

DEFENSE IN MURDER CASE TO BE THAT OF SELF-DEFENSE

Mrs. Sitzman, Mother of One of the Prisoners, the First Witness for Defense, Tells of Threats by Geno.

From Saturday's Daily. The state rested its case about 2:45 Friday afternoon and the defendants' witnesses were called, the mother of Sitzman being the first sworn for the defense, and it soon developed what the defense would be. Mrs. Sitzman is an elderly lady of about sixty or sixty-five years of age, the mother of ten children and she speaks very broken English. It was apparent from the questions put to Mrs. Sitzman that the defendants would rely on self defense to get them out of the trouble.

After detailing the relationship of the defendants to her she told the jury, in reply to interrogatories of the defendants' counsel, that Isadore lived with her, that he was her main support and acted as porter at her hotel in Cedar Creek; that Keezer's wife, her daughter, helped her in keeping the house, and that she and her husband lived at the hotel. The witness also detailed the whereabouts of the two the afternoon of the trouble in which Geno was killed, saying that the young men were at the saloon near by most of the afternoon, and that Isadore was drunk when he came home about 7 o'clock, and wanted to lie down and rest, but that she sent him for the cow, and that Keezer went with him.

The witness was then asked when, if ever, she had seen Geno, and she replied that she had seen him at her hotel two or three days before, and that he had made a disturbance there and threatened to shoot Isadore. Here an objection was raised by the prosecution and it moved the court to strike out the answer and rule this evidence as immaterial. Quite an argument on both sides of the matter was entered into, and Judge Baker offered to state what the defendants expected to prove, that threats were made and that Geno had behaved boisterously at that time. The state objected to such matter being discussed in the presence of the jury, and the court ordered the jury taken from the room while the matter was under discussion.

Defendants' counsel then stated to the court that he would prove by four witnesses that about two or three days before the trouble in which Geno was killed occurred, that Geno came to the Sitzman hotel at the noonday meal and was served in the dining room, that he was in an intoxicated condition and became boisterous, throwing the plates and dishes about the table, and that Keezer and Isadore Sitzman, at the request of Mrs. Sitzman, got Geno out at the door, when he cursed them and went away, going to the saloon, and came back with a revolver in his hand and began cursing the defendants, pointed the revolver at Isadore, saying, "I will get you, if not now, I will get you some time." That Keezer pulled Isadore back into the dining room and closed the door.

Judge Travis ruled that any statements on the part of Geno, in which a threat was made, or an action on his part tending to prove a threat was competent, but the row in the dining room, if any occurred was not a part of this case, and could not be detailed to the jury. Judge Baker pleaded with the court not to confine him to proving only the bare threat, as he apprehended that learned counsel for the state would argue how impossible it would be for Geno to make a mere threat, stripped of surrounding circumstances leading up to the threat. For several minutes the counsel argued for his contention, but the court said he would adhere to the ruling, that nothing outside the threat should go to the jury.

The jury was then recalled and Mrs. Sitzman went on with her testimony, detailing the visit of Geno to her hotel about two days before he was killed. The witness testified to the evidence outlined by Judge Baker, saying that Geno cursed her, and also the defendants, calling the state of a b—, with "swear words" preceding in which the condemnation of the deity was invoked.

On cross-examination, Mrs. Sitzman stated that she had never seen Geno before that day, that she did not remember whether he had a full beard or not, she could not tell about his appearance, except that he was a tall man, much larger than Isadore. She did not see the boys in the saloon the afternoon of the trouble, but knew they were there as she could hear their voices.

Mrs. Keezer was called and testified to the same state of facts, given by her mother, and in addition detailed a conversation claimed to have been had with the county attorney, in which the county attorney had said that it would be much better for the boys if they would confess, and that they would not need an attorney, and if they did confess, they would get off with a very light sentence, and maybe none at all. On cross-examination the witness said the conversation had occurred in the room occupied by her and her husband on the evening of the 3rd of September, when Chris Metzger and the county attorney were there searching for the money; that Mr. Metzger had left the room, probably two minutes, that the door was open leading from the room.

After Mrs. Keezer testified, Anna Price, the twelve-year-old granddaughter was sworn and corroborated both Mrs. Sitzman and Mrs. Keezer as to the occurrences in the dining room and also what occurred on the outside, some two or three days before the trouble in which Geno was killed.

Her statements in language corresponded so nearly with the other two witnesses, that the court said he would like to know who had talked to this witness. Attorney Tidd cross-examined Anna Price, and when asked with whom she had talked about the case she stated that she had talked with her grandmother, Mrs. Sitzman. She was next asked what her grandmother had said, and replied that she had been told by her grandmother to tell the truth about the occurrence in the dining room and at the door. The cross-examination of this witness did not affect her testimony, but seemed to strengthen it, if it had any effect at all.

The court then took a recess until 9 o'clock Saturday morning.

When court convened this morning Max Price and George Sitzman were sworn and also the defendants.

During the direct examination of Chris Metzger it was developed that the pieces of a quart bottle were observed on the railway track, near where the trouble occurred. George Sitzman testified to a conversation which he overheard in one of the saloons of Plattsmouth, in which one of the men who had been identified with the affair, stated that there would have been nothing of the trouble if Geno had not thrown the bottle. The cross-examination of this witness by Attorney A. L. Tidd on the part of the state was searching, but elicited no new facts.

Louis Keezer was then placed on the stand in his own behalf and detailed his version of the trouble, in which he has been proven to have administered the blows which caused the death of Mike Geno. The story of Keezer was to the effect that when the trouble occurred he and Isadore Sitzman were going after the cow when they overtook the three men going toward the quarry, and passed them that when they passed Geno he yelled, "There goes one of the 'g— d— s— of b— s—," and threw a quart bottle at Isadore; that Geno and Isadore clinched and he, Geno, getting the better of Isadore, who called for help, that the men were down when he got to where they were, and that he struck Geno two blows on the head with a small stick. The witness was subjected to a searching cross-examination by Attorney Tidd.

On the cross-examination he stated that Isadore was in the lead when they passed the men, that the men were walking between the rails, but at one side, Martin in the lead, with Sanders next and Geno last, and he thought Geno was about thirty feet behind Sanders, that neither he nor Sitzman said anything to Sanders, that as he passed Sanders, he thought Sanders struck at him and he knocked Sanders down. At that time Geno and Sitzman were struggling, and about that time he heard Sitzman calling for help, when he went to his assistance. As soon as Sitzman was free from Geno's grasp, they ran, having heard some one call from John Gauer's orchard.



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NEW INDUSTRY IN PLATTSMOUTH

Poultry and Chicken Business to Be Established in City by Hatt Produce Company

For many years it has been a mystery to us as well as many others in this locality, just why poultry, butter and egg and general produce houses could not be made to pay in Plattsmouth, and during all this time no one has ever attempted to make it pay. But, now we are to have an industry of this kind, and will be known as Hatt & Co., and workmen have just started to erect a cement block building in the rear of the store of Hatt & Son in which to carry on the business. They expect to dress all the poultry bought by them right at home, and will ship to the eastern markets, thus enabling them to pay the highest prices for all kinds of produce. This enterprise is expected to grow and grow rapidly, as the highest possible price will be paid for everything, and they have adopted the motto, "Let Us Grow." A well conducted produce house means much to us all; the farmers for miles around will have a market at all times and a top notcher, too; it will produce employment for more men in the dressing department. This firm has been buying a great deal of poultry for the past year, and have made no great effort to increase the business, but now they are going into it right let all give them a helping hand and see if Plattsmouth cannot have a poultry company as large as some of our neighboring towns in Iowa. To our farmer friends we would ask that you give them a trial when you have anything ready for the market.

No New Jail at Plattsmouth.

The voters decided, by a majority of 1,500, that they do not care to have a new jail in Cass county. The old ramshackle building which is now used for a jail is utterly unfit for a stable, and the officers of the law are in a quandry what to do. Cass county has had numerous jail deliveries during the past few years, and Otoe county officers have been called upon several times to aid in recapturing prisoners. It will probably cost Cass county a great deal more to pay out money to recapture criminals than it would to build a new structure.—Nebraska City Daily Press.

Notice.

To all owners and parties interested in lots located in the Horning cemetery: There will be a meeting held at the Horning school house on December 3rd, at two o'clock in the afternoon, for the purpose of electing trustees for said cemetery. Also to transact such other business as may come before the meeting.

Geo. W. Snyder.
Will T. Adams.

Fire at University Building.

Word was received in this city this forenoon, that a disastrous fire in one of the university buildings at Lincoln this morning totally destroyed one of the large buildings. It is thought to be the university building proper, and one of the first erected on the present site.

St. Luke's Choir.

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MRS. SCHENK HELD IN JAIL

Awaiting Developments in Illness of Millionaire Husband.

SICK MAN SLIGHTLY IMPROVED

Reports Say Other Arrests Will Be Made—Suspects Expected to Cast Light on Purchase of Poison—Accused Woman Asserts Innocence.

Wheeling, W. Va., Nov. 12.—In a room in the tower of the county jail, fitted with comforts from her palatial home, Mrs. Laura Farnsworth Schenk is detained without privileges of bail, awaiting developments in the illness of her husband, John O. Schenk, a millionaire pork packer. Arraignment of Mrs. Schenk on charges of attempting to poison her husband by putting arsenic in his food will be delayed pending the outcome.

At the North Wheeling hospital, where he was taken two weeks ago, he is reported as improved, but still critically ill. Despite his weakened condition the authorities ventured to tell him of Mrs. Schenk's arrest, but he is said to have only remarked: "If all these things are true, she is where she ought to be."

That further arrests are to be made was admitted by Prosecuting Attorney Handlan and Chief of Police Hastings. The suspects are expected to cast light on the manner in which arsenic or any other drug might have found its way into the Schenk home.

Laws Forbid Sale of Poison.

The state laws expressly forbid the sale of poisonous drugs without registration of the purchaser. In this connection it is said physicians will be questioned.

At the jail Mrs. Schenk was questioned anew, but she repeatedly declared her innocence of any attempt on her husband's life. Attorney Handlan said Mr. Schenk's illness might be said to date back nearly a year. In January he fell suddenly ill and took a trip abroad for his health, going alone. Following his return, much improved, he fell ill again and Dr. Ackerman was called in and diagnosed the case as poisoning. He was soon afterward discharged from the case.

Dr. Lemoine was then summoned by relatives and he returned a similar diagnosis, but his opinion was kept from Mrs. Schenk until the expert analysis had been made and her husband removed to the hospital.

Wife Former Domestic.

Laura Farnsworth Schenk is the daughter of a poor family in Marietta, O. She came to Wheeling twenty-three years ago and found employment as a domestic. She worked as such in several homes here until ten years ago, when Mr. Schenk, who was then twenty-seven years old, and wealthy, married her.

They have two children, who have been placed in the care of relatives and who are kept in ignorance of the charges against their mother.

ANOTHER ADVANCE IN WHEAT

Coarse Grains Fall to Respond and Close Shade Lower.

Chicago, Nov. 11.—Improving milling demand had much to do with a strong upturn in wheat the last hour of trading today. There were also reports that a large percentage of seed planted in Kansas had failed to germinate. At the close, prices ranged from 3/8c higher to 5/8c below last night. Corn finished 3/8c down, oats off a shade to 1/8c and provisions unchanged to a decline of 12c. Close:

Wheat—Dec., 90c; May, 86c.
Corn—Dec., 46c; May, 48c.
Oats—Dec., 31c; May, 34c; July, 34c.
Pork—Jan., \$17.45; May, \$16.37 1/2.
Lard—Jan., \$10.32 1/2; May, \$9.55.
Chicago Cash Prices—No. 2 hard wheat, 91@94c; No. 2 corn, 50 1/2@51 1/2; No. 2 oats, 31@31 1/2c.

Omaha Cash Prices.

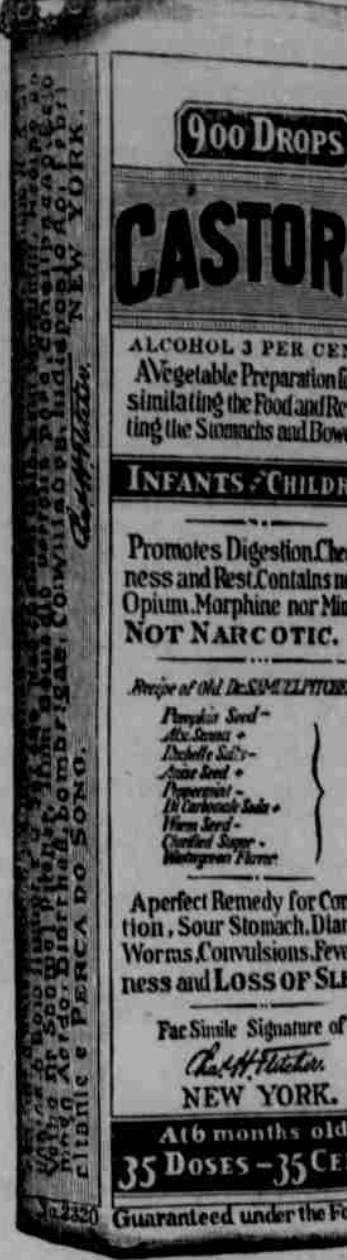
Omaha, Nov. 11.—Wheat—1c higher; No. 2 hard, 85 1/2@89 1/2c; No. 3 hard, 82 1/2@88c. Corn—1c higher; No. 2, 46@46 1/2c; No. 3, 46@46 1/2c. Oats—1/2c higher; No. 3 white, 29 1/2@30 1/2c; No. 3 yellow, 29@29 1/2c.

South Omaha Live Stock.

South Omaha, Nov. 11.—Cattle—Receipts, 1,400; steady to strong; native steers, \$4.25@7.00; cows and heifers, \$3.00@5.25; western steers, \$3.50@6.25; stockers and feeders, \$3.00@5.50; calves, \$2.25@3.75; bulls and stags, \$2.00@4.50. Hogs—Receipts, 3,300; 10@15c higher; heavy, \$7.50@8.00; mixed, \$7.75@7.85; light, \$8.00@8.25; pigs, \$7.00@8.00; bulk of sales, \$7.65@7.85. Sheep—Receipts, 2,300; 10c higher; yearlings, \$4.00@4.50; wethers, \$3.25@4.00; ewes, \$3.00@3.50; lambs, \$5.50@6.40.

Chicago Live Stock.

Chicago, Nov. 11.—Cattle—Receipts, 2,500; steady; beefs, \$4.50@7.50; western steers, \$4.10@6.75; stockers and feeders, \$4.10@5.40; cows and heifers, \$2.25@6.25; calves, \$6.50@10.25. Hogs—Receipts, 15,000; 5@10c lower; light, \$7.60@8.05; mixed, \$7.60@8.20; heavy, \$7.45@8.10; rough, \$7.45@7.65; pigs, \$7.20@7.80; bulk of sales, \$7.85@8.25. Sheep—Receipts, 14,000; weak; natives, \$2.50@4.25; westerns, \$2.60@4.25; yearlings, \$4.30@5.50; lambs, \$4.75@6.70.



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A Frightful Accident.

A 14-year-old son of Herman Kupke, living one-half mile east of Murdock, met with an accident on Friday of last week. He went to step over a tumbling rod that operates a corn elevator, when his clothing became twisted around the rod and before the team could be stopped he was frightfully injured. His body was so badly cut, bruised and torn that the local physician ordered him taken to a hospital. Andrew Stohman, a relative of the unfortunate boy, visited him at the hospital on Wednesday and tells the Courier that

he is getting along as well as could be expected.—Louisville Courier.

Ship Last Consignment Today.

Patterson & Thomas, the enterprising syrup manufacturers of Rock Bluffs, shipped out the last of their output for this season this afternoon. These gentlemen have made and sold three hundred gallons, and could have sold twice as much more, which speaks well for the quality of the goods. The firm has already begun to book orders for next year's output, and it is advisable for anyone desiring syrup for next year's consumption to get their order in pretty soon.



WE sold more Suits and Overcoats Saturday than we had thought it possible to sell in a single day in Plattsmouth. The largest one day's business since our opening.

It was really a joy to see the look of satisfaction on the faces of our customers, when they saw what a large showing of good suits and overcoats we had to offer.

New styles, new weaves, new colorings and patterns; special thing for young men. Suits and Overcoats \$10 to \$35.

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Just received Second Shipment of *Falter & Thierolf* Sweatercoats All Shades \$1.25 to \$4.50