

THE FRONTIER.

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OUR COUNTY COURT.

It has ever been the policy of this paper to refrain from criticising the courts of our country. We have always maintained that our judiciary is an honest and impartial one, believing that to lose faith in the courts was to lose faith in the stability of our institutions and our government. While we have often dissented from the opinions of some of our judges, we have never yet openly accused a jurist of being dishonest in a decision. We would not do that. It savors too strongly of populism, and populism in that respect is not a step removed from anarchy. And so we stand in regard to Judge McCutchan admitting to nominal bail men charged with murder in the first degree. Some of our citizens, overcome with indignation, charge the court with being corrupt, but we do not look at it in that light. We give him credit with being sincere, but at the same time we believe he is misguided and wrong. He draws his inspiration from populist sources and polishes his legal acumen with the brick-dust of vandalism. But at the same time we say we do not question his honesty, but ascribe his error to his political environment and uncultured partisan associates. That he committed grave error in admitting to bail Elliott, Mullihan and Harris, charged with the murder of Barrett Scott, there is no question in our mind. The constitution says that murder shall not be bailable where the "proof is evident or the presumption great." In this case the three men mentioned were positively identified as participants in the crime. They were sworn to by three witnesses. Not a word was introduced by them in rebuttal. Then was not the proof evident? Was not the presumption great? The testimony upon which the county judge gave his opinion would hang those three men higher than Gilderoy's kite. They stood self-convicted. And then the idea of a \$3,000 bond! Why, in that very court when Dell Alkin was arrested for complicity in the Scott defalcation a bond of \$15,000 was required. When Scott was arrested for defaulting he was required to give a bond of \$70,000. Is human life, then, held by a pop court to be worth less than a few paltry dollars? We say the decision of the judge is without parallel or precedent. The very officer who should exert himself to secure the conviction of criminals has lent himself an instrument to their acquittal. He has taken it upon himself to dispute the uncontradicted evidence of reliable witnesses. He must have done this, for otherwise he never could have arrived at the conclusion that the proof was not evident or the presumption not great.

THE FRONTIER does not desire to prejudge the case of the prisoners at bar. They are entitled to the benefit of all doubt, and must be taken as innocent until proven guilty. We have no doubt but that they will be on hand for trial, but that is not the question; as men charged with the commission of this crime they have the rights guaranteed them by the constitution and no more. Upon the evidence introduced before County Judge McCutchan, bail is not one of those rights.

VIGILANTES VS. LAW.

The murder of Barrett Scott has called to mind more forcibly than ever before, perhaps, the danger of men organizing for the purpose of enforcing laws not upon the statute books, and inflicting penalties not prescribed therein.

Vigilance committees, while organized in the name of the law, are lawless and create a more dangerous element than they are meant to suppress. They are a menace to society and good government. While a committee whose sole purpose and practice would be to apprehend criminals and turn them over to officers of the law would harm no one, yet it is notorious that none of them stop there. They go further. They constitute themselves a court, judge and jury—have an ex-parte hearing and convict their victim without giving him his day in court. The punishment in this county is unusually severe. Nothing but a human life can atone for the least infraction of the vigilantes' code.

The well-meaning man who lends his presence and counsel to one of these organizations is laboring under a mistaken idea of law and justice. When he takes their iron-clad oath and subscribes to their constitution and by-laws he steps upon a lower plane of civilization. He is retrogressive.

It is well known that these organiza-

tions are a haven for characters who should be the first to receive punishment. They are forced to join for their personal safety, and once in they dictate the policy of the organization and bring opprobrium upon the heads of the innocent as well as the guilty. They proceed immediately to turn the guns of their society against personal enemies and murder men in the name of the law.

When one of their men is arrested by an officer of the legal law for some offense committed while acting vigilant, the society is naturally arrayed on his side and found exerting itself to thwart the administration of justice in the courts. This is a natural sequence and therein lies one of the greatest evils of the practice. It at once arrays the vigilantes against the rest of society; against the people who depend upon the laws of the country for their protection.

If this practice is continued it must inevitably lead to anarchy and chaos. People who do not join the vigilantes will be compelled to band together for protection, and then will come incendiarism, riot, rapine and bloodshed.

THE FRONTIER does not believe that a regular vigilance committee murdered Barrett Scott, but it knows that the mere being of an organization of that character lets down the bars to any man or men who wish to do violence. It is well known that the society will be blamed for every deed that is committed.

All honest, law-abiding citizens of our county should hasten to sever connections with vigilance committees—if connections they may have—for their day of usefulness is long past. The laws of our state are all right and they should be enforced.

This is the view THE FRONTIER takes of this question and all sentiment heretofore expressed not consistent herewith is hereby repealed, and as an emergency exists this act shall take effect and be in force from this time on.

ARE WE UNDULY PARTISAN?

The Plainview News takes this paper severely to task for intimating that the pops are responsible for the death of Barrett Scott, and says that we are "intensely partisan." The poet Pope once wrote that a man could reason but from what he knew, and accepting that as true, it would be out of place to expect much reason from the News, for, from its article we are convinced that it doesn't know much. We, however, admire the fine quality of nerve it displays in attempting to give THE FRONTIER pointers upon the condition of affairs now existing in this county. The News is not qualified to educate this paper upon matters pertaining to Holt county politics and populism. We were here before the pop party was born, and since it came into existence have attentively observed its course and are therefore competent to speak intelligently of its record. When we say that the pops are responsible for the murder of one of our citizens—without meaning to reflect upon those not cognizant that the crime was about to be committed—we mean just what we say. As an evidence of the correctness of our assertion we point to the fact that the men who were once prominent in persecuting Scott while alive, are now more prominent, if possible, in defending his murderers, furnishing bail bonds, etc. The pops themselves have made the Scott tragedy a political issue. They have done this by their actions if not by open assertion. Instead of exerting themselves to bring outlawry to justice they have publicly shown sympathy for the villains and secretly connived with them for their acquittal. The sympathy for these fellows is abundant among their political associates. It is in the air and the court room atmosphere was permeated with it. It could be felt in the titter that rustled among a certain class of the audience when the attorney for the defense took occasion to make light of the uncontradicted testimony of one of the witnesses for the prosecution. When the News says that "the populists in Holt county are as law abiding as anybody and will labor just as unceasingly to bring the slayers of Scott to justice," it makes a statement that is tragic, in a sense, and ludicrous in every letter. For the benefit of this very smart editor of Plainview we give below a little conversation that took place last summer between a couple of the rural leaders of populism in this county. The conversation, as far as it goes, is verbatim. The names of the men are withheld for the present but can be furnished if occasion should ever require. THE FRONTIER is able to produce this evidence of anarchy because it heard the statements made and quietly wrote them down while the statesmen with shoe-brush hair little dreamed that there was a "chiel among them takin' notes." Here is what they said:

First Pop—We ought to have dynamite, that's what we ought to have, and blow 'em up. The trouble is there is not enough men in Holt county that has the backbone to take them out and hang them.

Second Pop—Yes there is, there is enough in our precinct.

First Pop—Well, why don't they get together.

Second Pop—All they want is a leader.

First Pop—Our courts is a farce and a mock on decency and honesty. The bringing of that Bartow down here, and see the way he worked on that Scott case, and Kinkaid just the same thing, and they will keep on until the people won't stand it, and will get together and hang and kill about fifty. The govern-

ment is just the same. The American people are a long suffering people but they will keep on until the people will raise up.

THE FRONTIER does not wish to be understood as saying that every populist in Holt county is imbued with the above sentiment, or that it has been grafted into their platform, but we do wish to be understood as meaning that the sentiment prevails to an alarming extent. It prevailed to an extent sufficient to cause the murder of Barrett Scott. Haymarket in its palmy days was not a circumstance to the populist hotbed of old Holt. Is it much wonder that THE FRONTIER is "intensely partisan?"

EVEN a casual mention of the Scott case has the effect of throwing the majority of the populists into spasms. The party must accept the consequences. Through unwise and incendiary utterances they have built up a public sentiment of which the lynching of Scott is but a sequence.—Neligh Leader.

WM. BOWEN, in last week's Tribune, very truthfully remarks that "all one has to do is to be on the other side from Ham and he is a liar, a thief and a hypocrite and ought to be hung." This opinion is consistent with a thorough knowledge of the Jew's record. He imagines that a man who differs from him politically has no right to live, and some of them don't.

HOLT county's relief commission has proven itself a blessing to many a poor family this winter, but it will find that its hardest work is yet to come. Spring will find our poorer class of farmers without feed for their horses or seed for their land, or money with which to buy the same. Time should be taken by the forelock in this matter and arrangements made in plenty of time.

THE LEDGER does not claim that the murder of Barrett Scott is chargeable to the populist party of this county. In order to vindicate their own honor it is their duty to push the prosecution of the perpetrators of the crime till the last one is ferreted out and punished. They have the county government in their own hands and the responsibility of this matter rests upon their own shoulders. Their duty is plain and it remains to be seen how well they will discharge it. The eyes of the whole state are turned upon Holt county. If this county expects to have any standing in the state, if it expects to have any immigration hereafter, if property is expected to have any value, this foul blot must be wiped out.—Stuart Ledger.

It is brought to the notice of THE FRONTIER, by letter from D. C. Harrison, secretary of the relief committee at Emporia, Neb., that there is considerable destitution in that community. Perhaps the public might gain a better idea by reading Mr. Harrison's own words. He says: "One woman buried here last Monday. Death caused by lack of proper food and nourishment. Shocking that such things should happen in Holt, but it is the sad truth. Other deaths would have occurred before this if we had waited on red tape. There are families here who have had nothing to eat since the holidays except what was given them, and have had nothing to burn but cow chips, except wood given them by the neighbors." This matter should receive prompt attention from the Holt county relief commission, and an effort made to relieve the distress in that community.

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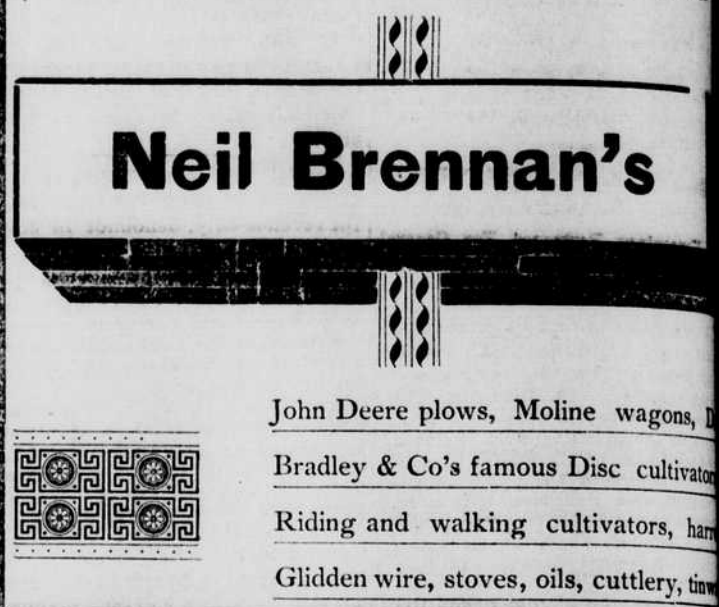
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