

MOUNTS GIVES HIS REPORT

Former County Clerk, Hired by County Commissioners, Makes Report of Investigations

W. C. Mounts, former county clerk, who was hired by the county commissioners of Box Butte county to make an investigation of the office and records of County Judge L. A. Berry, has completed his work, and reports as follows:

Report of W. C. Mounts
To the Honorable Commissioners of Box Butte County, Nebraska:

As per your instructions of February 8, 1915, I went to the county judge's office the 8th of February and commenced work.

I found that the judge had no fee book, and could find no account of any fees being kept during his time of office.

I found that he had no receipt book for files taken from his office, and was therefore unable to tell with any certainty what had become of any of the files that were missing from his office.

I found that after the first year of his holding office that he had dropped the use of numerals and files were kept thereafter without any attempt to order.

I found that it was only occasionally that a case was docketed, that he never attempted to docket a case unless it went to judgment, and then it rarely consisted of more than the entry of judgment and index.

I found that he rarely filed any papers left in his office, to find a paper filed was an exception instead of a rule.

I found 150 civil and criminal cases that were never placed on the docket, these I placed in filing boxes numerating the years to which they belonged.

I found 75 letters, of the first class, of the years 1912, 1913 and 1914 (according to the post mark), which had never been opened; these I turned over to the judge.

I sorted all the files that I could find, and brought up the civil and criminal cases numerically, and placed same in filing boxes, marking each box with the numbers it contained and went back to 1907 to see that they were indexed.

I sorted the probate matter, gave each case a number that had no number, and filed same numerically, went through the indexes and indexed those that were not indexed, and placed every case on the general index. Miss Woods assisted me with the indexing of the probate matter.

I was unable to find any of the files in the following cases: (Here follows list, title and number of 45 cases).

The following named attorneys admit having the probate files in the following cases: (Here follows list of 46 probate files with names of attorneys having them.)

I went over the marriage records from the first and numbered them up to date and filed the returns in filing cases numerically.

I was unable to find any return to marriages as hereafter enumerated: (Here follows names of book and list of 41 marriages.) I then proceeded to inspect the probate record, commencing at January, 1915, and go back two years as per your request, to see what had been recorded and to record what could be found of the files that wasn't recorded. I found in a number of cases only a few of the files could be found, but gave Miss Woods, the stenographer, the following cases to be recorded: (Here follows numbers of 52 cases).

I was unable to find any probate record "B" which should have been in the judge's possession, but he informed me that the aforesaid record had disappeared some time ago and had not been able to locate it. This record should be reproduced as far as possible from the files, for if the files should get lost there would be no way to reproduce the records.

The following are the fees from marriages and marriage licenses, from January 5, 1913, to January 7, 1915: (Here follows list of fees totaling \$871).

I find the following probate fees for the years 1913 and 1914, 1-6-1913 to 1-7-1915: (Here follows list of fees totaling \$939.75).

Civil and criminal docket from 1-6-13 to 1-7-15: (Here follows list of fees totaling \$476.25).

I found the following cases were not docketed, that should have been docketed, for most of these cases there is no way to tell whether the papers are all here or not, whether there were any costs paid. I have charged the costs up for what there are here: (Here follows list totaling \$112.70).

Summary: Marriages \$871.00
Probate 939.75
Civil and criminal 476.25
Not docketed 112.70
Recording 15 of 16.00
Not docketed 16.00
Total receipts for 1913-14 \$2415.70

The foregoing items of fees are all taken from the books, except the cases under the head of "cases not docketed", where there was no notation I took the source for it; where there was no notation I figured the costs from what papers there were. There are a number of probate cases in these undocketed cases, in which

probably the judge received no fees, but should have docketed and collected his costs from the county.

In regard to your request of looking into the matter of the state vs Henry Shimek, et al, wherein Shimek was fined \$10 and costs, on or about the 12th day of January, 1915, will say that I have made diligent search and I am unable to find any such case on the docket, or any files whatever.

And now, having completed arranging the files systematically, seeing to the indexing, numbered the cases and filing away numerically, going over the probate records for 1913 and 1914, giving a list of what should be recorded to the stenographer, making an account of what the office has run for the last term, I think that I have accomplished all that has been requested of me and offer you the foregoing report of my doings.
(Signed) W. C. MOUNTS.

JUDGE BERRY MAKES REPLY

County Judge Makes Statement for Publication Regarding Articles in Semi-Weekly Times

The Herald asked Judge Berry for a statement regarding the report, for publication. His statement is as follows:

"In reply to the article in the Times of March 9, regarding condition of affairs in the county court, I have to say that it is true that Mr. Mounts has checked the affairs of the office, though what his report is I do not know, as I have not seen it. It is not true that I have been physically incapacitated from attending to the affairs of the office during the winter, as my physical trouble was only from my knees down, and not upward.

"In regard to the fee book mentioned, I have no recollection of ever seeing such a book in the office prior to March 2nd of this year, when one was furnished, and immediately posted back to January 1st, and is being kept up to date. In regard to there being no receipt for files which are not in the office, I have repeatedly asked for the proper book for that purpose, and the book has not thus far been furnished. Just how I am to keep such books up to date without the books to do it with I fail to understand.

"In regard to numerals being dropped and there being no sort of order, I have to say that the files never had been kept in numerical order prior to my taking the office, but instead in civil and criminal matters were kept by letter. For instance, a defendant named Brown—we would find the files under the letter "B", or if Smith—under "S". And in probate matters under the name of the decedent. If the party who died was named Jackson, we looked under "J" for papers.

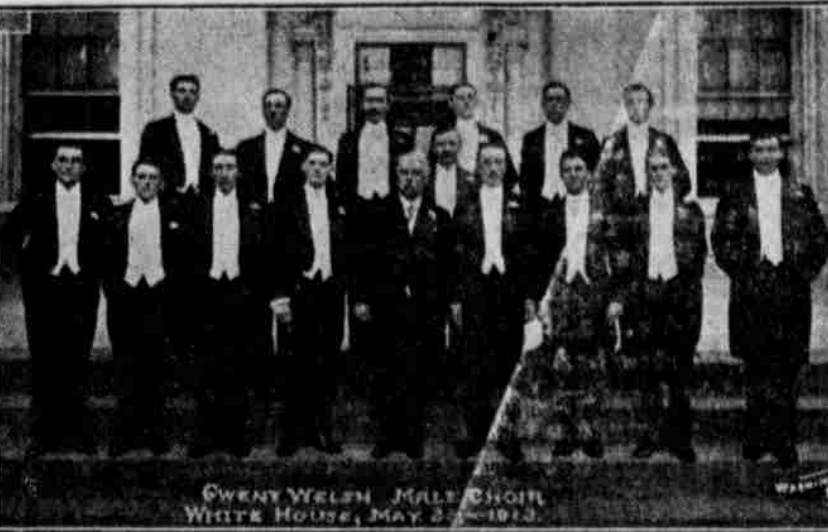
"In regard to docketing cases where the only thing done was to receive a bill of particulars and issue summons, I fail to see the necessity of using up two pages of a record which costs the county not less than \$30 just to tell something which is of no account to anybody, and where the cases have been docketed, nothing done but to enter judgment and index the same. Now, pray, what more should be done?"

"In criminal cases it has always been my practice not to place them on docket till an arrest has been made, as the docket being a public book, by that means a party for whom a warrant is out could easily learn such fact and make himself scarce, so I believe it the better plan not to give notice of a warrant being out. It is true that when I moved to the court house, a few letters were found in a drawer, and which I tied up and sent along, but instead of being 75 there were but 20. Just how the Times knows them to be of importance to the office is past ordinary comprehension. Regarding files in probate cases, I have already stated that there are no facilities furnished by which track can be kept of them.

"According to the Times, I am responsible for persons solemnizing marriages not making the legal return. Now I do not believe that there has been a return made but what has been recorded, and in fact I had to threaten one clergyman with arrest before he would make the return. I have no way of knowing who will perform a certain ceremony, so can not know whom to go after for this return, but I am by the Times made accountable for the marriage of several who were married before I came to Nebraska, not appearing of record.

"Probate record "B" mysteriously disappeared a few months ago. Now this book was never in my possession. When I first took the office Mr. Mitchell wished to look up a matter supposed to be in "B" and it was not in its proper place in the safe in the sheriff's office where the records of the county judge were then kept. The board was at once notified and later procured a new "B" which was reconstructed by me from the original files so far as they could be found. When I first took charge of the office, I found that part of the files were in a bookcase in the sheriff's office, some more in the safe, and some in a bookcase under the stairway in the old court house.

The Royal Gwent Welsh Glee Singers



Who will appear at the Opera House in Alliance, Friday evening, March 19th, under the auspices of the L. O. O. F. lodge. The above picture was taken at the White House, Washington, D. C., during their engagements there, under the distinguished patronage of President

WOODROW WILSON AND FAMILY

The repertoire of the Royal Gwent Welsh Glee Singers is varied and extensive, including classical, operatic, sacred, popular, sentimental, patriotic and comic, quartettes, trios, duets and solos. This is predicted to be the finest of its kind ever heard in Alliance.

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SPRING STYLE SHOW COMING

Co-operative Program Will Be Held This Year at Imperial Theatre, Thursday, March 25th

Alliance's 1915 spring style show will be held at the Imperial theatre, Thursday March 25. Seven merchants have signified their intention of participating in this event. The program will be of a co-operative nature. One program will be gotten out for all who participate. On the program each model will be numbered and the merchant's name given. As the models appear this number will be placed on an easel.

Each merchant will be allowed the following number of models: Men's clothing—three models of men and one for children; dry goods stores—four models. The Commercial Club has secured the Alliance School of Music for the afternoon matinee—they will furnish a special program. In the evening Manager Dubuque will show special reels of pictures and furnish special music. The afternoon matinee will be for the visiting teachers from out of the city, starting at 4:30 o'clock.

THREE PAPERS THIS WEEK

The Herald office is an unusually busy place this week. In addition to printing a special stockmen's edition of 5,000 copies of The Herald, the regular edition of 2,500 copies, the regular edition of the Hemingford Journal, time was taken to help out the Semi-Weekly Times of Alliance when an accident happened to their cylinder press on Tuesday.

YEOMAN LODGE AT HEMINGFORD

Brotherhood of American Yeoman Organize New Homestead, on Tuesday of This Week

Deputy Fred Gilbert of Alliance, assisted by Mrs. M. Redfield, organized a homestead of the order of the Brotherhood of American Yeoman at Hemingford, Tuesday night of this week, with twenty-one charter members. The members are working toward a class adoption, May 25, when it is expected that fifty more members will be added.

Dr. C. E. Teter was appointed medical examiner by the head office. The following officers were elected by the Hemingford homestead at the time of organizing: J. T. Elliott, worthy foreman; Frances M. Haynes, master of ceremonies; Mattie E. Olds, correspondent; Arthur P. Haynes, master of accounts; C. H. Keekner, overseer; Florence Palmer, chaplain; N. G. Palmer, guard; Edith Curry, Lady Rowena; Mrs. M. Keekner, Lady Rebecca; F. H. Hoagland, watchman; L. A. Roland, sentinel.

The meeting nights are the second and fourth Tuesdays of each month. All visiting archers are cordially invited to attend.

BURLINGTON OFFICIALS MEET

Six Private Cars Were Lined up in Alliance Yards Wednesday when Officials Meet

Burlington headquarters in Alliance was the scene of an important meeting of the Board of Train Rule Examiners Wednesday morning. Six private cars were lined up in the yards at one time. Among those who were at the meeting were division superintendents M. J. Foley of Casper, G. L. Griggs of Sheridan, W. G. Dungan of Sterling, W. M. Weidener of Alliance, General Superintendent E. E. Young of Alliance, and Assistant General Manager B. B. Greer of Omaha.

The Team Ran Away
Five pretty schoolmises out in a sleigh, when their bad team got mad and ran away. Piled the pretty schoolmises all in a heap, where the snow was awful, awful deep. Team ran down main street and four times 'round a block before they decided on a place to stop.

Five pretty schoolmises decided there was a way to miss teaching school for a whole, big day. Blacked their eyes and put arms in great big slings, twisted their noses and lots of other things. All tramped down to see if they could get sick leave, but the professor said, "Well, I do believe that the little kiddies like you all so well, if you don't come to school we won't ring the bell. So hop along and fix yourselves in trim so very fine, and be at work tomorrow on the stroke on nine."

Some Severe Trip
Fred Mollring and John Snoddy, of the firm of Snoddy & Mollring, returned the last of the week from a business trip in the sand hills east of Alliance. They found traveling difficult because of the immense drifts of snow encountered but their knowledge of the roads prevented them from becoming lost and they spent their time while tied up with friends in the hills. John Snoddy, who is selling Texas land, asked a man who was trying to dig out his home from a fourteen-foot snowdrift whether he wouldn't like to be in Texas. "I'd like to be in hell," said the ranchman, who was running short of hay for his cattle.

Cecil Smith Out Again
Cecil Smith, who has been confined to his home several months by an attack of rheumatism, was able to be down town Tuesday. He was the guest of George Ellis and Bates Coneland while down town, taking supper with them and afterwards attending the show.

INCREASING THE HARNESS OUTPUT

Important Department of Newberry Hardware Company Being Expanded for Wholesale Business

W. A. Maulsby, formerly a traveling salesman for the Haney Company of Hastings, harness manufacturer, has been employed by the Newberry Hardware Company of Alliance as traveling salesman for the harness department, which is being enlarged to care for the rapidly increasing wholesale harness branch of this business. New machinery is being added in the harness factory and the factory is filled with orders.

Mr. Maulsby covers northeastern Colorado, eastern Wyoming, western South Dakota and Nebraska east as far as North Platte on Union Pacific. Broken Bow on the Burlington, and Valentine on the Northwestern. Although he has only been out a short time he has had a very successful business. The wholesale business of the Newberry company is rapidly increasing in the hardware department as well as the harness department, which was added not many months ago.

Farmers' Club Meeting Postponed
D. E. Purinton, president of the Box Butte County Farmers' Club, requests The Herald to announce that the meeting of the club that was postponed from February 16 to March 16 has been put off till the third Tuesday in next month, which will be April 20. The meeting will be held at the residence of Mr. and Mrs. Wm. Rust, Jr. The cause of the postponement is bad weather and snow, but it is expected that by the next meeting the roads will be open and the roads passable.

Will Celebrate Anniversary
The annual anniversary ceremonies of the L. O. O. F. will be held in Alliance Monday, April 26. Special services will be held. A special committee has been organized by the lodge to arrange for the same.

District Court in Session
An adjourned session of district court was held at the Box Butte county court house Wednesday afternoon this morning. Judge Westover heard a number of cases before returning north this noon. A full report of the cases will be given next week.

Sale Was a Success
The "winter sale of winter goods" held by E. G. Laing, proprietor of Modern Clothes for Men, last week, was a success in spite of the severe cold and stormy weather. Mr. Laing has an interesting letter on page two of this issue of The Herald.

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MORE CANDIDATES OUT

Petitions Being Circulated for Candidates for Various City Offices for Election April 6th

A number of new candidates have appeared for city offices since last week's issue of The Herald. Petitions are out for a number, and others have not yet been circulated, but are talked of. Candidates for mayor are P. E. Romig, present councilman from the second ward, and F. M. Broome, representative in the state legislature from this district. Candidates for councilmen are: First ward, Ben J. Sallows; second ward, Ed Shields, F. J. Was and Harvey D. Haacker; third ward, Jerry Rowan, Geo. E. Davis, John Brennan; fourth ward, A. J. Welch and William Davidson. Candidates mentioned for city clerk are Geo. F. Snyder, Lloyd C. Thomas and C. E. Calder.

NEW MILLINERY STOCK

Mrs. Sanquest and Daughters Open Store with New Goods
The Misses Mabel and Cecelia Sanquest arrived in Alliance yesterday to re-open the millinery store of Mrs. Sanquest & Daughters at 403 Box Butte avenue. They have had the room cleaned and fixed up, including the putting in of new equipment, preparatory to the opening of their new stock of spring millinery.

The Misses Sanquest recently returned from Chicago, where they spent some time studying the new spring fashions, which they say are certainly beautiful this year and will no doubt please every one. As will be seen by their advertisement in The Herald, they intend to sell up-to-date millinery at money-saving prices, beginning their low prices with the opening of the season.

CONTEST CLOSES MARCH 20

Ford Automobile Will Be Awarded to the Leading Contestant by "The Right" Store

The automobile contest at "The Right" clothing store, Roy Beckwith, proprietor, will close at midnight March 20. The interest is becoming keen and the contestants are very busy. Mr. Beckwith makes some interesting price reductions in his advertisement on page four of this issue.

WHAT KIND OF INCUBATOR

As the season for selecting incubators is at hand, persons who intend to hatch chickens by that process naturally want to know what is the best. It will help persons living in Alliance or within reach of this city to solve the problem by calling at Acheson's Hardware Store and examining the Queen Incubators and Brooders, which are manufactured at Lincoln.

METHODIST CHURCH

Announcement for Sunday, March 14, and the week following: Sabbath school, 10 a. m. Graded lessons.

Public worship, Sunday, 11 a. m. and 7:30 p. m.
Young people's service, Sunday, 6:30 p. m.
Prayer and social hour, 7:30, Wednesday evening.
The public will be given a cordial welcome to all services.

CHRISTIAN SCIENCE SOCIETY

Wood's Hall
Services, 11 a. m., Sunday. Subject, Substance.
Sunday school, 10 a. m.
Wednesday evening meeting 7:30.

Organizing Young People

A meeting of the presidents and four of the members of each of the young people's societies of Alliance was held Sunday afternoon at the M. E. church for the purpose of organizing a Union Young People's Society.

FOR SALE—Two lots in Johnston's Addition, or will trade for horses or cows. Address W. care Herald.