

Larceny or German Russian Bigotry?

While searching Newspapers.com, I discovered a sensational story of intrigue in 1913 Lincoln, Nebraska, involving my paternal grandmother, Louise. The story of how my grandmother was arrested is well documented in the Lincoln 'Nebraska State Journal' and the 'Lincoln Star' thanks to Mrs. Helen Gregory who reported on the "crimes." Here's how the story likely unfolded.

December was cold in the "Roosian bottoms" of north Lincoln. Putzing about her home and caring for her 2 children, Louis put a few more sticks of wood in the cook stove. The kitchen was warm, and she and the children were just finishing their small meager lunch when she heard pounding on her front door.

Who on earth could be out visiting at this time? Her friends had small children and it wasn't normal to have daytime visitors – that was for evenings when the children could play, and all the housework and baking were done.

The knocks grew louder as she approached the front door. When she answered, she realized it was no friend. A Deputy Sherriff and a Mr. Schrank, a man who spoke German, stood on her doorstep. Schrank stated he was a special agent of the Burlington railroad. He asked her where she got the railroad ties in her yard and some pieces of wood.

Louisa told them her husband bought the ties and she picked up firewood at the dump with some other women. She explained that they crossed the new bridge over Salt Creek on Z street and the boss of the Burlington crew told them they could have all the scraps they found, which they immediately picked up. Some of the workers began kicking wood into the creek for them to pick up, greatly to the men's amusement, as the women waded into the creek to get the wood.

Her visitors insisted she come to court and pay a fine of \$10.65! A fine? She had no money and explained to Mr. Schrank that her husband was out of town, and she had two small children at home. She could not leave her children to go to court. Mr. Schrank told her to lock the children in the house, she must come with them and pay the fine. Again, she protested as she had no money. In today's value \$10.65 was almost \$300! Where would a new immigrant woman find or have the equivalent of \$300? She explained she had absolutely no money at all, but Schrank said they would take her to the grocer to get the money. They forced her to lock the boys – one year old Peter and 3-year-old John-- in the house, alone, and escorted her to the grocer where she could get cash on account.

Once she had the money, they took her to Justice of the peace, John E. Lowe's court. The Judge asked for her plea.

She didn't speak or understand English she was all alone, in a court room, which she knew nothing about. "How do you plead? Guilty or not guilty?" asked Justice Lowe.

Louisa Reich can't answer, she doesn't understand. She has no way of knowing what they are asking of her or what "guilty" means.

Shrank, snarling at her, tells her, "Plead guilty or go to jail!"

Jail! But Louisa is in America, not Russia. So, they do these things in America too, not just in Russia? "Guilty," she said with a heavy German accent.

"\$10.65 to be paid immediately," said the judge as he slammed down the gavel. She did not want to go to jail, so she had to plead guilty to larceny. She did not understand any of the proceedings and only discovered later the actual fine was \$1.

But her thoughts quickly turn to her children, locked in and alone. She had to find a way to go home as quickly as possible she had no transportation, but her boys would be frightened and unable to understand what had happened. What would John think when he returns?

After I found the articles in Newspapers.com, I needed to know more. My family had never discussed these charges against my grandmother, so I investigated further and searched the court records as had the reporter Mrs. Helen Gregory in 1913.

The courts records do not show Louisa's name on any court records but did show my grandfather's name, John, appearing as the one who was fine for the offense described. He swore he was out of town seeking work and had never appeared in Judge Lowe's court - which there is no record showing he was present - or had no knowledge of the event until his wife had to pay the money back to the grocer. The question is "could a wife appear in court, plead guilty for a charge against her husband, and pay a fine for him without his knowledge or presence in court?"

The newspaper articles from 1913 and 1914 in Lincoln, Nebraska revealed a wealth of information about the corruption and prejudice against not only toward Louisa but the immigrant Germans of Lincoln, Nebraska. I wanted to know more - I wanted the real story.



From Nebraska State Journal Tuesday, December 23, 1913, Lincoln, Nebraska

Mrs. Gregory documented the discrimination of German Russians living in Lincoln. In her article of December 1913, more than 30 German Russians were rounded up and hauled off to court in Lincoln, Nebraska on the charge of larceny - stealing of railroad ties and lumber from the Burlington Railroad. All were found guilty and charged \$10.65 in court costs - the fine being \$1 but the courts costs were \$9.65 with \$4.95 to Justice Lowe and the remainder divided up with various others including to Mr. Schrank.

Louisa was caught up in that December 'roundup' of Germans from Russia. Some of the arrests took place at 10:00 at night, too late to obtain help from a bails bond man - even if they had known to do so. The newspaper reports said the German Russians had all been found guilty even though most had either purchased the ties

or had been to the dump to sort through for scraps.

Most of the people arrested were hopelessly ignorant of their rights. They only knew that had to pay \$10.65 or go to jail but in one case the astute special agent and deputy sheriff picked the wrong man.

Helen Gregory wrote an article about John Michaels, who was a respectable German Russian man, a garbage collector and resident of Lincoln for some twenty years. "His honesty has never been questioned. He understands a good deal of English and knows American ways. He refused to plead guilty although was strongly advised to do so by those who were staging this little comedy. By the time his case came to trial his pastor and some of his American friends had learned of his case and were present in the court. He understood that he was accused of stealing some ties he had in his yard and was armed with a signed statements from the Missouri Pacific man who had sold him the ties. With this (statement) his lawyer had thought he would be cleared without any legal advisor present. But the detective declared that a pick and shovel had also been found on his premises marked with the Burlington mark. Upon the advice of his friends, he sent for his lawyer. And without a word of evidence showing him to be guilty he was assessed a fine and cost. The case was promptly appealed and has since been dismissed by the county attorney."

Another similar case involved Louis Lehl. He demanded a search warrant before he would admit the deputy and Schrank into his home. Lehl was hit over the head, and the men entered the house and arrested him.

The German Russian Community became incensed with the "roundup" and the actions against Mr. Lehl. They had judged the American system by that of Russia where they had to pay protection money and thought they had to do that in America too. They felt they had to plead guilty and pay a fine to prevent jail time. But the presences of an attorney, as in Mr. Michaels case, they learned they could procure assistance and make a great deal of difference.

Plans were developed to take action against Judge Lowe in the upcoming election. According to a Mr. Spahn, first ward German Russian leader. "John Lowe is not going to claim a walk away in the November elections if the German Russians can prevent it." They have a special grievance against the justice of the peace, and they refuse to forget it. It all relates to the arrest of some 30 German Russians and the men who assisted Judge Lowe, Mr. Schrank and Mr. Ress. They also know their community suffered the loss of better than \$400 and whenever the justice's name is mentioned the facts are brought out in English or German.

According to the Nebraska State Journal, "The arrests and fines came as a blow after weeks of idleness after returning from the beet fields. In several instances, the man who keeps the little corner grocery paid the fines of his customers. He knew they had nothing with which to pay, and he trusted them whole winters at a time. Some of the families had owed him as much as \$150 when spring rolled around. When they returned from the beet fields in the fall, they had always paid up, even if it took their last cent."

Men Were Ignorant.
Most of the men arrested were hopelessly ignorant of their rights. They only knew they had to pay \$10.65 or go to jail, but in one case the astute special agent and deputy sheriff picked the wrong man.
John Michels is a very respectable man, a garbage collector, and resident of Lincoln for some twenty years. His honesty has never been questioned. He understands a good deal of English, and knows American ways. He refused to plead guilty, although he was strongly advised to do so by those who were staging this little

*From Helen Gregory, August 13, 1913
Lincoln Journal Star, Lincoln, Nebraska*

COMPLAINS AGAINST ACTS OF JUSTICE JOHN E. LOWE

LINCOLN, Neb., August 13.—To the Editor: I am informed that a recent political meeting of the German-Russian Family club, Justice of the Peace John E. Lowe, who is asking for re-nomination at the coming primaries, issued a challenge to anyone present, or to any citizen of Lincoln to prove that he had ever done an injustice to anyone appearing in his court. This challenge could easily have had its response from the floor if those who were anxious to speak had been given the opportunity. Since no such opportunity was given I ask space in your columns to state a few facts which have come under my observation during the past year.

During December, 1913, thirty or more German-Russians were arrested and brought before Justice Lowe charged with stealing wood, ties and tools from the C. B. & Q. railway. The newspaper reports said that they had all pleaded guilty and were fined. I knew a number of these people personally and was sure that some mistake had been made. I knew too that most of the men were newcomers, knowing almost no English; that they had been out of work for months. Added to all this, most of them were still in debt for their passage money, and \$10.65, the amount of fine and costs each paid, was to them a large sum.

The cases were investigated as carefully as possible. We went to their homes and talked with them. We have some fifteen or twenty statements from these people, whose inno-

cence we could have established. It was evident that some few others were justly accused, and for them I have nothing to say—they took what did not belong to them and knew what they were doing. The story of the others has never been told in print, and I should like to cite as a sample of what I regard as the injustice done to these people in Justice Lowe's court, two of these fifteen or twenty cases. In general, the circumstances were as follows:

Women Pick Up Wood.

The C. B. & Q. railway was building a bridge over Salt creek on West Z street. The company claimed to have lost some lumber there and also some tools from the round house. I suppose it was necessary for their special agent to find the thief. It has always been the habit of the German-Russians to buy old ties wherever they could, not usually from the Burlington. Some of them had receipts for money paid. The population is shifting, and when a German-Russian family moves to the farm or goes to work in the beet fields they take only their most personal things, frequently selling a house and all its belongings to another family. It is the habit of the women in the neighborhood to go out to the dump several times a week to pick up old wood to burn, as they can ill afford coal.

Mrs. R— was home alone with her two children on the morning of December 19, when Deputy Sheriff Schrank and the special agent of the Burlington came to her house. They

found three old ties in the yard and some pieces of wood. They asked her about them and she said her husband had bought the ties and that she had gone out to the dump to pick firewood with some other women. They passed the new bridge and were told by the boss that they could have the scraps, so they picked up the small pieces about and even waded into the creek to pick up floating pieces, greatly to the amusement of the workmen who laughed and kicked more into the water for them.

The deputy sheriff said she would have to come to court and pay a fine and she must bring \$10.65 with her, thereby assuming even before trial, that the court would find her guilty. She said her husband was away looking for work and that she had no money. But they told her she must get it or go to jail. So they left her two children—one a year and a half old and one three years old—locked in the house alone, took her to her grocer, where she borrowed the money.

They then brought her up to Justice Lowe's court. This judge, "who has never done anyone an injustice in his court," allowed this woman—two years over from Russia, who did not understand the simplest English, who was as ignorant of court procedure as a little child, unaccompanied by her husband or any friend, and with no interpreter except the man who arrested her and was being paid his fees

From August 3, 1914, Lincoln Journal Star

Helen Gregory wrote, "It may be that Justice Lowe was technically justified in these cases. I am not a lawyer, but I believe there are others, like myself, who believe that in a court supported by fines and costs by the loser, from whose decisions only those who have money can afford to appeal, it is absolutely essential that we have a man for judge whose sense of justice is developed as well as his knowledge of law. It is the duty of the American voter to see to it that the unsophisticated foreigner: the "stranger within our gates," has a square deal in our courts, and that he is not put at the mercy of men who are openly prejudiced against him simply because he is of a certain class or nationality."

Aided by numerous accusations, including those from the German Russian Community, and the accusation of "Cruelty" by Judge Lowe's wife, Judge Lowe was defeated in the 1914 election. Along with his defeat were several other enemies of the German Russian community, Mr. Nick Ress, who was thought to be a "shoe in" if Lowe was defeated. However, Nick Ress failed to win election due to the organized German Russian action.

And why? Because he was an active supporter of judge Lowe and Mr. Schrank, in their actions against German

REACHES END OF HIS TERM

Justice Lowe Tells How Money Rolls
into Office.

Justice John E. Lowe is serving his last day in office. Thursday morning J. B. Clark will succeed him and act as one of Lincoln's two justices of the peace. Justice Lowe has been in office three years, holding over one year because of the passage of the biennial election law. During the three years he has docketed over 3,000 civil and over 1,000 criminal cases.

According to the statement of the retiring justice the gross receipts of the office each year have run from \$3,000 to \$4,000 a year. He figured his expenses at about \$800 a year for office rent, services of a stenographer, stationery and necessary books. The income of a justice comes from fees. He may be a good collector yet he sometimes waits a long time for these fees to get into his hands in the form of cash. Justice Lowe is still paying over to Bruce Fullerton fees that accrued during the two years Fullerton's term though the latter has been out of office for three years.

From January 6, 1915, Lincoln Journal Star

HAPPY UNTIL HER HUSBAND GOT OFFICE

Then Mrs. Lowe Alleges
Justice Lowe Became
Cruel

Gertrude M. Lowe, sued for a divorce in district court recently by John E. Lowe, filed an answer and cross petition Wednesday. Mrs. Lowe asks for a divorce herself on grounds of cruelty and non-support.

The defendant alleges that despite the fact that the plaintiff is earning from \$200 to \$300 a month as a practicing attorney and justice of the peace, as he himself has told her, that he has failed to provide suitable support for herself and minor child and that she has been largely dependent upon her parents.

Mrs. Lowe alleges that up until the time her husband was elected justice of the peace, that they were happy together in their home but that since he has come into office he has been extremely cruel to her. She alleges that he is in the habit of coming home late at night in a hack and replying to her queries with vile names and the assertion that it was none of her business.

Mrs. Lowe alleges that when she

From January 8, 1913, Lincoln Journal Star

Russians.

All these stories awakened and empowered the German Russian community. They now knew there were other ways to handle these problems.

