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ROE CONVICTED OF MURDER IN SECOND DEGREE

Man Who Slew Glen Richardson
on November 28th Faces a
Term in Penitentiary

SENTENCE IS DEFERRED

Will Probably Receive from Ten
Years to Life—Not Much Inter-
est Shown by Public in Case

JURY OUT BUT A SHORT TIME

From Tuesday's Daily.

The trial of Joseph Roe, charged with the murder of Glenn Richardson on November 28, was opened yesterday in the district court before Judge Begley, and the most of the morning and a part of the afternoon was passed in the examination of the jurors, and at about 2:25 the jury was secured and sworn in by Clerk of the Court Robertson. The men selected to try the case were: John Wehrlein, J. C. Peterson, J. C. Lemon, A. G. Reed, John Fowler, George Perry, James Alloway, Levi Walradt, Roy Howard, Theo. Davis, William Coitman, John H. Albert.

Immediately after the securing of the jury the court took an adjournment for a few minutes and then the attorneys made the statements to the court. County Attorney Taylor stated that the state would produce witnesses who were present in the bunk car at the time the trouble between Richardson and Roe started and that Oscar Olander would testify to the fact that he was awakened by the fight between the men and by the men falling on his bed, and he awakened to find Richardson on top of the defendant, Roe, and that neither of the men had a weapon at this time. Olander would show by his testimony that when he left the car to call Harris, the section foreman, that Richardson was at the west end of the car, near his bed, and that defendant was starting toward him. Mr. Harris would prove by his testimony that when he entered the car he saw Roe on the floor astride Richardson, with a large knife in his hand, and he was cursing at Richardson, who was lying on the floor of the car wounded.

Attorney A. L. Tidd, for the defense, stated they would prove that Richardson and his client, Roe, had been warm friends for all the time they had been together; that they had worked together and slept together in the same bed in the bunk car since the time they were working for the Missouri Pacific on the section; that they and Olander had driven to Avoca on the afternoon of the trouble and purchased two quarts and a pint of whisky and had drunk a part of this before going to the car, and that Harris, the section boss, residing near the bunk car, had come out there and warned the men not to get drunk. That the fight had continued from the time it had started until Richardson had received the injuries that resulted in his death. That the defendant had been badly beaten by Richardson and had several cuts and bruises about the face and body from the blows of Richardson.

Oscar Olander was the first witness called to the stand by the state, and in response to the questioning of the county attorney, he stated he was 23 years of age and resided at Weeping Water and was working on the section for the Missouri Pacific at that place. He was acquainted with Roe, having met him for the first time on November 10. They lived in the bunk car situated on the right-of-way of the Missouri Pacific, some three and a half miles west of Ne-

hawa and about five miles east of Weeping Water. He stated there were two beds in the car, one on the east and one on the west end of the car, and that he occupied one and Richardson and Roe the other one. The door or entrance to the car was on the south side and the door on the north was closed by having heavy paper put over it to keep out the cold; two tables were in the car upon which to prepare food, one being used by him and one by the other two men. He kept his knives in a drawer in his table, while the other two men had theirs in a box fastened upon the wall. They had left for Avoca at about 5 o'clock and the trip had taken two hours and a half; while there they had purchased some whisky. He had considerable to drink, but did not consider himself drunk, as he knew what he was doing. The men were talking when he went to sleep, and he was awakened by their falling on his bed some time later. He got up and started to get Harris. Roe had started toward Richardson as he went out of the door to get Harris. He had not returned with Harris to the car. Was present when Dr. Hungate arrived to look after the injured man. He was shown the knife found under the bunk car the next day and identified it as looking like one he had seen in the box used by Roe and Richardson. He stated he did not think Roe was as drunk as Richardson.

Attorney Tidd cross-examined the witness, asking him how long he had been working on the section and he replied since October 6. He had worked before at Seattle, Washington, before coming to this county, and had worked there about nine months; before he had been over different parts of Washington and Oregon, but had not worked steady for any length of time. On November 28 he had quit work at 5 o'clock and left with his companions for Avoca, without waiting for supper; there were three of them in the party—Richardson, Roe and himself; while at Avoca he and Richardson had a number of drinks of whisky and beer at the saloon where they purchased the liquor to take back with them. Roe had drunk at the hand-car when they had returned there with the liquor. The two men, on the return to the bunk car, had gone into the car first, and then assisted him partially into the car, as he wanted to lay down on the ground outside of the bunk car; he had gone to sleep at once and did not see how much of the liquor the other two men had drunk, but they had a quart of whisky for use themselves. Both of these men had apparently been good friends up to this time. The slope on the stove used for the purpose of cooking had been knocked down by the men in their fight in the car. He had been awakened by the men falling on his bed, and had then gotten up and gone after the section boss to secure his assistance; he did not know whether the knife was on the table or in the box on the wall; as he left the car Richardson had gone over to his bed and Roe was in the center of the car starting for him. In reply to questions by the defense the witness stated that they had all purchased groceries together, and that Richardson had bought the knife. He did not see Harris take the knife away from Roe, nor did he know who had hid it under the car. Roe had remained in the car after the trouble and slept until the arrival of the sheriff to place him under arrest. He had thrown the empty whisky bottles out of the car the next morning.

Olander stated in his re-direct examination that he had seen the holes made in Richardson's overalls by the knife.

Dr. J. B. Hungate, who was called from Weeping Water by Harris and Olander to look after the injured man, described his condition as he found him and how the injuries were located, as well as the statement made by Roe to him at the time.

Harris, the section boss, in charge of the gang in which both Richardson and Roe were working, stated that he came to the

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"THE VIRGINIAN" A SPLENDID PLAY LAST EVENING

Fair Sized Audience Witness the
Performance at the Par-
mele Last Evening.

From Wednesday's Daily.

To the lovers of the western style of drama, portraying life in the great west in early days, the performance of "The Virginian" last evening was certainly a treat in the manner in which the company presented it at the Par-mele theater, and the gripping interest of the play held the attention of the audience from the start until the finish of the drama. The scene of the play is laid in the range country of Wyoming in the early eighties, and the story tells of a love of the young eastern school teacher for the dashing cowboy, known as "the Virginian," it is given in a most pleasing manner, with plenty of comedy to relieve the heavier and what at times are very tragic situations in the play.

As the school teacher, Mollie Wood, Miss Emma Lewis was very winsome, and her charming appearance went a long way toward making the production as pleasing as it was. Mr. James Devereaux as "the Virginian" was excellent and showed a splendid stage presence, and he gave great strength to the character around which the main action of the play was laid. Miss Irene Martella as Mrs. Hewie, and Eugene Yarnell as Mr. Hewie, were very clever and furnished the audience with many a hearty laugh at their comedy, which, while most pleasing, was not overdrawn. As Homey Wiggins, Harry Hale deserves more than passing comment, as he was undoubtedly one of the best actors in the company and his contributions toward the comedy of the play was excellent and his appearance on the stage was sure to bring forth much amusement and he displayed much of the spirit of the old, whole-souled cow-puncher, now almost a thing of the past.

There was universal satisfaction expressed over the play by all who attended and everyone felt that "The Virginian" had been all that the management had claimed for it, a clean and pleasing production.

PLATTSMOUTH FIRE DEPARTMENT ELECTS OFFICERS FOR YEAR

From Wednesday's Daily.

The Plattsmouth volunteer fire department last evening held a special meeting at the city hall to elect the officers for the ensuing year. There was a very lively and friendly contest over the office of chief of the fire department, there being quite a number of candidates, and there was keen interest taken in the election, which finally resulted in the selection of A. F. Braum for that position. The officers chosen for the ensuing years were as follows: President, William Greber; vice president, Geo. Harasky; secretary, J. C. Brittain; treasurer, Harry Kruger; chief, A. F. Braum; assistant chief, Gus Carlson. The officers of the different hose carts will be selected at the meeting on next Tuesday evening.

For Sale.
Good 160-acre farm, 3 1/2 miles southeast of Greenwood, Neb.; 125 acres in winter wheat, 30 acres meadow. Also good 160-acre farm 1 1/2 miles west of Greenwood, Neb.; 70 acres in winter wheat, 12 acres alfalfa. Call on or write, A. D. Welton, or Farmers State Bank, Greenwood, Neb.

Entertained at Home of Mrs. Cole

From Wednesday's Daily.
The Ladies' Auxiliary of the Presbyterian church were delightfully entertained at the home of Mrs. W. T. Cole by Mesdames P. E. Ruffner and Cole yesterday afternoon, this being their regular meeting. There were forty ladies in attendance, who spent a most enjoyable afternoon, and declare Mesdames Ruffner and Cole excellent entertainers. The regular business session was held, after which the ladies indulged in a pleasant social time. Dainty refreshments were served.

Doing Fine in Canada.

We are in receipt of a communication from Mr. and Mrs. W. H. Stokes, who are located at Calgary, Alberta, Canada, in which they state they cannot get along without the good old home paper and enclose subscription money. They also state they are having fine weather, good health, had a big crop last summer and wish all their Cass county friends a happy and prosperous New Year. Mr. and Mrs. Stokes formerly resided on a farm near Mynard and have a host of friends in this vicinity, who will be pleased to learn that they are getting along so nicely.

FUNERAL OF MRS. A. J. CRABILL YESTERDAY

From Wednesday's Daily.

Yesterday afternoon at 1:30 the funeral of the late Mrs. Alcindra Jane Crabill was held from the late home and there was a large number of the old friends present to pay their last sad tributes to "Mother" Crabill, as she was affectionately known among her large circle of friends, and there were many aching hearts as they saw the form of the one who had known and loved them all these years laid to her final rest. The services at the home were conducted by Rev. F. M. Druliner of the Methodist church, who spoke briefly from the text, "Abide With Us for It Is Toward Evening," and his remarks were given in his usual able manner and brought to the sorrowing family and friends much comfort in their hour of grief. A choir composed of Mesdames E. H. Wescott, Marion Morgan and Miss Leona Brady sang very sweetly a number of the old and well loved hymns during the course of the service, and at the close the casket was borne to its resting place in beautiful Oak Hill cemetery by the pall-bearers, Messrs. E. C. Hill, C. C. Wescott, G. L. Farley, R. B. Hayes, D. C. York and Robert Gibson.

The passing of Mrs. Crabill has been a severe blow to all of her friends here, but in her life, now called into the hands of the Maker, they can find a worthy example of Christian faith and strength, and her memory will be a blessed one to her children in the years to come.

ALBERT SEIDLER DIES AT HOME AT BENTONVILLE, ARK.

This morning a message was received by Mrs. John Weyrich announcing the death of her brother, Albert Seidler, at Bentonville, Arkansas. Mr. Seidler has been very sick for some time and his death was not unexpected by his relatives. Mrs. Weyrich and daughter returned from there a few months ago, where they were called when he first became ill. The funeral of the departed gentleman will be held at South Omaha about Friday, and he will be buried beside the body of his father, who is interred at that place. E. J. Weyrich was a passenger for South Omaha this morning, where he will make arrangements for the funeral there.

The Journal ads pay.

J. W. GAMBLE HAS HIGH HONOR PAID TO ABILITY

Has Been Elected President of
the Standard Chemical
Company.

The many friends here of former Superintendent of Schools J. W. Gamble will be pleased to learn that this gentleman has received a much deserved recognition from the stockholders of the Standard Chemical company by being elected president of the company in succession to the late F. E. Sanborn. Mr. Gamble will be found a splendid executive head for this corporation and the stockholders may feel gratified that they have secured such an able man to look after their interests. The World-Herald has the following to say in regard to the matter:

John W. Gamble, who has been elected president of the Standard Chemical company to succeed the late F. E. Sanborn, began business life when a lad of 12, selling a patent cleve to Nebraska farmers. Then he went through the high school at Grelma. In time he graduated at the state normal school at Peru.

"I want to rub elbows with the world and study human nature at short range," he said. He traveled all over the west into mining camps and remote communities, finally reaching Seattle when it was overrun with people from the Klondike and seeking work. He managed to get next to the manager of a department store, who gave him a stunt of selling an overstock of straw hats late in the summer. Mr. Gamble put the hats outside on tables and disposed of them, then being given a place in the store. When he left it five months later he was head of the hardware department, with fourteen clerks under him.

Feeling that he had wandered far enough, Mr. Gamble came back home, graduated at the University of Nebraska, and was superintendent of schools at Plattsmouth. Then he went back into business, first as western sales manager for the Standard Exhibits company of New York. At the death of T. C. Havens Mr. Gamble bought his stock in the Standard Stock Food company, now the Standard Chemical, and became its secretary, then vice president. Mr. Gamble is, besides, a director of the Omaha Manufacturers' association, of the Traveler's Protective association, secretary and treasurer of the Omaha division of the National Sales-Managers' association, and member of the educational committee of the Commercial club. He is regarded as one of the conservative young business men.

He has written considerably upon advertising and says: "Any success I have ever made in life has come from working hard and being honest."

Besides electing Mr. Gamble president, the Standard company has chosen E. E. Bruce, treasurer and C. A. Hager, director.

Children Have Chickenpox.

From Tuesday's Daily.
The children of Mrs. Sullivan, the lady having charge of the work around the Coates' block, have caught the chickenpox in some manner and two of them are confined to their room with the affliction. There was much excitement created at first in that section of the city over the report that it was smallpox from which they were suffering, but a careful examination from the physician revealed the fact that it was only chickenpox.

Mrs. W. J. Freeman of Iowa City, Iowa, who has been here for the holidays visiting at the home of her mother, Mrs. Barbara Bookmeyer, departed this morning for her home.

Surely Some Big Sign.

The front of the Fanger Department store is being adorned this afternoon by a large sign some forty-four feet long and twelve feet high, advertising the great public sale that will be held of the large \$20,000 stock of this store. The work of the sign was done by Messrs. E. M. Rhoadbeck and H. L. Roberts of Missouri Valley, Iowa, two expert artists, and their work has proved most pleasing to Mr. Fanger, and proves a sign that can be seen for a long distance. The store will be closed tomorrow in order to make arrangements for the big sale that will be opened in full blast on next Saturday morning.

Miss Dorothy Britt Operated On.

This morning at Clarkson hospital in Omaha, Miss Dorothy Britt was operated on for appendicitis, and at last reports was recovering nicely from the effects of the operation. Miss Britt has been suffering for some time from this complaint, and it was deemed necessary that in order to afford her relief an operation would be necessary. Her friends here will be delighted to learn that she is getting along so nicely. Her mother, Mrs. Annie Britt, accompanied her to the hospital to remain here until the patient recovers from the operation.

SLANDER CASE DECIDED IN FAVOR OF DEFENDANT

The slander case of Fred Wagner vs. Charles Felzer, which was filed some months ago for trial at this term of district court, was called yesterday, and in anticipation of enjoying a rare and racy case, there was a large representation of the male population of the city present at the court room when the case was started, but it was soon apparent that there was not going to be much to the case as far as the plaintiff was concerned, as several witnesses were called in succession who showed clearly that there was not much foundation for the suit as far as the establishing of the plaintiff's side was concerned, as the witnesses testifying were called by this side and the weakness of their case was very apparent.

Mr. Wagner was placed on the stand, and then a large-sized chewing match was indulged in between the opposing counsel, which the court was compelled to quell. The ruling of the court as to the admission of testimony by the plaintiff to impeach their witnesses was one that effectually cut off all chance of prolonging the case, as they had signally failed to connect Mr. Felzer with certain reports concerning Mr. Wagner which caused the suit.

The attorney for Mr. Wagner secured a five minutes' recess in order to discuss the case with his client, and after the assembling stated that they had started the case in good faith of the statements of certain witnesses, who had sworn differently when on the stand, and asked that the case be dismissed by the court. The defense objected to the dismissal of the case and insisted that a verdict be rendered by the jury for the defendant. The motion of the defense was sustained by Judge Begley, who took the case from the jury and instructed them to return a verdict for the defendant, which was done.

WANTED—Work on a farm for man and woman. Inquire at A. G. Bach's store.
1-6-2td-1fwkly

Dr. B. F. Brendel of Murray was in the city today for a few hours looking after some matters of professional business. He departed on No. 23 for Omaha to spend a few hours.

Sell your property through the Journal Want Ads.

CORWELL ME- MORIAL HOME FOR METHODISTS

The Institution in Fine Shape,
and the Directors Decide to
Make an Addition.

Last evening C. C. Wescott returned home from Blair, Neb., where he was called to attend a meeting of the board of directors of the Corwell Memorial Home for aged Methodists in that city. This institution is established for the purpose of caring for the aged and decrepit members of the church who are without home and friends, and they have a fine property in Blair valued at some \$75,000.

At the meeting of the directors yesterday it was decided to place a new addition on the home capable of holding fifty more persons, but this will only help toward filling the need for larger quarters, as there are at the present time some seventy-five applications for admission. The Home is one of the best in the church organization and the only one of its kind in the west, and is fast appealing to the generosity of the members of the Methodist church. The family spirit that prevails here takes away the usual institutional atmosphere that generally prevails in such places, and the members here dwell together as one large family, and a visit to the Home will convince anyone that it is in every sense "home" to the old people who reside there. The meeting of the directors was very enthusiastic and was attended by all of the board, as well as the bishop of the church, Rev. F. M. Bristol.

CHRISTMAS CHEER REIGN- ED AMONG NEBRASKANS IN CALIFORNIA STATE

Friend in this city are in receipt of a copy of the Daily Outlook, a paper published at Santa Monica, Los Angeles county, Cal., under date of December 26, which was sent by Mrs. Sue Morrissey, who resides at Ocean Park, California, a short distance from Santa Monica, which contains the following item which will be of interest to many of the residents of this city:

Christmas cheer and genial hospitality were shown by Mr. and Mrs. W. J. Stadelman Wednesday evening to a number of old-time friends from Nebraska. The guests were bidden to watch the lighting of the Christmas tree with its gay decorations and gifts, and to witness the pleasure of the children. Six or seven families gathered at the handsome bungalow, enjoying a memorable evening. Refreshments of Christmas cakes and "goodies" were served, followed by dancing and singing. All that lacked to remind them of other days was the frosty air and the snow drifted high outside, but from the fervor with which the guests joined in singing "I Love You California," any chance listener would have thought them native sons and daughters.

Elevator in Fine Shape.
Yesterday the stockholders of the Farmers' Elevator company of Cedar Creek met at that place to figure up the yearly business of their company, and as the result was most gratifying to them and as a result of the fine management of the officials of the company they were able to declare a dividend of 8 per cent to the stockholders. The officers for the ensuing year were also elected as follows:
President—John Hennings.
Vice President—James Terryberry.
Secretary—H. A. Schneider.
Treasurer—John Albert.