

before me this 18th day of October, 1883.

I. J. STARBUCK,  
Notary Public.

#### WHAT MR. STARBUCK SAYS.

What follows is an extract from the statement of I. J. Starbuck, the attorney, and shows what was done by him and effectually disposes of the charge of favoritism by the land officers and also throws some light on the "poor homesteader" of the Herald. By the way, where has the essence peddler gone? His lip service may be needed again. Where is the man with the two tongues?

Extract from statement of I. J. Starbuck, of McCook, Nebraska:

"I was employed by the Hastings men who made the entries on the 15th day of June to prepare their applications, and to perform other services of a legal nature in their behalf. I saw to it that they had every advantage that could fairly accrue to them from a prompt and vigorous discharge of my duty. I had no understandings secret or open with the land officers that my clients should have any advantage over any other person. The treatment which they received at the hands of the officers differed in no wise from the treatment of others. I was not inside of the railing of the land office on that day, and had no other or different access to or advantage of the records than any other person. The attention which my clients received at the land office was not on account of any influence exerted by any one. They were first served because I brought their business first to the attention of the officers. If to secure legitimate advantages for the people who employ me is wrong then I plead guilty. Let the blame, however be mine, not theirs, or that of the land officers who were simply acted upon.

"It is charged against the Hastings men that they jumped the claims of poor settlers, and so on, and a howl is set up by the Herald and Bee that James Laird through these people sought to grasp and monopolize the lands in controversy to the detriment of others. This is a lie. There were no claims jumped by the Hastings men, and there was no conflict of entry on that day; no other person offered or sought to take the lands which the Hastings men took. There was not a settler in the sense the term is used by the newspapers on the whole creek in question. Neither Hulbert or Moore had made any entry on these lands for any settlement. Hulbert is not a settler in these parts and never has been. He is a crank claiming to be from Chicago, who came from no one knows where, and has now gone back. His principal business while here was blowing about his influence with the interior department. The good people of Nebraska need weep no tears for the injury done to the actual settlers by these men from Hastings. What they did in making the entries and what they have done since has been in full compliance with the law. The land on the Stinking Water is a desert, so far as all agricultural purposes are concerned; and there has scarcely been an acre of land within a hundred miles of it that has been successfully farmed. The only claim that was jumped in that country was a so-called timber claim, taken in the name of E. D. Webster, and which was contested some time after the Hastings men made their entries, by a man named Baldwin, not Galen, but another, an actual settler in that country. Webster had been holding the claim for several years, but had never plowed a furrow, or planted a tree or anything else save the dry sticks of a ruined corral. He makes no pretense of having complied with the law, and never did. This may throw some light on the poor settler, viz., E. D. Webster. A homesteader or pre-emptor? Yes. A homesteader and pre-emptor in the vast fields of government pap. A free and firm holder there; a "settler" from New York, holding a general roving commission in the revenue service of the United States, with four or five thousand dollars a year and expenses. He has hardly ever even breathed the air of these plains where these libellers fix his home. This is the person who, unknown to the public, postures in the columns of the Omaha Herald and Bee, as the poor settler of the Stinking Water, but who, when among us, grows pot-gutted with pride with his fifty or one hundred thousand dollars worth of "cattle on a thousand hills," that is, until he grows oblivious of Stinking Water by becoming lurid with fire-water.

The contest over this man's claim was in no wise waged by or for the Hastings men, and was certainly without the knowledge of the man who is cursed for it by his slanderers in the press. I see it is claimed that the Hastings men have entered from sixteen to twenty miles of the creek. This is false."

#### GALEN BALDWIN ON THE STAND.

It is with great pleasure that we introduce to our "gentle readers" Galen Baldwin. Galen, you know, is to be one of the principal figures in the show—and Galen is a good figure—not a good figure for a fashion plate, but the figure of such a man as would "trump death's ace" for a friend—a sort of Border Gavin Hamilton.

"I readily and freely grant, He donna see a poor man want, What's no his ain, he winna take it, What ance he says he winna break it."

And Galen, since his infamies on the Stinking Water have been exposed, has run for office and, strangely enough, has carried everything by storm—republican, democrat and anti-monop—and has been almost unanimously elected sheriff in his county, running, if not smelling, quite as well as Rosewater. If the dukelike editor of the Herald should chance to call Galen's statement a lie, and then should pay Galen a visit, he might see considerable of that country, even if he had sinkers in his coat tail. Here, then is what Galen says; read, reflect and remain east of the 100th meridian:

Mr. Galen Baldwin being interviewed has the following to say in regard to claims on the Stinking Water:

What do you know about the claims taken by parties from Hastings?

Myself and Page Francis located the claims for the men from Hastings. Laird and Kelly had nothing to do with the same; the numbers were turned in to the parties by myself.

Did James Laird hire or ever speak to you in regard to building the houses and doing the plowing and making such improvements that the law requires?

No; I made contracts with each one of the parties personally and by letter, and have the same in my possession, and each one paid me for the work done on his claim.

Did you ever hear James Laird say anything in regard to purchasing the claims?

I never did, and I have been told by some of the parties who have claims that they have never had any talk with Mr. James Laird in regard to taking the claims and that they did not believe James Laird knew they were taking the same when they did.

Do you know anything in regard to Mr. Moore and Hulbert being prevented from getting the land they wished by the parties from Hastings or James Laird?

I do not; but I can explain to you how Moore and Hulbert were mistaken in the land they made application for at the land office. It was a mistake on the part of Page Francis, the surveyor, and was not made with any intention on his part to deceive either of the gentlemen, for he gave me the same description of the lands that he did Moore and Hulbert, and he believed he was giving the right numbers, and I only found out the mistake by inquiring of the party who held land adjoining the land the parties from Hastings wished.

Did any of the parties take any of the claims belonging to Mr. Moore as he charges in his affidavit?

No, sir. None of those parties have ever troubled any land that Mr. Moore has ever asked for at the land office or the land of any one else.

Was the land of Mr. Hulbert jumped by any of the Hastings party?

No, sir; they did not trouble any claim that had ever been asked for.

Were you present at the time the land office was opened at McCook?

I was.

Did you see or hear the register or receiver refuse to let Moore and Hulbert have any claim they desired?

I never did.

Mr. Moore swears he has been living near the land taken by these parties. Do you know if this is true?

I am certain that he never has lived closer than sixty miles.

How long does a party have to get on the land after he takes a claim?

Six months.

How many of these parties have been on their claims to your knowledge?

Eight out of the eleven of the claims filed.

Do you know that these parties have fulfilled the requirements of the law up to the present time?

I do; I know they have.

I see the Omaha Herald insinuates that James Laird paid you five hundred dollars. Have you ever received any such amount of money from Mr. Laird or has he agreed to pay you in the future?

I never have, and he does not owe me a cent, and if I have ever rendered him or any other man any services worth that amount, I will be under obligations to the Herald if they will inform me in regard to it, for I have a long winter before me and this is the season of the year that I round up.

TESTIMONY FROM THE SETTLERS.

The following made respectively by

Joseph Snyder, Geo. Cooper and A. W. Davenport, are the statement of representative men of the frontier country. They seem to have talked with Mr. Laird when he was out there and to know what they say. They are men of standing and character, whose information and veracity cannot be questioned and who are on the ground and competent to judge and speak.

Mr. J. Snyder, a stock man on the Stinking Water, Chase county, Nebraska, being asked the following questions, tells what he thinks in plain words.

"Mr. Snyder, did you meet Mr. Laird when he was looking over the country for a good place for some of his friends to locate some land on the Stinking Water?"

"Yes, I did, and Mr. Laird said he had, at the request of several friends, come up to see if he could find a good location, and one that would not interfere with the settlers already in that country, and he asked me if I thought there would be any objections to parties taking the land and stocking it with cattle, and I told him I did not, and I have not heard any objections to what has been done, by those living in the section where the parties from Hastings located their land."

"What do you think of the charges the newspapers are making against Mr. Laird?"

"I have not seen as yet that they have made any charges. They may make the people in the eastern part of the state, who are not well informed about the land business, believe them, but it is very thin reading to us, who know Mr. Laird and the law and the details of the land business."

Geo. Cooper, an old stock man on the Frenchman, near where the Hastings parties are located, said:

I saw Mr. Laird the day he went out to Stinking Water. He said that some of the Hastings men talked of coming out and getting a ranche, if they could do so without interfering with settlers and those in the stock business. He talked to many of the settlers as he did to me. He said the people here, irrespective of party, had always stood by him, and as the men talking of coming out were all from his town and friends of his, he did not want them to come unless it was satisfactory. I told him it was, and that we would be glad to have them come instead of strangers. He claimed to have no personal interest in the land. I see nothing in Mr. Laird's course except what any honorable man would have done, and I see no reason why the papers of the state should abuse him, or the Hastings men, who certainly have as good right here as men from Illinois. They might as well abuse Bill Paxton, of Omaha, and scores of other men in different parts of the state who have grown rich by herding on the public domain.

H. W. Davenport, county commissioner of Hitchcock county, and a stock man, tells us what he knows, and he does not agree with his democratic brethren of the Herald that James Laird has caused to be made any fraudulent entries of land on the Stinking Water. Our interview is as follows:

Mr. Davenport, did you meet Mr. James Laird last June when he visited the Stinking Water, and what did Mr. Laird ask you in regard to the same, if anything?

I met Mr. Laird sometime last June, and he told me that some friends of his wished to locate some land, and that they were going into the stock business, if they could find a good location, and one that did not interfere with other parties in the same locality and business, and he asked me if I thought there would be any objections to them locating on the Stinking Water, to which I replied there was none, for they had the same right that any other party has to locate land and raise stock.

Do you know if there were any fraudulent entries made, and if any one living in this part of the state is objecting to what has been done?

I know nothing of any fraudulent entries being made, and to the best of my knowledge the parties who have taken claims on the Stinking Water are complying with the law, and as far as I know there is no objections among the settlers as to what they are doing.

Have you ever seen any of the parties who have claims on the Stinking Water?

I have met several of them in Culbertson going and coming from their claims.

From what you have seen of them would you take them to be a lot of bummers, as the Herald calls them?

Far from it, and if the Herald calls them bummers, I do not know who they would call gentlemen, which I consider them to be, and have never seen nor heard anything that would show they were not. They were a sober, bright and manly looking lot of men.

Do you know Mr. Hulbert, and is he an actual settler in this part of the state?

I do not know him and have never heard any one claim that he lived in the state, but have always understood his home was in Chicago, Ill.

Do you understand that Mr. Hulbert is the person that has made all the talk about the claims on the Stinking Water?

The opinion of the most of people I have heard express an opinion on the subject is that he is not.

Who do they charge it to then?

Why to some of Laird's good republican brethren, who wish to injure him with the people.

#### THE SOURCE OF THE SLANDERS.

The following is from a gentleman in Hitchcock county, who for the present shall be nameless. We hold his sworn statement to some facts that may hereafter become important.

The following appeared in an editorial headed "A Little Plain Talk," which was printed in the Omaha Herald, September 14: "So far as the source of the scandal is concerned, there is no secret, and the member from Stinking Water must be very blind and deaf to what is going on around him when he seeks to attach the responsibility to certain innocent gentlemen in this city, and accuse him of 'throwing mud' at him."

If there is no secret about the source of the scandal, I would ask why it was that the names of the gentlemen who wrote the affidavit that was published and got Mr. Moore to sign it have never appeared? And why these gentlemen had a certain man in McCook copy the affidavit so that their writing would not give them away? I have good evidence that the certain innocent gentlemen, as the Herald calls them, are the ones in connection with one or two others who do not live west of Hastings that the whole responsibility rests on. Mr. Laird is neither blind nor deaf, and knows as well as I do that Mr. Hulbert is not responsible for the mud thrown at him, and I have good reason for believing that there is not a man in Omaha that has known Mr. Hulbert's address for the last two months. I do not give these gentlemen's names for reasons of my own, but if the gentlemen will publish a card over their own names denying what I have said against them I will give them the evidence against them and show the public that the only object in publishing the articles was to injure Mr. Laird with the people, and that they had no other motive in view. The Herald does not make any charges against Mr. Laird, but uses the words, "It is reported," "It is claimed," to aid them in throwing mud at him. The only ones that I have been able to find that have reported or claimed that what the Herald has said about Mr. Laird is true are the gentlemen I have referred to above.

#### OMAHA BEE.

It will be remembered that the Omaha Bee, in effect, charged that James Laird, (meaning the member of congress) filed an application and deposited money for the survey of a township of land in northern Nebraska. We do not know but what this is a legitimate thing to do, but the statement of the Bee by its evident animus and malice thought it was charging a fact that was dishonorable to that gentleman. An examination of the records of the surveyor general's office will show that the only application of this nature filed by a man of that name was made April 14, 1881. This would be during the administration of Hon. George S. Smith, then surveyor general of Nebraska. His statement hereto attached shows the startling untruthfulness of the Bee's publication. Whoever learned of the fact of this application must at the same time have learned that it was not made by James Laird of Hastings as will appear from General Smith's statement. There seems no other explanation of this than that it was a willful falsehood published with the deliberate and malicious purpose to injure. This is diabolical slander. Here is the statement of Mr. Smith:

PLATTSMOUTH, NEB. Oct. 25, 1883.  
Hon. James Laird:—Answering yours, I see you are charged with having made deposit and application for the survey of a township of government land in northern Nebraska, during my administration; this is not so, it was a James Laird claiming to be from Wyoming territory, who made said application and deposit, not you. His signature bears no resemblance to yours whatever. You never did any business with, or filed a paper in the surveyor general's office of Nebraska, during my administration.

GEORGE S. SMITH.

It will be further remembered that in the same issue of the Bee it was impliedly charged against Mr. Laird that he had for fraudulent purposes

participated in the organization of Phelps county, and in some way wrongfully profited thereby through the bonds or warrants of the same. The following letter to, and answer of Hon. C. J. Dilworth proves the utter falsity of that charge. It seems that at the election for the organization of that county, James Laird, of Hastings, or some other person of like name was voted for, for superintendent. Of this the James Laird, of Hastings, never heard until several years after, so we are informed by him, consequently that he never had anything to do with the office or the county, and was never in the county until some six years after its organization, and has never visited the county but three times in his life. Here is the letter:

HASTINGS, NEB., Oct. 25, 1883.  
Hon. James Laird: Dear Sir:—I have just received your letter of this date, as follows:

HASTINGS, NEB., Oct. 25, 1883.  
Gen. C. J. Dilworth: Dear Sir:—As it appears by the record that you were present at the organization, and elected county commissioner, of Phelps county, Nebraska, at the first election therein, will you be so kind as to state the facts on the following points:

Was I present and did I vote at said election in said county, or have I ever done so to your knowledge?

Have I ever held any office in said county?

Was I in any way connected with or interested in the organization of said county, or the administration of its affairs?

Did said county ever pay me any sum whatever in its warrants or bonds?

Did said county ever have any bonds? Very Respectfully,

JAMES LAIRD.

Answering the same will say: First, I was appointed by the legislature as one of the commissioners to organize Phelps county, and was present at the time said county was organized, and the officers for the same were elected. And I know as a matter of fact that you were not present in said county at its organization, and I think had never been in the territory that composed that county until some years afterwards.

Second, That you have never held any office in said county or voted therein, and have been in nowise connected either in its organization or administration of its affairs.

Third, I know of no transaction in which you have received any pay from said county, either in warrants, bonds or otherwise; and I am satisfied from my knowledge of said county that nothing of the kind has been done.

Fourth, Up to within the last two years there never had been any bonds issued by said county, unless it be some precinct bonds voted for mill purposes in one of the precincts of said county, but in those bonds you were in nowise connected.

Very respectfully,

C. J. DILWORTH.

During the libelous war waged by the Bee on Mr. Laird, it will have been noticed that frequent allusions have been made to his connection with what is known as the Knevals land cases, such as "we do not now charge that he (meaning Mr. Laird) has received fifty cents an acre from Knevals on the land settled for, had he kept his dirty fingers out of it, it might have been settled for \$1.50 per acre," and so on. We have Mr. Laird's authority for denouncing all these things as absolutely and miserably false, all of which will appear in due time.

In reflecting on the course of these journals, who commend themselves to the community by malice, cowardice and falsehood, substituting the openness of men for the secrecy of assassins and spreading the pestilence of slander as though it were a blessing, we are led to ask, are there men so morally dead and fitted for damnation, so monstrously prepared for hell as that they are incapable of the truth? Strangers to honor, enemies to the human race, who, lacking the merciful warning of the most poisonous reptile, ought to be infamous alike to good and bad.

CONCLUDING INTERROGATORIES.

Will the Omaha Herald state from what person or persons outside of George Hulbert and C. B. Moore it obtained any information regarding frauds in the entry of these lands? Will the Herald state who procured the affidavit of C. B. Moore published by it?

Will the Omaha Bee state who is its authority for the charge of fraud by James Laird in connection with the organization of Phelps county? Will the same paper state who was its authority for the charge that James Laird applied for and deposited money for the survey of land in northern Nebraska? And will the same paper state who is its authority for the statements reflecting on James Laird in connection with the Knevals cases?