

(Handwritten date: Monday, January 3, 1938)

FUNERAL FOR ??? WOMAN WILL BE HELD WEDNESDAY P.M.

Mrs. Marian Bracker, aged 86, highly respected elderly woman here who was long known for her spryness and her willingness to help others, passed to her reward this morning at 2:45 a.m. Death took place at the Oswin Sprunger residence on Franklin street where she had made her home for many years.

(Crease in article)

The deceased was born in Switzerland September 29, 1851, the daughter of Carl Otto and Barbara Zurfluh Wittwer. She came to this community as a young girl and resided here for the past 80 years.

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The vows were exchanged at Vera Cruz. Her husband died many years ago.

She was a faithful member of the Mennonite church.

One daughter, Mrs. Oswin Sprunger, where she made her home, survives. Children preceding were Samuel who died in 1900, Albert who died in 1920, and one daughter who died as an infant.

One sister, Mrs. Dina Arn, of Fort Wayne, survives.

Brothers and sisters preceding are Rosina, John, Solomon, Mrs. Anna Moser, Mrs. Peter (Elizabeth) Roth and Christian.

Funeral services will be conducted at the Oswin Sprunger home at 1:45 o'clock Wednesday afternoon and at 2:00 o'clock at the Mennonite church. The Rev. C. H. Suckau, pastor of the church, will officiate. Interment will be in the M.R.E. cemetery.

(Handwritten date: Thursday, January 6, 1938)

STATE RESTS IN HIRSCHY CASE; VIGOROUS DEFENSE IS CONDUCTED

Dr. Palmer Eicher's Testimony Not Favorable For State

(Crease in paper)

By Tuesday noon, the following (crease in paper)...isfaction of both the State and the defense counsel:

Carl Adler, Washington twp.; Fred Mills, Decatur; Grover Cottrell, Decatur; Herman Ehlerding, Preble twp.; Antone Thieme, Union twp.; Albert Huser, Monroe twp.; August Conrad, Decatur; Lawrence Heckman, Root twp.; Herman J. Franz, Root twp.; John A. Miller, Washington twp.; Ben Eiting, Washington twp.

Hirschy is alleged to have raped a nine-year-old girl for (crease in paper)The 42-year-old married Monroe township farmer, is represented by defense attorneys Hubert McClenahan and Edmund A. Bosse.

The testimony of the victim, the nine-year-old niece of the 42-year-old defendant and of her father, stand to substantiate the allegations being made by the state. He stated he

saw the girl go into a barn at her uncle's farm, where the alleged attack was made, according to the girl's story. When the girl came out of the barn, he said she was crying, but told him nothing was the matter.

Wednesday morning the state called the girl's mother to the stand to further substantiate the girl's story. She told of the girl's complaining of the alleged attack. She also stated that Hirschy had admitted being intimate with the girl.

Dr. R. E. Daniels was the fourth witness called by the state to testify regarding the condition of the alleged victim when brought to him for examination. The doctor testified that in his opinion the girl had been ravished, and within two weeks of the time examination was made.

He was firm in answering cross-examination, that the girl was, in his opinion, the victim of an attack and not of self perversion. He also testified that, in his opinion, it was possible for a girl of nine to be ravished by a man of approximately 40 years her senior, which was deemed one of the most important points scored by the state in its efforts to send the alleged rapist to prison for life.

Then the state rested its case, closing at about 3 o'clock Wednesday afternoon.

Defense counsel called as first witness, Dr. Palmer Eicher, the regular family physician. He related about an examination conducted of the 9-year-old girl. He stated that from the examination it could not be concluded that the girl had been criminally attacked, in fact he was of the (cut off)

...had been impossible of accomplishment. Cross examination did not alter his testimony.

This morning a Fort Wayne lady occupied the witness chair who testified that she had been present the afternoon of the alleged attack at the Hirschy home. She stated that the girl never left the confines of the house and the fenced-in yard surrounding the house, and particularly that she never entered the barn; further that the girl was happily playing with other children about the house.

A number of other witnesses, including character witnesses will be called by the defense this afternoon. Arguments by the state and defense no doubt will be made tomorrow. It is hoped that the case (cut off)

Adams County Historical Museum

1938 Scrapbook, Image 010

Transcribed by Karin King