

GOVERNMENT MAKES EFFORT TO CONNECT FOSSES WITH MYSTERIOUS NIGHT RIDERS

Neighbor Corroborates Statement of Arnold Krause, Son of Murdered Man, That He Was Advised Not to Tell That He Saw Olson With Gun Few Minutes Before Shooting; 29 Witnesses in Day in Conspiracy Case on Trial in Federal Court.

New testimony that Eddie Foss and Doctor Carl E. Foss were within a mile of the home of Jacob Krause the night before Krause was shot and that they were traveling in two automobiles with lights corresponding to the two mysterious cars seen in the neighboring country on both the Sunday and Monday nights in question, was given at the Foss conspiracy trial in the U. S. court by two women neighbors of the Krause family Wednesday.

Although the case has gone through preliminary trials, coroner's inquest and a preliminary hearing, this evidence has never before been heard in court, because the two women, one of whom was a witness and the other on an extended visit out of the state, never considered it of enough importance to tell anything.

This, with strong corroborative testimony in support of the story told by the 14-year-old son of the murdered man on the opening day of the trial, featured evidence introduced by the government during Thursday, the second day of the trial.

Tells of Mysterious Autos.

This great pile of evidence dealt with the actions of the defendants and the movements of the mysterious automobiles which, according to witnesses, went racing over the roads toward the Krause store and postoffice at Hydro and away from it toward Chinook, traveling at high speed without lights, on both the night of the murder and the previous night.

Some of the facts sworn to by witnesses during the court session include verification of the boy's statement that he was advised not to tell what he knew concerning the presence of Olson and the two Fosses outside the window of his home with a gun in their possession a few minutes before the shot was fired through the window, killing his father, by Fred Radke, the man who gave him this advice; testimony that both Eddie Foss and Doctor Carl E. Foss made definite threats to "get" Krause and that they were in the Hydro neighborhood to profit by Krause's death; evidence alleged to show that Olson knew more about the facts of the crime while some distance from the shooting than it was possible for anybody to know through any means of communication which could bring the news between the time of the discovery of the body and the time when he voiced this information; that Doctor Carl E. Foss attempted to induce one of the witnesses to testify to certain facts at his land contest case, which facts the witness told the court Thursday he could not swear to without telling an untruth.

Boy Resumes Stand.

Arnold Krause resumed the stand when the court adjourned Thursday and told the court he was able to see out of the window because the light from two lamps on the table reflected on the faces of the men outside. At that time he did not recognize Olson, the boy told the court, but said that the next morning he saw the man, who he swears held a gun pointed at his father, he recognized him as the person he was told was Herman Olson.

Fred Radke followed the Krause boy on the stand. He swore he had told the boy "for God's sake not to tell anybody" after Arnold had told him that Eddie Foss, Doctor Foss and a stranger had shot his father.

Sheriff Buckley of Blaine county told of conditions found at the Krause homestead and Hydro postoffice when he arrived the morning after the murder. He declared the boy Arnold was in a hysterical condition and that the boy said "they will kill me."

Coroner is Called.

Herman Kuper, coroner of Blaine county at the time of the murder was called to the stand to testify as to the condition of the Krause boy. He said the youth testified, during the inquest, that he thought the Fosses did it but he was afraid to say so.

Ed Fredlund, Chinook abstractor, told of his visit to the Krause home in the capacity of a member of a delegation from the Odd Fellows' lodge and of what he saw while acting as a member of the coroner's jury. Outside the Krause home he and another member of the jury asked the boy who did the killing and the boy said "I am afraid to tell." Fredlund also testified that when he was leaving Chinook for Hydro, Olson, one of the defendants, showed suspicious interest in the case and appeared nervous both upon their departure and return.

Julius Eaton, meat cutter, completed the list of witnesses called to strengthen the boy's testimony. All of these witnesses testified that the boy was extremely nervous and expressed his fear that harm would result to him if he told what he knew. This testimony was apparently used to prevent any contention that the boy's failure to tell of seeing the Fosses and Olson outside the window, with a gun in Olson's hand, during earlier trials, could come from any other cause than his fear of bodily harm.

Larsen Meets Foss.

Tom Larsen testified that after the murder of Krause, when he, Larsen, went to Chinook to appear as a witness in the contest case instituted by the United States against Doctor Carl E. Foss, he was met by Eddie Foss in Kid Price's saloon and Eddie Foss said to him, "Remember, Tom this is wartime, and I don't care what I do." To this Larsen replied, he testified, "I don't care, I have insured myself." An effort on the part of the government to show that Larsen had insured himself shortly before the hearing failed upon a ruling of the court.

near Hydro and told him, Pike, that he wanted his testimony in the land case to show certain facts which the doctor had written down on a prescription blank to substantiate his claims in the land contest. Pike told the court he could not have done this without having testified to what he knew to be untrue. Pike was the last witness heard during the morning session.

Fined for Contempt.

He resumed at the afternoon session of court and paid a fine of \$3 for contempt because he was out of the courtroom when his name was called during the morning.

Phil Metrick told the jurors he was with Eddie Foss in a room over a saloon in Chinook when Foss said, as Krause crossed the street, "I am going to get that Dutch."

Joe Laundry testified one of the defendants, after asking him how things were out north near Hydro, said, "They had better be pretty quiet or a lot of those Dutch will get the same dose."

Kerry F. Henderson testified that Eddie Foss, on October 24, 1917, said in his hearing, "Yes, we'll get that of a postmaster up north."

Mrs. Foss's car was called to tell the night of the shooting, and said to his mother, "Mamma, we're not safe here either, because Tom is subpoenaed." Harry Reeser, a garage man of Chinook, told of Olson's remarks showing that the defendant knew that Krause was killed with a Colt .45 when nobody else in town was aware of the kind of weapon used.

Dr. R. A. Stam was called to testify that Olson, later in the day, told him nobody knew what kind of a gun was used except that it was a .45, when asked whether it was a rifle or shotgun.

Few Guns Like Olson's.

J. Brandies, superintendent of the Chinook power plant, was called to testify as to Olson's actions in recovering of having been in the pair of cars used by the night riders. Andrew Christensen testified as to Olson's gun, a .45, in his possession a few weeks previous to the shooting, and said Olson told him the same kind of a gun was used by the murderer and that there were only four or five like it in the country.

Joe Young told of whispered conversations between the defendants. Charles Malton and Lee Coleman, bartenders in the Elks saloon, Chinook, both testified that on two occasions, Olson came to the saloon on the Saturday previous to the shooting and tried to obtain .45 caliber cartridges for an automatic.

Dr. O'Malley of Chinook, saw Olson and Dr. Foss in Chinook Sunday afternoon at 2 o'clock going toward Olson's home and on the day following the murder saw Eddie Foss, Doctor Foss and Jake Bjornstad in close conversation at the end of a bar in Havre.

Olson fixing lights on a Ford car Sunday morning on the streets of Chinook and with him were Jake Bjornstad and Doctor Foss and one other person.

Meet Lightless Autos.

Mrs. W. A. Hughes and Mrs. John Walsh gave identical testimony to the effect that they were driving away from the Krause home between 10:30 and 11 o'clock Sunday night, the day previous to the murder, after discussing the Fosses and the land contest case at the Krause home. About one and one-quarter miles from the Krause home they met two automobiles running without lights and in the first car recognized Doctor Carl E. Foss and Eddie Foss.

They testified that Eddie Foss spoke to them. When asked by the defense the plain why they failed to give this information to courts before this, both declared it was not considered important and Mrs. Hughes said she had never seen either of the witnesses stand during other trials because nobody asked her. Mrs. Walsh has not appeared as a witness before this and she was out of the state for eight months during 1918.

By this evidence it is hoped to establish a possible connection between the Foss party and the two cars which are alleged to have covered the same territory both on the night of the murder and the night previous, which was the time when these two women met the cars.

S. W. Morrison by his testimony showed that Eddie Foss returned to Montana and reached Havre, passing through Chinook on the day previous to the murder after having taken stock to Chicago.

FURTHER LOOT IS RECOVERED

Thief Who Rifled Postoffice Boxes Disposed of Letters in Margaret Park.

AMERICAN BANK & TRUST CHIEF SUFFERER, BELIEF

Mill, Hardware, Telephone and Power Companies' Lost Mail Found Thursday.

With his desk, as well as that of R. P. Reckards, president of the bank, littered up with scraps of paper which he is trying to fit together to see what sort of a job he can make of it, Herman G. Lescher, cashier of the American Bank & Trust company, had a busy afternoon Thursday as the result of discovery of a further lot of mail which had been stolen from letter boxes at the postoffice and torn into bits on Monday night. The discovery of the additional scraps of letters was made in Margaret park. They brought to light some new facts concerning the robbery of postoffice boxes, proving that no less than four firms had suffered loss from the action of the thief.

Checks in Mail.

Letters found Thursday included some for the American Bank & Trust company, the George G. Mill Hardware company, Montana Power company and the Mountain States Telephone company.

There was a considerable bunch of the bank's mail in the lot found, and it probably lost a larger number of letters than any other firm when the thief worked the office Monday night. The checks which were in its mail totaled several thousand dollars and came from various points, but to the present time there is no reason for the bank to believe that there was any currency in the mail taken. It thus probably has happened there will be no financial loss further than the time and aggravation it has required to paste the dozens of checks together.

No clue has developed to the present time to warrant the arrest of anyone in connection with the taking of mail from the letter boxes, and it is not regarded as probable arrests will result, because there was nothing furnishing even a suspicion of who did the trick.

Boxes Open, Belief.

The chances are believed to be about even that the ones last at the severest boxes did not push them into place with sufficient force to spring the lock, in which event to get for looking, and necessary to get these out for looking, was able to do it so easily and quickly as not to attract attention of any other individual who happened to be about the lobby of the postoffice. The charge has been made by some that certain keys to postoffice boxes will work certain other boxes, but even if that is the case, it is not thought likely that the one who robbed these boxes was going about trying to see how many he could open, but saw one of the boxes slightly open and it is regarded as more probable that he after looking it searched to see if there were others in similar condition and found the three additional ones.

One of the things that makes the robbery of the postoffice boxes more complicated is the wide territory over which the torn envelopes were distributed. They were found all the way along Third street north to Gibson park, on Fourth street north as far as the Linden terrace, on both sides of Second street and in Margaret park and Whittier park. The one who had thrown them away had carelessly tossed them to the ground in some cases and in others had thrown them in garbage cans.

Examine Stray Fragments.

President Reckards of the American bank said last night that it would aid materially if those who see what seems to be a portion of a letter or a check to pick it up and examine it for it might be the means of helping locate something not now known to be missing. It might also help get a line that would locate the guilty parties. It is also suggested by Mr. Reckards that people be careful about buying checks carrying indorsement of another than the one from whom they are securing the paper unless they know the one selling the check for it might prove the first indorsement was one made on a check that had been mailed and stolen and thereby get it into the hands of an innocent third party which would make trouble.

Leavitt Is to Speak at Valier's Big Picnic

An invitation was received and accepted Thursday by Scott Leavitt to be a speaker at the annual picnic to be held at Williams, on the Valier irrigation project on October 4. Mr. Leavitt will also go to Glasgow to address a meeting to be held there on October 3, the purpose being to form a North-eastern Montana good roads association. From Glasgow he plans to go west on the main line of the Great Northern to Shelby and drive from there to Williams.

Bail Money Answers for William Gilbert

William Gilbert preferred losing title to \$50 bail money Thursday to answering in police court to a charge of vagrancy. He was picked up by the police Wednesday night and obtained his freedom by depositing a \$50 guaranty, but did not respond when his case was called by the magistrate.

W. G. Scott, arrested for drunkenness, paid a fine of \$10, and Tommy Short and Adolph Berger were each assessed a \$100 amount for exceeding the speed limit.

Carrie Fligman was booked Thursday evening on a speeding charge and will be in police court today.

TWO ENLIST IN NAVY.

Vincent Kihl and Theodore Schoenen, both of Great Falls, enlisted in the navy and were sent to the aviation mechanics school of instruction at Great Lakes, Ill., from the local recruiting station Thursday.

START AGAIN ON DEARBORN COUNTY PLAN

Such action as will be taken for the purpose of continuing the movement which has the creation of Dearborn county as its objective will be decided upon at a meeting to be held at Cascade tomorrow, Saturday. This announcement was made Thursday by Mayor H. W. Brown, who was in Great Falls from the west side city.

Mr. Brown states that until the meeting is held it will be impossible to know the course favored by the divisionists, but that, in his opinion, the best plan would be to draw new petitions, enlarge the territory over that described in the former petitions and start proceedings anew. The mayor thinks less time would be involved and surer results obtained in this way than by appealing from the ruling of the county commissioners.

Sentiment favorable to a new county is very pronounced in the Cascade section, according to Mr. Brown, and he thinks it certain that the matter will be kept in motion until a division is effected.

EFFECTIVE WAY OF COLLECTING BILLS

Youth, Claiming Debt Due Him, Seizes Watch and Beats It.

Peremptory foreclosure proceedings were initiated Thursday night by 18-year-old Virgil Hurst in an attempt to collect \$3 which he claimed to be due on a watch sold by him to Ed Thomas, an Italian. In his story to the police the boy said that the purchase price of the watch was \$5, he receiving \$2 in cash and agreeing to wait a few days for the balance. Thursday night, he said, he met Thomas and was informed that the watch was not up to specifications and that the \$3 would not be paid.

"What's the matter with it? Let's see it," Hurst stated that in this way he obtained possession of the timepiece and admitted that without waiting to learn whether Thomas' claims were true, started to run, the Italian in pursuit. The pair ran into the Palace pool hall on First avenue south, where the boy was cornered and choked by his pursuer, the police were told. Thomas was placed in a cell on a charge of disorderly conduct and the boy agreed to appear against him this Friday morning in police court. The watch was placed in the station safe and the matter of proprietorship is still to be settled.

Oscar Dogge to Take World Series Games at the Grand Theater

Oscar Dogge, well-known telegrapher, will take the score of the world's series baseball games for Manager William Steege to display on the electric score board at the Grand opera house next Wednesday. Mr. Steege secured Dogge's promise Thursday evening to come here from Helena to take the score and he is sure this will be pleasing to the baseball fans because Dogge is one of the most satisfactory operators that ever worked behind the electric board. Mr. Steege says he has no doubt on who Dogge has picked to win but he knows the fans will get the best service available with Dogge on the wire, even though it hurts the operator to put it over.

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M'CLAVE SEES BIG CROP, 1920

Manager of Montana Flour Mills Company Not Impressed by Drouth Talk.

FARMERS DISAPPOINTED BUT NOT DISCOURAGED

Declares This Year Very Rare Exception; Increases His Own Acreage.

That the farmers and the business men of Montana are disappointed but not discouraged because of the loss of the crop during the last growing season is the view of C. R. McClave, president of the Montana Flour Mills company. Mr. McClave arrived in the city Thursday night by automobile, being accompanied here by O. V. Belden. He says that the roads, while reasonably good for travel, are rough and show many evidences of recent rain, a good thing for those who have seeded their winter wheat. "It sounds a little pessimistic to me to hear some people talk about the recent misfortune in our loss of a crop," said Mr. McClave, "I occasionally hear some one deplore the fact that it is going to take five or 10 years for the state to 'come back.' That is all imagination. Give us one good crop and we will forget we had this bad year. The farmers here lost hope but they have played back in fine fashion.

"Concerning the crop failures in Montana, of which I frequently hear or read statements, let me tell you my experience. I have been farming in Montana on a more or less extensive scale for about 14 years and this is the first time I ever lost my law, using the term of the boys at marble. We have had crops that were not large but we always got a pretty fair return until this year. Now, there need be no serious attempt to make me believe this is going to be the rule. It is the exception and the very rare exception at that. My forecast is that we are going to get a crop next year and here is how much I believe it.

"We lost our work on a crop of 1,000 acres last season but we have 700 acres seeded to winter wheat and 700 acres ready for spring wheat. I am not making these statements merely to encourage others to seed. I believe them and am backing my belief by the effort to get returns from a big crop next year. We are going to get it."

Mr. McClave says the estimate of the Montana Flour Mills company on the wheat yield in Montana for 1919 was originally between six and seven million bushels but he thinks that probably was a little high and that perhaps was something under six million bushels. After looking over the company's interests here today and conferring with

BLUEBLOODS OF BARNYARD COMING HERE

At a meeting of the Poultry association, held Wednesday evening in the office of the Ranchers' Fire and Lull Insurance company, Luther hall was selected in which to hold the state poultry show here the first week in January. The remodeling which is now being done at this hall will make it large enough for the exposition.

Feathered prize winners of Montana will be on exhibition at Luther hall for one week and all people in the city interested in poultry raising will have an opportunity to see what may be accomplished in the poultry line on a back yard lot.

There are a number of chicken fanciers in Great Falls, and among them is Mrs. A. M. Waring, whose flock of birds won eight ribbons at the state fair at Helena. This pen of chickens will be exhibited at the poultry show.

A. F. Stroheim, the local manager, Mr. McClave and Mr. Belden will return to their homes at Lewistown.

WON COMMISSION GOES BACK INTO ARMY AS PRIVATE

After 13 years of army service, Homer Feltner, who won a commission in the recent war, preferred to enlist as a private in the army than to remain in civil life, and he was accepted for enlistment in the ranks as a private in the radio section of the signal corps at the local recruiting station Thursday. Lieutenant Feltner entered the service at the age of 16 and has 13 years to his credit through the double time given for foreign service. He was a lieutenant in the infantry overseas and saw action in France.

After the signing of the armistice he accepted his discharge and returned to civil life, but found he could not get up without hearing the first call for reveille and he could not eat his meals without the chow call. So he signed up again.

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