

# LIFE SENTENCE FACES CARIL

## 'We're Not Bitter' --- Jensen's Father

By Len Carlson  
"We're not bitter."  
With these words Robert E. Jensen described his and his wife's feelings after a jury Friday recommended a life sentence for Carl Fugate for the murder of his 17-year-old son, Robert W.

because the death sentence was not recommended.  
"I don't even think Bob or Carol (Carol King who was murdered along with Robert Jensen last January in Beemer) would want to be responsible for the death of anyone even in this case," he said.

imposed Caril might be released in 20 or 30 years for good behavior.

**Residents Agree**  
Some of Bennet's citizens felt the same way Mrs. King did.

"They'll release her for good behavior," was the reply of many.

**Did Good Job**  
"I would have hated to have been on the jury myself," said Jensen. "They did a very good job in just taking the facts of the case."

"She should have gotten the death penalty," said Bob Brownning, brother of Everett Brownning who had found the slain Bennet pair in a storm cellar.

Jensen said at no time did he or his wife feel that Caril would be acquitted.  
Mrs. Mabel King, mother of Carol King, who was working at a local department store when the verdict was announced, believed the death sentence should have been recommended.

"I have no sympathy for her whatsoever," he added.  
Raymond Hicks, of Seward, a friend of the Jensen family said he was surprised that Co. Atty. Elmer Scheele didn't ask for the death sentence.

"She's just as guilty as he (Starkweather) is," she said.  
Mrs. King said because the death sentence wasn't

"She got everything she deserved but she should have gotten more," he said.  
Meanwhile most of the Lincoln residents queried said they felt both the conviction and the jury recommendation for a life sentence were just.



Photographers, newsmen strain (left) for view of Caril after verdict (right).

## Found Guilty Of Abetting, Aiding In Robbery-Slaying

### FUGATE GIRL'S ATTORNEY PLANS APPEAL

By Del Harding  
Ten months to the day after Carl Fugate's family was brutally murdered at 924 Belmont, a Lancaster District Court jury Friday found Caril guilty of a first degree murder charge resulting from the killing of a man page which followed.

ment of premeditation is not required in the "murder while in the perpetration of a robbery" charge—all which must be proved is that the defendant willingly participated in a robbery which later resulted in the murder of the robbery victim.

District Court Clerk Wilford F. Sanders read the verdict to a nearly-full courtroom at 11:09 a.m.

Then as Judge Spencer addressed the jury, Caril lifted her head from defense Atty. Merrill Reller's shoulder and glared at the 12 jury members for several minutes. She then resumed her sobbing.

which could be heard throughout the courtroom. As she was escorted from the courtroom, still crying, she was asked by the mob of newsmen outside what she thought of the verdict.  
"I'm not guilty!" she firmly declared between sobs. She and her relatives then went into Sheriff Merle Karthen resumed her sobbing.

(Continued on Page 2)

Caril was convicted specifically of being Charles Starkweather's accomplice in the robbery-murder of Robert Jensen, 17, of Bennet, last Jan. 27. Her attorney said he will appeal the verdict to the State Supreme Court.

First step in the appeal procedure to be followed by defense Atty. John McArthur will be to request Judge Spencer to grant Caril a new trial for "errors" which McArthur will allege occurred at this trial.

If Judge Spencer overrules this request, as he did in Starkweather's case last May the conviction will then be taken before the State Supreme Court.

**Goes To York**  
After Caril is formally sentenced to life imprisonment by Judge Spencer—and there was no indication when this will be—she will then be taken to the Women's Reformatory at York, Neb., to begin her term.



McArthur Spencer Scheele

## Caril Might Be Paroled At 31

Caril Ann Fugate would probably be eligible for parole from a life sentence on her 31st birthday.

State Pardon Board Administrative Assistant Mrs. Loreta Walker said that figures from the Board indicate an average of 15 to 17 years are served on a life sentence, providing the prisoner has an acceptable record.

Mrs. Walker said the board may reduce life sentences to 30 to 40 years if the applicant has compiled a record of good behavior during the first 10 years of the sentence.

**Parole Time**  
The prisoner may then be able to earn a parole after an additional 5 to 7 years. This is the average figure, Mrs. Walker pointed out.  
Caril, 15, is not the youngest to draw a life sentence in Nebraska. In 1938, according to state pardon board records, 14-year old Gary Ames, listed as from Wilmington, Mass., was sentenced for life on a second degree murder charge.  
In 1953 the sentence was commuted to 35 years. In May of 1957 the prisoner was paroled and in February of this year, he was discharged from his parole.

**Could Have Been Death**  
She could have received the death penalty as did Starkweather, who is now awaiting the result of an appeal to the high court.

## ANOTHER NICE DAY

Just a week ago, Nebraskans were on the lookout for a blizzard. Now they're enjoying a mild weather again, with more of the same in sight.

The weatherman says partly cloudy Saturday and Saturday night, cooler Saturday with little temperature change Saturday night. Highs are expected to range from 45 to 55.

Lincoln and the Air Base both recorded a mercury reading of 67 for the state high, while North Platte registered a state low of 22. Lincoln's late Friday was 34.

## The Weather

NEBRASKA: Generally fair. Some clouds in the west. Highs generally in the 50s.

Lincoln	Temperatures
1:30 a.m.	34
2:30 a.m.	34
3:30 a.m.	34
4:30 a.m.	34
5:30 a.m.	34
6:30 a.m.	34
7:30 a.m.	34
8:30 a.m.	34
9:30 a.m.	34
10:30 a.m.	34
11:30 a.m.	34
12:30 p.m.	34
1:30 p.m.	34
2:30 p.m.	34
3:30 p.m.	34
4:30 p.m.	34
5:30 p.m.	34
6:30 p.m.	34
7:30 p.m.	34
8:30 p.m.	34
9:30 p.m.	34
10:30 p.m.	34
11:30 p.m.	34

Sun rises 7:22 a.m.; sets 5:04 p.m.  
Moon rises 2:14 a.m.; sets 3:41 a.m.  
Normal November precipitation 36 in.  
Total November precipitation to date 80 in.  
Total 1958 precipitation to date 33.7 in.

Nebraska Temperatures	H. I.
Lincoln	67 34
Omaha	67 34
North Platte	67 34
South Platte	67 34
Beatrice	67 34
York	67 34
Lincoln	67 34
Omaha	67 34
North Platte	67 34
South Platte	67 34
Beatrice	67 34
York	67 34

Lincoln 67 34  
Omaha 67 34  
North Platte 67 34  
South Platte 67 34  
Beatrice 67 34  
York 67 34

## More Fugate Trial Stories On Page 2

probably the second. The jurors discussed the case for 1 hour and 5 minutes Friday to bring the total deliberation time needed to unanimously reach a verdict to 9 1/2 hours.

**Innocence Inferred**  
Judge Spencer said the guilty verdict on the murder in a robbery charge alone meant by "inference" that Caril was found innocent of the "first degree murder" charge for which she was also tried in the Jensen death.

It was also unofficially reported the jurors did not even ballot on the "first degree" charge under which the state would have had to prove Carl knew Jensen was going to be killed before Starkweather shot him. This charge was also tried in the Jensen death.

**Hobby Show Sat.-Sun.**  
Pershing Auditorium 1-10.-Adv.



The small foreign car in which one woman was killed in a two-car crash at 25th and R is shown in the background. In the foreground is the other car, showing extensive frontal damage. (Star Photo.)

## Ex-City Teacher Ruth Hutchins Dies In Crash

... Mishap At 25th & R

By Virgil Falloon  
Miss Ruth Hutchins, a retired Lincoln teacher, was killed in a three-car accident Friday afternoon at 25th and R and another woman was critically injured.

Injured was Mrs. Lucie Wilson Yoder, 64, of 225 No. 25th, owner and apparent driver of the small foreign car in which both women were riding.

Miss Hutchins, 66, of 5203 Cleveland, was pronounced dead on arrival at a Lincoln hospital and police said she was apparently killed instantly.

Mrs. Yoder was described in "critical condition" with head injuries and a broken leg by hospital attendants.

Both victims were thrown from their car when it was in collision with a larger car driven by Dale M. Johnson, 34, of 606 No. 27th, a city bus driver, according to investigating officers. He had only minor cuts on the mouth.

**Hit 3rd Car**  
After the intersection impact, the small car was knocked or careened against another car halted at a stop sign.

R street is a 35 m.p.h. arterial protected at 25th by stop signs on the north and south.

Driver of the car halted.

## 1 Missing In Blaze

Superior, Wis. (AP)—Fire followed by "some kind of an explosion" swept an old, 3-story apartment building Friday and one man was unaccounted for hours after the blaze. Six other persons escaped uninjured.

Fire Capt. Clifford Carlson said "we can't say definitely about casualties until the embers cool." The search for the body of the man believed in the debris was called off late Friday night and will be resumed Saturday morning.

The cause of the blaze was not determined immediately. One man was carried to safety and a mother and son and 3 other men escaped from the brick and frame structure before it became an inferno. The building is located 3 blocks from the main business district in an older section of this Lake Superior port city.

## Russians Begin Berlin Pullout

Berlin (AP)—The Russians threw out a hunt Friday they will quit Berlin by Christmas and began withdrawing Army families and some soldiers from East Berlin.

The 10,000 men making up the U.S., British and French garrisons will face a crisis when Red East Germany takes over control of the long supply lines to Berlin. But the Communists hastened to reassure 2,200,000 jittery West Berliners.

East Germany signed a new 1959 trade agreement with West Germany in East Berlin. One clause virtually assures the free movement of German civilian supplies through East Germany to West Berlin, 100 miles behind the Iron Curtain.

**No Details**  
These were other developments of the day:  
1. The Soviet Foreign Ministry notified foreign envoys to all its Moscow offices Saturday. The reason was not announced there, but West German Chancellor Konrad Adenauer said he had learned the Russians would hand over to all powers that fought against Nazi Germany a note on the 4-power status of Berlin. What that note would say remained undetermined.

**2. A Soviet-East German committee discussed in East Berlin a 1957 treaty dealing with the status of Soviet armed forces in East Germany. A 6-line committee agreed fully on all problems it discussed. No details were disclosed.**

**3. In Munich, Chancellor Adenauer said that any Communist attempt to enslave the free West Berliners would rock Europe.**

## Determined

Washington (AP)—The White House declared anew U.S. determination to stand firm against Soviet efforts to force withdrawal of the western powers from West Berlin.

This affirmation of policy was the latest in a series of statements designed to prevent any miscalculation by Russian or East German Communist leaders about U.S. intentions in the Berlin dispute.

**Final Clearance \$1**  
Sale Rack Summers Maternity, 1122 N.—Adv.

## Mother, Tot Hurt In 2-Car Wreck

Mrs. Betty Stroh, 29, of 1211 So. 47th and her 4-year-old daughter Tamara were under observation at Lincoln General Hospital Friday night for injuries suffered in a two-car collision at 17th & K.

Hospital officials said Mrs. Stroh suffered scalp cuts and other possible head injuries. Tamara suffered a cut on her face and a lip injury.

## Vanguard Readied Despite Pentagon

Cape Canaveral, Fla. (UPI)—The Navy test-fired the 1st-stage of a Vanguard rocket Friday, indicating a possible satellite-launching attempt early next month.

The static test was held despite an announcement last Tuesday by the National Aeronautics and Space Administration that no more Vanguards would be fired this year.

The NASA, which assumed control of all scientific rocket projects Oct. 1, said it was holding up the project until a study was completed on "ways to increase the reliability of all satellite vehicles."

However, a project official here, who asked that his name be withheld, said he had heard nothing about a postponement of further satellite launching tries until next year.

He said that "nothing official has come down here at all" on the postponement. "We're just going along about the same as ever," the official added, "I can't understand the confusion—or can anyone else."

## Today's Chuckle

The last word in an argument is what a wife has. Anything a husband says after that is the beginning of another argument.

# Verdict Breaks Caril; Family Reaction Varied

By Nancy Ray  
The cold reality of a life behind bars finally broke the cold reserve of 15-year-old Caril Ann Fugate, and her almost incoherent reaction was "They couldn't give me the chair because they knew I wasn't guilty."

Unable to control spasmodic sobs long enough to answer Judge John Spencer verbally that she had understood the jury verdict, the teenager managed to nod her head vigorously before collapsing again into the arms of Merrill Reller, Lincoln attorney who aided John McArthur during the 4-week trial.

Four family members sitting tensely in the front row of the audience received Caril's life sentence with varied emotions.

**Sister Sobs**  
Her sister, Barbara Van Busch, broke into low moaning sobs which, with Caril's own outcries, rose over the calm voice of Judge Spencer as he concluded the lengthy proceedings by discharging the jurors.

Her father, William Fugate, sat stunned, mouth agape, as the verdict was read, and later recovered to comfort his wife who cried quietly and slumped in her seat.

Pansy Street, Caril's grandmother, made a motion to rise and go to her granddaughter as the life sentence was announced, but settled back with tightened lips as the judge continued without interruption to conclude the trial.

Jury members avoided

looking at the young defendant during and after the verdict, centering their attention on the judge, then moving quickly to the district court as soon as dismissed.

There several women jurors broke into tears as they hurried to receive their warrants for payment on jury duty.

The 12 received \$114 apiece for their service, which with payment for the two alternate jurors dismissed earlier, totaled \$1,578, plus mileage allowances.

As a mob of newsmen and spectators crowded a courthouse hallway and the surrounding lawn, Caril and her family were closed for more than 30 minutes before she regained enough composure to leave for the State Hospital.

**Taunts**  
Comforting words and taunts were shouted at the girl as she finally emerged from the seclusion of the sheriff's office, but she showed little reaction to the crowd around her.

She faced photographers squarely, but could not manage a smile on her grief-swollen, pouty face.

Her grandmother tried to console Caril with a lecture-like statement of: "Listen to me, young lady. As long as you have your life you have hope . . . you can't understand God's ways."

Caril raised her head to again protest her innocence, and her grandmother agreed that . . . they'll know they made a mistake."

## Starkweather Reaction Temporarily Unknown

Although Charles Starkweather will not be allowed to make any comment through prison authorities as to his reaction towards conviction of his ex-girl friend Caril Fugate, the red-haired youth has given his views on what Caril's verdict should have been.

"I know what his comment would be," said T. Clement Gaughan, one of the convicted killer's court-appointed attorneys. Gaughan noted that in previous statements Starkweather, sentenced to die in the electric chair, has expressed the feeling that Caril should get the chair too.

## KENNEL CLUB SLAMS PROPOSED RABIES LAW

The Cornhusker Kennel Club further clarified its views in opposition to compulsory canine rabies vaccination in Lincoln, stating that "the local situation . . . has been overplayed to the limit."

"The disease in Nebraska is on a downward cycle. There were fewer state cases this year than last year, fewer last year than the year before," the Club noted.

"Rabies is almost non-existent in dogs."  
The Club also pointed out that vaccinations "are not entirely safe."  
"Some dogs cannot tolerate the vaccine. During the Club's mass vaccination program one purebred Pug died 30 minutes after receiving the shot," it noted.



PRINCE KOSMET, SWEETHEART

Don Binder and Margaret Marshall reflect their feelings after being announced Prince Kosmet and Nebraska Sweetheart at the University of Nebraska Kosmet Club's Fall Revue at Pershing Auditorium Friday night. (Star Photo.)

## Mrs. Abel To Talk To GOP Women

Mrs. Hazel Abel will speak at a Business Women's Republican Club dinner at 6 p.m. Tuesday, Dec. 2, at the Y.W.C.A.

Mrs. Abel will speak on her observations of the Brussels World's Fair and a meeting with Queen Juliana of the Netherlands.  
Mrs. Abel, American Mother of 1957, escorted the 1958 American Mother to a meeting with the queen.

## Local Coed Named Nebraska Sweetheart At Kosmet Revue

Margaret Marshall and Donald Binder were named Nebraska Sweetheart and Prince Kosmet at the University of Nebraska Kosmet Club's Fall Revue.

Named outstanding act of the variety show, presented at Pershing Auditorium before 1,700 persons, was "Butt Really," presented by Theta Xi fraternity.

Miss Marshall is the daughter of Mr. and Mrs. Walter E. Marshall of Lincoln. She is a junior in the College of Arts and Sciences and a member of Gamma Phi Beta sorority.

Binder is the son of Mr. and Mrs. Richard Binder of Kearney. He is also a junior in the College of Arts and Sciences and house manager of Theta Xi fraternity.

They were picked by a vote of the audience before the show.  
The Theta Xi skit portrayed a scene taking place in one big ash tray the day after a New Year's Eve party. An argument over which was better, cigars, cigarettes or

## Car-Pedestrian Mishap Hurts Boy

David A. Moser, 4, son of Mr. and Mrs. W. R. Moser of 4125 J, suffered slight face injuries Friday when he collided with a car in front of his home.

The accident occurred, according to police, when the boy chased a ball into the street. He ran into the path of an automobile driven by Mrs. Janeth J. Hanigan, 41, of 435 So. Cotner, police said.

## NMEA Elects Fowler

Grand Island, Neb. — The Nebraska Music Educators Assn. Friday night elected David Fowler of the University of Nebraska as vice president and George Anderson of Lincoln as secretary-treasurer.

## CARIL FACES PRISON LIFE

(Continued from Page 1)

nopp's private office. When Caril emerged about 30 minutes later she was pale and red-eyed, but held her head up and looked at photographers without crying.

She was then driven by Karnopp and his wife back to the Lincoln State Hospital — where she has been held for safekeeping since Jan. 31 — to await formal sentencing.

Judge Spencer told the jury he knew the 4-week trial had been a "long, difficult" case for them. He commended them for their diligence and patience, and said they all had been "particularly attentive." The trial began Oct. 27.

County Atty. Elmer Scheele, who acted as chief prosecutor of both the Starkweather case, said of the verdict: "I think justice has been accomplished."

He said the verdict "disposes of her case" — she will not be tried again on a ny other charge.  
McArthur, in announcing his intention to appeal, said "I didn't think Starkweather's word carried that much weight."

This was an apparent reference to the testimony of Starkweather, the star prosecution witness. The next day who will turn 20 on Monday, was called in from the State Penitentiary to testify.

Starkweather declared on the witness stand that Caril was present Jan. 31 when her family was killed and even implied that Caril aided him in the crime.

He said Caril watched television while he wrapped the bodies of Mr. and Mrs. Marion Bartlett (her mother and step-father) and 2½-year-old Betty Jean Bartlett (Caril's half-sister) and dragged them to sheds behind the house.

Starkweather testified that

Caril aided him willingly in the robbery of Jensen, but said she had no part in the killing of Jensen which he did on an impulse.

**Knew Nothing**  
Caril took the stand and said she knew nothing of her family's deaths until she was told of the murders Jan. 30 in the Gering, Neb., jail on the return trip to Lincoln. She also said she had no part in Jensen's murder and only helped Starkweather rob Jensen because she was forced to.

She claimed she accompanied Starkweather on the 8-day murder spree which claimed 10 lives only because of fear for the lives of her family. She claimed Starkweather told her her family was being held prisoner somewhere by his father and that their safety depended upon her co-operation.

A Wyoming deputy sheriff, William Romer, also cast doubt of her claim when he testified Caril told him Jan. 29 when he took her into custody that her family was dead and that she had seen Starkweather kill them.

Foreman of the jury which heard the case was T. C. Eichelberger of 6640 Colby, a meat buyer for a wholesale grocery firm. Other panel members were:

Mrs. Lena B. Cobb of 478 Pawnee, housewife.  
Mrs. Lela H. Hunt of 328 B. housewife.  
H. P. Thiemer of 4330 Handolph, salesman.  
Elmer Blank of Park, salesman.  
Thos. B. Kirkwood of 2117 E. 63rd street department employe.  
Mrs. C. E. Paal of Rt. 5, welder.  
C. E. Ashburn of Rt. 4, dairy farmer.  
Mrs. Dorothy D. Ester of 209 No. 6th, teacher.  
H. A. Walenta of 623 So. 22nd, auto parts man.  
Mrs. M. Peterson of 197 Prospect, teacher.

The two alternate jurors who were excused before the regular jurors began their deliberations were Roy V. Loudon Jr. of 3220 Wilshire Dr., personnel manager, and Mrs. Delta M. Schmidt of 1220 No. 42nd, housewife.

# LINCOLN KEEN KUTTER STORES

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**FORK** **SLOTTED SPOON**

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**FOOTBALL** Rugged pebbled tan finish Reg. 3.25 \$2.48

**GUN CASE** 2 lengths 46" to 48" 50" to 52" RED HOT PRICE \$2.95

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**THOMAS HARDWARE** 2739 North 48th 6-2261 Open 8 to 6 Daily

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