

LEROY SWORMSTEDT ESTELLE SOLDIER SAILOR JURIST

Picturesque Career of a Man Who Has Seen Life in the Raw and Yet Has Come to Be a Force in the Tenderer and Higher Phases of Human Existence.

THE home of Rev. Edward Estelle, the Methodist minister in Madisonville, O., was the typically modest and quiet home of the village preacher, where the highest principles of thought and action were taught, where peace reigned and where all influences were for the best.

On Christmas day, 1847, a son was born into this home and the good pastor and his wife named him LeRoy Swormstedt Estelle. Subsequent events seemed to prove that this son had inherited the spirit of some remote soldier or adventurer ancestor. His life has been one of action. But if he inherited the spirit of such an ancestor he inherited also his father's studiousness and love of books. The two were a good combination and have brought him many honors during his life.

Young Estelle grew up in the villages where his father held pastorates. In school he was noted for his brightness. When he was 10 years old a circus visited the village and he earned his way in by carrying water for the elephants. Admiring the performance of the acrobats, he went home and rigged up a trapeze for himself in the barn. He was in the midst of a thrilling feat when one of the trunk-ropes with which his trapeze was made gave way and he fell thirty feet to the ground. He was picked up with a paralyzed body and for eighteen months lay unable to move a muscle. During this time he indulged his omnivorous appetite for reading. Sometimes his father or mother, and sometimes boy friends, sat by the bedside and turned the leaves for him. He read Macaulay's "Essays" and other books seemingly beyond his years. Dickens' stories were then running serially in Harper's Magazine, and these he eagerly devoured.

He could hobble about on crutches when the war broke out. The fact that he was only 13 years old and a cripple did not keep him from seeing visions of the glories of the battlefield. He determined to enlist as quickly as he could walk. The family was living in Frankford, O., when he finally achieved the feat of walking without a cane. This was in 1863, and he was 15 years old. One day news came of a regiment being organized in South Salem, twelve miles away. The next morning he left home, ostensibly for school. But instead of going to the quiet school room, he struck across the country for South Salem, where glory beckoned. When he presented himself before the recruiting officer he was laughed at. He returned home. A few weeks later he determined to try again. Assuming as stern and soldierly an appearance as possible, he presented himself and was accepted, a member of the First Ohio Heavy artillery.

Navy Finally Claims Him

A few days later his visions of glory on the battlefield were rudely shattered when his father arrived in the camp with a writ of habeas corpus and took him back home. There he resumed the dull grind of school. In 1864 his father died. A few weeks later the young man bade goodbye to the village, went to Cincinnati and enlisted in the navy. He was assigned to the patrol boat, "Curlew" commanded by Captain Hugh Brady O'Neil. Several of the exciting incidents of his career occurred during his life on the river. One of these was the blowing up of the "Sultana."

"The Sultana had been anchored just beside the Curlew," says Judge Estelle. "One day it cast loose and started up the river. I stood on deck watching it as it pulled away. Suddenly I beheld the boat shatter into pieces and the next moment came to my ears the report of a terrific explosion. Soon the victims came floating down the river clinging to spars and pieces of wood. We rescued some of them, but within two minutes after we took them out of the water they fell dead. Many believed that the Sultana had been blown up by the rebels, but this was not true. It ran on a sandbar which tipped it over so that parts of its boilers were left without water. These became heated to a high temperature and then suddenly the vessel tipped over the other way flooding the superheated metal with water. The result was the explosion. The men we took out of the water had been scalded but as long as they remained in the water they survived. When the air touched their bodies they died in great agony."

One day while he was on the Curlew two of the men fell sick. The doctor examined them and ordered a quarantine. Then the awful word went round that they had yellow fever. For a time it seemed there would be a panic. Some of the men jumped overboard and swam ashore. But most of them remained at their posts in spite of the fact that others were taken sick daily. Young Estelle assisted in nursing. When the number of sick had reached fifty they were transferred to the hospital ship, Red-Rover and Estelle was sent along as a nurse. He was tireless in this arduous and dangerous work. The result was that he was taken sick with the dread malady. He hovered for days on the brink of death, but was saved, the credit for which he declares was due to the devotion and unselfish care given him by his nurse, a Sister of Charity.

Saved by Bill Canada

While on the Curlew Estelle was sent with a message to another boat, the Antlers. The rebel forces opened an attack on the Antlers while he was aboard with such vigor that they sank it. Estelle swam ashore though it was in December and the water icy cold. He reached the bank exhausted only to find it steep and crumbling and the current swift. He was ready to sink when a hand reached over the bank and a voice commanded him to take hold. He did so and was pulled to terra firma and safety. He found his savior was a confederate captain, but did not learn his name. Twenty years later a party of congenial spirits in Omaha were swapping stories of the war. William T. Canada, now head of the Union Pacific secret service, told of saving a poor Yankee from drowning in the Tennessee river at the time his forces sunk a boat called the Antlers. When Mr. Canada had finished his tale he was surprised to find Judge Estelle shaking his hand. They had lived together in Omaha many years as close friends, never recognizing each other as an actor in that little scene on the Tennessee river.

At the close of the war the young man took his discharge and returned to Ohio. In Bainbridge, Ross county, he entered the office of A. O. Hewitt and read law, teaching school and doing other work to pay expenses. He was admitted to the bar, practiced in Bainbridge for a short time and then decided to come to Nebraska. He went by rail as far as Harvard, which was the end of the Burlington road at that time. Thence he walked, in company with Dr. Isaac Tuttle and C. L. Mather, to Red Cloud, about eighty miles. They arrived there and took up quarters in the public dugout. This had been the first residence of Governor Garber. Mr. Garber, however, was then the aristocrat of the town, for he lived in the new log hotel. The dugout was the free public hostelry.

Mr. Estelle deposited the three worn volumes which constituted his law library in a corner of the dugout and immediately set about getting acquainted, which was no difficult matter considering the population of the settlement. Impeachment proceedings had just been begun against T. B. Williams, the county clerk, and Estelle was appointed to defend him. Williams was acquitted. For winning this legal victory the young lawyer was rewarded by being given the job of flagman with the county surveyor.

Once a Journalist

He held this position only a few weeks, as there were bigger things waiting for him. He was elected assistant secretary of the state senate in 1872. After the session of that year he determined to launch a little craft into the journalistic sea. He bought the outfit of the Plattsmouth Herald, moved it to Red Cloud and on July 3, 1873, the Red Cloud Chief was born, Judge Estelle being father of the same, and C. L. Mather acting as godfather and editor.

He held a claim near Red Cloud and lived for a time in a dugout there. He went through the grasshopper siege and saw a ten-acre field of beautiful corn just maturing destroyed in less than an hour by the insect army. He recalls a Fourth of July celebration in Red Cloud that was broken up in an odd manner. Just as the festivities were at their height a cloud of dust was seen on the horizon. Indians? The people watched while some went for their rifles. As



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the cloud approached it was seen to be buffaloes. The animals rushed blindly into the town. There they were shot down, which sport afforded, perhaps, as great diversion as anything that could have been devised.

He went back to Columbus, O., in the spring of 1874 and on March 4 married Miss Mary Belle Bradley. Returning to Red Cloud, he built the second frame dwelling in the town and occupied it.

He came to Omaha again in September of that year to take a position in the railway mail service. The service was not such a prosaic occupation in those days, when bad men still infested the west and often undertook to tamper with Uncle Sam's mails. Estelle often had to go out among this class on business connected with the department. An encounter with "Big Nose George," the famous desperado, occurred on one of these trips in the spring of 1875. Estelle left the train at Rawlins and took the stage for Helena. Mike Tovey and John Brandt were "shotgun messengers" on the stage. They guarded the steel chest in which bullion and currency were transported. On the evening of arriving in Helena Estelle had an engagement to meet a man in a saloon. He entered the

place and found a number of the town's bad characters there. In accordance with western etiquette he invited all to step up and have some "nose paint" at his expense. "Big Nose George," who had a special grudge against agents of Uncle Sam, declared he wouldn't drink with any man that "side-kicked" with Mike Tovey and Johnny Brandt.

"I was scared," says Judge Estelle. "He started to come for me. I had unwittingly put myself quite a way from the front door. There was a back door and I decided to make for that. Several pool tables stood in the rear of the room and we began dodging around them. I'll never forget the look on that man's face. I didn't dare to shoot him because his pals there would have made mincemeat of me. I finally reached the door and was about to pull it open when I found there was a big bar across it. 'Big Nose George' took advantage of that lost instant and was on top of me. I struck him on the head with the butt of my revolver. Then I struck again and dazed him. Another belt on the side of the head laid him out."

"I saw George next about three months later. I was going through Rawlins on a postal route when some of the boys asked me

to come down the track, saying 'Big Nose George' wanted to see me. I told them to bring him up and let him look at me. But they smiled and said he couldn't come. So I jumped out and they led me through the darkness down the track. Something struck against my cheek, and I looked up to see a human body dangling. I was 'Big Nose George,' who had just pulled off the last of his crimes and been lynched for it."

At a Bannock City Ball

One evening Estelle entered the dining room of a hotel in Bannock City. Noticing a chair of vast proportions next to his own he inquired whether it was for a loving bridal couple. The waiter smiled and bade him wait.

"Presently a man of immense size came into the room," he says, "and I was introduced to Fred Peck, the biggest man in the west, if not the country. He was six feet eight inches tall and weighed more than 500 pounds. He was a most good-natured man. He sat down in his specially constructed chair and was soon telling me about a dance which was to be held that evening. He asked me to go with him and I did so. A big room with a bar along one side was the hall. All the girls and cowboys had come from miles around. The fiddler was an old man of benign countenance and long, white hair. The music struck up. Peck introduced me to a man named Stapleton. He was a member of a good eastern family and a graduate of Harvard. But drink had sent him wrong and he had come west to hide the disgrace. Peck told me he was a dangerous man. The music was at its liveliest and the boys were literally throwing the girls up into the air and catching them as they whirled in the dance, when suddenly a shot rang out. Everything stopped in an instant. There were more shots and I looked over at the bar, where I saw this man Stapleton leaning on it with a smoking revolver in his hand. On his face was a look of cynical disgust and utter recklessness such as I had never seen before. Big, fat Peck dodged behind the bar and the rest of us got behind such shelter as we could. It seemed there was to be a real gun play and nothing could save it from a riot, when suddenly the strains of 'Home, Sweet Home' were wafted to us. The effect was magical. I saw Stapleton's face grow pale and then he collapsed on the bar and his body was shaken with sobs. The dance broke up. It was a remarkable exhibition of the power of music."

Into His Life Work

In 1882 Judge Estelle went to Blair and engaged in the practice of law in the firm of Osborne, Estelle & Farnsworth. He was elected district attorney in 1884 and was prosecutor in some of the most noted murder cases of the day, including those of John Lauer and Tom Ballard. At the end of his term he engaged again in general practice. He gained an enviable reputation as a criminal lawyer. He has been engaged in the trials of more than forty cases for murder. He was appointed judge of the district court in 1891 by Governor Boyd, but was defeated at the election that fall. He was appointed assistant city attorney by Mayor Broatch in 1896. In 1899 he was elected judge of the district court and this fall he was re-elected to his third term on that bench, being the nominee of both parties.

He was one of the organizers of the Nebraska Grand Army of the Republic and has held all offices in the local camp, besides being state commander in 1903 and inspector general on the staff of Commander-in-Chief W. W. Blackmar in 1905. He is an Elk and has held all offices in that order except that of exalted ruler, which he declined. He is also a Mason and a member of the Red men.

Judge Estelle has one great hobby. It is children and juvenile work. His first marriage was childless, but he and his wife were foster father and mother to a score of homeless and friendless ones. Whenever the judge found a waif that had nowhere to go he took it home and kept it and clothed and fed it and sent it to school. Sometimes he had twelve children at one time in his household. Some were there for years. His first wife died in 1896 and in 1899 he married Miss Christie B. Scull at Pine Bluff, Ark. They have three as pretty children as could be imagined, aged 6, 4 and 2 years respectively. If you get the judge started to talking about these he probably won't stop for anything less than a fire in the building.

But his interest in children extends to the whole tribe of juveniles. He is a leader in the modern method of dealing with and saving the delinquent child, the method of prevention rather than of attempted cure. "I sent six children to the reform school while I was district attorney and lived to see five of them graduate into the penitentiary," says the judge. "And long before the general movement toward saving the children started I was pulling in that direction. Society gains much more by helping the delinquent than by punishing him."

Judge Estelle has been advancing his views for years before church and charitable bodies and in the chautauqua field. He is a telling orator and his powers in both paths and humor are admirably used in recounting the many instances which have come under his personal observation during many years dealing with children.

Recollections and Incidents of the Panic of 1837

THOSE who have experienced inconvenience or loss in the financial difficulties of the present may take heart by comparing them with the conditions which prevailed in President Jackson's time, when the United States went through its first serious money crisis.

While the trouble was at its height the genial Captain Marryat of sea story fame paid the country a visit, landing in New York on May 4, 1837. Some of the incidents and atmosphere of the period are recorded in "A Diary in America," published two years later, and have the advantage of expressing the viewpoint of an impartial observer who could look at the situation uninfluenced by personal interest.

For this reason, perhaps, Captain Marryat took a lighter view of events than those whom they more closely affected, but his analysis of the causes of the trouble and remarks thereon show that in spite of his humorous comment he looked beneath the surface.

"All the banks have stopped payment in specie, and there is not a dollar to be had," remarks Captain Marryat of his first experiences. "I walked down Wall street and had a convincing proof of the great demand for money, for somebody picked my pocket."

"Two hundred and sixty houses have already failed, and no one knows where it is to end. Suspicion, fear and misfortune have taken possession of the city. Had I not been aware of the cause, I should have imagined that the plague was raging, and I had the description of Defoe before me."

Captain Marryat did not fail to notice and comment on the characteristic American spirit which was able to enjoy the humor of the situation, even at its own expense, and in the midst of disaster to lay plans for a new start.

"The militia are under arms, as riots are expected," he writes. "The banks in the country and other towns have followed the example of New York, and thus has General Jackson's currency bill been repudiated without the aid of congress. Affairs are now at their worst, and now that such is the case, the New Yorkers appear to

recover their spirits. One of the newspapers humorously observes: 'All Broadway is like unto a new-made widow and doesn't know whether to laugh or cry.'

"There certainly is a very remarkable energy in the American disposition; if they fail, they bound up again. Somebody has observed that the New York merchants are of that elastic nature, and that, when fit for nothing else, they might be converted into coach springs, and such really appears to be their character."

"They may say the times are bad," said a young American to me, "but I think that they are excellent. A twenty-dollar note used to last me but a week, but now it is as good as Fortunatus' purse, which was never empty. I eat my dinner at the hotel, and show them my twenty-dollar note. The landlord turns away from it, as if it were the head of Medusa, and begs that I will pay another time. I buy everything that I want, and I have only to offer my twenty-dollar note in payment, and my credit is unbounded—that is, for any sum under twenty dollars. If they ever do give change again in New York it will make a very unfortunate change in my affairs."

In that day the importation of gold was slower and more difficult, and currency, it appears, was not to be had even at a premium. "Nobody refuses to take the paper of the New York banks," writes Captain Marryat, in describing conditions, "although they virtually have stopped payment—they never refuse anything in New York—but nobody will give specie in change, and great distress is occasioned by this want of a circulating medium. Some of the shopkeepers told me that they had been obliged to turn away \$100 a day, and many a southerner, who has come up with a large supply of southern notes, has found himself a pauper, and has been indebted to a friend for a few dollars in specie to get home again."

"The distress for change has produced a curious remedy. Every man is now his own banker. Go to the theaters and places of public amusement and, instead of change, you receive an I. O. U. from the treasury. At the hotels and oys-

ter cellars it is the same thing. Call for a glass of brandy and water, and the change is fifteen tickets, each good for one glass of brandy and water." At an oyster shop, eat a plate of oysters and you have in return seven tickets, good for one plate of oysters each.

"It is the same everywhere. The barbers give you tickets good for so many shaves; and were there beggars in the street I presume they would give you tickets in change, good for so much philanthropy. Dealers in general give out their own bank notes, or, as they are called here, shin plasters, which are good for \$1, and from that down to 2½ cents, all of which are redeemable only upon a general return to cash payments."

"Hence arises another variety of exchange in Wall street. 'Tom, do you want any oysters for lunch today?'"

"Yes."

"Then here's a ticket, and give me two shaves in return."

Commenting on the reason for the financial difficulties of those days, Captain Marryat says: "If anyone will look back upon the commercial history of these last fifty years he will perceive that the system of credit is always attended with a periodical blow-up; in England, perhaps, once in twenty years; in America, once in from seven to ten. This arises from there being no safety-valve—no check which can be put to it by mutual consent of all parties."

"The most prominent causes of this convulsion have already been laid before the English public; but there is one—that of speculating in land—which has not been sufficiently dwelt upon, nor has the importance been given to it which it deserves; as, perhaps, next to the losses occasioned by the great fire, it led, more than any other species of over-speculation and over-trading, to the distress which has ensued."

"Not but that the event must have taken place in the usual course of things. Cash payments produce sure but small returns; but no commerce can be carried on by this means on any extended scale. Credit, as long as it is good, is so much

extra capital, in itself nominal and nonexistent, but producing real returns."

In spite of the example of disaster incident to the use of credit, Captain Marryat does not, on that account, go to the extreme of condemning the system.

"The facility of credit," he explains, "enables those who obtain it to embark in other speculations, foreign to their business; for credit thus becomes extra capital, which they do not know how to employ. Such has been the case in the present instance; but this is no reason for the credit system not being continued. These occasional explosions act as warnings, and, for the time, people are more cautious; they stop for a while to repair damages and recover from their consternation; and when they go ahead again it is not quite so fast."

"The loss is severely felt because people are not prepared to meet it; but if all the profits of the years of healthy credit were added up and the balance struck between that and the loss at the explosion, the advantage gained by the credit system would still be found to be great. The advancement of America depends wholly upon it. It is by credit alone that it has made such rapid strides, and it is by credit alone that it can continue to flourish, at the same time that it enriches those who trade with it."

"In this latter crisis there was more blame to be attached to the English houses, who forced their credit upon the Americans, than to the Americans, who, having such unlimited credit, thought that they might advantageously speculate with the capital of others."

"One of the most singular afflictions of the human mind is a proneness to excessive speculation, and it may here be noticed that the disease (for such it may be termed) is peculiarly English and American. Men, in their race for gain, appear, like horses that have run away, to have been blinded by the rapidity of their own motion. It almost amounts to an epidemic, and is infectious—the wise and the foolish being equally liable to the disease.—New York Evening Post.