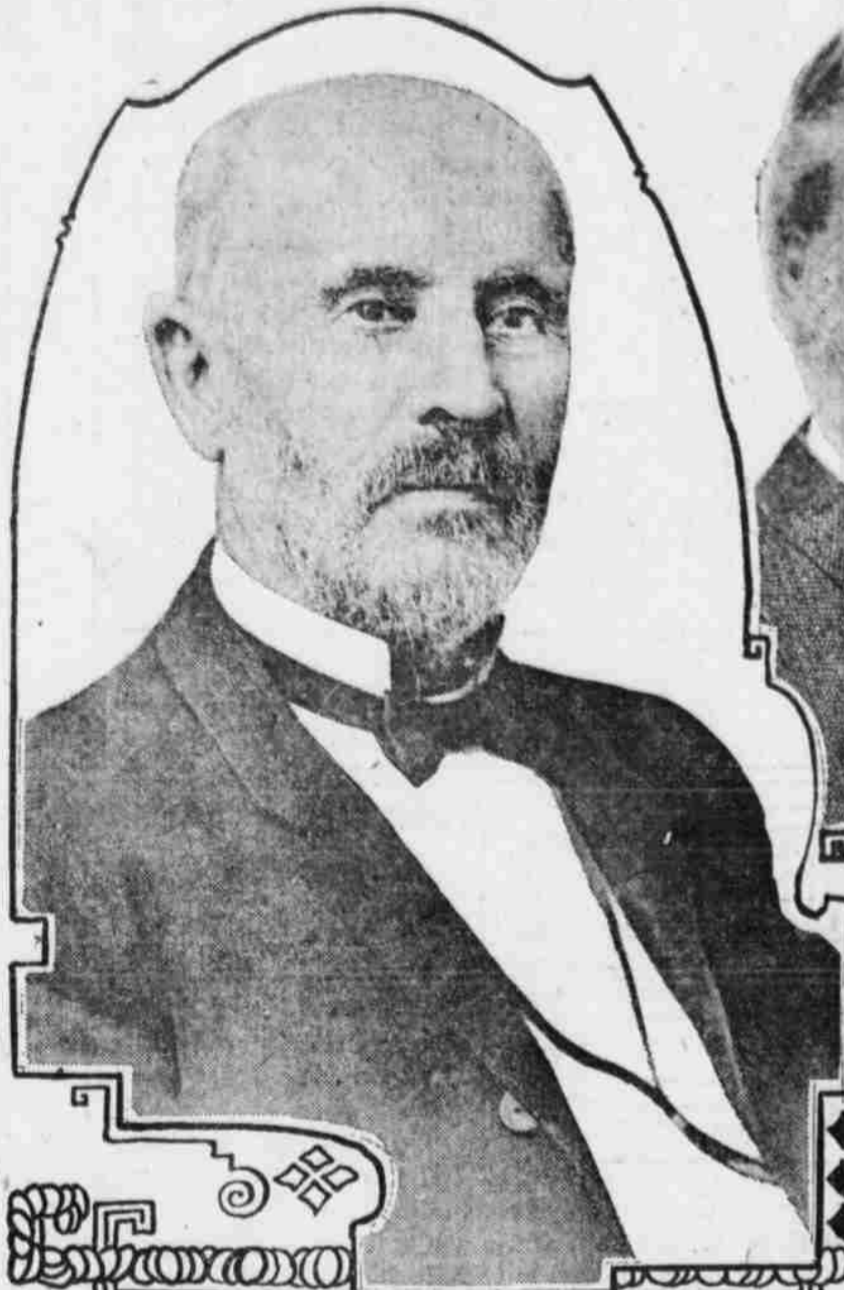


Stirring Experiences of Omaha's Young Old Pioneers



John Dale

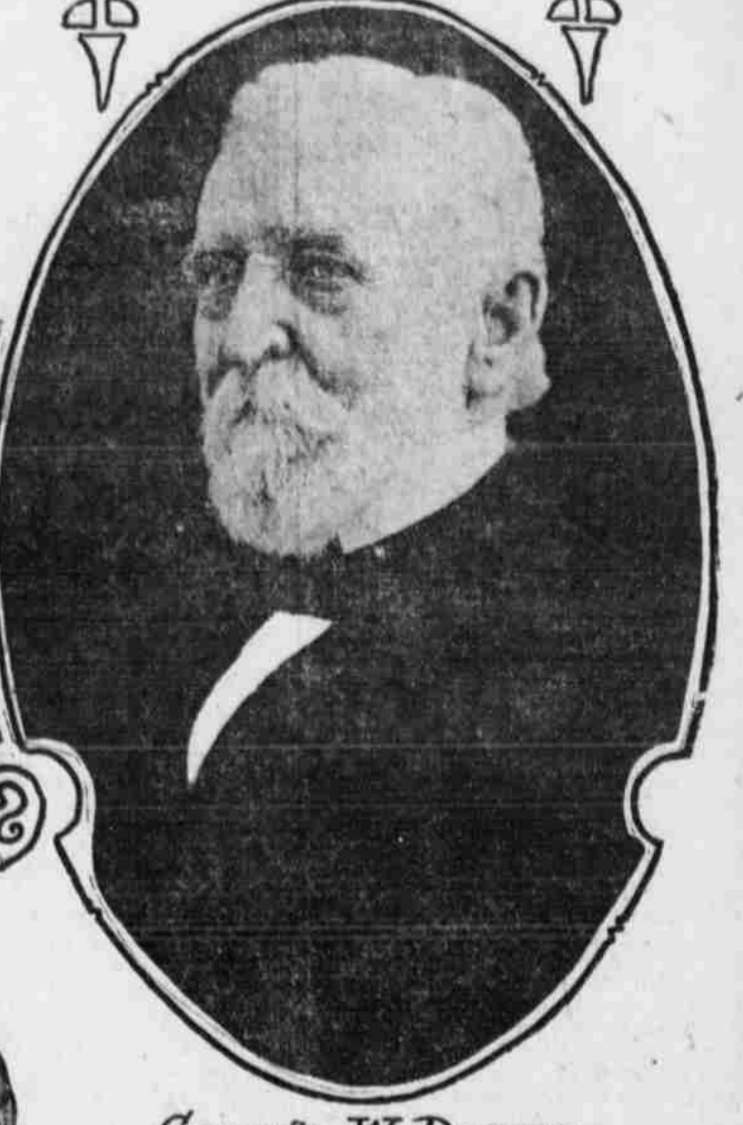


Henry T. Clarke



Rev. Leonard Groh

Joseph Butler



George W. Doane



JOE REDMAN



B.E.B. KENNEDY



Eleazer Wakeley



Harry Deuel



Jerry Dee

STILL among the living remain a handful of Omaha pioneers who form human links spanning the savage past with present civilization to which Omaha and the west has advanced. But, it is only a handful, at least of the real old timers. One by one they have dropped, too often unnoticed in this day of hustle and bustle. Fortunately, though, in some instances there has been gathered in good and enduring form the stories and heroisms of the frontier territory, portraying the moral and mental strength of those who laid the foundation for Omaha. Their lives demonstrate the self-reliance, the self-denial and the self-respect which characterized and glorified those men who relinquished friends, relatives and all the charms of associations of the homes in the east to become the forerunners of a new civilization.

Omaha owes much to these trail-blazers who pressed forth into this wild territory in the early days, for they laid the foundation for the comforts and opportunities that are thrust upon the young man of today. They established courts of justice, and used the best part of their lives to give something to posterity, and they did it not without struggle. In a large way they had to do with the advent of the trading post, which through the intervening years has developed into one of the greatest commercial institutions of the west. They built churches and founded Omaha society. Better still they established homes and reared children, many of whom have become prominent in present day affairs as their parents were in the past.

When it Was Wild and Woolly

The west was wild and woolly when Judge George W. Doane first came here in the fifties. He went from here to Burt county, where he was nominated district attorney after a residence of three months. This was in 1857. An odd incident occurred during his first year in this office. He tells it as follows:

"We were at Fort Calhoun at Christmas time when a man living about three miles from town

invited a lot of people to come out to his place for a dance and general frolic. We always accepted such chances with great alacrity, for things were so quiet that any opportunity of having a little fun was not to be lost. But when we looked around among our number we found that there was not a single person who could play the fiddle for the dancing. This was an appalling discovery under the circumstances. Sheriff MacNealey suddenly said:

"There's that fellow we've got locked up for murder."

"This man had been in the improvised jail at Calhoun awaiting trial since the preceding fall. We looked doubtfully at each other as we considered having the criminal at our party to play for the dance. Such a thing had never been done before. But it was either take the murderer or have no dance. The sheriff appealed to Judge Wakeley, who replied that the sheriff would have to take the responsibility. The sheriff proved game enough to do it and the murderer was game, too.

"So we all went out in a great big bob-sleigh. The night was bitter cold, but we were well bundled up. And there among that merry-making crowd, between the sheriff and another big man, sat he over whom the shadow of the gallows had fallen. He was a jolly fellow, however, and took his share in the merry-making and the jests both on the way to and from the dance.

Fiddled Himself Out of Jail

"The dance, too, was a unique sight. There sat the prisoner on a little raised platform, playing the fiddle with all the life and abandon possessed by the genuine country fiddler. And to the notes he drew from the violin danced the judge who in a few weeks might pronounce the sentence of death on him. To those notes, too, danced the district attorney, who in a short time might plead before the jury to find the murderer-fiddler guilty and decree that he should die. The clerk of the court who would enter the fatal decree and the sheriff who would build the scaffold and spring the trap all danced merrily to the fiddling of the prisoner. He made no attempt to escape and remained in jail all of that winter. But one fine spring morning the sheriff found the jail broken and the prisoner gone. We never saw or heard of him again."

Judge Doane had his serious side and accomplished his full share toward extracting civilization from barbarism.

Eleazer Wakeley had been appointed district judge for this district. He and Judge Doane had met on a steamer at Leavenworth before the latter came to Omaha, and there began a friendship that has lasted throughout their lives.

The courts in those days had to be held in all sorts of improvised places, as there were no court

houses. Hotels, private houses, stores and in one instance in a room over a saloon generally dedicated to cards and dice, were utilized as temples of justice. Sometimes the judge had a chair to sit on, and sometimes the judicial bench was a box. Men did not try to get excused from the jury service then. The pay was \$2 a day and was considered good.

The Famous Fontanelle Case

Judge Doane knew Peter A. Sarpy well, and also his beautiful Indian wife. Judge Doane was attorney for Henry Fontanelle in the prosecution of Louis Neal, a Ponca half-breed, who killed Tecumseh Fontanelle. The latter was heir-apparent to the chieftaincy of the tribe, and was a great favorite. Henry Fontanelle immediately insisted on murdering Neal to avenge his brother's death, but Neal was arrested and hurried to Omaha for safe keeping in the hands of United States Marshal Wood. Henry Fontanelle insisted on going along to see that the prisoner did not escape, and Judge Doane accompanied Henry to see that he did not accomplish his murderous purpose. At Decatur Henry found an unprotected fountain of firewater and came away from it determined to kill Neal. It required the combined efforts of all the officers to prevent Henry from murdering his brother's assailant.

Judge Doane is now 88 years old, and of course is not active. His memory is still good.

Harry Porter Deuel is not as old as some of the pioneers, but he figured prominently in the earlier days. He has been known for years as the dean of Omaha ticket agents, and sold the first railroad ticket out of this city. This was in 1860. Peter Groat, then general passenger agent of the Hannibal & St. Joe road, had, at young Deuel's request, sent him a number of sample tickets to leading cities of the country. Prior to that time travelers bought tickets to St. Joseph by boat, and upon arriving there would buy railroad tickets east. A few days after Deuel had received the sample tickets a miner returning from the west entered the office and asked for a boat ticket to St. Joseph. Right then Deuel exhibited the enterprise which made him successful in later years. He convinced the miner that he could book him direct to any city in the world, and that the tickets he handled could not be excelled anywhere on earth. The miner was convinced, and then the first railroad ticket sold in Omaha was disposed of. In later years he was connected with other roads, and became known as the dean of Omaha ticket agents.

Nebraska's First Locomotive

The first locomotive to set a wheel in Nebraska was brought up from St. Joseph by boat consigned through Mr. Deuel's agency. It was the "General Sherman" of the Union Pacific. For a time Mr.

Deuel preserved the bill of lading, but it was later destroyed.

In 1859 Deuel answered the call of the west. During the year previous he had been married, and after he had determined to remain in Omaha he returned for his wife and baby girl. He purchased the west sixty-six feet of the property on which the Bee building now stands and upon it was built the rudest kind of structure. It was made of cottonwood boards set upright and rough siding nailed across these. Factory canvas was tacked on the inside to keep out the cold. In this house the little family lived for several years. It was a favorite camping house for the Indians. Many nights a growling and noise of tumbling about could be heard under the floor, and the pioneers knew that the braves were inviting themselves to the shelter afforded by the house. Later Mr. Deuel sold his lot for \$1,400.

Navigation His Hobby

The enfeebled condition of Henry T. Clarke, who has long been prominent in Omaha affairs, causes those who know him best to reflect upon the past and recall his activities. He is the father of the village of Bellevue and founded Bellevue college. He gave the ground on which the school is built and later gave additional property.

He first came into prominence when he endeavored to secure the eastern terminus of the Union Pacific for Bellevue, and had he been successful Omaha probably would not exist today, except as a village. There was a sharp contest for the terminus and Clarke found himself in conflict with Dr. G. L. Miller, who was trying to locate the terminus here. He was successful over Clarke and has ever since been known as the father of Omaha. Dr. Miller in advanced years is now in a Lincoln sanitarium.

Mr. Clarke's deepest interest has always been in the improvement of the Missouri river and the re-establishment of navigation. He has studied the problem from all angles and has devoted years of his time in an effort to bring about improvements. Though very feeble at this time and under the watchful eye of a nurse every minute, he takes daily trips to the Commercial club, where at noon time he meets the business men, talks with them, and keeps in general touch with conditions, politically as well as commercially.

One of the most interesting old gentlemen of Omaha whom time has spared for many years is Judge Eleazer Wakeley. He is truly a gentleman of the old school, and he tells many interesting tales of early struggles that go to make up the history of Omaha. He is now 93 years old.

He had an hereditary taste for the law, and when President Pierce heard of his qualities in 1857, without solicitation, appointed him associate justice of the supreme court for the newly organized

territory of Nebraska. A long, tedious journey followed, from his home in the east to the Mississippi down the river to St. Louis by boat and up the Missouri to Omaha.

Wakeley as a Circuit Rider

The first two years in the wilderness were spent in the little settlement of De Soto, which stood between Fort Calhoun and Blair, but every vestige of which has long since been wiped out. The mosquitoes and the ague were the principal things the young jurist found he was compelled to endure. The judge set to work at once to bring order out of the legal chaos which then existed. His territory embraced Washington, Burt, Dakota, Dixon and Cedar counties, with all of the unorganized territory to the north and west. He was reappointed to the position by President Buchanan, but in 1861 he went to Wisconsin to join his brother in a law partnership.

But the atmosphere of the west had taken hold of him while he was here and he returned to Nebraska again in 1867 with his family. He began the practice of law and soon built up a large clientele in the new and growing town. He confined his efforts as much as possible to the civil side of his beloved profession, always having an aversion for any cases of a criminal nature. He has, as much as possible, declined to be a candidate for political office, with the exception of his membership of the constitutional convention of Nebraska, to which he was elected without opposition in 1871. In 1879 he was a candidate for judge of the supreme court, but the political majority of the opposite party was too much for even his popularity to overcome. He has always been a democrat.

Great Skill in Cross-Examination

He took a leading part at the bar of the state, in the early days when the commonwealth was being molded and strong men were needed. He was considered one of the foremost lawyers of the state and was connected with many important cases. For seven years he was assistant attorney for the Union Pacific railroad with General Attorney Andrew J. Poppleton. Among the important law suits with which he was connected was the libel suit brought in 1873 by Governor David A. Butler against the Omaha Herald. Judge Wakeley defended in this suit with consummate tact and his cross-examination of Governor Butler has been celebrated as a model of that line of legal work.

His extreme deliberation and thoroughness in examining a problem from all sides have become proverbial among the lawyers of today, and he is sincerely considered as the founder of justice in

(Continued on Page Five.)