

## LINCOLN'S EX-POLICE JUDGE.

## The Republicans Nominate the Favorite of the Tough Element.

### SHALL HE BE MADE COUNTY JUDGE?

There is no office to be filled in Lancaster county, or any other county for that matter, which is of more importance than that of county judge. He is the holder and administrator of the most sacred of trust funds—all that widows and orphans have after the death of their protector. Upon the honesty and uprightness of the county judge, they must rely for the handling and distribution of their estates. No man should be nominated by any party for that office who has not a long established record for honesty and uprightness in all his dealings. The republicans have nominated for that position Lincoln's ex-police judge, Frank Waters. It is not only proper but important that all voters of every party should know the qualifications of the two candidates who have been nominated for that office. The two candidates are Frank Waters and Fred Shepherd. To most of the business and professional men of Lincoln, investigation will not be necessary, but to some others, especially those who live in the country, it will.

Three years ago Mr. Waters had finished his second term of office as police judge of Lincoln, and was soliciting a third term, urging as a reason for such unusual recognition that he needed it to put him on his feet. He had his third term and now, though but a year has elapsed, he is again asking for office, this time the county judgeship, and upon the same old plea. His record not only does not support his claim, but it shows him absolutely unfit for the place. He is alike unscrupulous and incapable.

A police judge he had to be forced to pay into the school fund the fines collected by him and appropriated by law to that purpose.

During his incumbency he failed to make reports and remittances of school moneys taken in upon fines and costs; and the school board set on foot an investigation in which it was finally reported that Waters was \$2,000.00 short. Neither the newspaper files nor the council records indicate that he questioned the right of the schools to the money. In fact he said at once to the Call reporter that he had not done as he should have done. And after the delay necessary to borrow the money, he paid into the school fund several hundred dollars, thus admitting the temporary embezzlement, and acknowledging the merits of the board's investigation. If the reported shortage of \$2,000.00 was correct he is still in default of school money. If he paid in all that was due, it was only after the board by its investigation forced him to do so.

Extracts from the current files of republican papers show the facts. From the News of November 3, 1893.

## "WANTS THE MONEY.

## SCHOOL BOARD STARTS AN INVESTIGATION OF JUDGE WATER'S ACCOUNTS.

## No Report of Receipts and Fines Made Since Last May, and no Money Paid Over."

News, November 3, 1893. "The school board has started an investigation, and it promises to develop some sensational features. Police Judge Waters is the man whom the board is after, or rather the money he should have turned over is what they want. October 1 is the date when some interest coupons fell due, and as the fines from the police court usually mount up into the thousands there should be at least \$2,000 on hand. Mr. Bullock (secretary of the board) asked when Judge Waters had filed his last report. He was told that the April report, filed in May was the last. These facts were reported to the board at the meeting held on Wednesday evening, and a resolution was passed by the board authorizing an investigation of Judge Waters' books.

The statutes provide that the police judge shall report at the end of each month a list of all cases instituted in his court under the ordinances, and the disposition made of them, with a statement of the fines and penalties received by him, and he shall at the end of each month pay to the treasurer all fines received by him in cases arising under the ordinances. In the event of failure to make such report for the period of ten days after the council makes a demand for it shall be cause for impeachment. \* \* \*

The figures for last year show that from June to October inclusive the police judge turned over to the city treasurer for the school fund \$3,208.50, and to the police fund \$1,085.40. \* \* \*

Judge Waters states that he will file his MAY report today and turn over some \$900 for the use of the board. \* \* \*

From the Call of November 3, 1893.

## "INVESTIGATION.

## THE SCHOOL BOARD LOOKING AFTER FUNDS.

## They Begin on the Police Court Records This Afternoon.

For some days there have been whispers abroad that the school fund was not getting, and has not for some time been getting, its lawful money from the police court—money that comes from fines and licenses, and which belong to that fund. Last Tuesday evening, a resolution for an investigation into the records of the police court was introduced and passed by the board, and today Clerk Bullock and Miss Hedges, a short hand reporter, are engaged in the work of going over the books. \* \* \*

There is all sorts of talk of shortage and crookedness going about, but until more is known The Call prefers not to give wider range to it.

Judge Waters says that his affairs are all right, and that on next Tuesday evening he will make a report to the council that will show them to be straight and correct.

HE ADMITS THAT HIS REPORTS OF FINES AND LICENSES HAVE NOT BEEN MADE AS PROMPTLY AS THEY MIGHT HAVE BEEN, BUT SAYS HE CAN SHOW GOOD REASON FOR THE DELAY.

No good reason was ever shown to the public, and indeed no reason at all. Not a word is said in the Call of Nov. 8, 1893, reporting the council proceedings of the evening mentioned, and no reference to the promised report appears in either the News, the State Journal, or the council record of that time; and a search of the records for months afterward fails to disclose an explanation.

All of the records of the school board fully corroborate the above.

The upshot of it all is this. Can the people of Lancaster county afford to have the estates of its widows and orphans in the hands of a man who must be forced by investigating committees to do his duty and to account for trust money? The Independent maintains that the office of county judge should be filled by a man who, of his own free will, can be depended upon to account to the widows and orphans whose interests lie in his charge.

Nor is this all the charge that has been laid at Water's door on account of the misappropriation of costs received by him as police judge. In Council Record 15 on page 219, date of June 1, 1896, appears the following:

"Whereas there is coming continuously into the hands of the police judge officers fees on costs and whereas the police judge has heretofore notified the council that he will not turn them into the police fund as required by law, therefore be it:

Resolved by the mayor and council that the city attorney be instructed to begin suit to recover from said judge and his bondsmen all such fees that have been retained by him."

In connection with these important matters, certain other facts are peculiarly significant. The law requires the police judge to file monthly reports in the office of the city clerk; and while the files of that office disclose such reports from Goff, in 1873, through the administrations of Green, Taylor, McLean, Dales, Cobb, Montgomery, Parsons, Whitmore, Houston, Foxworthy, Borgelt, and the present incumbent, Judge Comstock, the most careful search cannot discover a single one from Waters during the entire six years of his incumbency. A man at the request of this office has made a thorough search, and the city clerk, after full investigation, stated on October 11, 1892, that he would "give it up." He could find nothing.

The law requires books of police records; and the law, practice and custom demands that they be kept at the office of the judge in the city building. But during the entire latter half of his term of office Waters kept on the current record at his office, and that under lock and key; and the remainder of the records at his home where the public could not have a chance to see them. For months after the expiration of his term of office he retained them there and only upon the demand of a citizen and upon the sending of an officer and the patrol wagon by Judge Comstock to Water's house were they returned. And further, for all the time he occupied the office of police judge not one file of the papers in any case remain to tell the story.

The Independent says that these things are enough to condemn Frank Waters as an aspirant for county judge. The duties of the county judgeship should be administered decently and in order, and according to law. And in addition to this the voters of Lancaster county should know and remember when they go to the ballot box that Frank Waters has been as unreliable in his personal business affairs as he has been neglectful of his public duties.

Good men frequently have past due obligations against them, but good men do not habitually pass checks upon banks in which they have no funds; and while good and honest men sometimes fail in business, no honest man would earn the reputation given Waters by the grocers and other retail dealers in Lincoln. For many years he has been quoted by the merchants of Lincoln as being unworthy of credit, and was listed "Require cash." Let any man doing business in Lincoln with retail dealers ask the man with whom he trades to see his blue book and look up the standing of Mr. Waters, for himself.

In 1898-9 one dealer votes him slow and the others "require cash." Waters has always had the enthusiastic support of the Budd Lindsey-Frank Graham outfit, and it is this same crowd that is now using every means to elect him. An examination of the election returns shows that he always had large majorities in the districts where saloons and houses of ill fame flourish, and that he failed to carry the reputable residence districts where his party normally had overwhelming majorities.

Here are some of the records from the police court where Waters presided:

Docket 5, case No. 2345 and No. 2347, against Budd Lindsey for violations of liquor law. Each case continued seven times and finally dismissed without any action.

Cases No. 2321 and No. 2391 against Lindsey for selling liquor on Sunday, were dismissed. The records do not show when or why.

Case No. 2369, docket 7, L. L. Lindsey arrested September 26, 1893, for selling liquor at 2 o'clock at night. Case continued to Oct. 7, to Nov. 9, Nov. 18, and to Nov. 23, when trial was had. Six reputable citizens appeared as witnesses for the state and gave conclusive testimony. No evidence of any kind was offered by the defense. The case was then continued to Nov. 30 to enable Lindsey to FILE A BRIEF. The record shows that a brief was filed on that day, but the case was de-

but no record was made as to the final disposition of their cases. It may be they were disposed of by the star-chamber method so popular in Judge Waters' administration.

The man who ran a court of that kind, it is now proposed to put in charge of the estates of the widows and orphans of Lancaster county—cases in which there are often involved large sums of money, many times running up into the thousands. Do the reputable citizens want that kind of a man elected to so responsible an office?

Contrasted with this record we take pride in referring to the character and reputation of the fusion candidate, Frederick Shepherd. Mr. Shepherd has lived in Lincoln twenty-seven years, was educated in the public schools and State University; and for ten years has been a highly esteemed and successful member of the Lancaster county bar. Large and important interests have been in his hands, in the care of which he has fully demonstrated his honesty as a man and his ability as a lawyer.

## CHAPLAIN MAILEY IS A FRAUD.

### DECLARED THE ANNEXATION OF THE ISLANDS A GROSS VIOLATION OF EVERYTHING HELD DEAR BY AMERICANS.

He Slanders Both Col. Colton and Col. Stotsenburg—Official Letters Written to the Governor and Congressman.

The authorities at the state house finally reconsidered their decision not to give out the letters of Chaplain Mailey which were on file there among other public documents relating to war. The Independent has insisted from the beginning that they were public documents and that every citizen should have access to them. The following is only part of them:

Lincoln, Neb., Oct. 19, 1899.

Governor William A. Poynter,  
Lincoln, Neb.

Sir: I have the honor to invite your attention to the enclosed letters of James A. Mailey, late chaplain First Nebraska Volunteer Infantry.

The letter of August 5, addressed to Governor Silas A. Holcomb, protests against the appointment of Lieutenant Colonel George R. Colton to succeed Colonel John P. Bratt, about to resign, and recommending Colonel John M. Stotsenburg to be promoted colonel of the regiment.

His letter addressed to Honorable W. L. Stark, date of January 30, in which he urges Mr. Stark to oppose the annexation of the Philippine Islands, as it would be a gross violation to every principle dear to American hearts; but I invite your special attention in this letter, to his change of front on Colonel Stotsenburg.

I think these letters will disclose the hypocrisy of this man, and I would recommend that they be given publicity, so that the public may see this man in his true light. The letter of January 12, addressed to Colonel Stark was forwarded to me by Colonel Stark for my information as to the status of Colonel Stotsenburg at that time. The letter speaks for itself.

Very respectfully yours,

P. H. BARRY,  
Adjutant General.

Lincoln, Neb., Oct. 19, 1899.

Executive Chamber, Lincoln, Neb.

General P. H. Barry, Adjutant General,  
Lincoln, Neb.

Dear Sir: Replying to your communication of the 19th instant I would say you are at liberty to make public any letters in your office which you think would be of public interest, this especially applying to those letters to which you refer in your communication.

Very truly yours,

W. A. POYNTER,  
GOVERNOR.

Manila, P. I., Jan. 30, 1899.

Hon. W. L. Stark,  
Washington, D. C.

My Dear Friend: Yours of December 21 is at hand. I thank you for giving the matter your attention. I, as well as others here, feel that we should now be home had not some dirty work been done somewhere.

I have no doubt that it was the intention of the War Department to relieve us with the regulars now en route; but things are in a very unsettled condition here at present. The natives are determined to be satisfied with nothing short of Independence, now or prospectively, and declare themselves ready to fight to the death rather than to yield. I read their papers regularly (printed in Spanish) and, if the utterances of their editorial writers are any index to the sentiments of the people, our work is cut out for us the moment it is known that the policy of our administration is annexation. At the adoption of their constitution at Malolos, not long since one of their speakers (the principal one, in fact) said: "We are ready to destroy all things, in our struggles for liberty and independence, and to dig a large grave for ourselves and our invaders." The annexation of these islands against the wishes of this people would be a violation of every principle held dear by American hearts. It must not be; and I hope you will fight it.

A word about Colonel Stotsenburg, ON THE DEAD. He has applied through military channels for an original colonelcy in one of the new regiments to be created in the expansion of the regular army. It is the hope of this entire regiment that he will not get it. He is very unpopular and deservedly so. He is one of the most selfish of men, and a martinet. What few friends he had before he was made colonel have become soured upon him. When this regiment is mustered out he will be the most unpopular man in Nebraska. To make an impression upon the generals at general inspection, he is drilling the men very hard; and this, in connection with the outpost duty they have to do, is telling on them severely. Our sick list, which fell off rapidly after we came to camp, is again climbing up. The regiment is again being used as a tool to further S's personal schemes. Oppose his appointment and get him recalled to his own regiment, and you will earn the eternal gratitude of the First Nebraska.

This letter is strictly personal and private.

Am well. Yours truly,  
JAMES MAILEY,  
Chaplain, 1st Neb. Vol.

I hereby certify that the above is a true copy of the original letter of Chaplain James Mailey, now on file in this office.

P. H. BARRY,  
Adjutant General.

Manila, P. I., Aug. 5, 1898.

Governor Silas A. Holcomb,  
Lincoln, Neb.

My Dear Governor: It is generally assumed in the regiment that Col. Jno. P. Bratt is about to go home; and of course this has brought up the question of his successor. I am creditably informed that a petition is being circulated favoring the appointment of Lieutenant Colonel Colton. It is my general policy never to interfere unless I am called upon to do so, by the requirements of my office. And I interfere in this case with reluctance because I know that you are aware of Colton's antipathy to me on political grounds. However, I beg to assure you that I am not prompted to my course by any personal considerations whatever. Whatever disagreeable features may have been connected with my appointment as chaplain, they have long since passed away, and no man could be treated better than I am by all the officers and men.

But, Sir, I write to most solemnly and earnestly to protest against the appointment of Lieutenant Colonel Colton as Colonel of the First Nebraska Regiment. I do so because and solemnly because I am compelled to by an honest interest in the moral welfare of the men under my care as chaplain. That Colonel Colton is a good officer none can deny; that he is a brave man I know by personal observation. I object to him upon the ground of moral character. I myself have seen him under the influence of liquor, and I can prove that he has tried to persuade young enlisted boys to drink with him. I do not care to be more specific in my statements. I could be, if it were necessary. Unless he changed wonderfully, this appointment as colonel could not but result in great moral injury to the regiment. We have a man who is fully as brave, more thoroughly schooled in military affairs, and who adds to this a spotless moral character, a manly carriage and a gentlemanly bearing. I refer to Major Stotsenburg.

Regards to all my friends.

Most respectfully yours,

JAMES MAILEY,  
Chaplain, 1st Neb. Vol.

I certify that the above is a true copy of the original letter of Chaplain James Mailey, now on file in this office.

P. H. BARRY,  
Adjutant General.

## Clippings.

### A MIGHTY MEAN MAN.

First McKinley says forcible annexation is "criminal aggression." Then after he has forcibly annexed the Philippines he says that "this territory has come to us through the providence of God." It is a mean man who will blame God for his own mean acts.—Hutchinson Gazette.

### LOOK AT IRELAND.

Look at Ireland and see what eight hundred years of imperialism has done there. For all these generations, imperial England has been "crushing the rebels," hunting down the "copperheads," hanging the "traitors" and exiling by the million the "ungrateful and treacherous" natives.—Pittsburg, Kansas.

### THE STERLING SUN.

The liar's belt should be given to the Sterling Sun for the following brilliant effort in that line. It says:

"J. W. Bryan has had a remarkable political career, which is surely coming to a close, but he will have secured, what he remarked in his opening efforts he most desired, 'the money and not the honor of office.' He is today a rich man all made in politics."

### THESE BEING THE FACTS.

The fact that Custer county was \$46,000.00 in debt at the time the populist party took hold of the affairs of the county nine years ago coupled with the fact that it is now out of debt brought about by the economical management of populist officials during the past five years of panic and drouth is sufficient reason for every voter in the county to cast his vote this fall for the populist party nominees. No party in existence could have done more for the county. These being facts, why should there be a change?—Custer County Beacon.

### NOT TO BE TRUSTED.

The man and the party that would hoist the American flag over the slave pens and harems of the Sulu Islands are not to be trusted as guardians of the lives and liberties of the people here or anywhere else. Their principles, morals and religion can be expressed with a dollar mark.—National Watchman.

### WHY NOT?

In the recent Chicago election it seems that a Referendum was had on two questions: the establishing of kindergartens, and the admission of the suburb of Austin into Chicago. Both were carried by large majorities. Why can't really vital questions, like the street-car question, be submitted to a Referendum? The people of any city should have a right to demand a referendum on such a vital question. The laws and constitutions of the various states should be changed accordingly.

### McKINLEY SOLDIERS.

Two negroes were released from the from the Topeka jail last week where they were confined upon charges of felonious assault. And why do you think they were given their liberty, dear but verdant reader? Do you suppose that it was because they were found to be innocent? Well, they were given the latest brand of liberty—the Bill McKinley and Mark Hanna Brand. They were turned loose in order that they might enter the United States Army and carry the blessing of liberty to the down trodden Filipino. Fine representatives we are sending out on this mission—felons convicted of crime! Nice grade of soldiers wearing the army uniform—prisoners from penitentiaries and jails.—Appeal to Reason.

### THOUGHTS FOR THE PHILIPPINES.

The kind of missionaries that McKinley and the imperialistic preachers are sending to the Philippine islands, can be gathered from the following Associated Press dispatch. Most of the editors of the great dailies blue penciled it, but it got into a few papers:

Cincinnati, O., October 19.—The 46th regiment of volunteers, enroute from Massachusetts to Manila, was delayed here by enforced drumhead court-martials on account of an epidemic of drunkenness. The first section arrived yesterday over the Chesapeake & Ohio and held high carnival. They had whiskey secreted on the train. Col. Hepler immediately called a drumhead court-martial, which sent thirty of the worst offenders to the Columbus barracks. As the other sections arrived during the day it was found that there was plenty of whiskey aboard of them also, and the supply was greatly increased here, so that the four sections were all side-tracked west of this city at Valley Junction for more trials and additional installments were today sentenced to the Columbus barracks awaiting further action. The trains after much delay finally got away for St. Louis tonight.

### CLOSED BY THE TRUST.

Woburn, Mass., Oct. 9.—Several Woburn leather manufacturers, who recently joined the American hide and leather combination with the understanding, they claim, that they were to be retained at the head of their respective plants, state that the agreement has been violated and they have been retired from active connection with the business by the executive board of the company. Now the announcement is made that in the interest of economy the factories of the James Skinner Leather company and the John P. Crand shop, here, and the William Tidd factory, at Stoneham, are to be closed. The last named is to be moved to Woburn.

### THE G. O. P. WAY.

If a poor devil of a stalking laborer resists the laws, call out the militia by all means and kill him. But if a swollen corporation bribes courts, laughs at justice, oppresses the weak and robs the helpless, let us put a plank against trusts in the next platform and ask for a contribution!—J. J. Ingalls.

### LITERARY NOTE.

"The Lord loves ordinary looking men," said Abraham Lincoln. "That is why he made so many of them." This off hand defense of democracy is quoted in the new life of Lincoln by Notman.

Happgood, about to be published by the McMillan Company, and a number of similar stories, to show the various sides of Lincoln's democracy. In using the sub-title, "The Man of the People," the author shows that this idea of "the first American" is carried throughout the work.

### WHERE'S THE DIFFERENCE?

If England is a pirate nation, what is the United States? Is not our course in the Philippines on a par with the English course in the Transvaal? Where is the difference between Chamberlain and McKinley? Are they not both guilty of criminal aggression? Is it not a war for conquest on either hand? The only difference is that Chamberlain sins openly in the name of imperialism, and McKinley sins secretly in the name of benevolent assimilation. The editor who denounces England's acts in Africa and defends America's acts in Asia is either a fool or a hypocrite.—Central City Democrat.

### LOOK OUT FOR BRITISH LIFE.

Attention was called today by a colonial office official to the fact that the Transvaal government is effectively isolated, from a military-news point of view, from all European and other outside friends, so far as the cable is concerned. The British control by its censors all the lines, even the Eastern cable, which starts from Dalagoa bay. It has one censor at Cape Town and one at Aden. The former is able to stop all messages by the Western cable; the latter all by the Eastern. The Boer mail goes by Dalagoa bay and all Transvaal state dispatches being, theoretically, contraband of war, ships carrying them would be stopped on the high seas by British cruisers. No such course will be followed by the British government, however, though all cables for the Boer government are likely to be edited out of existence by the censors.—George Townsend.

### THE PREACHER IN POLITICS.

When a preacher of the gospel of the Christ drags his priestly robes into the political arena it is generally safe to regard him with suspicion. The man who has dedicated his life solemnly to the service of his God in a priestly capacity will, if he be a true disciple of his Lord, find so much labor at hand for the Master as to leave him no time in which to labor for politicians. Blaine owed his defeat to a blatherskite New York preacher, who made his church pulpit a political stump, and in seeking to aid Blaine, killed him. The injury to Blaine was not greater than the injury inflicted upon the cause of Christianity by that political preacher. The populists of Nebraska are just now suffering from the stings of a saintly serpent, who was once warmed in the populist bosom. We refer to Chaplain Mailey, who, after receiving a good collection from the pious, and finding that source of revenue exhausted, is now advocating a gunpowder christianity for God's children in the Philippines, at the request and under pay of the imperialistic state committee. God pity the poor preacher who so far forgets his duty to his God as to quit advocacy of the gospel of love, and take up the cause of force and hate. God pity the Maileys, whose love of lucre appears to be stronger than their love of Christ.—Papillion Times.

### REPUBLICAN FAIRNESS.

As a sample of the fairness of the republican papers their treatment of Lieutenant Colonel Eager will serve. Mr. Eager is the owner of the Nebraska Independent, the leading populist state paper. In the recent big Lincoln fire his newspaper plant was entirely destroyed. He had not a dollar of insurance, and was compelled to cancel all of his campaign meetings, in order to devote his time to restore his establishment. The republican papers now say that he cancelled his meetings because his war record is not good, while the fact is that he was promoted on the recommendation of his superiors on the grounds of special fitness and valor.—The Phonograph.

### A BAD LOT.

Times cannot be so prosperous in republican counties. The treasurer of Gage county issued 7,736 distress warrants for the collection of taxes, and then failed by \$8,000 to get in as much money as his populist predecessor did during the years of crop failure. This delectable republican official charged himself on the fee book with 50 cents for each distress warrant and collected from the parties \$1.25, making a steal of \$5,802. He has placed in the bank an average daily balance of \$48,000, accounting to the county for the interest on \$28,000, which increases his pecuniations to \$6,602. In addition to this he has been allowed a claim for "miscellaneous items of office," to the amount of \$2,282.68 when clerk hire and all known expenses, even to stamps, have been paid for him. \$8,864.68 can thus easily be shown to be short, and many other charges have been preferred against him. Can't be that they have the purified, regenerated republicans in Gage county. The commissioners—also republicans—must be as bad as their treasurer.—Register.

### McKINLEY AND LINCOLN.

"I do order and declare that all persons held as slaves within said designated states and parts of states and hereafter shall be free, and that the executive government of the United States will recognize and maintain the freedom of said person."—Abraham Lincoln.

"Any slave in the archipelago is given the right to purchase his freedom by paying his owner the sum of Twenty dollars."—Wm. McKinley.

### Easy Steps Down Hill.

We've Jingles, How they love the flag!  
And here's a Jingo song:  
"That flag is right in any light,  
Our country right or wrong."  
We've partisans, They're lower still,  
And here's the party song:  
"When at the polls you have no souls,  
Our party right or wrong."  
We've hoodlums, Down another step,  
And here's the hoodlum's song:  
"We'll do no bluff, we want the stuff,  
Our jackets right or wrong."

Dr. Bull's Cough Syrup furnishes most substantial comfort and relief to consumptives; it works most reliably. Don't despair. Relief can certainly be had; a cure is possible with wonderful remedy.