

IF MISTER "FUSION LAWYER" WANTS IT, HERE YOU HAVE IT

Take Up the Gauntlet Tossed Out Through Independent.

INJECTION OF POLITICS

Fusion Chief Invites Encounter With Buzsaw.—Some Historical Revelations Anent the Bank Failure.

The Independent of last week threw down the gauntlet and proceeded in a two column diatribe to inject politics into the Elkhorn Valley bank failure. Since this unfortunate failure The Frontier has studiously avoided mixing politics in any discussion of the failure. We have reported the facts as they have developed from time to time and confined our exhortations to the officers of the defunct institution—the persons directly responsible for the robbery.

There have many things come to our knowledge in connection with the failure and subsequent flight of Hagerty and McGreevy that we have refrained from publishing for the very reason that they reflect seriously upon certain prominent politicians of this community. Notwithstanding the politicians involved are all populist, we have, as before stated, refrained from discussing the deplorable affair from a political standpoint for the reason that we have heretofore had some misgivings as to the propriety of so doing lest it might, in this community, militate against a rigid prosecution and a full enforcement of the law against the persons responsible for the wreck. At first blush it seems incredible that the Independent and the sharp shrewdness of the fusion strategy board that is responsible for the article referred to, should be such asses as to undertake to make the outraged depositors and the public in general believe that the republican party is in some way to blame for this robbery. But when it is recalled that the Independent has, for the past twelve years, been the alimentary canal for a bevy of political shitepokes that have befouled this community until it smells to high heaven, and, furthermore when we consider these frenzied fakery are day by day being brought face to face with their misdeeds as they are slowly but surely coming into the open, it does not, under these circumstances, seem so strange that the hydra headed monster should lose its head.

Circumstances Call for Details.

In discussing the questions raised by the Independent article we will take them up seriatim and in doing so we feel like apologizing to our readers for taking so much space to answer so senseless a sreed, but we feel impelled to go somewhat into details under the circumstances, and in doing so we will be absolutely fair—nothing will be said which we cannot substantiate. We feel however, at a disadvantage in having to use printer's ink "instead of the appropriate implement for the purpose, a hose connected with a disinfectant barrel." Nearly one column of the article in the Independent is devoted to an effort to prove that Hagerty was a republican and by reasoning in a circle it concludes that the republican party and "state administration is just as big a criminal in this deal as even Hagerty, and the whole gang ought to be in the pen-

itentiary." No one but a knave or a fool would make such a ridiculous statement. Let us see how much of a republican Mr. Hagerty was. He voted for McKinley in 1896; Bryan in 1900 and Roosevelt in 1904. For the last thirteen years he has never attended a republican caucus or convention and made no pretensions of being a republican in county or state affairs; on the contrary, has invariably voted the fusion state and county ticket. In 1899 when H. R. Henry was the fusion candidate for county treasurer for a second term and it was certain that no republican could defeat him, the republican county convention in session that year tried for over one hour to get some one to accept the nomination for county treasurer. Finally, after tendering the nomination to several who refused, John Trommershauser of Ewing, who two years later was the fusion candidate for county clerk, nominated Mr. Hagerty and his name was placed upon the ballot as the republican nominee. Mr. Hagerty was not in the convention. He allowed his name to remain on the ballot notwithstanding he stated when Mr. Henry was nominated that he would vote for him (Henry.) Evidently he kept his promise and voted for Henry who was elected by about 600 majority, and he, both in his first and second term, kept a very large deposit of the county funds in the Elkhorn Valley bank. No reflection is intended on Mr. Henry for the bank was a public depository and so far as we know the deposits were kept within the law. So much for the politics of Mr. Hagerty. Later in this article more will be found with reference to bolstering up the insolvent bank by unlawful depositing of county money.

Law Doesn't Prevent Robbery.

The paid counsel for the wreckers next undertakes, in the article in the Independent, to hold the republican state banking board and bank examiner responsible for the robbery. It is not our purpose to defend in toto the law governing the examinations of state banks. We think it could be improved upon. But it is difficult to frame a law to protect depositors from loss where the officers of a bank will commit forgery and robbery combined. You may as well undertake to protect the money in the pocket of an individual who is held up at the point of a pistol by a highwayman.

Fusion Examiners Implicated.

Let us see if this defunct institution was ever examined by a populist bank examiner since it became insolvent and pronounced solvent by such examiner. In McGreevy's "statement" to "whom it may concern" that he made over his own signature before his flight to Arizona and which statement was published in The Frontier of Dec. 1, 1904, McGreevy has this to say:

"For several years I was about the bank but very little of the time. . . . In 1896 I was called on to devote more time to the bank. I then noticed that Mr. Hagerty's account was overdrawn several hundred dollars. He paid off his overdraft by giving his note to the bank. At a later period his account was again overdrawn; he then paid it in the same manner. At the end of the year these notes were destroyed and re-

placed by fictitious notes."

Insolvent Many Years.

From this statement by McGreevy, who was president of the institution, it is clearly shown that the bank was insolvent since 1896 at least, as they were then perpetrating forgery to deceive the bank examiner and keep the institution going. From 1896 to 1901 the state administration was in the hands of the fusion party and fusion examiners regularly examined the institution and pronounced it solvent, so skillfully did Hagerty and McGreevy manipulate forged notes and the books of the bank.

The blame in this case is clearly not with the banking law, the fusion banking board, the republican banking board, the fusion party or the republican party, but with the rascally looters of the bank and their co-conspirators and accessories both before and after the fact.

Vainglorious Challenge.

We next come to the braggadocia, bombastic, vainglorious challenge of counsel for the looters wherein he says in the Independent article:

"Let them point out where any fusion official, fusion leaders or fusion lawyer has got one single cent of the bank's money or where any of them had done a single dishonorable act in connection with the bank, or in any respect wherein they had any connection with it."

The bank was one of the county depositories in which the county treasurer had a legal right to deposit a certain amount of the county money. The law governing the county treasurer with reference to depositing public funds is provided for by Sec. 10870 of Cobbe's Statute of 1903, which among other things provides:

"When more than one bank may have been selected by the county board for such purpose, he (the county treasurer) shall not give a preference to any one or more of them, in the money he may so deposit, but shall keep deposited with each of said banks, such part of said moneys, as the paid up capital stock of such bank is a part of the amount of all the paid up capital stock of all the banks so selected so that such moneys may at all times be deposited with said banks prorata, as to their paid up capital stock."

The penalty for the county treasurer for failure to comply with above law is provided for by Sec. 10874 of said statute and is as follows:

"If the county treasurer shall willfully fail or refuse at any time to do or perform any act required of him by this act, he shall be guilty of a misdemeanor and subject to indictment therefore, and upon conviction thereof shall be sentenced to pay a fine of not

exceeding \$5000; and it shall be the duty of the county attorney to enter and prosecute said case. . . ."

Fusion Official's Disregard of Law.

Notwithstanding the plain provisions of this law and repeated requests from the county board to County Treasurer Cronin to observe the law he persistently refused to do so until he was compelled by mandamus issued by the supreme court on Nov. 16, 1904. M. F. Harrington and County Attorney Mullen were both attorneys for Cronin in the case before the supreme court and contended that Treasurer Cronin had a right to disregard this law. All this time, since the enactment of the law, Treasurer Cronin was playing the Elkhorn Valley bank as a choice favorite in depositing the county funds. On May 1, 1904, when the suit was commenced against him by the First National bank of Atkinson and for a long time previous, Mr. Cronin had county funds in the Elkhorn Valley bank amounting to \$11,453, where he should have had under the law not to exceed \$5,218 50. Thus for years by a liberal use of the county money in this manner, in violation of law, this defunct institution has been kept afloat, and these are but straws to show fusion and not republican politics has been a star actor in this villainous tragedy.

The decision of the supreme court mandamus Treasurer Cronin was issued on Nov. 16, 1904, and then it was when Mr. Cronin got busy checking out the county money which he and his bondsmen were liable for all in excess of the legal amount. He succeeded in getting the amount down to \$4619.56 as shown by the books to be the amount of the county money on deposit on Nov. 23, 1904—when the bank closed—and the looters took to the woods with everything in sight, including books that would tend to incriminate themselves and co-conspirators.

The following named banks were public depositories and, according to their statements on file in the county clerk's office, had on Nov. 23 (the last day the Elkhorn Valley bank was open) county funds on deposit as follows:

First National of O'Neill	\$8315 33
O'Neill National	3088 00
Elkhorn Valley Bank	4619 56
First National of Atkinson	2942 15
Atkinson State Bank	2430 06
First National of Stuart	5579 23
Citizens Bank of Stuart	4539 60
Formers Bank of Page	3774 62
Chambers State Bank	3226 00
Ewing State Bank	3242 86
Inman State Bank	1309 71

Total amount on deposit in all banks Nov. 23. . . . \$43067 71

The total paid up capital stock of all the above banks is \$203,500, of which paid up capital stock the Elkhorn Valley bank had \$15,000, and it would, therefore, be legally entitled to have a little more than seven per cent

of the total deposits, or in other words Treasurer Cronin could legally have on deposit in the defunct bank on Nov. 23, the sum of \$3143.94, whereas he had on deposit \$4619.56 or \$1475.62 more than the legal amount. The law makes the county treasurer and his bondsmen liable for any money deposited in violation of law. Mr. Cronin certainly has this excess deposit of \$1475.62 in the defunct institution in flagrant violation of the law and it is now up to him to pay this sum for which he is clearly liable.

So much for the "fusion officer"; now for the "fusion leader" and "fusion lawyer."

Lime Light on "Fusion Lawyer."

On November 19, Jim Dohohue, in the office of M. F. Harrington, drew up certain notes and mortgages given by McGreevy in amounts as follows:

To school district No. 7, of which he was treasurer, \$3,711.

The city of O'Neill, of which he was treasurer, \$748.

The First National bank of Sioux City \$2,000.

The Blair State bank \$1,582.

The Ponca Valley bank \$1,500.

On the early train Monday morning Nov. 21, McGreevy started on his flight to Arizona via Omaha and was met in Omaha by Mr. "fusion lawyer." The bank was kept open Monday, Tuesday and Wednesday, Nov. 21 to 23, by Hagerty and on Thanksgiving morning, Nov. 24, he was driven to Inman and took the 3 o'clock a. m. train for Sioux City where he was also met in a room in the Mondamin hotel by the same Mr. "fusion lawyer".

The outraged depositors would like to have "fusion lawyer" tell them, if he can, where Patrick went from Sioux City. On the same day—before it was known to the public—Mr. "fusion lawyer" had a conference with representatives of the banks to whom McGreevy had, on Nov. 19, given the mortgages referred to and then told at least one of the bankers that the collateral notes held by them were forgeries and requested them to accept the mortgages, given by McGreevy on the eve of his flight, in full settlement and turn over the collateral securities which were forgeries. We challenge you, Mr. Independent or Mr. "fusion lawyer," to deny this if you dare.

This, of course, was done for the purpose of destroying the evidence of forgery against McGreevy in the event he should be brought back. With the evidence of forgery disposed of, the embezzlement cases disposed of by getting the city and school district to accept the mortgages in full settlement—which they have tried to do—and by the proper amount of newspaper advertising that McGreevy was simply a "hired man" and Hagerty was "the whole head push of the bank" Mr. "fusion lawyer" figured McGreevy would be in proper shape for a judicial whitewash, after which Hagerty may show up and then in turn McGreevy could stand as the "head push" and party responsible for the failure.

Becomes Accessory to Crime.

The criminal statute with reference to "accessories after the fact" is provided for by Sec. 2050, Cobbe's statute, which provides:

"An accessory after the fact is a person who, after full knowledge that a felony has committed, conceals it from the magistrate, or harbors and

protects the person charged with or found guilty of the crime. Any person found guilty of being an accessory after the fact, shall be imprisoned in the jail of the county for any term not exceeding two years, and fined in the sum not exceeding \$500, in the discretion of the court to be regulated by the circumstances of the case and the enormity of the crime." Will the mercenary mouthpiece of the frenzied nicoompoops read this and then have the monumental gall to say no dishonorable act has been done by a "fusion leader" or "fusion lawyer"?

Now Up to Gang to Do Something.

If Mr. "fusion lawyer," the Independent and the gang of gutter-rotters really want to enlighten the outraged depositors and public in general and place the hand of justice on all who are concerned in this rotten deal let them call a grand jury and have them make a thorough investigation. They have the entire judicial machinery in their hands and we now and here challenge them to call a grand jury!

We again apologize to our readers for having to discuss this bank failure from a political bearing. No one but a knave would say that the fusion party, the republican party or any political party was in any way to blame for this robbery. By the virulent assaults made in the Independent we have reluctantly thrown down the bars and are now ready if the gang wish it, to discuss this affair as associated with sundry and divers politicians of this community.

EXPERIMENT STATION

State Institution Issues Its Eighteenth Annual Report, Which It Wants the Farmers to See.

The eighteenth annual report of the Nebraska Experiment Station, just published, contains some striking results which should interest every farmer and lead him to send a request to the Experiment Station at Lincoln asking for bulletins published at this station. The Station makes the following statements regarding a few of the results of experiments carried on there:

The winter wheat production of the state has increased ten million bushels per year, due largely to the work of the Experiment Station.

Kherson oats, introduced from Russia, by the Station, outyield the common varieties by ten bushels per acre in central Nebraska. Experiments with corn to secure better adapted varieties have increased the yield ten to twenty million bushels, and will result in still further increase.

Experiments at the Station prove that land which has been seeded to alfalfa will grow from ten to twenty-five more bushels per acre than other lands.

Apple scab has been almost perfectly controlled by spraying with Bordeaux mixture. Cedar rust on apple trees has been controlled with the same mixture. Straw mulches have greatly increased the yield of garden vegetables and improved the quality of cabbage, tomatoes, beans and cucumbers.

Milk fever has been treated with practically no loss by inflating the udder of the cow when the first symptoms of the disease appeared.

Feeding experiments have shown that alfalfa hay and corn is the most economical ration for fattening steers. This ration gave a profit of \$8 a head more than where corn and prairie hay was used.

Extensive experiment in feeding alfalfa hay with grain to hogs are now in progress which show the great economic value of alfalfa when fed in connection with a grain ration.

Eighteen thousand hand separators have been purchased by farmers in the last six years, and the number of cows used for dairy purposes have increased 200,000 in this time.

One hundred and fifty farmers' institutes will be held during the season

(Continued on Eighth page)

M. DOWLING, President	JAS. F. O'DONNELL, Cashier
CAPITAL & SURPLUS..... \$55,000.00	
O'NEILL NAT'L BANK	
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This Bank carries no indebtedness of Officers or Stockholders	