

PADDED PETIT JURY LISTS

Fraudulent Certificates Issued in the Name of Jurors Who Never Served.

SAMPLE OF FRANK'S DISHONEST METHODS

County Board Was Informed of the Abuses, but It Neglected to Institute a Thorough Investigation.

The ventilation in the Bee of the discreditable record of Allyn Frank, as clerk of the district court, was the chief topic of discussion in political circles almost as soon as the paper was on the street.

The principal items of official misconduct that he has been almost continually absent from his office, that gross frauds have been perpetrated or attempted, through padded vouchers and pay rolls, that he has habitually filed bills against the county for services as inmate commissioner that he never performed, and that he has used his hands for filing foreclosures of mortgages with the register of deeds have been illegally retained by him.

Just how far the frauds extend will not be known until the Board of County Commissioners inaugurates a systematic check-up of the books and accounts in the clerk's office that, for some reason, it has apparently been reluctant to undertake.

The fact that the jury pay rolls were padded was discovered by the most accurate of this time. On July 15, 1899, Frank filed a certified pay roll of petit jurors of the district court who were alleged to have served during the February and May terms.

How the Fraud Was Discovered.

When the pay roll came before the Board of County Commissioners one of the county officials happened to notice that one of the names on the list, who was certified as having served fourteen days, was a friend of his, whom he knew had not served as a juror. This prompted an investigation and Elmer Starr, then a clerk in the auditing department, was detailed to check up the account. By comparing the pay roll with the court records he ascertained that of the amount certified \$490 were certified to persons whom the records proved had not served as jurors. This state of facts was communicated to the board and County Clerk Haverly was instructed to draw the warrants for the amounts as though nothing had happened. It was expected that when the fraudulent warrants were called for the officials would then be able to discover positively all who were working the swindle.

In some manner, however, the fact that the fraud had been discovered was communicated to Frank and his deputy appeared at the county clerk's office the next day and secured a list of the fraudulent certificates. These were then recalled and to this day the parties who hold them have never presented them for payment. Several demands have been made on Frank's office for the certificates, but they are said to have disappeared. William Schwarck, the clerk who has charge of these documents, says that he has searched all through the files for them, but that these particular certificates cannot be found. The warrants have consequently been cancelled and are no longer on the records.

A Leaf from the Record.

OMAHA, Neb., Feb. 11, 1899.—To the Honorable Board of County Commissioners, Douglas County, Neb.: Gentlemen—Permit me to call the attention of your honorable board to some matters connected with the public service, over which you, as custodians of the county's interest, have the oversight, and to whom the citizens and taxpayers look for the correction of any abuses that tend, either directly or indirectly, to the expenditure of the people's money.

Months ago action was taken by the Board of County Commissioners instructing the clerk of the district court to discontinue the practice of issuing certificates to jurors and witnesses in said court, as will be shown by the adoption of a resolution introduced by Mr. Kierstead. This resolution shows that the same was certified to the district clerk, but no attention whatever has been paid to its execution. It continues, Item 13, in section 3, chapter 28, Nebraska statutes, provides for the "certifying to the county commissioners, at the end of each term, the names of jurors, and their terms of service, and mileage, and provides a fee of \$1.50 for same." There is now my department, pending before your honorable board a certified list of the district clerk January 19, 1899, for \$1,029.55, of which \$204 is for certificates issued contrary to the law, and for four jurors, and for which the statutes provide a fee of \$4 only. This, however, is not the worst feature of the practice. Pay roll No. 19, 1899, filed July 16, 1899, and certified by the dis-

A WORD OF CAUTION.

The old saying that "a man, who is naked can't give away his shirt," is only another way of saying that you can't give what you haven't got. The man can't give "free medical advice," or any other kind of medical advice who hasn't got a medical education and a certificate to the fact, in the form of a diploma. And in this particular a man can't give more privilege than a man. She can't give medical advice without medical education and medical knowledge.

The offer of free medical advice made by Dr. Pierce, chief consulting physician to the Invalids' Hotel and Surgical Institute, Buffalo, N. Y., has been imitated by so many, who without any medical qualifications claim to give "medical advice" that a word of caution is necessary.

Don't write for medical advice to any one, man or woman, who is not a physician. If they are physicians they will take the title of physicians or doctors so that you may recognize a plain envelope, and in this particular a man can't give more privilege than a man. She can't give medical advice without medical education and medical knowledge.

There is only one Invalids' Hotel and Surgical Institute, such as Dr. Pierce presides over. Thousands of women come or write to Dr. Pierce who have found no help at the hands of doctors of lesser skill and narrower experience.

Any sick or ailing woman, suffering from the distressing forms of disease peculiar to women, is invited to consult Dr. Pierce, by letter, free. Such consultations are absolutely private. Each letter is treated as a sacred confidence, and each answer sent in a plain envelope, bearing no printing upon it.

In this way offensive questions and repulsive examinations may be avoided. Address Dr. R. V. Pierce, Buffalo, N. Y.

trict clerk to your honorable board, was known after examination to contain certificates of the kind mentioned above. These certificates were "spotted" by this department and the warrants allowed to issue for same and held in the hope that the clerk would be able to produce the issue could be made apparent. This action, however, for some cause, leaked out and, as a consequence, none of these certificates were presented or warrants demanded.

On pay roll No. 21,563, filed January 4, 1899, this board is notified by the district clerk of the cancellation of the above certificates, wrongfully issued, aggregating \$459, the stubs of which are now so marked, but on demanding the certificates it was told by the clerk in charge that he could not produce them. Query, What has been done with them? These certificates, numbers and amounts are herewith shown and it will require an order of the board instructing the county clerk to cancel the warrants issued therefor. One certificate, however, (and there may be many) for \$30 was issued to a party who did not serve as juror; neither did he know of its issuance. This party's name was signed on the back of the warrant and it was sent to a warrant broker of this city, who received the warrant register for same and obtained the warrant, and the records in the district clerk's office show that the party answered and the district clerk certified that the service was performed. I cannot longer refrain from acquainting your honors in your official capacity of these facts.

Again, I have now on my desk a claim, 21,643, filed January 14, 1899, by the clerk of the district court, between June 2, 1898, and December 31, 1898, at \$3 per day and amounting to \$348. I am led to believe, from information received, that the major part of this 116 days' service was never performed. The statutes provide a fee for this service at the rate of \$3 per diem for time actually employed, and I have the written opinion of the county attorney that this "does not include time not actually employed." I await instructions from your honorable board before I can determine as to my report on this claim.

This is accompanied by a list of the cancelled certificates, the amount for which each was issued and the number of the warrant that was drawn by pay roll.

After a thorough consideration of the facts, the committee of the whole presented a report in which it concluded that the abuses charged existed and this was signed by every member of the board. The report is still on file as follows:

Board Finds Facts as Stated.

OMAHA, Neb., Feb. 27, 1899.—Your committee of the whole, to which was referred a communication of J. H. Tate, county auditor, calling attention to certain matters in the office of the district clerk relating to the issuance of jurors and witness certificates in violation of instructions from the Board of Commissioners, also the wrongful issue of certificates to jurors, amounting to \$476, together with the \$30 certificate upon which a warrant had been obtained, and the further reference to a claim filed for service as commissioner of insanity, beg to report:

That upon a careful consideration of said communication and an examination of all the matters connected therewith, shown of record, your committee finds that the abuses referred to are facts, and the continuance of same should be related by this board, and to this end your committee recommends that the district clerk be instructed to the clerk of the district court for issuing juror or witness certificates. Your committee further shows that a communication has been referred to it by Allyn Frank, in which he admits an overcharge of \$90 in his bill for services as inmate commissioner. This, together with any other items in said bill, should be deducted before its allowance. Your committee further recommends that the county clerk be and hereby is instructed to cancel the following warrants to-wit: (Pay roll 21,562—being the \$459 in fraudulent certificates).

Your committee further recommends that the county treasurer be and he is hereby instructed to refuse payment of warrant 2,148 for the sum of \$30, issued August 6, 1898, the same being wrongfully obtained, all foregoing warrants having been issued on the general fund, fiscal year of 1898.

Verification of the Frauds.

An investigation of the certificates that are included in the canceled list discloses the fact that they were almost without exception issued in the name of taxpayers who had been excused by the court, in spite of the fact that no record had been performed the clerk's office made out the certificates for from one to fifteen days, most of them being for \$25 and \$30. In most cases the names of the alleged jurors was not given; in others either the address or the name was slightly changed, and in others the correct name and address were given.

A number of the men whose names appear on the list have been seen by a representative of the Bee, and their statements are almost exactly similar. The name of W. Vincent of 810 Douglas street was attached to a certificate of \$14 for seven days' service. Mr. Vincent says that he was summoned as a juror, but was excused by the court on account of partial blindness. He did not act as a juror and drew no fees.

N. J. Maxwell, 419 South Nineteenth street, was also drawn, but was excused. He is employed by the Omaha Water company and, as he could not be spared at that time, Superintendent Hunt secured his release from service as juror. Nevertheless a fraudulent certificate for \$28 was issued in his name.

G. B. Gibler, whose address is given on the pay roll as "South Forty-third street," appeared on the list the day of his one-day appearance, but in addition to this the pay roll contained a certified statement that he had served fourteen additional days and was entitled to another warrant for \$28.

E. L. Herrat, 223 1/2 Decatur street, was also excused without service. The first letter of his last name was changed to "L," his residence number was changed to 225, and the altered name and residence were attached to a certificate for \$28.

G. W. Griggs, 710 South Fourteenth street, is also represented on the pay roll as entitled to \$28. Griggs did not serve and is in fact incapacitated from service on a jury by deafness.

C. E. Evans, 5610 North Nineteenth street, is supposed to represent E. D. Evans, who resides at the number mentioned. Mr. Evans did not serve as a juror, but his name is also included on the \$28 list.

W. Star, 2403 South Eighteenth street, is another juror who was drawn and excused without service. In his case also the county was charged up with \$28 by Frank or his subordinate.

Some of the persons who are named in the list cannot be found at this time, but all who were seen at the same time, and who did not serve as jurors during either of the terms during which their attendance was charged and were entirely unconscious of the fact that their names had been used in an attempt to defraud the county.

Disease Among the Kanakas.

CHICAGO, Sept. 1.—In my judgment, history is repeating itself in our new possessions, the Hawaiian Islands. One in every thirty of the natives has leprosy. Tuberculosis is making terrible strides in the island and I look for the slow, but sure, extinction of the Kanakas by these agencies. The Hawaiian Islands, like the North American Indian, will, in the near future, be a race of the past.

These words sum up the opinion of the situation in the islands of the Pacific viewed by Dr. Nicholas Senz, the famous surgeon, who returned from an extended vacation in Hawaii the day before yesterday. His examination of the health of the natives with its consequent effects upon the Anglo-Saxon, and advises all who have a tendency to consumption, asthma or rheumatism to remain away from Hawaii.

TALK OF THE POLITICIANS

Hofeld's Friends Try Hard to Pull A. J. Williams Off the Track.

BROATCH STILL ASPIRES TO BE MAYOR

He Has John T. Clark Out Trying to Put in a Delegation in the Third Ward to Beat Burmeister.

The principal anxiety that seems to be agitating the local democrats just now is the possibility that they will really have to concede the populists an office. One of the few things accomplished by the recent populist convention was to nominate A. J. Williams of Waterloo for county commissioner from the Third district, which is now represented by Peter Hofeld. Of course Hofeld is a candidate for re-election, and the action of the populists is a tremendous blow to his prospects. At first his democratic friends laughed the matter off, saying that they would soon find means to pull Williams off the track, but they have now come to regard his candidacy more seriously.

It develops that Williams has some opinions of his own and that he has trailed with the fusion combination long enough to understand that no nomination in hand is worth half a dozen of the promises of future profferment that the democrats keep in stock to deal out to populists who happen to be in the way. To intrinsically, that if he would just get out of Hofeld's way, the democratic party would see that he is well rewarded, he suggested that the populists of Douglas county are already overstocked with just that sort of paper and he guessed he would take his chance in the county. The democratic leaders then offered a written pledge that they would give him practically anything he wanted if he would get off the track, but Williams happened to remember that a number of local populists have similar documents that they have been unable to discount at any price, and he stuck to his original proposition. The democrats now declare that, unless he gets out of Hofeld's way, they will slaughter him at the polls, but the threat has apparently failed to effect its purpose. Williams is still in the ring and his friends assert that if the democrats propose to apply the knife they will discover that the populist party has a whole arsenal of knives that can be put into action without much parleying.

The reluctance of the populists to abandon their candidate for county commissioner is emphasized by the fact that they have entirely failed to profit for their services in assisting the democrats to beat Hofeld on the county board. When they worked for Hofeld and Connelly they were assured that populists would receive equal recognition in the dispensation of county patronage. The democratic majority lost no time in claiming the spoils after its gain, and the populist workers who were assured that they would be included in the distribution of the spoils are still on the waiting bench and they demand in the most emphatic terms that their party shall have a commissioner of their own faith who can be depended on to do them justice.

Undaunted by the very emphatic intimations that he has received in previous campaigns that the people don't want him for mayor, W. J. Broatch has again appeared in the ring and is getting ready to launch himself into the breach at the next spring election. Preliminary to this voluntary sacrifice of his private interests for the benefit of the county, Broatch proposes to take a hand in the county primaries, and has already begun setting pegs for a delegation in the Third ward. John T. Clark, who has officiated as his treasurer in previous fights, is again helping to steer his craft, and they declare their intention of beating Leo Burmeister out in his own ward, just to show that Broatch is still in it, and form a base of operations for the future.

C. J. Anderson of the Eighth ward, who was appointed market superintendent by Mayor Broatch, is managing Charley Pedersen's campaign for sheriff among the Swedish-American voters.

The Third commissioner district is bringing out a big field of republican candidates from which the convention will have an opportunity to choose. Of the nine country precincts that compose the district a majority have one or more candidates, and if the convention was to occur tomorrow none of them would be in with more than a few three precincts behind them. There is some disposition, however, to combine forces on one or two strong candidates, and the field may be considerably reduced during the next two weeks. Among the republicans who are now out for the nomination are W. G. Whitmore, J. Akerlund and Mons Johnson of Valley, John Siefus of Waterloo, Peter Mangold of Jefferson, Zach Ellis of Union and James Walsh of West Omaha.

REPUBLICAN CLUB MEETING

Enthusiastic Gathering in the First Ward Addressed by Several Prominent Speakers.

The meeting of the First Ward Republican club at the corner of Eighth and Hickory streets last night was the largest and most enthusiastic ever held in this city this year. The large crowd remained to a late hour and the interest was kept up to the end.

Charles Elguter, candidate for county judge, was the first speaker. He reminded the republicans that the coming campaign would be a very important one and that they should prepare for it by nominating only good men on the county ticket. He said that about 15 per cent of the voters of the county were nonpartisans or mugsumps and a ticket should be nominated which would draw from this element, as well as unite the solid republican support. In the past the republican party had suffered because of weak nominations and the mistake should not be made this year.

Peter Bensen's First Ward quarter favored the audience with a selection which was so good that another was insisted upon and both were received with great applause. Mr. Curran, candidate for county superintendent, was called out and told a good story on Mr. Bryan which was new to most of those present. Fritz G. Hartwig, candidate for clerk of the district court, followed with a short speech on the political issues.

N. C. Pratt took the platform and said it did him good to be among republicans. He had found that the enthusiasm was growing all over the city and he hoped the party would march to victory both in county and state this fall.

A. W. Walkup was the next speaker. He talked at some length on the national issues and called attention to the prevailing prosperity which had come about as a result of the promise of the republican party. He said that at the present moment, he said, was the best ever experienced by the country. He advised all present to vote the straight ticket as the only sure way to insure the continuation of the prosperity.

of the country were republicans. The address of the speaker has been so well attended that the insurance of McKinley has been a great demand for labor. He referred to the free silver theory as a "last year's bird's nest" and closed his speech by highly complimenting Mr. Elguter, the candidate of the ward for county judge.

INSTRUCTED FOR HAVERLY

Fourth Ward Club Solidly for Him—Foster and Vinsonbauer Will Fight It Out.

At one of the largest and most enthusiastic meetings that it has held in two years the Fourth Ward Republican club Friday night endorsed the candidacy of County Clerk Haverly for re-election by a unanimous vote and instructed any delegation that may represent the ward in the county convention to support him vigorously. An effort to agree on a single delegation in the primaries was defeated by the fact that W. A. Foster and D. M. Vinsonbauer of the Fourth ward are both candidates for county judge, and Mr. Vinsonbauer insisted on his right to put in a delegation instead of placing his name on the ticket with that of Mr. Foster, with the understanding that the one that received the highest vote should have the delegation.

TRAVELING A RAPID PACE

Bert L. Towne Has Been Cutting a Wide Swath in Denver—Wanted by an Omaha Firm.

Squires & Smith, the refrigerator dealers at 1614 Capitol avenue, have been having some unpleasant experience with a very fly young man named Bert L. Towne who has been acting as their agent in Denver. At the present time Towne is in hiding to avoid arrest on a serious charge.

When young Towne took charge of the business at Denver he was armed with good recommendations from Kansas City business men. He at once assumed a prominent place in Denver society and appeared to have money to burn. As it turned out, it was other people's money that he was burning.

YELLOW FEVER AT KEY WEST

Four Cases Among Civilians—Garrison Ordered Removed Further North.

WASHINGTON, Sept. 1.—General Frank commanding the military department of the Gulf, has telegraphed the War department that four cases of yellow fever have appeared at Key West and asking instructions. In reply, General Miles sent telegraphic instructions directing the removal of the garrison at Key West to such points as General Frank may deem best, but suggesting that General Pherson on account of the ample quarters at that post.

The garrison at Key West is composed of Batteries B and H, First artillery. The acting assistant surgeon at Key West has also reported to General Sternberg that four cases of yellow fever have appeared in the town. There are no cases among the troops.

PENSIONERS FOR WESTERN VETERANS.

Survivors of the Civil War Remembered by General Government.

WASHINGTON, Sept. 1.—(Special.)—The following western pensioners have been granted: Issue of August 18, 1899. Nebraska: Original—Thomas Watkinson, Lexington, \$8. Original widows, etc.—Reissue, Eliza A. Foster, 419; Benjamin G. Cunningham, Hampton, \$8; George W. Lamasters, Creston, \$6. Restoration and supplemental allowances: A. Bronson, dead, New Hartford, \$8. Increase—John H. Halley, Hopeville, \$12 to \$14. Reissue—Special, August 21, David Garver, Inwood, \$30. Original widows, etc.—Liddy A. White, Belmond, \$8; Mary E. Hendry, Neola, \$8.

Lineal Rank of Army Officers.

WASHINGTON, Sept. 1.—The War department is making the lineal rank of the officers recently appointed in the first thirteen volunteer regiments. These are being made by regiments only and not for the whole of the volunteers. Promotions in the future will be made in regiments based upon the making rank length of time in which officers served as officers in the service of the United States will determine the rank of the new officers. Service in the militia will not count. Officers from state regiments will have their service dated from the time they were mustered into the United States service for the Spanish war.

UNITED STATES TO ACT AS GUARDIAN

Reports Normal Conditions Rapidly Returning in the Provinces Under His Immediate Command.

CHICAGO, Sept. 1.—A special to the Times-Herald from Washington says: General Fitzhugh Lee has made an elaborate report on prevailing conditions in the territory in Cuba under his jurisdiction and takes strong ground for an independent government for the Cubans under an American protectorate.

The War department in March directed the commanders of departments in Cuba to make a report on the conditions in their several sections and to accompany it with recommendations as to the treatment of the natives. General Lee is the only commander who has so far responded.

General Lee begins his report by stating that conditions in Havana and Pinar del Rio provinces are making rapid progress toward a state of peace, good order and prosperity. He goes into this in great detail, taking up the subject town by town, and showing a general improvement throughout the western end of the island. His report in this respect is very gratifying, indicating as it does that there is not as much suffering from want of food as is often asserted in unofficial reports.

General Lee begins the taking of a census as a first step toward the establishment of self-government. General Lee thinks that the next step should be the careful consideration of the question of suffrage for the Cubans. Rights and lefts were showered on Bezenah in the ninth and the came in the tenth. Bezenah shot his left hand to the face and followed it with two rights on the jaw which put the westerer on his back and he was counted out. Time of last round, 2:23.

Stabhorn Fight in Chicago.

CHICAGO, Sept. 1.—One of the fastest and most scientific fights witnessed here in

The First Nebraska

By the famous war correspondent, Douglas White who was on the fighting line with the boys, profusely illustrated from photographs taken at the time, together with ninety-one other illustrations of the islands, soldiers, etc., etc.



Flag Lieutenant Brumby of Admiral Dewey's Staff and his Flag-Raising Party on the Battlements of Old Manila. Re-drawn from an illustration in "On to Manila."

Only a limited number of these books were printed and orders should be in early to insure getting one. Sent by mail to any address or delivered at The Bee office upon payment of 50 cents.

Another \$10.00 Cash Prize

to the woman who secures between Sept. 1st and 15th the greatest number of White Russian soap wrappers. No wrapper turned in before Sept. 1st nor after 2 o'clock p. m. Sept. 15th will be counted in this \$10 prize. Two valued at \$5 each and seven wrappers up to noon, Aug. 31, and receives the \$10 cash prize.

General Lee would expedite formation of a Republic in the Island. Reports Normal Conditions Rapidly Returning in the Provinces Under His Immediate Command.

General Lee evidently foresees that while the United States might provide Cuba with a model system of government, the natives would be likely to spoil it in the administration, and he has submitted suggestions for keeping the government machinery running along lines that commend themselves to the American mind. He says the United States should keep a strict supervision over Cuba until the republican government is completely and firmly established.

Even after relieving the Cubans in part of American protection he would have United States troops maintained in the island to protect Americans and other aliens in the enjoyment of their personal and property rights.

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An up-to-date true and concise History of the Philippine Campaign. A book for future reference.

Only a limited number of these books were printed and orders should be in early to insure getting one. Sent by mail to any address or delivered at The Bee office upon payment of 50 cents.

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