

J. H. NEVEN ENTERS STATE PRISON AT CARSON

James H. Neven entered the Nevada state penitentiary today to expiate the crime for which he was convicted by a jury in the district court here March 19. The man who was found guilty of manslaughter in connection with the death February 3 of Mrs. Etta Hanna had packed his effects and was ready as the turnkey opened the iron door to the interior of the county jail and summoned him. In charge of Deputy Sheriff Sam Kearns, he was taken to Carson City in an automobile.

Shortly after Neven led back to the county jail following the proceeding in Judge Moran's court Saturday morning in which he was sentenced to a term of from five to eight years in prison and in which the court denied his attorney's motion for a new trial and application for bail pending an appeal, Neven began preparations for his departure. He was taken by deputies yesterday to his apartment at 135 West Second street, where the tragedy occurred, and there packed certain wearing apparel and directed the disposal of other personal effects, including the furniture in the place.

Although Neven has entered upon his sentence and the time to be served by him will be credited from today, his attorneys have not abandoned hope of obtaining his release on bail. C. I. McIntosh, who with Attorneys M. J. Moore and George A. Brettlett, defended him at the trial, said a petition for a writ of habeas corpus would be presented to the supreme court as soon as the papers, including some affidavits, could be prepared.

Attorney McIntosh was in court this morning and requested a court order directing delivery to the defense of a full transcript of the testimony taken at the trial. This will be carefully reviewed by counsel and portions of it which in the judgment of Neven's attorneys were prejudicial to the defendant will be presented to the supreme court in the writ of error to be filed on appeal.

NEVEN FOUND GUILTY OF MANSLAUGHTER

Reno—James H. Neven, veteran politician and mining man, was found guilty of manslaughter here last Saturday in connection with the death of Mrs. Etta Hanna, who was shot and killed in her apartments here on the night of February 3. The case was placed in the hands of the Jury late last Friday night but the jurors, tired from their three weeks' of confinement, did not discuss the case until Saturday morning, when they took three ballots. The first stood five for conviction of first degree murder and seven for acquittal. The second ballot was taken on second degree murder and the vote was six to six. On the third ballot, involving the manslaughter charge, one ballot was taken and it was unanimous for conviction. Neven faces a sentence of from one to ten years in the penitentiary at the option of the court. Moore's argument was based entirely on the supposition of suicide. He reviewed at great length the evidence of the witnesses who had testified as to threats made, by Mrs. Hanna and remarks which he contended would indicate that she planned self-destruction; He also discussed the victim manner of using her hands, and the revolver which took Mrs. Hanna's life. He attempted to demonstrate before the jury how the woman could have fired the shot, with her left hand which penetrated her right wrist and crushed through her face into the floor of the skull. Counsel suggested that Mrs. Hanna may have deliberately placed her right hand before her face to prevent disfigurement of features. The Neven trial, probably the most costly and most important from the standpoint of public interest in the history of Washoe County, began March 2. The case was interrupted by illness and the entrance of two new jurors made necessary the petition of much of the State's case.

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NEVEN TELLS OWN STORY AS TRIAL FOR MURDER IS NEARING ITS CLOSE

Feb. 1921 - James H. Neven took the witness stand shortly before noon today for the alleged murder of Mrs. Etta [McLeod Keith Schneiter] Hanna and began a recital of his career since coming to Nevada from Kendall county Ill. when he was thirteen years old. Although evincing some nervousness Neven withstood the ordeal well, on one occasion resorting to irony. This was when his counsel, M.B. Moore, asked him where he resided. Neven's reply was that he was a resident of the county jail, and this provoked a ripple of laughter in the courtroom.

Late this afternoon Neven's counsel was leading him in his direct examination up to the tragic climax of his story. His recital had included his relations with Mrs. Hanna for many years. He told how he ministered to her in time of suffering and how he assisted her financially from the time he said she was left destitute after the wealthy David Keith divorced her.

When asked if Mrs. Hanna had supported him, the defendant replied, "The poor soul did not have enough to support herself."

Neven estimated his wealth at about the time he met Mrs. Hanna in Reno, after the Keith divorce, at about \$75,000.

Neven said Mrs. Hanna was subject to "nervous aberrations" and said she had described her own conditions on these occasions as "nervous storms" and "tantrums" and "hellishness." He told of a vague threat by Mrs. Hanna to end her life in Fallon last August. Accompanied by Mrs. Hanna, he said, he was on his way to a mine in which he was interested. They were in an automobile accident, he said, and he was rendered unconscious. When he came to his senses he was in a bed in a hotel. He found a small automatic revolver on his pillow. He questioned Mrs. Hanna concerning it and Mrs. Hanna explained.

"I thought you were going to quit and I was going with you."

Neven said Mrs. Hanna told him she had borrowed the revolver from a friend and he advised her to throw it away. The weapon, which was identified as having been found in Mrs. Hanna's effects after her death, was introduced as an exhibit in the case.

When Neven's own gun was exhibited to him by his counsel, he took the weapon in his hands and examined it carefully. He said it was his revolver and had been given to him by a broker in Goldfield in 1907, but he had never fired it and had never carried it except on trips to his mining properties when he carried the payroll. Neven declared he had not seen the weapon since his return from Fallon after his automobile accident until the night of the tragedy when he found it on the couch near where Mrs. Hanna lay. Neven said he came first to Elko, Nev., thence to Battle Mountain, Carlin, Reno and Virginia City where he was employed by his uncle, Dennis Neven, in a grocery store. He delivered groceries to the townsfolk and in this way met Mrs. Hanna, then the wife of David Keith. He told of being taken into the Keith home when he became ill and said Mrs. Keith and a neighbor had ministered to him and had wrapped him in blanket the following day and sent him to his sister, Mrs. Ross at Pallisade, Nev. Later, he said, Mrs. Keith and three children stopped to visit his sister and himself at Pallisade while on their way to Utah.

Events in the lives of Neven and Mrs. Hanna having bearing on the case were related in chronological order by the defendant. He told of having served the Southern Pacific Company as a locomotive engineer and of having given up that to enter business in Reno.

He told of his appointment by former Gov. Sparks as state bullion tax and revenue agent. He held this position through Gov. Sparks' full term and for two years in the unexpired term.

Neven described his attempts to assist Mrs. Hanna financially following the Keith divorce. She was destitute he said and she told him was "head over heels in debt" while her former husband was a multi-millionaire, then a resident of Salt Lake City. Neven said he enlisted the aid of Gov. Sparks, former Senator Kern of Utah and others in his quest and succeeded in obtaining for Mrs. Hanna an allowance of \$100 a month with the understanding that she was to remain in Reno, was to have nothing to do with her children and was to refrain from writing any further letters to her husband's attorneys.

The arrangement remained in effect for several years, he testified, and in 1911 or 1912, at Mrs. Hanna's request, he again went to Salt Lake City and with the aid of Gov. Simon Bamberger and others obtained an increase in the allowance of \$50 a month. Mrs. Hanna received this allowance until the time of her death, he said. Neven testified to having advanced \$500 to Mrs. Hanna in 1902. This money was repaid two years later by Mrs. Hanna's son, Charles Keith.

Neven was questioned concerning Mrs. Hanna's relations with her daughters. He said she frequently mentioned her daughters Lillian and Margaret, but would not acknowledge Mrs. Etta [Richard S.] Eskridge, a third daughter now a resident of Los Angeles. He denied the incident related by the daughter Lillian, who, as a witness for the state, said that Neven, at the time of the funeral of her father, David Keith, in Salt Lake City three years ago Neven had demanded \$400 for the care of Mrs. Hanna. The defendant said no such conversation took place at that or any other time. The defendant stated that he took up his residence with Mrs. Hanna in Reno in 1913.

When court reconvened in the morning attorney C.H. McIntire was recalled by the state for further cross-examination. The district attorney attempted to impeach testimony adduced by him toward the close of yesterday's session when he said he had been talking to the defendant over the telephone at seven o'clock or a few minutes later on the night of the tragedy. The prosecutor asked him if he had not told certain county employees later that night that he was "phoning to Jim at a quarter to seven and Jim talked as though he had been drinking." McIntosh said he did not recall having made such a statement.

S.H. Brady a mining engineer of San Francisco, who has known Neven for many years, said he was at the apartment at 135 West Second Street a few minutes after the tragedy February 3, and again the following day. He said he examined the apartment for bloodstains but found none except on the couch where the dying woman was reclining when Chief of Police Kirkley arrived on the scene. On February 5, the witness said, he participated in a search of Mrs. Hanna's effects and said he found everything in perfect order. He identified some photographs and letters he said he found on a bed in the place and also identified a small revolver which he said he discovered in a cupboard. The defense contends that this was Mrs. Hanna's weapon. On cross-examination the district attorney asked:

"Did it bother you to paw through the dead woman's effects?"

"I cannot say that I like it particularly," was the reply. "I never did anything like it before."

The defense recalled George E. Holssworth, architect and builder, and this witness produced samples of the material making up the partition between the apartment occupied by Neven and Mrs. Hanna, and that in which the family of J.H. Nichols resides upstairs, which the witness said he cut from the ceiling in Mrs. Hanna's apartment. This consisted of plaster, lath and deadening felt.

Tom P. Clark, seventy four years old, a mining man residing at 203 West Second Street told a graphic story of how he found Mrs. Hanna in a state of extreme despondency on the day of her death. Clark said he had been a friend of Neven's for twenty-five years

and had known Mrs. Hanna for some time. He made frequent calls at the West Second Street premises he testified and dropped in there during the forenoon of February 3. The witness asserted that in response to a query as to her health, Mrs. Hanna said, "I am dying by inches with this damned ailment I've got. I am going to kill myself. I have outlived my usefulness and I am tired of life."

Mrs. Hanna was pacing back and forth, he said, and was muttering a prayer, at the conclusion of which she crossed herself. Thinking to change the subject the witness declared, he asked Mrs. Hanna for some wine.

"Yes, I have it. We'll have a parting drink." He quoted her as having replied and later she brought in some wine in her left hand, she raised her glass to his and said "Here's hoping I'll meet you in Heaven soon."

"I told her I hadn't made any arrangements to meet anybody in heaven on such short notice." The witness continued "and she said 'I am determined to shoot myself before sunrise tomorrow morning and will meet somebody in heaven or in hell when it will be over.'"

When Clark left the place he testified Mrs. Hanna said "Good bye old friend, just tell them you saw me."

Clark said he went back to the place in the afternoon with Neven and found Mrs. Hanna in the same mood. Neven tried to comfort her, he said, and told her he was arranging to have her begin treatments the following day, but she said, "the only cure for me is death."

On cross-examination the district attorney asked Clark how frequently he had told that story since the death of Mrs. Hanna and he replied "Well, I haven't rehearsed it to make a flowery play when I came into court."

The defense today failed to qualify Miss Mary Hearn, a graduate nurse, as an expert on the use of the arms of left handed persons and when the court sustained objections to several interrogatories propounded by defense counsel the witness was excused.

Late yesterday afternoon Milton Frank, Mary Williams, Mrs. P.J. Carmody, P.E. Crosbeck, Mrs. George Wilson, George H. Bartlett, C.H. McIntosh, and Sadie Gillespie testified for the defense in the order named.

Counsel for the defense stated at noon today that Neven would be the last witness. His examination will be concluded tomorrow and the state then will begin the introduction of his rebuttal testimony. The case is expected to go to the jury Friday.

From: Calli Smith <callismith@sbcglobal.net> and another email from Geneva 4/2/13

Date: August 15, 2012 9:48:50 PM PDT

To: Nancy Donniss <nandonn@msn.com>, Geneva Keith Ulm <genevau@aol.com>

Subject: Death of Henrietta 'Etta' or 'Ettie' McLeod Keith Schneiter Hanna

We have a death index for Reno at our Family History Center with the information that Etta was born 30 May 1858 in Canada to Malcolm McLeod and Annie Simpson. Etta died February 3, 1921 in Reno Nevada of a gunshot wound and is buried in Mt. View cemetery. The index card also gave the names and addresses of her daughters.

After her divorce from Keith Etta remarried to a man named Schneiter. this was the family that owned the Hot Springs at the old Homestead resort near Park City. Next, she married William A. Hanna on July 4, 1899 in Reno.. Her name at marriage was Etta Schneiter. William died September 6, 1903 of typhoid fever. Age 51.