

PAINE (W.)





# PENNSYLVANIA FRAUDS!

HOW STATE OFFICIALS TEACH A POLITICAL ARITHMETIC!

*What Dr. Paine knows of the Frauds of the  
Pennsylvania War Claims.*

His Persecutions, and a Plain Statement of Facts.

History of the Philadelphia University, Etc.

In 1856, I was induced by Dr. Calkins and other friends, to leave Ohio, where I was engaged in a large and lucrative practice, and come to Philadelphia to deliver a Course of Lectures on Anatomy. At the close of the course, I returned to Ohio, resumed my practice; in 1857 repeated the Lectures, and the following year again gave a series of lectures on Anatomy, and also on Surgery, and the Practice of Medicine. These lectures were given in the Eclectic Medical College of Pennsylvania. At the close of the session of 1858, I resigned my Professorship in the Eclectic College, returned to Ohio, with the intention of remaining in private practice, but the next year was again persuaded to accept a Professorship in the American College of Medicine in Pennsylvania, and was appointed Dean of the Faculty. In 1858, I edited and published the Eclectic Medical Journal of Philadelphia, and also published the Epitome of Surgery, Midwifery, and Materia Medica, and in 1860, the New School Remedies, in which I first announced the fact that the improvements we had made, and the new remedies discovered were so numerous as to result in a new system of practice, differing from all others in so much that it embraced a much broader range in practice, and united all that was new and useful with all that was previously known to the profession, thus giving to the student of medicine the advantage of all methods of treating disease.

In 1863 the Trustees of the American Medical College purchased the property of the Penn Medical University, the Pennsylvania Medical College, and the Philadelphia Medical College; these schools were all suspended, and the names changed to the Philadelphia University of Medicine and Surgery. Thus organized, an able corps of medical teachers was appointed, and the school grew in influence and usefulness, so much so, that its patronage was quite as large as that of many of its older competitors. It will be remembered that while the medical instructions embraced all the principles of practical medicine and surgery known to the profession, the Old School, Eclectics, Homœopaths, etc., etc., it also included all the new resources and improvements instituted by my colleagues and myself. The Graduates, armed as they were, with all the new and old weapons with which to combat disease, met with wonderful success. This success of the Faculty and Graduates became so famous that a diploma from the Philadelphia



University of Medicine and Surgery was a ready passport to secure an extensive and lucrative practice. My own practice embraced over fifty thousand patients annually, including every form of medical and surgical disease. The new remedies we had introduced, and the new application of old ones enabled us to effect such astonishing cures, as could not have resulted by any other class of practitioners. This success and prosperity excited the envy and jealousy of other colleges and schools of medicine, and soon was manifested by their assaults upon us. The Old School commenced the usual cry, Quackery!!! Irregularity!!!; the Homœopaths, that of Old School, having Beelzebub as its father, while the Eclectics claimed that we gave Mercury and Antimony, and were no better than the Old School. Their opposition only consisted in false reports, and the usual denouncements against all new discoveries and improvements, until the year 1867, when the Professors of the University of Pennsylvania united with their former enemies of the Eclectic Medical College of Pennsylvania, and applied to the Legislature to break up the Philadelphia University of Medicine and Surgery. They succeeded in getting the Legislature to request the Board of Education to inquire into the matter, and cite the Trustees to appear before them, and give an account of the faith they held. They met their strangely allied opponents, the Eclectic Faculty and the Faculty of the Pennsylvania University, when, through their attorney, Cadwallader Biddle, Esq., they made known their grief, which consisted in charging the school with teaching heresy, and various other irregularities. At this time the diploma dodge was not thought of; the charges were so ridiculous, and so transparently the result of jealousy, that the Committee dismissed the subject at once. Professors Rogers, Stille & Co., of the old regular University, and Professor Buchanan & Co., of the Eclectic School, returned to their trades very much chagrined, and evidently of the opinion that some other subterfuge would be required in order to obstruct the progress of a school that was so rapidly obtaining all their students, and monopolizing the best practice of the city and country. Therefore, they adopted another form of tactics, and only a few weeks after their ignominious defeat in the Legislature, they, by some strange manipulation, obtained from that body, a charter, entitled, "The American University of Philadelphia," under the pretence that it was to be a colored school. No sooner had they obtained the charter, than they organized it as a branch of the Eclectic Medical College, and commenced selling diplomas, and circulated at the same time the report that the Philadelphia University of Medicine and Surgery was connected in this diploma trade. They even omitted the first part of their charter name, and simply styled their school, "The Philadelphia University." The recipients of these worthless certificates, in order to make them useful, represented them to be from the Philadelphia University of Medicine and Surgery, and became so bold in the matter that they published a Medical Journal, and in several instances the Philadelphia University of Medicine and Surgery was compelled to prosecute the parties in self-defence for publishing libelous articles. They also obtained further publicity to their slanderous writings

in some of the secular papers, the publishers of which, were entirely ignorant of the facts of the case. In order to expose this new effort to break up the school, we publish frequent exposes in the Philadelphia University Medical and Surgical Journal, which we edited at that time. The following are a few of the many exposures we made of them. From the November Number of 1869, we abstract the following:—

### SELLING DIPLOMAS.

“A libel, published in the *Medical and Surgical Reporter*, on the Philadelphia University of Medicine and Surgery, and which the editors retracted, when the strong arm of the law was placed before their obtuse intellects, has developed a fact to which we called the attention of the profession a long time ago; that is, that one or more of the medical schools is selling diplomas. When I saw in the *Medical and Surgical Reporter*, a few years since, the advertisement of a certain professor, L.L. D., etc., that he was acting as a general collegiate agent, and especially invited all students to call upon him, I suspected something wrong, but it was not until one of the students of the Philadelphia University of Medicine and Surgery, bought a bogus diploma, and represented himself as a graduate of that University, that the Faculty deemed it proper to investigate the matter. This subject was fully noticed in the Journal at that time. During the past summer another case occurred which is stranger still. A young man from Massachusetts entered the Philadelphia University of Medicine and Surgery and remained one term. After returning home, he wrote to inquire whether he could not receive his diploma. Upon being informed that he could only obtain it when he had finished his medical studies, he sent to the city, and bought one for fifty dollars; at least it is so stated by two students, now in attendance, from the same town.

As I am informed that this very man who advertised in the *Medical and Surgical Reporter* is one of the parties engaged in this business will brothers Butler and Brinton explain to their readers how the thing is done? Cannot they make the *Reporter* pay, or what? We cannot believe that Dr. Brinton would add the bogus diploma business, to Dr. Butler's real estate operations. A stop should be put to this traffic in medical deceptions, and it could be done effectually by establishing a central medical board, where all medical students should be required to present their diplomas, and pass a rigid examination in all branches of medicine and surgery before allowed to practice their profession. Make the standard high, and let all the pathies in the practice of medicine be represented, the same as in the Royal College of Physicians and Surgeons in Canada, and this traffic in diplomas will cease, as it would be of value to the student only as it indicated his medical acquirements. We presented this whole subject before the Board of Education of this State during the sessions of the Legislature two years ago, but the University of Pennsylvania and others refused to co-operate with us, and the subject was abandoned for the time, but we intend to renew our efforts during the present session, and by some means, if possible, end this disgraceful diploma trade.

February Number, 1870.—**BOGUS DIPLOMAS.**—In the January number, we published a notice of a collegiate agency in Milwaukee, Wisconsin, which proposed to furnish diplomas from medical colleges and other educational institutions to such as needed them, simply as a matter of merchandise.

Yesterday we received from another correspondent a card of a similar character, headed "Collegiate Agency," and signed, "Dr. A. J. Hale, No. 214 Jacoby Street, Philadelphia. Accompanying the card are three letters, written by Dr. Hale to one of his correspondents. In the first, he appears to furnish the diplomas conferring the degree of M. D., for \$80, and A. M. for \$50. In the second, the medical degree is \$50, and urges his supposed applicant to send in his full name to be entered at once in the diploma. The third letter is as follows:—

PHILADELPHIA, PENN., November 23, 1869.

DR. ————. DEAR SIR:—Yours of the 19th instant to hand. Did not think it necessary to specify all the institutions conferring degrees. If you wish to apply to an Allopathic, I refer you to the Dean of one institution, the American University of Philadelphia, Professor John Buchanan, No. 225 North Twelfth Street. If you wish to apply to an Eclectic School, Eclectic Medical College of Pennsylvania, Professor Joseph Sites, Dean, 514 Pine street, Philadelphia. Both schools regularly organized and chartered by the State Legislature, and honorable institutions. I refer you to the above named gentlemen for any further information in regard to the schools.

Very respectfully,

A. J. HALE, M. D., 214 Jacoby St., Phila.

We think it quite evident that a systematic business of swindling, in the way of selling diplomas, has been carried on for some time in this country, with headquarters at Philadelphia. The Milwaukee concern is probably only a branch. Is it not time that efficient steps were taken to put an end to this swindling? The American University is a darkey concern, located—nowhere. It was not until this business had been carried on for a long time, that we became fully alive to the fact that a systematic effort was made by the enemies of the Philadelphia University of Medicine and Surgery, to issue these diplomas from the American University of Philadelphia, and to make the public believe they were from the Philadelphia University of Medicine and Surgery. An investigation soon discovered the fact that the *Medical and Surgical Reporter*, and other Old School Medical Journals had co-operated with this gang of diploma venders to sell the diplomas, and cast the odium upon our school. They, absolutely sent their agents to the Philadelphia University of Medicine and Surgery, to matriculate, and attend lectures, so as to become acquainted with the students, and induce them to take their diploma, and leave the school, informing them that their diploma so closely resembled ours, that no one could know the difference, and besides that no one outside of the city knew that there were more than two Universities here. In several instances they induced students to accept their propositions, leave the school, and practice by this trickery. They not only succeeded in making money, but also in injuring the Philadelphia University of Medicine and Surgery.

It was not, however, until the autumn of 1871, that they had an opportunity to do our school any serious damage. In August, 1871, I was called to see George O. Evans, who was reported to be very sick in the Harrisburg Jail. I went to see him, and soon ascertained that he was more anxious to be released from prison than to be cured of any disease. The story he told me was that he had been appointed Agent to collect the War Claims due by the United States to the State of Pennsylvania, to the amount of about three millions of dollars; that he had collected the same according to contract with the State Officials; that he had paid over all the money with the exception of his commissions, which were ten per cent.; that he had even paid a large proportion of this to parties who had assisted him in putting these claims through; that now these very men had got at variance because some had received more than others; that they were endeavoring to make him disgorge that which rightfully belonged to him; and that for the services he had performed, they had received infinitely more than he had. After hearing his statement, I left with a promise to call again. Upon my second visit, I met in his cell Mr. Samuel Moon who informed me that he was anxious to have Evans released; that he would willingly go his bail, but his property was so situated that he could not do so; that if I would go with him to see Governor Geary, I would be satisfied that everything was all straight; and that the whole thing would soon be fixed up. I went then to see the Governor, with him, at his house. He informed me that Evans was an honest and good man; that his arrest was caused by interested parties, who were not quite satisfied with the profits they had received out of the adjustment of the War Claims; that if Evans was out, the whole matter would soon be fixed up; and that if it were not for his official position he would go Evans' bail himself so far as he was able.

On my return to the prison, Mr. Evans showed me his books, receipts, cancelled checks, contracts, letters, and papers, proving that he had paid over his portion of the funds to parties authorized by law to receive them; that he had even after the settlement, paid quite large sums of money as a *hush fund*; and that he had now so far spent the balance of his commissions, that he had nothing left. I replied, that if this was a legitimate business, and he had paid over all he was obliged to, I did not see why he should be compelled to pay back money. To which he remarked, that the claims he had to collect were of such a nature, that in many instances, he was required to pay largely to have them allowed, and to some parties he had made larger promises than he could fulfil. He then showed me his memorandum in cipher, in which he had to purchase his influence from a large number of persons, beside paying largely for his appointment; that after paying them and his own expenses he had nothing left; that they were now quarreling among themselves, and with him, because he could not pay more; and that his arrest was to squeeze more out of him. He also showed me a paper that had been presented to him, purporting to come from State Officials, in which he was to account for all the delinquencies himself and upon acknowledging these defects he would be set at liberty. After investigating the case, I consented

to interest myself in securing his bail, on the condition that he would place in my hands, all his papers, books, letters, and other evidence that he had paid over the principal portion of the money to the State Officials and others. To this he readily consented and I accordingly obtained Capt. J. Baker, of Chester, and his sister secured several others. A bail piece was drawn up, signed by myself, and others for the sum of \$100,000 for the appearance of George O. Evans in court. Upon the release of Mr. Evans, he went directly to New York, having previously handed me a few papers, promising to bring others, and deposit them with me, and also give me an indemnifying bond in a short time. Soon did I learn that he was far more ready to promise than to perform, and it was only after most positive steps, and my absolute refusal to continue his bail, that he gave me his papers, as will be noticed from the following letter:—(Sent by Mr. Strahan, Evans' attorney, to Governor Geary, a copy of which Evans sent to me, with a promise to bring the paper over at once.)

NEW YORK, January 20, 1872.

MY DEAR SIR.—Such information has just reached me from Philadelphia, that almost convinces me, that owing to the proceedings of Moon, Mackey, and Hartranft to attack Dr. Paine, I am no longer able to control matters. Paine demands that all the information in my possession as to Hartranft and Mackey be placed unreservedly in his hands, otherwise he will withdraw his bail for Mr. Evans. This is a contingency I did not anticipate, and if it becomes a question between Evans and the officials, I shall not hesitate a moment as to how I shall act. I have received a request, which I cannot overlook, to be in Philadelphia on Sunday, to give my final decision. I go this afternoon to Albany, and will return on Saturday morning. I wish you would let me know your views on this new complication by Saturday, for at present I candidly confess that matters look as if it were imperative upon me to retire and allow Dr. Paine to take charge. If I do so, Mackey and Hartranft will be in custody in a very short time, and what may follow, God only knows. I beg you to give the matter your immediate attention, and advise me at once. Yours, Very Truly,

JOHN H. STRAHAN.

Then came this letter.

HARRISBURG, PA., January 21st. 1872.

DR. PAINE.

DEAR SIR:—It is *very important* that you *withhold all movements in the Legislature and bring no suit* until I can have an interview with you. Hoping you will comply with this request.

I am respectfully, your friend,

JOHN W. GEARY.

A few days later, Mr. Evans and Mr. Strahan gave me the following letters and papers:

COLONADE HOTEL, Philadelphia, Dec. 27, 1871.

MY DEAR SIR:—I cannot see any reason for withholding executive clemency in the case brought to my notice this evening if properly supported by the names of men of influence. Yours truly,

JOHN W. GEARY.

John H. Strahan, Esq.



PHILADELPHIA, Dec. 26, 1871.

GEO. O. EVANS, Esq.

*Dear Sir*:—I have given the papers, letters, checks, etc., relating to the transactions with H. and M., to our mutual friend. As you have seen them I will not go into any description, but merely say that they are very full, and all that will be required. Yours truly,

CHAS. T. YERKES, JR.

PHILADELPHIA, December 26, 1871.

GEO. O. EVANS, Esq.

*Dear Sir*:—*In case of need* show this to our mutual friend who will let you copy any paper that may be required as proof, that the original can be procured when wanted by you. Yours truly,

C. T. YERKES, JR.

The following are the subjects of a few of the documents delivered into my hands:—

1. Introduction to the collection of the War Claims by the State Treasurer, W. H. Kemble.
2. Affidavit of C. T. Yerkes, Jr., December 23, 1871, in reference to transactions with R. W. M.
3. Affidavit of C. T. Yerkes, Jr., December 23, 1871, in reference to transactions with J. F. H.
4. Copy of letter J. F. H. to C. T. Y., Jr., December 21, 1869. Calhoun mentioned therein was U. S. Pension Agent.
5. Copy of letter, of J. F. H. to C. T. Y., Jr., March 9, 1870. Mackey and Hartranft's settlement of the account of the Oil Creek and Alleghany R. R. Co., was taken out of their speculation, by the Attorney General. It would appear that this decision spoiled Oil Creek as a future investment.
6. Copy of letter, R. W. M. to C. T. Y., Jr., August 4, 1871, inclosing draft on State Treasury, in payment of his over due promissory note for \$20,000 private account.

The following is a copy received of J. F. Hartranft's due bill to George O. Evans:—

Borrowed of George O. Evans, the sum of Seven Thousand Dollars.

J. F. HARTRANFT.

\$7000.00.

New York, March 31, 1871.

As to the affidavits of C. T. Yerkes, Jr., I stated that the nature of these affidavits was such that I should like to see Mr. Yerkes' books to ascertain if they corresponded with the statements. He promised to show them in a day or two. Mr. C. T. Yerkes called at my office, took me in his carriage to his office on Third Street, and when in his back office, showed me his books, and compared the statements with those I had received from Mr. Evans. At the same time he pointed out how the books were kept in order to elude detection.

During this time various efforts were made by the parties to fix up the Evans matter.

At Mr. Evans' request, I accompanied him to Harrisburg, to see if I could assist him in the adjustment of his difficulties. Upon arriving there, he repaired to the Governor's house, and arrangements were made to meet all the parties for the purpose of a final settlement.

The meeting was held, and the subject talked over and over, yet no satisfactory settlement could be arranged, and after spending nearly a week, and becoming impatient at what I considered to be a covering up of frauds, I suggested to Mr. Strahan, Evans' attorney, that if he would draw up a suitable set of resolutions, I would have them introduced into the Legislature, and have the whole subject properly investigated. He drew up the following, based upon the papers that Mr. Evans had placed in my hands:—

*Whereas*, John F. Hartranft, Auditor General, and Robert W. Mackey, State Treasurer, have been accused of illegally using monies of the Commonwealth, in applying the same in carrying on various operations in Stocks, to the extent of several millions of dollars, and to the payment of their debts, and

*Whereas*, the said State Officers are further accused of having used the monies of the Commonwealth in the purchase of the loans of the Commonwealth for their own benefit, particularly to the purchase of One Hundred and Eighty-nine Thousand Five Hundred Dollars of the five per cent. loan of the Commonwealth, and Thirty-one Thousand and Fifty Dollars of the six per cent. loan of the Commonwealth, and of having sold the said Loans to the Sinking Fund of the Commonwealth, at an advantage or profit to said Mackey of Two Thousand Nine Hundred and Forty-three Dollars and Fifty-two cents, and of an advantage or profit to said Hartranft of Two Thousand and Seven Hundred Dollars, and

*Whereas*, the said Mackey is further accused of having received among other sums the following payments as interest on the monies of the Commonwealth, loaned, or deposited by him for an account of such consideration, viz:—on August 25, 1869, \$677.50; on February 9, 1870, \$3320.50; in May 16, 1870, \$347.50; and in October 5, 1871, \$5000, and \* \* \* \* \*

Therefore, Be it

*Resolved*, (the Senate concurring) that a Joint Committee of the Senate and House of Representatives be appointed to inquire into the accusations aforesaid, and to report with power to send for persons, books, and papers.

I attempted to have these resolutions introduced into the Legislature, but after various efforts no one could be procured to do so, and great excitement and confusion resulted. I was also forcibly reminded that unless I left Harrisburg, and ceased meddling with other people's business, I would lose my head. Upon this hint I took my departure.

From the above it will be noticed that Evans, instead of putting the papers into my hands, as he had agreed, held them for the purpose of settling his own claims, and relieving C. T. Yerkes, Jr., from his complications.

I had no sooner received them, than every effort was made to get them out of my hands, as will be noticed by the following:—

NEW YORK, 1872.

DEAR SIR:—Please deliver to Mrs. Evans, the papers of Austins, and oblige. Yours sincerely,

G. O. EVANS.

To DR. W. PAINE, Phila.

I refused. Then came the following:—

HARRISBURG, —, —.

DR. PAINE.

*Dear Friend:*—Since last Saturday you can rest assured I have not been idle. I have managed to discover the strength of the testimony they intimate they have against you. If true, it is very damaging not alone to you, but also to some of the Professors of the University. They are evidently keeping the heavy guns for the last, and intend after presenting this evidence before the committee to have a resolution pushed through asking the Grand Jury to bring all the power to have you tried. I shall let you know the whole when I see you. As to the Resolution I must have it immediately and get it through before they bring this testimony out. I want you to come up to-morrow night, start, say in the 6.30 train from Philadelphia, and you will arrive here at about 10.40. Go direct to your room and I will meet you there and fix up such a resolution as will cover the ground. I want you to bring everything ready for an attack, and more particularly what you have against Scott. I want the originals so that the moment the committee is appointed I shall call a meeting, submit the testimony, thereby debarring the House from re-considering their action. There will be quite a sensation after the committee is appointed, and if we do not get the evidence in, we will find it a very difficult matter to hold things. As yet they do not doubt my friendship, and will not suspect what I am after. On arriving here, let no one see you, I shall meet you at your room at the Lochiel, I want it arranged so if you are not wanted you can slip away, and no one will be aware of your being here. I think the train I mentioned the best to come in. I have a great deal I would like to say to you but must be in time for to-night's mail. Telegraph me on receipt of this, and do not make a confident of any body on the subject. I shall await and not proceed any further until I hear from you.

Telegraph M.

This letter did *not take*, so they were obliged to make another effort.

I was then informed that unless I would give up the George O. Evans papers and let them alone, they would take away the College Charter. I replied that that was impossible, as in the first place, the College had never sold a diploma, and again the Charter was granted before the Constitution gave the Legislature the power to repeal a Charter. The reply was they did not care a d—m for that, and that unless I came to Harrisburg and gave up the papers, and consented to their way of settling up the matter, they would squeeze me until I did. The next day I received the following:—

UNITED STATES HOTEL, Harrisburg.

PAINE: It is more important to you to see me, than it is for me to go to Ninth Street. I have been there a couple of times. What time will you be in town to-morrow? It is all important that you should see me to-night. I have broached the subject to R—, who is in common—he wants me to have a complete understanding with you. Do not fail to see me.

Yours, etc.,

R— goes away to night. I must see you, keep shy of Wash B—.

This dodge of the conspirators to induce me to go to Harrisburg, that they might rob me of my papers, under the pretence that they would offer Resolutions exposing the whole War Claim Fraud, was so transparent that I finally replied to Mr. McGinnis, that if they continued to annoy me, I should certainly be under the necessity of having them all arrested. Upon this hint, McGinnis left, and a general attack was made upon my social and professional character. In the first place, they brought me before the United States Assessor, under the pretence that I had made false returns on my income. This failing, they engaged a prostitute to apply to me to produce an abortion, offering a large sum of money. Her persistency and large proffers of money led to a threatened arrest, whereupon she became frightened, and made a partial confession of the conspiracy. Bold and daring robberies of papers and private letters followed, but in no instance did their parties succeed in obtaining any of the papers relative to the Evans' case. At those meetings where the Evans topics were discussed before me, the question was, how could they manage, so as not to interfere with the forthcoming momentous election, and they stated that at whatever sacrifice, the great object to be attained was to elect such parties as would control the finance of the State, either themselves or by reliable friends. Not only Evans and Gov. Geary, but many other persons urged upon me some official and lucrative position on the condition of division and silence. My reply was uniformly that I was too far advanced in life to learn these new principles in arithmetic, and all I desired was for them to settle the matter, and relieve me of the bail. Although I was frequently told I would have a yoke put upon my neck if I divulged any of their secrets, yet I did not quite understand the term, nor did I for a moment, suspect that they could put up any job on me. But on the 24th of January, 1872, I became fully aware of the fact, when William Randall, of Schuylkill Haven, offered a resolution, authorizing the Speaker of the Senate to appoint a Committee to investigate the Medical Colleges of Philadelphia. This committee was composed of the following:—Randall, formerly of this city; David A. Nagle, a neighbor of Prof. Buchanan; Dr. Crawford, an Old School physician; J. M. Weakley; B. B. Strang; M. S. Humphreys, and E. Billingsfelt. Immediately upon their appointment, flaming announcements were made by all their papers, that Dr. Paine was engaged in the Bogus Diploma business, and was to be put through.

From the nature of the reports through the associated press it was quite evident that they intended to confound the Philadelphia University of Medicine and Surgery with the American University of Philadelphia, so as to convince the public that Dr. Paine was Professor in the latter college, and issued their diplomas, and I was confirmed in this view from the construction of the committee, and through friends who understood the programme. I accordingly requested Washington L. Bladen, Esq., to take charge of the matter, whereupon he wrote to Randall to inquire whether he or any one could appear as my counsel, and received the following reply:

HARRISBURG, PA., February 16, 1872.

W. L. BLADEN, ESQ.

Dear Sir:—Your favor 14th inst. is at hand. The committee meet on Saturday morning at Girard House, 10 A. M., they have no objections to your being present but refuse to allow any party to be represented by counsel. Yours truly,

WM. M. RANDALL.

The committee enacted its farce February 3, 1872, the whole thing being conducted by Randall, Nagle and Crawford, it being evident that the other members were mostly, if not entirely ignorant as to the movements of Randall. The first witness was Dr. Stille, President of the University of Pennsylvania, whose testimony and letters occupied twelve pages of their Report. All the ingenuity of Randall and Stille combined did not bring one jot or tittle against either Dr. Paine or the Philadelphia University of Medicine and Surgery, as every letter was dated and referred to 514 Pine Street. The next witness was Dr. Rogers, Dean of the old University, who complained because the Philadelphia University issued scholarships; and he produced a large number of letters from various parties who wanted to purchase diplomas. He and Randall strained every point, yet not one could be produced where either the College or Dr. Paine had in any way been connected with the diploma business. The next witness was a Mr. Flinn, who said he knew nothing, only what a man by the name of Hylton told him, and that was all about the Eclectics. Upon announcing this fact Randall informed him he was of no use. Then followed their most able witness, Francis B. Wells, Editor of the *Evening Bulletin*, who produced the diploma of Rosenweig, from the Eclectic College and American University. It was of no use, and was put aside and barely mentioned in the Reports. Jones, a clairvoyant, followed, who stated he had seen a diploma, but it was from the Eclectic School; then Spaulding, who had only talked with one Hylton. Then Dr. Stanley C. Hylton, a respectable physician, testified that all he knew about the bogus diplomas was from the Pine Street concern.

It was soon reported in Harrisburg, that Paine was letting out the whole thing, that the *New York Sun* and other papers had hold of some of the Evans' documents, and unless Paine was used up, and his influence killed, the game was over. So Randall gathered his forces together once more at Harrisburg this time, and employed a fellow by the name of Callahan, and another named Sharkey, and held forth February 7. His first witness was a darkey doctor, whom they had taken from Philadelphia, a doctor of the American University of Philadelphia make, who knew nothing of Paine, and consequently was of no use. This failing, Dr. Rogers, of the Pennsylvania University, furnished one of his own graduates, Dr. J. Dunbar Hylton, and a negro named Hall to go to Harrisburg, and see if they could not make out a case. The committee, or rather Mr. Randall & Co., had another time. After catechising this fellow for hours, behold his diploma turns out to be from their next witness Hylton from the American University of Philadelphia, so this man was of no use after all the pains of taking him there, and at the expense of the State. The next was the big

gun referred to by their friend McGinnis, J. Dunbar Hylton, M. D., who swore he knew the whole thing. He testified that he had called on the Speaker of the House, Mr. Elliott, to give him money to help put the thing through. He also applied to Dr. Rand of the Jefferson College, but does not state whether he received any money. He also swore that Dr. Rogers told him that he did not care for the American University of Philadelphia, it was only the Philadelphia University of Medicine and Surgery. Randall told him that was what they wanted. He said then, "Well, if I must tell it, Paine offered to sell me a diploma for my baby only two years old, and even had one filled out." Randall looked wise, and after his witness told him he could not buy one for his baby, as he had not sufficient money, he informed him that would do, not feeling quite satisfied that the honest portion of the Committee could swallow this.

He called another meeting in Moyamensing Prison, on the 16th of March, where John O'Brien was duly sworn. (John had previously served out two terms in the Eastern Penitentiary and was now in prison for committing, in connection with Dr. Hylton, burglary, and for stealing Prof. Duffee's diploma from the Jefferson Medical College, and then erasing his name and offering it for sale.)

In regard to the validity of the statement of this John M. O'Brien, the following extract from a letter which has been put into my hands, written by him to Mr. J. S. Fisher, President of the Board of Trustees of the Philadelphia University of Medicine and Surgery, and a Commission Merchant in Cutlery, 417 Commerce Street, shows where he was. He had been imprisoned for burglary in Mr. Fisher's store. This letter is dated, "Eastern Penitentiary, Philadelphia, April 27th, 1870," where he served four years. After telling how he came by the knives, etc., he says: "Mr. Fisher, if you will do anything for me, and it lays in your power, I will return you all the goods I have any knowledge of, and will get those back from McCluskey and Tobin."

He states that he and Prof. Rogers talked over the matter, and he said that Dr. Terry told him he could buy diplomas from Paine to sell on commission; that he, Hylton, Buchanan and the balance of them were quite sure, from what Terry said, that if he had the money, he could have bought a diploma from Paine. Randall said this will do, and the testimony closed.

Then followed, Mr. Randall's report, signed by the unsophisticated Committee, which read as follows:—An examination of witnesses has convinced the committee that Dr. Wm. Paine made an agreement to sell a diploma to a baby two years old. Your committee feel bound to state that this traffic has done great injury to the University of Pennsylvania, therefore, resolved that both the Eclectic College charter and that of the Philadelphia University of Medicine and Surgery be rescinded.

W. R. RANDALL,  
 J. M. WEAKLEY,  
 B. B. STRANG,  
 D. A. NAGLE,  
 M. S. HUMPHREYS,  
 DR. D. CRAWFORD,  
 E. BILLINGFELT.

After this we received the following anonymous letter, which we have reason to believe was from Randall:

STRICTLY CONFIDENTIAL.

Dr. Paine is respectfully and confidentially informed by X that he can purchase the Charter or Act of Incorporation of a Medical College approved several years ago. The corporation is fully organised but the institution was never put into active operation. There is nothing against it pecuniarily or otherwise. The charter was never offered for sale, as its management always intended to work it. It is offered now to him seeing that an attempt has been made to break up his business. The charter is valued at \$15,000 (Fifteen Thousand Dollars) and will be sold to him at that price, terms cash the next day after the adjournment of the Legislature, *but not until then.*

He can use the name of the *Philadelphia University of Medicine and Surgery*, the old name of his college.

Should he desire to purchase it, he will please advertise in the personal column of the Ledger next Saturday or Monday, the following:—

W. P., accepts the offer of his correspondent X and requests an interview at the time fixed.

HARRISBURG, *Friday, March 22, 1872.*

Now, as to the facts in the case, Judge Agnew, in his decision, stated that prior to the Amendment of the Constitution in 1857, the Legislature had no power to repeal charters, and cited a large number of cases to prove it. He, also, referred to Articles IX and X, of the Constitution forbidding the passage of any such Act, and that the act of repealing the charter was, therefore, null and void. The charter of the Eclectic College of Pennsylvania was passed in 1850, and that of the Philadelphia University of Medicine and Surgery in 1853. This fact they knew as is shown by their report, and is it not to be presumed for a moment, they did not know they had no power to repeal them? When the motion was before the House, Mr. Billingsfelt, who had been kept in the dark, and was only added to the Committee to give it respectability, arose and stated they had better wait and see whether they had power to repeal, to which Mr. Randall replied, "Repeal first, then see afterwards," upon which it was put through both houses in less than five minutes. Governor Geary then sent me word to come at once to Harrisburg. When there, he made a proposition to veto the bill, providing I would consent to the fixing up of the Evans case after his plan, which I refused to do, stating at the same time, that he must sign the bill and annex his seal to the infamous conspiracy which he and others had plotted for my ruin.

The only College charter they could repeal, was that of the American University of Philadelphia, which was granted after the Amendment of the Constitution in 1855, it being passed in 1867. Of this institution they had the following witnesses, who testified they had diplomas from it;—Dr. John A. Hall, (colored) W. H. Myers, A. R. McCarthy, John W. Stevenson, John B. Nicholson and W. W. Brown. Dr. Bissell testified that he was selling diplomas, but never sold but one, and that was from the University of Pennsylvania; Dr. H. W. Lobb, that he bought one from the American University of Philadel-

phia on Pine Street; J. P. Campbell, a (colored preacher) swore he had a diploma of LL. D., from Buchanan's College; David Barlow testified that he had bought one from the American University of Philadelphia; Joseph Morang swore that he had one too; besides the members of the Faculty admitted that they had furnished them diplomas. Prof. Leidy, presented several letters from Europe, and from parties, stating they had diplomas from that institution. In fact, the parties claimed no secrecy in the matter, but boldly asserted that the American University of Philadelphia was chartered for the purpose of granting diplomas, and they intended to continue to do so; besides, Dr. Buchanan stated that he had paid to the members of the Legislature seven hundred and fifty dollars, (\$750) with an agreement that they should not interfere with the *American University of Philadelphia Charter*, as that was the Charter under which he was operating, though he did not care for the *Eclectic Charter*. The conspirators claimed that they must include the *Eclectic* in order to kill Paine and the Philadelphia University of Medicine and Surgery, or they could not make the people believe their story, and thus the object of the whole thing would be defeated.

It will be noticed that they understood perfectly well that they could neither repeal, nor affect the validity of the charters of either the Philadelphia University of Medicine and Surgery, nor the Eclectic Medical College of Pennsylvania, though they had the power to repeal the charter of the American University of Philadelphia. Hence, they did not wish to include it, because they could all the more readily, accomplish their design without it, for if they did not mention the name, the masses of the people would believe that the diplomas issued by the bogus American University of Philadelphia were from the Philadelphia University of Medicine and Surgery, with which Dr. Paine was connected; and this, in connection with the horrible things they could say in the papers about diplomas, would so prejudice the people and the profession against Dr. Paine, that all he might say, write, or do, would not be believed, and thus, all the secrets they had imprudently and from necessity confided in him, could not affect their elections.

The game was well played, and proved very successful; so much so, that J. F. Hartranft was nominated for Governor without much opposition, and Allen, an old confederate, for Auditor General. By an act of the Legislature, Mackey was continued State Treasurer. Paine and Evans were the only ones outside who knew the secrets. Paine was killed, so far as his influence was concerned, for every paper in the land had either been purchased to herald his diploma traffic, or had ignorantly lent their columns to the circulation of their slanders. But Evans was in the way. To appease him, and to put him out of the way, he was paid a large sum of money to absent himself until after the election. His head was shaved, and he was taken to a Woman's Hospital, out of New York, and passed off as a female, with female attendants. Detectives, doctors, and a host of politicians were placed as sentinels to guard his presence. Notwithstanding this, some of the facts were brought to light by the *New York Sun*, and a few other independent newspapers.



When the diploma scare was partially over, and the opponents to the political ring were becoming bolder, to divert my attention, they pretended once more to have George O. Evans tried, and they made a demand upon me to produce my man. This was the first intimation I had of his absence. On looking for him, he was not to be found. I was informed that unless he was brought forward, they would call up the case, and the bail would be forfeited. As this would come down on me, as stated by the *Evening Bulletin*, like a sledge-hammer, I employed detectives and others; telegraphed and wrote, until in various ways, I spent more than five thousand dollars (\$5000) in an attempt to find my man Evans; but he could not be found. The case was to come up in three days more. They had previously informed me of what they intended to do. What to do, I did not know. I had spent six weeks, and all the money at my command—had employed hosts of detectives, and all to no purpose.

I finally concluded to take a bold stand, and went to the Governor, stating to him, that as they had secreted my man in such a way that I could not find him, I should employ my counsel, and try the case in his absence, and was then prepared to summon and put on the stand every man connected with the War Claim Fraud. When he saw I was determined to do so though the heavens should fall, he proposed to compromise by having the case adjourned. I accepted the proposition, and the case was put over.

During his concealment, C. T. Yerkes, Jr., was pardoned out of prison, and made a statement that I had misrepresented Hartranft & Co., and that they were honest men. This convict's testimonial of the good character of our present Governor and State Treasurer had great influence, and was posted up in all the cities and towns in the State on immense hand-bills, and was also telegraphed to all the papers, many of them coming out with double-leaded editorials of a favorable character.

This ended the bogus diploma excitement, and the Evans' case was tried according to a special agreement between the parties.

The year following, Mackey was to be re-elected State Treasurer. The Governor, State Treasurer, and Auditor General are the Commissioners of the State funds, and the future safety of all previous transactions was in making Mackey's re-election sure. Paine was not dead yet, and for fear something else might turn up, the City Solicitor, Mr. Collis was induced to call attention of the Mayor to the fact that he had learned that diplomas were still sold. His Honor, the Mayor, was thus lead to send a message to the Council, to ask the Attorney General to issue a quo warranto against those diploma venders. The *Bulletin*, *Inquirer*, and other *Ring* papers of Philadelphia, and the papers of Pittsburg immediately sounded the alarm of war, "Bogus Diplomas from Paine's College." We concluded this game was played out, and immediately commenced prosecutions against them for libel; whereupon, after Mackey's election, they apologized, stating that they were mistaken—that it was the American University of Philadelphia. How thin the whole thing is! Is there any one, who would suppose for a moment, that the Attorney General would not attend to his duty if his attention was called to it, without all this long maneuvering of Council, Mayor, and City Solicitor? But that would

not have been noticed in all the papers, nor could they in that way cast any odium upon Dr. Paine, to rub off by an apology after election, or rather counting, was over, that they were mistaken. We do not suppose any one is so foolish as to believe one of them was ever elected. They knew their quo warranto was bogus; and they never desired to desert their friends of the American University of Philadelphia. If they had, they would have repealed their charter, when, in spite of all their efforts to the contrary, they had overwhelming proof that they were carrying on an immense traffic in these certificates. A diploma is nothing more than a certificate of what a man thinks, and may be given by one individual or more, and as well by a non-corporated school, as by one that is, and is only valuable according to the influence and character of the individual or individuals who give it. The charter of a college or school is for the purpose of enabling the trustees to hold in trust the property of the school without being individually liable, and such a thing as a *bogus diploma* or certificate is impossible, unless it is a forgery; and in nearly all parts of the United States a man can practice medicine as well without one as with. In some cities they require one of these certificates from some medical school, in order to collect the fees; but it makes no difference whether the school is chartered or not. These facts were known to the Legislators of this diploma conspiracy against myself and the Philadelphia University of Medicine and Surgery, and were it not for my knowledge of the *successful frauds*, these political *Rings* are perpetrating upon an honest people, I could not believe a single sane individual could have read their proceedings without observing their transparent conspiracy.

And now in ending this statement, I would mention that the long concealment of Evans, and my apparent indifference led them to suppose that they could perform the last act of the drama with entire success. This was to bring Mr. Evans up for trial, imposing upon him the entire responsibility of so much of the frauds as had become public, then allow him to slip away, and forfeit the bail. Having received this intelligence from what I believed to be reliable sources, I laid my plans for his capture. Thus, while they supposed they had completely thrown me off from my guard by their legal manipulations; and while they were in the very act of consummating their last effort for my destruction, I captured their man, delivered him to the Sheriff, and demanded an *exoneratum* from the bail. Like a firebrand in a powder-magazine they have their scape-goat upon their own hands, and I am entirely relieved from any further responsibility. The Supreme Court having decided all their legislation illegal, the University charter stands unimpaired, and the only injury sustained by myself and the institution, consists in extensively circulated falsehoods; nearly two years loss of time; the loss of a large amount of money and labor; the comparative arrest of the sales of my numerous publications, for all of which I never received one penny in money or in any other way, and my only motive being to help a friend in trouble.

W. PAINE, M. D., 232 North Ninth St., Phila., Pa

Where he is again engaged in the Practice of Medicine and Surgery.

Office Hours, from 10 A. M., to 4 P. M.



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