

KEARNS IS LOCATED.

Governor Poynter Pardons Murderer Kearns Under Suspicious Circumstances.

The Cass County Murderer, Living In Ottawa, Canada, Tells His Story.

Omaha, Oct. 29.—In no instance has the pardoning power of the governor been more shamefully abused than by Governor Poynter in pardoning John Benwell Kearns, the murderer of Matthew Akeson of Cass county. With the facts relating to this most awful crime, shocking in its brutality, most of the people of Nebraska are familiar, but there are few who are aware of the fact that Kearns was pardoned under very suspicious circumstances, circumstances indicative of shameful collusion, if not downright fraud.

Governor Poynter pardoned Kearns on the claim that he was "dying," but it now develops that Kearns is living in Ottawa, Canada, and is in perfect health. Sixteen months have elapsed since the brutal murder of old man Akeson was clandestinely and secretly released from the penitentiary and "sent home to die," but he is not only not dead, but is working every day and has been for the last ten months and is, as shown by the following dispatch from Ottawa, in perfect physical condition.

GOOD TIME ALLOWED.

Perhaps the most glaring imposition is the allowance of "good time" to a prisoner sentenced for life. This is an irregularity, an inconsistency, a discrepancy so difficult of mathematical calculation and logical analysis that it is passed up to Governor Poynter for an explanation. Is it not a fact that the "good time" allowed was allowed so that the convict might be released about two years before even the end of the commuted sentence, seven years and six months? Kearns was sentenced for life, Governor Poynter commuted his sentence to seven years and six months and then, to make matters worse, reduced his term more than two years by allowing him "good time." In other words, the perpetrator of one of the most deliberate and cold-blooded murders ever committed, who was tried, convicted and sentenced for life was turned loose by Governor Poynter inside of five years afterward. Kearns was released from the penitentiary while the soil was yet fresh on the grave of his victim. What inspired such an act on the part of Governor Poynter is a mystery which the "certificates" of the warden and physician do not satisfactorily solve. Kearns himself says that he had no thought of securing a pardon until Warden Leidigh bronched the subject to him. Kearns said that at the least, he estimated that he would not be able to secure recognition in the way of clemency for ten years. He knew upon what charge he was convicted and reasonably computed his penalty on the sentiment of society and the exactions of law and order. He knew he had committed a monstrous crime and it is no wonder that he had spent five years behind the bars and expected to serve five more before he himself could in his mind justify his right to relief. He knew, too, that his partner, Harry Hill, no more guilty than he, paid the penalty with his life. Knowing all this he had no reason to expect, and did not expect, to gain his freedom inside of ten years at best.

Just what caused Warden Leidigh and the prison physician to take such an interest in securing a pardon for Kearns, before he had ever asked for or expected it, is unknown. Why he was pardoned by Governor Poynter secretly and clandestinely, without notice being given the people of Cass county before the pardon was granted as required by law, allowed "good time" and hurried out of the state, is also a mystery. The murderer had wealthy relatives and it is presumable at least that they had something to do with securing his release. Kearns says if his pardon was bought and paid for he does not know it, though he admits that a wealthy friend from Montana named Brown came to Lincoln and perhaps "interceded" for him. Kearns has two uncles in Montana in the mining business, Patrick and Michael Kearns, who are reputed to be wealthy and it is possible that the Mr. "Brown" was none other than Patrick or Michael Kearns.

Governor Poynter attempts to play upon sympathy by saying that Kearns was dying and that in such cases "humanity usually dictated that the prisoner be sent home to die."

Did humanity dictate when poor, old Matthew Akeson was brutally murdered in the presence and before the eyes of his own family? Was it any less humane for Kearns, with his hands steeped in the blood of an aged and helpless victim, to die in the penitentiary than it was for Matthew Akeson, who throughout his 60 years of life had never wronged a child and who was universally esteemed as a good citizen, to be by the hand of a brutal murderer in his own home?

Did humanity dictate to Kearns, when for the purpose of robbery, he entered the Akeson home and shot down helpless victims?

Governor Poynter misjudges public sentiment when he assumes to placate and appease it with any such excuse. Had Kearns been dying and the governor knew of his own personal knowledge that such was his condition, he might have pardoned him on the condition that he be re-imprisoned if he regained his

health. But according to Kearns' own words, Governor Poynter knew nothing of his condition and the result is that instead of Kearns "going home to die," he is as healthy appearing today as any man in the great city of Ottawa, as the following dispatch from that place clearly shows.

The statements made by Kearns were made to A. B. Taylor of Plattsmouth, who went to Canada and saw and talked with Kearns. Mr. Taylor was bailiff in the court at Plattsmouth when Kearns was tried and had charge of the prisoner during the trial. Mr. Taylor is one of the oldest and most respected citizens of Cass county and any one who doubts that Kearns is alive and well will be convinced to the contrary by consulting Mr. Taylor. Following is the dispatch:

MURDERER TELLS HIS STORY.

Ottawa, Ont., Oct. 17.—Without even a blush upon his cheek or tremor of his lip, John Benwell Kearns, murderer of Matthew Akeson of Cass county, Nebraska, today told the story of that shocking tragedy and the story concerning the manner in which he was released from the penitentiary.

Kearns resides here at 41 Lyon street with his parents, who keep a boarding house. He is employed as a bookkeeper in the leather and harness store conducted by S. & H. Bonbridge, 88 Rideau street. He has been employed there over five months, qualifying himself in a local commercial college beforehand. He was pardoned out of the penitentiary May 23, 1899, and "sent home to die," but of the 16 months he has been free he has devoted ten months to mental and physical labor and today is as healthy appearing as any man in this city of 60,000 people; tall, erect and in fine physical proportion. Nothing is known here of his history in Nebraska. The family guard his record with utmost care.

When Kearns' household was visited last night persistent inquiry failed to elicit any information concerning the identity of the murderer. Kearns admitted that he had been away to the states, but denied ever having been in Nebraska. Despite the denials the different members of the family appeared to be nervous about something and this was what enkindled a very remote ember of hope in the matter of solving the mystery.

INVESTIGATION PROVES FACT.

The investigation was renewed bright and early this morning and diligent efforts, in which assistance was rendered by Detective Foster and Chief Sherwood of the Dominion police, resulted in such an array of evidence that Mrs. Kearns, mother of the murderer, finally acknowledged that he was the man.

"I have tried to keep the whole thing a secret from the public," she said, "but I see you have the facts pretty well in hand. John is working right along and has a good job."

"How did he happen to get pardoned?" was asked.

"I really don't know. I never asked for it and I don't know who did. He used to work for a rich man named Brown in Montana, but I do not know whether he helped him out or not. Yes, I heard that it was reported back in the states that he bought his pardon. I don't know anything about it. The first I knew he was in prison was when I got a letter stating he was there and was sentenced for three years. I wrote to him about two years later and asked him if he was soon to be out and he then wrote me he was sentenced for life. He misrepresented the facts to me in his first letter."

"Do you mean to say that you alone of the family know of his trouble?"

"No; his father knows about it and he put in part of the money to pay his way from there here. Nobody else here in Ottawa knows about it and I hope nobody else will."

DECLINES TO DISCUSS PARDON.

When asked how she heard that the report was in circulation that he bought his pardon she could not say, though it is evident that she has been advised by somebody at Lincoln as to certain conditions and further advised to refrain from talking on this subject.

She admitted receiving a letter from Governor Poynter last June asking her to furnish a physician's certificate as to her son's health, but she failed to comply with the request, ostensibly for fear the secret would get out, but in reality because the "dying man" was in excellent health and was at work.

KEARNS TELLS HIS STORY.

John Kearns, the son, after learning that further efforts to hide his identity were useless, made a signed statement in substance as follows: "I was pardoned out of the penitentiary May 23, 1899. I had been sick prior to that time, but was convalescing at the time I was pardoned. I was kept in the hospital up to the time I was released, but I was up and around four weeks before. Of course, as long as they let me stay there I would have been a fool to have asked to go back to the cell."

"Who interceded for you or asked for your pardon?"

"I do not know. Brown of Montana was down to see me once, but I don't know whether he made any special effort to get me out."

"Is it not a fact that Brown's money inspired your pardon?"

"I could not say. I know that there was considerable talk about prisoners getting out through influence and the use of money, but I can't say in my case. Warden Leidigh is the first man that ever mentioned pardon to me. I had figured that I was there for ten years at least and I never hoped or thought of getting out sooner. I never dreamed of pardon or thought I would

get one until a few weeks before I got it. Governor Poynter did not see me but once after I was convicted and that was one day when he was there on a visit. He did not know of his personal knowledge what my condition was at the time I was pardoned. "Leidigh had a good pull with him and he helped me out. I wrote a letter thanking them both on reaching here. I was released late in the afternoon and was taken to the depot in a carriage. They bought me a ticket through to Ottawa and I lost no time in getting away. At Chicago I bought a suit of clothes and sold my prison suit to a second-hand dealer."

"I had a good appetite the last four weeks I was in the penitentiary hospital and was getting on my feet when I got out. My hemorrhages stopped long before I was pardoned and I have never had any since," he said, with a squint of the eye.

"You are a pretty rugged looking corpse," was remarked.

"Yes, I am in pretty fair shape, though I don't feel exactly like my former self."

"Is that not due to worryment and thoughts about the awful crime you committed?"

"Well, there are some things that worry me aside from the condition of my health. Of them I would rather not speak."

"When did you last hear from Nebraska?"

"About 12 weeks ago. Mother got a letter from Governor Poynter, in which he asked for a physician's certificate. She tore the letter up, or I would show it to you. She asked me what to do about it, and I told her to do the best she could for him, for I thought he wanted to use it in politics, and as he had helped me out I wanted to help him out. Mother answered the letter, but I think the certificate was never sent. I have worked steadily for over five months since I got a job and have not lost a day. As to the pardon, I can only say that I owe my success in regaining my liberty to Leidigh and Governor Poynter. How or why the scheme to get me a pardon started before I or any of my relatives asked for one I cannot explain. I may have started while I was sick, but at the time it was granted I was recovering rapidly. If there was such a thing as money used to get it, it was without my knowledge. No doubt such things have been done at that same place, but I can't say it was in my case."

"How did you happen to give your name as Benwell when you were arrested?"

"The other fellow gave the name of Harry Hill. That was not his right name. Noting that he gave a wrong name I gave one too. I knew, however, that if I was caught at it that an alias would make it hard for me, so I gave my name as John Benwell Kearns. When you came to the house last evening I thought that you wanted me for some railroad job. While I was in the penitentiary a railroad detective had me connected with a job that had been done and I expected you intended to prosecute me should I ever get out."

"When I got out it was so arranged that nobody should know it, and my first thought last night was that he had followed me up. I was more interested in keeping my identity a secret on that account than on account of notoriety."

"I have nothing to say about the Cass county affair," came the reply when asked about it. "I was convicted, sent to the penitentiary and pardoned. That is the story of record and that is all the story I'll give you. I am a free man, and I hope to get along as if nothing of the kind had ever happened. I will forget it, whether other people do or not."

WHAT THEY THINK OF KEARNS.

"There goes a man with strong and dangerous criminal instincts," remarked Detective Foster, one of the shrewdest officers of the Dominion of Canada, as Kearns left the room. "I think society is better off without such characters. Look at his firm jaw, low forehead and cat-like eyes. I'll watch that man from this on, that's certain." It is evident from Kearns' conversation that he did not tell all he knew in connection with the pardon. It is quite evident that the murder of old man Akeson is not the only crime which concerns him. That he committed other crimes for which he has never atoned or been apprehended is quite certain.

Nevertheless he dresses well, looks trim as a successful stock broker and outside of his family, Chief Sherwood and Detective Foster nobody here in Ottawa knows any of his dark history. He weighs about 180 pounds and is a perfect picture of the ideal athlete. Kearns incidentally spoke of affairs connected with the management of the penitentiary, and said that officials and attaches smuggled in opium, whisky and morphine to certain inmates and sold it to them. It is a common thing, he said, for them to take money away from prisoners, and while the law is that this money should go into the library fund most of it went into pockets of officials and employees.

IT IS ROGUE.

Frank Carpenter, first vice president of the Anti-Saloon League, and a member of the Carpenter Paper company of Omaha, one of the largest concerns of this kind in the west, when asked if the league had authorized Thomas Derrall to issue and send out circulars urging temperance voters to vote against Charles H. Dietrich, said: "I positively do. On the other hand I consider Mr. Dietrich an honest and thorough business man and a very good citizen. He would make an excellent governor."

SLANDERERS REBUKED.

Citizens of Hastings Protest Against the Vile Slanders Circulated on their Fellow Townsman.

Charles H. Dietrich Endorsed by His Neighbors as a Man of Splendid Character.

Hastings, Neb., Oct. 30.—The people of this city, irrespective of politics, are incensed and indignant over the cruel falsehoods put in circulation by scandal mongers of the fusion party concerning the character of Charles H. Dietrich, Republican candidate for governor, and for more than 20 years a beloved and highly esteemed citizen of this town. There is not a reputable citizen here who does not pronounce the attacks on Mr. Dietrich false and monstrous. As a means of silencing the putrid lips of rumor and exposing the vicious falsifiers who have been imposing upon public credulity with vile and shameful stories about Mr. Dietrich, the following statement, signed by citizens of Hastings, is offered. Among those whose names appear as signers are many of the leading men and women of Hastings, many of whom are prominent in business and religious circles. Here are Mr. Dietrich's neighbors who have lived in the same town with him for many years. Here is what they say of him over their own signatures:

Whereas, Reports have been circulated for the purpose of influencing votes against our fellow townsman, Hon. C. H. Dietrich, candidate for governor, charging him with being addicted to the use of liquor, and also saying that his reputation is that of a libertine man, we, the undersigned citizens of Hastings, Nebraska, desire to make the following statement:

Mr. Dietrich has lived in Hastings for 22 years. We are thoroughly acquainted with him and we embrace this opportunity to repel the vicious attacks on his character. He is not a drinking man, in the ordinary acceptance of the term. He is not a frequenter of saloons, and his reputation is not that of a libertine man.

Mr. Dietrich is a man of large business interests. He has been a potent factor, morally and financially, in the upbuilding of our city. As a business man his reputation is good, and we believe that if elected to the high office of governor, he would bring to the discharge of its duties such thorough business methods, capacity for untiring work, and devotion to his duties, as would give the people a wise, safe, prudent and economical administration. As citizens of his town, we commend him to the people of the state.

REV. HENRY SIEKMAN, Lutheran Minister.
REV. C. A. PRITZ, Lutheran minister.
REV. C. WILLIAM WERSCHMIDT, Lutheran minister.
REV. A. WICHMANN, German Evangelical Minister.
REV. J. H. WRIGHT, German Evangelical Minister.
REV. A. C. STARK, Presbyterian Minister.
REV. WILLIAM McDONALD, Catholic, St. Cecilia.

REV. A. BRATCHEL, Presiding Elder, German Evangelical Church.
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L. Gertrude Yeum Mrs. N. R. Adams
Mrs. F. B. Dauchy Mrs. W. L. McCreary
Mrs. W. M. Lowman Mrs. L. E. Ed-
Mrs. John Slater wards, M. D.
Catherine Slater Mrs. Allen Brown
Mrs. A. C. Hollow Mrs. S. N. Yeum
Mrs. T. J. Lawson Mrs. L. V. Holloway
Mrs. T. H. Eckhart Mrs. B. M. Parmenter
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Mrs. M. L. Jorgenson Mrs. W. E. St. John
Mrs. Dix Ryan Mrs. John M. Ferguson
Mrs. Edna Hays Mrs. G. B. Cramer
Mrs. A. H. Cramer Mrs. Jacob Bernhard
Mrs. L. J. Capps Mrs. E. J. Benedict
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Mrs. H. Suter Mrs. C. E. Pratt
Mrs. E. N. Hansen Mrs. C. J. Miles
Mrs. J. M. Sewell Mrs. H. W. Scott
Mrs. Chas. Canton Mrs. F. Schaeffer
Mrs. F. W. Drummond Mrs. E. J. Belnap
Mrs. J. J. Buchanan Mrs. J. B. Smith
Mrs. W. Ferguson Mrs. W. E. Andrews
Mrs. O. C. Zinn Mrs. W. J. Biles

The following are a few of the many citizens, business and professional men who have signed the above statement:

Oswald Oliver
Leopold Hahn
Harry Klein
F. A. McElmaney
F. J. Benedict
J. A. Campbell
H. C. Orr
E. S. Fowler
C. B. Rigelow
C. G. Slater
E. C. Weaver & Son
E. M. Marquis
A. H. Hienkron
J. H. Hienkron
Arthur M. Edwards
Ed. Reed
J. B. Casna
J. J. Capps
J. H. Fleming
Harry Klein
M. A. Perkins
H. C. Haverly
R. B. Nordiege
R. A. Ramsay
C. W. Staley
H. W. Rich
Mulford Haynes
C. W. Wilson, Jr.
Henry Ralston
J. J. Leach
Wiley Williams
C. N. Artz
Geo. H. LaMonte
C. W. Wilson
F. E. Gould
E. L. Johnson
C. F. Webster
J. H. McLaughlin
J. C. C. Milliken
James Wine
H. E. Houghtaling
Wm. Croft
W. E. St. John
Mark Levy
John H. Flynn
E. A. McDonald
R. K. Lawson
Geo. M. Kimball
Wm. Madgett
Geo. A. X. Cole
Haynes Bros.
C. A. Thindall
W. L. Ferguson
A. H. Cramer
E. S. Brown
H. W. Main
Ezra Langevin
Wm. M. Lowman
John M. Hiner
John M. Eagan
Jacob Bailey
S. C. Hecox
J. E. Barnett
T. A. McDonald
John Slater
G. E. Wilson
A. W. Richardson
E. P. Haynes
E. J. Stockmann
J. L. Slater
Frank Keely
T. S. Ingles
J. R. Sims
Geo. H. LaMonte
O. F. Howetnell
Ed. Burton
T. L. Johnson
C. F. Webster
J. H. McLaughlin
J. C. C. Milliken
James Wine
H. E. Houghtaling
E. J. Pease
Harry Heartwell

Senator Hanna Nails a Falsehood.
Chairman Hanna of the Republican national committee plunders another fusion campaign falsehood in the following dispatch to the press bureau of the Republican state central committee:

Chicago, Oct. 29, 1900.—My attention has been directed to a statement published in democratic newspapers of Nebraska that I had during my recent visit to that state expressed a preference for the election of United States senators in Nebraska. This statement is utterly false and without the slightest foundation. My only desire is for the success of the whole republican ticket in Nebraska.

M. A. HANNA,
Chairman, Republican National Committee.

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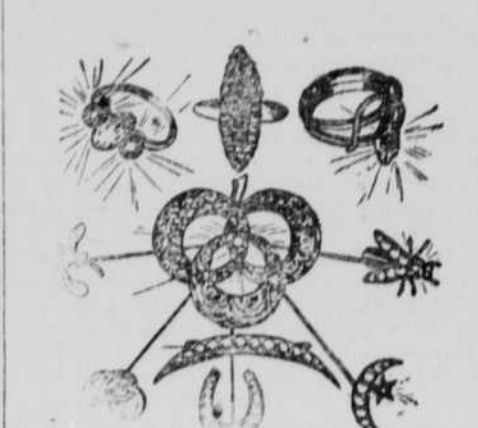
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