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LIFE SENTENCE IN THE PENITENTIARY FOR SITZMAN AND KEEZER

Such is the Verdict of the Jury, Which Meets With the Approval of the Public in General.

From Monday's Daily.

Both the state and defendants rested their case Saturday afternoon about 5 o'clock, after the defense had examined Isadore Sitzman, Keezer's co-defendant, and the state put on four or five witnesses in rebuttal. The rebuttal was short, the defendants not using any rebuttal witnesses whatever.

Sitzman testified that he and Keezer had been drinking that afternoon, spending most of the time in the saloon, that about 7:30 they started after the cow, going up the railroad tracks, they overtook the three men, Martin, Sanders and Geno, they passed Geno first, Sanders next and Martin last, that nothing was said the time they first passed, they went on up the track and met the men as they were returning to Cedar Creek, that he was in the lead and had passed Martin and Sanders, when Geno yelled, "There comes one of the g—d—s— of b— now," and at the same time threw the bottle testified to by Keezer, at him, Sitzman, when the two clinched and went down, and Geno getting the best of him, he called on Keezer to assist him and prevent Geno from injuring him. Keezer came immediately and struck at Geno with a small stick, missing him and striking Sitzman on the shoulder, when he told Keezer to watch out what he was doing, that he had been struck, Keezer then struck Geno twice and Geno released his hold on the witness, when they ran toward Cedar Creek.

The witness was cross-examined by the county attorney, and in his cross-examination corroborated the testimony of Sheriff Quinton as to the statements made in his confession, as to the direction they went after leaving the scene of the murder, stating that they went through the alley to the back yard of the hotel and around on the east side of the house and in at the front door.

The witness was asked by the county attorney, if he did not see Henry Inhelder and the foreman of the quarry and two others, and if they did not inquire if witness and Keezer were looking for their "bottled cow," and witness and Keezer replied, "let the cow go to hell." The question caused a ripple of laughter to pervade the crowded court room, and the court rapped for order, stating that another outbreak of the kind would result in the court room being cleared of spectators. Defendants' counsel objected to the question as improper on two theories of the case. The court sustained the objections in part, but said if the question was divided and put in different form it would be permitted. The witness was then asked if in the presence of these men on the evening of the day of the trouble, he or Keezer did not state, when asked if they were looking for the cow, "let the cow go to hell." Witness stated that he did not. The defendants then rested their case and Mr. Inhelder and the foreman of the quarry and others were sworn in rebuttal and all testified to the fact of having seen the two defendants between 7 and 8 o'clock on the evening of September 1st, near the residence of J. P. Schroeder, the quarry foreman, and heard Sitzman or Keezer say, on being asked if they were looking for the cow, "let the cow go to hell." It had been rumored about the court room that the state would show in rebuttal that the Geno who had created the disturbance at the Sitzman hotel was not Mike, but a brother of Mike, but no such rebuttal was offered. After the state had rested its case the court took a recess until 9 o'clock this morning, directing the jury to be kept together.

Sheriff Quinton took the jury to church, a majority of them having signified their preference of attending at the First Presbyterian church, where they listened to a sermon by Rev. L. W. Gade, who in no manner alluded to the case on trial.

The attorneys on the convening of court this morning asked that the instructions to the jury be read before the argument, and as some time was

required to reduce these to writing the court did not take up the case today until after the noon day lunch. And at the time of going to press the matter is being argued by counsel.

From Tuesday's Daily

The trial of Louis Keezer and Isadore Sitzman, charged with the murder of Mike Geno on the evening of September 1st, last, came to an end this morning, after seven days' duration. The jury and the court as well as attorneys showed the result of the nervous tension and had a wearied appearance.

After the instructions were read to the jury, taking from them the first count of the information charging premeditated murder in the first degree, and leaving the jury only first degree murder while attempting to rob, the argument for the state was opened by County Attorney Taylor, who spoke for probably an hour and a quarter, detailing to the jury the guilt of the defendants as established by the evidence, exclusive of the confession. The jury was reminded of the testimony of Sanuders, who says his pockets were rifled by both Keezer and Sitzman, the latter lighting a match to investigate the contents of his purse.

The speaker then reverted to the defense as a "concocted scheme" on the part of the defendants to escape the gallows, and by careful analysis showed the inconsistencies of their story. The evidence of Anna Price was dissected, and the attention of the jury called to the statement that she had talked to no one but her grandmother about the matter, and that her grandmother had told her to speak the truth about the occurrence at the hotel on the day it occurred, which was three days before the murder, and that witness went away that day and did not see her grandmother any more. The jury was asked why the grandmother would enjoin upon the little girl the importance of telling the truth about a transaction not then known would ever be detailed in court. The confession was then presented to the jury by the county attorney as having been the thought of the accused men at a time when the enormity of the crime had not impressed itself upon them, and was made after being informed that they did not have to make a statement. The duty of the jury to protect society and keep inviolate their oaths as jurors was argued also.

Defendants' attorney, Judge Ben Baker, opened his argument by stating that he wished he was better equipped for the duty devolved on him, and that it might have been better for the cause of his clients if a member of the Cass county bar had been employed to defend these boys, but that he would endeavor to aid the jury in arriving at a just decision, that for this purpose he would talk with them and reason on the evidence. Judge Baker then alluded to the affair at the hotel as detailed by the witnesses for the defense, and reverting to the county attorney's statement of "a concocted scheme on the part of the defense," said that when his young friend attained more years and more experience such remarks would not be used by him.

The speaker then took up the confession, stating that such evidence was the weakest of all testimony, owing to the frailty of the memory of any individual, and that the confession of Keezer could not bind Sitzman. At times during his speech Judge Baker assumed a conversational style of argument, and at other times he exhibited the greatest force, bringing his voice to a whisper. He argued that the intent to rob had never been proven, and especially had the state failed to show that anything had been taken from Geno, the man killed, and as the intent to rob was a vital issue in the case to make the crime of first degree murder, the state had failed in this particular. Judge Baker occupied an hour and a half during which time some of the most dramatic scenes occurred.

At the close of Judge Baker's plea, near the hour of 5 o'clock, the court took a recess until 7:30, and directed

the bailiff to allow the jury to take some exercise if they desired. After supper, Mr. Tidd closed for the state in a speech of an hour and a half, which he used in answering the arguments of defendants' counsel and in reviewing the evidence of the entire case. The speaker dwelt on the scene at the hotel and answered defendants' question as to why evidence was not put on to show where Mike Geno was on the day that the trouble occurred at the Sitzman hotel; also, as to why someone was not called on to testify what was taken from Geno's person, by saying that the only person who could testify to this point was Mike Geno himself, and he was dead, his lips were sealed, that was the reason why the proof was not offered. The speeches of both attorneys for the prosecution were clear and convincing arguments.

The jury was sent out at the close of Mr. Tidd's speech and when court convened this morning were ready with a verdict. The prisoners were brought in to their customary places. The roll was called by Clerk of the Court Robertson, and each juror answered to his name. On being interrogated as to whether a verdict had been reached, Mr. G. L. Farley answered in the affirmative. He was directed by Judge Travis to hand it up; the clerk then passed the paper to the judge who scanned it carefully and passed it back to the clerk and stated that the jury will now listen to their verdict, which in substance was: "We, the jury impanelled and sworn in this case, find the defendants guilty, as charged in the second, third and fourth counts of the information and not guilty as charged in the first count of the information, and fix the penalty at life imprisonment." Signed, G. L. Farley, foreman.

On being asked if this was their verdict the jury answered in the affirmative. Defendants' counsel then asked to have the jury polled, at which each juror was asked to stand as his name was called, and was interrogated by the clerk as follows: "Is this your verdict and do you still adhere to it?" To which each answered, "Yes." Judge Travis then directed the sheriff to adjourn the court until the 5th of December.

After receiving the verdict Judge Travis thanked the jury for its patience and its faithful attention to the case.

The verdict of the jury in fixing the penalty at life imprisonment meets with general satisfaction of the public, and there has been many expressions of approval and approval of the verdict.

There can be no complaint on the part of the accused men, although their counsel stated that he would appeal the case, yet there is little probability that they will do so.

Judge Travis' rulings were uniformly fair, and his ripe experience as a jurist no doubt aided him as he weighed the objections interposed by defendants' shrewd lawyer. There has never been a trial of like importance in this court, where more care was exercised by the presiding judge than the one just closed.

Superintendent Gamble Honored.

Superintendent J. W. Gamble received from the state authorities at Lincoln this morning, a certificate which qualifies him to instruct in any teachers' institute which may be held in the state in the future. Early this year a movement was placed on foot among the educators of the state, looking toward a system controlling the instruction to be given in county institutes, and prescribing the requisite qualifications for instructors in institute work. A state institute was held at Lincoln this summer for the purpose of instructing in this work and an educational standard fixed.

Superintendent Gamble furnished the required qualifications and satisfied the board of examiners that he could deliver the goods when it came to instructing at a county institute, and accordingly, this morning, he received certificate No. 12, which is the twelfth one issued in the state.

Mr. Zack Shrader Here.

Mr. Zack Shrader, of Mt. Pleasant precinct, drove up from his farm last evening and visited friends in this city over night. Mr. Shrader is one of the staunch farmers of the county, taking a leading place in the community in which he resides. He has been one of the Journal's valued subscribers for many years, and made this office a social call today, leaving the price of a year's subscription to gladden the heart of the publisher.

MRS. ISABEL RICHEY PASSES AWAY

Passes Gently Into Eternal Sleep Sunday, November 13, 1910

From Monday's Daily.

Died—Richey, Mrs. Isabel, at Plattsmouth, Nebraska, Sunday, November 13, 1910.

Mrs. Isabel Grimes Richey was born in Lancaster, Schuyler county, Missouri, June 16, 1858, and while yet a small child removed with her parents, Mr. and Mrs. Henry C. Grimes, to Ottumwa, Iowa, where she attended school and spent several years of her girlhood. In 1870 the family moved to Afton, Iowa, and there Mrs. Richey finished her education and was for a short time a teacher in the schools at that place. It was in Afton that she first met Mr. Justus G. Richey, and there that their marriage was celebrated in 1879. Theirs has been an unusually happy wedded life and the love of husband and wife was one of the beautiful features of Mrs. Richey's life. About 1880 Mrs. Richey moved to Plattsmouth, where her husband had established a lumber yard, and this city has continued to be their home until the Master called the wife and mother away. Two children blessed the union of Mr. and Mrs. Richey, Welche, who died in 1885, and Justus Livingston, principal of the Plattsmouth high school.

Mrs. Richey, several years ago, began to devote her talents to literature and has published two volumes of verses, "The Harp of the West," in 1895, and "When Love Is King," in 1900, and a large number of her later verses have appeared in the local paper. Her ability as a writer was quickly recognized and for several years she was editor of the Woman's department of the Twentieth Century Farmer, of Omaha, resigning the same in the fall of 1908, when the illness of her mother demanded her constant attention.

The illness from which she never recovered began in 1909 and for the past year she had been almost constantly confined to her home. Her going was as peaceful as her beautiful Christian life had been, falling gently into that sleep that knows no waking on this earth.

To mourn her loss there remains the husband, Justus G. Richey and son, Justus Livingston Richey, one sister, Mrs. Claude Everett, of Union, Nebraska, and two brothers, Edwin F. Grimes, of Omaha, and Charles D. Grimes, of Yorkum, Texas.

The funeral will be held tomorrow (Tuesday) afternoon at 2 o'clock from St. Luke's Episcopal church, conducted by Canon H. B. Burgess.

Dead and Dying.

County Surveyor Fred Patterson returned to the city from his home at Rock Bluffs last evening, where he had spent Sunday with his family. He went to Murray to catch the evening train, which, as usual, was an hour and a half behind time, with a double-header, but one of the engines cold and stiff in death, while the other was dying as rapidly as it possibly could. Fred says there is no telling these days when a person goes away on the Missouri Pacific whether he is going to return the same way or not.

Called to Nebraska City.

Hon. R. B. Windham went to Nebraska City this morning to be the guest of the Knights and Ladies of Security at that place, and to deliver a speech to the council there. The occasion is the 14th anniversary of the organization of the council, the same having been organized about two months prior to the Plattsmouth council. Mr. Windham was a delegate from this congressional district to the national council last summer, and the Nebraska City council are desirous of learning the impression the national meeting made upon Mr. Windham.

Sells Farm for Good Money.

Crede Harris, the Liberty precinct real estate man, last week sold a forty-acre farm near Union to Chas. Garrison, that village for \$6,000, or \$150 per acre. Where is the agent who can duplicate the sale?

Miss Foster will hold teachers' examinations at her office in this city Friday and Saturday next.

New Bum Shanty Needed.

Night Policeman Henry Trout says that a new bum shanty is needed very badly, as men of this class apply to him every night for a place of shelter over night, and have to be admitted to the jail. This is a source of expense to the city to keep them up in the jail.

Last spring the shanty, north of the station, which had been used for housing the "weary" ones for several winters, was burned and nothing has been provided since. It would be inhuman to compel the homeless ones drifting into the city to go without shelter during the cold nights, and the council ought to make some provision to prevent suffering.

WOMAN'S RELIEF CORPS ENTERTAIN G. A. R. BOYS

At the regular meeting of the G. A. R. post last Saturday evening, at their hall, the members of the Woman's Relief Corps sprang a surprise on the post which will be long remembered by those fortunate enough to be present. A committee appointed by the ladies for the purpose arranged a most interesting program which was carried out to the letter, and in addition Mrs. Andrews, member of the Woman's Relief Corps, of Exeter, Nebraska, was present and gave a most interesting talk, bringing up much of the past relating to woman's part of the civil war; also, Miss Ellen Windham being present, was called on for a reading which she gave, much to the delight of the old soldiers.

The program consisted of the following: "Tenting Tonight," solo and chorus; "Aunt Jemima's Plaster," by Mr. Howard; address by Judge Beeson; solo by Mr. Glen Scott; solo by Mrs. Ernest Tudy; "War Memories," Mrs. Vandercok; solo, Mr. Moore; duet, Mr. Moore and Mr. Seiver; reading, Mrs. A. J. Beeson; solo, Mr. Jay Seiver.

Every number on the program was pleasing and won much applause, and the entire program being unexpected by the members of the post, gave them the keenest enjoyment, and they expressed the warmest appreciation of the thoughtfulness of the Relief Corps.

Louis K. Penterman Dead.

Louis K. Penterman, father of E. H. and H. G. Penterman, general merchants of this place, died at the home of his brother-in-law, Henry Maseman, in Avoca, at an early hour Tuesday morning. Word was sent to the family at this place and the wife and children were at his bedside as soon as an automobile could take them there. Death, it is claimed, was due to heart trouble, and came without a struggle. Mr. Penterman was building a large corn crib for Mr. Maseman, and the two gentlemen were sleeping together. The latter was having trouble with his back and did not sleep well. Mr. Penterman, as members of his family have told us, usually snores heavily when he sleeps, and this is what awakened Mr. Maseman who tried to stop him by hunching him in the side. This would generally stop him enough until both parties could get to sleep. But this time no response came and the spirit of this good man departed with a last short breath. The remains were brought to Elmwood Tuesday evening and the funeral services conducted from the German Lutheran church yesterday, (Thursday) afternoon and interment made in the Elmwood cemetery.—Elmwood Leader-Echo.

Extends Thanks.

I take this method of returning my most sincere thanks to my friends in the various sections of Cass county for the magnificent support I received in the election for representative. I want to say to each and everyone of them that I will use my most earnest endeavors to prove true to the faith reposed in me, and in my feeble way defend the principles which I advocated, and support all such measures as I think will prove beneficial to the people whom I represent.

W. H. Puls.

Slightly Better This Afternoon.

Mr. A. E. Gass, who is in a critical condition, was slightly improved this afternoon. There were rumors on the street at noon that Mr. Gass was dead, but instead of such being the fact, he was a little stronger this afternoon than earlier in the day.

A GOOD MOVE IN NEBRASKA

The Chief Deputy Fire Commissioner Congratulates Supt. of Public Schools.

A. V. Johnson, chief deputy fire commissioner of Nebraska, has issued the following address congratulating the schools throughout the state that celebrated "Fire Day," and especially city superintendents of schools, who took an active part in having the day celebrated in the manner as requested by him:

"In regard to Fire Day, I desire to say that the day was pretty generally observed throughout the entire state of Nebraska. The people of Nebraska should congratulate themselves for having such broad-minded and liberal educators in the state. The fire commission department furnished superintendents of city schools and the county superintendents of public instruction with text books sufficient to supply every teacher in the state with a copy.

"The fire commission department desires to express to all of the teachers who helped to observe this day its appreciation of their efforts. Especially does it desire to express its thanks to Hon. E. C. Bishop, state superintendent of public instruction for his co-operation in this work; also to the superintendents of schools in our metropolitan cities.

"I have heard from a number of the teachers and county superintendents of public instruction by mail, and the amount of enthusiasm and interest that has been manifested in this newer educational work is remarkable.

"Nebraska is the first state that has voluntarily introduced the subject of fire prevention into its public schools. When we take into consideration the amount of money required to carry on our educational institutions and the amount of property, in dollars and cents, that is destroyed every year by the carelessness of people, I cannot see why this subject has been so long neglected in our schools. During the year of 1910 we have reports of more than 500 fires all of which are the result of carelessness. I sincerely trust that the work will be continued and request that the teachers throughout the state will take up this study at intervals and discuss it in the schools either by debates, essays, or lectures on the subject of "Fire Protection."

"I have received communications from a number of states requesting copies of the fire prevention text book, all the writers have commended the book, and have in mind the introduction of the study in the schools of their respective states, and Nebraska will thus receive the credit of having been the first state to establish permanently a Fire Day."

Others in Same Fix.

A special from Lincoln says: "It is supposed that Henry Bartling, of Nebraska City, will pick a seat with especial reference to ease of egress from the senate. The senate is equally divided on county option aside from Bartling, and it is said that both forces have his pledge in writing to vote for and against a county option bill. It was a Napoleonic maxim that half a battle was finding a way out after planning a way to get into the ranks of the enemy. Bartling is expected to obey this precept to a fare-you-well." There are others who will be confronted in the house with pledges to vote for county option when they told the voters they were against such a measure. They will find trouble on their hands when such a bill comes up.

Sewer Extension Completed.

The thirty feet of sewer composing the extension of the Vine street sewer was completed this morning. H. C. McMaken & Son having succeeded in getting a mechanic who understood the work perfectly, and a good job was done. The work will be submitted to the city council this evening on the report of the committee having the same in charge for approval.

Mr. A. E. Quinn was an Omaha passenger on the morning train today, where he was called on business.