

Reminiscences of a Wayfarer

Some of the Important Events of the Pioneer Days of Richardson County and Southeast Nebraska, as remembered by the writer, who has spent fifty-one years here.

THE CLIFFORD MURDER

In a former paper I promised to relate the Clifford tragedy that occurred in the winter of 1859, on the Muddy, in the northwestern part of the county. It was my intention to tell the story of that double murder in my next, but in the meantime the announcement of my intention brought me several letters on the subject, among which was one from my excellent friend, Mr. Francis Withee of Stella, informing me that the murder of McWhorter by Clifford was not as I said, committed in the night, nor that the wife of the murderer, forced or driven out of the house in the freezing weather then prevailing, was found frozen to death on the prairie; but the fact was that the murder was committed in the morning, and through fear Mrs. Clifford fled from the house very thinly clad and had taken shelter in an old deserted claim shanty, where she was found later in the day perfectly exhausted, if not in a dying condition, and did die before she could be gotten to a house. This letter contained a request that the account be not published till he (Mr. Withee) could correspond with two or three ladies, residents in other states and parts of the country, who were acquainted with all the circumstances attending the discovery of the murder of McWhorter, and the finding of Mrs. Clifford in the empty claim house, and her subsequent death from long exposure in a freezing Nebraska blizzard. In deference to the wishes of Mr. Withee the account was deferred until the present moment.

A familiar psychological phenomenon, well known to lawyers, is made manifest in the many stories I have heard of that night—or morning—of horrors at the Clifford house fifty years ago—that very good people will carry in their minds the recollection of some occurrence many years old, and while they all agree upon the principal fact, will remember the details surrounding it in as many different ways as there are witnesses. This is true of the several historians of the Gospel, no two of whom give the details of Christ's three years ministry exactly alike, and this fact is urged by one of the greatest writers on the law of evidence that time and nations have produced, as conclusive of the truth of the controlling fundamentals of the Christian religion. It evinces an honest desire to relate the great old story as each knew, or thought he knew it, and negatives all notion of collusive fix-up.

Personally, I had no knowledge of the crime. What I knew of it was what I heard as common rumor in the first instance, and by what was told in the trial by the witnesses in their evidence. Had I not been advised by Mr. Withee, who was a resident of that part of the country at the time, I should have related the facts as I remembered them and have been slightly wrong in two particulars, viz: the time the murder was committed and where Mrs. Clifford died, both unimportant. As it was, we only had Clifford's word as to when he killed McWhorter, and it is far from certain that he told the exact truth about any of the details of that horrible affair.

The story is substantially this: Thomas B. Clifford and Robert McWhorter were early settlers in the valley of the Muddy at the point of confluence of the two creeks of that

name, the Big and Little Muddy, a mile and a half or so southeast of the present site of Stella. Settlements in that part were made mostly by people from Nemaha, formerly known as Forney county, and their trading point was Brownville, though perhaps some was done at Nemaha City, which in 1858-59, was larger than it is now. There was considerable timber in places along the Big Muddy and these lands were the first taken. The trees suggested shelter from the winter winds sweeping over the country, and besides would yield fuel for firewood and for other purposes of agriculture, and the reason for taking up claims of that kind is obvious. The uplands were nothing but a part of a boundless prairie plain, stretching away to the western mountains in one vast bleak shelterless vacancy.

I am indebted to my friend Withee for a plat showing the claims of those parties and others in the neighborhood, and also showing where Mrs. Clifford was found and where she died, together with the location of the houses of the people in the vicinity. Clifford's claim lay on both sides of the Muddy proper and at the point where the Little Muddy flows into it, while the claim of Robert McWhorter was immediately east and adjoining Clifford's, the two being the south half of section 20. George Renc owned the claim west, and Hays the one north of Clifford's. A man of the name of McLaughlin owned the claim west of Renc (this name was pronounced as though spelled Rance) and it was in an empty claim shanty on the McLaughlin quarter Mrs. Clifford was found about midday after the murder of McWhorter. The neighborhood about there was known as the Hays settlement, though there were many others besides, among them several families of the Quinlans, and some others whose names I do not remember.

Over the divide on the Little Nemaha, all the way up into Otoe county, the lands in its valley were taken up as on the Muddy, and in fact on all the streams large and small in the whole country. Mr. Francis Withee first settled in Nemaha county, I think in the year 1858, or thereabouts, and had personal knowledge of the facts related herein.

McWhorter was unmarried, and was said to be like Peg-goty said Barkis was, "a little near"—by which was meant that he was very careful with his money, and not free in its use. That is what most people call close. He had a claim house and a stove, which was rare in those days, but otherwise he was as poorly provided with the comforts of life as Clifford, or any of his neighbors. Clifford had a rude structure or excuse for a house which barely afforded shelter from the pitiless storms that were frequent that winter. Perhaps the winters then were no more severe than they have been since, but they appeared to be so because of the destitution of the people, their poor housings, clothing and furnishings. I have many a time in many a house in this county in those days, waked up in the morning to find a covering of snow on the bed from a half to an inch or more deep, that the winds of a blizzard had forced through the cracks and crannies of the house the settler had been able to put up for the shelter of himself and fam-

ily. That was the condition of things in that Muddy settlement in January, 1859.

It appears that Clifford and McWhorter being close neighbors and differently situated, agreed to combine their households, McWhorter to bring his stove and other traps to Clifford's house, they to furnish the grub between them for Mrs. Clifford to cook. In other words, McWhorter having no wife, became a member of the Clifford family on the terms indicated, to last, I suppose, while the arrangement was agreeable to all parties. I have no information as to when this joint occupation began, but it is probable that it commenced in the fall or early in the winter. There is also some uncertainty as to the time in the winter the murder was committed. I had it in mind that it was in February, but Mr. Withee is sure it occurred in January, and he may be right. I tried to fix the time from the record of Clifford's trial, but the indictment has been lost from the files and there was no other record that would show the date of the crime. It would not appear and does not appear in the journal in the clerk's office.

The testimony in Clifford's trial for the murder of McWhorter showed that there was no person in the Clifford house at the time except the three, Clifford and his wife, and McWhorter. As two of them were dead in the affray, none lived to tell the story of that savage crime but Clifford himself. He must have been as much as fifty years old, at least his appearance so indicated to me, and it was agreed by those who knew his wife that there was very little difference between their ages. I never saw the woman and have no personal knowledge on the subject. Clifford was a man below the medium height, stocky built, and not in any sense companionable or pleasant in his social relations with his neighbors. I knew Clifford in Falls City after his trial, but I never saw McWhorter.

The crime was discovered by Renc early in the morning. Everything in the house was in confusion, with evidence on every hand of a terrible and murderous struggle. McWhorter lay on the floor chopped to death with an ax, while Clifford was in bed complaining of wounds he said McWhorter had inflicted upon him with a gun clubbed for the purpose, and the wife gone from the house. It was freezing cold, with a blizzard still raging as it had been all night. Clifford said McWhorter had attacked him with the gun and he had to use the ax in self defense. Later he set afloat a story that nobody believed, to wit, criminal intimacy of McWhorter with his wife. Nothing of that kind was mentioned at the trial. It was a lie, pure and simple. What they fought about is mere conjecture. It was probably the result of a dispute about their relative shares of their joint expense, but nobody ever certainly knew the real truth.

Clifford asked Renc to follow his wife and bring her home. She was found as stated in the McLaughlin shanty and Renc and another tried to carry her to the house of James Quinlan, the nearest at hand, but the load was too great for their strength. One of them went for more assistance, but before he returned the poor woman died. She lies buried in the Archer cemetery. Clifford was indicted and tried for murder at the following September term of the district court. The trial was a travesty on justice and good sense. There was no theory in the defense. It was a mere mass of contradictions, partly self defense and partly excusable homicide on the ground of insanity

produced by an overdose of quinine—forty grains, as sworn to by Clifford. He said he killed McWhorter with the axe, to prevent McWhorter killing him with the gun used as a bludgeon. If that was true Clifford was not insane; and if he killed McWhorter in a fit of insanity no possible element of self defense could exist in the case. Yet, the judge, who was incompetent for the place he held, instructed the jury on both lines of that contradictory defense, telling them that if either one was established to their satisfaction they should acquit the defendant.

To establish the theory of self defense he told of the wounds given him in the assault by McWhorter, and to establish the theory of insanity, he told of taking forty grains of quinine at a single dose. Had there been a lawyer on the bench he would have told the jury that it was impossible for both of those contradictory stories of Clifford to be true, and they should disregard his whole testimony. A more howling legal farce was never enacted in a so-called court of justice.

I assisted at the preliminary examination on behalf of the prosecution, but I had nothing further to do with the case. I was present, however, at the trial and heard it with close attention. At this distant day it is out of the question for me, or any other, to reproduce the facts as they were detailed by the witnesses. I can only give the substance of the salient facts as I remember them. In this particular I have been materially assisted as above stated, and a general knowledge of the crime and what followed, can be gained in a way, from what is here related.

When two or more people who are cognizant of the facts of any transaction in the past, if permitted to confer, will, in talking them over in recall, refresh each other's memory, and conjointly bring back in recollection much that neither separately remembered. This is the common experience, and will explain the delight with which old timers like to get together and talk over old days, people, and scenes in which they were actors and of which they were a part.

Something like it was in the mind of Burns when he wrote that song of the ages "Auld Lang Syne," and in Tennyson's, when he gave to the world his great poem, "In Days of Yore."

It was a double horrible murder, for Clifford killed his wife as surely as he

killed McWhorter. The exact truth in detail will never be known, but the people in the neighborhood were never in doubt as to the deep and damning guilt of that old savage monster. He lived for three or four years afterwards, in this city, solitary, shunned and despised, and then disappeared and was heard of no more.

DAY OF "FREE LAND" GONE.

Uncle Sam Still Has Many Unoccupied Acres, But Settlers There Must Have Money.

The original 13 states bulk rather small on the map of the United States. As respects population, notwithstanding the enormous growth of the country since the revolution, the adding of state after state to the original united colonies and star after star to the American flag, the old 13 still number about one-third of the entire 80,000,000 people of the union.

Another third, according to the bureau of statistics of the department of commerce and labor, live in the states created from the territory ceded to the common union by the original states. This is the region known for half a century as the west, which has always been a relative term according to the period in which it was used. The other third of the population live in what was originally known as the Louisiana purchase, the Gadsden purchase and other areas added by purchase or annexation. The center of population, following the star of empire westward, has passed over Ohio and now halts in southern Indiana.

It is interesting to learn from the statistics furnished by the bureau that in 1908 there were still 754,895,000 acres of unappropriated and unreserved land. Of this nearly one-half is in Alaska, and its value is yet to be determined. In Nevada there are 61,177,000 acres of this unappropriated land, in Montana 46,532,000 acres, in New Mexico 44,778,000 acres, and 42,769,000 acres are in Arizona.

But these figures are more imposing on paper than the land will justify as the possible home of a large population. By irrigation many thousands of these acres, now practically a desert, will yet be made fertile; by drying up or drainage the immense swamp areas in some of the older states another large area will be eventually made available. The day of "free land," however, in the golden west, a cry once so attractive to the immigrant or to the settler from the older states, has practically passed. Much of the land yet unappropriated may be free enough, but it will require wealth to make it productive.

The United States, as far as regards the opportunities it offers the landless, is at the close of its first great era. The areas to come may be better in some respects, but they will be different. There are no more boundless areas of fertile, well-watered soil awaiting the settler. The day of free land is over.

Go from Home to Meet People.

A postcard received from Paris a few days ago, says the New York Tribune, bears a picture of the Hotel de Ville and the Pont d'Arcole and this message: "I have been here an hour at a time for three days, but never saw a soul I knew—no met-by-chance adventure." In the summer of 1905 the man who sent the card was also in Paris, and one day, when near the entrance to the Hotel de Ville, he saw a child stumble and fall. He hastened to pick the little boy up, but before he could do so another man rushed from an opposite direction and performed the service. The child had sustained a slight bruise. The man who had picked him up tried to soothe him and said: "You are

all right; don't cry." The other man asked: "Is he hurt?" This was all in English. After mutual introductions it was discovered that both men lived in the same block in New York and had never met before. The next day the story was told at the office of John K. Gowdy, who was then the American consul general, and it became a stock yarn, the moral of which was: "If you want to meet people walk on the Pont d'Arcole."

Most Unkind.

The Boston Transcript tells the story of "a very sinful wag" who was lurching with Dr. Abbott and referred repeatedly to his connection with Outing.

At last Dr. Abbott could stand it no longer and protested: "But, my dear sir, I am not the editor of Outing. I have never had anything to do with Outing. I am the editor of the Outlook."

"Why, bless me, so you are!" cried his vis-a-vis. "Funny I should have made that mistake. Really, couldn't have confused two periodicals more strikingly different. Whereas, Outing makes a religion of sport, the Outlook—"

Domestic Science Teaching.

Chicago has about decided that a girl's education is not complete unless she has some knowledge of the science of cookery and kindred accomplishments and will pay the supervisor of the department \$3,000 a year. Miss Mary Snow of Pratt institute has been elected to fill the position, she being one of the 75 applicants for the place.

Mistake in Sickroom.

Mrs. Jones—I hear your husband is suffering from a nervous breakdown. How is he to-day?

Mrs. Smith—Worse. The doctor said we must keep him in an atmosphere of good humor, and we had him almost well, when somebody showed him a Sunday comic supplement.—Judge.

It Didn't Work.

"I haven't anything fit to wear," she said.

"Neither have I," he replied: "let's stay at home."

Taken up thus, there was nothing for her to do but hurry and get ready.

To Err is Human.

"I am going to tell you the truth about yourself," he said.

"Go on," said the young and ambitious actress.

"I have in my time had rare opportunities to observe beautiful, graceful and talented women, and I violate no confidence in saying that you are the queen of them all. You unite in your lovely person that peculiar magnetism which lays audiences at your feet. Your genius, shining through all the deficiencies of stagecraft, enables you to triumph over every obstacle. So supreme are you that you have the right to rise above all conventionalities, to marry, to love, to discard whom you please, and no one will dare to criticize. Your work will live. You are the very personification of the highest art. United with this, your perfection of beauty gives you the just title to a lasting fame."

"Is all that true?" she asked, softly.

"Absolutely. Would you have me say more? What more could I say?"

She sighed.

"You might," she answered, "have mentioned my clothes and my figure!" —Puck.

YOUR DOLLAR

Will come back to you if you spend it at home. It is gone forever if you send it to the Mail-Order House. A glance through our advertising columns will give you an idea where it will buy the most.

