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THE SITZMAN-KEEZER MURDER TRIAL CONTINUES TO EXCITE INTEREST

The Court Room Crowded With Eager Listeners of the Testimony as Given by Various Witnesses.

From Friday's Daily.

After the intermission yesterday afternoon, Dr. Livingston not being in town to take the stand, Chris Metzger, representative-elect from this county, Sheriff Quinton and County Attorney C. H. Taylor were called and gave evidence in the case.

Mr. Metzger identified an envelope containing a \$2.00 bill and \$2.50 in silver as one he had seen on the 3rd of September and which had been in his possession since. He also identified the two dollar bill by its serial number as being one he had seen the county attorney take from a folding bed in Isadore Sitzman's room at the hotel in Cedar Creek on that date, the silver money he had found when in company with the county attorney they had searched the room of Louis Keezer and wife in the same hotel on the same day and found under the carpet. Witness also identified a club, which was about three and a half feet long, as one he had picked up near the scene of the trouble. This club he had found near where Geno was said to have fallen, the grass here being trampled down for a space of ten feet north and south by about six feet east and west. The club was in the same condition it was when last seen by the witness, except that what the witness took to be blood spots on the stick, had grown dimmer.

Witness was asked to identify a hat, which resembled one worn by Sitzman prior to the affair, which the witness did, saying that he had picked the hat up near where the trouble occurred, and near where the injured man, Geno, was said to have lain. This witness had on the third day of September, measured the distance between the two places where the grass and weeds were mashed down, said to have been the places where Sanders lay and where Geno lay, and found the distance to be thirty-five feet. The witness had made a plat of the ground and the objects in the vicinity of the trouble, which was introduced in evidence over the objections of the defendants.

Sheriff Quinton was then called, and proved to be a most interesting witness. The court room was full of spectators, among them being a large number of the citizens living near Cedar Creek, who listened to the sheriff's testimony with breathless attention.

Defendant Keezer's wife and little children and mother-in-law, being the sister and mother of Sitzman, sat near the accused men throughout the recital of the confession of the two men, which had been given to the sheriff in all of its brutal details.

The sheriff stated, in substance, that he was called to Cedar Creek on the morning of the 2nd of September, and went to the hotel and arrested the two men at the bar, one of them he took to the lumber office, and left him in the custody of Paul Roberts, and the other was taken to Wolf's store and placed in custody of Mr. Wolf, and he began to look into the case. He summoned the coroner, and as soon as could be done a jury was impaneled. Deputy Sheriff Manspecker had gone to Cedar Creek on the Schuyler on the afternoon of the day and with the team which the witness had driven to the village, brought the men to Plattsmouth and lodged them in the jail.

The next morning, the 3rd of September, he had Sitzman taken up stairs to the living room over the jail, and talked to him, first telling the accused that he was going to interrogate him, but that the accused need not answer any question unless he chose to. After some preliminary talking between the two, Sitzman at first denying having been near the trouble, he, Sitzman, finally said that he was there, and he would tell the sheriff all about it. At this point defendant's counsel entered a vigorous objection to the conversation being allowed to go in, stating that the accused was in duress, under duress, in the presence of the sheriff,

and the statements were not, and could not be free will statements, made voluntarily. The attorney made quite an argument, which Attorney Tidd for the state objected to as a "stump speech."

The court did not view it as such, but doubted the propriety of having the argument on the objection made in the presence of the jury.

The court overruled the objections of defendant's counsel and the sheriff then gave the statement made by Sitzman, in which the accused said that Keezer proposed the robbery in the afternoon of the 1st of September, that he, Sitzman, did not want to go into it, but that he and Keezer had had a few drinks that afternoon, and made up their minds to get some easy money, that they thought that they had missed the men, for a time, but when they went after the cow about 7:30 or 8:00 p. m., they saw the three men going down the track, followed them, overtook them once, let them pass, then went around through John Gauer's orchard and got ahead of them and assaulted them just as they came out of a little cut. Sitzman stated that Keezer first struck at Martin, who got away. Keezer then knocked "Shorty" down, meaning George Sanders, and he, Sitzman, took Mike. He knocked Mike Geno down, but he got hold of Sitzman and although Sitzman was on Geno, he was struggling and Sitzman yelled to Keezer, "He's got me bested, come and help me." Keezer came and made a pass with a club, striking Sitzman on the shoulder. Sitzman yelled at him, "What are you doing, you have struck me. Keezer then struck Geno twice on the head, causing Geno to release his hold on Sitzman, who then got up and went to where Sanders lay, picked up his pocket-book, but found nothing in it. Sitzman then heard some one and told Keezer they had better get away. They then made their way to the hotel, going down the alley into the back yard of the premises and round to the front door, entered the hotel, going to the kitchen, where Keezer burned some time checks. They then went to their rooms and went to bed. When asked how much they got, Sitzman said, "Six dollars, and Keezer gave me a two dollar bill. The sheriff then detailed a similar confession from Keezer, which in detail corroborated Sitzman's statement, except that Keezer said that Sitzman had persuaded him to go into the affair. Keezer's first statement was that Sitzman had knocked all three of the men down, but afterward he corrected the statement, saying that he struck at Martin, who was not injured, and ran away, that he then knocked "Shorty" down, and Sitzman took Mike. That after he had gone through Sander's pockets, from which he got \$6.00, Sitzman yelled to him, "He has got me bested, come and help me," he ran to Sitzman's aid, who was down over Geno, who was holding him fast. Keezer struck at Geno landing on Sitzman's shoulder, causing Sitzman to warn him to watch what he was doing. He then struck Geno twice on the head, after which he threw his club away and he did not know whether it struck Geno or not.

The sheriff began his testimony about 3:15 and was on the stand until the supper hour, his cross-examination not being finished, he went on again after supper.

The cross-examination of the sheriff was very rigid, and a writing, signed by Isadore Sitzman, had been identified by the witness as a statement made by the accused and written by the county attorney. Counsel for the accused noted some statements in the oral confession detailed by the sheriff, which had not been incorporated in the writing, and defendant's attorney sought to impeach the testimony of the sheriff on this score.

County Attorney Taylor was then produced and sworn, and detailed the writing of the paper signed by Sitzman, and statements made by both as to where the money could be found, Keezer stating that he had

spent a part of the money. The cross-examination of Mr. Taylor was searching, but did not result in changing his direct evidence. Before adjourning the court for the day, Judge Travis stated that members of the jury, not on the present trial, would be excused until 1:30 December 5th. The court then adjourned until nine o'clock this morning, and the jury placed in the care of the sheriff, and instructed to refrain from coming to any conclusion until the evidence and arguments of counsel were all submitted to them.

Deputy Sheriff Manspecker was called and testified to the conversation between the sheriff and Sitzman and Keezer. Mr. Manspecker corroborated the sheriff in the statement that the sheriff had told Keezer that he would like to hear his statement, if he had one to make, but that he, Keezer, did not have to make a statement unless he wanted to. That Keezer inquired of the sheriff if Pete had said anything, to which the sheriff replied that he, Keezer, had been seen there at the time of the affair, and that he, the sheriff, had the information and asked Keezer if it did not look like some one had said something. Mr. Manspecker was also subjected to a rigid cross-examination, but his testimony was not materially shaken.

The sensational witness of the trial proved to be Dr. J. S. Livingston, who on the 6th of October, in the presence of Mayor J. P. Sattler and Councilman A. Kurtz, who exhumed the body of Mike Geno and held a post mortem examination for the purpose of ascertaining the cause of death.

Mr. Sattler and Mr. Kurtz were both called and testified to the details of exhuming the body on the date above mentioned.

Dr. Livingston testified that he found two fractures of the skull of the dead man, either of which would have produced death. One of the wounds was on the forehead and one on the left temporal bone. A third fracture of the nasal bone, the doctor thought had been produced by the same blow which had fractured the frontal bone. On interrogatories propounded by the county attorney Dr. Livingston stated that the blows which produced the results found on Geno's skull were received while Geno was prostrate with the back of his head against some hard substance. A piece of the temporal bone of the murdered man was produced by Dr. Livingston, which he testified he had taken from the head at the time of the post mortem, and which had been crushed from the temporal bone of Mike Geno by the blow which fractured that portion of the skull. The doctor described to the jury the manner in which the blows must have been administered.

The club previously identified by Chris Metzger was identified by the witness as one he received from the county attorney on the 16th of September, and that it was in the same condition now as then. That there were stains of human blood on the stick.

He also stated that the fractures had probably not been produced by the club offered, as the club which produced the injuries would probably show more blood stains and other evidences of the deed. The shirt also previously testified to as having been found in Sitzman's room at the hotel at Cedar Creek, was shown the doctor and he had previously examined it and found spots of human blood on it. Both the club and the shirt were offered in evidence at this stage of the proceedings. Attorney for defendants objected to the shirt being offered, his reason being that no proper evidence had been produced showing that the garment belonged to or had ever been worn by the defendant. The court reserved his ruling on this part of the evidence.

Dr. Livingston was cross-examined at some length by Mr. Baker, but could not be made to vary his testimony from his statements in his direct examination.

Stock and Grain Farm For Sale.
222 acres 1 1/2 miles east of Murray and 7 miles south of Plattsmouth. Good five-room house with excellent stone cellar. Good \$1,000 barn, and other out buildings. Three good, living springs, one right at the house, and everything comfortably situated. Will be sold for \$110 per acre, one-half down, and balance to suit purchaser at 6 per cent. Call on or address me at Murray, Nebraska.
F. M. Young.

LEGISLATURE AND COUNTY OPTION

Democratic Majority in Senate is Five and in the House Eight.

Almost complete returns on the legislature indicate that the joint session will be democratic by a majority of thirteen. The party division in the two houses will be nineteen democrats to fourteen republicans in the senate and fifty-four democrats to forty-six republicans in the house. This will make certain the organization of both houses by the democrats if the democrats act together in party caucus, as they are pretty certain to do, and it will not be long before speakership lightning rods are erected.

On the vital question of county option, both sides are claiming to have majorities in each house. Superintendent Poulson of the Anti-Saloon League in a statement declared that seventeen members of the senate were committed for county option, and more than a majority of the house. Representatives of the liquor dealers and allied organizations are also claiming seventeen of the senate against county option, and also a majority of the house. The discrepancy between the two in the senate turns on the vote of the senator-elect from Otoe county, Henry Bartling, republican. His name appeared on the county option slate and did not appear on the slate put out by the brewers' combine which was backing his opponent, Senator Buck, the democrat up for re-election. It is asserted now that Bartling announced before the election that he would be against county option and those opposed to county option are depending upon this announcement. It is barely possible that the fate of the bill in the senate may hang on this one vote.

In the house, while the preliminary roster is subject to possible changes, the best information obtainable by the Omaha Bee, makes the division on county option forty-four pledged to the bill and fifty-six against it or non-committal.

If a few of the non-committal members turn out to be county optionists the house may present a repetition of the close vote expected in the senate.

Quite a few of the republicans elected to both senate and house have subscribed to statement No. 1 on the Oregon plan for United States senator for the candidate receiving the highest preferential vote. Inasmuch, however, as the joint session is surely democratic, as is also the candidate with the high preferential vote, these pledges will not be put to any strain.

View the Range Again.

Major W. P. Burnham, of Omaha; Major DeVore, of Ft. Russell; Captain Martin, of Ft. Crook, and Adjutant General Hartigan, of Lincoln, arrived on No. 4 this morning, and were met at the station with two carriages by Bert Pollock, Ed. Fitzgerald and County Treasurer Frank Schlater. The party were immediately driven out to inspect the sites formerly shown the committee by Mr. Pollock and the Commercial club and one new site was shown the visitors.

After viewing the grounds the party drove to the court house and inspected plats of the grounds, such as could be found, and seemed quite favorably impressed with the new site shown them. Major Burnham has requested that a complete chart of the land and vicinity be made and sent him at Omaha as soon as the same can be done.

There is no definite information as to what the board will decide upon. Major Burnham is president of the board and his recommendation will carry influence, and as the state militia will use the same range for target practice, it is altogether probable that Adjutant General Hartigan may have considerable to say in deciding the matter.

Mrs. Carl Kopschke and her mother, Mrs. George Grebe, and sister, Miss Frances Grebe, and Mrs. Kopschke's son George, went to the hospital this morning to visit Connie Grebe, who is taking treatment for his eye, which was injured some days ago.

New Business Coming.

A party from South Omaha yesterday closed a five year lease on the room in the Coates block formerly occupied by Asemissen's hardware store, and will open a ten cent store in a short time. Frank Gobelman has the contract for painting the front, placing a raised gilt lettered sign on the windows and papering and decorating the interior, and commenced the same this afternoon. The fact that Mr. Gobelman has been employed to do the work is a guarantee of a number one job all around.

THE CHICKEN PIE SUPPER AT PRESBYTERIAN CHURCH

From Friday's Daily.

The chicken pie supper given by the Ladies' Auxillary of the Presbyterian church in the parlors of the church last evening, was, as usual, very liberally patronized by members and friends of the congregation and was a most delightful social affair. The tables were very pretty with their snow white linens, silver, cut-glass and the like. They were made all the more attractive with decorations consisting of cut flowers, foliage and candelabra. In fact every possible effort had been made to make the affair as popular as ever. The popularity of these chicken pie suppers has spread far and wide and whenever the ladies announce that they will give one of these famous suppers, a large number arrange to attend. As we have stated above, there were a large number in attendance and the affair throughout was ascribed as enjoyable as the ones given in this city heretofore. It is quite needless to say aught of the supper itself. The chicken pies and accompaniments were as delicious as ever and thoroughly up to the standard which this splendid organization has produced in the past. In addition to the superb quality of the supper, the service, as usual, was far above the ordinary, it being in the hands of the younger members of this organization, who devoted themselves to making the supper pass without a flaw. One of the best features of the affair was the feeling of good fellowship which the occasion aroused and the hearty wish expressed for such occasion to be arranged to occur oftener. The ladies netted between fifty and sixty dollars. At a table, located in the hall and near the entrance to the church parlors, the Endeavor society sold delicious homemade candies. They were, also, liberally patronized and realized a neat sum, which will be used on the church calendar expense.

Canvass the Vote Today.
The canvassing board composed of Carl Rawles, Emil Walters and D. C. Morgan, were engaged today, commencing at 8 o'clock, canvassing the vote cast Tuesday in this county. Up to ten o'clock nine precincts had been canvassed, and no material changes noted from the returns first announced.

At the close of the canvass this afternoon no change sufficient to change the men elected was discovered. Mr. Hitchcock gained one vote on the official count, Mr. Hayward lost one. Mr. Wulf gained ten votes in South Bend precinct. The amendment to the constitution carried, the vote being 1686 for, and 1608 against. The vote on the jail levy was 1546 for the levy, and 1306 against. The law requires a two-thirds vote of all votes cast to make the required levy.

A Prosperous Farmer.

John W. Ruhga, a prosperous farmer, living 4 1/2 miles southwest, has just completed a nice five-room cottage on his farm, east a few rods from his fine home residence. Al. Marshall and son Harold, just finished the interior in varnish. His son, J. Henry, will occupy the new cottage and work the farm next year. Mr. Ruhga has just finished a fine hog house, 28x56, cement floor and foundation, well lighted and warm. He has just received a carload of fine cattle to fatten this winter. His herd of Durocs is very fine in quality and he has two very fine males to sell. Owing to lateness of season he will not repaint and revarnish the home building and finish painting the cottage outside, until spring.—Weeping Water Republican.

Ralph White spent the afternoon in the metropolis, departing on the fast mail.

Sells Farm.

Mr. Ernest Richter, living a few miles south of the city, closed a deal early in the week, whereby he disposed of his one hundred acre farm at the handsome price of \$120 per acre. Mr. Richter has invested in farm lands in Ness county, Kansas, paying \$30 per acre, thus getting four acres for one of Cass county soil, and a fine set of improvements. Mr. Rainey was the purchaser of Mr. Richter's Cass county farm. Mr. Richter will move to Kansas sometime in December.

Mr. Miller, of Iowa, has shipped his household effects to Plattsmouth and will have Joe McMaken move them to his farm, three miles south of town, which Mr. Miller recently purchased.

Big Stores Advertise.

"A country paper that comes to this office every week," says the Emporia Gazette, "invariably contains a page advertisement of 'the big store.' The advertisement always is well written and interesting and the exchange editor reads it, because it is good hot stuff. It is a pretty safe bet that the people of that town and surrounding country read it regularly. There is a 'big store' in almost every western town, however small that town may be, and it is invariably the heaviest advertiser. The same rule holds good in the largest cities. If you pick up a Chicago paper you always see the announcement of the big stores. The lesson of this fact should appeal to every business man, without explanation. The big stores of this country are run by the most enterprising and successful business men. Enterprising and successful business men are opposed to the waste of money and they wouldn't advertise all the year round if advertising did not bring results worth while. The small stores are the ones that don't advertise. That is why they are small. It makes no difference whether a merchant is located in a country village or a big metropolis, if he wants to do business he has to go after it, and the modern way and the only satisfactory way of going after business is by advertising."

A New Apple District.

Competent authorities agree that the Big Horn Basin with its excellent soil and favorable climatic conditions, will soon become recognized as one of the great apple growing districts of the Northwest. Prof. B. C. Buffum, who for 15 years devoted his time in experimenting in agricultural and horticultural lines while in charge of the state experimental station at Laramie, Wyoming, and Professor Aven Nelson, state horticulturist of Wyoming, have both given an opinion that the Basin is remarkably well adapted to the development of commercial orchards.

Fruit orchards are now being planted in many localities in the Big Horn Basin, and much land that has in the past been devoted to the raising of wheat, oats, barley, alfalfa, and other hay crops is being planted to apple orchards.

Wes Grassman's injury.

Wes Grassman, who is employed as straw-boss of one of the Burlington bridge gangs and who met with a very painful accident Tuesday afternoon, came in from Schuyler, Nebraska, Wednesday morning and will be compelled to take an enforced lay off of at least a week. Mr. Grassman was standing near the track near a rubber car, when for some reason unknown to Wes, the rubber car jogged right onto his foot, striking it across the instep and badly mashing a portion of the foot and breaking one of the toes. Wes is compelled to get around with much difficulty with the aid of crutches and is under the care of Dr. Cook.

"Ishmael" Tomorrow Night.

From Friday's Daily.
The interest in the play "Ishmael" is not confined to any class or age of men and women. The book has been very popular with the last three generations and the management asserts that it is no unusual thing to see three generations of one family at a performance. Readers of fiction recall "Ishmael" as one of the most beautiful love stories of the language. Miss Grace Hayward, who dramatized the book, has taken few liberties with the story, and the result is a play that fully satisfies, wholesome and true to the last degree.

Sells Farm.

Mr. Ernest Richter, living a few miles south of the city, closed a deal early in the week, whereby he disposed of his one hundred acre farm at the handsome price of \$120 per acre. Mr. Richter has invested in farm lands in Ness county, Kansas, paying \$30 per acre, thus getting four acres for one of Cass county soil, and a fine set of improvements. Mr. Rainey was the purchaser of Mr. Richter's Cass county farm. Mr. Richter will move to Kansas sometime in December.

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