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JURY FINDS JULIA KAUF- MANN GUILTY

VERDICT RETURNED BY JURY AFTER THREE HOURS DE- LIBERATION.

VERDICT COVERS FOUR COUNTS

Case Attracts Great Interest Over En- tire County and Court Room is Crowded All Day.

From Monday's Daily—
This morning in the district court, with Judge J. B. Raper of Pawnee City presiding, the time of the trial was largely occupied in the argument of motions offered by the defense through Attorney A. L. Tidd representing Mrs. Julia Kaufman, who was indicted by the grand jury on the charges of having had possession of intoxicating liquors, selling and giving away intoxicating liquors.

The case of the state of Nebraska vs. Julia Kaufman was called at 10 o'clock and at once a motion was offered that the case be heard by a new jury panel, it being alleged that many of the jurors had heard the evidence offered against the defendant in two days of the trial of the case of the State of Nebraska vs. Carl D. Quinton.

This was overruled by Judge Raper and the jury was called in to start the examination of the panel when Mr. Tidd then offered further motion to disqualify Attorney D. O. Dwyer, who has conducted the prosecutions, together with W. R. Patrick, as special counsel for the state. This matter was contested for more than an hour and affidavits offered by both the state and the defense, the defense presenting the affidavit of County Attorney A. G. Cole that he was willing to try the case while the state offered the testimony of the disqualification of Mr. Cole in the grand jury calling and several others supporting this cause which covered incidents leading up to the appointment of Mr. Dwyer by Judge Begley.

This afternoon the motion of the defense was argued from 1:30 to 2:30 on the grounds of disqualifying Mr. Dwyer and Mr. Patrick and the case advanced to trial before the court.

The work of selecting the jury is now progressing as the Journal goes to press.

From Tuesday's Daily—
The event that has been looked for eagerly by the attendants at the district court was today before Judge Raper and the jury when the case of the state of Nebraska vs. Julia Kaufman, charged on three counts with violation of the liquor law, possession, selling and giving away of intoxicating liquors. There was a large number of ladies present to hear what was offered in regard to the violation of the prohibition law as alleged by the state in its charges against Mrs. Kaufman.

The first witness of the state was Mrs. Hazel Fritch, who testified that she had been at the Kaufman home on several occasions during the last year and a half. She had seen wine there. Witness stated she had seen lots of men going there at different times, some stopping at the home of Mrs. Kaufman as late as 3 a. m. to inquire location of Kaufman home. This had been last spring. On cross examination by Mr. Tidd, witness stated that she had made home brew but denied showing Mrs. Kaufman, who, she said, made it previous to the time witness had.

Mrs. Fay Grassman testified that she had visited at the Kaufman home once or twice, had seen beer there at these times. This had been in the fall or winter. Asked by counsel as to where she had secured liquor, witness stated Mrs. Kaufman had never told her where the stuff had come from. Mrs. Kaufman had said that it was 180 proof and had been brought in cans. Witness said that Mrs. Kaufman had stated that she put in 20 cents worth of distilled water and that the stuff was sold for \$2.50 a pint. Witness stated she did not know what it was called. This conversation occurred last summer. Witness stated that she had seen men going to the home several times, sometimes two or three times a day. This covered a period of a year and a half. The conversation had taken place at the Grassman home. On cross examination the witness stated that no one had talked to her in regard to her testimony. Questioned as to the fact of whether witness had seen beer at the Kaufman home, Mrs. Grassman stated that she did not know whether it was beer or not, Mrs. Kaufman called it "home brew." Witness had not tasted it. Did not see any of the other stuff. Witness had seen several parties she knew going there as well as some strangers.

Wayne Goucheur testified practically as he did at the Quinton trial as to having driven the car for Henry or Chris Koebel to Omaha on the date of July 1, 1923, and had returned from Omaha with Koebel at 7 p. m. and had gone to the Kaufman home where Koebel had got out and remained a few minutes, coming out with a bottle of stuff he had called whiskey and threw it on the seat of the car. Koebel had told witness to drive to Nebraska City. Koebel had taken two drinks on the way from Plattsmouth to Nebraska City. Sheriff Carl Ryder had arrested Koebel at Nebraska City and taken the booze from him. Witness had not been held. Koebel had not had bottle before going to Kaufman home. The witness was shown the state's exhibit 1, the bottle claimed to have been taken from Koebel at Nebraska City and identified it as the one shown him. Ryder had put some of the booze in a dish and burned it, it giving a blue flame. Witness did not drink any of the liquor. On cross examination, Goucheur stated that he had stayed in Nebraska City fifteen minutes. Witness had left here for Omaha about noon with Koebel. Had met Koebel at the Vine street garage which was on witness's way from home to the main part of the city. On reaching Omaha Koebel had gone into a soft drink parlor on 24th street and had two drinks there. Witness had taken a pop. They had stopped at a soft drink parlor in Fort Crook both going and coming and Koebel had taken several drinks. Koebel had thrown bottles out on previous trips with witness to Omaha. Sheriff Carl Ryder had put some of the booze in the bottle on exhibit as that taken from the person of Henry Koebel and testified as to making a test of it and also of having brought it here and turned over to the foreman of the grand jury, C. J. Pankonin.

Ralph G. Batty, chemist in the state department of pure foods and drugs, testified as to having received a bottle at his office from his clerk, Mr. Stoll and detailed the tests made to determine its alcoholic content and gave it as 46.3 alcohol. Liquor had been tested out to be grain alcohol diluted with water.

C. J. Pankonin detailed going to Lincoln and turning the bottle over to Mr. Stoll who had kept a part of the contents for analysis and of having turned the remainder over to the court reporter on December 11th.

Chester Weisheimer testified to seeing many cars going to the Kaufman home at different times. On cross examination the witness named several parties who he had seen.

The testimony of Miss Georgia Denney was practically that given at the Quinton trial as to her having been at the Kaufman home and being served by Florence Kaufman which she stated was beer. On cross examination the witness stated she did not know whether it was near beer or not.

Mrs. Hazel Fritch was recalled to the stand and stated that the beer she had drunk at the Kaufman home had given her a headache and made her drowsy.

Fred Kaufman testified to having visited the home of Julia Kaufman, his sister-in-law, in August, 1922, and purchased what he supposed was a half pint of whiskey for which he had paid \$1.50. It had tasted like whiskey. On cross examination the witness stated that he was not a friendly man anymore with the Kaufman family and did not speak to them. He would not care to cinch her for that reason. On redirect the witness stated that he would not give any false testimony against the defendant and was not mad at her except over the whiskey which witness claimed was too much diluted with water.

Joseph Dostal testified as owning the property in which the Kaufman family resided and that Mrs. Kaufman paid the rent for the place.

The state asked that they be allowed to use the testimony of a deputy sheriff of Otoe county later but the defense insisted that they either take a recess of court or that state forego this testimony. Mr. Patrick stated that rather than delay the case he would pass it up and the defense commenced its testimony at 11:15.

Henry Kaufman was the first witness for the defense and testified that he was at home July 1st and got up at 10 o'clock in the morning and had gone with his family to the Sherrill restaurant for dinner. The family had then driven down to the George South home near the Missouri river ferry to visit Mrs. South as Mr. South had just died the night before. They stayed there until 6:30 and had then come up town and later gone to Murray and stayed there until late at night. Did not see Henry Koebel on that date. Was home up to the time of going to dinner. His wife had no intoxicating liquor in the house at any time in the last three years. Did not ever see any home brew at home. Fred Kaufman had not been at his home in a year and a half. There were no cars at his home except those of relatives and friends. Never seen cars there after midnight. Cross examination by Mr. Patrick, witness stated that he was employed at the garage from 7 a. m. to 6 p. m. and did not know what transpired when he was absent. They did not attend the South funeral. Did not recognize anyone at the South home except the widow. Witness did not remember anything that transpired at the South home except that they had visited with family, had brought Mrs.

F. R. Gobelman and the South children up with them from the river. Witness did not remember anyone at the Murray bathing beach.

Mrs. Ina South testified that on the occasion of the death of her husband she had been badly worn with many nights of watching and nursing and could not give a clear statement of what had really occurred there. Knew that the Kaufman family was there. Mrs. Gobelman had been there several times assisting her. Witness did not recall what had transpired there in the way of visiting with friends who had come and gone during the day. Did not know how long the Kaufman family were at her home. On cross examination witness stated that the Kaufman family were not close personal friends but acquaintances that they had known when living on South 10th street. On re-direct, Mrs. South stated Mr. Kaufman had frequently repaired the car of Mr. South at the garage and also at the home.

Emily Satva testified that she had been a friend of Florence Kaufman and a visitor at her home a number of times and had not seen any intoxicating liquors there of any kind. Did not see men nor autos there during her visits. Had seen some man she knew later as Walter G. Reed bring some cherry juice or wine to the party given for Florence Kaufman. On cross examination witness stated that she had been a friend of Florence's since last September and did not know anything of the family prior to that. At the party something like cherry juice had been served by Mrs. Kaufman and later by Florence. Had stayed at the party until 11:30 or 11:45. Had seen John Lamphere there.

Florence Kaufman, daughter of the defendant, testified that she had gone with the family to the South home and remained there until about 6:30 in the evening and had then gone to Murray where they stayed until 11 o'clock. Mrs. Gobelman and the South children had been left at the Westcott corner. Chester Craig had got in the car there and driven to Murray with them. Did not see Koebel that date. Had never seen beer at home or other intoxicating liquors.

Fred Kaufman had not spoken to witness nor other members of the family for past year and a half. Just cherry juice had been served at the party at her home. No cars nor men aside from friends calling had been at the home. Witness did not stay out later than 10 or 10:30 in the evening when she was not at home.

From Wednesday's Daily—
The case of the state of Nebraska vs. Julia Kaufman, charged with violation of the liquor law on an indictment made by the grand jury charging her with four counts of the violation, terminated last night at 8:30 when the jury in the case returned a verdict of guilty on all of the counts charged by the state in the indictment.

During the trial of the case in the afternoon the crowd was the largest that has been present at any of the hearings in a department served over into the precincts back of the railing that had heretofore been confined to the members of the bar and everyone showed the keenest interest in the progress of the case and despite that the arguments invade the supper hour the audience stood during the whole proceedings until the instructions had been delivered to the jury by the honor, Judge Raper.

The defense had a large number of witnesses during the afternoon session, the first one called being Florence Kaufman for cross examination by the state. Questioned as to the duration of the meal of the family at the Sherrill restaurant the witness did not know how long it had taken. They had gone to the South home. Witness had not first gone into the South home and did not know how long they were there. Witness had later gone into the house. Visitors were talking; could not say about what aside from the death of Mr. South. Had gone from there to Murray. Asked by Mr. Dwyer as to what she had done on the first of June, August and September witness could not recall. On re-direct witness stated that Mr. Tidd had asked her a few questions about the case. Death of Mr. South had fixed the date, July 1, in her mind.

Mrs. F. R. Gobelman testified having left the South home about 4:30 p. m. with the two South car and had gotten out of the car at the corner of 5th and Main streets. Knew the Kaufman family to speak to but was not on intimate terms with them. The time of getting out of the car had been fixed by witness at 6:30.

MRS. O. L. LYNCH PASSED AWAY LATE TUESDAY NIGHT

Died Shortly After Midnight at Her Home in Rock Bluffs Precinct Following Short Illness.

From Wednesday's Daily—
Last night shortly after the midnight hour Mrs. O. L. Lynch, a well known lady of Rock Bluffs precinct, passed away following a very severe illness from scarlet fever which was followed by complications that caused her death.

The death comes as a severe blow to the husband and the little children who are bereft of the tender love and care of the wife and mother whose place in the household will be one hard to fill for her loved ones.

Miss Ada Edwards was born in Missouri thirty years ago and was a daughter of Dr. and Mrs. M. L. Edwards of Winona, Missouri, and spent the greater part of her lifetime in that community coming here several years ago where the family has resided for the greater part of the time since. She leaves to mourn her death the husband, the late Peter W. Lynch of West Plains, Missouri, father of Mr. Lynch, and both were at her bedside when death came.

The funeral services were held this afternoon at 2 o'clock from the home and conducted by Rev. F. E. Pfoutz of the First Methodist church and the interment made at Oak Hill cemetery here.

he had gone with the family frequently on trips.

Walter Reed was then called and testified that he had brought the cherry juice that had been referred to so frequently in the trial, to the Kaufman home on the occasion of the birthday party of Florence on November 6th. Had secured the juice at the Tinscher cafe after 9 o'clock that night. On cross examination witness stated bottle had been formerly used for gingerale and that it was filled by Mr. Harry Tinscher from a glass jar of cherries, the cherries being poured into a pan. Witness had not seen anything put in the juice except sugar and water. Going after the juice had been suggested by one of the boys at the party who "wanted something to drink."

Asked as to whether or not the request had been for something with a "kick" witness did not recall. Had gone a distance of over a mile from the house to the cafe for the juice. Juice had been poured out in the kitchen of the cafe. Witness was asked by counsel if he knew that anyone who was right could obtain something with a kick he stated "no." One rum had "killed" the juice at the party.

Harry Tinscher, aged 22, stated that he was engaged in the conduct of the cafe with his brother W. D. Tinscher and that Walter Reed had come there late in the evening and asked for the juice and he had secured it for him. Got glass jar of cherries in the kitchen and poured off the juice and mixed it up with syrup as Reed said. He desired to fool a friend. There was nothing else put in the bottle that he knew of. He had not been at party and did not see the juice after giving it to Reed. The cherries had been brought here by his brother from their former home.

The last witness of the defense was the defendant, Julia Kaufman, who stated that she had not seen Henry Koebel or Wayne Goucheur "in July." The witness detailed the visit to the South home as given by her husband and daughter previously and also stated that returning in the evening they had gone to Murray. Mrs. Fritch had come over to her place and tried to teach her how to make home brew. Bottles had blew up and Henry Kaufman had thrown out the remainder. Had no intoxicating liquors at home at any time. Had not seen the Benson girl have beer at her home. Had heard no cars come up to her home at any time aside from relatives and on Decoration day had several relatives there. Witness's husband had been called out frequently at night on auto work. Fred Kaufman had not spoken to the witness for a long time and had not been at her house in three years. Had not sold or given away any liquor.

Walter Reed had brought cherry juice to the party. Did not know of any intoxicants being out in there. On cross examination, witness stated that the only disagreement she had with her husband had been over drinking when first married and was then asked why she had prepared beer under the direction of Mrs. Fritch for her husband.

MARRIED IN COUNCIL BLUFFS

From Wednesday's Daily—
Yesterday at Council Bluffs occurred the marriage of Mr. George Brinklow of this city and Mrs. Ida Schlager Callott of Flint Michigan. The wedding was a very quiet one and the newly weds returned home last evening to this city where they expect to make their home in the future. Mr. Brinklow has made his home here for a number of years, coming here from Texas, and is well known over the city. The bride is also a former Plattsmouth lady, being a daughter of Mr. and Mrs. Matt Schlegel, former residents here. Mr. and Mrs. Brinklow are now receiving the congratulations of their many old friends.

DEATH OF WM. MARSH AT SAINT JOSEPH HOSPITAL

Passed Away Saturday Afternoon From Effects of Injuries Re- ceived in Accident.

From Monday's Daily—
Saturday afternoon at the St. Joseph hospital in Omaha, William Marsh, well known resident of the eastern portion of Cass county, passed away from the effects of the injuries received two weeks ago in Omaha when his car was wrecked at Missouri avenue and 13th street, when the car was caught in the street car tracks and as the result was almost demolished and the unfortunate man so severely injured that he had never fully recovered consciousness.

Mr. Marsh has been a resident of Murray and vicinity for a number of years, coming to that place from Memphis, Missouri, and is well known over the eastern portion of Cass county. For the past year he has been a resident of Plattsmouth.

To mourn the passing of Mr. Marsh there remain the wife and a number of children, Mrs. Jarvis Lancaster, Frank and Richard Marsh of this city.

The body was brought to this city Saturday evening from Omaha and taken to the late home on Wintersteen hill where the funeral services will be held this afternoon.

WEEPING WATER MAN INJURED IN ACCIDENT

John Bills, Weeping Water Man, In- jured at Lincoln on Sunday in Automobile Collision.

From Monday's Daily—
Among the victims of the Sunday auto wrecks yesterday was numbered a Cass county man, John Bills of Weeping Water, who was one of the chief figures in a wreck at Lincoln.

The Lincoln Star has the following account of the accident:
John Bills was hurt in an accident at Twenty-first and J streets at 10:30 p. m. when the car he was driving collided with a car driven by E. G. Weinhold, 1908 J street. Mr. Weinhold was driving west on J and Mr. Bills was going south on Twenty-first when the two cars came together.

The car driven by Mr. Bills struck the Weinhold car on the front wheel and both cars were badly damaged. Mr. Bills sustained a rather severe cut on the scalp about three inches long. He was rushed to St. Elizabeth's hospital in Spauld and Schnell's ambulance, where the wound was given attention. He was unconscious when taken to hospital but rallied out of it within a short time and was able to talk. Dr. C. C. Johnson who had charge of the case said the cut was an ugly one but probably would not result seriously. It could not be told until later. Mr. Weinhold escaped injury and Mrs. Weinhold received a slight injury to her leg. Mr. Weinhold's car was towed in last night.

FINE LITTLE DAUGHTER

From Wednesday's Daily—
This morning while the new day was coming into being the stork paid a visit to the home of Mr. and Mrs. James Henderson in the south part of the city and left in their care a fine daughter who tipped the scales at eight and a half pounds. The mother and child are doing nicely and Jim is about the happiest man in the surrounding country.

RECEIVES GOOD NEWS

From Wednesday's Daily—
A message has been received here by relatives and friends announcing the arrival at the home of Mr. and Mrs. Marvin Stiles in Omaha of a fine eight pound daughter that arrived Tuesday morning. The mother and little one are doing nicely and the grandmother, Mrs. Mike Stiles, of this city, is at the home to assist in caring for the little one. Mrs. Stiles was formerly Miss Freda Otterstein of near Mynard.

SPILLMAN IS A CANDI- DATE FOR RE-ELECTION

Attorney General Spillman, following the example of three other republican state officers has filed his personal nomination with the secretary of state for re-nomination. His home is at Pierce. Mr. Spillman was a member of the state constitutional convention of 1919-20 and one of its most active workers. He succeeded Clarence A. Davis as attorney general in January of this year. In that brief time he has participated in much important legislation on behalf of the state and acted as legal adviser of state officials and the legislature when called upon.

Mr. Spillman was authorized by the national association of attorneys general to call a meeting of members of that body to investigate the oil industry and was made chairman of a committee of attorneys general to make such an investigation, information gathered to be used for the benefit of the states and federal government in dealing with the oil industry.

GARY S. STOTTLER, UNION, PASSES AWAY

Dies After Illness of Some Duration and Case Being Investigated by County Attorney.

From Monday's Daily—
This afternoon a telephone message to County Attorney A. G. Cole called him to the vicinity of Union to investigate the death there of Gary S. Stottler, who passed away this morning. While Mr. Stottler has been in very poor health for some time it was desired by his physician, Dr. Wilson of Nebraska City, that the matter be investigated.

Gary S. Stottler was born in Liberty precinct May 30, 1876, and has resided there practically all of his lifetime and engaged in farming near Union all of these years. Mr. Stottler was married on March 25, 1921, to Mrs. Clara Shepherdson, who survives him.

Suffering financial losses in the last few years, Mr. Stottler has made his home on the farm of his wife southeast of Union. Mrs. Stottler is left to mourn the death of the husband.

The deceased leaves two brothers and two sisters to mourn his death, George Stottler of Phoenix, Minnesota; Walter Stottler of Alberta, Canada; Mrs. Ella Wait of Salmon, Oregon, and Mrs. Sarah Ira of Lincoln.

The funeral services will be held at Union but will be postponed until the inquiry into the death.

ATTEND MACCABEE MEETING

From Wednesday's Daily—
Last evening, H. M. Wolfe, deputy state commander; Fred Stewart, commander; Gerald Gillespie, sergeant; Luther Pickett, recorder, were at Nebraska City to attend the installation of a new tent of the Maccabees at that place. This new tent was organized by B. A. Hartman, deputy state commander, who was also the organizer of the tent here.

We appreciate your assistance in helping us to publish all the news. Call phone No. 6, 3 rings.

EX-POLICE CHIEF IS ON TRIAL TODAY

ALVIN JONES CHARGED WITH THREE COUNTS IN GRAND JURY INDICTMENT.

MALFEASANCE AND PERJURY

Morning Spent Endeavoring to Se- cure Jury to Try Case Against Former Chief of Police.

From Wednesday's Daily—
This morning the time of the district court was taken up with the task of selecting a jury to try the case of the state of Nebraska vs. Alvin Jones, former chief of police, on an indictment voted by the grand jury in which Mr. Jones is charged with malfeasance in office. It is alleged in the indictment that on July 10, 1923, he failed to arrest Julia Kaufman altho he knew she was dealing in intoxicating liquors. The indictment also alleges that on July 10, 1922, he was in a state of intoxication and that on August 10, 1923, he had liquor illegally in his possession.

The case apparently was lacking the interest of the previous hearings as there were only a scattering few present in the court room as the attorneys for the parties questioned the members of the jury panel as to their qualification for service.

In this action the defendant is represented by Attorneys W. A. Robertson and A. L. Tidd.

STUDENTS PROTEST SHORT VACATION

Nebraska Officials Said to Be Opposed to Change in Plan—Other Uni- versities Have Longer.

Lincoln, Dec. 18.—The student council of the University of Nebraska today sent to Chancellor Avery and to Executive Dean Engberg a protest against the short Christmas vacation, which begins December 21 and ends January 2.

Nebraska has a shorter vacation than many representative middle western schools, the students declare. Their protest includes figures from Minnesota, Wisconsin, Michigan and Kansas. The chart of comparative vacations, which they have prepared, shows that undergraduates at Nebraska go to school 209 days and have 12 days of vacation.

The students assert that an agreement between them and the university authorities enables them to eight days of vacation including two Sundays, and that under the present schedule they are asked to include two legal holidays in their eight days.

Business forms of all kinds printed at the Journal office.

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