

WILLISTON MURDERER LYNCHED; BODY IS RIDDLED WITH BULLETS

FATE OF COCCIMIGILIO NOW RESTS WITH JURY

Accused Enacted Pathetic Scene When He Kissed Attorney's Hand

Little Home in Italy Pictured With Wife and Child Awaiting News

Horrible Tragedy Recalled as Attorneys Present Case to the Jury

Judge's Charge Contains Five Verdicts and Lengthy Instructions

Filled with emotion Francesco Coccimiglio, tried for the murder of Felice Yannazzo, left his seat yesterday to kiss his attorney's hand, when Attorney W. L. Smith finished his argument before the jury in defense of the accused man's life and liberty. At 2 a. m. the jury was still out.

In arguing for the defense Attorney Smith pictured to the jury the little home back in Italy with Coccimiglio's wife and child waiting the intelligence from America, that the protector and provider of their home had been declared innocent.

It would be great Yuletide cheer to them to know that if the head of their household had taken the life of Yannazzo, he had done so while protecting his own life and the savings he had earned for their support.

Arguments Were Lengthy.

The attorneys for both the state and defense were all day summing up the case to assist the jury in determining facts. An evening session was held to permit Assistant State's Attorney Koffel to complete the closing argument and it was nearly 10 o'clock when Judge Nuesse had finished his charge and the jury retired, and as the Tribune went to press this morning the fate of the accused man still rested with the jury.

Self Defense Contended.

In defending the accused Attorney Smith dwelled upon the fact that in his estimation the state had failed to establish beyond a reasonable doubt the guilt of Coccimiglio. He called attention and kept it before the jury at length that State's Attorney Berndt in the opening argument had stated that mystery surrounded the case and for that reason the state had failed to establish their case beyond a reasonable doubt. Mr. Smith contended throughout that if Coccimiglio had killed Yannazzo he had done so in self defense, and that while in an intoxicated condition he had thrown Coccimiglio to the floor and threatened his life as he did so. He also showed to the jury how through the states witnesses that more than one man in that car had blood on his clothes and there was a chance to believe that some one else besides Francesco Coccimiglio might have committed the murder, and that the admission Coccimiglio had made that he had committed the deed had done so to shield some one else. The veracity of the state's witnesses was also doubted, because of the fact they had contradicted themselves and had also refrained from telling all they knew of the horrible affair.

In their arguments to the jury both State's Attorney Berndt and Assistant States Attorney Koffel analyzed the testimony of the states witnesses in detail. They produced to the jury all of the exhibits which included the bloody clothes, the watch and the dagger, and these exhibits were all taken

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FERGUSON CAPTAIN. Vermillion, S. D., Dec. 16.—Cooley Ferguson, for three years South Dakota's half back, was elected football captain for 1914.

PRESIDENT RELEASES TEMPERANCE MAN. Washington, Dec. 16.—George Rose Marriam, Nebraska temperance man, who unwillingly delivered packages containing liquor to persons on the Pine Ridge Indian reservation, S. D., was relieved by President Wilson from a 60-day jail sentence imposed upon him, although he must pay his fine and costs, totaling \$300.

FIFTY MILLION IN REAL ESTATE DEAL. London, Dec. 16.—One of the biggest private real estate deals on record was completed in the purchase of the Duke of Bedford's block of freehold property in the center of London, for more than \$50,000,000, by Harry Mallaby Dealey, unionist member of the house of commons. The exact figures are withheld.

Thirty-eight Miners Die In Coal Dust Explosion

DYNAMITE PLOTTER ADMITS HIS GUILT. Indianapolis, Dec. 16.—George Davis, iron worker, arrested in New York a few months ago pleaded guilty to a charge of conspiring to transport explosives illegally when arraigned in the federal court Tuesday.

CARABOA'S BEG WILSON'S PARDON. Washington, Dec. 16.—Secretaries Garrison and Daniels received an exemption from Major General Acheson, U. S. A., Brigadier General McIntyre, U. S. A., and Rear Admiral Howard of the incidents at a recent dinner of the military order of Caraboa, which aroused the displeasure of the president and his cabinet.

INSANE PRIEST MURDERER BRANDS HIS DEFENSE A LIE. New York, Dec. 16.—Father, sister and boyhood chum of Hans Schmidt swore on the witness stand that Schmidt had been crazy for years. They were the first witnesses for the defense in the trial of Schmidt for the murder of Anna Ammiller. Before they testified Schmidt jumped to his feet and dramatically shouted "It's a lie." As his lawyer outlined the case to the jury, the lawyer said he expected to prove that Schmidt was insane, and had been so for years and always would be.

TWO NEGROES LYNCHED. Shreveport, La., Dec. 16.—Two negroes, Ernest and Frank Williams were lynched by a mob at Blanchard, La. The two confessed killing Calvin Ballard, whose body was found hacked to pieces Saturday.

THREE MEN WOUNDED IN GUN DUEL BETWEEN AUTOIST AND POLICE. Brockfield, Ill., Dec. 16.—Three men were seriously wounded in a revolver and rifle battle between Frank Roberts and the Brookfield police. Roberts and two non participants were injured.

DOMESTIC LOANS DEPEND ON GIVER. Philadelphia, Pa., Dec. 16.—When a husband gives money to his wife the assumption in law is that it is a gift, but when she gives money to him it is a loan. This announcement was made by S. Conrad Ott, referee in bankruptcy, in the case of the widow of William J. Thompson of Gloucester, who operated a race track there. He gave \$10,000 to her and borrowed \$9,886 of it back.

Horribly Mangled Victims Were All Married Men. Catholic Priest First to Enter Smoky Pit Administers Dying Rites. New Castle, Colo., Dec. 16.—Thirty-eight men were killed in the volcanic mine of the Rocky Mountain Fuel company by an explosion of coal dust. Two miners were rescued after the underground workings caught fire. All the victims were married and all but six or eight were Americans.

HARMONY HOVERING OVER G.O.P. Washington, Dec. 16.—After five hours of debate the republican national committee last night decided it was clothed with ample power to readjust the composition of the party's national conventions and that it had authority to make reforms in the convention rules and procedure demanded by many elements since the convention of 1912 and the democratic victory last November.

TANGO CRAZE HITS PRESIDENT'S CABINET. Washington, Dec. 16.—The tango "craze" has struck the cabinet circle, as well as the diplomatic set and the Winter colony. Mrs. A. S. Burleson, wife of the postmaster general, whose young daughters, the Misses Lucy and Sidney, are tango experts, has issued invitations for a tango tea to be given in the beautiful new home of the Burlesons on Boxer day, December 26. The young people of officialdom, home from their schools and colleges for the Christmas holidays, will be among the guests.

COMMERCIAL CLUB WOULD MOB IN AUTOMOBILES PUSH CHRISTMAS CAMPAIGN

Churches, Lodges and Individuals Invited to Meet Thursday. If There is Destitution in City, Club Would Eliminate It. Plan to Organize One Big Central Christmas Committee. Traveling Men Get Behind Movement With \$50 Contribution.

Every person in Bismarck who wants to help for a big Christmas for the poor of the city this year and every man or woman who wants to better the present conditions in the city is invited to a meeting at the Commercial club Thursday evening.

Invitations have been extended by the club to every church and lodge in the city and it is expected that a representation will be made for the relief of any needy people in Bismarck and a committee representing all the organizations present will be appointed to have charge of the Christmas plans.

Practically all the churches and organizations in the city are enthusiastically forwarding the cause of a record Christmas this year, but it is the general feeling that the work should be placed in the hands of one committee, appointed from all the organizations and working on a definite plan. It is for this purpose that the meeting has been called. A central Christmas committee, it is expected, will do better work in the big Christmas campaign than several smaller committees working individually.

If there is poverty and destitution in the city the different organizations are determined to remedy conditions. If there is no destitution, then the organizations desire to get behind a strong centralized movement to make Bismarck the banner Christmas city in the state. Every person interested in the work is urged by the Commercial club to be present at the meeting.

Traveling men who make their headquarters in Bismarck, yesterday, joined in the big Christmas campaign by sending a donation of \$50 to Mrs. C. M. Dahl, treasurer of the Community Christmas committee.

SENATOR ROOT DENIES BEING BITTEN BY THE PRESIDENTIAL BUG. Washington, Dec. 16.—During the currency debate in the senate, Senator Root, New York, replying to democratic critics, announced that he had no presidential aspirations and would not take the republican nomination if it was offered him.

Last night's session of the senate, Owen argued in support provision admission bill making, proposed new regional bank notes and present national bank notes available for use as reserve at option of federal reserve board.

EMPLOYES WATCHED IN BOMB OUTRAGE. New York, Dec. 16.—Following the autopsy on the body of Miss Ida Anusewitz, the stenographer of the O. K. Bottling company, who was killed by the explosion of a bomb in the company's office on Friday, the police have placed under surveillance all of the employees of the company in the hope that clue leading to the solution of the affair might be found.

Wholesale Confiscation Ordered By Gen. Villa. Property of Spaniards Seized and Their Homes Despoiled. Merchants Refuse to Accept Notes Issued by the Mexican Banks.

Juarez, Mexico, Dec. 16.—All the property of Luis Terrazas, Sr., Enrique Creel and Juan Creel, including their banks, mines and vast areas of land and thousands of head of cattle their homes and personal effects were ordered confiscated to the rebels in an official decree issued by General Villa.

Terrazas is now a refugee in the United States, one of the richest men in Mexico. His holdings, about two-thirds of the state of Chihuahua, are said to place him among the most extensive land holders of the world. The combined estates affected by the confiscation decree are valued at many millions.

The decree is intended for a notice should the revolution succeed, that neither Terrazas nor the Creels will be allowed indemnity for their losses.

Luis Terrazas, Jr., the eldest son, is held prisoner at Chihuahua and the rebels have appropriated as much movable property as they could secure.

Two hundred refugees, including Americans and Spaniards, reached El Paso from Chihuahua Tuesday. Threatened with an attack at Chihuahua by the federal Villa detachment of 2,000 rebels as an advance guard to head off the advancing army.

Mexico City—Unless the government forces an acceptance of notes issued by the state banks it is expected that, by noon Wednesday, it will be impossible to redeem one of these in the capital.

Business men fear a refusal to redeem the notes will cause a run on the state banks.

Washington—Senor Don Juan Riano, Spanish ambassador here, advised Secretary Bryan of Spain's heartfelt thanks for the attitude of the United States toward the Spanish refugees from Chihuahua, Mexico.

Similar action was taken by the Spanish minister to Mexico, who requested Charge O'Shaughnessy to convey to the authorities in El Paso, Texas, thanks in his behalf for their kindness to the refugees.

ARREST MINISTER AT FATHER'S BIER. Parkersburg, W. Va., Dec. 16.—Adjudged guilty of contempt of court for failure to pay alimony decreed to his wife, Rev. Maurice Knox, until recently a minister in Wirt county, now a private in the regular army, was sentenced to serve three months in jail and pay a fine of \$50.

Knox came here on a furlough to attend his father's funeral and was arrested on a rule and attachment issued at the instance of his wife, who claimed that he owed her \$100 back alimony. Knox was sent to jail several months ago for failing to pay alimony but secured his release on promise to pay and then got out of the jurisdiction of the court and joined the army. He appeared in court in army uniform.

MOB IN AUTOMOBILES STORMS COUNTY JAIL

RUINS HIDE DEAD. Cincinnati, Dec. 16.—Satisfied that no more bodies were in the ruins of the Salvation Army Home, which was swept by fire early Tuesday, the firemen ceased burrowing in the debris. Five are known to be dead and 16 are in a serious condition in hospitals. Ten are unaccounted for.

BULL MOOSERS ENDORSE ALLEN. Chicago, Dec. 16.—Representative members of the Progressive party from every congressional district in Illinois met and informally agreed that Frank Allen of Moline be the party's candidate for the United States senate next year.

A platform was adopted "reaffirming their faith in the mission and program of the party and welcoming the seeming conversion of the Democrats and Republicans to the Progressive party doctrine of popular primaries," and urging the initiative and referendum, among other things.

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Cleve Culbertson, Slayer of 3, Victim of Midnight Hanging. Maddened Citizens Fire Last Volley Into Swinging Body. Governor Will Take Action to Discover Members of Party. Vigilance Committee Left No Clue For County Authorities.

Authorities today are searching for clues to the identity of members of an organized gang of automobile lynchers who early yesterday morning hung Cleve Culbertson to a railroad bridge near Williston and then riddled his body with bullets.

Culbertson was in the county jail at Williston, under sentence of life for the murder of Mrs. D. T. Dillon, said to have been his former wife and her second husband and 12-year-old daughter near Ray last October. He received his sentence Monday.

About 2 a. m. Tuesday several automobile loads of men, supposedly from the vicinity of Ray, attacked the jail. Leaving their automobiles a few blocks from the central part of town the lynchers, all heavily armed, took possession of the telephone station, the fire headquarters and the power house.

A detachment formed to storm the jail. A trusty on night duty was covered by a revolver in the hands of a masked man and held at bay while others hunted through the jail corridors, discovered a heavy iron crowbar and smashed an overhead window to the murderer's cell.

The victim was hauled out of his cell through the window and half dragged, half carried through the streets to the waiting automobiles. It is said that he resisted and that a bullet was fired into his body before the vehicles were reached.

With Culbertson in one of the autos the procession drove out of town to a bridge over the Little Muddy and the slayer of three was hung to the trestle work of the bridge. After strangulation was complete it is said the vigilance committee fired a volley of shots into the swinging body to make sure of their work.

Forty minutes later the coroner, district attorney and sheriff arrived and took down the body. At that time no trace remained of the midnight lynchers. The road leading to the bridge is a main traveled one and it was impossible to follow the automobile tracks.

After cutting down the body the brain of the murdered man was removed and examined by the coroner and pronounced normal.

The lynching was reported to Governor Hanna yesterday and the executive declared that he would lend all the assistance in his power to the county authorities in their search for the guilty parties and would insist that their prosecution be pressed with vigor. If necessary he declared the attorney general would be called in the case.

This far the only clue to the lynch- (Continued on page two.)

MEXICAN RACING GAME TOO STRONG FOR DAKOTA

St. Louis, Dec. 16.—Two men, one giving the name of John Murray and the other Fred Owens, were arrested charged with trying to swindle Roy Langdon, North Dakota, on a "fixed" race at Juarez, Mexico.

It is charged that a confederate of the men offered Langdon a profit of two thousand if he would deposit a thousand as an evidence of good faith.

Langdon who drew the money from the Doodlawn Illinois bank protested to the police against the arrest of the two men saying the race was fixed as he claimed and that Provisional President Huerta was "in on the rackets."