

# BAKER GUILTY OF BIGAMY WHICH MEANS TERM IN THE PENITENTIARY

The Jury Out But a Short Time in Securing Verdict, and Prisoner Sentenced to Two Years and a Half in Penitentiary.

The jury in the case of the State vs. Baker did not take long to arrive at a verdict last night and within a very short time they brought in a verdict which Clerk Robertson read and which found the defendant guilty as charged in the information. The penalty for bigamy in this state is a penitentiary sentence of not less than one year nor more than seven years.

The testimony yesterday afternoon of the defendant and his witnesses did not tend to help his case any. He admitted the marriage to Abigail Shaw or Mrs. Baker No. 1, in Ohio twenty-six years ago and that they had lived together as husband and wife up to October last, when he left her and came to Niobrara, Neb., where his brother and other relatives lived. Later he went to Moyetta, Kas., and from there he came to this city where he met Mrs. Lillian K. Vroman and married her. His counsel, A. N. Sullivan sought to show that the married life of the Baker's in Ohio had been unhappy and even sought to show that Mrs. Baker's character was very bad and that she drank liquor to excess. Judge Pemberton ruled all this out as not being a defense to this case and repeatedly caused counsel's attention to the fact that this was not a divorce proceedings but a criminal case.

There were a number of Baker's relatives present to testify to the condition of affairs in the Baker household but their testimony on that point was ruled out. They also sought to show that he was on the verge of nervous prostration when he left his wife and further that she had deserted him in June, 1908. This was ruled out.

A number of depositions were read which sought to show that Baker had a good character while he lived in Kansas and when he was with his relatives in this state but most of this was ruled out as the testimony covered a period after the commission of the alleged offense.

The taking of testimony was concluded last night after supper and Judge Pemberton allowed counsel on each side forty-five minutes in which to present the case to the jury. County Attorney Ramsey had the opening and closing of the case and made two lucid and clear arguments and presentation of the facts showing that the state had proven the fact of the two marriages, the second while the first wife was still living and when she had been heard from and Baker knew where she was within five years next preceding the commission of the offense. A. N. Sullivan sought to clear his client on the theory that no prior legal marriage.

Judge Pemberton's instructions were very brief and made a clear presentation of the law of the case to the jury. He defined what constituted the crime of bigamy under the laws of this state and advised the jury that if they found from the evidence as produced before them a state of facts which corresponded to those set forth in the statute they must convict the defendant. The jury was then placed in charge of the sheriff and retired to the jury room where they deliberations were very brief.

In connection with the case it may be stated that Matthew Gering who appeared of record as one of the counsel for the defendant did not take part in the trial of the case, merely appearing for a motion for a continuance.

After the reading of the verdict, Judge Pemberton placed the prisoner in the hands of the sheriff who will keep him in custody until he is sentenced when he will be taken to the penitentiary to commence serving the sentence.

After disposing of this case Judge Pemberton excused the jury for the remainder of the term, there being no other jury cases to be heard.

This morning A. N. Sullivan, attorney for Baker, filed a motion for a new trial which Judge Pemberton promptly overruled and proceeded to sentence Baker to serve two years and a half in the penitentiary. Baker was brought into court by Deputy Sheriff Manspeaker and heard the sentence without comment.

It is understood that he is anxious to commence serving his sentence and that it is improbable he will appeal the case to the higher court. He and his family realize that there was no possible chance of his acquittal on the charge and that he has received what is considered a light sentence. His brother this morning stated to County Attorney Ramsey that he had advised him from the beginning of the trouble to plead guilty and throw himself on the mercy of the court as there was no chance for his escape.

Yesterday before the case was taken up a motion had been filed asking that the case be continued owing to the prevalence of diphtheria in the family of Mrs. Vroman whom Baker married here, and with whom he was staying. An investigation disclosed that the case had just originated at the house and attending doctors were of the opinion that it would not be dangerous for Baker to appear in the case. For this reason the motion was overruled. Mrs. Vroman is not without means, and the determination of the case really does her no material harm. She possesses several small pieces of property in this city.

Baker will in all likelihood be taken to Lincoln by Sheriff Quinton within a few days to commence the serving of his sentence. He will get out of the penitentiary in about two years deducting the allowance for good behavior. The penalty is not regarded as a very severe one, considering the offense but it will probably be a salutary lesson to him.

Since the foregoing was put in type the defendant in this case has experienced a change of heart it is said and now is anxious to take an appeal to the supreme court. The prospect of serving two years and a half for the state does not appeal to him and he wants to make an arrangement for bond and take a chance in the higher court. It is said that the sheriff will hold him in the county jail on that account until the full forty days which is allowed in which to prepare a bill of exception has expired unless the supreme court grants him bail and permits his release.

# HAS MADE A GOOD RECORD

Engineer J. W. Fuller Rounds Out Forty Years With The Burlington.

Many of the older inhabitants of Plattsmouth will read the following with a great deal of interest. It is taken from the Lyons (Col.) Recorder, and refers to an engineer who ran out of this city a number of years, and who is now a resident in Lyons and has just rounded out forty years with the C., B. & Q. railroad company:

Last Friday, November 12, J. W. Fuller, engineer on the passenger train which runs between Lyons and Denver, rounded out forty years of faithful service for the C., B. & Q. railroad company. All but nine years of this long period Mr. Fuller has served in the engine service. This does not represent the full time Mr. Fuller had been employed in the railroad business, however. At the age of 19 years he entered the service of the Michigan Central as fireman and served six years. Mr. Fuller then engaged to the Burlington company, whose western terminus at that time was Red Oak, Ia., he going by train from there to Plattsmouth, Neb., where on November 12, 1869, he began work as engineer. At that time there was less than two miles of track laid at Plattsmouth, that being from the Missouri river boat landing up town. During that year the track was completed from Red Oak to the river, where the noted ferry boat "President" pulled barges upon which cars were hauled across the "Big Muddy." The material for the extension of the road westward was handled in this manner. Switching these cars off and onto the barges was young Fuller's first introduction to Burlington railroad life. In the year 1870 the road was completed to Lincoln and Fuller was given a regular run.

In 1873 the line had reached Kearney and it fell to the lot of this young engineer to sit at the throttle of the engine that pulled the first passenger train to that place. Continuing to run out of Lincoln westward, in 1882, the line to Denver was completed, Mr. Fuller being the engineer on the first train which carried a number of officials who went to Denver to witness the driving of the golden spike, but which in this instance happened to be silver. In this party was George B. Harris, George W. Holdrege (who drove the spike), A. Campbell and George Valentine.

When the shops were built at Denver Mr. Fuller was put in charge, where he remained nine years, serving as master mechanic of the line from Akron west. During this period the strike of engineers and firemen occurred and the long tenure of service for the company is doubtless due to the fact that Mr. Fuller was engaged in another branch of work at this time. Returning to the engine service he had a passenger run between Denver and McCook, taking the Denver-Lyons run and moving to Lyons four years ago last April.

During these many years of service Mr. Fuller has made a record of which any man would be proud, and also has been exceedingly fortunate. He has never been in a wreck, never lost a day by reason of accident and no one has ever been killed on his train.

At the age of 17, Mr. Fuller enlisted in an Indiana regiment and served one year in the Civil war, being mustered out on account of typhoid fever. For this service he now draws a pension. The Burlington doubtless will soon retire him on pay which will enable him to spend his declining years in ease.

Mr. Fuller is 65 years of age, and notwithstanding his strenuous life, has good health, and with his faithful helpmate expects to enjoy a well-earned vacation before many months. Mr. and Mrs. Fuller own a cozy home in Lyons to which they are much attached.

**Officers Elected.**  
The directors of Liberty district yesterday held a meeting and organized by electing Andrew E. Taylor, chairman; George Everett, first vice-chairman; H. G. Todd, second vice-chairman; and F. H. McCarthy, secretary and treasurer. These gentlemen are all excellent men and will give the affairs of the district proper attention. The project is a good one and includes straightening out the Weeping Water creek through that precinct. It will be the means of saving much valuable land from overflow and will greatly benefit everyone in the neighborhood.

Itch cured in 30 minutes by Woolford's Sanifray Lotion. Never fails. Sold by Gering & Co., druggists.

**Must Die.**  
When a physician tells these two words about a member of your family or a dear friend of yours, how painful they sound. Still more painful they are, if you know that the death could have been prevented, had the patient attended to the sickness in time. Keep always in mind the old advice not to allow sickness to get a firm hold on you. Treat the very first symptoms. If they are loss of appetite and a sudden weakness, Triner's American Elixir of Bitter Wine should be taken at once. It will bring the stomach and the intestines to an increased activity, will make the digestion complete and will assist in filling the veins of the whole body with pure, rich blood. It will heal the inflamed membranes and will strengthen all organs. At drug stores. Joe Triner, 1333-1339 So. Ashland Ave., Chicago, Ill.

# MISS FOSTER'S REPLY TO RESOLVES

Rehearses the Entire Transaction and Let the Readers Judge for Themselves.

The county commissioners seem to have taken exceptions to my letter in the Louisville Courier of October 30. It was not my intention to do an injustice to anybody. I simply did not care to bear blame that was not all mine and am still of the same opinion. Since the commissioners have denied that they are in any way to blame for the purchase of the goods it might be well to rehearse the transaction and let the readers judge for themselves.

The facts in the case are as follows: I bought a bill of goods for my office from a firm that the commissioners deal largely with. When I gave my order I asked the agent for prices on the same and also for a copy of the order. He assured me that their prices would be as good as those of any other firm and told me that it was not necessary to give a copy of the order as the commissioners did not require that of them. He might have misinformed me in regard to what the commissioners demanded of them. I trusted him because I knew the commissioners bought many of their supplies for other offices of that firm.

The order came and when I saw the quantity I refused to unpack them. Finally the firm sent the bill to the commissioners. When I found out what it amounted to I knew there was something wrong. Investigation showed me that the bill was not only almost double in price but the quantity was far in excess of my order.

The secretary of the firm came and there was a meeting in my office of the commissioners and myself. I stated the case clearly to the commissioners. Told them that I positively would not consent to keeping the goods that I had not ordered. The remainder I left them to pass upon. I informed them about the prices and told them that I had not signed the order and under the circumstances I was not in favor of keeping any of the goods.

For the benefit of the readers it might be well to quote prices on a few articles that were kept: 15 reams of Pupils' Examination paper \$45; the same could have been procured from another firm for \$22.50. 15 reams of Teachers' examination paper \$45; which the other firm would have furnished for \$22.50; 500 certificates of award with seals, \$37.50; the other firm's prices on same, \$20.

After the attention of the board was called to these facts we adjourned. I heard no more of the matter until a few days after that I received a letter from the secretary of the firm, in which he says: "In regard to the supplies which you are to ship back, the writer will be down your way within the next week and arrange to have goods returned. The commissioners paid the bill complete and we will give them credit when they return the goods."

Yours Truly,  
KLOPP & BARTLETT CO.  
J. B. REDFIELD, Sec'y

I packed up the goods that I had not ordered and the quantity that I returned amounted to \$261.64. This is the same amount that the commissioners congratulated themselves upon saving the county. I did the packing while Mr. Friedrich would come in occasionally to carry an armful and to see that I was doing the work properly.

I submit this brief statement of facts to the taxpayers of Cass county in the hope and belief that they will carefully consider the same in connection with the resolution of the board of commissioners in reference to the same matter. I also hope that



You'll have something to be thankful for if you have money in the Bank.

WHEN YOU MARRY the girl of your choice a bank account will come in handy. Besides the man who saves his money is thought more of by his employer and is given the position of responsibility over the man who spends all he makes. We will pay you 3 per cent interest on the money you put in our bank and compound the interest every twelve months.

# THE FIRST NATIONAL BANK

Plattsmouth, Nebraska

they will place the responsibility and blame, if any, where it properly belongs.  
Respectfully,  
MARY E. FOSTER.

**Death of Former Resident.**  
Died. Weborg, Mrs. Sophia, at Omaha, Neb., on November 23, 1909, aged 51 years, 1 month, 15 days. Funeral on Thursday, November 25, 1909, in the afternoon.

Word was received in this city last evening of the death at Omaha of Mrs. Sophia Weborg, wife of John Weborg, and formerly a resident of this city. For many years Mr. and Mrs. Weborg were residents of this city and among its best and most respected citizens.

Deceased was born in Sweden on October 8, 1858, and had lived in this country for many years. Of the union with Mr. Weborg two sons were born, viz: Ed. and Fred, both of whom are married.

For several years the deceased had resided in Omaha, living at 525 South 25th street, from which place the funeral will be held on the afternoon of Thursday, November 25. Omaha lodges of the Degree of Honor will participate.

The sympathy of a large number of friends in this city and vicinity is extended to the sorrowing husband and sons. The deceased carried \$1,000 insurance in the Degree of Honor, being a member of that order for years.

Fred Patterson, county surveyor elect, was in the city yesterday afternoon attending to business matters. While here Mr. Patterson made his customary call on the Journal and exhibited a card he had received from Walter Byers who is now located up in the northern part of the state near the Indian reservation. It showed Walter seated on the ground surrounded by Indians in all their paint and feathers—quite an interesting sight.

A union cigar is "Acorns" by Ptak & Bajack. They are the best.

# Early Winter Excursion Rates

**TO CHICAGO:**—The National Farm Land Congress and United States Land and Irrigation Exposition, also The Great International Live Stock Exposition—the most wonderful exhibition of farm products ever held in this country. Students of modern farming methods and of improved grades of live stock should attend; rates open to the public.

Tickets sold November 15th, 19th, 28th, 29th, 30th, December 6th and 7th final limit December 13th.

**TO OMAHA:**—National Corn Exposition, December 16th to 18th. new Exposition in character and scope. The future benefits of this Exposition should mean increased wealth to every farm.

**WINTER TOURIST RATES:**—Daily from November 1st, to Southern and Cuban resorts. See the New South and enjoy its winter climate, the hospitality of its people and the luxury of its grand hotels.

**TO THE PACIFIC COAST:**—The usual winter tourist rates to California with return via Puget Sound.

**HOMESEEKERS EXCURSION:**—First and third Tuesdays to the south and west during November and December.

PICKETT, Ticket Agent.  
L. W. WAKELBY, G. P. A., Omaha.

# Gering & Co.

If you don't know how good

## MELROSE CREAM

is for the face and hands it is time you should try it. For chaps and after shaving. Keeps the skin in normal condition. Buy a tube today.

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THE DRUGGISTS