

## Pavučina Corner – By Tony Kadlec

### **COLD AND DASTARDLY MURDER: Part 4 of 4**

Here is the final part of a four part series of historical articles to retell the tale of the murder of Mrs. Františka Fajmon, which happened in Hale Township, McLeod County, Minnesota, one-hundred years ago.

#### **SENTENCE IS FOR LIFE--YOUTH SAVES SLAYER OF OLD MRS. FAJMON**

**From Possible Hanging. Young Herzan Now Making Twine. Officers Commended by Court.**

*Silver Lake Leader*, Saturday, February 25, 1911

“Last Saturday a strange looking pair stood on the depot platform at Glencoe waiting in the chilling cold for the east bound morning train.

One was a big man--rarely do you see a bigger--dark complexioned and handsome. The other was slender, undersized, white-faced, almost child-like in appearance. And a thing that seemed almost ludicrous--the boyish member of the pair was handcuffed to the big man.

It seemed preposterous to think of the boy escaping from the giant, with the giant's big hand clenching his arm--that alone would seem to be sufficient precaution against the pair becoming separated. But when sheriffs are transporting murderers the two are always handcuffed together and the pair on the platform were none other than Frank Klaus, sheriff of McLeod county, and Joseph Herzan, aged 20 years, whose hands are stained with the blood of Mrs. Joseph Fajmon, through whose brain he sent a bullet on the night of Dec. 4 last.

Young Herzan had his trial and got its sentence the day previous. It took the grand jury about 90 minutes to hear the testimony and comply with County Attorney Anderson's request for a verdict of murder in the second degree. Judge Morrison, in charging the jury, took great pains to explain the difference between murder in the first degree, in which here must be premeditation shown, and second degree murder in which homicide is not a deliberate and intentional act. He emphasized very strongly that the penalty for murder in the first degree is hanging.

He commended the jury when they brought in a verdict of murder in the second degree and commended the county attorney for asking for such a verdict. Herzan's youth, his neglected boyhood and loose companionships mitigated somewhat his shocking unintentional act. He emphasized very strongly that the penalty for murder in the first degree is hanging.

He commended the jury when they brought in a verdict of murder in the second degree and commended the county attorney for asking for such a verdict. Herzan's youth, his neglected boyhood and loose companionships mitigated somewhat his shocking crime. The court also commended the county officers for requesting a special term of court. He had been in doubt as to its advisability but is satisfied now that it was a wise procedure.

When arraigned before the judge to hear the words which for the rest of his life unless pardoned would restrict his world to the gray stone walls or the state penitentiary, young Herzan wore a subdued look but yet there was little in his appearance to indicate that he deeply tensed the blight upon his life or the

enormity of his crime. Judge Morrison told him frankly that but for its making a clean breast of the crime and aiding the officers in every way he could after his detection, he might not now have long to live; and with kindness in his voice the judge revealed a star of hope to the prisoner by assuring him that good conduct in the prison might in the course of years earn for him a pardon.

Before sentence was passed F. R. Allen, Appointed by the court as Herzan's attorney, spoke a few words in his behalf, stating that his youth alone would be a warrant for the court to blend justice with mercy. And so ends a case which was for weeks the one sensation of the county and watch was spread throughout the country by the daily press; a case which wrecked the once happy home of a lonely old man, which breaks a mother's heart and consigns to a felon's cell a young man who might have lived to adorn society and achieve a high place in the respect of his fellow men. For him no more the care free days of youth; no more the cool woods, the song of birds, the gay young friends, the loved faces of mother, brother, sister. So far as all of these are concerned Joe Herzan has ceased to be. What a change! The first day in prison: His hair cropped; measured by the Bertillion system which puts his minutest peculiarity and perfect image in the prison records; off comes his neat fitting suit and he draws on the heavy woollen striped prison garb which makes him like all the other convicts. He is no longer Joe Herzan--he is No. 658, his identity merged in the mass with whom he cannot communicate by spoken word, his only music the angry whirr of the twine machine of which he is virtually a part. Verily, the ways of the transgressor are (in Joe Herzan's case) hard-very hard."

**From the *Glencoe Enterprise* February 23, 1911**

"Herzan is an uncultured country boy who had not been beyond the boundary of the county, and he was much surprised upon viewing Minneapolis and St. Paul from the train. He innocently remarked to the sheriff that the buildings were much bigger than at Silver Lake, and was delighted with his first—and probably last—street car ride.

It was apparent that he sank in spirit when he saw the wall around the penitentiary. He said, "I won't be able to see anything through that."

When inside the prison walls he gazed dejectedly at the ground, apparently little concerned of things about him, and calmly bid the sheriff and his son good-bye when they departed"

**HERZAN WRITES THE SHERIFF—SERVING LIFE TERM, BOY SHOWS EVIDENCE OF REFORMATION**  
*Hutchinson Leader*, November 13, 1914

Sheriff Frank Klaus has received the following letter from Joe Herzan serving a life sentence in the state penitentiary at Stillwater for killing Mrs. Jos. Fimon near Swan lake in 1910, indicating that the young man is being benefited from the discipline and training received in that institution:

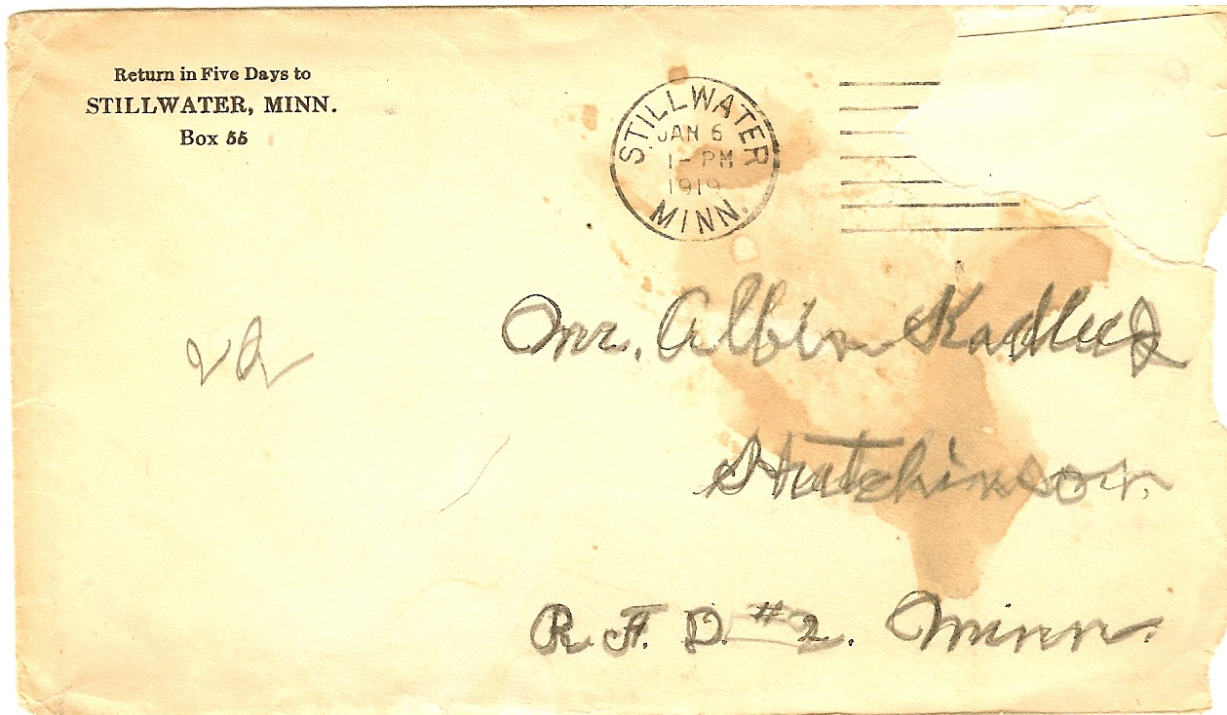
Stillwater, Minn., Oct 25, 1914  
Mr. Frank Klaus, Glencoe, Minn.

"My dear friend: Here I am again with a few words to you my friend, to let you know how I am getting long at the new place, or at the new home. I am well and getting along fine but am still thinking of the past and I am sorry for it. But it's too late now, I must let the past go and look to the future, what the future may before me. And I hope that is my liberty and all my friends in the future. I am very glad

myself how well I am doing because I know that myself I do not worry, I have no troubles. I only pray God and follow God everywhere, because I know that God will help me. That's only the reason why I am here, because I got far from God. I have written my parents, brothers, sisters and friends many times and I'll always write to you. I do not want to write all about myself how I am getting along, but I would like to hear from you how you are getting along down there and everything else. So my parents will move to Hopkins this fall. May good luck go with them. Well, how is Frank Kadlec getting along? I remember Frank, he used to bring me cigars when I was in jail. Yes, I want to let you know that we have ball games every Saturday afternoon. Saturday's game was played with an out-side team. Prison team won. The score was 6 to 5. It was a nice game. This will be all for this time. I will be very glad to hear from you. My best wishes to you, Frank. Good-bye. Your friend, Joe J. Herzan."

**HERZAN LETTER TO ALBIN KADLEC**

In January of 1919, with eight years of prison under his belt, Mr. Herzan wrote the following letter from Stillwater prison to his old District 11 (Komensky) schoolmate, my great grandfather Albin Kadlec:



Stillwater, Minn., Jan. 5<sup>th</sup>, 1919.Mr. Albin Kadlec,  
Hutchinson, Minn.

My dear friend Albin:-

Well, this is the beginning of the new year (1919), and so I thought that I will drop a few lines to you, and let you know that I am still alive and in good health, and getting along fine, and I hope that you are the same, and all the rest of your family, and that's what I am wishing you all, my dear friend Albin. Well we have just celebrated the Christmas and new years holidays few days ago, and so I wish to say that I have enjoyed the same as much as I could, with some of the stuff that I was allowed to buy on Christmas, which were some apples, candy and nuts. But you will know my dear friend that it was far away from the old good times that I used to have when I was home with Mother, Father, Brothers and sisters, and all my friends, and now everything is gone, last Friday I had a visit from brother Henry and Edward Lukash, and believe me that I was very glad to see the boys, and to hear that they are all well at home, but have not heard anything of my brothers, Charley and Frank, but I hope that they will come home before long, as the war is over, They are both in France. Well I know ~~how~~ glad the people were when they first heard that the war is over and that the peace has come once more.



Well what are you doing Albin most of the time, doing chores and working in the woods I suppose, I am working in the machine factory all the time, working on Binders, Snowers and hay-rakes. Well I guess there is anything else that I would like to tell you, but I am writing to you my friend in order to let you know that I am well and that everything is alright with me. Now the reason that I am writing to you is not because I feel like writing, or something, but I am writing to you because I know that you have been good friend to me during the years past, and I hope and trust that you will be my friend this year (1919) and for many years to come, just as well as you have been during the past years. I hope that you all had a merry Christmas, and I am wishing you all, good health, and success in this new year (1919) I shall be glad to hear from you soon, so I shall close my writing with my best wishes to you, and your family.

I am your unfortunate friend,

Joe J. Herzan,  
Box 55, Stillwater,  
Minn.

## EPILOGUE

After serving twenty years in the Stillwater penitentiary, Joseph Herzan was released from prison and would try to resume a normal life, but not in the Silver Lake area. Mr. Wallace Oliva recalls seeing Mr. Herzan tending bar in an establishment in Hopkins, Minnesota, sometime in the late 1940's.

Sometime in the late 1940's or early 1950's, Mr. Herzan returned to visit Albin Kadlec, at the Kadlec farm, where he was met at the door by Albin's wife, my great-grandmother Josephine (Micka) Kadlec—Josephine turned 'white as a sheet' and uttered the words, "Oh my God--Joseph Herzan", according to my father Jerome, who was standing behind her. She was courteous but short with Mr. Herzan and simply told him "Albin isn't here", without elaborating on the fact that Albin had died some years before. Mr. Herzan turned and left, missing the opportunity to bid his farewell to his childhood friend.

Joseph Jerry Herzan died February 8, 1977 in Hennepin County, Minnesota, at the age of 86 years.

If you have any contributions or suggestions for topics for future columns, please contact me by email: [tkadlec@gmail.com](mailto:tkadlec@gmail.com) or call me: (651) 271-0422 or send your letters to my attention: 1408 Fairmount Avenue, St. Paul, MN 55105. See this article online at: [www.kadlecovi.com](http://www.kadlecovi.com) Děkuji! Tony Kadlec