

# Murray Department.

PREPARED IN THE INTERESTS OF THE PEOPLE OF MURRAY AND VICINITY ESPECIALLY FOR THE JOURNAL READERS.

[If any of the readers of the Journal know of a social event or an item of interest in this vicinity and will mail same to this office it will appear under this heading. We want all items of interest.—Editor Journal.]

## A Check Account Prevents the Loss of Money by Theft, Carelessness or Accident.

THIS method demands that you keep your money in the bank where we employ every means to make it secure. We are responsible for loss when funds are in our care. We give you safety.

With your money in the bank, you may issue a check against it. Your checks are good only when properly signed, and can be cashed only by the party to whom you gave it, who must endorse it.

This is an absolute safe convenience which the bank furnishes without charge.

## Murray State Bank

W. G. BOEDEKER, Cashier.

Miss Pauline Oldham was in Plattsmouth Monday evening.

Mrs. James Allison was a visitor in Nebraska City Monday.

Miss Margery Walker and Miss Vergie Nye were Plattsmouth visitors Wednesday.

Mrs. Anna Linten and children went to Omaha Monday to visit her sister, Mrs. Augustine.

The Ladies' Aid society of the Christian church met with Mrs. Charles Carroll Wednesday afternoon.

Miss Carrie Allison returned to her work at the bank in Union Monday morning, after spending Sunday with her mother.

Miss Verna Tracy, who has been the guest of Miss Isabel Young since the Fourth, returned to her home in South Omaha Sunday.

Mrs. Sim Upton and Miss Jessie Todd were guests of Mrs. G. H. Gilmore Tuesday afternoon, returning to Union in the evening.

Rex Young, rural route carrier, will appreciate it as a favor if all those who find mule shoes that belong to his team that have been lost will return them to him.

Miss Margerite Walker entertained today in honor of Miss Vergie Nye of Washington. A very enjoyable afternoon was spent at the Walker home. All voted Miss Walker a fine entertainer.

R. Minford's new barn, one mile east of town, is rapidly nearing completion. W. H. Hamilton is doing the work, and it will be one of the most substantial barns in Cass county when completed.

W. H. Scott of Valley Falls is here visiting his brother, W. A. Scott, the gentlemanly agent of the Missouri Pacific. W. H. was night man at the M. P. depot in Plattsmouth during the incumbency of Mr. Stoughtenborough.

W. H. McDaniel, who is employed as a telephone operator at South Omaha, is spending a few days with his parents. When he returns he will hereafter be employed in Omaha. We were pleased to take our old friend by the hand.

Ben Jester, an uncle of Frank Moore, died at his home in Danville, Ia., Tuesday evening, July 12, and was buried yesterday at that place. Mr. Moore has more than his share of grief, and it seems a strange coincidence that his brother and uncle should pass away on the same day.

Alex Rhoden, who was kicked on the leg by a mule several weeks since, went to Fremont Wednesday of last week to have his uncle, Dr. R. H. Rhoden, examine the injured limb. He returned home Friday with a treatment from the doctor which he hopes will result in curing him without an operation.

Mrs. Ada Stokes, who has charge of the Plattsmouth Telephone Exchange, has had the room handsomely decorated with new paper and other wise renovated. Mrs. Stokes is very popular with the patrons of the telephone company here, and deserves praise for efforts to please. Withal, she is an excellent lady.

The people of Murray are at a terrible disadvantage by there being no

telephone but at the depot. The business section of the town is quite a distance from the depot, and if the merchants are looking for goods or desire to find out about trains, whether they are on time or not, they have to go to the depot to find out. The citizens should petition the company to put in a phone. They owe it to their patrons to do this.

Mrs. Lee Ferris has been on the sick list, but is much better at present.

Joseph Lindsey, southwest of Union, is quite sick, but nothing serious is apprehended.

The music of the reaper is heard in every direction and most of the wheat crop promises well.

The King's Daughters had a very enjoyable meeting with Miss Ida Boedecker on Wednesday afternoon.

Ex-County Treasurer Wheeler was a Murray visitor Wednesday, and he has the appearance of a real farmer.

Mrs. Kallison, living three miles northwest of town, who has been quite ill for several days, is improving at this writing.

Howard Graves and family returned Tuesday from a visit with relatives and friends at Glenwood, Ia., Nebraska City and other points.

Glen Boedecker, the genial cashier of the Murray State bank, is improving his handsome residence by putting down concrete walks around the same.

Rev. Lamp, pastor of the Presbyterian church, is taking a three weeks' rest. In consequence of which Rev. Wallace will preach on Sunday next and the following Sunday.

Mrs. Mont Robb came up from Wyoming Sunday and remained as the guest of Mr. and Mrs. J. W. Holmes until after the funeral of the late William Loughridge, Tuesday.

Dr. B. F. Brendel accompanied Mrs. Herman Beck to Omaha Wednesday evening, where she will be examined for a complaint which somewhat baffles her relatives and friends.

Mrs. Ellis Daniel came up from Oklahoma Monday for a brief visit with her sister, Mrs. Crede Harris. She reports all Cass county people in the county where she lives as getting along nicely, and crop prospects are the best.

Harry Baxter is rejoicing over the advent of a new boy baby at his home, which weighs eight and a half pounds. He put in his appearance on Friday, July 9, and it is said Harry has been cutting up all sorts of diodes since the little stranger came to gladden his home. Mother and son doing well, and it is thought the father will recover in a few days.

A letter from C. S. Stone informs us that on July 10, 1909, he took active charge of the Delaware State bank, located in the great Delaware oily belt of Oklahoma. The Journal as well as the many friends of Mr. Stone in Cass county are pleased to note that he is prospering. Charley was cashier of the Murray State bank for several years, and during his incumbency he made many friends by his courteous treatment of patrons. We all extend our best wishes for his prosperity in his new location.

We regret to learn that our old friend, Uncle Billy Wiley, one of the very early pioneers of Cass county, is very poorly. He is about 83 or 84 years of age, and came to Cass county in the early 50's. The Journal hopes for the speedy recovery of our old friend.

### Died in Washington.

The sad intelligence of the death of Lewis Moore reached Murray today. His death occurred at Stephenson, Wash., on Tuesday, July 13, and the funeral occurred yesterday. The deceased was a son of Frank Moore, and was reared to manhood in Cass county. He removed to Washington several years ago, and his death will be regretted by those who knew him so well in his early boyhood days, and later. A further notice of his death will be given later.

### A Narrow Escape.

Charles Swan, son of Winfield Swan, living five miles southeast of Murray, met with a serious accident last Friday while riding one of the lead horses to a self-binder. The horses became frightened and in some manner he was thrown to the ground, the horses and sickle passing over him. As he lay on the ground and saw the sickle with its sharp guards coming at him he dodged down in time to prevent being headed. One of the sharp guards caught in his hip and tore it open. Medical aid was summoned as soon as possible, and at this writing Charley is practically out of danger.

### Narrow Escape From Injury.

Last Tuesday as a party composed of John Edmunds, Rev. Lamp, F. M. Young, Sr., and Mrs. Edmunds, were returning from Plattsmouth, where they had accompanied the remains of the late William Loughridge, they came very near meeting with a disastrous accident. Mr. Edmunds was driving, and the four were seated in a carriage, and in some manner one of the front wheels ran into a rut as it did so Mr. Edmunds gave the horses a stroke with the lines. At this the horses plunged forward and as they did so they broke loose from the vehicle and ran away. It was very lucky they did, for if they had carried the vehicle farther it would have no doubt proved serious for the occupants. As it was, they were simply left in the big road to await assistance, with no damages done except broken tugs. Lloyd Gopen as assisted the party home and they all feel very thankful to Mr. Gopen. The horses ran a short distance and were stopped. The team belonged to Don Rhoden, but they are not to blame for the accident.

### Maple Grove.

Harvest has begun with full force in this community.

R. A. Young shipped a car load of hogs to East Omaha last week.

Quite a few of this section attended the barn dance at P. A. Hild's Saturday night.

Mr. and Mrs. Herman Gansenor of near Plattsmouth were callers in our city Sunday.

Mrs. Louis Puls spent Sunday at the home of Mr. and Mrs. Adam Hild.

Searle Davis of Lincoln was a Maple Grove caller Monday.

Mrs. W. H. Puls made a business trip to Murray Tuesday.

The little daughter of Mr. and Mrs. R. C. Bailey gave a birthday party to her schoolmates Tuesday afternoon. Ice cream and cake were served and all enjoyed a good time.

### To Head of Horses for Sale.

The undersigned has 20 head of good young horses to dispose of at private sale, in any number desired. They are large-boned, in good shape, and none of the branco order. They can be found at my place, six miles southeast of Murray. Come and see them for yourselves. Prices reasonable.

Frank Vallery,

### Sheriff's Sale.

BY VIRTUE OF AN ORDER OF SALE, issued by James Robertson, clerk of the District Court within and for Cass county, Nebraska, and to me directed, I will on the

24th Day of July, A. D., 1909

at ten o'clock a. m., of said day at the south door of the court house, in said county, sell at public auction to the highest bidder for cash, the following real estate to-wit: Lot No. fourteen, (14) in block four (4) in the village of Murray, Cass county, Nebraska. The same being levied upon and taken as the property of Lella F. Queen and Albert Queen, defendants, to satisfy a judgment of said court recovered by Peter Campbell, administrator of the estate of Thomas L. Campbell, deceased plaintiff, against said defendants. Plattsmouth, Nebraska, June 18th, A. D., 1909. C. D. QUINTON, Sheriff Cass County, Nebraska.

### Funeral of William Loughridge.

In Monday's issue of the Journal announcement was duly made of the death at Murray of William Loughridge, long a prominent resident of Cass county, and a citizen highly respected by all. Mr. Loughridge had been afflicted with valvular disease of the heart for some six months, and his death was not unexpected by his relatives and friends. During the long period of illness and suffering he was very patient and to the end retained his courage and his faith.

The funeral which was held on Tuesday, July 13, from his home in Murray, was the occasion for a large outpouring of old-time friends anxious to pay a last token of respect for one whom they had known for so many years, and whom they had so beloved. In his lifetime deceased had been identified with the Masonic order, belonging to a lodge situated in the east, but this order did not conduct the funeral, as it was the desire of the widow that she be permitted to make the final arrangements for the repose of her life's companion. A great many members of the order from this city and vicinity attended the last rites over deceased and there was a long cortege which escorted the body to its final resting place in beautiful Oak Hill, west of the city.

Deceased is survived by a widow, living at Murray, and two sons, James, the elder, being a prominent citizen of Murray, where he has taken up the business of his father, and Dr. W. K. Loughridge, a prominent citizen and leading physician of Milford, Seward county, Neb.

In their loss of a loving husband and father, those who are left to mourn have the sincere sympathy and condolence of a large circle who feel that in the death of Mr. Loughridge they, too, have sustained the irreparable loss of a good and true friend and the community a Christian citizen.

### Ed. Carr for Sheriff.

Cam N. Seybert came down this morning from his home at Louisville for a visit with his numerous friends in the city and to look after some business matters. Cam is an enthusiast for Ed Carr of Eagle for the Democratic nomination for sheriff and believes that if that gentleman would consent to make the race he would surely defeat Sheriff Quinton. He states that Mr. Carr stands very high throughout the west end and middle sections of the county, and would be a tower of strength to the ticket. Mr. Seybert deprecates the talk of himself for this office and states that his choice is Mr. Carr. However, he feels very confident that the man whom the Democrats nominate, whether it be Carr or some one else, will be elected, as the people of the county are tired of the present administration of the sheriff's office. He considers the outlook for the entire ticket of the Democrats is unusually good this fall. Mr. Seybert reports Louisville as booming and is a genuine Louisville boomer. He returned home this afternoon on the Schuyler train.

### Hambletonian Horse for Sale.

A thoroughbred Hambletonian Kentucky Whip horse for sale. Has been tracked for about two weeks, and has made 2:28, after a few days of tracking. A picture and pedigree of this horse may be seen at the Journal office, and should you desire to see the animal and test his speed you may do so by calling at the J. R. Vallery farm near Mynard. Call on James Sage, in the city of Plattsmouth, and he will drive you to the Vallery farm.

6-28-4t L. C. W. Murray.

### Buggies! Buggies!

I have several new up-to-date buggies that I want to sell right away, and I am going to cut the prices to bed rock, in order to do so. Come quick, while you can get one of these fine buggies at almost cost. I mean just what I say.

John H. Cook,  
Murray, Neb.

### For Sale.

A good, well improved seventy acre farm, five miles southeast of Murray. For particulars see James Chalfant.

### Alfalfa Seed.

I have a number of bushels of alfalfa seed for sale. Anyone wishing same will find it at my farm.

Z. W. Shrader.

## JUDGE H. D. TRAVIS FILES FINDINGS

### In Miller vs. Worth Case He Decides for the Former on Law and Facts

Several days since the Journal noted the decision of Judge Travis in the case of Miller vs. Worth, in which he set aside a deed to certain property in Murray and vicinity and at that time it was announced an effort would be made to print as nearly as might be, the finding of the court. The case has attracted a great deal of interest throughout the county and is one of unusual interest. Byron Clark appearing as counsel for the plaintiff who won the case while Matthew Gering represented the defendant.

Judge Travis in deciding the case laid down several conclusions of law which are of much importance and interest. One of these is that in an action to set aside a deed on the ground of undue influence, where a confidential relation is found to exist from the evidence, the burden of proof falls upon the defendant—in this case of Mrs. Worth—to show that the transaction was a fair one. He also finds that a deed of gift inter vivos, where the donee occupies a confidential relation to the donor, is presumed to be the result of undue influence. But this presumption does not exist in the case of a beneficiary under a will. Finding that Mrs. Miller had three wills of practically the same import he holds the last to be in effect so far as might be, as the deed sued upon in this case is set aside and made void. He also holds that the marriage of Mrs. Young to Miller does not revoke the will except that Miller takes from Mrs. Miller as her husband should he survive her, as provided by the 1907 statute. Judge Travis also found that Mrs. Miller was capable of attending to ordinary business and the case at bar, was one where a stronger mind dominated a weaker although there was some evidence of deceit on the part of Mrs. Worth. That Mrs. Miller had had the advice of disinterested parties in making the deed should have been shown in the case to repel the presumption of undue influence. He also draws a distinction between the undue influence which will avoid a will and that which avoids a deed, holding the former must amount to fraud or coercion while the latter may result from the confidential relation of the parties without fraud. To presume undue influence in setting aside a deed does not presume fraud or coercion or any other act wrong in itself but simply a continuance of the influence attaching to the confidential relation of the parties.

The official finding of the court which comprise the Journal entries in the case are in substance as follows:

That the action was instituted by John Murray, Jr., as the next friend of Mary Miller, an alleged incompetent, on August 4, 1908, and that David J. Pitman has since been appointed as guardian for Mrs. Miller, and had qualified and was acting as such. That prior to November 9,

1905, Mary Miller was the owner of eighty acres of land in Cass county, near Murray, and lots four and five in block 4 of the village of Murray, all of the value of \$7,000; that Louis C. Todd occupies said land as a tenant and the lots in Murray are occupied by Mary Miller and her husband as a home, she having married Chris Miller since November 9, 1905; that Jane Worth is a sister of Mrs. Miller and lives at Pender, Neb.; that Mary Miller was formerly the wife of George W. Young and is 60 years of age, and her children are Euna Murray, Hattie Davis and Ada Young. She also divorced her husband, George W. Young, prior to her marriage with Chris Miller; that she was in poor health and sickly and weak mentally and physically at the time she executed the deed to the property in question to her sister; that she had an illusion that her children by the marriage with George W. Young are unfriendly to her, and do not care for her, but for her property alone, but such delusion is not an insane one, and that on November 9, 1905, her sister, Jane Worth, knew she possessed such delusions and of her mental and physical condition; that on said date Jane Worth, accompanied by an attorney from Tekamah, Neb., came to Murray and secured a deed from her sister to property, in which deed Mrs. Miller retained only a life estate in the property and no consideration passed for said deed; that when said deed was executed said Mary Miller was under the influence and control of said Jane Worth; that James Worth is a woman of strong and dominating will and Mary Miller relied upon her for advice, counsel and sympathy and trusted her in all affairs; that confidential relations existed between the parties; that Hattie Davis did not testify against her mother in the divorce case and that the children are not unfriendly to her; that Mary Miller did not have the benefit of competent and independent advice from any disinterested third party, and while at the time of the execution of the deed she was weak in mind and body, she was capable of attending to ordinary business when not dominated by a mind stronger than her own, and that she was not then and is not now insane; that Chris Miller, her husband, is a poor man and at times works on the M. P. railroad as a section hand; that the conveyance to Jane Worth reserving only a life estate and making a conveyance in fee of the land and the lots was improvident and unjust, and not such an act as a person occupying the relations of Jane Worth to Mary Miller should have permitted her to make.

In addition to the findings set forth in the commencement of this article, the court finds as a matter of law that the deed should be set aside because of undue influence exercised by the defendant over the grantor in the transaction.

It is almost certain that the case will be appealed to the supreme court for final adjudication.

### Storm at Greenwood.

A special from Greenwood under date of July 14, says:—The growing crops and nearly all the fruit is believed to have been destroyed in a large territory northwest and southeast of here by a severe hail storm this evening. The hail stones were larger and did more damage than the destructive hail storm that visited this community about two years ago. A wind accompanied the storm, but did no serious damage. The hail storm approached Greenwood from the northwest and lasted for several minutes. Some of the hail stones were exceedingly large and many window panes were broken.

The oats and corn crop suffered most. Farmers said tonight that the crops were completely destroyed.

Most of the wheat crop was in the shock and was not badly damaged. Fruit trees suffered greatly. Nearly all the apple trees in the path of the storm were stripped of their fruit.

Telephone lines were put out of commission and reports from outlying districts, visited by the storm were meager.

The storm mentioned above was very extensive over the northwest part of this county, running as far east as South Bend, and destroying property of immense value. So far as heard from no fatalities resulted. The wheat which was uncut in the fields is in bad shape and will be almost a total loss, while growing corn suffered very severely. The storm also extended into Saunders and Sarpy counties and did much damage there.

## Weak Throat—Weak Lungs

Cold after cold; cough after cough! Troubled with this taking-cold habit? Better break it up. We have great confidence in Ayer's Cherry Pectoral for this work. No medicine like it for weak throats and weak lungs. Ask your doctor for his opinion. He knows all about it. His approval is valuable. Follow his advice at all times. No alcohol in this cough medicine. J.C. Ayer Co., Lowell, Mass.

Always keep a good laxative in the house. Take a dose when your cold first comes on. What is the best laxative for this? Ayer's Pills. Ask your doctor his opinion. Let him decide.