

HARNEY LET OFF VERY EASY BY LEGISLATORS

(Continued from First Page.)

In the Tewey case the republicans protested again, reciting that though a committee of the senate had been appointed to count the ballots and the count had not yet been completed, it was proposed to settle the case at once. But protest was in vain and by the same vote—Waite being present, but Albright absent, Tewey was seated.

Whipple was seated by a unanimous vote.

In the house the labor committee announced that they would introduce a compromise fellow servant bill and asked the indefinite postponement of all pending measures on this subject. The request was granted.

When Bray's bill providing that applications for municipal franchises must be submitted to a vote of the people before being granted King opposed, saying that in his opinion it was a bad piece of legislation and that there was three times the chance for corruption where the people voted on such a proposition as where it was left to a city council. But the house favored the bill and it was favorably reported.

Speaker White and others tried to kill the bill giving added power to the state board of equalization but only succeeded in delaying final consideration.

Thursday, Feb. 5.

The woman suffrage bill again went to defeat today in the senate. The bill was a special order and the galleries were filled. Lively debate ensued but when the vote was taken there were ten for and sixteen against. Waite voted for submitting the desired amendment. The senate had little time left for anything else.

In the house a resolution was introduced by Dwight looking to an investigation of the anti-gambling law. It passed with scarcely a dissenting voice. One charge made on the floor was that state officers charged with its enforcement were receiving regular payments from the gamblers.

The commissioners' road bill received consideration and was recommended for passage by committee of the whole. Allen wanted to amend it so as to make road supervisors elective and the speaker wanted to dispense with the reading of the measure—just accept it as it was.

King did not want any changes in the bill. "Not only have the county commissioners and the county attorneys threshed this bill over," said King, "but both of the committees of this legislature have done the same and as a result they have agreed to recommend the bill as it now is, for passage. One of the points to which we devoted the most attention was that relating to the election or appointment of road supervisors and it was decided to stand by the provisions in the bill on that subject."

The speaker's motion prevailed and it will undoubtedly become a law as introduced.

A number of other measures were favorably passed upon in committee and three joint memorials to congress were quickly sent to third reading and adopted. They were for the relief of the settlers on the Absarokee forest reserve; in relation to the unloading of live stock in transit and for the relief of settlers in Choteau, Teton and Flathead counties who have located lieu selections.

Friday, Feb. 6.

This was a sensational day in the house. Like a thunderbolt from a clear sky came a report from the judiciary committee censuring Judge Harney, but advising against impeachment. No report was expected before Monday, in fact, members of the committee had so announced, but without previous announcement the following report was offered:

"Mr. Speaker—Your committee on judiciary, to whom was referred the following resolution, to wit:

"Resolved, That Edward Harney, a judge of the Second Judicial district, be impeached for high crimes, misdemeanors and of malfeasance in office and that five managers be elected by this house of representatives to prepare articles of impeachment, present them at the bar of the senate, and prosecute the same."

"Beg leave to report that we have had the same under consideration and have heard evidence concerning the matters therein contained, a transcript of which evidence is herewith submitted.

"While the evidence will be found in many instances contradictory, and while on some matters there is an irreconcilable conflict, your committee reports that, in our opinion, such evidence is insufficient to warrant us in finding that probable cause exists for the institution of the impeachment proceedings against said E. W. Harney, judge of the district court of Silver Bow, of the commission of high crimes and misdemeanors.

"It must be conceded, however, that

the evidence tends to show that in some instances the conduct of said Judge E. W. Harney has been such as is not becoming, a person occupying such an important and honorable position as that of district judge, yet in our judgment the evidence is not sufficient to justify a recommendation that probable cause exists for impeachment of said judge on the ground of malfeasance in office.

"Therefore, your committee recommends that further consideration of said resolution be indefinitely postponed."

The house was unprepared for such a report, especially a unanimous report as this, and before few members realized what was transpiring, the report was adopted, reconsideration moved and defeated and the drunken judge was let off with a censure, little less than a white wash. There are many rumors of how the thing happened but no light obtainable.

Recovering from this sensation the house undertook to stop the proposed gambling investigation, one member sarcastically saying that "it too, would probably be a farce," but none of the mining millionaires appeared interested in gambling and the investigation will proceed.

The senate having yesterday defeated the woman suffrage bill, the members of the house today evidently felt safe in passing it and in committee of the whole the vote in its favor was 35 to 27.

The following bills were read a third time and concurred in or passed:

Senate bill, to make the education of the deaf and blind compulsory.

Senate bill, to change the name of the Montana deaf and dumb asylum.

House bill, defining what is arson.

House bill appropriating money to complete buildings at the University of Montana.

The following were killed:

Amending the law concerning claims against the state; to prevent the repeal of the milk and meat inspection law; to prevent wrongs to children and establish a bureau of child and animal protection; regulating the manufacture and sale of drugs and food products.

Faust introduced a bill providing for the division of counties into three commissioner districts, each commissioner to be a resident of the district from which he is elected.

A "freack bill" introduced by Mullins would admit disabled miners to the soldiers' home. Regardless of its merits, Mullins does not seem to know that the home is, partially at least, under federal control.

The committee on appropriations reported that it had had under consideration the claims of the sheriffs, and it had determined not to report in favor of them, leaving it to the courts to say whether the state or the counties should pay the claims.

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The senate passed the house bill providing for the repeal of the law for the appointment of county boards of appraisers, by a vote of 14 to 10.

A number of bills were passed, among them Maddox's employers' liability act, the Anderson game bills, and the bill conferring upon the supreme court exclusive jurisdiction in disbarment cases. The senate adjourned until Monday afternoon.

Saturday, Feb. 7.

The senate was not in session today and two subjects occupied almost the entire attention of the house.

The first was another "investigation," this time into the acts of the state arid land commission, which is suspected of having cheated one A. Wormser out of \$30,000. Inquiry was ordered.

Notwithstanding the house yesterday had adopted the recommendation of the committee referring the claims of sheriffs to the courts for adjustment, the action was today reconsidered and the bill to reimburse those officers sent to the judiciary committee.

Several members pleaded for justice to the sheriffs, Hilger among the rest. Mr. Hilger said that for two years the sheriff of Fergus county had been transporting prisoners to the asylum and to the penitentiary and was now told to bring suit, his claim of about \$1,800 having been turned down first by the county commissioners, then by the state board of examiners and now by the legislature.

There was a number of reports from committees and two were for the indefinite postponement of bills. All the reports were adopted, the bills killed were: No. 160, providing for the closing of saloons on Sundays, and No. 63, amending the law relating to the state board of horticulture. Favorable re-

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Monday, Feb. 9.

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The committee on townships and counties reported favorably the bill to aid the holding of county fairs, and the judiciary committee sent in a substitute for the various initiative and referendum bills which had been introduced.

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