

MYSTIFIED BY FALSE TEETH

O. A. Baldwin Tells an Indian Story of the Early Days.

FOUR INDIANS ARE TRIED FOR MURDER

One of Them Swallows a Chair-Round Fourteen Inches Long—Escape of Quartet and Their Recapture.

"I am 75 years old," said C. A. Baldwin, the well known attorney, yesterday to a small group of friends who were indulging in reminiscences.

"Are those your own teeth?" asked one of the party, who was admiring Mr. Baldwin's fine array of masticators.

"Never mind the length," said another of the circle. "Go on and spin your yarn."

"Some of you may have heard of the trial of some Indians for the murder of a homesteader named McMurty, south of the Platte near Columbus, in 1895," said Mr. Baldwin.

"One morning in May of that year McMurty left home to go to the railroad station across the river to get a plow point sharpened.

"The man I saw last seen of him alive. Inquiry was soon made and some person told of seeing Indians in that vicinity and hearing reports of guns. A search was made and the dead and mutilated body of McMurty was found. He had evidently been murdered and suspicion at once rested upon the Indians.

"One morning during the trial the news was circulated that one of the defendant Indians had become a 'good Indian'—that he was dead. We went into the jail, under the old court house and in charge of Sheriff Henry Grebe, and there Little Wolf lay stretched out on the stone floor on his back apparently dead.

hours and, after a consultation, they agreed to deliver to us a dozen Indians, and if the 'great father' knew which the guilty ones were he could make the selection from that dozen, for I had told them that the 'great father' would not punish anyone that was innocent of the offense charged.

"The trial was held at the court house in Columbus. The judge was General O'Brien. It was a most difficult task, one that never could have been accomplished without the aid of Major North. He was a good many days assisting in the investigation, and as a result the commissioner held four of the Indians for the murder of McMurty. I don't now recollect the long Indian names, but I do recollect the English of the Indian names of the ones that were held.

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Dundy did not take well to that suggestion. He took the case under advisement until the next term, and I quote a passage from the decision rendered: 'The present attitude of this case is not a little singular. The one party asks, and the other party, acting under the advice of skillful counsel, does not resist a judgment which is the highest that human law or a human tribunal can inflict.'

"Finally Regain Their Liberty. 'After a most learned and exhaustive examination of the case the court held that it had no jurisdiction to try and punish the defendants and they were turned over to the state courts and were taken to Lincoln and kept in the penitentiary for a year or more and then given their freedom. There was not money enough or other property in the county where the crime was committed to pay one-half of the expense of a trial.'

"This is, in substance, a statement of the leading facts in the case. A few evenings before Judge Dundy's last illness, and the last time I heard his voice, going home on the street car he said to me: 'Baldwin, you ought to write up the facts in that Indian case in a separate count with the killing of McMurty by shooting with a gun, by shooting with a bow and arrow and by the use of a tomahawk. Using the long Indian names and the English alias, it was a long drawn out indictment, but the jury returned a true bill. At the November term following the Indians were put upon their trial. Colonel Chase, who in those days was an active member of the bar, attracted the attention of the Indians and, having no counsel, at their request he was appointed to defend them. A long and tedious trial followed. Dr. Mills, one of Omaha's best men, was the attorney for the Indians. He pitched into the prosecution. For some reason the doctor thought that the Indians were being unfairly tried. The trial went on, however, and resulted in a conviction.

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GRAFTON OFFENDS BILLINGS

So the Doctor Refuses a Charity He Was About to Bestow.

FORMER NEBRASKAN INHERITS A FORTUNE

One of His Books Withdrawn from the Grafton Public Library, Which Action the Doctor Calls Bigotry.

Dr. Frank S. Billings, formerly a well known Nebraskan and at the head of the United States experiment station at Lincoln, has come into many thousands of dollars since his departure from this state and his decease. His wife, and other things, has become an interesting figure in the Massachusetts community of which he is now a member.

"The bill of Robert C. Billings of Boston is not the first of such inheritances to come to the doctor, though it is believed to be the most valuable. The doctor has now given it out that he and his wife had fully intended to establish an educational fund for the benefit of orphan girls and daughters of parents of limited means living in Grafton. By its aid, were to secure an education far beyond anything they could have obtained without it.

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