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Respectfully,
W. C. MORRIS,
The Painter.

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General Manager.

PERVERSE PAYNE.

The Bribery Case to be Investigated.

THREE REPORTS ON THURSDAY

The Senate is the Only Court Which Can Have Jurisdiction of the Question.

The Payne Bribery Case.

WASHINGTON, July 15.—Three reports from the Senate committee on privileges and election upon the Payne case were submitted to the Senate to-day. The report signed by Senators Bugh, Sanbury, Vance and Everts, Democratic members of the committee, sets forth at length the public history of the case, recognized the transcendent importance of throwing around the Senate of the United States the highest safeguard against seating members whose title was procured by bribery, fraud, and corruption; and describes the processes by which the signers reach the conclusion that there is no ground for further proceedings against Payne. The report says the committee's first act was to comply fully with the first request of the Ohio House of Representatives to make an examination of the testimony taken by the select committee in Columbus, Ohio. Upon the testimony, Hoar made a report to the committee that after careful reading, no evidence, opinion or statement whatever was found personally inculcating Payne in any way with the corrupt use of money in connection with his election. Neither did such examination show that enough had been found to justify the charge that the election was procured by the corrupt use of money. About this time a supplementary resolution of the two houses of the Ohio Legislature and of the Republican State central committee made their appearance, and soon after Congressmen Little and Butlerworth were heard at length. The signers of the report declare that no new evidence not contained in the original matter submitted was brought to their attention, which any court would not hold to be merely cumulative, or insufficient by itself or in connection with the original, to justify a report in favor of a trial by the Senate of Payne's right to his seat. They concluded that Henry B. Payne has not been charged with having anything to do personally, or with having any personal knowledge of, or connection with, or participation in, any act or thing which may have been charged as having been done that was wrong, criminal or immoral, or reprehensible in his election. That no member of the committee, and no witness, Representative or other person, has expressed the opinion or intimated any belief or suspicion that Payne is or was connected in the remotest degree, by act or knowledge, with anything that was or may have been wrong or criminal, in his election, in the whole case as presented to them. They recommend that the Senate move no further investigation of the charges involving the right of Payne to his seat. The report asks that the committee be discharged from further consideration of the subject, and that it be indefinitely postponed.

Senators Tiller, Everts and Logan unite in a report in which, after reciting the circumstances surrounding the Senatorial election in Ohio in 1884, it is said no action was taken by the State Legislature which elected Senator Payne, calling in question the validity of his election, but that the new Legislature, constituted in January of the present year, had adopted a resolution under which the investigation of the O'Donovan charge had been made, and the Senate committee had found it proper to accept the presentation of the case set out in the majority and minority reports of the select committee of the Ohio House of Representatives. The only constitutional warrant for the investigation in a case like that presented is in the clause making each House of Congress a judge of the qualification of its own members, and the clause conferring the right of expulsion. The signers of the report did not find that a case has been presented that would effect Payne's expulsion from the Senate, nor that testimony is accessible that touched the subject of the personal inculcation of Payne. They therefore turn their attention to the question of the validity of his election to the Senate. The report says that the evidence in such a case must show that the fraud which it is alleged was committed, embraced enough in the number of voting electors to have changed the result. The testimony presented by the Ohio house of representatives shows the number of members of the general assembly that have been brought into inculcation and the weight of evidence is against them.

As to the four members Baker, Hunt, Schultz and Zeigler, it is found by the signers of the report that the testimony developed nothing of an inculcating character. As to the members Kahl and Hill the report finds that they were not diverted from the support of Pendleton to that of Payne. Of the two Senators and two representatives named in the majority report of the select committee, McKinney and Roache of the House and White and Ramsey of the Senate, the signers of the report refer without any observation of their own to the majority and minority reports of the Ohio committee. They don't find that the select committee recommended any action by the Legislature looking to any further investigation, and they express the opinion that there was no evidence presented to the United States Senate which purports to prove that fraud, corruption or bribery was employed in Payne's election affecting the vote, either in the caucus or in the Legislature, whereby the election was carried to effect his election; nor is there any evidence that such proofs exist. Therefore, the report holds that the Senate would not be warranted under the Constitution in instituting an investigation. The report points out that the State is not under restraint which binds the Senate in such investigations, and says the State should execute its laws respecting the purity of the Senatorial elections by indictment and conviction of the false voters and takers. In this case the State has attempted no further investigation, and its inaction is embodied in the matter laid before the Senate, either through the Legislature or courts of law. If further examination by the State should be made the Senate would be governed in its further action by what might appear. But as

the matter stands the reports hold that an investigation should not be instituted by the Senate.

Senators Hoar and Frye, in separate reports, state that they cannot concur with the views expressed by the other members of the committee. They describe the eminent sources from which the charges were brought to the attention of the Senate, and say they think the case presented is one in which it is the duty of the Senate to permit the petitioners to present their evidence and to authorize the issue of proper process to aid in procuring the attendance of witnesses. The Senate is the only court which can have jurisdiction of the question. The courts of Ohio may exercise jurisdiction of the offense of bribery, but could not decide whether the result of the election was thereby changed. For the Senate to refuse to listen to this complaint would be taken as a declaration that it is indifferent to the question whether its ears are to be in future the subject of bargain and sale or may be presented by a few millionaires as a compliment to a friend.

The report sets forth a series of ten "propositions" which Little and Butlerworth offer upon their own responsibility to establish the satisfaction of the Senate, largely by witnesses who were not within reach of the Ohio committee.

In brief, among these are the following: Three fourths of the members of the Legislature were pledged to Pendleton and Ward; that just before the Legislative caucus, large sums of money were placed by Payne's son and other friends, at the control of the active managers of Payne's canvass; that a gentleman whose name is offered to be given, would declare that David B. Payne had said he had handled \$50,000, and that Oliver B. Payne had said it cost him \$100,000 to elect his father; that the members of the Legislature who changed from Pendleton to Payne, did so after secret confidential interviews with agents who had the disbursement of these moneys and that these members about that time offered large sums of money for which they do not satisfactorily account. The report discusses the above-mentioned features of the case at great length, and the conclusion is reached that an investigation is warranted. The question is not, the report says, whether the cases proved, it is only whether it shall be inquired into. No unwilling witness had ever yet been compelled to testify, and no process had gone out which could cross the State line. It would hardly be doubted that in cases of the purchase of seats in the Senate would rapidly multiply under the decision proposed by a majority of the committee. The first great precedent to constitute the rule under this branch of law is to be this: "It is held by the Senate of the United States that the charge made by the Legislature of the State and by the committee of the political party to which a larger number of its citizens belong, and by ten of its representatives in Congress, that an election of a Senator was procured by bribery accompanied by an offer to prove the fact, does not deserve the attention of the Senate."

The report concludes with a resolution directing the investigation of the charge and with a recommendation that it be adopted.

"Now, Gen'l, you're posted, come, give us your views. In a brush at the front what's the powder to use?" He winked at a star as he puffed his cigar. And slowly replied, "In a brush at the front I never use powder, but—SOZODONT."

WHAT WILL CURE THROAT AND LUNG TROUBLES? Gilmore's Magnetic Elixir. For sale at A. C. Smith & Co.'s Drug Store. 15

JAMES SULLIVAN of Salem, Oregon, says he was cured of the Asthma by Gilmore's Magnetic Elixir. For sale at A. C. Smith & Co.'s Drug Store. 4

Fox Symptom
Have reduced the price of photographs. All work done by the dry-plate instantaneous process. Reduction permanent. *

CONFINED TO THE BED FOUR MONTHS, and almost blind, and cured by one box of Gilmore's Neuralgia Cure. For sale at A. C. Smith & Co.'s Drug Store. 12

GIVE YOUR CHILDREN, for Coughs and Colds, Croup, Whooping Cough and Hoarseness, Gilmore's Magnetic Elixir. For sale at A. C. Smith & Co.'s Drug Store. 15

An Unquestioned Right of Woman is to make herself as beautiful as she can. Her mirror tells her that eruptions, sunburn, tan and freckles, the livery of the sun, detract terribly from her charms. With equal truth, this advertisement points out the remedy. "Grass's Sulphur Soap" banishes those blemishes, and communicates a pearly whiteness and the smoothness of alabaster to the skin, without involving the least suspicion of the use of an artificial agent. Beware of counterfeits. See that "C. N. CARTWRIGHT, Proprietor," is printed on each packet, without which none is genuine. Sold by druggists at 25 cents; three cakes, 60 cents. If the hair has become blanched by time or sickness, or is of an unsightly color, then employ "HILL'S INSTANTANEOUS HAIR DYE," which is harmless as the summer rain, obsolet beyond example, and quite reliable.

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The balance of our Summer Silks will be sold at 25c. on the \$1.00. These are New Goods, and were never sold so low before. They must be cleared out this season.

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We have just received another large shipment of Muslin Underwear, which will also be sold at Actual Cost.

Our Stock must be cleared out to make room for Heavy Fall Purchases.

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