THE OMAHA DAILY BEE

OMAHA, FRIDAY MORNING, FEBRUARY 26, 1909←TWELVE PAGES.

WEATHER FORECAST.

For Nebraska-Generally fair, For lowa-Partly cloudy For weather report see Page 2.

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VOL. XXXVIII-NO. 219.

Norris in the House and Burkett in the Senate Occupy Places in the Spotlight.

BOTH LINE UP WITH ROOSEVELT

Congressman from Fifth S Detail of Secret Service.

BURKETT ON SENATE COMBI

Makes a Showing of How Few Mer. Control Important Committees.

MOVE TO CURTAIL THEIR POWER

Would Make it Impossible for Any Senator to Have Places on Any Two of the Important Committees.

(From a Staff Correspondent.) WASHINGTON, Feb. 35 - (Special Telegram.)-Nebraska played a most consequantial part in the proceedings of two houses of congress today, Burkett in the senate and Norris in the house commanding attention because of their positions, both in a measure unequivocally supporting the hands of the president in his endeavor to bring about a better condition of govern-

When the item in the aundry civil bill was reached relative to limiting the extent of secret service activities and prohibiting this bureau of the Treasury department to do work in other departments, oCagressman Norris closed the debate on the amendment permitting the secret service to be used by any department of the government. Although the vote was overwhelmingly in favor of the law as it now stands, limiting the service to one department, of forty-one votes cast in favor of the broader sphere the Nebraska delegation voted solidly in favor of the president's proposition.

Judge Norris in presenting his reasons. why the men of the secret service should not be confined to any one department said: "Nine-tenths of all the argument has been made on a question which is absolutely immaterial and has no bearing whatsoever on the point in dispute. It is unfortunate that members in this debate have seen fit to make attacks on the president and different departments of the government. The only question is, shall men in the secret service be allowed to be transferred from one department to another? It is a square business proposition that men in the secret service should, when emergency requires it, be transferred from one department to another. There is no occasion for members to get excited and to find fault with and criticize the executive and other department officers merely because the executive de-

In speaking upon his resolution, which proposes to amend the existing rules of the senate by adding a new rule providing that in committee assignments chairmen shall be appointed agreeable to their wishes "No senator should be appointed to mem-

partment is asking for the exercise of ordi-

nary business judgment in legislation."

bership on both the finance and appropriations committees, nor should any senator be appointed to more than two committees carrying appropriation bills, nor to more of the following committees: Appropriations, commerce, finance, foreign relations. Interstate commerce, judiciary and rules. It seems to me that perhaps we mikht well consider at this time something of the condition of the organization of the senate. We may think that we can eliminate the question, but we cannot, because the country has not been well satinfied, I think, we all agree, with all the work of the senate, and it has something to say in reference to this matter. In my pointon the country is going to say a good deal more upon the question of what country thinks upon the legislation we gress of the case. enact and upon that which we fail to enact.

How Places Are Distributed. Mr. Burkett read from a statistical table he had compiled showing that on seven committees but thirty-seven of the forty six states are represented, while all the places are held by fifty-three of the ninetytwo senators. Of the eighty-nine places on these committees, he said, fifty-five are held by steen states. While thirty-nine places are held by republicans, he said, thirty-nine individual republicans hold all of them. Of these, eighty-nine desirable assignments, he said, twenty-three are held by senators from states west of the Mississippl river and sixty-six places by senators senators, he cald, are on more than two of these committees; thirty are on two twenty-two are on one and fourteen are on none at all. Burkett insisted that better results would be obtained by the senate if the work should be more equally distributed.

Senators Kean and Penrose objected to tural bill was pending and the further consideration of the resolution was postponed.

Protecting Surface Rights. The bill for the protection of the surface McCumber, as follows:

This legislation was brought about by

sContinued on Second Page.)

DAY FOR NEBRASKA Court May Limit MEN IN CONGRESS Amount of Fine in Standard Case

Judge Anderson Intimates that Penalty in Case of Conviction Will

Be Moderate. CHICAGO, Feb. 25.-United States Disict Judge Anderson broadly intimated tomy that he will rule that the unit of ofe in the Standard Off rebating case

> dy \$730,000 is possible, as compared be original case. ort said after listening to the ar

be the thirty-six settlements of freight

link that there can be no more con fetions than there have been settlements, COOK TAKES UP THE CUDGEL wherein the carrier and the shipper have settled their accounts and the shipper has received back the difference between the valid rate and the rate which was a concassion. Of these settlements there were thirty-six."

In rendering this informal opinion the court also disposed of the contention of the defense that the whole matter was a continuing offense, susceptible to but one punishment.

"If that is your honor's opinion," Assistant District Attorney Wilkerson said, "the government to faciliate the case will proceed along the line intimated. When the matter comes before you for a formal ruling we may produce further arguments." United States District Attorney Sims left the court room quietly, apparently in no mood to discuss the question. He has held all along, however, that even the maximum fine on the settlement basis renders the attempt to enforce the Elkins law against big corporations ineffective.

Mail Subsidy

House Committee on Postoffices Decides to Report Favorably on Senate Bill.

WASHINGTON, Feb. M -- By a vote of 10 to 7 the house committee on postoffices and postroads today agreed to report favorably to the house the senate bill for an ocean mail subsidy.

Representative Hill, a democrat of Mis-Kansas and Stafford of Wisconsin, repub- graph in the last appropriation bill is what Tennessee Political Fight Reviewed licans, voted with the democrats against gave rise to the president's strictures upon

NOVELS OF HIGH FINANCE **NEW LURE TO MODERN YOUTH** Fired by Stories, Two Chicago Boys

Leave Home to Break Board of Trade with \$900. CHICAGO, Feb. 3. The dime novel which inspired youths to go out west and kill and in accordance with their seniority of fiction of commercial heroes, according to the subject of admiration among a free had been reached in attendance at the Hatch of New York, for the plaintiffs, de-Michigan City, Ind., youths who confessed

> ("bicam Board of Trade." They gave their names as Carl Taylor and Lloyd Klesner. They said they had a "system" to beat the market, and produced between them \$900 with which they had expected to begin operations. The arrests were made on complaints of their

fathers. PHYSICIAN PREDICTS OWN DEATH TWO WEEKS AHEAD

Dr. Lunn, Who Contracted Blood Poisoning at Operation, Names Fatal Day.

HOUSTON, Tex., Feb. 3.-Dr. W. A. the senators are doing in the future than Lunn, a prominent physician, is dead at land frauds involving millions of dollars most devoted personal friends. it has in the past. So I suggest to those his home here of blood poisoning, con- were unearthed. who occupy the most important positions in tracted while performing an operation three the senate that they can well afford to weeks ago. He diagnosed his own case, consider some of the things that are sug- attended to his own treatment and pregrated in this resolution. They may not dicted the exact date of his death two and the testimony of men who did not know Colonel Cooper was interested, printed the care what the country thinks, and yet they weeks since. He appeared to take great anything about it did I find that it had original charges against Governor Cox must and they are considerate of what the interest to the last in observing the pro- done anything except in the watching of which, when repeated by Carmack in the

> FOOD BOARD RAISES BAN detectives were necessary to hunt down Permits Use of Benzonte of Soda Where Package is Properly Branded.

WASHINGTON, Feb. 5.-No objection provided that each package is plainly of the secret service?" labeled to show the presence and amount. and drug inspection, made public today, and

SECRET SERVICE LIMIT WILL STAY

House Refuses by Overwhelming Vote to Strike Out Legislation Objected to by President,

MR. SMITH LEADS OPPOSITION

Council Bluffs Man Says Secret Service Agents Are "Common Liars."

res. Under this ruling, if made, a fine SPECIAL INSPECTORS ARE PRAISED

sudge Landis' assessment of \$39.340. He Says They Do Much Work Credited to Chief Wilkie's Men.

Colorado Congressman's Denunciation of the President is So Rank and Coarse He is Not Allowed to Finish.

WASHINGTON, Feb. 25.-By an over whelming vote, and without party distinct tion the house of representatives today sustained the committee on appropriations in again reporting a provision in the sundry civil appropriation bill, restricting the operations of the secret service detectives of the Treasury department. The president was scathingly denounced by Mr. Cook (rep.), Colorado; while Mr. Smith (rep.), lows, a member of the appropriation committee and one of those named by the president in his message of January 4. last, as being responsible for the secret service limitations seeminly employed all the invective at his command in an attack on that service. He compared the secret service detectives with "common liars," declared them to be worthless and pointed to the assasination of President McKinley Wins a Point as a sample of the watchfulness and capacity of those men, one of whom, he said, stood at the president's side when he was shot down and failed to observe the approaching assassin with his supposedly bandaged hand in full view.

Consideration of the civil bill was conlinued until into the night. The conference report on the postoffice appropriation bill was agreed to during the day and the naval bill was sent back for further con-

Amendment Starts Debate sississippi was the only absent member of the provision limit of the field of operathe committee. Representative Murdoch of tions of the secret service. A similar para-

> members of congress. the secret service detectives. His remarks PATTERSON'S NAME USED FREELY Mr. Bennett entered a general defense of were listened to intently by Mr. Smith, who, at their conclusion spoke of the numerous special agents, postoffice inspectors and others, "every one of whom," he said, "Is of a higher, nobler type than the members of the so-called secret "service." He declared that one of the requirements was that he should be "a common ligg." The secret service agents, he said, were

Assistant City for Police Schuettier. Depeople. Many of them, he said, work for Cooper-Sharp murder trial, but the throng livered a scathing arraignment of the legtectives arrested today two fe-year-old in hunting down land frauds, that surrounded the jail building almost islature that passed the prohibitory law in to have left their homes to "break the them that know a legal from an illegal look like a mere handful of casual passentry.

Praises Special Agents. sarcasm, would take places as postoffice room inspectors and special agents of the Inthey might have to do some detective work, mation or denial, that Governor Patterson "but," he asserted, "the idea that some \$3 would take the stand on behalf of the dethan a specialist is simply absurd."

case where secret service men were "called when the chief executive was called to

The secret service men, he charged, were worthless, and he said "nowhere except in Lancet editorial which the state had ofthe valugiorious boastings of Chief Wilkie fered to prove that the Lancet, in which jurors and the like." Continuing, Mr. Smith suggested that if that he or Carmack must die.

the force in the counterfeit section of the Treasury department. "Wouldn't that," interjected Mr. Stanley

will be raised under the pure food and drug (Ky.) with sarcasm, "interfere with the acts to the use in food of benzoate of soda, mystery, sensationalism and attractiveness Joining in the laughter which followed

(Continued on Third Page.)

This is the decision of the board of food this query, Mr. Smith, continuing, said that is an amendment to previous decisions. from east of the Mississippi. Twenty-six Two Reports in Senate

on the Big Steel Merger

ciary on Monday when it meets to vote on told the representatives of the Steel cor-Tennessee Coal and Iron company by the them to take the action proposed, that he United States Steel corporation. Since the felt it no public duty of his to interpose publication of the majority report of the any objection under the facts and circum rights of entrymen, commonly known as subcommittee finding that the merger was stances detailed to him and that the presithe Mondell bill, passed the senate today, a violation of the Sherman act, and admin-dent assumes all responsibility for with an amendment submitted by Senator intering a severe rebuke to the president, action in thus doing the minority-Messrs. Clark of Wyoming | The minority asserts that it is imma-Provided Furner, that where public lands, and Dillingham—have put their dissent in terial to determine whether the underthe form of a report. All day there has standing which the president had as to

discloses that he did and under what cir- permit the absorption that the circumcumstances. The ininority finds that stances as developed show that the presi there were just three things disclosed by dont neither permitted nor forbade it,

WASHINGTON, Feb. %-Two reports will | the president's message that are important be before the senate committee on judi- and relevant. They are that the president the investigation of the absorption of the poration that while he could not advise

provided. Further, that where public lands, not withdraws from settlement, but said and a feet to homestead cuty as agricultural lands, have been entered in good faith as such, and proof of settlement and cultivation as required by law have been made at the local land office, which proof shows the land to be agricultural lands, patents therefor shall be executed and delivered to entitymen notwithstanding there may be lignite coal under such lands.

And provided further that where lands not withdraws from settlement and entry as agricultural lands have been or hereafter shall be entered upon in good faith under the homestead laws of the United States and final proof is offered at the local land office to the entrymen and patents delivered as now provided by law, late the local land office to the entrymen and patents delivered as now provided by law, such with lagilite coal, unless it shall appears that the lands have a higher commercial value for mining than for agricultural purposes.

This legislation was brought about by committee the find of the president's message. It will be pointed out that the president's message is and provided was now provided by law, such with lagilite coal, unless it shall appears that the lands have a higher commercial value for mining than for agricultural purposes.

This legislation was brought about by committee the file and and office to show that such lands have a higher commercial value for mining than for agricultural purposes.

This legislation was brought about by committee the primary finguity in a cond with the facts. That the sense the the the sense that he sense to small be an expected whether the sense the higher commercial value for the committee the determination of the minority finds that.

The view of the minority finds that in the judge at the form of a report whether the sense to him by Messrs. Gary and Frick, was fully in accord with the facts. That the fully in accord with the facts are fully to accord with the sense as action must be considered as having been w

Some of the Sights of the Automobile Show



The discussion arose over an amendment by Mr. Bennett of New York, striking out COL. COOPER CALLED BOLTER Oklahoma Law Like Secession

in Carmack Murder Case.

Rumer Governor of State is to Tes tify for the Defeuse Galls Out Large Crawd Before Dawn.

"when there is no considerable number of before dawn today made the other crowds question force to keep the eager men and women Respectable men, he said, with manifest from pushing pell-mell into the court

The cause of the excitement was the terior department, even though occasionally well defined rumor, impossible of confirerit to all the citizens of the union. If or 24 a day man, who is willing to be a com- fendants as soon as Colonel Cooper was mon detective can familiarize himself with excused. As the testimony goes on, the all laws and therefore become more useful name of the governor is being mentioned freely, hence the public accepted the rumo He illustrated his point by referring to a as a fact and determined to be present off" and special agents allowed to do the testify on behalf of the men who have work alone and said that in consequence been his ablest political lieutenants and thirty days in which to file briefs and the

Ay soon as court was opened Judge Hart announced that he would exclude the Tennessean caused Colonel Cooper to say

Colonel Cooper again took the stand and jurors they should be assigned by the De- Captain Fitshugh resumed the cross-expartment of Justice and not be taken from amination, commencing with the state debate between Carmack and Patterson during the last gubernatorial campaign. Charged Daily Attack.

The witness was asked if the Nashville papers did not report this debate in full

and if he ever read of Carmack's attack upon him in the American. He said he had read it, but he believed the papers did not publish the debate in full "Didn't you say he attacked you nearly every day in this debate?" "I said practically every day."

words?" "I did not recall except the one about the 'angel with the smell of hell upon his

"Don't you know he never said hell?"

"You put it in-you use the word hell "I certainly do. It's a favorite word of

mine and I use it whenever I want to." The witness was asked to read the

(Continued on Second Page.)

Second-hand autos --motor cycles--auto repairs --- spring overhauling---do any of these things interest you? You will find the right place by

looking on the want-ad page under the head of "Automobiles."

The live dealers use the want ads because people can find what they want easily and always in the same place. Have you read the want ads yet-today 1

FLEE FROM OHIO FLOODS

Lawyer in Gas Case Arraigns Legislature in Trying to Take Property Out of Union.

MUSKOGEE, Okl., Feb. 25.-In the closing arguments in the federal court here today in the case of the Kansas Natural Gas company and Ohlo and Delaware firms seeking to permanently enjoin the state NASHVILLE. Tenn. Feb. 25.-it was from interfering with their piping gas out

"This," declared Judge Hatch, "relegates ersby. The deputies at times had to use us to the days of the passage of the secession enactment. I can think of no differ ence in one state taking herself out of the union and in her taking her property out of the union, and removing what is a ben-Oklahoma can do this with her gas, other states can do the same with their wheat, corn and cotton."

Attorney General West, for the state, als became sensational in his argument. He charged that the Standard Oil company had appropriated \$7,000,000 to prosecute the gas cases and was the real party interested. Judge Campbell today granted the state gas company fifteen days to reply.

PHYSICIAN GOES TO PRISON PROTESTING HIS INNOCENSE

Dr. Sells of Osceola Asserts He is Vietim of Conspiracy When Sentenced to Long Term.

DES MOINES, Ia., Feb. Z.-Dr. F. W. sells of Osceola, prominent as a physician and surgeon in the state and president of the Osceola hospital, was sentenced today to the penitentiary for twenty-five years. He was convicted of committing an as sault upon Miss Stella Hartman, a patient in the hospital. When sentence was pronounced Sells created a scene by declaring in open court that he was absolutely innocent of the crime and that he was th victim of a conspiracy.

Awash and Abandoned.

Kentucky River Invades Three Towns and Fear is Felt at Memphis Over Rise in the Mis-

sissippi.

LOUISVILLE, Ky., Feb. 3.-With every the Ohio river mounted steadily all night | The fact that the World-Herald sent and at 7 o'clock this morning was within down a representative to crack the whip a fraction of the danger line for this point over the house members has not helped -twenty-eight feet. Cold clearing weather, the charter. The World-Herald attempted which came yesterday afternoon had not time to get in its work of checking and torially a portion of the organization and steadying the rise, although its effects are to attempt now to dictate what the legisexpected to become increasingly apparent lature shall do has not helped very much by tomorrow. A maximum stage of at least at this writing. thirty feet is expected, however, before the rise halts.

Morning found the lower floors of some ern end of Louisville inundated, while over twice as many were awash in "the point" district at the eastern end. From many of these places families were moved during the night-others elected to stay in their second stories. Cellars and warehouses along the river front were flooded, but ample warning has enabled merchants to move goods and avoid damage. By night is expected that the number of persons driven from their homes in low lying districts will be doubled and that a number of factories will be forced to suspend.

Big Rise in Mississippi.

rise in the Mississippi becoming more rapid Sunday next and a further rise during the anticipated stage be reached, a serious overflow is not probable unless the volume of water be much greater than expected.

Cincinnati is Alarmed. CINCINNATI, Feb., M.-The stage of the river here was \$2.5 at 7 o'clock this morning and rising at the rate of about a tenth

"What were the facts of this attack—the King of Greece Only rords?" Can Demand Damages

tution for the injuries sustained by the junction with Koro Melas, but he is sub-Greeks in the South Omaha riot of Sunday ject entirely to the instructions of his night must be sutherized by the kingdom of leading Greeks to secure for us all the of Greece.

the law firm of Sullivan & Rait, attorneys sufferers are numerous and scattered. for the local Greeks. Here is the situation, as presented by Mr. Rait: "We have told the Greeks they cannot

a list of personal and property damage, to be placed upon them." to be used as his country may deem wise. ber in South Omaha

Whatever action is taken to secure reati-, To this extent we are working in concountry. We have appointed a committee

ington. What can be done and what we see how some of these develop before we cussed. Hence the caucus Friday night. are anticipating is this: We can formulate can be sure of the estimate of damages

present this list to the minister of Greece While the Greeks are coming and going Water board of Omaha all the assistance at Washington and he may turn it over at South Omaha, they are not settling he can to get out of mix-up it has creto his country, whereupon, if the king-to his country, whereupon, if the king-dom of Greece sees fit, it may press a de-they are unable to secure quarters. Not He has introduced a bill in the house mand with the government at Washington sufficient time has elapsed to enable them which, among other amendments it makes Now, we have advised to repair their old places for habitation to the present law, provides that the Minister Koro Melas to this effect and in and property owners are both to rent or board may compromise any litigation in sursuance of that course, we are today lease them other buildings. It is believed which it is interested and that it shall seginning a systematic canvass of all dam- this attitude on the part of the real estate have the right to grant a franchise for ages, both to property and persons, and agents and owners of property may con- the conduct of a water plant to any perwhen we have the data completed we shall stitute a permanent har to the return of son or corporation for a period of not forward it to the minister at Washington the Greeks and serve to leasen their num- more than twenty-five years.

HARD SLEDDING FOR THE CHARTER

Disagreement of Douglas Members Makes it Necessary for Outsiders to Take a Hand.

INCLINE TO LOOK AT CITY'S GOOD

Others Determined to Block Effort to Rush it Through.

CLUB OVER HEADS OF SENATORS Howell Takes a Hand at Dictating

Newspaper Story. ADDING TO THE PARTY MACHINE

More Bills Introduced on Last of the Open Session to Piace Appointments in the Hands of the Governor.

LINCOLN, Feb. B. - (Special.) - The Omnha charter, which received such a severe jolt yesterday and which is billed to receive several more, promises to be a nightmare for Senator Howell of Douglas county. Should the charter bill be killed in the house more blame will attach to the senators from Douglas county than to anyone else, and especially to Senators Howell and Ransom. The charter was kept in the senate for at least six weeks and then it was rushed over to the house with instructions "to put it through without amendments and do it quick." The charter has

been in the house about a week. There is no question but what Senator Ransom holds the whip hand over the senate, btu when it comes to the house that is a different question. Thomas of the Douglas delegation attempted to carry out the instructions of Senator Howell yester-

day and failed. Democrats of the house are very much nterested in the Omaha charter, Inasmuch as the Omaha delegation is divided on detalls of the charter it is now the duty of the members of the house to do what they think is best for the welfare of the city and therefore the state. Some of the members are beginning to realize that for them to carry out the orders of Ransom and Howell will make the fire and police departments of Omaha political foot balls. These members who have the good of the city at heart realize that the floating vote of Omaha, the votes controlled by the class of people less interested in the welfare of Scores of Homes in Louisville Are the city than in their own weifare would

elect the board. These members who favor temperance legislation and who are not in favor of be-FACTORIES MAY HAVE TO QUIT ing the means by which Omaha is to take a backward step are considering the matter very seriously and for that reason the Omaha charter has become quite a live is-

At the present time the police board of Omaha is appointed by the governor and many members of the house realize that the board so appointed is generally composed of a higher class of men than

to organize the house and denounced edi-

For the present the charter will be held up and used as a club to swat Senator Ransom and Senator Howell every time fifty homes in shipping port and the west- they swat the anti-corporation bills of the house members. The senators will have to make a choice between the charter and their corporation interests.

Howell Dictates Story. The story of the Omaha charter bill published in the World-Herald tomorrow morning should be interesting for it was dictated by Senator Howell.

The senutor, after talking with the editor of the World-Herald, came back to a reporter from another paper and "I have just been talking to Newbranch and he said to tell you to write up the

MEMPHIS. Tenn., Feb. 25.-With the charter bill just as I tell it to you." When in formed that he was talking to with every hour a flood stage of thirty- the wrong reporter Mr. Howell remarked three feet is anticipated at this point by a few words and hustled out after the representative of the demo-pop sheet

Amend South Omaha Charter. Henry Murphy and a delegation from South Omaha appeared before the committee on cities and towns of the house this afternoon and secured the adoption of the following amendment to the South Omaha

charter bill:

The mayor and council shall have power by ordinance to regulate, to fix rentals and rates; to fix maximum and minimum pressure and the character of the supply of water flowing through all mains within the corporate limits of such city, and they shall also be empowered to provide within said ordinances for the imposition of fines and forfeitures for the failure on the part of any company, person or corporation to comply with the provisions of such regulations as set forth in such ordinance.

House Democrats to Caucus. Once more the democrats of the house

will try to get together and provide for peace and harmony for the balance of the session. The caucus is set for Friday night and a right jolly time is promised. Though zion so far as the house is concerned, there has been nothing done. All the bills are of leading Greeks to secure for us all the now in that can possibly help Governor data as to injuries and damages, and this Shallenberger build up his political ma-This is the statement of James Rait of work will require several days, for the chine and the democrats of the house have begun to realize that is about all that has "I should say that \$60,000 will cover all been done. The Carnegie pension fund makthe property losers, and perhaps that is ter is a nightmare because the only arguplacing the estimate a little high. But the ment so far offered against it is that Mr. ossibly recover any damages from the personal injuries will run into larger Bryan himself does not want the bill to city of South Omaha. In many states the figures. Some of these men are badly hurt, pass. Then there is the initiative and refegislatures have provided that municipali- One has his eye kicked out. Oh, they have erendum still up in the air somewhere and des shall be held responsible for mob vio- managed to push it back into the socket, Sunday base ball, something the Omaha ence, but Nebraska is not one of these but the sight is destroyed. Another is delegation promised their constituents, is states. South Omaha cannot be held re- severely wounded in the leg, and still an- so weak it cannot stand alone. Then county ponsible under our laws. Nor can we, as other at St. Joseph's hospital was thought option has to be discussed behind closed oursel for the Greeks, sue the federal to be fatally shot, but may recover, Many doors and several other matters which the government, or even present claims of arms and legs are broken and skuils democrats are pretty badly worried about damages to the State department at Wash- bruised. So that we shall have to wait and The sifting committee is also to be dis-

Water Board to the Front. Boland of Douglas is going to give the

The democratic house members went out