will suffer an almost absolute loss of whatever money it had in the institution either to its own credit or to that of treasurer. The grand jury investigated the matter, and it is almost certain that Adams will be brought back to answer to one or more indictments, if he can be found.

Some Campuign Checks. Wonder has often been expressed as to

what interest State Treasurer Bartley has in the matter. A number of checks found in the treasurer's office marked, "J. S. Bartley, Campaign," may furnish some ex-planation. It is certain that when Bartley was making his campaign for the office was making his campaign for the office which he now holds his bank at Atkinson was the depository of a lot of the county money, and it is the talk of a number of people in this county that the money was distribted by Bartley where it would do the most good was eash from the treasurer's office. The marked checks indicate that Bartley and the county treasurer's office campaigned to the county treasurer's office campaigned to bether. Bartley was at the time one of scott's bondsmen.

shortage in the Bank's Funds. The following is the shortage in the vaci-ous funds as shown by the report of the ex-

General fund ... Bridge nool bond fun District school tax levy Village fund Center predict court house bonds Advertising fund Judgment fund Township fund Soldiers relief fund Grattan railroad bonds O'Nelll railroad bonds Special levies liage special fund tate apportionment school fund Balance January 5 to August 17, 1893, W. R. Siltt, total amount due on second \$94,507.05 redit by cash to R. J. Hayes. Errors in settlement of first rerm.

.894,507.05

Total balance due Refuting a Stander.

The honest, law-abiding citizens of O'Neill and Holt county have been done a gross inustice by some of the reports that have been circulated in connection with this matter. It has been heralded to the world that after Scott had robbed the county blind and skipped to another country, on being skipped to another county, brought back here by a Texas sheriff, that officer was compelled to remain induors at might for fear of personal induors and was hanged and burned in Violence and was hanged and burned in efficy on the public streets. Such a state ment is a foul attack on the horesty and integrity of our people, as well as a most mairclous misrepresentation of the facts. The people of this county are not so infatuated with the methods of Scott as to ad to any such demonstration, and instead of being compelled to keep out of sight. It is a fact that Sheriff Cunningham was on the streets and in the public places of the on the streets and in the public places of the city on the evening in question and no one thought of molesting him. The effigy program was engineered at the dead hour of midnight by but two or three of Scott's sympathizers and beneficiaries, who had not the courage to attempt anything of the kind while the better class of midnights.

while the better class of residents of this city were abroad.

The people of O'Neill protest against being slandered in any such manner, and insist that if the followers of Scott desire to either land him or express their opposition to the work of bringing him to justice they do it as individuals and not stand in the background and endeavor to have the impression conveyed to the outside world that the people here, as a whole, are disposed to condone official crookedness and overlook corruption.

PRAYING FOR WIND.

Duoraven and His Skipper Longing for More than a Full Sati Breeze Today. New York, Oct. 12.-If all the signs do not fail the Vigilant and Valkyrie will have plenty of wind and sea and rain for their race tomorrow.

At the signal office it is said that a storm is coming from the south and that it will reach here before the start of the race. There will be rain, cooler temperature, with wind fifteen to sixteen knots an hour and possibly stronger. No matter how the weather, however, both yachts are ready

Captain Cranfield said today that he would take whatever the Lord Almighty chooses to send and make the best of it. Ho would prefer a good, stiff wind, but not too much wind, as he wanted to know what his cutter could do.

That Lord Dunraven has not abandoned

all hope was shown this morning by the fact that about a ton of lead was put aboard the Valkyrie and stowed away in her hold. This was done in the hope of getting her back to the weight she had before she came over.

In a conversation with Designer Watson, that gentleman said: "The Valkyrie's sail plan is specified one-tenth of her possible sail area to avoid measurement taxation. That tenth would about come up to the Vig-ilant's sail plan area. The Valkyric could have been made a particle heavier and then stood the extra thousand square feet easily. She could carry the sail, perhaps, now, but her lightened power, in comparison with the ordinary keel type made me fearful, and I gave the Valkyrie's sails the spread which I thought her hull could carry surely and safely. Both the Vigilant and the Valkyrie are more or less racing machines, although the Valkyrie has ample accommodations for her crew of thirty-six, and ten of these men are surplus. The Valkyrie's crew is numerous enough, and what the Vigilant needs of a crew so much larger is a mystery. The Valkyrie is something of a cruiser, and her model might have been improved at the cost of cruising

The rule of measurement of the Valkyrio after the additional ballast was put in makes her load water line 85.96 feet and reduces her time allowance to one minute thirtyfive seconds.

Will Join the Federation CLEVELAND, Oct. 12.-The Amaigamatcd Association of Street Railway Employes decided yesterday to join the American Federtion of Labor.



satisfaction or your money will be returned A plain statement of fact made by the proprietors of Dr. Sage's Catarrh Remedy is this: "If we can't cure your Catarrh, no matter how bad your case, we'll pay you \$500

AMUSEMENTS.

BOYD'S NEW A Nights 2 Matines

in cash."

Fire Proof. Ground Floor. Eight Exits. Thursday, Friday, Saturday & Sunday Oct 12, 13, 14 and 15.

ELMER E. VANCE'S Marvelous Realistic

Patent Applied For The heaviest play ever produced. Tons of machinery, heavitful seemery and ingenious effects are used in every act. Hox sheets open Wednesday morning at the usual prices.

BOYD'S THEATER INGERSOLL.

Wednesday Evening, Oct. 18. Lecture by the Noted Orator, ROBT. G.

INGERSOLL!

SUBJECT:

MYTH AND MIRACLE. Box Sheets Open Tuesday Morning at the Following Prices: First Floor, \$1.90; Balcony, Sec; Gallery, 50c.

15th STREET THEATER POPULAT TONIGHT AND SATURDAY MATINEE. Mammoth Scenic Production:

The Tornado. Matince Saturday. Any seat in the house 25c. Closing with Matinee Sunday. PUBLIC STREET PRESE

One week starting Sun lay Night, October 15, the Farse Comedy Sensation, A Railroad Ticket.

Inquestionably the Funniest Farce Comedy Ever Presented. Matinees Wednesday and Saturday.

Pellets, which cure all liver troubles in the most effective way. They're not easily seen for