

# THE ANDOVER NEWS.

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NO. 10.

## LEET QUIBBLES!

### But the Facts Have Not Been Denied.

#### Sherman Deceived the Republican Convention, But He Can Not Deceive the People.

For eight weeks we have been hammering away at N. B. Sherman, and for eight weeks he and the organs supporting him have been silent concerning the charges, brought against him. This week, after they thought it was too late for us to reply, an attempt has been made to deny the charges. The Belmont Dispatch, published on Tuesday, was received in Andover Wednesday night, after the News was supposed to be printed. The Wellsville Reporter of Wednesday was also received here Wednesday night. The Angelica Every Week, always printed on Tuesday, and usually arriving here Tuesday evening, did not show up until Wednesday. Those papers contained big headlines and lengthy remarks, based upon the following letter from Justice Geo. P. Leet, of Houghton:

"An article in the Andover News, dated October 14th, 1891, over the signature of A. R. Dodd, having come to my notice stating that N. B. Sherman was arrested and pleaded guilty of selling intoxicating liquors in October, 1889, I hereby deny the charge that he ever personally appeared and plead guilty of selling intoxicating liquors at that time or any other time.

Geo. P. LEET,  
Justice of the Peace,  
Caneadea, N. Y., Oct. 26, 1891.

Read the above letter again, dear reader, and study it a moment. Do you find there a denial of the fact that Sherman has sold whisky without a license? Do you find there a denial of the fact that Sherman was arrested for said crime? Do you find there a denial of the fact that Sherman acknowledged his guilt and was fined? No! Mr. Leet simply says that Mr. Sherman did not personally appear and plead guilty to the charge. Does Mr. Leet declare that Mr. Sherman, through his attorney or other proxy, did not confess the violation of the excise law and pay the fine imposed as a penalty therefor? Every attorney, and everybody else who is familiar with justice court proceedings, knows that it is not necessary for a man to go personally before a justice in order to plead guilty and pay a fine! What a small hole the Leet attempt to refute the charges is to crawl into! And these papers offer this letter as a denial of the charges we have made against Sherman! Their comments are all based on this letter. "Never personally appeared and plead guilty." Why doesn't Justice Leet say that Mr. Sherman was never arrested and fined on this charge? Because he knows that he was!

**N. B. SHERMAN SOLD WHISKY WITHOUT A LICENSE, WAS ARRESTED BY CONSTABLE CHARLES TAREY, AND WAS FINED \$12.50 BY JUSTICE LEET FOR THE CRIME, AND WE DEFY HIM TO PROVE TO THE CONTRARY, BEFORE ELECTION OR AFTERWARD!**

The News never opposed Sherman without knowing what it was about. We had positive proof that Sherman was a wilful violator of the law and had acknowledged his guilt and been fined, before we ever said a word against him. We have looked the papers over carefully for eight weeks to see if Sherman would offer any denial, and it comes only after the News is supposed to be printed for the last time before election!

Now, a little evidence on our side of the question, from Justice Leet, may be in order. Prof. A. R. Dodd

writes us, under date of Oct. 8th, as follows:

"I went to-day to the justice's office, in company with another gentleman, and asked Justice Leet to see the records of the court in the criminal proceedings against Sherman and others. He (Leet) was perfectly willing. On examination I found only six cases on record. Sherman's was wanting. After having looked the book over, I asked Mr. Leet how many cases there were tried before him.

He replied, 'Five or six.'

We named them all over, he naming some and I some. At last I said: 'Wasn't Sherman one of the parties?' He said, 'YES.'

'Well,' said I, 'I can't find a record of the case. Here are all the parties but Sherman. Where is his record?'

Mr. Leet replied: 'It ought to be there; but I haven't looked at it for two years. I do not know.'

I said: 'I know it ought to be here, but it isn't. Wasn't he one of the parties?'

'Well,' said Mr. Leet, 'this is just a political move, and I decline to answer. Come and see me after election, and we'll talk about it.'

I have witness to this conversation. Mr. Leet said to me in the interview to-day, 'I want to keep shady in this matter.'

Does the quibbling letter of Justice Leet, and the comments that the papers make, convince voters that Mr. Sherman has been slandered?

The first letter written by Geo. P. Leet bears date of July 11th, 1891—long before Sherman's nomination for Sheriff. For what purpose was it written? To deceive the Republicans of Allegany county. With this letter Sherman perpetrated a fraud upon the Republican County Convention and forced himself upon the ticket! Without that letter could he have been nominated? No loyal Republican would have consented to have handicapped the State canvas in this county with his nomination if they had known the facts. For this act of fraud and deception, Sherman richly deserves defeat at the hands of Republicans whom he sought to deceive.

### A STATEMENT FROM L. C. VAN FLEET.

I went to Houghton, on Thursday, Oct. 29th, 1891, found Geo. P. Leet and told him I wanted to see his justice's docket. He at first declined, saying that his docket was not on public exhibition. After some persuasion, he consented to show his docket "under protest." I examined the docket and found that two leaves in the midst of the liquor cases had been cut out. Pages 245, 246, 247 and 248 were gone and the stubs yet remained in the book. The case of Davis followed the missing pages, and all of the other liquor cases preceded them. I said to Mr. Leet that two leaves had been cut out, plainly enough. He said that that was so the book showed for itself, but that he did not know who cut them out; that all he had to say about it was, that they were cut out without his knowledge or consent. I then asked Mr. Leet if he would tell me whether N. B. Sherman was fined by him, and whether the missing pages contained the record of Sherman's case. He answered that he declined to do so, "at the present stage of the game."

I then said to him that Every Week had published a letter of his that appeared to lay Prof. Dodd in a lie. He said that the letter, as written by him, did not lay Prof. Dodd in a lie. I then read from Every Week his letters of July 11th and Oct. 26th. He said that his letter of Oct. 26th, as written by him, contained the word "personally," that the printer had left it out. "I said in my letter, and I say now," that Mr. Sherman never appeared before me, personally, and plead guilty, and further than that I decline to say anything about it."

The facts, as I learned them from Sherman's supporters as well as those opposed to him, are simply these: Mr. Sherman, with other liquor dealers,

was arrested for selling intoxicating liquors without a license, and came before the justice. The cases were adjourned, and on the adjourned day Mr. Sherman was not personally present in court, but appeared by his attorney, plead guilty, and was fined \$12.50, and the fine was either then or afterwards paid. And all this is just as well understood in Houghton as any public transaction that ever took place in that village.

I went and saw Mr. Tarey. I found him to be a man of ordinary intelligence. He said that he was a poor man and had a large family, and his father lived to be 91 years old, and was sick a long time during the last of his life; and the county had paid him a small sum to aid in his father's support. That, at another time, all his children (seven in number) and himself were sick with diphtheria. His eldest daughter died with it, and through the influence of some of his neighbors, the town or county helped him to a few dollars.

Balcom was fined \$10; Reeves, \$25; Maxson, \$12.50; Bigelow, \$12.50; Davis, \$12.50; Sherman, \$12.50; Glover, \$30. Total—\$115.

It appears by the statement of Harvey Tucker, that the fines were not all paid in time to appear in the Supervisors' Minutes of 1889, but the balance did appear in the Minutes of 1890. The report of the County Treasurer to the Board of Supervisors in 1889, shows that he had received in fines from Geo. P. Leet \$90. It also appears in his report of 1890, that he had received from George P. Leet \$25, making \$115 received from Leet for both years—just the amount of the fines imposed, including the \$12.50 paid by Sherman.

In regard to Mr. Robbins being arrested I found the facts to be as follows: The law-abiding citizens of Caneadea formed an organization to prosecute violators of the excise law. Wilson Robbins and James McKinley were appointed a committee to institute proceedings, and did so against Sherman and others. After these fines were imposed the defendants were yet liable to a penalty of \$50 for each offense. They claimed that they were going to quit selling and Robbins and McKinley, supposing they had a right to do so, told them that if they would quit selling and pay the expense already incurred they would drop all further prosecution. The liquor men, claiming that this was an unlawful attempt to extort money from them, had Robbins and McKinley arrested in April, 1889. They gave bail for appearance at court to await the action of the grand jury. They did appear, the liquor men did not appear, the prosecution was abandoned and Robbins and McKinley were discharged. (Signed) L. C. VANFLEET.

### STATEMENT FROM HARVEY TUCKER.

I hereby state and certify, that in F. J. Corp's store in Houghton, N. Y., shortly previous to the meeting of the Board of Supervisors in 1890, I heard George P. Leet say that he did not receive all of the fines imposed in the Caneadea liquor cases in 1889, in time so that it would appear in the Supervisors Report of 1889, but that it had all been paid and would appear in the Supervisors Report of 1890. I also state that at the same place, four or five weeks ago, I said to Geo. P. Leet in substance that I understood that N. B. Sherman was denying in the Southern part of the county that he had ever been arrested and convicted of selling liquor without a license. Leet replied in substance, "It can't be that he is denying it. He wouldn't be so foolish, for everybody around here knows that it is a fact.—Dated, Houghton, Oct. 26, 1891." (Signed) HARVEY TUCKER.

### Excursion to New York.

The Erie Railway will run a grand excursion to New York on Monday, November 9. Tickets good on regular trains on above date (except No. 8), and for return passage on any regular train (except train 5) on or before Sunday Nov. 15. Pullman cars are run on all through trains. The fare for the round trip from Andover is only \$7.50.

### ARE THESE MEN PERJURERS?

Candidates for office may make "denials," Justices of the Peace may sign letters, but men will not lay themselves liable to penalties of the law by swearing falsely simply to aid in defeating a candidate for office.

Charles Tarey deposes and says: That, on the 15th day of February, 1889, he arrested N. B. Sherman, and that said Sherman appeared before Justice Geo. P. Leet, and that said Sherman was arrested in behalf of the people during the pendency of the liquor suits in Geo. P. Leet's court in the village of Houghton, town of Caneadea.

CHARLES TAREY.  
Sworn and subscribed to before me, this 18th day of Oct., 1891.  
Geo. P. LEET, J. P.

Wilson Robbins deposes and says: That N. B. Sherman of the town of Caneadea was, in the winter of 1889, arrested under the criminal law of New York, on complaint of James McKinley, for selling intoxicating liquors, for beverage purposes, without a license, at his drug store in the village of Caneadea; that the said Sherman was arraigned in Justice Leet's court in the village of Houghton; that he, the said Sherman, plead guilty to the charges and was fined by the said Justice Leet for criminally violating the excise law of the state of New York. WILSON ROBBINS.  
Sworn and subscribed to before me this 20th day of October, 1891.  
Geo. P. LEET, J. P.

On the 14th of Oct., 1891, I examined the records of Justice Geo. P. Leet's court. Failing to find the case of N. B. Sherman on the docket I thought I would enumerate the pages. The numbers followed each other consecutively until page 244, then the next page was 249. I began to investigate the book more closely at this place to see if there had been a mistake made in paging the book. Pushing the leaves apart I found the stubs of two leaves. I remarked to Mr. Leet that two leaves had been cut out. Handing the book to him he examined it and said:

"Yes, that is so. Two leaves have been cut out, but I don't know how it happened."

The leaves were missing right in the midst of the records of the liquor cases. The two cases just preceding the place where the leaves were cut out, were: First, Maxson's, of the firm of Maxson & Bigelow; next, Bigelow's of the same firm; then the two leaves were cut out, then came the record of Mr. Davis, of the firm of Sherman & Davis.

I asked Mr. Leet if he would make the records show what they ought to show in regard to the case of Mr. Sherman. He replied that he would consult an attorney. A. R. DODD.  
Subscribed and sworn to before me this 26 Oct. 1891.  
Geo. P. LEET,  
Justice of the Peace.

State of New York, Allegany County ss:—G. W. Waldorff being duly sworn says that in the winter of 1889 Charles Tarey, a constable, came after me to go with my team to arrest N. B. Sherman and others for selling liquor without a license. He got out of the sleigh and assumed to arrest them; the said Sherman and the others said they would come right down to the Justice's office, and Sherman and the others did follow us right along down with their own rigs. Sworn to before me this 29th day of Oct., 1891.  
L. C. VANFLEET,  
Notary Public.

### Liber Excisus.

Oh, have you heard the news from Caneadea,  
How a circumstance unusually queer  
Has occurred to Justice Leet,  
How his book is incomplete,  
And no record against Sherman doth appear?  
Yet, in February, Eighteen Eighty-nine  
N. B. Sherman pleaded guilty, paid a fine,  
On the charge of selling liquor,  
But some regular Jim-Slicker  
Has done something in the copy-cutting line.  
Yes; Nat Sherman played the bug-juice selling game  
And paid twelve dollars fifty for the same!  
Though the records do not show it,  
Yet so many voters know it  
That, in the race for Sheriff, he's quite lame.

**VOTE FOR LEONARD AND LITCHARD.**

Prof. A. R. Dodd of Houghton writes to the News, under date of Oct. 26:

Your paper has stirred up a hornet's nest. There seems to be a general stampede to Litchard. There is certainly a determination on the part of the respectable voters of all parties to down the Tammany Ring of Allegany county. Party politics seems to have dropped out of sight and all patriotic citizens seem determined to down rascality. N. B. Sherman knows he was arrested and fined for selling liquor in the town of Caneadea without a license; and he knows the people in this vicinity know that he was arrested and fined.

Yours Truly, A. R. DODD.  
Prof. Dodd is principal of Houghton Seminary, and no man in this county stands higher in any community than he does in the town of Caneadea.

The following are four of the depositions taken against Sherman in February, 1889. There were nine witnesses in all, and the depositions are all similar to the following, therefore it is unnecessary to publish them all:

Town of Caneadea, ss:  
Fayette McKee being by me duly sworn, did depose and testify: I live in said town and know Nathaniel B. Sherman. Since May 8, 1888 I have bought whiskey by the glass of said Sherman in this town and paid him for it at least three times. (Signed) Fayette McKee.  
Sworn to before me Feb. 1, 1889.  
George P. Leet, J. P.

Town of Caneadea, ss:  
And R. Bruce Estabrook being also by me duly sworn, did depose and testify: I live in said town and know Nathaniel B. Sherman. About four weeks ago I bought a glass of whiskey of said Sherman in this town and paid him for it. (Signed) R. B. Estabrook.  
Sworn to before me Feb. 1, 1889.  
George P. Leet, J. P.

Town of Caneadea, ss:  
And Edward Bubbs being also by me duly sworn, did depose and testify: Live in said town and know Nathaniel B. Sherman. I have bought whiskey by the glass of him in this town at least as many as three different times since May 8 last, and have paid him ten cents a glass for it. (Signed) Edward Bubbs.  
Sworn to before me Feb. 1, 1889.  
George P. Leet, J. P.

Town of Caneadea, ss:  
And Thomas Maloney being also by me duly sworn, did depose and testify: Live in said town and know Nathaniel B. Sherman. About two weeks ago I bought half a pint of whiskey of him in this town and paid him twenty-five cents for it. I took the whiskey home with me. (Signed) Thos. Maloney.  
Sworn to before me Feb. 1, 1889.  
Geo. P. Leet, J. P.

The names of the other five witnesses are as follows: Riley Steuben, Wm. Sherman, Luke G. Johnson, Adam Atherton, and Charles A. Burr. They all swore to having bought whiskey of Sherman and paying him for it.

This is a separate and distinct case from that of Davis, Sherman's partner, who was also proceeded against.

### INDEPENDENCE NEWS.

Some of the sick ones are reported as improving.

Elder J. Kenyon returned from his visit to Nile, last week Monday.

Mrs. E. D. Potter returned from her visit to her parents and other relatives in Nile, last week Monday. She stood the journey remarkably well.

Mrs. T. Eugene Bassett presented her husband with a fine baby girl, last week Wednesday.

The well on the C. E. Brown farm is finished and ready for the pump.

Mrs. Arthur Eaton of Lewisville, Pa. was the guest of Mr. and Mrs. E. D. Potter one day last week.

Miss Mary Allen, a student at Alfred University, was in town and attended church here Saturday.

Florence, the youngest daughter of Eld. H. D. Clarke, is very ill of a hard cold in the head, and sore throat.

Mrs. R. S. Jacobs is sick abed of an obstinate attack of neuralgia.

Cider apples are quoted at \$1.50 per barrel in Dundee, while the speculators hereabouts will pay only 85 cents per barrel for the choicest handpicked winter grades. It doesn't pay to purchase fruit trees in Grand Old Allegany.

Last week Wednesday morning Mr. Charles S. Armstrong of Whitesville, while manipulating a buzz saw, had the misfortune to lose the ends of two middle fingers on one of his hands.

Mr. W. S. Ault has taken a job to dig a trench 60 feet long on the farm of Potter and Forsyth, for the purpose of laying pipe and force water by hydraulic pressure from a spring to the house. **SOME GUMPTION.**