

BARRETT SCOTT STORY

Remarkable Criminal Case That Is Still an Unsolved Mystery.

FEATURES OF THE AFFAIR.

Early Events That Led Up to The Lynching of the Ex-Treasurer - Mullihan, Elliott and Harris Declared Innocent and They Are Free Men.

BUTTE, Neb., June 28.—The alleged murderers of Barrett Scott have been acquitted and the final chapter in one of the most remarkable criminal cases of the age concluded. For more than two years the state of Nebraska has been disturbed by some features of the sensational affair, and for the past nine months the northwestern section of the state has been on the verge of civil war as a result of the developments in the case.

The court's instructions were very lengthy. In the matter of venue he instructed the jury that it would be necessary to find beyond a reasonable doubt that Barrett Scott was hanged or came to his death in Boyd county in order to convict. He also instructed the jury that political parties and factions and sympathy for the friends or relatives of defendants or Scott should not be considered in arriving at the verdict.

When the jury was asked if they had reached a verdict, each man answered yes, and as the foreman handed up the verdict a stillness pervaded the room. No indication could be found in the faces of the jury what their verdict was, but the defendants and their attorneys did not seem to be at all worried. When the court read the verdict of not guilty Mrs. Mullihan and Mrs. Elliott broke down and gave vent to their overwrought feelings in a burst of tears. The defendants were visibly affected, and received the congratulations of their friends, counsel, court and jury, all evidently being thankful that the long trial was over.

History of the Case.

Two years ago Treasurer Barrett Scott of Holt county became a defaulter to the extent of \$100,000, and fled to Mexico. After a series of peculiar incidents he was captured and returned to Nebraska. A trial resulted in his conviction. By the exertion of great political influence he secured a stay of sentence and continued to enjoy his liberty. Feeling had reached fever heat between his friends and enemies in this part of the state by this time, and the situation was known to be critical. While enjoying a ride in his family carriage with his wife and child in a thickly settled neighborhood, Scott was surprised by a body of masked men. He was armed and resisted. The carriage was riddled with bullets, several of the occupants wounded, and the convicted defaulter dragged from his screaming wife and child. He was never seen alive again. A month later his mutilated body was found under the ice in the Niobrara river miles from the scene of the capture. Dozens of men were arrested, the most sensational charges indulged in by both friends and enemies, and after the employment of detectives galore, the private fortunes of many and all the legal machinery of the state, the authors of the crime have not yet been brought within the pale of the law.

The interesting phases of the Scott case continue to be a fruitful theme of speculation throughout the west. Among those familiar with the perplexing affair there exists no doubt that the details of the murder are known to many people, and that at least a dozen people participated in the bloody work. The information upon which these opinions are based also satisfy the same persons that, though the ordinary murder case "will out," those responsible for the killing of Barrett Scott will never be brought to justice.

Family and Neighborhood Feud.

The affair from start to finish involves family and neighborhood feud so fierce as to startle every individual who has spent years on the border, where human life is looked upon with some degree of indifference, a vigilante organization which, for a quarter of a century, has been a law unto itself, two strong political factions and a multitude of individuals whose love or hatred for Barrett Scott led them into the horrible affair on one side or the other. And though the one man who has directly or otherwise been the cause of the remarkable situation lies in a dishonored grave, the developments incident to his murder will probably form the issues in business and social affairs in Northwestern Nebraska for several decades. With the rise of the Populist party and the decline of the old parties several years ago in Nebraska came rumors in many sections of looted public treasuries. In many cases these reports were urged with much effect. Some counties had been in the hands of one set of politicians since their formation. During this time one set of men frequently had the administration of financial affairs. This condition naturally provoked very loose business methods. Holt county was no exception to the general rule.

In 1893 Barrett Scott was closing his second term as treasurer of Holt county. Prior to that it had been in the hands of Scott's friends. He was a Republican and a good fellow, in the common acceptance of the phrase. Scott would do anything for a friend. He had hosts of them; in fact it was commonly said he could have any office in the gift of the people who knew him. He was being prominently mentioned as a candidate for state treasurer.

First Suspicion of Trouble.

The first suspicion of trouble developed in the shape of ugly rumors about the county funds. It was said Scott had loaned it promiscuously to his friends. At first these reports were attributed to political enemies. But the

cloud grew rapidly. Scott wanted a third term. Being a "good fellow" covers a multitude of sins in the west, but the average voter draws the line on three consecutive terms in office, he the position ever so small. Scott's friends reconstituted. He could not be re-elected again, they said. Scott was determined. He pleaded with his friends to stand by him. He appeared too anxious. Many began to credit the rumors of crooked work in the Holt county treasurer's office. The Populists saw Scott's situation and, to make political capital, forced the issue by demanding that he permit a committee to see his cash. Scott did not dare refuse. If he did the people would be satisfied the money was gone. If he permitted the investigation the result was equally fatal, for in truth the money was gone. In desperation he visited an Omaha bank and, on the payment of \$1,000, completed an agreement by which, on a certain day, the bank would send a trusted agent to Holt county with \$50,000 in gold. Scott might count it as Holt county funds for one day, but always in the presence of the Omaha bank's agent, who was armed and ready for fighting in the event the money was unsafe. Then Scott began to defy the Populists, and boasted that on a certain day he would exhibit a pile of gold in his own private vault, which belonged to the county, and that every penny was there. It was a desperate game but for the time it looked like a winner. At the time announced the Omaha man arrived, and so did the gold. Scott proudly pointed to the great stacks of yellow metal and demanded that the Populist committee exonerate him of any wrong doing. The committee counted the gold. Every dollar was there. Scott's friends were jubilant and the opposition correspondingly depressed. Barrett Scott was never stronger politically in Holt county than on the eve of his fall. A third term was in sight. All was smooth sailing.

Money Was Not There.

It will never be known just how the secret leaked out. Perhaps the presence of the strange man from Omaha constantly at the vault door provoked suspicion. However, the next day, before signing the statement exonerating Scott of all charges of dishonesty, the Pop committee asked for a last peep at the county money. One more look and they would sign the statement that would have elected him to a third term and at least postponed the humiliating confession for two years, and perhaps forever. But the money was not there. The bank agent had started that very morning for Omaha. Scott had to refuse. Yet there was no excuse for the refusal, as far as the committee knew. But the more Scott protested that the press of other business demanded his immediate attention, the more persistent the committee became. The members saw a chance to avoid helping a political enemy. Finally they boldly demanded to see the money. The defaulter saw that he had reached the end of his string. He had played a desperate game and, when in the very sight of success, had lost. He very pleasantly told the committee that he would open the vault again the next day and show them the money. They consented. Scott at once fled. He was not to be found the next day. The vault was locked and, though it appeared a trifling suspicion, the truth did not dawn on the Populist committee until Scott was safe in Mexico. Then it was discovered that the lock of the vault had been deliberately broken. The door could not be opened for several days. When it was not a cent of county funds could be found.

Captured in Mexico.

All Holt county was wild. The farmers were poor, and with no prospects of a crop they had to face an impoverished county treasury. Months later Scott was captured in Mexico. He made a desperate fight against extradition. He declared that if he was taken back to Holt county the people he had betrayed would finally taken back to the scene of his crime. At once a number of influential friends gathered around Scott and an abundance of money was contributed for his defense. It was said openly that these men came to Scott's assistance because they had participated in the looting of the county treasury and feared the consequences of Scott being deserted and forced to a confession. Their influence was powerful. They could not prevent a Holt county jury speedily finding him guilty, but after he had been sentenced to the penitentiary for five years some mysterious influence gave him his liberty and the convicted defaulter walked the streets as free as if he had never stolen \$100,000. Months passed and it looked as if Barrett Scott would never be sent to the penitentiary. Perhaps it was nothing more potent than ordinary technicalities with which he surrounded himself, but be that as it may, the situation began to look dangerous for the peace of the community. Farmers were daily taunted by Scott's overzealous friends with their defeat. Finally the farmers got the impression that Barrett Scott still had the county funds concealed somewhere, and when the prosecution had been worn out he would secure the money and live in luxury at the expense of Holt county.

Vigilantes Again Active.

When Northwestern Nebraska was the extreme border of western civilization the tillers of the soil had been forced to organize a vigilantes committee for protection against the roving bands and individual horse thieves. In that day, when might was right, the vigilantes of Northwestern Nebraska were a power for good. Criminals were not given the benefit of legal technicalities. The vigilantes watched a suspect long enough to feel that he was a menace to the community, then they quickly selected a committee, who took the doomed man to the nearest tree and hanged him. Sometimes, to avoid answering troublesome questions, the

body of their victim was cast into one of the numerous prairie streams, to be buried instantly in a sea of quicksand that never gives up its dead. If it was in winter and ice covered the river, so much the better, for a hole was cut at a convenient spot, the vigilantes' victim pushed in and all traces of their bloody work was hid from inquiring eyes.

When state and municipal organizations came into existence in Nebraska the terrible vigilantes order became less prominent. There was little demand for the pioneer law guardians. Still they never wholly disbanded their organization.

Old Methods Employed.

It is no secret that about the time it appeared that Defaulter Barrett Scott would escape the arm of the law the old vigilantes order began to be talked of again in Holt county. The rugged old men who had fought the early battles with outlaws and Indians began to talk aggressively of the manner in which they handled common rogues. They began to look over the relics of the vigilantes organization and found many members on all sides. Several meetings were held. If the fate of Barrett Scott was discussed the fact will never be known. No man has ever lived to boast of having betrayed the secrets of the vigilantes of the great northwest. Scott's friends assert that at these meetings Scott's murder was arranged. On the contrary, the old members of the law and order league declare that the rumors were circulated by the real murderers; that they were planning the murder of their dupe for fear he would betray them and explain who helped him spend the Holt county money. Perhaps the vigilantes were wrongly accused; perhaps Scott was murdered by his friends, but the truth is that the men who killed the defaulter treasurer employed the ancient methods of the Nebraska vigilantes to an alarmingly accurate degree.

Scott started with his wife, baby and Miss McWhorter for a hunt a few miles from home. Their hired man drove the family carriage. There are many here who think Scott went on that expedition to recover Holt county funds which he had buried out on the prairie. This rumor gained currency. It is on record that the Farmers' Protective association, an organization said to have been formed a short time before for the protection of small cattle men, which, by the way, contained all the Holt county ex-vigilantes, which is commonly said to be the old vigilantes under a new name, believed Scott had the money buried and went after it on this occasion. He was returning from his alleged hunt, having been gone three days. He was passing Parker's mill in Holt county, Dec. 31, 1894. Just before the new year dawned the Scott carriage was surrounded by a dozen masked men. Not a word was spoken. Scott realized his danger and instinctively lashed his horses into a run. The avengers were taken by surprise. Their victim was about to escape, when they opened a terrible fire on the carriage. The two horses sank in their tracks. Scott was wounded in two places. Miss McWhorter received a Winchester ball in the back and the hired man and Mrs. Scott narrowly escaped. Scott was dragged bleeding from his wife's side and gagged. The others were placed hurriedly in another wagon brought from a ravine and driven within sight of their home by two masked men. Not a word was spoken. The family were tumbled out, and before the alarm was raised the masked men and the team had disappeared in the wilds of the Niobrara breaks. Scott's fate remained a mystery for a month. Then the body was accidentally found by the small army of searchers. The ice of the Niobrara had been cut and the body cast into the water. It had struck a firm resting place and was easily recovered. A rope still around the murdered man's neck told the story of his death.

It is frequently asserted that the murderers of Barrett Scott got possession of the stolen funds of Holt county. Many believe this to be the truth, while others are satisfied the vigilantes tried the defaulter and found him guilty, according to their primitive methods, and proceeded to remove him without pity. The other side is equally confident that the men who profited by Scott's stealings killed him to close his mouth forever.

Hunt For the Murderers. Some effort was made to hunt down the murderers. The county officials were paralyzed. The old vigilantes organization permeated all branches of the county government and the legislature ordered the attorney general to proceed in the case.

A dozen men were arrested, all connected with the protective association or ex-vigilantes. The prosecution was pushed on the theory that the murder was committed by that order. But the strength of the order was underestimated. Men made no secret of their connection with either organization after the fight started. It was not such a terrible thing in the estimation of these stern pioneers to have assisted in removing a felon who could not be reached by the law which punishes the poor man. The representative in the legislature from the county boasted on the floor of the capitol that he was a member. When the trial approached George D. Mullihan, Alf R. Harris and Moses T. Elliott were the only ones the state thought it could convict. To avoid the influence of the vigilantes the case was taken to Boyd county. The defendants admitted they were vigilantes, and there is little doubt that many of the jury were members of the same order. The defense of all was similar. They proved by dozens of old settlers that while they were not at home the night Barrett Scott was murdered, they were out on the plains looking for stock. It was a little singular that they were hunting stock at this time of the year, but the word of so many pioneers could not be impeached and the prisoners were acquitted.

A splendid rain last Friday, the corn looks good and is growing rapidly.

Children's day in Myers' grove was well attended. The Missionary Mr. Kizer was there in the afternoon and gave several illustrations to the children and also to the older people. The program was good.

C. W. and Wm. Barrett went to Lebanon last Monday.

Miss Sadie Mountford has returned home from Red Cloud.

Miss Dollie Davis of Red Cloud is visiting her mother this week.

Children's day was observed at Oriole last Sunday; every one report a good time.

There was no Sunday school at Mt. Hope last Sunday on account of quarterly meeting and Children's day.

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Amboy.

Pleanty of rain at present. Mr. and Mrs. Blouk spent Sunday with their parents.

Misses Gertie Brown and Alta Baker were guests of Jessie Cockrill Sunday.

G. W. Baker and daughter Susie were in Red Cloud Tuesday.

Sid Cox and wife spent Sunday at D. F. Trunkey's.

Several of our people will celebrate at Cowles.

J. W. Saladin and wife spent Sunday in Red Cloud.

Mrs. Ogden was visiting her parents Sunday, Mr. and Mrs. Emick.

Mrs. Charley Rasser is recovering from her spell of sickness.

Mrs. Meade returned to her home in Crete last week.

Mrs. I. Frisbie is not much improved but we hope for a change soon.

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