

The Plattsmouth Journal.

SEMI-WEEKLY EDITION—EIGHT PAGES

VOLUME XXIX

PLATTSMOUTH, NEBRASKA, THURSDAY DECEMBER 8, 1910

NO 92

CLARENCE MURDER TRIAL COMMENCES TODAY IN DISTRICT COURT

As This is the Second Trial Much Interest is Manifest in the Result of the Trial—Matthew Gering and W. C. Ramsey Assisting in Prosecution.

From Monday's Daily.

The trial of John Clarence for the murder of John Thacker on or about the 22nd day of January, 1909, was begun for the second time in the district court today, Judge Travis and the attorneys for the state and defendant and clerk of the court, Jas. M. Robertson, began at 2 o'clock to select a jury, the state being represented by County Attorney Taylor and W. C. Ramsey, and the defendant by John C. Watson, of Nebraska City. At the former trial, defendant was represented by Clark and Robertson, who conducted a very able defense, and had a verdict and judgment against the defendant reversed in the supreme court. But for some reason the defendant has seen fit to employ an attorney from outside the county, and for ability in criminal defense he probably could not have secured a better lawyer than Mr. Watson.

The crime for which John Clarence is now on trial was committed on a farm, a few miles northeast of Union, where the principals in the trouble were assisting a neighbor in shelling corn. The evidence on the former trial was very conflicting as to who was the aggressor, and as to whether the shooting occurred before or after the parties had clinched and were struggling on the ground. After the shooting, Thacker was taken to his home, informing those with him that he was satisfied. On arriving at his home a physician was sent for, but nothing could be done to save the wounded man's life, and after lingering for two or three days he died. Immediately after the shooting Clarence mounted a horse and rode fur-

iously until he reached Plattsmouth, and dismounting in front of the Perkins house, gave himself into the hands of Constable John Cory, delivering to him the revolver with which he had fired the fatal shots, and at the same time said he had shot John Thacker. The officer received the weapon and placed Clarence in jail, where he was held awaiting the results of the wound he had inflicted on Mr. Thacker. Immediately after the death of Mr. Thacker, County Attorney Ramsey filed an information against Clarence, charging him with premeditated and wilful murder, and on this charge he was tried and convicted of murder in the second degree. The former trial was a hard fought legal battle, the county attorney being assisted by Mr. M. Gering.

Much interest centers in the case, as all of the parties interested are old time residents of the county, the murdered man being quite prominent in the county, having been his party's choice for county commissioner only a short time before the unfortunate affair in which he lost his life.

The defendant has for counsel associated with Mr. Watson, William Delles Dernier and A. B. Sullivan, while for the state Mr. M. Gering appears with the county attorney and Mr. Ramsey.

Defendant filed a motion on the morning of the court this afternoon to require the county attorney to proceed against the defendant only on the charge of manslaughter. The county attorney being argued to the court that the defendant had not been selected for jury had not been commenced.

ating and Mrs. James Donnelly of the coffee and serving. Each chairman of the various committees was most efficiently assisted by the ladies who composed their committee.

ST. MARY'S GUILD HOLDS MARKET

Occasion Proves Most Profitable to the Guild Ladies.

The Christmas market and bazaar, given by the members of St. Mary's Guild of St. Luke's church Saturday in the store room formerly occupied by J. E. Mason, was a dattering success and made a handsome return to the ladies for their work and outlay. There were many features of much excellence. To start with the vacant store room had been very handsomely decorated with colored paper streamers, flowers and the like, very artistically arranged chairs, rugs and such giving the room a very cozy appearance. To enter the room was almost an approach to fairyland, owing to the artistic effects of their decorations. One corner of the room had been arranged for the fancy work, or needle work of any kind. This was a very tastefully gotten up affair and attracted much attention. At this booth could be found all kinds of fancy needle work, embroidered pillow covers, towels, aprons, and many other articles, all the product of the members of the Guild. Opposite this booth was another very prettily arranged booth, at which anything in the line of eatables might be purchased. There were pies, cakes, breads, doughnuts and many other good things to eat, but too numerous to mention. There is aught to say about the market, other than that it netted a splendid sum for the ladies, as the various articles had been prepared by the ladies of this fine organization and were up to the usual high standard. The small room at the rear of the building had been made attractive and home like and here most delicious coffee and luncheon was served throughout the entire day. Mrs. James Donnelly had charge of the making of the coffee and it was prepared only as Mrs. Donnelly knows best and those who so liberally patronized the ladies and partook of the dainty luncheon offered found it delightfully appetizing and pleasant. Mrs. C. G. Fricke had charge of the market committee, Miss Verna Leonard of the fancy work, Mrs. J. E. McDaniel of the dec-

J. LAWRENCE STULL'S SENTENCE COMMENCES

From Monday's Daily.

J. Lawrence Stull, who was tried on a complaint charging an assault with intent to do great bodily harm at the present term of court, and convicted of assault and battery on the person of his sister, Mrs. O. P. Monroe, was this morning before the court to receive his sentence. The sentence of the court was that the defendant be confined in the common jail of the county for the period of ninety days, the term to commence on the date of the verdict of the jury. The case was tried forty days ago, so that there remains yet fifty days for the defendant to linger in jail.

Lawrence apparently was not prepared for the jail sentence, and asked the court, through Judge Sullivan, his attorney, whether he would be permitted to be paroled. The court would not consider the matter at this time, but said he might at a later date. The prisoner then asked the sheriff to let him have until five o'clock this afternoon to straighten out affairs at the farm and get some one to look after his cattle and other stock, which was acceded to by the officer.

Box Social.

Miss Marie H. Jerowhek, who is teaching the Cottonwood school of district No. 27, and her pupils are arranging for a box social to be given at the school house on Saturday evening, at 8 o'clock, December 17th. The proceeds from the sale of the boxes will be used for the benefit of the school. Everybody cordially invited.

Lost.

Between the Mercerville school house and Main street, a child's white muff. Finder will confer a favor by notifying Mrs. William Cowles. 12-5-1td1w.

John Spangler, of Louisville, was transacting business at the court house this morning.

Catholic Sokols Choose Officers.

At their regular meeting yesterday afternoon at their club rooms in this city, the Catholic Sokol society elected officers to fill the positions for the ensuing year. The following named gentlemen were selected: Fred Kurfurst, president; Anton J. Koubeck, vice president; Joe Sedlock, corresponding secretary; Joe Rocek, secretary; Anton H. Koubeck, treasurer; James Wovacek, Fred Vostres and Charles Gradoville, trustees.

HANDSOME CLOCK TO BE GIVEN AWAY

The Enterprising Jewelry Store of John W. Crabill Will Make Someone Fine Present

John W. Crabill, the enterprising and bustling Sixth street jeweler, will make some one of his many patrons a handsome Christmas present this year, in the shape of a very valuable hall clock. The timekeeper is a good one, the works made by the best manufacturers, and the framework is highly polished and stands about six feet high. This handsome clock would be a valuable addition to most any home and is greatly admired by all who have seen it. It will be given away in the following manner: From now on until the last day of the present month Mr. Crabill will issue numbers and chances upon all purchases and money paid on account at his store. For every dollar paid on account and every dollar purchased in goods he will give one number, ten dollars ten numbers, and so on to the full amount of your purchases. Call at the store and see the clock, it is a beauty and you will be mighty happy if you hold the lucky number on the closing day.

Motion for New Trial Overruled.

From Monday's Daily. The motion for a new trial in the case of the State against Isadore Sitzman and Louis Kelsner, convicted of first degree murder at the present term of court was submitted to the court and after considerable argument pro and con the court overruled the same.

The prisoners, who had been brought from Omaha on the midnight train last night were in court, and asked to stand up, when the court announced the sentence to them of life imprisonment in the state penitentiary at Lincoln, and on the date of the anniversary of the crime during the first five years of their terms each should serve in solitary confinement.

The verdict of the jury and sentence of the court meets with the unanimous approval of all law abiding persons.

Range Demonstration.

Elsewhere in this issue of the Journal will be found the advertisement of Kroehrer Bros., in which they announce the days of their coming range and heater demonstration. Look for the ad. and if you are in need of a new stove or range, it might be to your interest to attend this demonstration, as they are offering a very appropriate and valuable present to all who purchase during this demonstration which will be held all next week. You will be treated to hot biscuit fresh from the oven of one of the fine ranges. Read the advertisement and call at the store whether you are ready to buy or not.

Will Hunt Cottontails.

From Tuesday's Daily. Mr. Richard Clark, of Omaha, arrived this morning and with his rifle and violin made his way to Lonnie Tood's farm home, west of the city, where Mr. Clark expected to bring the cottontails forth from the brush with the melodious strains of his fiddle and then dispatch them with his trusty rifle. The rabbit season opens with the first fall of snow, and from this time on anybody can have rabbit pie.

Has Her Eye Injured.

Mrs. John Hatt, Jr., while caring for her little child at her home this morning, met with a very painful, if not serious accident. The little one in play thrust his finger into one of Mrs. Hatt's eyes so as to quite seriously bruise the eyeball. Mrs. Hatt accompanied by her husband went to Omaha this afternoon to consult Dr. Gifford and to have the injured eye treated.

THE PASSION PLAY AT OBERAMMAGAN

The Subject of Hon. Matthew Gering's Lecture Before the High School Teachers

A most profitable and pleasant time was enjoyed last Friday afternoon at the meeting of the city teachers. The meeting was opened by two selections on the violin by Miss Agnes Knoflicek, accompanied by Miss Estelle Baird. Miss Agnes is an artist on the violin and her music was greatly enjoyed.

Hon. Matthew Gering gave the address of the afternoon on "The Passion Play at Oberammagan." Mr. Gering not only witnessed the play on several occasions, but was a guest in the home of Anton Fang, who plays the part of the Christ in the play. Mr. Gering also had the good fortune to form the acquaintance of all the actors in the great drama and was able to give not only his impressions of the play, but to give the teachers an idea of the feelings and emotions of the players themselves. Being able to converse with them in their own language he had an excellent opportunity to get a much better insight into the spirit of the drama than even some of the correspondents sent by their papers to get the story. Mr. Gering told of the origin of the play, of the manner in which the actors are chosen, how it is the ambition of every man of the village to play the part of the Savior, and of every woman to play the part of Mary, of the seventeen wonderful tableaux that precede each of the seventeen acts, of the orchestra, composed almost entirely of children, but condensed with the nicety of a Damrosch orchestra, of the people, mostly English and Americans, who come in such great numbers that it is next to impossible to accommodate them. Of the jealousy of neighboring towns and communities who speak slightly of the play and the players, and who rarely witness it, and of the common errors regarding the play as entertained by those who read the newspaper accounts of it.

Perhaps the most interesting of all was Mr. Gering's description of the actors themselves. He had autograph photos of the principals and told many incidents relative to his visits with them that casts much side light on the play.

His recital of the notoriety of the young man who played the part of John, "The Beau Brummel" of the actors, as he expressed it, was very amusing. This young man, it seems, is a handsome fellow and an almost perfect type of physical manhood. He not only had lady admirers by the score line up in front of his home, but received dozens of letters from "love sick" maidens after their departure. As these were invariably in English, which he was unable to read, Mr. Gering was often pressed into service as interpreter.

Referring to the common criticism that the play has been commercialized, Mr. Gering stated that it is true Cook's Agency has exploited it for their gain so far as possible, the Oberammaganers have not done so.

He states that Anton Fang has been offered \$5,000 a week for one hundred weeks to come to America and put on the play, but that no offer of money could tempt him to do so.

Also that while the villagers are all in very moderate financial circumstances they refused, by unanimous agreement, an offer of 2,000,000 francs for the privilege of a set of films for a moving picture concern.

Mr. Gering paid a very high tribute to Anton Fang, saying he approached as nearly to the character he represents in the play as it is possible for human to attain. While Mr. Fang acts his part naturally and with intense fervor, the man playing the part of Judas, is admitted to be the best actor in the play from the standpoint of the actor. The method of producing many of the effects such as fastening the body on the cross, producing the blood stains and others, were described.

The audience listened with intense interest for more than an hour to the address and would gladly have had it prolonged.

Mr. Gamble asked Mr. Gering to give him permission to make the meeting an open one, but he preferred to talk to the teachers alone at

this time. It is to be hoped the citizens may have the pleasure of hearing him at a later date.

AT THE PRESBYTERIAN CHURCH SUNDAY

The morning service was of more than usual interest, the special music consisting of a beautiful anthem, in which the solo part was sung by Miss Helen Chapman, after the offertory prayer. Mrs. Gamble sang a solo. Rev. Gade preached a most excellent discourse to a large congregation.

The evening service was in charge of the C. E. society, Miss Allison Johnston as leader had prepared a very instructive program on the topic of "Missionary Heroes." The program was unique in that only men were invited to take a place on the program. The topic was introduced by Superintendent Gamble, who gave an interesting talk on heroes in general, calling attention to Carlyle's book on the subject and reviewing briefly the different types of heroes therein portrayed.

Oscar Larson then gave a review of the missionary work of William Cary in India, giving a sort of biographical sketch of Mr. Cary, who Mr. Larson stated had done a wonderful work in India, having translated the bible into from fifteen to twenty dialects and afterward was the moving spirit in distributing thousands of bibles among the heathen in India.

Ernest Halstrom then gave an interesting outline of the life and work of David Livingston in Africa. Mr. Halstrom was followed by Mr. G. L. Farley, who gave a comparison of the work of Cary who went from England, and Missionary Judson, who went to India from the United States about the same time. Mr. Farley was followed by Rev. Gade, who spoke briefly on the missionary work of Paul, who was the pioneer of missionary work.

The service was full of interest from the beginning, and Miss Johnston is to be commended on her manner of conducting the service.

MARRIED IN OMAHA ON WEDNESDAY, NOVEMBER 30

Miss Drusilla Alma Thomas and Mr. Monte Carl Franks were united in marriage Wednesday, November 30th, the ceremony taking place at the cozy home of the bride's brother, G. B. Thomas, at 1104 North 22nd street, Omaha, Nebraska. The ceremony was performed by the Rev. Savidge, in the presence of a few relatives and intimate friends, the pretty ring service being used. Mr. and Mrs. Franks are the 2,147th couple Rev. Savidge has performed the marriage ceremony for. The bride appeared very charming and handsome in a tan silk princess dress, while the groom wore a business suit of dark blue serge.

Miss Thomas was born and reared in this city, she being the daughter of the late J. O. Thomas. She has a large circle of friends, who will regret to learn of her departure from their midst, but whose best wishes will ever attend her in her new home.

The groom is the only son of Mr. and Mrs. A. M. Franks, of Opal, S. D., and is a young man of sterling worth, having been employed in the local Burlington shops as a machinist. He has resided in this vicinity but a few years but in that time has made many friends, who will join us in wishing him and his bride happiness and prosperity.

Following the ceremony the happy couple departed over the Burlington for points in Missouri, where they will visit relatives of the groom for a few days, after which they will return to this city and spend a few days visiting friends. They will then depart for their future home at Sturgis, South Dakota, where the groom has a cozy home in readiness for his bride.

Bar Association Meets.

The Omaha Commercial club has issued invitations to the lawyers over the state to attend the Nebraska Bar Association which holds its annual session in that city December 27th and 28th. The session is the eleventh annual convention of the association, and the Commercial club makes it a point to have every visitor feel at home and each one is accorded a cordial welcome.

THE CLARENCE MURDER CASE

The Judge Refuses Motion of Defendant to Change the Charge to Manslaughter

From Tuesday's Daily. At the conclusion of the argument on defendant's motion to require the county attorney to base the prosecution on degree of murder not greater than manslaughter, Judge Travis overruled the motion, and the selection of a jury was then begun. The proceeding of selecting the jury was not concluded until about 11:15 this morning. The following named gentlemen will constitute the judges of the facts in this important case, namely: William Miller, William Spangler, W. S. Philpot, D. T. Dudley, H. F. Goos, John Fowler, Fred Clugy, J. E. Griffin, G. R. Sayles, H. P. Dehning, Oscar Miller and John Sans. Three of the above gentlemen, Mr. Fowler, Mr. Dehning and Mr. Miller, served on the trial of Sitzman and Keser.

Counsel signified their wish to make the opening statements after dinner, whereupon the court, after excusing the balance of the panel until 9 o'clock next Tuesday morning, charged the sitting jurors that they should remain together in the custody of the sheriff or deputy sheriff during the trial of this case, that they should refrain from talking to each other, or allowing anyone to discuss the case in their presence while out of the court room, and not to come to any conclusion whatever until the jury had heard all of the evidence, and arguments of counsel and the instruction of the court.

The jury was then taken from the room, by the sheriff. Judge Travis then arranged the civil docket for next week, after which the court took a recess until 2 p. m., when the attorneys for the state and for the defense outlined their case to the jury and told the jury what the evidence would tend to prove.

At the convening of court this afternoon, the witnesses for the state, except Mrs. John Thacker and William Thacker, wife and son of the murdered man, were excluded from the court room during the taking of testimony. The opening statement on the part of the people was made by Attorney W. C. Ramsey, who prosecuted the case at the former trial. The clothing worn by Mr. Thacker at the time he received the fatal shots, consisting of overalls, shirt and jacket, were brought into the court room by the county attorney. Mr. Ramsey detailed the evidence and what was expected to be established as it occurred at the Darrow farm on that fatal day. The positions of the men prior to the encounter, and during the struggle, the location of the shelter and the crib and the teams and the contour of the ground over which the terrible battle was waged, were all detailed to the jury. The opening statement for the defendant was made by Attorney J. C. Watson and thoroughly covered the points which the defendant expected to make his defense upon. At the hour of going to press the state is proceeding with the direct examination of its first witness.

Subsist on Snowballs.

Things probably do not look very rosy for P. A. Barrows, one time editor of the Plattsmouth News and during the campaign manager of the Burkett propaganda. Evidently Barrows was promised something particularly juicy along the line of plums for his disinterested work in furthering the interests of the late Mr. Burkett, and the fact that the senator's arithmetical progression in regard to majorities suffered a serious setback at the recent election may make it necessary for Barrows to subsist largely on snowballs this winter.—Nehawka News.

Plattsmouth Loses Basket Ball Game.

Prof. Gamble and the High school basket ball team were unable to pluck victory from the Auburn athletes in the game played in that city last Saturday evening. Although the game was fast and furious and the Plattsmouth boys did nobly, yet in the final tally the Auburn team had Plattsmouth beaten.

Mr. Grant Clarence, of Goldale, Colorado, is in the city to attend the trial of his brother, John Clarence.