

## MAN AND TEAM KILLED

Struck by Northwestern Stock Train at Depot Crossing.

### WM. McDERMOTT MEETS SAD END

Started Home From Town When Run Down While Attempting to Cross Railroad Crossing.

Last Saturday evening while returning home from this city after having delivered a load of baled hay the team driven by William McDermott was struck by a special stock train on the Chicago and Northwestern railroad, on the main crossing on said track just east of the depot. The team was instantly killed, the wagon and most of the hay rack reduced to kindling wood and Mr. McDermott thrown sixty feet from the crossing, rendering him unconscious, in which condition he remained until he passed away at 2 o'clock Sunday morning.

The deceased had been hauling hay in company with John Sullivan and started for home—the old Sam Howard place just south of the Elkhorn—about 7:20. Going south it is almost impossible to see a train on the Northwestern coming from the west, when you get within three hundred feet of the depot. When the deceased reached the track on the north switch he passed Henry Madison, who had just crossed the track, going north, and the supposition is that Mr. McDermott never seen the train until it hit the wagon. The engine hit the wagon at or just behind the front wheels and threw it and the horses about forty feet, the driver being thrown about twenty feet further. The stock train was brought to a standstill as soon as possible after the accident, but before it could be brought to a standstill the entire train had passed the crossing, the caboose of the train standing, after it had come to a standstill, about a car length east of the crossing. As soon as possible after the accident medical aid was summoned and the young man removed to the residence of John Howard, just south of the depot where he passed away at 2 o'clock without regaining consciousness.

A coroner's jury was empaneled by Coroner Wilson Sunday morning and after viewing the remains the jury adjourned until nine o'clock Monday morning, pending the arrival of the train crew from Norfolk. About 9:30 Monday morning the taking of testimony in the inquest was commenced at the court house. The following employees of the railroad company were present and testified: George O Rankin of Norfolk, engineer, Chas. Weherer of Norfolk, conductor, Sherwood Wood of Norfolk, fireman, George Davis of Norfolk, head brakeman, L. R. Sheehan of Norfolk, rear brakeman and Tim Ryan of this city night operator. The main points sought to be brought out at the inquest were: Whether the train was exceeding the state speed limit of eight miles per hour, and whether they gave the necessary warning whistle before reaching the railroad crossing. The evidence of the railroad employes, while differing in some minor points, was practically the same on the main questions at issue. They testified that the speed of the train at the time of the accident did not exceed eight miles per hour and the majority of them testified that the whistle sounded fifteen times between the whistling post one mile west of town and the depot crossing. John Sullivan, who was just behind the young man who was killed, testified that he heard the train give one short whistle and to the best of his knowledge the train was then a half mile out from the depot. He testified further that to the best of his knowledge the train was going at least twenty miles an hour. R. H. Madison, who was within forty feet of the track when the train struck the wagon, testified that he heard two short toots of the whistle probably when the train was a quarter of a mile west of the depot. He could not gage the speed of the train but said it was going very fast, much faster in his opinion than ten miles an hour. J. A. Shoemaker, who was another witness to the accident, was the last witness before the coroner's jury. He testified that he heard no warning whistle from the engine and to the best of his knowledge the train was going at a greater rate of speed than twenty miles an hour.

After the taking of the testimony was completed the jury retired and shortly returned the following verdict: State of Nebraska, County of Holt, ss. At an inquisition holden at O'Neill, in Holt county, on the 27th day of September, A. D. 1909, before me E. T. Wilson, coroner of said Holt

county, upon the body of William J. McDermott lying dead, by the jurors whose names are hereto subscribed, the said jurors upon their oath, do say: That the said Wm. McDermott met his death on the 25th day of September, 1909, at about 7:30 p. m. by being struck or hit by an east bound engine pulling a train of stock cars owned by the Chicago and Northwestern railroad on the main crossing near the depot on Fourth street, in the city of O'Neill, state of Nebraska, and we further find that the Chicago and Northwestern railroad company and crew on said train are responsible for the death of William McDermott.

In testimony whereof, the said jurors have hereunto set their hands the day and year aforesaid:

- G. M. Berry,
- Geo. J. Gibbons,
- L. L. Mandeville,
- S. M. Barnard,
- H. J. Hammond,
- Tom Enright,
- Dr. E. T. Wilson, Coroner.

William McDermott was the son of Mr. and Mrs. D. A. McDermott and was born at Dunlap, Iowa, twenty-two years ago last April. Two years ago his father purchased the Sam Howard farm, just south of the Elkhorn, and the family moved here in December, 1907, from Parkston, S. D. Mr. McDermott was a quiet, unassuming young man and was a favorite in the younger circles in which he moved, and his tragic death is a severe blow to his aged parents and the young people with whom he associated. The funeral services were held Wednesday morning from the Catholic church and the funeral was one of the largest seen in O'Neill for several years. The Knights of Columbus, of which organization deceased was a member, attended in a body and marched to the church and from there to the cemetery. The following sisters of the deceased, accompanied by their husbands, attended the funeral: Mr. and Mrs. D. P. McCauley, Mondamin, Iowa, Mr. and Mrs. Earl McConkey, Missoula, Mont., and Mrs. Rose Millard, of Parkston, S. D., and Miss Alice McDermott, of Colorado Springs, Colo. These sisters and his brother James and sister Margaret of this city, besides his aged parents are left to mourn the death of a loving son and brother.

### The Live Stock Market

South Omaha, Neb., Sept. 29.—Special market letter from Standard Live Stock Commission Co.

There are liberal receipts of cattle again this week and the killers are now following the lead downward of the stockers and feeders and are 10 to 15 lower on all but choice beef which is scarce. The demand for stockers and feeders still continues to drag although the good quality and heavy weight ones are selling comparatively high. Butcher stock is 10 to 15 lower than a week ago, while the stockers and feeders are anywhere from 15 to 40 cents lower.

We quote:  
Choice range beef.....\$5.20@5.10  
Others down to.....4.25  
Good range cows and heifers 3.75@4.50  
Choice corn fed beef.....7.00@8.00  
Common to fair.....5.00@6.70  
Corned cows and heifers up to 5.00  
Fair to good.....3.00@4.00  
Canners and cutters.....2.00@3.00  
Veal calves.....4.00@6.75  
Bulls, stags, etc.....2.75@4.75  
Prime feeding steers.....4.25@5.35  
Others down to.....3.00  
Stock heifers.....2.85@3.65

While hog receipts continue light at this point they are increasing at southern points and the tendency now seems to be downward. Bulk \$8.05 to \$8.10, top \$8.20.

The heavy run of sheep has finally had its effect in weakening the feeder trade. Killers broke considerably last week and 10 to 15 cents again this week. Feeders are 10 to 15 lower than high time.

### Wife Cannot Hold Claim.

Acting Commissioner Proudfit of the general land office has handed down a decision in a case sent up from the Rapid City land office, refusing to accept the proof of a claim filed upon by a Sioux City photographer. The decision establishes, in brief, that a man's wife cannot establish residence on a claim. It was brought out in the testimony that his wife had made continuous residence on the claim since August 7, 1907, but that the husband had been absent two or three months at a time, and on one occasion six months. Commissioner Proudfit says: "Residence under homestead laws must be established by the personal act of the entryman. Residence on a homestead must be in person and cannot be in proxy, even by a member of the entryman's family. Residence under the homestead law cannot be established by the acts of another." This decision is only another manifestation of the determination of the

general land office to be more strict in requiring literal compliance with the provisions of the homestead law.

### Obituary.

Died, at his home in this city at 2:45 last Saturday, after an illness of several months of Bright's disease, John A. Zeimer, aged 67 years.

Deceased was born in Germany in 1842 and moved to Holt county in 1884, from Pennsylvania. After his arrival in O'Neill he entered the hotel business in which business he continued for about five years when he moved onto a farm about seven miles northwest of this city. Farm life not proving to his liking he moved to Atkinson where he conducted one of the leading hotels for about ten years, finally disposing of his interests there and moving to O'Neill in the summer of 1902 when he erected the present Merchants hotel which he operated with signal success up to the time of his death.

John Zeimer was a quiet, unassuming lovable man who always attended strictly to business and had a host of friends throughout the county. While not a robust man he had always enjoyed good health until a little over a year ago when he was attacked with a severe cold which finally developed into Bright's disease and although all that medical skill or loving hands could do was done it was unavailing and he passed peacefully away on the above date.

Deceased leaves a loving wife and six children, Mrs. J. J. Kellogg, of Allen, George P., Marsa, Zella, Zella and Joseph of O'Neill to mourn the departure of a loving husband and father.

The funeral services were held at the Catholic church last Monday morning at 8:30 and the remains were taken to Atkinson on the 10 o'clock train for interment, beside three children that preceded him to the great beyond. A large delegation of O'Neill friends accompanied the remains to Atkinson.

### Card of Thanks.

To the many kind friends and neighbors who so kindly assisted us during the sickness and death of our beloved husband and father we desire to express our heartfelt thanks.

Mrs. John A. Zeimer and family.  
Mrs. J. J. Kellogg.

### LOCAL MATTERS

FARM LOANS. See R. H. Parker. 8-9

Up-to-date job printing at The Frontier.

Wanted, at the New Meat Market some good fat cattle. 12-1f

Rheumatic cure for rheumatism at Alberts' harness shop. 12-4p

Highest cash price paid for hides at the New Meat Market. 12-1f

Mr. and Mrs. R. R. Dickson visited friends in Atkinson Tuesday last.

All judges of good cigars are smoking the Lincoln. Why don't you. 14-4

Girl Wanted—\$4 to \$5 a week.

Housework. Mrs. Whelan, O'Neill. Wanted—Girl for housework; \$4 per week for right girl.—Mrs. Cam Tinsley. 10-1f

Wanted—One cook and one all around girl at Dewey hotel. Good wages. 15-2p

The divorce case of Bazelman vs. Bazelman has been dismissed at the request of the plaintiff.

Two cars in of Duggan coal, Rock Springs plenty. Will sell it right; weight on city scale.—Con Keyes.

I. W. Alter, an abstractor of Wayne, Neb., was in the city Monday looking after his business interests in this county.

Mr. and Mrs. O. O. Snyder visited relatives in Sioux City last Sunday and Monday, returning home Monday evening.

Miss Bea McCafferty left last Saturday morning for Winnetoon, Neb., where she will teach school the coming year.

Jack and Jerry Sullivan arrived home Wednesday morning from Butte, Montana, and will visit their mother for several weeks.

C. A. Taylor of Sioux City, Iowa, and Miss Carrie E. Butler of Orchard were granted a marriage license by Judge Malone last Friday.

Ducks are reported quite plentiful in the south country and numerous O'Neill "sports" have been reporting some good kills the past week.

Miss Nellie Foley of Hubbel, Mich., arrived in the city last Friday for a few weeks visit with Miss Julia Cronin and other relatives here.

Mr. and Mrs. John Dwyer returned last week from Butte, Mont., where they had been visiting their children the past year. Mr. Dwyer says that Butte is a nice town but that he was always longing for that "dear O'Neill."

# COOPER AND WINTERMOTE Auctioneers

will have more trouble with the crowd than this North Pole controversy brings; and Mart Ver Steeg, the ranchman, is now wiring me to stop advertising because there won't be feed enough in Chambers to go around. I tell him to remember about the loaves and fishes of bible times and go ahead.

Remember the place and date, 1 m. east of Chambers, Oct. 5 SALE BEGINS AT 10 O'CLOCK SHARP

First—All kinds of new farming implements.  
Sec'd—Chickens, Ducks, Hogs and sundries.  
Third—Ten head of good work Horses and Colts.  
Lunch can be had on the place.

Fourth—70 head Cattle. Some fat; some registered Jersey milkers. Registered Short Horn bull, fine grade Jersey and Short Horn Heifers and Calves.

Fifth—Land Sale Next. We will offer five quarter sections in the order named to the highest bidder; clear deed and abstract given on November 1, 1909, for cash or terms agreed upon, but owner reserves the right to stop sale on land if sale is not satisfactory.

SW 1/4 Sec. 35, Twp. 26, Range 12; SW 1/4 Sec. 21, Twp. 26, Range 12; SE 1/4 School Lease Sec. 16, Twp. 26, Range 12; NW 1/4 (Cement house and Barn) Sec. 21, Twp. 26, range 12.

We do this to get neighbors. Intensive farming is what you need in Nebraska. Every 160 acres should have a family on it. In New York City we have seen people piled up twenty stories high with nothing to live on. Come out and breathe. We don't want your money. We expect to improve one quarter up to 100 per cent and put a herd of registered Gurnsey milkers on it that will give us thick cream to the tune of \$250 per month. Help, if you're with us.

**HUNKYDORY RANCH,**  
Chambers, Nebraska.

J. A. Brennan left for Omaha Tuesday morning where he will take in the Ak-Sar-Ben festivities and visit relatives during the next two weeks.

Arthur Ryan left last week for a couple week's visit at his old home at St. Joseph, Mo. After his return it will probably be necessary to "show him."

F. J. Pratt, deputy oil inspector for this district, and who edit the Humphrey Democrat between times, was in the city in his official capacity Monday.

Mrs. B. H. Jöhning, who has been dangerously ill the past ten days, is somewhat improved and hopes are now entertained for her speedy recovery.

Miss Agnes Fallon left for Omaha Tuesday morning where she has accepted a position as stenographer with one of the leading lawyers in that city.

Mr. and Mrs. John Melvin left Monday morning for Tripp county to take up their residence on the quarter section that Mr. Melvin drew in Uncle Sam's lottery last fall.

Dan D. Harrington went down to Page last Saturday where he will have charge of the Mann & Melvin store during the absence of John Melvin on his homestead in Tripp county.

Mr. and Mrs. J. F. O'Donnell moved into their new home on east Douglas street last week and are now comfortably settled in one of the neatest and most commodious residences in the city.

Rev. T. S. Watson returned Monday evening from Neligh where he had been attending the annual conference of the M. E. church. Rev. Watson has been assigned to O'Neill for the ensuing year.

Mrs. Christina B. Spindler, wife of Augustus Spindler of Meek, died at her home near Meek last Tuesday evening, after a short illness of blood poisoning, at the age of 42 years. The remains will be interred in the Meek cemetery Sunday afternoon.

The "Bazaar of All Nations" entertainment held at the opera house Monday evening by the ladies of the Episcopal church, was a pronounced success socially as well as financially and the

ladies have received many compliments for the attractiveness and merit of the entertainment.

Thomas Davis of Star was in the city last week and had this office turn out sale bills for a sale which will be held at his place three and a half miles northwest of Star postoffice on Tuesday, October 5. Mr. Davis has purchased land in Missouri and expects to move there immediately after his sale.

The accident at the Chicago and Northwestern crossing last Saturday evening which resulted in the death of Mr. McDermott, will probably cause the installation of a crossing watchman at this point. This crossing is very dangerous and the only wonder is that a fatal accident has not occurred there long before this.

Pat O'Malley came up from the south country Monday. Pat says the duck flight has not got started yet although he "broughtdown" five big mallards Monday morning before he started for O'Neill. He says that many of the ponds in the south country have gone dry and that on this account shooting on the lakes and big ponds will be better than ever this fall.

This office is in receipt of a wedding card which announces the coming marriage of Lieut. Charles A. Meals, of the United States army, to Miss Pauline Day of Springfield, Mass., at Springfield on Tuesday, October 12. They will be at home to their many friends at 5 Armory square, Springfield, Mass., after December 1. The many O'Neill friends of Lieutenant Meals wish for himself and bride many years of happiness and prosperity.

H. P. Greeley of Atkinson and M. Y. Greeley were in the city Tuesday making arrangements at this office for printing advertising matter for a dispersion sale of their entire herd of thoroughbred Angus cattle which they will hold at the Greeley farm, sixteen miles north of Atkinson, on Friday, October 15. On that date they will offer their entire herd of 147 head of registered cattle for sale as the boys expect to retire from the cattle business. This will give Holt county cattlemen a splendid opportunity to improve their herds.

The laying of the extension of the water main on east Douglas street was completed last week and the residents of that portion of the city are now able to draw a bucket of water without asking the consent of his neighbor, which was impossible before if the neighbor lived east of you, which gave him a prior claim on the inch pipe that furnished that portion of the city with water.

This office printed sale bills for M. J. Miller of Inman last Saturday. Mr. Miller has disposed of his farm and will offer all of his personal property for sale at his farm seven miles south and two and a half east of this city on Tuesday, October 12. The usual terms of sale will prevail. After his sale Mr. Miller expects to leave for Illinois where he will make his future home.

On complaint of Date H. Selvers William W. Robbins was arrested at Ewing last Friday and brought before Justice McCafferty of this city charged with having made an assault with intent to inflict great bodily injury upon the person of Claus H. Selvers. At request of defendant case was continued until October 4 and he was released upon a \$1000 bond to appear in court upon that date.

The Iowa State National Bank and the First National bank of Sioux City have merged and hereafter the merged bank will be known as the First National bank and is one of the strongest banking institutions in the state of Iowa, having deposits exceeding \$5,500,000. John McHugh, formerly of this city, is head of the new bank and his many O'Neill friends extend congratulations on his gigantic strides in financial circles in the Iowa city.

Mrs. John Hunt was tendered another surprise party last week, this party being given by the ladies of the Degree of Honor who presented her with a beautiful souvenir spoon as a token of remembrance. The evening was pleasantly passed and a delicious lunch served at 11 o'clock. Before leaving for home the ladies wished Mrs. Hunt and children a pleasant and safe journey to their western home, for which place they started on the early Northwestern train this morning.