

THE EDELMAN CASE.

Not Forty But Fifteen Indictments Pending.

There Were More. But Abbreviations Knocked Them Out.

The Exculpating Force of Some Legal Technicalities.

How the Ex-Deputy County Clerk Conducted His Business—What Mr. Cohn Once Testified To.

It seems that the HERALD was slightly mistaken in its statement yesterday that there were forty indictments against ex-Deputy County Clerk Henry Edelman. There are now pending only fifteen. There were more, but thanks to the liberal view of technical points taken by Judge Wade, four of them have been dismissed on demurrer, liable to be again presented to the grand jury in the interests of the people.

These were declared void by Judge Wade when the defendant demurred to them through little technicalities, though no one denies that the warrants on which they were based were forgeries, and that money belonging to the county was obtained fraudulently on them, and perforce a crime committed. Yet according to the ruling of Judge Wade, Mr. Edelman cannot be prosecuted under four of these indictments.

A large portion of the public would like to know why.

The answer is, because abbreviations were used in drawing up the false warrants.

Henry Edelman was indicted by a grand jury for false and fraudulent returns of a jury list under indictments 639, 640, 641 and 642.

Judge Wade threw these all out of court, because "jur." was written in place of "juror."

Because "C. ex. fund." was written instead of "county expense fund," and because of similar abbreviations.

The difference between a crime and a righteous act then, according to the law, consists in spelling a word in full or using an abbreviation.

Be it understood that the major part of all the warrants are drawn, and have been drawn, in exactly the same fashion. The "jur." has always been recognized as meaning "juror," and "C. ex. fund." has always been recognized as meaning "county expense fund."

But that is the law when it comes to bear on a delinquent Republican county official.

The demurrer to the four indictments presented other points, it is true, but they were not so weighty even as the one based on the use of an abbreviated word.

The public at large may not comprehend exactly Mr. Edelman's procedure. A specimen indictment is the one based on a warrant issued to Frank White of Duarte, for jury fees amounting to \$28 and \$30 for mileage, \$58 in all, Mr. White not having been entitled to any such money, and knowing nothing about such a claim, in fact there is any such person as Mr. White.

In the first place it is charged that Mr. Edelman placed White's name on a jury list, certified to it as correct, and passed it to the supervisors, who ordered the auditor to issue the warrant. Edelman, it is alleged, goes to Deputy County Auditor Lauterio and gets the warrant, takes it to Mr. Cohn, the pawnbroker, "authorizes" him to sign the payee's name on it, Cohn gets the money, and says he turned it over to Edelman.

It is a case of fraud throughout, from beginning to the end. Edelman is charged with a felony in making a false jury list, and with felony for forging the names of the dummy payees. Altogether there are four or five of these dummy jurymen on one certified list only.

Here is an example in an alleged juror who was designated as A. Phillips. This dummy was allotted \$35.20 by Edelman for jury fees and mileage. In November, 1888, Mr. Cohn collected for Mr. Edelman on the alleged Mr. Phillips warrant \$44; in December \$66; in January, 1890, \$52; in February \$59.20; in March \$64; in April \$50. These were all bogus, and were all collected by cousin L. B. Cohn.

It was noticed by readers of the HERALD's report of the Edelman trial on Saturday that Mr. Cohn's lack of memory was superbly developed. In the examination of the case in July last, however, Mr. Cohn remembered very well. He testified that he got the warrants in question from Henry Edelman. That he did not buy them.

On one issued in the name of A. B. Bliss, he wrote the payee's name across the back, as his indorsement, putting it, "by A. B. Cohn." He did this because he was "authorized" by Edelman.

He then stated that he got the money on the warrant from the county treasurer, amounting to \$64, and gave it to Edelman. Edelman told him to get this money from the treasurer. He remembered all this in last July. He remembered all this before the grand jury. He remembered even the day before the trial, and so told some friends, but he, in twenty-four hours he lost his memory on these points.

Before the grand jury Mr. Cohn stated that he knew nothing about the warrants except that Edelman brought them to him and he signed the payee's name on Edelman's "authorization." Edelman told him that the law forbade a county official from dealing in warrants, but that just to oblige some jurors he had advanced them money, and they had authorized him to take these warrants and get them cashed. He did not like to cash the warrants himself, as it "might look bad," so he asked Cohn to indorse them, cash them at the county treasurer's and give him the money.

That was Cohn's statement before the grand jury. That was before he forgot. He was particularly asked why he signed the payee's name on the warrant, and he replied that he did so because Edelman told him to do it, and he understood Edelman was authorized to do so by the jurors in whose name the warrants were drawn.

Naive Mr. Cohn! Ben Edelman, a brother of Henry, used to be mentioned in these cases.

In fact, Ben Edelman was indicted three times by the grand jury for the same offenses.

But Judge Wade dismissed the three indictments because of the very immoral, illegal and exculpating fact that the warrants on which the indictments were based, contained abbreviated terms such as "jur." for "juror," "C. ex. fund." for "county expense fund."

Happy Ben! Grand law!

Though there has been a partial miscarriage of justice, through the fact that the law has no respect for abbreviations, there is apparently no reason why the cause of right should not be maintained in the present trial. The people expect it, in fact the people demand that where a crime has been committed, where the evidence shows who is the criminal, that he should be punished. Another fiasco like the Damron trial will disgust the people, and may produce a storm of indignation.

THEY TOOK A RIDE

And Ended It in a Cell in the City Prison.

Three youths, who gave their names, respectively, as Charles McGinnis, Fred Lewis and George Smith, were arrested shortly after 3 o'clock yesterday morning, and locked up in the city jail upon the dual charge of drunk and malicious mischief. The trio, after imbibing sundry intoxicating fluids, hit upon the idea of taking a free ride round the city, and at once proceeded to carry it into effect by pressing a hack, which had been left by its confiding driver in front of the Olympic saloon, on First street, into their service.

As they drove away with wild war-whoop, the driver, Jake Houtz, emerged from the saloon and saw his property disappearing in the direction of Main street as rapidly as his horses could gallop, and after a futile chase of several blocks he turned his steps to the police station and informed the authorities of the outrage which had been perpetrated upon him. Mounted Officer Huston was dispatched after the hilarious trio, and after an exciting chase he succeeded in capturing the hack and its human freight, whom he escorted to the station. The three youths appeared to think the whole affair a huge joke; but since their incarceration they have changed their minds to some extent.

DIPHTHERIA.

TIMELY SUGGESTIONS FROM THE STATE BOARD OF HEALTH.

What Should be Done to Prevent the Disease and to Counteract Its Spread When It Has Taken Hold in a Family.

Because of the prevalence of diphtheria in the north of the state, Dr. G. G. Tyrrell, permanent secretary of the California State Board of Health, has prepared a valuable paper for its restriction and prevention. At the present time, very unfortunately, there are a number of cases of this horrible disease in Los Angeles, and in view of this deplorable fact the HERALD feels it incumbent, in the interest of its readers and the public at large, to publish some of Dr. Tyrrell's valuable suggestions.

All are agreed that diphtheria, like other zymotic diseases, is preventable; that its ravages are due, in very large measure, to neglect; to the violation, in one way or another, of sanitary laws, and that, though it may not be generated by filth, it finds there a soil favorable to its development; that it grows and flourishes there, and that the human system is rendered by it especially sensitive to morbid influences of every kind.

In diphtheria the "breeding place" is in the throat, nose or other seat of the exudation or membranous deposit. There is also reason to believe that the contagium of diphtheria is conveyed by the evacuations from the bowels of those sick with the disease, and by water or milk contaminated therewith. The disease seems also to be capable of being conveyed by means of the domestic animals, as dogs and cats, which have frequented the apartments of the sick.

The disease has been introduced into a family, suitable precautions should be at once taken by strictly isolating the sick. Other members of the family, especially children under 15, should, if possible, be removed to another locality or to a part of the house having no direct communication with the sick room. This latter should be large, well ventilated and exposed, if practicable, to the sunlight. All useless furniture should be removed. Infected clothing should be soaked before removal in a solution of eight ounces of sulphate of zinc (white vitriol) and four ounces of common salt in a gallon of water. It is better than carbolic acid, and has the additional advantage of being odorless. The same solution, being stainless, may be sprinkled over the bedding and carpets, when the latter have not been removed, or it may be occasionally diffused through the room by an ordinary spray instrument, thus reaching and destroying infectious particles in the atmosphere.

Secretions should be moved to a distance and buried. Those from the nose and throat should be received on rags which afterward must be burned.

Nurses and attendants must keep themselves and their patients as clean as possible, using a frequent disinfecting solution for the hands. They should not communicate with the other members of the family or the public.

If death occurs the body should be thoroughly washed in the zinc solution and placed in a tight coffin. In case of recovery the patient should be provided with uninfected clothing. The tenacity of the contagious principle in diphtheria is admitted to be very great, and the period of time after recovery from the disease when the danger of its communication to others may be considered past, is as yet uncertain. The room occupied by the sick should, after the recovery or death of the latter, be vacated and completely disinfected. This is best done by the fumes of sulphur.

In using sulphur, the rooms to be fumigated must be vacated. Place the sulphur in iron pans, supported upon bricks set in a tub containing a little water, and ignite it by the aid of a spoonful or two of alcohol; or place the pan, containing hot coals, in a basin of hot ashes, resting upon bricks. By the adoption of either of these plans, danger from fire will be avoided. During fumigation, the windows, doors and all flues and crevices, by which the fumes might escape, should be closed and so remain for twenty-four hours. The rooms may then be opened and ventilated for some hours, the woodwork washed, and the walls whitened or repapered. Two pounds of sulphur will be required for a room ten feet square.

In order to prevent diphtheria, cleanliness is the great prerequisite, and this does not merely apply to the cleanliness of the body, but to the surroundings of the dwelling, to accumulations of refuse or decaying animal or vegetable materials in the cellar or about the premises, to the privy, cesspool, drains and sewer, and to the water supply, which may be contaminated through these sources.

It is necessary, also, to see that house drains are properly laid, trapped, vent-

ilated and disconnected by ventilation from the sewer, and that disinfectants are properly used therein. Five pounds of copperas to a bucketful of water is the best and cheapest disinfectant for this purpose. Let the surroundings of shallow wells used for drinking purposes be perfectly clean; they must be at a safe distance from filthy liquids and cesspools. Beware of crowded assemblies in ill ventilated rooms.

There is probably more danger of the communication of diphtheria in the school-room than in the case with any other disease, from the fact that it often occurs in so mild a form as to be unrecognized; yet from the mildest case the most malignant may result.

Sore throat, when occurring in a child, particularly during the prevalence of diphtheria, should be looked upon with suspicion, the more so when there is fever and bad breath. The disease has often been conveyed by such an one by kissing, or by drinking from the same cup.

The monthly report of the State Board of Health, for October, gives the following respecting this treacherous malady: Diphtheria is credited with thirty-nine deaths, which is a large increase over the mortality caused by this disease last month. Twenty of these deaths occurred in San Francisco, where the disease is quite prevalent, four in Los Angeles, three in Alameda, three in Sacramento, two in Sausalito, and one each in San José, Visalia, Grass Valley, Fresno, Chico, Napa, and Newcastle.

It is remarkable fact that in cities where there is a system of sewers, it is always in the higher parts of town that diphtheria is most malignant. This is attributed to the sewer gas which rises upwards when ventilation is deficient, and if added to this the plumbing of house drains is defective, it fills the rooms of dwellings, thus diffusing the poison in the air we breathe.

Origin of the Harlequin. John Rich, the son of Christopher Rich, the manager of the theatre in Lincoln's Inn Fields, London, was a very illiterate man, with strong dramatic instincts. From his inability to speak upon the stage he originated the silent harlequin, and by mere dumb action could rival the power and pathos of the most accomplished tragedian.

Previous to this, and, indeed, for some time afterward, harlequin was a speaking part, and David Garrick played him as such in the theatre at Goodman Fields. It was in the year 1717 that Rich appeared in a pantomime called "Harlequin Executed."

Jackson, in speaking of Rich's wonderful abilities as a pantomimist, says: "On his last revival of 'The Sorcerer' I saw him practice the hatching of harlequin by the heat of the sun, in order to point it out to Miles, who, though excellent in the line of dumb significance, found it no easy matter to retain the lesson Rich had taught him. This certainly was a masterpiece in dumb show. From the first chipping of the egg, his receiving of motion, his feeling of the ground, his standing upright to his quick harlequin trip round the empty shell, through the whole progression, every limb had its tongue and every motion a voice, which spoke with most miraculous organ to the understanding and sensation of the observers."

The tight fitting spangled dresses which are now worn by all harlequins were not adopted until the present century.—Scottish Stage.

Russell Harrison's Wedding.

The ceremony was performed at Omaha in the handsome Trinity cathedral by Dean Millsap before a brilliant gathering of prominent society people. Just as the last solemn words were being spoken which were to bind the beautiful Miss Saunders to Mr. Harrison a well known lawyer of Omaha, one of the guests and an intimate friend of the Harrisons, without a moment's warning dropped dead where he stood. The effect of such a sad affair may be imagined. The scene of happiness was changed in a moment to one of mourning. The bridal wreaths and roses were trampled under foot in the wild rush for assistance, and where but a few minutes before the strains of the wedding march were resounding, now the screams of women and the weeping of friends were heard. Pale and frightened the bridal couple left the cathedral, and many were the solemn and greswome prophecies that their married life would not be a happy one.—Chicago News.

To the Voters of Los Angeles.

Section 198 of the city charter authorizes the submission to the voters of any question on which the council desires the instruction of their constituents. They now ask you to direct them whether or not to close the saloons on Sundays, and have appointed an election on Tuesday, November 18th instant, for voting for or against closing the saloons on Sundays. It is a legal election, to be conducted by officers of the law, and is guarded by the usual penalties against illegal voting and fraud of every kind.

Of the 11,994 legal voters in the city, 6,985 petitioned the council for such Sunday closing. Before acting on the matter, however, the council want, as their justification, a more formal expression of your wishes duly certified to them, as will be in the legal returns of this election.

New York and other large eastern cities found it, after trial, injurious to their interests to have saloons open on Sundays, and therefore closed them. Our interests are the same as theirs. Let us close our saloons also on Sundays. Let each voter, especially all those who signed the petition for Sunday closing, go to the polls and give an instruction to the council to that effect. In doing so you will be joining hands with the wisest and best in the city, whose action we may safely follow—leading Republicans, Democrats, Prohibitionists and Nationalists, for there is no politics in it, only business. Bankers, laborers, merchants, professional men, protestant clergymen of every denomination, and the Roman Catholic clergy, headed by the Very Rev. Bishop Francis Mora and Rev. J. Adam, vicar-general; all have a good reason for their action in this matter. Let us all help them to effect what they deem so reasonable and so important to our beloved and lovely city.

J. M. C. MARBLE, Chairman.

W. A. JAMES, Secretary.

How to Succeed. This is the great problem of life which few satisfactorily solve. Some fall because of poor health, others because of want of nerve, others from deficient will—want of nerve, they are nervous, irritable, changeable, easily get the blues and "see the spirits down to keep the spirits up" thus wasting money, time, opportunity and nerve force. There is nothing like the Restorative Nerveine, discovered by the great specialist, Dr. Miles, to cure all nervous diseases, as headache, the blues, nervous prostration, sleepless nights, St. Vitus dance, fits, and hysteria. Trial bottles and full book of testimonials free at R. W. Ellis & Co.

HEREDITY OF CRIME.

Curious Phases and the Direful Results of Inherited Disease.

Doubtless crime is often committed from the mere love of it. The identity of "Jack the Ripper" remains undiscovered, so we do not know what impelled him to the commission of his atrocious crimes. Little doubt he was insane, his actions controlled by an abnormal condition of the mind; it is plain none of the ordinary reasons for crime prevailed in his case. He was, perhaps, a victim of some hereditary taint, which drove him to acts against which his will revolted and from which, in his rational moments, his soul recoiled in horror.

A French novelist of realism makes the hero of a late novel of such a character. He was a locomotive engineer, a thoroughly competent and reliable man; but if he chanced to behold the white throat of a woman, a wild phrenzy seized him; he could not control a desire to plunge a knife into it.

He was aware of his infirmity, fought it with stubborn will, denied himself the society of women, and for years contented himself. At last he meets his fate; finds pleasure in her society, with the return of his old longing, and until he flatters himself he is safe. But one night she meets him with gleaming throat bare; the uncontrollable impulse seizes him; he cannot resist; as she throws her loving arms about him, he thrusts the knife into her neck, and she falls, a victim to the madness of tainted blood.

Fortunately for the victims of ordinary forms of inherited disease, they may protect themselves before it obtains kidney disease in the system. Inherited kidney disease is especially dangerous, but may be successfully resisted. "In 1883, I was so near death's door with an inherited and complicated case of Bright's disease," writes James H. Dove, 217 Baldwin St., Alpena, Mich., August 11th, 1890, "which had baffled all remedies and medical assistance obtainable, that I was given up by friends and physicians, as beyond all recovery. Men and women inherit genius, talent, all mental and physical qualities, and it is now well established that all phases of physical as well as mental diseases are transmissible.

The story is told of a German, who took the hands of his lock to the maker to have them fixed, because they did not keep proper time. Of course, the clock-maker demanded the work, as in them lay the trouble. Boils and blotches, pimples and other eruptions on the exterior tell of a disordered condition of the blood within. If you have these indications, be wise in time, and take Dr. Pierce's Golden Medical Discovery. It puts the liver and kidneys in good working order, purifies the blood, cleanses the system from all impurities, and cures whatever cause arising, and tones up the functions generally.

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