

A MOST DAST- ARDLY OUTRAGE

John A. Hayes, Son of Pat Hayes, and His Daughter, Shot Down in Montana.

As the outgrowth of a dispute over a claim to unsurveyed land near Culbertson, Montana, a mob shot and killed John A. Hayes, a son of Pat Hayes, the well known Cass county farmer, and his daughter Janet. From the Culbertson Reporter the facts are gleaned. Hayes, who had moved into that section last March, had bought a right to some unsurveyed land from one of his neighbors, and occupied the land in March, despite the claim of one Milo Long, who had formerly occupied the land. Disputes had arisen between them as to who was the real owner and these culminated on Wednesday morning, July 8, when Long and his friends, after notifying Hayes to leave the place within twenty-four hours, on the night before, descended upon them and in the melee killed Hayes and his daughter as above stated.

Hayes had believed he was being bluffed by the notice, but as a measure of protection, he had asked a number of his friends to help him defend the premises. The attack took place about 1:30 Wednesday morning, the attacking party being armed with shot-guns, rifles and pistols and literally perforating

Hayes' house, barn and outbuilding. They had approached to within some 70 yards of the house when Hayes called them to halt and let him know whether they were friends or enemies. They replied with a volley, killing Hayes almost instantly. Mrs. Hayes and her five daughters were in the house which was only a tarred paper building and one of the first shots fired went through the walls, setting fire to a box of matches which one of the girls extinguished. The youngest daughter, Janet Augusta, was greatly excited and during the firing raised up from the floor, receiving a death shot. She screamed and the women ran out of the shack, the little girl falling in a faint at her father's feet. She was picked up and carried into the house, dying immediately. As soon as the mob discovered they had killed someone they immediately retreated. After the battle a large number of various kinds of shells were discovered, both used and unused.

A coroner's jury was impaneled and an inquest held, resulting in a verdict that the dead man and child came to their death from gunshot wounds administered by Milo Long, Walter Long, Chas. B. Gamble, Geo. D. Isbell, Tucker C. Moore, John L. Johnson and others unknown. The authorities at Culbertson announce their intention of prosecuting the parties guilty of the offense.

THE WESTERN UNION LOSES.

Supreme Court Makes Ruling That Will Apply to Railroad Case.

The assessment of the property of the Western Union Telegraph company in Dodge county, involving the valuation of property based on earnings, was again decided by the supreme court yesterday. On rehearing the court adheres to its former decision that the judgment of the district court in valuing the property in Dodge county at \$40,500, or at the rate of \$54 per wire mile was correct. The ruling of the supreme court is considered an important one because it may serve as a precedent when the question of railroad rates gets into the courts. The same principle enunciated in the case of the telegraph companies may apply in the matter of railroad valuations and earnings and consequently with the adjustment of rates in Nebraska.

The Western Union company objected to the finding of the district court fixing the value of its property per wire mile in Dodge county equal to the value per wire mile of its entire system in the United States. The court holds that in assessment cases of this kind the burden of proof is on the Western Union as appellant. It holds that the net earnings of a telegraph company for one year alone is not a proper criterion by which to determine the actual value of the system. It holds that the income for messages sent and received in a given district is not a proper measure of the gross earnings of that part of the system within the given district, where lines within the district are used for the transmission of messages having neither origin nor destination in the district. Recently a railroad attorney who appeared before the railway commission declared that rates can be based only on state business, or business that originates or terminates within the state, no account being taken of business carried through the state. The attorneys said this is the ruling of the United States supreme court.—Lincoln News.

Spent Day Picnicking.

A merry picnic party was had today at Patterson's pond north of the city, the party comprising Mrs. J. E. McDaniel and children and her guest, Miss Neff of Salina, Kas., and Mrs. Henry Donat and family. They journeyed to the pond early and enjoyed a fine basket lunch with all the accompanying pleasures of a day in the woods. They returned to the city in the evening, having had a glorious time and thoroughly happy.

Bad Bridges.

A number of farmers have been in town the last three days and much complaint has been heard about the condition of the bridges over the county. One man who has had some experience with unsafe bridges and whose experience cost him something like \$300 said that he had been to see the commissioner twice and wrote them about a bridge between his place and Nehawka. And the only satisfaction he could get was that the repairing was being done by the Nebraska Construction Company and that they had only one outfit and that was in the western part of the county, and that in the course of time it would be around. With all the repair work that is to be done in this county why cannot the county have a repair outfit of its own. Time to the farmer just now means a great deal—especially in threshing time when he has grain to market and outfits to move.—Nebraska Register.

Pleasant Day in the Country.

The home of William D. Wheeler south of the city, was the scene Sunday of an outing party consisting of some fourteen young ladies of this city, who had been invited by Miss Lillian Wheeler as her guests for the day. The party drove down in a large carry-all, arriving shortly before dinner which had been prepared by Mrs. Wheeler. The dinner was of this good lady's excellent quality, there being spring chicken, all the fresh vegetables and fruits and in fact everything that bounteous nature produces in the edible line. The young women took possession of the dinner and did it full justice. The afternoon was given over to various amusements such as horse back riding and the like and the party drove back to the city in the cool evening, arriving about eight o'clock. Ex-sheriff Wheeler for once in his life was scared, and early took the creek for safety.

Railroad Men to Organize.

M. T. Wilson came into the city this morning on No. 4 to commence the organization of the Railroad Men's Protective association. To this end he has called a meeting of the railroad men for next Wednesday night, July 22, at 8 p. m. to be held at the A. O. U. W. temple. There will be a number of prominent speakers present to address the meeting and it is expected to start with a big membership.

The object of the order as announced is to form an organization for the purpose of protecting the railroad men of the state from unwise and fanatical legislation. It is supposed to be confined to local legislation and have no reference to national issues.

VISITING OUR RURAL FRIENDS

The Journal Roustabout Meets With Many New Friends, and Hosts of Old Ones.

One Wednesday of last week we spent the day in the prosperous and enterprising little city of Avoca. On the afternoon of that day, our good friend, Louie Dunkak, than whom no better democrat ever breathed the breath of life, and a finer gentleman or better citizen lives in the county of Cass, consented to take a trip with the writer to the neighborhood of where he owns a farm, and where he resided for many years previous to his removal to Avoca. And to say that we profited from the trip but half expresses it. Besides going over some of the best country that ever a bird flew over, expresses it mildly, and such fields of wheat and wavy corn we never viewed. In the fifteen mile circuit we went, the farmers seem happy and contented with their lot, and while the most of them are remarkably well fixed they still work hard, and their labors show they are excellent farmers. In this immediate settlement the people are mostly German, with here and there an up-to-date Swede farmer. Another evidence of the money being made in this vicinity, is the improvements that are being made in their homes. Large, roomy frame buildings are rapidly taking the places of the low ceiling frames built many years since. Not only this but the new homes are being provided with modern improvements, such as their own heating and lighting plants and waterworks. This part of Cass county can surely and truthfully be termed "God's country." And the farmers whom we visited are also among the most generous, clever and enterprising. In this section of Cass county, Louie Dunkak is extremely popular, as the number of new subscribers on this little point would fully denote. We owe Mr. Dunkak a debt of gratitude, and we hope he may live always and that his good-natured countenance will beam as brightly a hundred years hence as it does today.

A Few Hours at Manley.

We put in a portion of Thursday at Manley, a nice little village, almost in the geographical center of the best county in the state of Nebraska. The town boasts of two general stores and one of the finest little bank buildings in the county, the latter being under the management of W. J. Rau, the genial cashier. For ten or twelve years Mr. Rau was station agent for the Burlington at Louisville, and as an all-around business man, has few superiors in Nebraska for one of his age, and we feel very grateful to him for courtesies shown us during our stay.

Our democratic friend, John Tighe, when we inquired about the condition of his hotel, he gave the writer to understand that we did not need a hotel while he lived in that section of the county, and immediately called up Mrs. Tighe, saying: "Col Bates is here and will be out to dinner with me." The edict had gone forth, and it was impossible to attempt any begging off. This was our first meeting with Mrs. Tighe, her two daughters and two sons. Mrs. Tighe is one of those accomplished and good-natured ladies that one does not meet every day, and, say that repeat that we sat down to that day was simply immense, the table fairly groaning under the weight of the many good things prepared by the hostess and her two fine looking daughters. Mr. Tighe owns an entire section of as fine soil as there is in Cass county, and the crops now growing would indicate that it was hard to beat. After dinner and a few moments of social conversation, Mr. Tighe proposed that we take a spin in the neighborhood for a short time, and in a short time we "raked in" several new additions to the Journal, through the efforts of our good friend. And we take this opportunity of returning our most sincere thanks to Mr. and Mrs. Tighe and the boys and girls for the kindness manifested during our brief, but most enjoyable visit at their home. While in Manley we had the pleasure of making the acquaintance of Mr. and Mrs. Dr. E. D. Banghorst, who have been residents of that village but about one year. Dr. Banghorst is well liked by all, and the spirit manifested by him and the good luck he is enjoying among his patients makes him the most popular physician that ever located in Manley. Mrs. Banghorst was at one time well known in this city, having been a teacher in the High school during the days of Prof. McHugh.

R. Lewis departed this morning for Wendell, Ia., for a brief visit.

The Band Concert Proposition.

The band concert proposition has been tentatively settled, the committee having charge of the affair having canvassed the situation and finding that a majority of those having money in the fund, favored hiring the Citizens Band and giving a series of two or three concerts. There was considerable division of sentiment on the question many preferring to have the Glenwood band employed. The committee finding that dissatisfaction would arise if an outside band was hired concluded to hire the local band and anyone who might be dissatisfied could call on John Bauer, jr. and get their money back. It will be recalled this money was collected for the purpose of lighting the streets on the night of July fourth but was not used owing to inability to get the material here in time.

BAD CASE OF SOUR GRAPES

Weeping Water Republican Has a Fit Over Judge Beeson's Decision.

(Louisville Courier.)
The decision of Judge Beeson in the Gering case at Plattsmouth does not seem to suit the Weeping Water Republican, and a "bawl out" is the result. The "bawl out" will not amount to a great deal, but the principle of the thing will reflect as a boomerang against the paper which seeks to place itself above the decision of a just and discriminating court which, after reviewing the evidence, acquits the accused.

The prosecuting attorney in this case has sought a little cheap notoriety at various times in pursuit of alleged offenses of a minor kind, which proved in each case to be not even offenses of a minor kind. When a paper of Cass county attempts to attack the decision of a court presided over by such a man as Judge Beeson, that attack must necessarily fall flat.

If the accused was guilty of the charge preferred, it is safe to say that he would have come to his just deserts at the hands of the court handling the matter.

The Republican is a great deal on the order of the "old woman," but even old women, as a rule, know when to keep quiet—not always, but nearly always.

Sometimes, you know, a "knock" is a boost. However, the "knocker" does not always know that he is boosting with his "knock."

The chief grievance of the Republican seems to be that the mayor of Plattsmouth is a democrat. It is safe to say that if the mayor should chance to be a republican, it would have been a fine thing to bring in an acquittal.

The faith of the Courier is republican first, last and all the time, but the Courier does not believe in this sort of business. If we have courts, we must respect the courts that have the means at their command of weighing evidence. If the courts are not the last resorts—if we have the privilege of putting personal prejudice ahead of the court's decision, then what is the use to have courts? We might as well allow the personal spite of individuals to decide questions of moment and be done with it.

Come out of it!

When Democracy Will Die.

The Journal is in receipt of a letter from Harry Pein, who is employed by the Union Pacific railroad at Pine Bluff, Wyo., and encloses the following. Harry says he is in the enjoyment of good health and has no complaint to make.

When the lions eat grass like an ox.
And the fishworm swallows the whale;
When the tarripts knit woolen socks.
And the hare is out run by the snail;
When serpents walk upright like men.
And doodle bugs travel like frogs;
When the grasshopper feeds on the hen.
And feathers are found on hogs;
When Thomas cats swim in the air.
And elephants roost upon trees;
When insects in summer are rare.
And snuff never makes people sneeze.
When the fish creep over dry land.
And imbutzer cheese smell like cologne;
When foxes lay eggs in the sand.
And women in dress take no pride;
When dutchmen no longer drink beer.
And girls get to preaching on time;
When the billy goat butts from the rear.
And treason no longer is crime;
When the humming bird brays like an ass.
And imbutzer cheese smell like cologne;
When plowshares are made out of glass.
And hearts of Americans are stone;
When sense grows in republican heads.
And wool on the hydraulic ram;
Then the democratic party will be dead.
And this country not worth a —m.

Shorthorn Bull for Sale.

One good yearling shorthorn registered bull for sale. Mark White, Rock Bluff

SUPT. WOODRING LOST HIS LIFE

Burlington Bridgeman Meets With a Fatal Accident Near Fremont Sunday Afternoon and is Drowned in the Platte River.

The many friends of D. C. Woodring, the well known superintendent of bridges and buildings for the Burlington, were shocked and horrified yesterday when news was received that he had lost his life by accident at the Platte river bridge near Fremont.

From accounts received it appears that the recent high water in the Platte had carried away two big steel girders of the bridge of the Burlington over that stream at Fremont, the girders being imbedded in the sands of the stream. To get them out two big steam derricks and a pile driver were called into service yesterday and work commenced. When the derricks raised the girders and then released their hold for a new one the girders would settle back into the sand. A long chain was fastened to the girder, and near the river bank, connected with a two and one-half inch rope on the pile driver. Several times the pile driver engine pulled this rope, and once the rope parted but did no damage.

Mr. Woodring was standing on a temporary structure thirty feet above the water, signalling the pile driver engineer, with no thought of the chain parting, when it suddenly did so, the flying ends catching him about the legs and hurling him from his footing. He fell to the water, striking the edge of the girder in his descent. Workman standing near watched for him to come

to the surface, which he did face downward, and with his hair stained with blood. He sank again and was seen no more until his body was taken from the river three-quarters of a mile below about three hours later. The accident happened at 11:15 a. m. and the body was recovered at 2:15 p. m.

The dead man had been fatally injured by his fall upon the girder, there being a flesh wound just above the right eye and a little further back an ugly wound in the skull, believed to have been caused by striking a bolt head on the girder.

The deceased was one of the company's oldest and most valued employees. He had intended to retire from the service for some time, expecting to locate in southern California. He had only recently told several fellow employees of his intention. Supt. Bignell, who was present at the time of the accident, was overcome with grief, he and Mr. Woodring having been old friends.

Personally, Mr. Woodring was one of the most popular men in the service. Known the system over there is no railroad man but expresses the utmost regret at his untimely demise. At the Burlington depot last night all joined in expressing their feelings when told of his end. He lived at 1107 K street, Lincoln, to which point the remains were taken last night.

SUDDEN DEATH OF MRS. PETER RAUEN

Her Demise Came as a Great Shock to Her Relatives and Friends.

Another of the old citizens of the city passed to her long rest Monday afternoon, when Mrs. Peter Rauen suddenly expired at St. Joseph's hospital in Omaha. The end was sudden and unexpected and came as a great shock to her numerous friends in this city.

Mrs. Rauen has been suffering from an inflammation of the stomach and bowels, and it had been determined to have an operation performed for the purpose of relieving her. She was taken to the Missouri Pacific train yesterday afternoon in a carriage, and at Omaha transferred to the ambulance of St. Joseph's hospital, where the operation was to have taken place. She reached the hospital alive but expired in the elevator. Those accompanying her to the hospital were her son Frank, daughter Rosa Hines, J. V. Egenberger, Wm. Weber and Father Bradley. Everything possible to alleviate her sufferings was done.

Mrs. Rauen was the widow of the late Peter Rauen, who departed this life but a few months ago. She was 79 years of age and left surviving her three sons, Frank, of this city; John, of Cincinnati, O., and Rudolph, of Kansas City, Mo., and one daughter, Mrs. Rosa Hines, of this city. F. R. Guthman, of this city, was the sole surviving brother and Mrs. Kate Weckbach, of Lincoln, Neb., and Mrs. Louise Hemple, of this city, were surviving sisters.

The body of Mrs. Rauen was brought to this city on the five o'clock train on the Burlington this afternoon, and funeral arrangements will be made later.

Mrs. Rauen was a well known lady of this city, having a great circle of friends, all of whom have expressed the deepest regret at her passing away. Her whole life was one of beauty of soul and thought. He loss removes a loving mother and a faithful sister. During her long life she had been a communicant of the Roman Catholic church, prominent in its affairs and had exemplified its teachings in her everyday life.

Looking Much Better.

Miss Helen Chapman, who went to Meadopolis, Ia., Saturday, returned this morning, accompanied by her sister, Miss Ruth, who had been staying with an older married sister since last May. Miss Ruth has been afflicted with the inflammatory rheumatism for many months, and her many friends will be glad to learn that her extended visit with her sister has greatly benefitted her, and that she is looking much better.

Sprains His Ankle

Jimmy Williams the popular hard-working driver for Zuckweiler & Lutz, suffered a very painful injury just before noon today when he got a fall from his wagon. The accident was caused by a wheel of the wagon striking a chuck hole, the ensuing jar throwing Mr. Williams from his seat to the ground. In some manner his foot came under the wheels, one of them passing over it about the ankle, bruising and crushing it though luckily not breaking any bones.

The tendons were badly torn and lacerated and the pain from the injury was intense. He pluckily drove to his home on west Pearl street and had Charles Martin, who was passing, summon Dr. Cummins who attended the injury making it as comfortable as possible. The ankle was badly swollen when he arrived and from its condition, there is little hope of Mr. Williams getting out again for several days.

Charles W. Banning Very Ill.

The many friends of Chas. W. Banning in Cass county will regret to learn that he is a very sick man, and that it is impossible for him to recover. It will be remembered that Mr. Banning removed from his farm, near Nehawka, to near Pleasanton, Nebraska, some time since where he purchased a large farm for stock raising. Charles' complaint is cancer of the stomach, and he has been very low for several weeks. He is well known throughout Cass county and being a prominent democrat always took an active part in the battles of his party, and never missed a county convention during his residence here, where he was raised to manhood. The Journal hopes he may recover.

Overcome With the Heat.

W. J. Schneider and wife, of Cedar Creek were in the city this morning, Mr. Schneider coming down to consult a physician. Mr. Schneider who is a nephew of Register of Deeds Schneider, was overcome by heat Sunday while playing ball, although at the time he did not feel any serious illness. Yesterday he woke up feeling much worse and concluded to consult a physician. When he arrived here this morning he was suffering from a fever with his temperature at 103. After consultation his physician ordered him to bed and he is now at the home of Henry Schneider in this city. While quite ill no serious effects are anticipated.

Will Loan \$10,000.

I have \$10,000 which I wish to loan on good farm security. Write or phone CLAUDE F. ANDERSON, Pacific Junction, Iowa.

Call Omaha over the Independent telephone.