

# HOME OWNERS ARE ACCUSED OF DEFRAUDING BLIND WIDOW

## Operators of DeSoto Farm Charged With Obtaining \$3000 From Their Aged Boarder by Decep- tion.

Information charging Barney Finchem, 2514 DeKalb street, and his wife, Ida, with obtaining \$3000 by fraud and deception from a blind widow who boarded with them were filed today by Prosecuting Attorney Stewart O'Brien of Jefferson county.

Mr. and Mrs. Finchem, whose bond was set at \$2500 each, have been held in the county jail at Hillsboro since a coroner's verdict of homicide was returned at an inquest last night in the death from a head injury of a 74-year-old man who lived in an unheated chicken shack on the Finchem farm, northwest of DeSoto.

O'Brien said that \$2000 of the \$3000 obtained by Mr. and Mrs. Finchem from the blind widow, Mrs. Rose Marie Tilker, was used by them to make a down payment on their farm.

Maximum penalty on conviction of the charge, a felony, is a sentence of seven years in the state penitentiary.

### Wants Inquiry Pushed.

O'Brien said "evidence at this time" is insufficient to warrant a charge of homicide in the death of Fred Gestemer, former St. Louisan who lived in the shack on the Finchem farm. However, he has requested Sheriff Leo Church to continue his investigation of Gestemer's death, O'Brien stated.

The jury of six men found only that homicide "by party or parties unknown" had occurred. Twelve witnesses testified at the lengthy inquest at the Mahn undertaking establishment at De Soto.

An autopsy report attributed Gestemer's death to an extensive subdural hemorrhage of the brain. The hemorrhage was estimated to be four to eight weeks old at the time of death.

### 'Injury or Blow.'

Dr. Arthur B. Twersky, an osteopath and coroner of Jefferson county, told the jury that this kind of hemorrhage "usually occurs through an injury or blow."

Twersky said a dehydrated condition found by the autopsy indicated Gestemer "apparently had been receiving an inadequate diet." The body also showed gangrene of the left foot and an ulcer and broken blood vessels on the lower back, the autopsy report stated.

Finchem, a textile worker, testified that Gestemer was "more or less one of the family." Gestemer paid "about \$50 a month" for care by the Finchems, the witness stated.

Finchem, 59 years old, said Gestemer had been treated well and denied that he had ever struck the older man. He said he could not explain how Gestemer received the head injury.

A suggestion that Gestemer may have injured his head in a fall while he was wandering in the woods Nov. 2 was made by Miss Cecelia Krejci, 52, who said she had lived with the Finchem family for 10 years. On that occasion Gestemer was missing about 14 hours before he was found by a searching party.

### Slumped in Chair.

Miss Krejci, who said she did housework for the Finchem family, testified that Gestemer suddenly slumped in his chair in the kitchen of the Finchem home at Fletcher, Mo., shortly after being fed Monday morning. He had not complained of feeling ill, she added.

Mrs. Tilker, 59, a blind widow, testified she has boarded with Mrs. Finchem since January 1955. Mrs. Tilker and her son, Paul Barber, 30 were moved to a nursing home near DeSoto as wards of the county after Gestemer's death. Barber shared the chicken shack with the older man.

Mrs. Tilker said, "Miss Krejci hit me 'a number of times.' Much of Mrs. Tilker's testimony concerned sums of money she said she gave Mrs. Finchem.

Mrs. Tilker said she wrote out a \$3000 check to cover a \$2000 down payment on the Jefferson county farm purchased by the Finchems last August. Of the \$1000 balance from the check, she said, "Mrs. Finchem kept it because she said I owed her money."

### 'Home for Life.'

In return for making the down payment, Mrs. Tilker said, she was promised "a home for life" by the Finchems.

On another occasion, Mrs. Tilker said, she gave Mrs. Finchem \$1400 to cover the \$100 monthly fee she paid for care of herself and her son.

Mrs. Tilker, who was brought to the inquest on a stretcher, testified that shortly after she went to live with the Finchems she sold for \$8100 two St. Louis residences she had owned.

Mrs. Finchem, who refused to testify at the inquest, denied to the Post-Dispatch later that she received either the \$1400 or \$1000 payment. She received only "small amounts" for the care of Mrs. Tilker and her son, she said.

Mrs. Finchem, 59, acknowledged that Mrs. Tilker had made the down payment on the Finchem farm. Mrs. Tilker did this in order to persuade the Finchems to move "to the country," she said. Finchem, however, continued to live in St. Louis but visited his wife on weekends.

She has been caring for elderly persons for many years, Mrs. Finchem said. All four of the persons who lived at her farm home previously had lived with her at the DeKalb street address, she said.

### May Seek Injunction.

O'Brien said he is considering the possibility of seeking an injunction to restrain Mrs. Finchem from caring for other persons, on the grounds that operation of her home has constituted a public nuisance.

He expressed the view that there is no applicable statute under which Mrs. Finchem could be charged with improper operation of a nursing or convalescent home.

This resulted from the fact that one nursing home law was repealed by the 1955 Legislature and another statute passed in its stead was held to be unconstitutional by the Missouri Attorney General's office, he said.

Plans for calling a conference of Jefferson county authorities to discuss the nursing home situation were announced yesterday.

## At Inquest in Aged Man's Death



MRS. ROSE MARIE TILKER testifying at inquest at DeSoto last night at which homicide verdict was returned in death of Fred Gestemer. Questioning her are (from left at tables): STEWART O'BRIEN, Jefferson county prosecuting attorney; JAMES H. CONNOR JR., assistant prosecutor, and CORONER ARTHUR B. TWERSKY.



—By a Post-Dispatch Photographer.

MR. AND MRS. BARNEY FINCHEM, who were ordered held for investigation.