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13 YEARS FOR WOODS

Marmarth Man Found Guilty of Manslaughter in First Degree. Jury Out 22 Hours. Trial at Hettinger.

At an early hour on the morning of April 22, the jury in the Denver Woods case, after being out twenty-two hours, brought in a verdict of guilty of manslaughter in the first degree.

Judge Nichols passed sentence in the afternoon and in accordance with the recommendation of the jury made the term thirteen years in the penitentiary.

Adelbert Stone Crowe was shot and killed by Denver Woods at the home of Colby Lowe, thirty miles southwest of Bowman, on September 23, 1910, the shooting resulting from a dispute over the ownership of a horse. Denver Woods admitted the shooting claiming self defense. Laben Wood, a brother of Denver, and Fred Hickey and Henry Mills, who accompanied Denver Woods to the Lowe home and who were present when the shooting occurred, were subsequently arrested. Mills and Hickey were released on bail and Denver and Laben Woods have since been confined in the Bowman county jail. The Woods boys had their cases transferred from Bowman to Adams county for trial at the term which opened at Hettinger on April 4, 1911.

Bowman county employed W. E. Purcell of Wahpeton, former U. S. senator for North Dakota, and Attorney Zuger of Valley City to assist State's Attorney Totter with the prosecution.

Woods had Henry Frawley of Deadwood, T. R. Mockler of Bismarck, P. D. Norton, secretary of State and C. O. Uiness of Marmarth, to defend him.

According to the Adams County Record, which paper issued an extra on the return of the verdict, Attorney Frawley made a brilliant defense, but Senator Purcell was just as good and had the closing argument.

Woods was quiet throughout the trial. His mother and sister were constantly by his side.

Another pathetic scene in court was the constant appearance of Mrs. Lowe, Hazel and Jessie, daughters of the deceased, Adelbert Stone Crowe.

From the Record, published at Hettinger, is taken the main evidence which runs as follows:

The first witness to be called by the state was Mrs. Colby Lowe, a daughter of Crowe. The substance of Mrs. Lowe's testimony was that Denver and Laben Woods and Fred Hickey had come to the Lowe home on September 20 and that Laben Woods claimed that one of the horses in Lowe's bunch belonged to him. They wanted to take the horse but Mr. Lowe being absent at the time, his father-in-law, Crowe, finally prevailed upon them to leave the horse until Lowe should return. On September 23, between five and six o'clock in the evening that five men rode into the barnyard. Fred Hickey, Henry Mills, John Woods, Laben Woods and Denver Woods. Lowe had returned home in the meantime. Crowe walked out to a haystack near the barn where he leaned on a pitch fork and Lowe went to the barn. Laben Woods went into the barn where the horse of disputed ownership was tied. Lowe shut the barn door on Laben Woods and turned the button to hold it shut also leaning against it. Woods kicked the door a few times and it began to break. Crowe started from the haystack towards the door apparently to help Lowe to hold it shut. Crowe's daughters, Hazel and Jessie, came out of the house at that time. Hazel shouted to her father that Denver Woods was going to shoot him. Crowe turned and was shot falling to the ground and dying almost instantly. She also testified that Crowe was fifteen or twenty feet from Woods at the time the shot was fired. Laben Woods then came out of the barn leading the horse and Denver, Laben and John Woods and Fred Hickey and Henry Mills rode away taking the horse with them.

Colby Lowe, Hazel Crowe and Jessie Crowe followed Mrs. Lowe on the stand. Their testimony was practically a repetition of the story told on the witness stand by Mrs. Lowe.

John E. Nelson was called by the state and testified that he had come out of the Lowe house at the time of the shooting; that he saw the shot fired. The testimony he added to that already was that Lowe started toward Crowe and had been shot and that Woods had pointed a gun at him and told him to stop, also that Woods had turned the gun on him when he offered to go to Crowe's assistance and told him to go in the house—which he did.

State Historical Society MONUMENT DICKINSON MASONS ATTEND

The meeting of the Grand Commandery of Knights Templar, which was held at Fargo on Tuesday and Wednesday, was the largest grand commandery meeting ever held in the state. About 150 Knights from all over the state were in attendance.

The principal event on Tuesday was the unveiling of the monument of Frank Jared Thompson, the late grand secretary of the grand lodge. This will have much local interest because of the residence of his mother, Sarah Jane Thompson, and brothers, Fred and J. B. Thompson, in this city for so many years. Mr. Thompson was also well known in Dickinson, where, before his death, the members of his family often visited.

Every Commandery in the state was represented in the procession to the Riverside cemetery, where the unveiling took place. The procession was headed by the Putnam band of twenty-five pieces, playing for the first time the Auvergne Commandery March, composed by Dr. Putnam and dedicated to the Fargo Commandery.

After the unveiling by Miss Jaredine Mason Thompson, daughter of the late Frank J. Thompson, addresses were made, the principal one by L. G. Moultrie of Valley City, who said in part:

"How wonderful this stone is—a representative of the man. Unswerving in his loyalty, splendidly simple in character, plain and unadorned in life and conservation.

"Our example, whether good or evil, the impress we have made upon the lives of others, is what continues after we have rendered our account with God. May the inspiration we have gathered here, as we think of him whose life we honor, whose death we mourn, be with us in the days to come and lead us to exhibit a measure, at least, of the devotion and unselfish loyalty to the duties of the office which he so conspicuously adorned.

"Our brethren beloved, such men as he are rare indeed. None more eminently fitted by native faculty, by personal character, by the habit of life, than he for the great administrative office which he adorned. A man so vigilant, patient, cordial, he seemed from the first to be predestined to the high office which he filled so well."

The monument itself, which is of dark Barre, Vermont, granite, is nine feet and nine inches in height. It is hammered finished, done by a St. Paul firm. Besides the regular memorial inscription it has the Masonic emblem in front, with the emblems of Knights Templar and Royal Arch Masons on the reverse side.

The following grand commandery officers of Dickinson were present for the unveiling exercises, also for the grand lodge conclave meeting the following day: W. L. Richards, C. D. Litch, J. B. Dohlinger, L. R. Baird, S. M. Ferris, J. S. Brayfield and E. A. Lillibridge.

The first witness for the defense was Fred Hickey. The substance of his testimony was as follows: Brother-in-law of Laben Woods. Lived three and a half miles from Lowe's. On September 20 went to Lowe's with Denver and Laben Woods. Examined horse in question and found Laben Woods brand. Laben wanted to take horse but Hickey advised him to get out reveling papers. All went away. On September 22 helped Denver, Laben and John Woods and Henry Mills drive a bunch of cattle to Marmarth. Stayed in Marmarth that night and next day the party went to Colby Lowe's place arriving in the evening. On arriving at Lowe's Laben Woods went into barn and came out again, then went back into the barn and Colby Lowe closed the door on him. Laben kicked the door and broke it. Denver Woods advanced towards the door and Crowe who was leaning on the pitchfork came at Denver with the fork in his hands. Denver retreated a few steps but could not get out of the way. Then fired the fatal shot. One of Crowe's daughters came running out and grabbed the fork advancing toward the witness, then toward Laben Woods. Witness also testified as to the ownership of the horse over which the dispute arose.

Several witnesses were put on by the state to show that Crowe was the owner of the horse and that the Woods party had no business around the place.

It is not likely that there will be any prosecutions of the other parties arrested. Denver Woods is about 25 years of age and had lived at Marmarth with his mother. It is supposed that his brother, Frank Woods, furnished money for his trial. The usual appeal was taken, but it was understood that the authorities were going to take Woods to the penitentiary at once.

Richard Boulger, Judge Crawford's court stenographer, who acted for Judge Nichols, returned to Dickinson last Saturday night.

KILDEER MT. RESERVE INDIAN BATTLE OF '64

Minnesota Appropriates Money and Appoints Commission on Account of Sully's Engagement with Indians at Oakdale. Camp Where Wagons of Army Train Were Parked for Days on Heart River is Located. State Withdraws 3,000 Acres of School Lands in Kildeer Territory.

Some very important history pertaining to the battle which was fought by General Sully's army with the Indians at Kildeer mountains on July 28, 1864, is being gathered for the State Historical Society. Curator H. C. Fish spent Wednesday afternoon in the city and in conversation with Geo. M. Frye found that the location of the Sully camp shown on the government map of the expedition of 1864 was in south of Antelope on the Heart river, not far from the B. Lepper and T. S. Underhill farms. It was here that the long train of wagons were parked for some days.

The tent rings cut in the virgin prairie by the soldiers are still visible, and Mr. Lepper is going to examine the records at the court house so as to inform Mr. Fish of the exact spot where Gen. Sully halted his great train. This is information very much wanted by the Historical Society, as an effort is being made to retrace the Sully trail from the old fort on the Missouri river below Mandan, through Western North Dakota.

According to war records Gen. Sully's army took rations for nine days at the Heart river camp below Antelope and made a three-days' forced march to Kildeer mountains, the distance being about 100 miles, where the greatest Indian battle on the continent was fought. All authorities agree that there were 1,600 Indian lodges and some have estimated the number of Indians at 10,000.

Geo. M. Frye, who came to the country eighteen years after the battle of July 28, 1864, says that there were still deep beaten paths through the mountains passes where the Indians crossed when they slipped away from the Union army at night after the day's engagements. For years and years after the battle there were loads of Indian relics on the flat near the Diamond C ranch, at the foot of the mountains.

Gen. Sully's main army went from the mountains to Sully Springs, west of

Belfield, the supply train being brought in from the Heart river camp to this point, from whence the slow and tedious march through the Bad Lands was started.

An effort is being made to get the government to make a good sized land reserve in the Kildeer mountain territory and looking to this end, by legislative enactment, North Dakota has already reserved 3,000 acres of school lands in this picturesque mountain district. Our state is not alone in this work of commemorating rare historical events in connection with the greatest Indian battle on record. On April 26, co-incident with the day Curator Fish was in Dickinson, W. H. Houlton, president of the First National Bank of Elk River, Minn., writes his old friend, Geo. M. Frye, that the Minnesota legislature has made an appropriation for the 8th Minn. Vol. Inf. which is to be used in commemoration of the Kildeer battle. Mr. Houlton was a member of the 8th Minn. Vol. Inf., accompanying Gen. Sully on his entire campaign. Lieut. Houlton had often told Mr. Frye the details of the battle and had always said that something should be done in commemoration of the historical grounds at Kildeer mountains.

The Minnesota law authorizing the expenditure reads as follows:

"For the purpose of providing for an historical painting representing some incident or achievement in the history of the Eighth Volunteer Infantry, such incident to be determined by the Commission hereinafter named: W. H. Houlton, J. C. Cooper, D. L. Kingsbury, of the Eighth Minnesota Volunteers. Available for the year ending July 31, 1912, \$3,500.00.

It will be noted that Lieut. Houlton is chairman of the commission for the expenditure of this handsome appropriation and it would not be surprising if he visited Dickinson the coming summer. Curator Fish has invited the gentleman to come and visit the old battle ground with him.

SENTINEL BUTTE GRAVES REE INDIANS TELL STORY

There has been a great deal of discussion concerning the graves at the pass on top of Sentinel Butte, the butte just southwest of the town of Sentinel Butte. From time to time there has been rumors that these were graves of Ree scouts. When Enemy Heart was in Bismarck on his way to Washington a few weeks ago to get a pension as a Ree scout, he visited the rooms of the State Historical Society and told the following tale about the graves.

"Long time ago there was one tree on top of the butte and there was a pass through the butte. Back 38 years ago some Ree scouts were out with the mail train between Fort Lincoln and one of the forts of the Missouri river and when they got to this pass on the high butte they were killed. Their bodies were carried back to Lincoln and buried but the Indians piled up the two mounds of stone to the memory of the time and place they were killed. This was in August, (1873). Many times years past when we were out hunting we have thrown a few more stone on these mounds.

The names of the scouts were American Black Eagle and Standing Together. I hope the white people won't disturb the stones and will remember what happened there."

GUS ANDERSON RESIGNS AS COMMISSIONER IN 1ST

Gus Anderson has resigned as commissioner in the first district. The resignation is now on file in the office of Auditor J. L. Hughes, and it will be up to the board to fill the vacancy, which will likely be done at the May 1 meeting. The two remaining commissioners, auditor and probate judge constitute the appointing board, and in the event of a tie vote the treasurer is called in to cast the deciding vote.

The west end of Stark county has plenty of good material for a commissioner. As the PRESS understands, the appointment can only be until the next general election. Mr. Anderson was elected last fall for a full term of four years.

DICKINSON DESIGNATED 1912 MASONIC CONCLAVE

At the annual conclave of the grand commandery of Knights Templar, held at Fargo on Tuesday and Wednesday, Dickinson was chosen as the place for the 1912 meeting. This will be the first city outside of Fargo and Grand Forks that has had the honor of entertaining this distinguished order at their annual meetings and it will be an event of historical importance to the city.

Dickinson, with its magnificent new temple, one of the finest in the state, has every advantage for appropriately entertaining the many Free Masons from all over the state, who attend these annual conclaves, and the selection of this city as a meeting place is a recognition of the splendid work done by the local lodge and of the city in general. Much credit is due the delegates who attended from this city, for the recognition given Dickinson.

The following grand commandery officers were elected on Wednesday to hold office for the ensuing year: Grand Commander, William Spriggs of Grand Forks; Deputy Grand Commander, S. J. Hill of Fargo; Grand Generalissimo, Andrew Ekern, Grand Forks; Grand Captain General, John W. Carroll, Lisbon; Grand Junior Warden, Frank White, Valley City; Grand Prelate, Rev. John K. Burleson, Grand Forks; Grand Treasurer, Alexander B. Taylor, Fargo; Grand Recorder, Walter L. Stockwell, Fargo; Grand Standard Bearer, H. G. Boetor, Jamestown; Grand Sword Bearer, G. W. Walbert, Bismarck; Grand Warden, W. D. Henry, Wahpeton; Grand Captain Guard, W. L. Richards, Dickinson.

RAILROAD WORK WEST ALL ON MAIN LINE SO FAR

The resumption of greater activity in railroad circles, says the Glendive review, is indicated by the announcement that the N. P. will at once begin the work of ballasting 200 miles of track on the Yellowstone division, namely, that portion of the track from Yates to Glendive, and from Shirley to Billings. This work will cost \$300,000, and when completed it will place this division in first class condition.

Supt. B. O. Johnson recently made a trip over the part of the division that will receive this improvement, in company with General Superintendent Goodell, and since then Mr. Johnson has been organizing the work.

T. F. Lowery, formerly superintendent of the Great Northern between Havre and Kalispell, has been appointed assistant superintendent to Mr. Johnson, for particular purpose of giving supervision to this summer's work.

The work will require the starting of fifteen work trains—some of which are already out—and the employment of 630 additional men. Twenty-five per cent of the gravel used will come through Glendive, and probably an equal percentage of the money paid out in wages, at least, will come into local circulation.

The Review quotes Supt. Johnson as saying:

"The division pay roll made out at Glendive, in the poorest month of the year, amounts to \$75,000, and from this they run up as high as \$200,000 per month, which was the high-water mark last year. It is safe to say that at least one-third of this sum goes into direct circulation in Glendive each month."

BELDEN AND MEDUNA ARE BOTH ARRESTED

During the past week the authorities of Billings county have been active and arrested Archie Belden and Albert Meduna on charges of horse stealing.

Wm. Taylor and Bert Townsend went to the Elfstrom & George ranch last Friday, as stated last week in the PRESS, and arrested Meduna.

Meduna is a young fellow from the Green river country just over on the Billings county side. It is alleged that he sold or traded a horse belonging to the Eatons. He is now in the Billings county jail at Medora.

Archie Belden was gathered in the first of this week. He is out on bonds, his father, J. A. Belden, and C. F. Will going surety.

It is understood that the arrests were made at the instance of the Billings County Stock Association.

BISMARCK SOCIAL FUNCTION

Landlord and Mrs. E. G. Patterson of the McKenzie hotel of Bismarck, gave a 7 o'clock dinner Tuesday to the following guests: Messrs. and Mesdames, George Bangs, E. G. Weiser, J. W. Foley, Leslie A. Simpson, Mrs. Alice Nelson Page, of Grand Forks, Mrs. Conover of Fargo, Judge Goss and Tracey Bangs.

U. S. NEEDS SAYS HILL

More Publicity. Business Increases 15% Yearly; Handling Facilities Only One-sixth. Public Control Favored.

St. Paul, April 28. James J. Hill, the Great Northern-Northern Pacific railroad magnate, sees in publicity of corporation matters and intelligent public control of the corporations themselves, a long step toward the solution of the present era of business stagnation.

"And the United States needs a saviour," says Mr. Hill. "The people have demanded not only the best but an improvement on the best, and they will now have to pay accordingly. If they don't pay in money, they must pay in prosperity. The business of the country increases 15 per cent every year; the facilities for handling this new business increase only one-sixth of that. The difference in the ratio is too great and a balance must be struck, sometime, else there will be a complete breakdown of service or prosperity.

"Why don't the facilities for handling business increase more rapidly? Because the men behind those facilities are afraid to spend their money for extensions and improvements."

Mr. Hill has long been an exponent of publicity of corporation affairs and looks upon that as one of the means of bringing corporation and public together.

"The people are entitled to know what the public service corporations are doing and the conditions under which they transact business," he says. "I have believed in, and have advocated, publicity of corporation reports for many years. When the public becomes conversant with corporation affairs and is convinced that it is seeing from the inside, much of the feeling against the great business concerns will pass away. That will be one of the effects of publicity."

In the matter of public control of quasi-public concerns, Mr. Hill is a firm advocate, but he wants that control to be intelligent; he wants only trained men in the places of control.

"A corporation is a piece of paper bearing the stamp and seal of the state," he says. "Its life is created by the people and naturally the people should have some word in making the rules under which it transacts business. That proposition is one I have preached for years and now I am glad to see it making headway among common carrier corporations. Last week President Mudge of the Rock Island railroad declared for public control of railroads; George M. Reynolds, president of the Continental and Commercial National bank of Chicago, did the same thing the week before; T. N. Vail, president of the American Telephone and Telegraph recently made an official report to his board of directors in which he took a firm stand for both publicity and public control.

"But that control must be intelligently administered. Public control simply because it is a control by the public, is not all. It must be intelligent, as I have always contended. Intelligent people will ask and expect nothing more. Vail, Reynolds and the others are right as advocating publicity and public control. Both are things which eventually will go far towards making a good feeling between the corporations and the people, and will assist in settling much of the antagonism which now seems to prevail."

BASEBALL BOYS ENTERTAIN LOCAL TEAM INDEPENDENT

The members of the local baseball team held a dance at the armory last Friday night which was well enjoyed and well attended. The boys realized about \$28, which they will use in getting the team and diamond in shape for the season's work.

Notwithstanding numerous reports to the contrary Dickinson belongs to no baseball league as yet, and Manager Wilson and his men are not anxious to play under league rules. Dickinson, as well as teams west to Glendive, will likely play independently.

The local team will be made up for the most part this season of Captain Sturgeon, Davis, Kostecky, Dorfler, Rigdon, Wolverton, McBride and Smith of the old team with Robinson and other new men in the team. They have had some Sunday practise games already and are getting the diamond in shape for the season's work which Manager Wilson thinks will commence about the middle of May.