Hensick, pastor of a Madison church came out and said "They're going to back door. That is all I know." was called to translate the attorney's get you." Two men came out, Boche questions into German and the answers ran, four or five shots were fired at into English

Wife Tells of "Spells,"

Mrs. Boche was brought at once to first he knew he had killed Jarmer. the mental condition of her husband. a subject on which more than one witness had been called during the in the hog pen he had no money left.

Mrs. Boche told the jury that she had been married twenty-two years, that before the marriage or courtship me she had never noticed anything curious about her husband but that after any money? Any loose money?" "No. her marriage she found out that at it was all gone." times he was not right, that in those times he was always afraid of people All this was told by the wife in re-

that too many people were talking there when there were no people around to talk. She told him that it was not so but he would not believe she said, did not come close together. One day he was in Norfolk and would him. not drive home because he imagined that there were too many people at the Junction and that they would do reled about a year before the shootlasted four weeks.

May. She knew it was a spell because \$40 at that time. "Let's take another though he was nervous. His testi-Boche talked so much and kept run- drink," he quotes Jarmer. "After that ning around the outside of the house. drink I went to sleep right away and He talked to himself and spoke of his didn't wake up till 4 o'clock the next slowly. The fine points of meaning in sustained the cause of the county at-

"Of what troubles did he speak?" asked Senator Allen.

Jarmer the money and did not tell me had spent it, but I hadn't."

sacks before the shooting. After had placed Boche's team in a livery word was received of the shooting she barn before Walter reached town. went to look for the money at once and found it missing. It had been pretty close to \$800 and it was gone. the shooting.

"How long, Mrs. Boche, did you know Herman Boche before you mar. text that he wanted to tell him some ried him?" asked Judge Jackson taking thing. up the cross examination.

"Over half a year." "How much did you see of him?"

"Not so very much."

"You noticed nothing about him being afraid before you married him?"

"How long afterwards?" "I soon found out that."

"Within a year?" "Yes."

"How long before the next spell?"

"I think seven or eight years." "How long did it last?"

"Pretty nearly the whole winter."

"How long before the next spell?"

"It is now three years ago." "Was that the last one?" "No, there was one last spring."

"Four spells altogether from the time you married him up to last May?"

"Yes." parently all right and able to trans-

have the "spells."

he came back home?" "I know of nothing. I don't think

Mrs. Boche was questioned on the pocketbook her husband carried. The state drew from Mrs. Boche a state- I don't know what you call it." ment that the Boches had sold nothing in the days between the time she counted their money and the day when

cused. The case of the defense was now ready for Herman Boche to take the money." stand but his attorneys decided to secure for him a night's rest.

The defense failed yesterday morning to get the testimony of the first he first visited the Beveridge saloon witnesses called before the jury. But and drank some whiskey. Then went talked to Boche, after the testimony of Broder Kettle- over to the Jarmer saloon. son had been barred late in the moraing they had no great difficulty in getting most of what they wanted before who."

Acts Out the Death Struggle. There were three intensely dramatic moments during Boche's testimony asked him to drink but that he (Jarthis morning, when he three different mer) said nothing about money. times acted out the death struggle in

which he says he shot and killed Frank

From the wild expression on his face while he acted out this struggle three separate times at the bidding of thing, then." the attorneys, some in the court room feared that Boche would lose control

of his nerves and go to pieces. Leaning forward from the witness chair, Boche placed both knees on the behind." floor and one hand and then, pointing out to the jury that one man was behind him and one in front, the witness Freythaler." showed how he had reached for his revolver and shot the man in front of that night?" "Oh, I think about

His recollection of the struggle which he claimed took place, was more or less hazy and unclear.

"When I come to me I was by a pen and it was night. I felt for my

money and it was gone. It was dark. He testified he then went away woke up in a hog pen near night,

him. Five days later his son told him that Jarmer was dead. This was the

Says They Robbed Him. Boche said that when he woke up "Tell the jury if all your money was lost that night and how.

"They dug in my pockets and choked "When you came to did you have

Five Days in the Woods.

Boche said he went south down the creek to the Elkhorn. William Bo-Herman Boche, she testified, at Frank Lehman's. When he reached shooting. Here he acted out the strugtimes heard people speaking in his his own home he saw his wife and two gle that he claimed took place. head. Once when he was going to men come out. His wife spoke to him Norfolk with her he turned back after and then the two men began shooting. passing the Eikhorn bridge, saying "And what did you say?" "I ran. there to sell fish and ducks." What else could I do with two men

He saw nobody for five days. Then it was his son Herman whom he saw her and turned the team around and at Carl Sorg's place, who told him of went back to the farm. These spells, the Jarmer killing, told him of the place and the murder charge against

Says Jarmer Robbed Him Before. Boche said that he and Jarmer quarafterward. Boche said he wanted to had had \$40 in money and a check "I think he had promised Frank wanted. Both were gone. He said I

because he did not think that I would Boche's son, Walter, was called to allow it." Mrs. Boche's answer was the stand to corroborate this story. struck from the records as stating a He said his father one day in 1906 came to town to a church meeting, fore he went on the stand this morn-Mrs. Boche could not identify the He was gone all night long. Next day ing and his attorneys were apparently revolver with which Jarmer was killed. Walter came to town, got the marshal, Mrs. Boche then testified that she found his father asleep drunk on Jarand Herman had nearly \$800, mostly mer's saloon floor. They aroused Bopaper money, put away in little shot che and took him away. The marshal the tragedy.

Carl Reiche, a prominent farmer and a relative, was called to corrobo-The boys had money in the bank but ing August 1906 he and Boche and she and Herman never put their money Jarmer and one other man sat in Jarthere. They had spent a year or so mer's saloon till the lights went out in getting the money, it representing one night. Reiche and Boche wanted Boche said that he went to the home the sale of a team of horses, cattle, to go, but Jarmer insisted on their of Herman Boche with Conley and and the vicinity of Newman Grove wood, hogs and the like. She had staying, pushing them back in their counted the money a few days before chairs. At 4 o'clock in the morning Reiche left the place for his home Jarmer kept Boche there on the pre-

Concerning That Night.

To Herman Boche as soon as he mounted the stand were put the usual preliminary questions. Then Senator Allen entered on the story of April 30, 1907.

mer?" he asked. "About fifteen

Sons of Herman last April?" "Yes." Eagles?" "Yes, we were both Eagles."

"What relation did you bear to each other?" "We were friends."

"Were you at Jarmer's place the last day of April?" "About 3 o'clock." "Who was with you?" "My son, Walter."

"How long did you stay?" "Until

about 5 o'clock." Herman Boche then testified that that he needed money to pay his sa-She testified that Herman was ap- loon license. He said that that after- dust. Apparently eight or ten people noon he went home and got the money act his own business when he did not and brought it in that night. He returned home that afternoon with his "Did Herman have any money when son, Walter Boche, and part way with Frank Lehman. When he got home he ate supper, then got his money and counted it.

"Where did you get the money? "In the place where we hang clothes.

"In the closet?" "Yes." What did you do with the money?" Herman was supposed to have taken pocketbook and left a little at home the funds to town. She was then ex- in another pocketbook."

"Did you take a revolver with you that night?" "Yes, I had so much

"How dld you go to Norfolk? "Through the timber." On reaching Norfolk Boche said that

"Who did you see there?" "There was some people there. I don't know

"Who was running the saloon?" Herman Boche swore that Jarmer

"What did you say to Jarmer?" "I said you can have the money if you give me good security."

"What was said to you by Jarmer

about money?" "He didn't say any-"Did you say anything?" "I said I had it. I guess.'

"In what part of the saloon did you tell him that?" "When we went out "Do you remember seeing any other

person there?" "Yes, I saw John eight.

"What kind?" "Whiskey." "Who drank with you?" "I don't

"Do you remember going out that night?" "A little of it." "Teli what you know."

"I remember when I went out Jar- ments of the lawyers begin. Save for con with Emil Koehn and Mrs. Jar- Herman Boche went to the saloon of walked home. Dogs barked, his wife mer led me by the arm through the the arguments and the suming up of mer. He found the back door bolted Frank Jarmer. The testimony is un-

"Where did he take you?"

"What restaurant?" "I don't know. let's have something to eat."

t was so bad he couldn't.

know what he meant."

"What happened then?" "I got dis-

he had put his money in his pocket- not allowed to discuss. \$760 in one pocketbook, \$80 in another. "When you took it out to count it,

"You had all this money at home Jarmer?

Boche Helped His Own Case. Jarmer had given me for money he ing his brain for remnants of the trag- back to his attack on Sheriff Clements

on the stand. Nobody knew what he would do or what he would testify benervous when he began testifying.

Fred Boche on Stand. Before Herman Boche himself step- stand. ped to the stand Fred Boche, the big Madison county giant, was examined. rate this story. He testified that dur- He testified that on the seventh or said by those acquainted with some Conley his revolver.

colver I shot Jarmer with?" "No." On cross-examination Fred Boche came to the tent from the house.

Walter Boche, the son, was recalled and questioned about the pocketbooks "How long did you know Frank Jar- that Herman Boche, his father, used. "Were you both members of the Herman Boche was called and said the jury would bring a second trial. she did not know where Boche was be-"Were you both members of the tween the time he left home and the

next night when the dog barked.

Rebuttal Begins. of tragedy a few minutes before Dr. Jarmer two weeks before had told him and a half thick and spotted with

How the Ground Looked. "What did the condition of the

to you," said Senator Allen. "I dis-"I counted it and put \$760 into one tinctly remember picking them up my- had done nothing beyond trying to

> called. He had entered the Jarmer saloon on the evening of April 30 and

stayed until the saloon closed. He "Boche Proposed Restaurant Trip." He did not remember all that Boche said, but he did recall that Boche

Did Not Leave by Back Door. When the saloon closed, he said, he and Jarmer and Boche and others left the place together. Mr. Herman tes-

Emil Koehn was called. On the

morning of May 1 he, with County Attorney Koenigstein and Mrs. Jarmer, went to the Jarmer saloon. He was asked if they visited the back door, but an objection to the question was sustained.

LAST TESTIMONY SATURDAY. "How many drinks did you take Court Adjourned Until Monday After-

Madison, Neb., March 2.-From a

the case by the attorneys the story with an ice pick. of the May day shooting had been retold for the last time.

to deal out justice to Herman Boche, county attorney. Dr. Salter had takif in their judgment he is guilty of en a seat at Senator Allen's side after Leaving the restaurant room a mo- the charges of the state, spent a quiet giving his testimony a little earlier in ment. Boche said when he returned Sunday in the county seat town. Madi- the afternoon. This lead to a brush he started to drink a cup of coffee and son is a quiet town on a Sunday and between the Norfolk physician and with the general exodus of lawyers, Boche's consul in which the doctor "Frank witnesses and Norfolk spectators did not come out second best. said, 'Come on, let's go over.' I don't Saturday night the town lost the bustle of court week.

ious little excursions for exercise and had not complied with the court rule paper reading. The case that has senator. On cross examination Boche said been before them all week they are

Which of the several possible views quired Judge Jackson, will they take of the killing of Frank

It is doubtful if outside of the twelve among the hundreds who have crowd-

chain of circumstances which the delistened intently and quietly to the added rather vigorously, "I only came onstrations of their sentiment, that agree," observed the senator. Judge mony was that of the densely ignor- sentiment is undeniably against Boche Jackson took exception to this last ant man. Questions were put to him and on a popular ballot would have remark. people against Boche is said to date last summer, when he tried to ram pitchfork through the anantomy of relieved at the showing made by him that officer out in the little cemetery by the court house.

But the men of the jurybox are no supposed to be prejudiced, are suppos ed to know nothing of the attack of Sheriff Clements or of the killing of Boche said he did not recall having George Ives nineteen years ago or been in the Ingham place the night of nought of the case save what they have been told by the score or so of men and witnesses summoned to the

The jury is composed largely o men of Scandinavian stock and is eighth of May J. H. Conley came to of the jurymen to be a jury of good his camp to see Herman Boche, that caliber. Two localities in the southhe was there an hour and a half. Fred west part of the county are represent ed on the jury, Kalamazoo precinct Herman and that he saw Herman give Those who have watched the jury closely have seen in its membership "Did Herman say, 'Here is the re- at least two men who are apt to have considerable influence with their fellow jurors.

The aftermath of this trial hangs about an hour and a half and that he on the decision of these men. If they vote acquittal the case drops for a man's life can never be put in jeopardy twice for the same offense. If the twelve men agree on a verdict of second degree murder or for man-William Uecher was recalled and slaughter, the defense has recourse to the higher courts. A disagreement of It is believed by men who have followed the case carefully that a disagreement of the jury may quite likely be the outcome of the present trial.

The "man on the street" in Madison

says that the verdict will be for "manslaughter." No testimony was introduced that the killing of Jarmer was predemitatand Dr. Tashjean examined the place ed. Nor was the actual killing of n the roadway where the shooting Jarmer by Boche disputed by the defense. The defense has sought to picture to the jury Boche trapped by the designing Jarmer, Boche drunk and possibly drugged, Boche being robbed of his money and shooting blindly at one of his assailents in an effort to protect his money. There were only two men to touch on those few brief moments before the shooting. Herbeen many people looking at the place, man Boche on the stand swore that he could recall out of his dizzy recollection a struggle and someone dig- Boche and Senator Allen, the defense ging at his pockets. Lee Vroman, cabman and chief witness for the state, swore that the attack on Jarmer was unprovoked, that Jarmer get Boche to enter the cab. Vroman told a well connected story. As the

> The defendent himself was the most important witness called by the defense and his testimony the most dra-

Jarmer's Back Door.

To get before the jury Emil Koehn's time as Senator Allen seemed to think back door of the Jarmer saloon on the morning of May 1, 1907, the attorneys of the state were forced to engage in cess until 1 o'clock this afternoon. a sharp legal battle. When Koehn was first called on the stand on rebutthis point and the state had to pave Koenigstein, Attorneys M. D. Tyler the way by two other witnesses to and Burt Mapes and other Norfolk peoget his testimony in.

Emil Koehn was one of the nine witnesses whom County Attorney Jack Welch spent Sunday in Wayne com-Koenigstein called in rebuttal. He was preceded by Dr. Salter, John Herr- folk this morning. mann, and followed by County Attorney Koenigstein, William Stokes, Harry Loder, Edna Ingham, P. F. Bell and Joe Trulock, Senator Allen objected to most of the testimony introduced by the state in rebuttal and degree would be ruled out of his inhe had the record filled with a mass

of objections. To get Koehn's testimony in Jack staff correspondent: The last witness Koenigstein took the witness stand. in the Boche murder trial left the wit. He testified that he received the keys the information and I prosecuted in no question about that. ness stand a little after 4 o'clock Sat- to the Jarmer saloon from Dr. Salter urday afternoon. After a short con- who had found the keys when called known Herman Boche for many years ference with the attorneys District to render medical assistance to the and we have been friends. In the Judge Welch announced a recess until dying man. He knew of no other evidence we have offered we have I o'clock this afternoon when the argu- keys and on May 1 entered the sal- proven that on the 30th day of April

Dr. Salter was recalled to testify to the fact that he had made no use of The twelve men who are under oath the keys until he gave them to the

Dr. Salter and Senator Allen Clash. As Dr. Salter seated himself in the The jurymen were not restricted to witness chair Senator Allen objected the court house Sunday but took var- to his testifying because the doctor recreation, being always under the requiring witnesses to be out of the supervision of the two balliffs. Save trial room when other evidence was where?" And then he told of remem- that they could walk about and con- being taken. Dr. Salter had been talksponse to queries from Senator Allen. che's boat was locked and he used bering two men on top of him and verse with themselves the twelve ing to the senator and Judge Welch men have been shut off from the world asked the Madison attorney if he for a week. With outsiders their con- hadn't given Dr. Salter permission to "Now Herman, did you ever go over versation is restricted while an ab- remain, "I said he could stay if he solute embargo exists against news wouldn't do any damage," said the

Dr. Salter gave his testimony. "Didn't you stay in the court room What verdict will these men return? by Senator Allen's permission?" in

"Yes." "Now didn't I say that you could stay if you weren't an open enemy men in the jury box there has been and wouldn't do any damage?" interlected the senator.

"Yes," agreed the doctor. "Are you an open enemy?" asked Judge Jackson. "No," said Dr. Salter. Then he

"I don't see how you doctors dis

Got Point Before Jury.

Emil Koehn was now recalled and the state got his testimony before the jury to the effect that he had entered the Jarmer saloon on the morning of May 1 with the county attorney and Mrs. Jarmer and had found the back

door bolted from the inside. Senator Allen: "Mr. Koehn, who has been talking with you since you testified before in this trial?"

"People in general." "Don't fence. Has Mr. Koenigstein?"

"Oh, we concede that." this from Judge Jackson, "You didn't pretend to know about the condition of that door before?" "I was not asked that question."

"Now, Mr. Koehn, since talking with Mr. Koenigstein you have recollected a good many things?" "I don't think I have." William Stokes was called. The

kay had ever told him that Jarmer had said that he could get money from Boche if he had "knock-out drops." Harry Lodor was called. He could ever told him about the "drops" in

connection with Frank Jarmer. Edna Ingham, mistress of the resort, was recalled by the state. Miss Ingham testified that there was a crowd about Jarmer from the Jarmer and Herman Boche, both full

Jarmer's death the body alone in a room until Mr. Bell of Sesthat two physicians and the house P. F. Bell of Norfolk, the undertaker of Herman Boche, back farther and It is not the act that the law punishes, who took charge of Jarmer's body, perhaps because he was drunk. Then he said, but the criminal purpose in testified that he found the following without warning, Boche began to the mind. articles in Jarmer's pockets: a gold shoot. watch, a wallet with \$4.15 in silver,

memorandum books and a pen. Joe Trulock of Norfolk, was the last that he thought hogs were in it but ing his eyes away from Boche.) that he was not sure. "If I had hogs in the pen that day," said Trulock, don't!' was Frank Jarmer's cry. Did 'I certainly would have fed them." state rested its case. After a confer- a man. Did he stop? Answer, no. ence between Attorneys Mapes, Tyler He moved over to Jarmer and pumped trophe that has disgraced the history and Allen and a talk between Herman announced that it too had completed its case.

the arguments of the attorneys.

Plenty of Time For Arguments.

that the state would not need as much

Judge Welch then announced a re-Judge Jackson drove at once to Norfolk to catch the Deadwood passenger ole at Madison went home on the up this business with Jarmer? Saturday night passenger. Judge

ing back to Madison by way of Nor-Before the lawyers began their arguments, Judge Welch instructed that murder in the first degree could be eliminated from their speeches, that all reference to murder in the first structions.

Jack Koenigstein spoke slowly and

County Attorney's Argument.

his case as county attorney. I have

Tell Them You Know! . You may tell your friends, on our "say-so," that when they buy a package of the genuine Arbuckles' Ariosa Coffee they get the best of the coffee trade.

No coffee of equal quality can be sold in this town for the same price. whether it be sold out of a bag or a bin. or under some romantic trade-mark. You may tell them you know and that Arbuckle Brothers, the greatest coffee dealers in the world, will stand for it. ARBUCKLE BROS., New York City.

of friends. "Where did Herman Bocne pass his ime in Norfolk that day? He passed it where he was in the habit of spending his time in Norfolk.

"John Herman and Emil Koehn told you that when Frank Jarmer and Herman Boche left Jarmer's saloon they went by the front door, Jarmer bolting the back door from the inside. John Freythaler alone testified that Boche and Jarmer went around the back way. Herman Boche tells you that he took eight drinks that night in man was sick three or four weeks and the saloon. He tells you that he left there was nothing wrong immediately the saloon by the back door. He afterwards. Gus Wagner tells you knew that. From that time he knew that Herman was sick ten months. practically nothing until he felt somethat he should remember only these witnesses for the state.

"Herman Boche complains of the aste of the coffee served in the resdrunk at the time.

"At the resort Herman Boche drank and bought beer throughout the evening. He knew what was going on then, but he told you he knew nothing vitness oculdn't recall that Dr. Mac- from the time he left the restaurant until he remembers drawing his gun.

"When Boche was led from that resort he was naturally in a stupor, he was revived by the fresh air. Frank not remember that Dr. Mackay had got Herman into the hack, then what does the uncontradicted testimony show? That Herman got out of that hack and was able to walk away. "There was no trouble of any kind-

no quarrel between the parties. Frank

"guilty" and it can be for first or time they found him in the road until of beer, were able to walk around and the doctors arrived and that after argue as to their mode of conveyance "If as Boche testified he backed sions & Bell arrived. She testified away from Jarmer, why didn't he get somewhere? The evidence shows that of malice and of purpose necessary girls were present when Jarmer died. Jarmer staggered back from the push

> "There was no acrobatic feat of Lee \$6 in paper money, one check for \$4 Vroman in mounting his hack with making \$14.15 in all, a knife two his eyes always on Boche. He was a of Hermann, and took its obligations man used to a cab and a cab is as easy to mount as a chair. (Here the witness examined in the big murder county attorney drew a chair in front trial. He testified that there had been of the jury box and illustrated how a hog pen on his place on May 1 and Vroman mounted the cab without turn-

"'Herman, Herman, don't Herman Herman quit? No. He knew enough With Mr. Trulock's testimony the to get his gun. He knew he had shot no man can describe the lure of the

two more shots into Jarmer's body. "Herman Boche tells you that he remembers nothing from the time he left the restaurant until the next night.

remembers being robbed. "I ask you if any man digging into turn but to his friend of years." Senator Allen stated that he wanted a man's pocket to rob would leave a to have sufficient time to go thorough- gun there? They claim that Frank ly through the case. "We want to Jarmer robbed Boche the year before, home, watched him count his money leave nothing unsaid or undone that Then why did Boche go right back to again and started him back to Norfolk should be said or done," said the sen- Jarmer's saloon? If Jarmer had with revolver and money. Senator ator. Senator Allen thought that the robbed him before he would have been Allen picked up Boche's revolver, "Its defense would like to have three or suspicious and the truth is Herman one of these Sears-Roebuck revolvers, four hours for their argument to the did not think that Frank would rob as dangerous at one end as the other,

Judge Jackson said that he thought him. "I do not believe Herman Boche but to protect the money on the long came to Norfolk to lend Jarmer that testimony as to the condition of the that the defense required. He did money, I do not believe he brought not want the arguments that evening, that money. Herman Boche tells you Boche. He spoke of Dr. Mackay's he came for a purpose. Why at night? Jarmer had told him more than a week before that he wanted the money. Bo che swore that he demanded security tal he was not permitted to testify on to Neligh. County Attorney Jack from Jarmer. Then why did he come man of commanding ability. Dr. Macout of bankable hours? Why did he wait until he was drunk before he took he had told what Jarmer said to him

"Frank Jarmer was passed by the Norfolk city council as a man of good from all the other hackmen? Why moral habits and character and as a proper man to run a saloon. No one after while?" had ever heard that Frank Jarmer had ever robbed a man until this case

came up. "True, Lee Vroman is a hack man and has ridden horses, but don't you think that his evidence is as good as

any other witness called? "Edna Ingham saw Frank Jarmer with Boche over his body firing two with a display of earnestness. "I filed shots while he was down. There is

"What defense has Herman Boche

Drunkenness? I think the court will

nstruct you that drunkenness is no the drug, efense for a crime. "Dr. Mackay, a man of great Imagnation, defines hallucination for you. He told a story of knock-out drops,

disputed that they had been the best He thought he had told Harry Lodor about it before, and Wm. Stokes and Mr. Donovan. Lodor cannot remember and Wm. Stokes denied. Mr. Donovon was in the court room but the defense never called him. It was Dr. Mackay and not Boche who had hallucination. He, the doctor, saw things that did not exist and heard things that were not said.

"The Lord only knows why Boche killed Jarmer, save that he did it in his drunkenness.

"His only sister testified that Her-

"They want you to believe that Her one on his back. It seems strange man Boche is crazy. If you have read the newspapers you have seen insanpoints-points contradicted by the ity in all its forms pleaded to save a man from the penitentiary. It is popular. The only thing that made Herman Boche crazy was whiskey. Do taurant, but he admits that he was you think that if Frank Jarmer had wanted to rob Boche he would have waited until 5 o'clock in the morning, until he himself was drunk?

"How could Herman Boche shoot in self-defense? Did Frank Jarmer or

Lee Vroman have the gun? "Who had the money and where did the money go? If Boche shot in self defense, why did he shoot after Jarmer was down? Senator Allen's Address.

He started to speak a little after 3 'clock and addressed the twelve men in the jury box until nearly 6 o'clock Senator Allen's plea was forcibly delivered and was listened to with the closest attention by the jurymen. Senator Allen after his preliminary remarks reviewed the life of Herman

Senator Allen's plea for Herman

Boche was both eloquent and extended.

Boche. In the shooting of Frank Jarmer he said there was an absence both to constitute second degree murder.

Senator Allen said in part: "These men stood at the altar of that splendid German order, the Sons of brotherly love and assistance.

"Frank Jarmer was a saloon-keeper I am free to say that I know the back alleys of the world and that I hope to see the time when the whole traffic is put out of existence. But Herman Boche saw no wrong in going to Jarmer's. "Poor, nervous, distressed German,

serpent that drew him into this catasof this county. "It makes no difference whether Jarmer's license expired the last day of April or the fifth of May. Suffice Judge Welch took up the matter of save for that brief moment when he that he thought it expired April 30.

He was a pauper-to whom could he Senator Allen traced Boche from Jarmer's saloon in the afternoon back him, if he kept right on staying with he said. Boche, the senator said, did not take the revolver to kill Jarmer

> walk to Norfolk. Step after step Senator Allen traced

> "I wish I was as bright as I think Mackay is. I don't think that he always puts it to good use but he's a kay on the stand was not sure whom about knock-out drops.

> did he say 'Lee, I'll want to use you "That fellow Vroman has lived on his wits and he has little to live on. He testified that there was laughing

"Why did Jarmer call Lee Vroman

as he drove from the restaurant. Jarmer might have laughed. "The state said they could only use what witnesses they had. Well we

have the right to impeach them. "You know the woman, Edna, and er occupation. She was Jarmer's avorite. But she testified that Boche taggered drunk into the house, drunk with the liquor of Jarmer, drunk with

Then the entertainment of that ouse began. "Lee Vroman testified, and he lied

[Continued on page 6.]

went to a restaurant." "What took place?" "Frank said,

"What happened then?"

"What happened next?" "I remember he throwed me in a hack.'

"When did you come to next and

to those houses before?" "Yes, I went

you had \$840?" "Yes." before you started?" "Yes."

Boche left the stand at a little before noon. It was generally conceded ed the court room another dozen men that he had made a good witness and who have heard the story of the withim harm. He would not go home un- ing. They had been to a church meet- that he had supplied testimony to fill nesses with unprejudiced ears. til his father joined them. This spell ing and went to the Jarmer saloon in a number of missing links of the The people in the court room have Mrs. Boche said her husband had go home but Jarmer insisted on his fense has been trying to establish, words of the witnesses and while there here to tell the truth. had a "spell" about a week before last remaining. Boche claims to have had He had good control over himself, has been scarcely the slightest demafternoon. My money was gone. I the English language bothered him torney. The sentiment of Madison somewhat. He seemed to be search-

edy of that May day. Boche's attorneys were very much

wore that Herman was at his tent Fred Boche is a cousin to Herman

The state then rested. Dr. P. H. Salter was called in rebuttal. He testified he reached the scene Tashiean. After caring for Jarmer he had occurred. The dust was an inch blood. Many footprints were in the

had been walking around, some barefooted. ground look like?" "Like there had

just as we were doing." He found a bunch of keys and fifteen cents in the dust. "But Dr. Tashjean testified that he picked up the keys and handed them

Here there was a wrangle over Dr. Tashjean's testimony but it was so chief witness against Boche he was far buried in the heap of notes that brought under heavy fire, the defense Senator Allen withdrew his question. attempting to connect him with Jar-John Hermann of Norfolk was mer,

asked him to go over to the restaurant.

tified that he bolted the back door with an ice pick. Here Senator Allen got very technical and interposed many objections, getting them into the record.