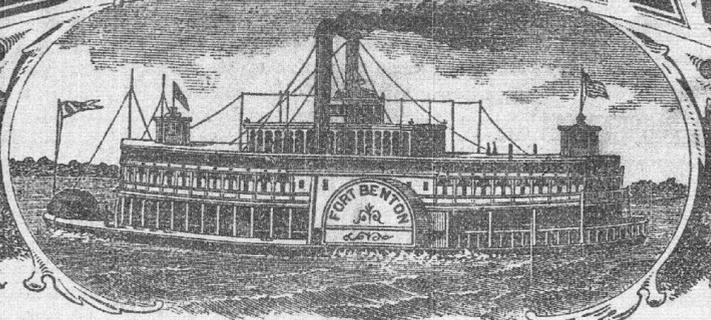


W. H. BUCK

# FORT BENTON RECORD



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## THE BENTON RECORD,

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### THE FORT GARRY PRISONERS.

At the examination of the Cypress Mountain affair, held at Helena, before Commissioner W. E. Cullen, the aid of our Government was freely given to procure the required witnesses for the prosecution. All the evidence that the British-Canadian authorities could at any time have demanded or produced was readily given them. Farwell, the principal witness for the prosecution, told all he knew about the matter, and it must be admitted that there was nothing in his testimony to establish the guilt of the accused parties. He confessed that no hostile intention was entertained by the white men at the time they went to the Indian Camp, and it was proved by other witnesses that the men went there to protect Farwell while negotiating for his horses, which had been stolen by the Indians the night previous. The witness La Bompard was also examined at Helena, and the sum and substance of his evidence amounted to this: That he saw the fight, but could not recognize any of the parties connected therewith. The testimony of other witnesses put forward by the prosecution showed plainly that the white men were justified in killing the Indians. By the witnesses for the defense it was proved that the Indians fired on the white men, and that the latter refrained from engaging with the Indians while it was possible to avoid a difficulty. Everything, in fact, proved beyond doubt that the alleged murderers were guiltless, either in act or intent, of any crime punishable by law; and so far from regarding the men as criminals, the public have,

since the trial, considered them worthy of credit for their successful contest with superior numbers of savages.

If the evidence presented at Helena was not sufficient to cause an unbiased juror to grant a committal, surely the testimony obtained at Fort McLeod could not justify an examining magistrate in committing two members of the accused, when only two out of the many prosecuting witnesses were present to testify, and those two, Farwell and his ex-interpret La Bompard. Farwell's evidence at Helena was neither truthful nor of sufficient strength to convict the accused of any crime. La Bompard could not recognize anybody connected with the affair. Upon this same evidence Vogel and Hughes have been hustled off to Fort Garry to be held and duly tried; and it is but natural to infer from the preliminary proceedings, in which the evidence for the defense was excluded, that the matter is so arranged that no witnesses can be called by the accused men at their trial. This plan must succeed, if not frustrated by our Government. The witnesses which these men would call upon are in Montana, many of them in Benton. They dare not go to Fort Garry for fear they themselves may be arrested on the same charge. It is therefore the duty of our Government to see that these prisoners now confined at Fort Garry receive a fair trial, and that any witnesses upon whom they may call are subpoenaed in a proper manner, and that they go and return under protection of the United States flag.

One of the prisoners, Vogel, was employed at Cypress Mountains at the time of the fight; the other, Hughes, belonged to the Benton party. Vogel, it was alleged at the examination at Helena, was riding a horse that had belonged to the Indians with whom the white men fought. Upon this, we presume, Vogel is held. But there is evidence here at Benton to show that, at the time, Vogel's feet were frozen, that he was therefore unable to walk, and desired to go towards Whoop Up with the white men, after the fight, but had no horse until a half-breed gave him the one in question to perform his journey. We know that there is evidence enough to prove this, and it seems impossible that the man should be allowed to suffer for want of this testimony. Hughes was

one of the Benton party, and that is all that need be said concerning him in connection with this case.

There was no evidence to convict him at Helena, yet the people of this Territory, the people of these United States, are insultingly told that the evidence upon which a conscientious American Juror refused to commit, was more than sufficient to convict an American in Canada. That is the sum and substance of it.

### CARROLL.

As we predicted in our last issue Carroll's faithful correspondent has written a letter concerning the few tons of freight left by the steamer near the two or three hovels which the Carroll residents are pleased to call a town. If the merchants of Montana are as well posted regarding the freighting interests of Montana as we believe them to be, it is almost an insult to their intelligence to contradict the lying reports with which the hired advocates of Carroll are constantly trying to deceive the public. As the RECORD, however, purposes to denounce fraud and imposition, under whatever circumstances they may appear—whether in the form of a thieving Indian Ring, an unscrupulous journal, or an incompetent freight route—we deem it our duty in this instance to point out the errors into which the readers of the "Independent" may possibly have been led.

The steamer Benton undoubtedly did leave some freight at Carroll, for shipment to Helena, as she had orders to do before leaving Yankton, whether the river was in condition for her to reach Benton with a full cargo or not. Messrs T. C. Power and Bro. had contracted to deliver a train load of Government freight at Camp Lewis, and like good business men as they are, they saw that while the train was so near Carroll, it would be more profitable to have it go there for a load than to return empty. The Benton was therefore ordered to leave as much freight at Carroll as would load this train. Had she desired to bring this portion of her cargo to Cow Island, she could have done so, or if the river was too low, she would have left it at Fort Peck with other freight that she was unable to bring over the obstructions below Carroll. These are the true facts of the matter,

and we believe they are as well known to the people of Helena as to T. C. Power of Benton.

While writing on this subject, it may be as well to state the reason why the Carroll boats have been able to accomplish those regular trips of which the Helena papers are continually boasting. The Coulson steamers have no difficulty in passing the numerous obstructions below Carroll, simply because the boats are almost always empty. The Carroll people blame all their disasters of last year upon the Kountz line of steamers; but while these boats may not be the fastest crafts on the river, it is a fact susceptible of proof, that each one of them brought more freight to Carroll than the whole Coulson line together has done this season. It must be evident, then, to every intelligent reader, that the limited success of the Carroll route during the present season is owing to the small amount of freight it has had to deliver. The steamer Benton will make another trip this year, and this one steamer alone will then have delivered more freight than the Coulson steamers have had to deliver, or perhaps could have delivered if they had had it.

### THE MURDERER OF GORMAN AND KESEE.

Among other interesting items, our Fort Turner correspondent favors this issue of the RECORD with a minute account of the murder of Gorman and Kesse, which, it will be remembered, occurred in the Big Sandy hay field, last May. The account agrees exactly with the opinions formed by Lieut. Booth and party while on the spot where the fearful tragedy was enacted. A careful examination of the ground was made by the Lieut. and a Sergeant who accompanied him, resulting as follows: Three shells and two bullets were found. A pool of blood stained the earth, about ten feet from where Gorman's brains were discovered. Gorman was shot through the back of the head; Kesse through the side, owing apparently to his stooping position while kindling a fire. At the inquest Lieut. Booth and the Sergeant both stated that, from the circumstances attending the matter, and the appearance of the ground where the murder was committed, they were confident that the Indian who accompanied the unfortunate

men did the bloody work. This was also the opinion of every disinterested person, at the time, though an effort has since been made to fasten the crime upon the Gros Ventres Indians. The account furnished by our correspondent is undoubtedly true, and notwithstanding Major Reed's report of the discovery of Gorman's gun in the Gros Ventre camp in the Judith Basin, the fearful deed now rests upon the blood-stained shoulders of Little Mountain, who is also the murderer of Buckshot and Poliet.

The inconsistency of those journals who are continually demanding more liberality and fairness from their cotemporaries is truly edifying. One of them about the navigability of a stream that would not float a well loaded scow, and denounces everybody that dares to have an opinion of their own about the matter; the "Missoulian" wants all the soldiers in the Territory stationed right in Missoula, to keep out about the only source of trade the town enjoys—a few miserable Indians; while the Carroll papers, published in Helena, belong body and soul to the Diamond R. Co., and are ready and willing to sacrifice the interests of the whole Territory in order to bolster up the failing fortunes of an unsuccessful enterprise. Surely these unselfish journals have a right to demand more charity and fairness.

Now the "Times" has gone back on Major Maginnis again, and is mean enough to want the poor man to risk his hair in the Sioux country. We sincerely hope the Major will not go; he will probably be wanted for another term in Congress.

The "Independent" publishes a sensible editorial entitled "Railroads vs. Indian Policy," but a portion of the article is worded as carefully as if it had been submitted to the proprietors of the Carroll route for approval before publication.

A Bozeman "Time's" Extra, of the 8th instant, announces among other important things, that the "Yellowstone is navigable until it freezes, to Pompey's Pillar." The probability is, that the Pillar itself will freeze before a loaded boat ever reaches it.