

A REMINISCENCE OF EARLY SCENES

And Incidents in the Administration of the Criminal Law of Cass County.

BY JUDGE CHAPMAN.

EDITORIAL:

As the spirit of mob law seems to assert itself at the present time, like an epidemic, and, as the attention of the public is rapidly concentrating upon that phenomena of lawlessness, which prevails throughout the country; wherein, may we hope, lies the certain remedy for this evil? The public are investigating, in good time, the remedy will be suggested and applied.

It will be hard to eradicate the prejudices built up by centuries of education; especially, racial prejudices. These prejudices are handed down to us, as an inheritance, from the institutions of human slavery, which flourished so long on this continent.

The prejudice which exists in the minds of the people of this country against the black man, does not obtain against any other race that come to our shores and mingle with us, however low its order of intelligence.

The fact that these people were bondsmen at one time, and by law, custom and usage adjudged inferior to the white man, still has its influence in the minds of the people.

I am not, however, writing this article for the purpose of discussing the racial issue.

The Danville tragedy in Illinois the other day, recalls to my mind an instance of the administration of criminal law in Cass county some thirty-three years ago, when I was a young man; and, I cite it, as an evidence of official nerve and integrity upon the part of one of our best citizens; and also to illustrate what the sheriff at Danville, demonstrated to the public, by honestly and courageously defending the prisoners in his charge.

The Illinois sheriff, with a high sense of the duties and responsibilities of his office, informed the mob that he would protect the prisoner in his charge, regardless of results to himself or those seeking to take the law into their own hands. His exercise of courage and good judgment in defending that prisoner meets the approval of law-abiding citizens everywhere, and shows very clearly that much of the murder and lawlessness occurring almost daily throughout the country, would be averted, if those entrusted with the custody of prisoners and administration of the law, were fearless in the discharge of their duties.

About thirty-three years ago, Joseph W. Johnson, sheriff of Cass county, had in his charge some four or five horse thieves, who were probably guilty of the charge against them. As I recollect, their names were Walker, Vincen, Harris, Young, and one other party whose name I do not now recall. One of them, Vincen, was a noted criminal from the state of Iowa, who had escaped from the officers of Des Moines county, as I recollect, after conviction, and for whom requisition papers had issued, returning him to that state.

O. P. Mason, then judge of the First district of Nebraska, was called to this city to hear the habeas corpus application for the release of some of these men, Vincen and Harris being among the number. As I recollect the proceedings, Harris was released; the balance of the prisoners being held.

During this hearing Sheriff Johnson became apprised of the fact that an organization existed in this immediate community for the purpose of lynching the prisoners in his hands.

Court adjourned late in the afternoon. It was held in the old brick court house, fronting upon Main street, immediately in front of the east half of the present court house. Access to this building was by means of a narrow stairway at its north end, just wide enough for two men to ascend abreast, the court room being on the second floor. Upon adjournment of court, Sheriff Johnson, having taken in the situation and understanding the desperate character of some of the men who were engineering the vigilants, quietly held his prisoners, causing the court room to be cleared in advance of returning them to the jail. He had, with rare judgment, selected and sworn in as his deputies some half dozen of the most resolute men in the county; among them being the Hon. Joseph Gilmore, J. W. Carruthers, William L. Wells, Samuel Ford, James Mitchell and one other, whose name I cannot recall. Among these men were members of Johnson's old company in the Nebraska First—men he could rely upon in any emergency.

With guns and navy revolvers, this guard was instructed to defend the prisoners while there was a man living. Sheriff Johnson, at the same time, took the precaution to inform the leaders of the mob that he proposed to protect his prisoners at any and all cost. Contrary to the expectation of the vigilants, the sheriff decided to keep the prisoners in the court room during the night. Shortly after dark there was at least two hundred men on Main street, in front of the court house, when Sheriff Johnson quietly came down the stairs, walked among the crowd, resolutely

ROYAL BAKING POWDER

ABSOLUTELY PURE
Makes the food more delicious and wholesome

informing the leaders that the prisoners would be protected at any cost. A certain blacksmith from the town, village of Weeping Water, was immediately in front of the court house, and seemed to be put forward as one of the leaders and orators of the crowd demanding the prisoners.

He had a rope in his possession, and was swearing eternal vengeance on the horse thieves, and those defending them. Sheriff Johnson walked up to him, quietly put his hand upon his shoulder, and informed him that he was under arrest and must go to jail. For a moment there was an ominous lull among the noisy friends of the blacksmith, who were listening to him, and vowing with him that the prisoners must be hung.

The blacksmith's nerve deserted him, and he began to inquire of the officer why he arrested him. Sheriff Johnson informed him that he was engaged in a lawless proceeding to seize prisoners lawfully in his custody, and that he must go to jail at once, calling upon one or two prominent citizens present, and who were supposed to be in full sympathy with the mob, to assist him in preserving the peace.

The leader's thirst for blood, in the presence of the resolute officer, melted rapidly away, and he promised them, and there, if he was released, he would immediately get in his wagon and drive home.

Placing this man in charge of ex-Sheriff Taylor, Sheriff Johnson then turned his attention to the balance of the crowd in the street, and inside of an hour from that time the angry crowd of men, many of whom participated in the early lynchings in Nebraska, had melted away and disappeared.

Among the men present advocating the lynching of these horse thieves, were a number of the most determined and courageous men, then in Cass county. It was simply an instance of the cool nerve and courage of an officer, backed by the authority of his office, whom the leaders of the mob knew would perform his duty at the cost of his life, which prevented a bloody tragedy that evening upon the public streets of Plattsmouth.

The question was asked Sheriff Johnson that evening, by one of the leaders of the organization, "Would you kill a good citizen in defense of a horse thief, in order to retain the custody of the criminal?" His reply was: "These men are lawfully in my custody, and I do not propose any mob or organization shall take them from me; as a sworn officer, I propose to hold them in my custody, no matter what it costs, and I will certainly shoot any man attempting to come up these stairs to take these men from my custody. Let this be distinctly understood—I mean exactly what I say."

There were the prisoners in sight; the little old ramshackle court house; the resolute sheriff, with his resolute posse; and the angry, excited organization of blood-thirsty men, demanding the lives of the prisoners. The resolute officer, clothed with the authority of law, known to be a fearless and brave man, was supreme in the crisis; and a stain upon the reputation of the community was averted.

As a mere spectator, I was profoundly impressed with the power a brave man, clothed with the authority of law, could wield in the face of a mob, bent on committing an unlawful act.

Foiled the Old Folks.

When young people make up their minds to marry, it is just as well for the parents to give their consent, for they will do it, consent or no consent. Here is another illustration of this fact: Joseph Sherfy and Miss Tressie Carr, both of Avoca, desiring to unite in the holy bonds of wedlock, on Sunday night, July 26, boarded the train and went to Omaha where the work was done. The young lady is not yet "sweet sixteen," and her parents refused to give their consent, hence the elopement. "Where there is a will there's a way," to do all things, and matrimony is no exception to the rule. It is always best for parents to try to convince the daughter that she is not pursuing the proper course, and then if they see she is determined to marry irrespective of their wishes, then the proper way to do is to "give in" if the young man is at all worthy of her, and let them marry at home.

Sick Headache?

Food doesn't digest well? Appetite poor? Bowels constipated? Tongue coated? It's your liver! Ayer's Pills are liver pills; they cure dyspepsia, biliousness.

25c. All druggists.
Want your mustache or beard a beautiful brown or rich black? Then use BUCKINGHAM'S DYE for the Hair.

The Proper Hint.

While property owners should see that the cellars of their buildings are thoroughly cleaned of all rubbish during the present season without such hints, the following suggestions from Dr. J. H. Hall, secretary of the board of health, may prove beneficial: "The board of health desires to call the attention of property owners and tenants on Main street, who are maintaining unclean cellars and area ways, to the advisability of their catching the spirit of cleaning up from their more progressive neighbor, who shows his admirable enterprise by removing molding and rotting debris from his premises. In neglecting this matter you not only endanger your own health but put in jeopardy the health of others. The obnoxious odors that are wafted up the hatchways of some of these cellars is fairly stifling. Take a hint and remove old boxes, straw, paper, rejected vegetables and other rubbish, and save service of notice."

Damage Suit.

Mrs. Anna Searles, through her attorney, last week filed a suit in the district court against the City of Plattsmouth, asking damages to the extent of \$1,000, for injuries alleged to have been sustained by reason of a defective sidewalk. Several weeks after the accident occurred a claim for that amount was placed before the city council, but they refused to award her any damages whatever. The fact of the business is that a law should be enacted to make property owners directly responsible for the condition of their walks. When this is done the walks in all towns, cities and villages will be kept in a decidedly better shape, and such a law would take considerable responsibility off of the shoulders of the city council.

To Raise the Toll.

The Nebraska Telephone company is said to be planning to put in long distance 'phones and a metallic circuit in the business portion of Plattsmouth, and the business men notified that the change will take effect about the first of September. It is also stated that the rates for these 'phones will be advanced to 83 per month. O. H. Tracy, a special agent for the company, was in the city last week and made these plans public, who at the same time contended that for the past five years the Nebraska company have been losing money here. It is also understood that no change will be made in the rates for residence 'phones.

A Pleasant Trip.

Otto Wurl returned on Saturday afternoon from a trip to various points of note. He left Plattsmouth about one month ago, and from his appearance one would naturally suppose that he had been enjoying himself pretty well. During his absence he visited Chicago, Detroit, the famous Put-In-Bay, Milwaukee, Mova and Horicon, Wis., the latter being the home of his birth, where he spent three or four days. Horicon is made famous on account of its being a great fishing and hunting section.

At Detroit he attended the Instructors' convention, and had the pleasure of meeting some of the most prominent instructors in physical culture in this country. From Detroit Mr. Wurl went to Put-In-Bay, one of the most famous pleasure resorts in the country. It is situated on one of the lake islands, twenty miles from Sandusky, Ohio, where he spent ten days in attending a special course in various exercises, such as fencing, boxing, swimming, etc., under the instruction of Prof. George Wittich, Director of the Turners' Normal school, at Milwaukee. He then returned to Chicago, where he was most delightfully entertained by members of the Chicago Turngemeinde, one of the greatest turner societies in the world. Among the members he met Julius Strauss, whose name is famous among the leading turners of the United States, and with whom Otto became personally acquainted. From Chicago he went to Milwaukee, and with a number of turners from the latter place, attended a district turnfest at Mova, Wis., where he had the honor of being selected as one of the judges in various contests. Mr. Wurl says he enjoyed his outing hugely. What he learned on this trip the Plattsmouth society will be that much more benefited.

M. P. Rates to Union.

On account of the old settlers' reunion at Union on Friday and Saturday, August 7 and 8, the M. P. will sell round trip tickets for 60 cents. A special coach will be attached to the morning freight going down and side-tracked to await the evening passenger returning. Tickets good up to and including the 9th.

Low Rates to California.

The Burlington offers round trip tickets as follows: San Francisco and return, \$45.00; August 1 to 14. Los Angeles and return, \$45.00; August 1 to 14. Ask the ticket agent for particulars.

DEATH OF MRS. KATE SANDEL.

Died at Her Home in Lead, South Dakota, July 30, 1903.

A telegram reached the mother of the deceased, in this city, on Thursday evening conveying the sad intelligence that her daughter, Mrs. Kate Sandel nee Hempel, was dead, and that the remains would be brought to this city for interment.

When the sad news reached the home of the mother, both Mrs. Hempel and daughter, Teresa, were almost prostrated with grief.

Miss Kate Hempel went to Lead and engaged in the millinery business some time previous to her marriage with Mr. Clarence A. Sandel, which occurred on the 21st day February, 1900. Her death was caused in giving birth to a babe, which was alive, but its little spirit was of but short duration, for as the spirit of the mother passed away, and was placed beside its mother in the casket. Sad, though it be, yet what a pretty picture to behold! The mother lying there, cold in death, with her dead babe by her side, both sleeping that beautiful sleep of peace and happiness that knows no waking. Oh, what a happy event will the resurrection morn be to this young mother!

The remains arrived in Plattsmouth on Saturday evening, and were taken to the home of the bereaved mother and sister, where they lay in state until Sunday afternoon. The bereaved husband was accompanied on his sad mission by his sister, Mrs. G. W. Dorrance.

The funeral occurred from St. John's Catholic church at 3 o'clock Sunday afternoon, the services being conducted by Rev. Father Bernard. The church was crowded to suffocation with those desiring to pay their last sad rites to a noble woman, and one who had grown from infancy to womanhood among them. The floral tributes were very numerous, and the casket was completely covered with wreaths of the beautiful flowers—tokens of love and friendship. The pathetic words that were spoken by Father Bernard, in commemoration of the deceased, were so impressive as to bedim the eyes of many of those present. The song service was very solemn and appropriate. "Calvary," as sung by Mr. Miller, of Omaha, was executed in a most creditable and impressive manner.

After services at the church the remains were conveyed to the Catholic cemetery, attended by a large concourse of sympathetic friends of the bereaved mother and sisters and brothers, and there consigned to the silent tomb.

The pall-bearers were E. Schulhof, George Tartsch, Franz Ballance, Arthur Helps, Fred Murphy and Patrick Egan.

Mrs. Kate Sandel nee Hempel, would have been 26 years of age on the day she was buried. She was born in this city, where she grew to womanhood, loved and respected by her former associates, and those who have known her from infancy. Besides a husband, she leaves mother, three brothers, Henry, Charles and Benjamin; and three sisters, Mrs. Hewett, of Havelock; Mrs. S. A. Klein, of Superior, Wis., and Miss Teresa Hempel, of this city, besides a large circle of friends to mourn the loss of a dutiful wife, an affectionate and obedient daughter and loving sister, and one most highly respected in the community of her birth.

Found Dead in Yard.

Referring to the sudden death of George W. Adams, an early settler of Cass county, and a prominent citizen of Weeping Water, a special dispatch from that city, says:

"Mr. Adams was born in Crawford county, Pennsylvania, and was sixty-six years old. He came to Cedar county, Iowa, in the spring of 1857, where he married Miss Sabra Gerard in 1858, and in the spring of 1859 came to Cass county, Nebraska, and pre-empted 170 acres of land five miles east of this city, where he resided until 1884 when he moved to Weeping Water and engaged in the grain business with Cyrus Gilbert, in which business he continued until the fall of 1898, when he sold out and retired from active business. He served one term as mayor of this city, and was president of the City National bank from its organization in April 1900, until his death. He was one of the best known and most highly respected citizens of Cass county, and had accumulated a large amount of property, though coming here with nothing but his young wife and the clothes they wore. Five children were born to them, only two of whom are living, namely, Himeses of Gandy, Neb., and Guy G. of Weeping Water.

The deceased was found dead in his yard, and it is supposed his death was due to heart trouble. The funeral occurred on Saturday last at 2 o'clock in the afternoon.

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A Plain Story of Harvest Days.

When the hot, dry days of August are making the fields pulse beat with the life of growing crops; Man's struggle to keep pace with the great upbuilding power of the coming harvest is at times an unequal one. The meadow must be cut; that field plowed under in preparation of a beautiful yield the coming season. The stock needs attention. The creamery, in which he is interested, takes a day here and a day there. A fence has been broken down, and so it goes. Through the long hours, from early sunrise until dusk, the man keeps up the struggle. But Prosperity looks not kindly on tatters

and discomfort. And, if it isn't today, it's tomorrow, that the man puts in the team and goes to market for a hundred and one things to fill the gaps and rents. He doesn't forget that he needs something to cover his hard-working, busy hands. That's a luxury, perhaps, but he earns it. If he wants a large, pliable, serviceable, fifty-cent glove, or a better one made of the best horsehide, or if he has a vision only of a 10 cent "white beaver" (canton flannel) glove or mitten, he knows, or ought to know, that we have the kind he is looking for. Also, we have overalls and jackets.

Leading Clothier....

-MORGAN-

Leading Clothier....

Great Mid-Summer Sale

AT

Wm. Herold & Son's

SURPASSING ANY AND ALL FORMER SALES

We have spent several weeks in gathering together merchandise for this sale, and have secured some extraordinary bargains from overstocked jobbers. The unusually cool spring and summer thus far has left them loaded with summer goods, which they were willing to dispose of at a great sacrifice.

SPECIAL ON LADIES' MUSLIN UNDERWEAR

50 dozen manufacturer's samples of gowns, skirts, drawers, chemise and corset covers bought at 50c on the dollar, and will be sold at retail at same reduction. Similar lot to the ones we had a year ago. We have frequently been asked whether we would get another line this year by those who were purchasers a year ago, and this announcement we are sure will bring our last year's customers back in large numbers.

We Offer

60 pieces 51c challies at 4c yd
50 pieces 71c lawn at 5c yd
30 pieces 15c batiste and dimities at... 74 yd
35 pieces 20c mercerized organies and batiste..... 10c yd

300 ladies' and children's parasols at one-half price.

25 dozen ladies' wrappers, manufacturer's samples, bought at 50c on the dollar, and will be sold at one-half price.

75c wrappers at 38c
\$1.00 wrappers at 50c
\$1.25 wrappers at 63c

25 dozen ladies' corsets, 50c, 75c \$1 and \$1.25 grades, your choice for 29c. Similar to the lot we had a year ago.

75 dozen ladies' knit summer underwear at 50c on the dollar. Similar to the lot we had a year ago.

Shoes

All our remaining stock of men's shoes which we intend to discontinue handling go at less than cost.

Several hundred pair of Ladies' Radcliff, Julia Marlow and Princess Quality shoes, worth \$2.50 and \$3.00, your choice of any for \$1.98.

Hundreds of Ladies' Oxfords at from 20 to 33 1/2 per cent discount to reduce stock.

Shoes

Wm. Herold & Son.