

CUSTER COUNTY REPUBLICAN.

VOL. XXVIII

BROKEN BOW, CUSTER COUNTY NEBRASKA, THURSDAY, AUGUST 12, 1909

NO. 10

JUDGE A. R. HUMPHREY ADMITS CHARGES MADE AGAINST HIM.

Declares That He is Willing To Stand on His Record. Says Railroads Were Satisfied with All His Decisions in Railway Cases.

Judge Humphrey and his Republican non-partisan-Populist-non-partisan very-near-Republican—anything to get the legal organ, on the southwest corner of the square, have up to this week failed to come out with any definite statements and have been beating about the bush throwing mud all of the time, so that I am glad to give space to the communication below from Judge Humphrey.

August 9, 1909.

To the Readers of the REPUBLICAN:

It may be that I am emulating the example of Balaam, as the famous story is recorded in the Bible, in talking back, but some statements recently made in the REPUBLICAN seem to need a reply.

The REPUBLICAN says it has made certain charges against me and that "my friends admit them." I want it understood that I do my own admitting and denying. It is quite possible that C. W. Beal, of the Beacon, and R. G. Moore, chairman of the Democratic county committee, will admit anything the REPUBLICAN may say to help along a Republican row, but I do not wish to be bound by their admissions. The same charges made against me now by the REPUBLICAN were worn thread-bare 15 years ago by the Beacon. A Republican convention was never held in the county but that the Beacon said it was dominated and run by the railroads; and every fighting Republican in the county was branded as a railroad helper of some kind. No one thought it worth while to deny or answer such stuff coming from the source it did, and many will think this reply is useless. I am about of that opinion myself.

The REPUBLICAN says that I have been a railroad attorney. I have. When I was I carried transportation. But since I have been county judge I have had no connection with the railroads in any way. It also says that I assist now in the selection of juries in railroad cases. This is not true. C. L. Guttererson is attorney for the railroad now and he needs no assistance. Lawyers here, and from all over the state, when here, trying cases to juries frequently ask me and others concerning men who are drawn upon the regular panel. I answer them. So does every other lawyer and person of whom they make inquiry. It isn't confined to the members of the bar by any means.

While I have been county judge I have tried nine railroad cases. In each case I have entered judgment against the company. All appeals taken from such judgments have been by the railroads. And in no case that I have tried has the railroads tried their case in the district court. The company has paid the judgment and costs without trial in the district court. The case of C. T. Orr vs the B. & M. is a case in point. Mr. Orr sued the company for \$365.00. After a hard trial I entered judgment in his favor and against the company for \$332.00. The company appealed and then paid the costs and satisfied the judgment without further trial.

The REPUBLICAN talks of railroads in politics. Long before

the present management of the REPUBLICAN began the railroads ceased to be a factor in politics in this county. Ask D. M. Amsherry, for twenty years editor of the REPUBLICAN. He knows. And I am willing to be bound by what he says. When the Myers boys were attending the University and coming home to vote on free transportation the railroads might have had something to say in politics. But the railroads graduated from politics in this county about the time the boys did from the University. Since that time the Republicans of Custer county have run their own politics. And they are not looking for a boss now.

The REPUBLICAN insinuates that I opposed county option in the county convention. I did not. I wrote the resolutions offered by the committee on resolutions and at the request of the reporter furnished him a copy for the state papers. I had no copy of the resolution offered by Mr. Gadd for county option and made no attempt to get one. I am not in the news-gathering business. If the editor of the REPUBLICAN thought it was of such importance why didn't he attend to it That's his business.

It is true I attended the Old Settler's picnic at Merna. I caused no inconvenience by so doing. I homesteaded 22 years ago west of Merna and I wanted to see the old timers there. That's why I went to Merna.

The cause of the REPUBLICAN's noise arises over the legal notices that are published from this office in estate matters. Last fall the editor, Mr. Herbert Myers, came to the office and demanded that I publish all the notices from this locality in his paper. I turned down his demand. If I had published these notices exclusively in his paper I would be a "good fellow" in the eyes of Herbert today. But I did not and I will not. County option and railroads do not influence him. It takes legal notices to make him happy. He has been in town six months and he has stood for legal notices ever since he landed here. He is grouchy because he says I do not treat him fair in the matter of legal notices. Since last September I have published 29 notices in the REPUBLICAN; 19 in the Chief and 1 in the Beacon. Isn't this fair treatment? I recognize the papers of the town and county as factors in the development of our business, commercial and social interests and have tried to aid each community by sending to it such legal notices as belonged to it.

It is noticeable that no other paper in the county has taken up the fight for "reform" that the REPUBLICAN has started. It may be that the other editors of the county, having spent years at the case, have not yet learned how to run a paper and "progressiveness" smothered them and they do not know it. But "a man from college" can jump into the editorial chair and have things "reformed" in six months. The principal thing to find out is that book-learning don't make sense. It's a good fertilizer, but it must have a base to commence on.

But what the reader of this paper is interested in is whether

or not the county judge has attended to the business of his office and brought to its duties a sufficient amount of intelligence to do the work. On that question ask any one who knows and be guided by what you can learn and cast an intelligent ballot and the present incumbent will be satisfied.

Respectfully,
A. R. HUMPHREY.

Judge Humphrey opens his statement by saying that he doesn't think there is any use in replying. No, there isn't Gus, unless you can deny the charges made against you and your statement shows that you are unable to do that.

I am glad to have you admit that you have been a railroad attorney and that you have carried free passes.

You deny that you have assisted the Burlington railroad attorneys in the trial of their cases in the district court and then in the next sentence you admit that you have. You say that attorneys ask you questions concerning the jurors and that you answer them. The result of the trial of a railroad case depends in a large measure upon the jury. Doesn't advice as to what men will make the best jurors for the railroad constitute assistance in the selection of the jury. Your statement is a frank admission of the charge that you do assist in the selection of the jurors.

There is another thing, too, Gus that always puzzles me a little. When you go into the district court room and get your head up next to that of Attorney Bishop and whisper in his ear and he whispers in your ear, what are you doing? Are you there using your influence with Attorney Bishop for the railroad company to try and see that he doesn't take any advantage of your constituent whose interest is at stake, or are you just answering his questions as to what is the best course to pursue in the trial in order to defeat a resident of this county?

You say, Gus, that you have tried nine railroad cases and that none of them have been appealed and tried in the district court. They could not be appealed and tried in any other court so the railroads must have been very well satisfied with your decisions. It is a well known fact that a railroad company with all its financial backing and its corps of corporation attorneys never fails to appeal a case to a higher court if there is any chance of getting better results. The trial of nine railroad cases with the decision of all of which the railroads were satisfied would make a real good record for a railroad judge. Don't you think so yourself, Gus?

When you talk about the Myers boys coming home to vote on free transportation you are talking about something that you do not know anything about. The Myers boys never came home to vote while they were in the university and consequently they couldn't possibly have used free transportation. Whenever you make any charges Gus, you better stick to the facts. You seem to know that free passes were being used to bring in voters at that time. I am told that you handed out a few to your friends, too, about that time. When you were handing out those passes, Gus, did you feel that the railroad company was furnishing them purely and simply to accommodate you and your friends or did

(Continued on last page)

NOTHING AGAINST OLD RESIDENTS.

This Paper Opposes Judge Humphrey Simply on His Record.

A. R. Humphrey has, in the campaign for the nomination for county judge, appealed to the older Republicans of the county to get their vote on the statement that this paper's opposition to him is aimed at all of the older Republicans and that they must stand together for him because the attack on him is aimed at them all.

He is thus misrepresenting the facts because it is to his own advantage.

The editor desires to make his position in this matter clear and he is willing to stand or fall on the facts.

This paper is not opposing Mr. Humphrey because of his age, his twenty years residence in Custer county, or his twenty years in Custer county politics. Judge Humphrey says that he is willing to stand on his record and this paper is willing that he should. This paper is opposing him purely and simply on his record as a politician and as an office holder in this county. If, when they know the facts, the Republicans want him to be their nominee then he should be nominated. If they believe that his record shows that he is not deserving of further recognition then he should be defeated. This paper takes it as its right and duty to state the facts and on the facts rests its case.

This paper has said that he is the OLD TYPE of politician. By this was meant not old in years but old in style, i. e., a man who has used and still uses the old methods in politics, the man who has catered to the interests and does so today. The people of today are demanding that their representatives be free to serve them honestly and conscientiously. This is the NEW TYPE or style politician and the style to which Humphrey does not belong.

This paper has nothing whatever to say against the older Republicans who have a clean record. We have some of them in office now and they deserved the recognition they received. John Cavenee has made a good treasurer, George Mair has been an excellent clerk of the district court and Jos. Pigman has made an obliging and efficient county clerk. Their age makes no difference so long as they are deserving men and have commendable records.

JUDGE HUMPHREY ALWAYS WEAK MAN

Has Never Polled Full Vote of His Party.

The REPUBLICAN has taken the position from the beginning of the primary campaign that it is not advisable to nominate A. R. Humphrey as the republican candidate for county judge because his record makes him a weak man on the ticket. The campaign this fall promises to be a warm one and the Republicans must put their strongest men up or loose the election. That the REPUBLICAN is right in this is shown by the figures printed below. It must be conceded that Custer county has been in the Republican column since the election of 1902 and the vote shows that Humphrey has never cast the full vote of his party and has, as a usual thing, come out considerably behind the other candidates.

In the 1902 election Humphrey

was a candidate for county attorney against C. H. Holcomb and won out by 108 votes when Prout, the Republican candidate for attorney general of the state, carried the county by 253 votes and the other candidates won by an average majority of about 300.

In 1904 the county candidates carried the county by majorities that averaged about 500 while the highest Roosevelt elector defeated the strongest Parke elector by 1600 and Humphrey came out 15 votes behind A. P. Johnson as a candidate for county attorney. How is that for strength—lost the election when the county went Republican by 1600 and his fellow candidates won out by 500.

In 1905 Humphrey appeared again as a candidate, this time asking that the people make him county judge. He was elected by a bare majority of 94 votes when Letton, the republican candidate for supreme judge carried the county by 448 votes.

In 1907 he was again a candidate for county judge and was next to the lowest man on the ticket at the general election. H. M. Pinckney came out with the smallest majority which was 325. Humphrey came next with 491 and VanAntwerp headed the list with a majority of 1403. It is ordinarily supposed that a candidate for supreme judge will poll about the party vote. M. B. Reese carried the county by 935 votes. According to this Humphrey fell about 450 votes behind his party vote the last time he was a candidate.

When you go to the primaries next Tuesday vote for a man with a clean record and one whom the party can elect after he is nominated.

ELECTION OF 1905.	
A. R. Humphrey, county judge.....	1806
H. J. Shinn, county judge.....	1712
Humphrey's majority.....	94
C. B. Letton, supreme judge.....	1977
W. G. Hastings, supreme judge.....	1520
Letton's majority.....	448
ELECTION OF 1907.	
H. M. Pinckney.....	3704
E. E. Richards.....	3279
Pinckney's majority.....	325
A. R. Humphrey.....	2775
H. J. Shinn.....	2284
Humphrey's majority.....	491
H. F. Kennedy.....	2963
C. U. Richardson.....	2326
Kennedy's majority.....	537
L. E. Cole.....	2266
J. H. Morrow.....	1822
Cole's majority.....	734
Geo. B. Mair.....	2972
C. T. Orr.....	3041
Mair's majority.....	831
M. B. Reese, supreme judge.....	2087
G. L. Loomis, supreme judge.....	1752
Reese's majority.....	935
F. E. VanAntwerp.....	2943
M. L. Laub.....	1540
VanAntwerp's majority.....	1403
ELECTION OF 1902.	
Frank U. Prout, Atty. Gen.....	1827
Jefferson H. Broady, Atty. Gen.....	1574
Prout's majority.....	253
A. R. Humphrey Co. Atty.....	1796
C. H. Holcomb, Co. Atty.....	1688
Humphrey's majority.....	108
ELECTION OF 1904.	
Roosevelt Elector, (highest).....	2038
Parke Elector, (highest).....	1058
Majority.....	1640
A. R. Humphrey, Atty.....	2161
A. P. Johnson Co. Atty.....	2479
Johnson's majority.....	15

To the Republican Voters:

When you go to the polls for the primary next Tuesday remember me as a candidate for coroner.

Remember, also, that a live man does not need an undertaker and a dead man does not need a doctor.

Remember, too, that when an inquest is being held over a dead body and the coroner and jury deem an autopsy necessary the law says that two competent doctors shall be called in and that the coroner cannot be one of them so that if the coroner is a doctor it will not save the county any money.

L. E. COLE.

Thursday evening witnessed a most gorgeous sunset. The heavens were brilliantly lighted, as if by a great and awe inspiring conflagration. Crowds of people witnessed the grand spectacle and no one viewed it unmoved.

PURCELL MAKES FREQUENT CHANGES.

Changes Politics Often Enough to Keep in Line for Legal Notices.

Brother Beal took occasion in last week's Beacon to ask Brother Purcell of the Chief some questions concerning his attitude in the primary campaign. Brother Purcell politely side-stepped, refused to answer them, and suggested some questions that should be answered by the editor of the REPUBLICAN. The substance of these questions is taken up in Judge Humphrey's communication printed in this issue of the REPUBLICAN and are answered in the REPUBLICAN's reply to Mr. Humphrey.

In this connection it may be interesting to refer to a few pages of Brother Purcell's political history. Brother Purcell started his first Custer county newspaper in Merna. This was led the Merna record. It was established in the latter part of the '80's, when the county was Republican and some of the old settlers who are in a position to know say that the Merna Record was considered to be a Republican paper.

Old settlers will remember that the Populist party began the latter part of the '80's and the early '90's to gain strength and promised to gain control of the county. Brother Purcell established the Chief in 1891 during this period of change and he seemed to be a little uncertain just what the political complexion of the county was going to be so he started the paper as a non-partisan paper.

The Populists continued to gain strength and Bro. Purcell saw that it would be advisable financially to announce the Chief as a Populist paper and in 1893, after a conference in the Kealy Block in which H. H. Hyatt and Jim Halland played a prominent part, Bro. Purcell came out as a Populist paper and began publishing legal notices by the officials in the county that were controlled by the populists.

Emerson then became one of the leading factors in the Populist councils along with the "Big Four" in the Populist party and was made chairman of the Pop central committee.

The Republicans, however, began to show signs of getting back into the harness from 1896 to 1898 and Bro. Purcell seeing that he was in danger of losing the county legal notices began to show indifference to the Populist interests. When the Republicans began to get control of some of the county offices that hand out legal notices Bro. Purcell changed politics again and again announced his 1891 non-partisan doctrine so that whether a Republican, a Pop, or a Democrat was elected, he could go up to the court house and hold out an anxious hand asking for legal notices. If the county board is Republican Emerson wants the legal notices, if it is Democratic he wants the legal notices. It has been legal notices with Emerson ever since he started his Merna Record about twenty years ago and he has made a very good record as a legal getter. When the county is Republican he wants to be a Republican, when its Pop he wants to be a Pop and when it is uncertain which party controls the legal notices he likes the word "non-partisan" to appear at the top of his paper.

Mrs. Patrick Sexton, of Eddyville, was taken before the insanity board Wednesday and found to be insane.