

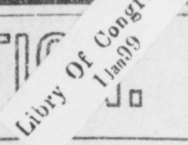
The News and Observer.

VOL. XLV. NO. 117.

RALEIGH, N. C., SATURDAY MORNING, JANUARY 21, 1899.

PRICE 10 CENTS.

LEADS ALL NORTH CAROLINA DAILIES IN NEWS AND CIRCULATION



MR. NELSON'S PLEA FOR EXPANSION

The Senator Says it's Cruel to Abandon Filipinos.

WE MUST PROTECT THEM

KEEP THEM OUT OF OTHER GOVERNMENT'S CLUTCHES.

MR. TILMAN ON THE RACE QUESTION

Called to Order for Interrupting Mr. Nelson, Mr. Tilman then Prevented Completion of Canal Bill Which he Call-a Scheme to Steal.

Washington, Jan. 20.—The Senate was in session for five hours and a half to-day, but the session was practically barren of results.

Mr. Nelson, (Rep. Minn.), spoke in opposition to Mr. Vest's anti-expansion resolution, and Mr. White, (Dem. Cal.), made a personal explanation of his position with respect to the instructions given the California Senators by the Legislature of that State as to voting on the pending peace treaty.

Mr. Nelson's address was a constitutional argument in support of the right of the United States Government to acquire and govern foreign territory. He maintained that it was no longer an unsettled question that this country had the power not only to acquire foreign territory by discovery, conquest or treaty, but also to govern territory so acquired.

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Mr. Nelson contended that the Filipinos would not become voters under the arrangement proposed.

At the conclusion of Mr. Nelson's remarks, Mr. White defined his position as an anti-expansionist, and said, speaking of the request of the California Legislature that its Senators vote for the peace treaty:

"I would be glad to meet the desire of the Legislature of California if it were possible for me to do so without loss of self respect and a sacrifice of all my opinions."

Mr. White stated that the Legislature and his colleague, Mr. Perkins, are Republican, while he is a Democrat.

As soon as Mr. White had concluded his statement, Mr. Perkins, addressed the Senate. He paid a high tribute to the honesty, energy and ability of Mr. White, but notwithstanding his able argument, he believed this to be a representative Government. So believing he felt that his obligation was to the people of his State, and that when he had ascertained what their desires were he would be false to himself and to them if he did not heed their wishes.

"I am opposed," said he, "to the policy of acquiring the Philippine Islands, believing such a policy to be a menace to our Government and its institutions; but nine tenths of the people of my State, as their wishes are expressed through a Legislature recently elected, think otherwise. While I shall vote for the pending treaty it will be under protest. I shall do so because I regard such action to be my duty."

Consideration of the Nicaragua Canal bill was then resumed, consideration being on Mr. Caffery's amendment, the completion of the bill was prevented probably by the filibustering tactics adopted by Mr. Tilman (Dem. S. C.), who frankly announced that the bill could not be passed to-day as he and other Senators if necessary would remain in the chamber until midnight to prevent a final vote.

Mr. Tilman declared that the whole canal "scheme" was purely speculative and had for its main idea the pulling out of the treasury \$5,000,000, a sum which he characterized as the "last penny on the tree which the Maritime Canal Company is grasping at, after having missed getting the fifty millions, or a hundred millions which previous bills had proposed to give them."

"I believe," he declared, "that this scheme is a steal and nothing but a steal."

"The more you stir this thing," he shouted, "the more you investigate the dirtier it becomes and the louder it stinks. (Laughter.)"

When the Senator from Alabama, Mr. Morgan, tried to interfere with my rights as a Senator on this issue I made up my mind that this bill should not pass to-day and that we might as well adjourn."

MAJOR W. H. DALY ATE EMBALMED BEEF

Subsequently Had Trouble With His Stomach

DALY'S STRONG REPORT

PROOF BY ANALYSIS OF PRESENCE OF CHEMICALS.

BORAX AND SALICYLIC ACID USED

A Test Now to be Made by Government Chemists. Dr. Daly Says no "Beard" can Appear Upon Meat Free from Putres Cent Germs.

Washington, D. C., Jan. 20.—Major W. H. Daly, chief surgeon with General Miles, and whose field service stretches from Tampa to Porto Rico and whose report condemning the beef furnished the expeditionary forces created a sensation some weeks ago, made his long-awaited appearance as a witness before the war investigating commission to-day.

Surgeon Daly's report was the strongest in language of those submitted by General Miles in substantiation of his attack on the beef supplies.

Dr. Daly has been too ill to appear heretofore. He was accompanied by General Miles' own stenographer, despite the presence of the commissions' official stenographer. On being sworn, the witness identified the report submitted as his own, changing its date, however, from September 31st to October 31st. He was willing, he said, to stand by his report. It was wholly voluntary and was not called out by any request or in obedience to any circular or letter, so far as he remembered. He had heard nothing of an official circular calling for reports.

At Ponce, however, some time between August 1st and 12th, he believed, he commented to General Miles some observations made at Tampa. He had noticed a quarter of beef hanging free in the sun on shipboard, and he became interested in the experiment of having fresh slaughtered beef placed under such conditions to see how long it could stand it.

"I observed," he said, "that the flies especially the bull flies, did not affect it; did not alight on it, or if they did they got away from it very quickly."

He cut off a piece of that beef at Tampa and cooked it but it neither smelled nor tasted natural. Later he helped the men corral some horses, and subsequently had trouble with his stomach, which he first attributed to the activity of corraling. Then he noticed indications of the presence of chemicals that brought back recollections of chemical stuff he had used to preserve elk in hunting expeditions in the Rocky Mountains some years before. All that day at Tampa and the next he had an unpleasant taste. In that previous hunting experience he had analyzed the chemical preservative and found it to contain borax and salicylic acid. These were to be used externally on the elk hunt, but he had rubbed it in the raw flesh and also injected it.

Questioned as to these ingredients, he said borax was not safe to be used in connection with food nor for ordinary medical purposes, while the salicylic acid was most nauseous, loathsome and disgusting, almost destructive to digestion.

Dr. Daly said he should say the attempt to preserve the beef by chemicals was not a success. That had been his experience on the transport Panama. In the beef carried by that ship he was "pretty sure chemicals were involved."

That beef, he said, was very foul. He thought the Government beef requirements of the contractors were very unreasonable. Everybody knows, he said, that beef exposed to moisture and warmth for 24 hours, "will be very much tried."

Referring to the transport Panama he said most of the beef it carried was refrigerated. They had secured a ton of beef and for this they at first had one and one-half tons of ice, later it was increased to eleven and one half tons of ice.

"The beef, however, had a decidedly peculiar odor," he went on to say, "I observed the refrigerated beef taken from the transports. It had a peculiar odor. I observed the examination of spoiled beef on one transport. It was done by a butcher down in the hold. He thrust his arm in every direction into the putrid meat trying to find a solid piece. This meat had the same peculiar odor."

"He added that the Panama's odor warranted his report and that its odor was like that of a dead human injected with preservatives. He also depicted the strong odors aboard the transport Chester.

General Beaver asked if the witness did not think his examination purely superficial and without any substantial knowledge.

"No, I would not like to say that," he replied. On the Panama, coming over from Ponce, he had made some test, or soup, from the refrigerated beef, the same that had been condemned, had filtered it and sealed it hermetically in a can and when he reached his home at Pittsburg had analyzed it. From this he said, disclosed the characteristics of borax and salicylic acid.

(Continued on Sixth Page.)

A BILL BY PRITCHARD. Will Embody President's Views as to Care of Graves.

Washington, D. C., Jan. 20.—(Special.)—Senator Pritchard, of North Carolina, had a talk with President McKinley this morning about Congressional action on the ideas expressed by the President as to National care for the graves of Confederate soldiers. Senator Pritchard went from the White House to the War Department to gather whatever facts as to Confederate cemeteries are to be had. In a few days the Senator will introduce a bill, which will embody the views of the President.

ACQUITTED OF MURDER.

When Jury Declared Rawls Innocent People Cheered Tumultuously.

GREENVILLE, N. C., JAN. 20.—(Special.)

The trial of Joseph Rawls, for murder, which has been in progress four days, closed to-night with a verdict of not guilty. The jury was out only two hours and the verdict was greeted with tumultuous shouting by the immense crowd in the court room, which the judge and officers could not restrain.

WILL SUPPORT TREATY

GERMANY'S CONSUL'S ACT, HOWEVER, SEEMS TO HER REGULAR.

Our Cabinet Will Ask for a Conference of Representatives of the Three Powers Interested.

Berlin, Jan. 20.—The Foreign Office informs the correspondent of the Associated Press that the official reports received from Samoa by the Government, tally with those received by the Associated Press. Germany will not support any possible irregularly inconsistent with the treaty, but the Foreign Office's officials point out it is not yet clear that the German Consul at Apia has been guilty of any irregularities of that nature. On the contrary the Foreign Office insists that it still remains to be explained why Mataafa's election was declared invalid, as he was admittedly elected by an overwhelming majority.

The Foreign Office officials say that the Captain of the German warship Falke, at Apia, "does not attach much importance to the recent incident," and hence the Government does not intend to send additional warships to Samoa unless the other powers do.

OUR CABINET DISCUSSION.

Washington, Jan. 20.—All of the members of the Cabinet were present at today's meeting. The situation in Samoa was under discussion, but in the absence of any official or late information, it is thought no action will be taken beyond asking for a conference between the representatives of the three powers, which have concurrent jurisdiction over the islands under the present treaty. It was stated that it must be presumed that whatever overt action was taken by the German Consul in Apia, was not with the knowledge or consent of his sovereign, but rather was taken on his own account, and that such action, should it be found to be inconsistent with the terms of the treaty will be promptly disavowed by the German Government. It is believed that the conference of the three powers will be held at Berlin at an early date.

THE ORDERS TO KAUTZ.

Washington, Jan. 20.—The Navy Department's orders to the Philadelphia did not go out to Admiral Kautz today. They are in the shape of instructions to take on a full supply of coal and make ready for a cruise to Samoa. If the Admiral, as reported in the press dispatches, finds that his ship's bottom is so foul through his cruise in the Southern waters as to unfit for the voyage to Samoa, he probably will be authorized to use divers to clean the hull, for the department has decided that the ship should not be sent to the Mare Island yard to be fitted out.

TELEGRAPHIC FLASHES.

Senator Quay is still thirteen votes short of election. An Anglo-French treaty of the highest historic importance is on the tapis. The British third class cruiser Tonrauga has started from Wellington, N. Z., to Samoa. The loss of the launch Paul Jones is now confirmed. The launch exploded, fishermen perished, and all on board of her perished.

Both houses of the West Virginia Legislature got down to business yesterday, the Republican Senate at last recognizing the Democratic House. The river and harbor bill, which was completed yesterday, carries an appropriation of \$150,000 for the Cape Fear at and below Wilmington. Weyerler will accept the War Office portfolio in a Liberal Cabinet on condition that he be allowed to reconstruct the Liberal party and reorganize the army.

Jeffries and Corbett's managers have covered the \$2,500 which Fitzsimmons put up for Sharkey to cover. Two weeks will be given Sharkey before Fitzsimmons will say anything about a fight with either Jeffries or Corbett.

A HAMAN HANGED WITH HIS OWN HALTER

The Deplorable Fate of a Fusionist.

DUDLEY PAUL, OF PAMLICO

HE YIELDS UP THE GHOST AS A SOLOON.

HE IS SUCCEEDED BY MR. GEORGE DEES

Republicans Stand-by Paul but are in a Hopeless Minority. Eloquent Speech of Mr. Winston. Mention of Bryan's Name Applauded. Exit Dudley Paul, Republican. Enter George Dees, Democrat. Haman was hanged on his own gallows—the gallows he had erected for the execution of Mordecai. A fusion head in the House was yesterday cut off by the Fusion election law—a guillotine erected for the execution of Democrats exclusively. Governor Russell spoke truly when he said there was Retribution in History. The only fault with the dictum is that he neglected to state that the aforesaid Retribution doesn't always exactly carry out the programme arranged for it. For instance, it acted very contrary in the contest of Dees vs. Paul in the House yesterday. The Fusionists put in their election law a section providing for preservation of the ballots in order that there might at any time be a re-count. This, they said, was for the purpose of detecting Democratic frauds. It is worthy of note, however, that for the only frauds detected are Fusion frauds. And none of them have been more bold, more flagrant or more shameful than those committed in Pamlico county in the recent election. The method of conducting the election, as disclosed by the report of the committee to the House yesterday, is strongly tainted with suspicion. To begin with the Fusionists took charge of three of the largest townships in Pamlico county—Grantsboro, Bayboro and Baird's Creek. At Grantsboro the Democrats had only one of the six election officers, at Bayboro only two of the six, and at Baird's Creek only two. It is also shown that one of the two Democrats at Bayboro was made drunk before the count. The other Democrat watched the tickets, but kept no tally. All the Fusion officers of election here were related either to Dees or some other of the Fusion candidates. At the conclusion of the count at Bayboro five more votes were found in the box than there were persons on the poll books, and the Republican election officers consented to a division of these votes on the proposition of three for Paul and two for Dees. One of the Republican poll-holders heard dropped—and intentionally—a Dees ticket on the floor, and it was not put in the box. In Grantsboro precinct seven votes found in the wrong boxes were rejected and at the same precinct four votes for Paul found in the wrong box were counted. These Dees votes are not in the recount. The evidence that three persons who were ineligible were allowed to vote was not disputed. The original count gave Paul a majority of 38 votes. The recount gave Dees a majority of 25 votes. This digest of the evidence is given in the reader may understand the facts on which the contest was based. Also to incidentally show that Dees gained his majority at the Bayboro precinct. This was the second contested election case and it will be the last—to come before the House at this session. It was called up shortly before 11 o'clock by Mr. Francis D. Winston, chairman of the House Committee on Privileges and Elections. The evidence, together with the reports of majority and minority committees and argument of counsel, had been printed and placed on the desks of members. The committee reports were, however, also read by the clerk. Then the case was discussed by members of the House. The first speech on the case was made by Mr. Carr, of Duplin. It was a clear and able statement of the contest, and careful review of the evidence on which it was founded. In concluding his remarks, Mr. Carr said he wanted to call attention to some further facts touching this case. It is, he said, the first opportunity that has ever been given in the House to investigate and ventilate the workings of the Fusion election law, whose alleged virtues have been so industriously paraded before the State. "The one honest provision in the law—that providing for a re-count—has been resorted to by the contestant in good faith; but the contestee sets up the defence that even that is a failure. He says the boxes have been tampered with and the re-count should not be considered. "The recount was held in accordance with law, and by it certainly the makers of that law ought to be bound. This re-count shifts the burden of proof upon the contestee. He must not only charge, he must prove that the boxes were tampered with, I claim that he has not

THE BARE BONES OF THE SUFFRAGE BILL

Outlined by Committee on Election Laws.

MAIN FEATURES FIXED

A UNIFORM BALLOT WITHOUT ANY DEVICE.

A STATE ELECTION BOARD CHOSEN

And County Board Chosen by the State Board. The Elector Must Prove that he is Entitled to Vote. Framing the Bill Begins to Day.

The main features of the election law to be recommended to this Legislature have been practically determined on by the sub-committee having the matter in charge. The election machinery, the nature of the ballot, the right of the elector to vote. These are, broadly speaking, the features that have engaged the most careful attention and regarding which a decision has been reached by the committee.

There will be chosen by this Legislature a State Board of Elections composed of either five or seven persons, most probably five, that will perform the duties usually intrusted to such bodies and will serve for two years. The State board of elections will appoint for each county a county board of elections to be composed of three persons. The county board of elections will appoint at each precinct a board of elections composed of one registrar and two poll-holders.

All vacancies in the offices of registrar and poll-holder will be filled by the county board of elections except such as may occur on election day, these will be filled by the precinct board. The most stringent regulations will be adopted to prevent the registration and voting of imported negroes or others not justly entitled to vote. There will be no voting of non-residents and convicts. The burden of proof will be shifted from the challenger to the would-be elector, compelling every man who offers to register to show that he is a qualified elector and actual bona fide resident of the precinct where he would cast his vote. This will work no hardship to the qualified voter but will effectually bar the person who is not qualified. The counties along the border where, under the present law, negroes from Virginia and South Carolina have been wont to come over on election day and vote as they would go to a horse race or a dog fight will be protected. The separate ballot will be adhered to, the committee not deeming the blanket ballot suited to conditions in this State. The ballots will be of uniform size, color and weight and will be entirely devoid of device. These details will be left to the State Board of Elections which will prescribe the ballot to be used; the ballot itself being furnished as heretofore by the parties or candidates.

Separate boxes bearing the names of the candidates will be provided and the voter will be allowed to put his ballot in the box for himself though he may, if he so desires, ask the election officers to deposit the ballot for him. All ballots deposited in the wrong box will be thrown out as under the present law. The State Board of Canvassers will be composed of the State Board of Elections together with the Governor and Secretary of State. These are the outlines of the law as decided upon at the meeting last night by the sub-committee composed of Senator Glenn, chairman of the Senate committee on Election Laws, Representative Stubbs, chairman of the similar House committee and Representative Francis D. Winston.

In preparing the law the committee has followed the election law embodied in the Code as amended in 1885 and 1889, making it the basis of the new law. It was, of course, necessary to so change the old law as to adapt it to the new machine with the help of State Chairman of the Board of Elections, Mr. Simmons, who has studied carefully the suffrage laws of the various States, has officers as set forth above. The sub-committee has gone over the proposed new law point by point, and it is expected that to-day or to-night the committee will begin to frame the law preparatory to submitting it to the full committee not later than the approaching week, with a view of getting before the caucus as early as possible. A member of the committee said last night that the committee were agreed that all possible speed should be made compatible with care in the framing of the bill.

He also said that many knotty problems had arisen in the course of the preliminary discussion, some of them practically unsolvable, but that the committee believe the law as sketched out would prove to be acceptable to the qualified voter and effective against others.

An ounce of hint is often worth more than a pound of advice.

(Continued on Second Page.)

THE DEPLORABLE FATE OF A FUSIONIST.

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done so. Until he does he has no ground on which to claim his seat. "That there was fraud in the Pamlico election I do not doubt. I am sure there were frauds. There were more votes cast and counted than there were voters. There were votes thrown out on one side and counted for others; and there were illegal votes cast. There were many irregularities, but after all these things have been considered—it appears that Mr. Dees has 25 more votes than his opponent, and he is therefore, entitled to the seat."

Mr. Clarkson, of Mecklenburg, had taken some pains to investigate the case. It appeared to him from the evidence, that the Fusionists had made special arrangements to capture two townships—Grantsboro and Bayboro. At the Bayboro box they took complete control, and there a majority of the election officers—and these officers were relatives of the candidates. One of the two Democratic officers they made drunk.

"It will thus be seen that there was plenty of opportunity to commit fraud, and there was personal interest to spur them on. Under these circumstances the order of Judge Bryan, for a re-count, was perfectly proper, and there is every reason to believe that the re-count was more honest and reliable than the original count."

"There is only one question of law involved in this case. Mr. Paul claims that he was not present at the re-count, and therefore it should not be used as evidence against him. Though he was not present, his brother-in-law was, and others interested in his keeping his seat. Then again he has never demanded another count."

Mr. Hampton, of Surry, argued that the original count was the best evidence. "When it was made the election officers could not have known that the election would turn on the change of a few votes. The other side knew that Mr. Dees must depend on the re-count. It is not surprising, therefore, that several of the boxes—among them the Bayboro box—were found in bad condition. Some of them were not sealed and others were not locked. And for a re-count to be valid, it must appear affirmatively that the ballots have not been tampered with."

Mr. Hampton, however, based his claim for Mr. Paul, principally on the ground that Paul was not present when the re-count was made, and that the evidence could not therefore be used against him.

"It is not a question of politics. We are in a hopeless minority. Mr. Paul can do us no good. You are in a big majority, and Mr. Dees can do you no good. It is simply a question of right and law. If it were a question of politics we would prefer that you give the seat to Mr. Dees. That would furnish us Radicals with campaign thunder. But I would be unwilling to see a wrong done even to give us political advantage."

Mr. Leatherwood, of Swain, also brought it a question of right and not of politics, but the right, he contended, was on the side of Mr. Dees. It had been objected that Mr. Paul was not present at the re-count, but that Mr. Leatherwood held, is no valid objection, as Mr. Paul was represented by relatives and attorneys.

Mr. Giles, (Fusion) of Chatham, got up on the "bull-pen" question and said the Democrats in former years, had a bull pen in every county, and it did seem to him they ought not to object to the Fusionists having a bull-pen in one little township. He claimed that the boxes had been tampered with before the re-count, and he thought the original count was the more likely to be correct.

Mr. Winston, of Bertie, said the committee had been met at every point in this case with some legal technicality. To begin with, it was moved to dismiss the whole matter because the sheriff, in serving notice on Mr. Paul, simply delivered it to him, instead of sitting down and reading it over to him.

"Now, here they come and say the re-count was 'no good,' for the reason that Mr. Paul was not present. The law doesn't require him to be present, not even by attorney, though in this instance he was duly represented by friends and relatives.

"There is one circumstance in this case that I'm proud of. I notice that whatever of suspicion, whatever of doubt, whatever of destroying of tickets, whatever of removing political opponents and the appointment of relatives on the election board—whatever of these and whatever things of evil report there may have been, not one act of it all can, be charged up to a Democrat. Mr. Dees comes into this House, if he comes at all, with a clean record in this matter for himself and his party. I had understood that this great election law, this fair election law, this virtuous election law, was to arrive at the truth and not to stifle it. And yet here comes a man bearing in his hand a claim to the office, signed by blood kin and married relatives, and wearing on its face strong evidence of fraud.

"We are to be told that because the court house was not built of iron wall and surrounded by fire and sword and a flaming sentinel, that forsooth the vote cannot be recounted. In this connection I want to say that the boxes were deposited at the very place the law prescribed. They were not taken to any out-of-the-way place. They were stored in the court house. The clerk had died, Mr. Thos. Campbell, a man of the highest character, was appointed to take charge of them; and he swears the seals on the boxes in which mistakes were found had not been tampered with. That disposes of this contest.

"When the ballots were counted for Bayboro township five more ballots were found than there were voters. How did they dispose of this surplus. They divided them up, giving Paul three votes and Dees two.

(Continued on Second Page.)