

# THE ENTERPRISE.

VOL. 19

MALTA, MONTANA, THURSDAY, AUGUST 24, 1916

NO. 19

## Judge Utter's Law of Murder

### Making Vigorous Campaign on his Record in Murder Cases in Sheridan County

When Judge Utter has to use the 14 murder cases in Sheridan county and the calling of grand juries as political issues to conceal his record for squandering the taxpayers' money, he virtually admits that the law has not been enforced in this district. His charge that Sheridan county is a lawless community is false. Sheridan county has thousands of splendid women and men, peers in good citizenship of any part of the world. To characterize them as lawless is unwarranted.

It is not surprising that many murders are committed in this district. The county attorneys complain that Judge Utter always tries a case so that the defendant will be acquitted. When a conviction is secured the defendant is usually paroled, as was George Hibben, so that he can again become a menace to the community, or the court usually finds some pretended technicality upon which to turn the defendants loose without trial, as was the case of the two defendants charged with robbing a wayfarer, but who had committed crimes in Great Falls and after Judge Utter turned them loose were taken there for trial and convicted.

In the Neuser murder case in Sheridan county, Judge Utter told the jury that a defendant was justified in using force and violence to the extent of taking human life, if necessary, "in preventing or attempting to prevent a trespass or other unlawful interference with real or personal property in his possession." What does this mean? You are the owner of real estate. A takes possession of it. B walks across it, tramping down the weeds. A orders him off, but he does not obey the order. B to prevent further trespass kills A. Judge Utter

says that is not murder, he says B should be acquitted. What do you think about it?

Another illustration: You loan your neighbor a pitchfork. Some days later you send another neighbor for it. That neighbor, to prevent the taking of the pitchfork back to you, shoots and kills the person you sent for the pitchfork. Utter says that is not murder. What does your common sense tell you?

The Supreme Court, many years ago, said:

"It is well settled that a bare trespass against the property of another is not sufficient provocation to warrant the owner in using a deadly weapon in its defense, and if he does so and with it kills the trespasser, it will be murder."

Such erroneous instructions to juries resulting in miscarriage of justice easily account for the conditions of lawlessness which Judge Utter says exists in his district. The large number of cases of this character—crimes unpunished because the court erroneously instructed the jury. The people are told by the court that human blood may be shed for a slight trespass to real or personal property. Do you wonder there have been only 14 murder cases in Sheridan county under such rule? Do you feel that your life is perfectly safe under such conditions? If Judge Utter is elected he will "conduct his court in the future as he has in the past."

If you believe in the enforcement of law as defined by the statutes and supreme court, you will vote against Judge Utter. If you believe that a human life may be taken over the possession of a ninety-cent pitchfork you will vote for Judge Utter.



"My Good Man, Don't You Ever Forget Anything?" CARTER in New York City

## New Firm in Malta

Messrs Henry Platt and Ellis Blumenthal have this week started a new enterprise in Malta and if they should be one of the winners and in a short time develop into a big business. They have secured a portion of the wood house and will carry a full line of groceries and in fact everything for the table. It is their intention to sell to the trade at or very near wholesale in case lots. They are very confident that they can even give the consumer a better deal than he gets at the large mail order houses and they are after this particular line of trade.

There is an enormous business going out from Malta each month to the mail order houses and that business could just as well be done here and if the plans of the two gentlemen materialize they will in a short time have it pretty well cornered.

## HAZELBAKER HAS PLAN TO ADVERTISE MONTANA

Within the next few weeks Frank Hazelbaker, secretary of the Montana Exposition Commission, will receive the medals of award from the San Francisco Exposition Commission, which were won by residents of Montana for agricultural and horticultural achievements in the history of the world. They were won by Montana at the greatest of all world's fairs, placing Montana supreme above every other country in this union in agricultural and horticultural pursuit.

Montana should make more of these great achievements than simply distributing promiscuously the medals among the various winners. While every winner of a medal will prize it highly, yet few will know just who won the medals and why they were won.

Mr. Hazelbaker has thought of a plan that will enable everybody to learn who the winning products came from, and the advertising that Montana will receive from such a plan will be manifold.

Mr. Hazelbaker plans to have a glass cabinet made that will contain each of the 730 medals. Each medal will be labeled with the name of the man to whom it was presented, his address, the certain product that the medal was awarded for, and where the winning product was raised. This would indeed be a unique exhibit and would be on display at the capitol at all times. The cabinet with its precious contents could be easily moved and could be exhibited at all land shows, land exhibitions and similar occasions and would undoubtedly attract world-wide attention.

The co-operation of the winners of the medals and all others interested in seeing Montana make the best of her awards at the San Francisco world's fair is solicited by the Montana Exposition Commission and any suggestions that can be made to further such a movement or will improve such a plan will be appreciated.

Mr. and Mrs. Oliver Tolman are the parents of a little son born to them yesterday.

Gus Meier and wife are rejoicing over the arrival of a son at their home last Thursday.

Dr. Kromer, eye specialist of Helena, will again be at Malta, Sept. 9 and 10, at the Great Northern hotel, prepared to correct all cases of eye strain. Eyes examined for glasses. Broken lenses duplicated.

John Edwards for U. S. Senator

## Kilduff Store Changes Hands

### J. F. Kilduff Sells his General Store in Malta to Senator John Survant

A deal closed late last week of great importance to the people of Malta, was the one whereby Mr. Kilduff disposed of his mercantile business and business blocks to Mr. Survant. Mr. Kilduff has been a resident of Malta for the past fourteen years and during all that time has been engaged in the mercantile business. From his holdings it would be needless to say that during his business life in Malta the people have given him a good business. He informed us a day or so ago that during the fourteen years of mercantile business he had sold at retail something over one million dollars worth of goods. We are doubtful if there is another town in the state of the size of Malta that has a merchant that can show that volume of business in the same length of time.

Mr. Kilduff is undecided as to what he will do, but at any rate he and his estimable family intend to make Malta their future home. In losing good active merchant we will not lose the family.

The purchaser, Mr. Survant, is one of the pioneers of the county and it is doubtful if there is a man in eastern Montana that enjoys a larger acquaintance. He has been a resident of this section of the country for the past twenty-five years and for twenty years he has been engaged in the mercantile business on the north side of the track where the Malta Mercantile store now stands. He has been one of the prominent figures in the industrial growth of Malta and if there is a man in the state that is loyal to his home town it is John Survant.

It is his intention as soon as the inventory is completed to take charge of the Kilduff store under the name of the Malta Mercantile Co., and use what is now their store rooms for a warehouse. Mr. Survant will make the change to the south side if the track with some little regret as he has seen practically all the business of the town on that side and has seen the town grow and expand until three years ago everything mostly moved to the south side. Twenty years in one place of business forms certain ties that are hard to break.

From next Sunday the Kilduff store will be closed for inventory until it is opened up under the new management. We are sorry to lose Mr. Kilduff from the active mercantile life of Malta, yet we are very much pleased to see the Mercantile move over.

Following are teachers for the ensuing term:

- J. L. Elliott, of Malta, principal.
- Elsie Elliott, Mississippi assistant to principal H. S. school.
- Helen Baum, of Burnt, Iowa, high school.
- Hazel Torrey, of Spokane, Wash., 7th and 8th grades.
- Mary B. O'Keefe of Grand Forks, N. D., 5th and 6th grades.
- Dorothy Ayer, of Malta, 3rd and 4th grades.
- Alice Coughlin of Janesville, Minn., 2nd grade.
- Huldah Thompson of Anaconda, Mont., primary and 1st grade.

Mr. and Mrs. Robert Johnson of the north country, are the happy parents of a little one that was born Monday.

John Shady and Allin Annot departed last night for Boulder to seek relief from hay fever.

Services at St. Mary's Episcopal Mission will be as follows: Sunday school, 10 a. m.; morning prayer and sermon, 11 a. m.; evening prayer and sermon, 8 p. m.; Litany, Wednesday evening, 8 o'clock.—J. M. Nelson, missionary in charge.

## SOME EASY DISHES FOR THE HOUSEWIFE IN HOT WEATHER

- Campbell's and Van Camp's Soups
- Canned Lobster
- Canned Crab
- Canned Tuna Fish
- Canned Sardines (All kinds)
- Canned Salmon
- Canned Shrimp
- Canned Dried Beef
- Canned Corned Beef
- Canned Roast Beef
- Canned Veal Loaf
- Canned Vienna Sausage
- Canned Deviled Meat
- Canned Chilli Con Carne
- Canned Pork and Beans
- Canned Sweet Potatoes
- Canned Asparagus Tips
- Canned French Peas
- Canned Mushrooms
- Grape Juice

COOKIES PLAIN AND FANCY IN BULK OR PACKAGE

Grape Juice  
Pineapple Juice

The above is just a small list of what our complete stock comprises. For prompt service and quick delivery call No. 116.

## Ellis Blumenthal

FIFTH AVENUE GROCER

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