

# THE WARD COUNTY INDEPENDENT

This Issue 16 Pa

THE INDEPENDENT HAS THE LARGEST CIRCULATION OF ANY WEEKLY IN THE STATE

First Section

Vol. 21; No. 29

Minot, Ward County, North Dakota, October 26, 1922

Subscription \$2.00 Per Annum

## JURY DISAGREED IN JOHN REED AND CHAS. LANO LIQUOR CASE

The jury, after deliberating for 18 hours in the case of the government vs. J. E. Reed and Chas. Lano, charged with transporting liquor, failed to agree, and Judge Miller discharged the jurors after they had so reported at 10 o'clock this morning. The foreman reported that the jurors were about equally divided.

Col. Hildreth, district attorney, reported that the case would be retried at an early date during the present term.

The government presented two witnesses, Martin Gilbertsen, a Bottineau county farmer living 40 miles north of the city, and Cliff Wentz, who is serving a year in the state penitentiary, to prove that Reed and Lano had visited the Gilbertsen farm on the afternoon of March 21, 1921, and had taken approximately 18 cases of whiskey which Wentz, a self confessed whiskey runner had secreted in the high weeds of a hog lot adjoining the barn yard. The government's witnesses stated that Reed and Lano had carried the whiskey in sacks and in bottles in their arms from the lot, placing them in two cars, then drove away towards Minot. Wentz stated that he had broken the crank case of his Cadillac car north of the Gilbertsen farm, which is located along the highway used by whiskey runners and had finally driven the car into the Gilbertsen farm leaving it there while the radiator, which had frozen, was brot to Minot for repairs. Wentz accompanied by his pal, one Howe, who was not used as a witness, and a neighbor of Gilbertsen's, accompanied the latter to Minot where repairs were made. Wentz and Howe stayed at the rooms over the Troy laundry that night and did some drinking while in Minot.

Shortly after their return from Minot that afternoon, they said a Hudson car, evidently a highjacking car, drove up to the Gilbertsen farm, then drove on half a mile where it appeared to become stalled. Wentz said that when himself and Howe were putting on the radiator of the car, the two men supposed to be highjackers walked into the barn lot and told them to stick up their hands. Howe threw up his hands, but Wentz did not do so, as he was working under the car. He said the highjackers, known to him as Chuck and Slippery Bill, kept them covered for more than an hour, the former pointing a gun at them which he had concealed in his coat pocket.

Wentz and Gilbertsen say that two cars carrying Reed, Lano and another man soon appeared and drove into the barnyard.

The testimony of both the government's witnesses and those for the defense coincide largely up to this point, but Reed, Lano and Geo. Wartchow, occupants of the two cars tell a far different story from there on. The three witnesses for the defense told practically the same story, substantially, as follows.

Reed had been watching Wentz and Howe when they were in Minot and seeing them with Martin Gilbertsen, suspected that the Gilbertsen farm was a rendezvous for highjackers. At

the time Reed was Captain of Police of the city of Minot. He said he wanted to get into the camp of the highjackers and look them over and possibly arrest them if the proper opportunity arose. Accordingly, he called Chas. Lano, former chief of police, and Geo. Wartchow, then superintendent of the Minot waterworks, telling them he wanted them to accompany him. Lano knew where Gilbertsen's farm is located, having resided at Mohall not far distant for 17 years. The men drove over mud roads in two seven-passenger cars, made a search of the Gilbertsen farm for highjackers, saw one fellow known as "Dirty Face" who carried his hands in his coat pockets as the pointing two guns at Reed. The man wasn't arrested as the defendants say that they thought they might have been covered by his confederates at the time, possibly secreted about the buildings. Both Reed and Lano say they saw a man, presumed to be a highjacker, hiking across the field going away from the Gilbertsen farm. They denied seeing any whiskey on the farm, said they didn't go there for whiskey and they were supported by Wartchow in their testimony. Wartchow says his business was to take the number of Wentz's car, which he did, saying, "Where is the whiskey?" as he walked up to the car. He said he was not looking for whiskey, but merely wanted to engage them in conversation.

The defendants and Wartchow say they spent about 20 minutes at the Gilbertsen farm, then drove back towards Minot, arriving at 9 o'clock that night. When about 15 miles north of Minot, two high powered cars with flash lights, coming from the north passed them and blocked the highway. Reed got out and he was blinded by the flashlights. Wartchow's car took to the ditch and went around. The two cars, suspected of being driven by highjackers moved on as soon as the occupants recognized Reed.

Wentz's car was stolen that night, according to his testimony, by ten of twelve men who visited the Gilbertsen farm after dark. Wentz says he later paid \$300 reward to W. H. Sibbald, a Minot attorney, who was instrumental in locating the car at Nashua, Mont., and Reed who worked on the case admitted that he received \$250 of this money.

The defense attempted to show that the testimony of Wentz and Gilbertsen was a frame-up, accusing Wentz of being angry at Reed for what he thought was the officer's part in the car deal. The defense inferred that Gilbertsen's reason for swearing as he did was to save himself from prosecution for using his farm as a rendezvous for whiskey runners.

Dudley L. Nash was the attorney for the defense. Mrs. M. L. Venas, formerly Miss Esther Darby of this city, returned to her home, Santa Maria, Calif., after visiting Minot friends and relatives. Her husband is enjoying a very successful dry cleaning business in California.

## ERROR MADE IN COPYING NAME, ABE GORDON CASE DISMISSED

On motion of Asst. U. S. District Attorney Nichols, the case of the United States vs. Abe Gordon, Minot clothing merchant, Judge Miller dismissed the action in federal court Tuesday morning.

This was done after the Judge had granted the motion of the attorneys for the defense to prohibit the introduction of three certificates of deposit, aggregating \$2,500.00, which had been issued to the defendant, by B. A. Balerud, assistant cashier of the Union National Bank, and which the government alleged the defendant had concealed from the referee in bankruptcy at the time he filed a petition in bankruptcy.

The government in the indictment set out that the certificates had been signed by one "Jos. Jauma, Assistant Cashier of the Union National Bank," whereas it was shown by the defense that an error had been made in the name, which should have appeared as "B. A. Balerud". On this ground, the defense claimed that there might have been other certificates of deposit, and for this reason moved that the introduction of these certificates of deposit be barred. When the Judge sustained the motion, this left the government without any evidence against the defendant.

Col. Hildreth, district attorney, stated that the government would bring the matter to the attention of the next grand jury and an attempt would be made to have the defendant indicted a second time.

Attorneys Francis Murphy and L. J. Paids, Jr., appeared for the defense.

At the opening of the case, the government stated that it would attempt to prove that the defendant had placed \$2,500 in the bank shortly before he became bankrupt, securing certificates of deposit, and asking that these certificates be attached to a note for \$2,500.00, but not as any

security on the note, which had already been secured by an assignment of rents.

"Human Hearts" Story of Real People "Human Hearts", which comes to the Orpheum theatre on Wednesday, Thursday and Friday of next week, is one photoplay that depends upon the oft-neglected factors of a real story and perfect cast for success. The scenic background and other settings are beautiful but they are kept in the background where they belong. The script is the same as that of the famous old Hal Reid play which was the king of the stage a decade ago. House Peters plays the leading role of Tom Logan with Edith Hallor as his leading woman. Both players are prime favorites with the theatre-goers and are ideally cast in their respective parts.

King Baggot, director of the picture, had played the role of Tom Logan in stock many times, and has always declared the play his favorite; hence, when he was chosen to take charge of the production, he used the greatest care in the selection of his cast. Among the favorites playing important roles are Russell Simpson, Gertrude Claire, George Blackthorne, George W. West, Lucerin Harris, Ramsey Wallace, Mary Philbin, H. S. Karr and Sid Edwards.

### NEW SAWYER BANK

Bismarck, N. D., Oct. 25.—Articles of incorporation filed with the secretary of state include:

Northwestern State bank of Sawyer; capital stock, \$15,000; incorporators, Edward S. Lee, Minneapolis; Peter Kulaas, Minot; John K. Borg, Crosby. Gackle Realty company, Kulm; capital stock \$80,000; incorporators, Martin W. Gackle, Otto Gackle, John G. Gackle, Gottfried Gackle, Kulm; Geo. Gackle, Sr., Minneapolis.

### Good-Bye



### Sanish Man Writes About Grain Grades

Sanish, N. D., Oct. 23, 1922. Ward County Independent:

I have been going to write you for some time but owing to pressure of business, it seemed I could not get at it. I have been a subscriber to your paper, since the Spring of 1911, in fact I subscribed for it before I moved out on the first farm I rented, after coming to North Dakota.

I have just read your article in the last issue, about the North Dakota Grain Grades (which of course is a thing of the past). Now understand I do not accuse you of writing the article, but any way, it appeared in your paper. Your article is very much misleading, and I doubt very much whether you understand the argument you are trying to hand us. In the first place, the paying for dockage was to apply to dockage that had some value in it, not for ground up flax straw or chaff. Now I will just cite you one instance, and let you draw your own conclusions. A neighbor of mine who joins me on the south, broke out 90 acres for the first crop. He put it in flax. The next year he rented this same 90 acres, double disced it and seeded it to wheat. He cut the wheat and as is usually the case, there was a lot of volunteer flax in it. He took it to the elevator and was told it contained 8 per cent flax, or 8 bushels of flax to every 100 bushels of wheat. At that time and I think it was in 1918, flax was worth about \$4.40 or \$4.45 a bushel, he got something over 75 bushels of flax, which he got the market price for less the cost of cleaning.

Now that was just one farmer, and I could cite you to dozens of them, that had the same thing. Now under the rule we are working today, he would have been docked 8 per cent and the elevator man would have pocketed the flax money and you seem to think that is all right, but I have failed to see anything in your paper about this robbing scheme they are using to test the weight of wheat. You might take a walk down to one of your nearest elevators, and watch them test the weight, when a farmer brings in a load of wheat, watch them pour it into their little funnel, and then run it into the container that they use to weigh it. In that way, they can make 60 lb. wheat weigh 58 lbs., or less and if it weighs less than it is No. 2.

The trouble with you fellows is you run so much of that piffle of old Gen.

Murray's that you got to believing it yourselves. You fellows have given more space arguing this grain grades than anything else the League has done. Now, no doubt your time is very valuable, and I should not take up any more of it, but I consider my time is just as valuable as yours, and if I can afford to take the time to write this, it is up to you to read it.

Now I have another little slap I am going to hand you, it relates to an article on the same page, same issue. It is the one about the Home Building Association. You seem to go into hysterics over the money the state lost by this scheme. The amount, so your article says, amounts to the horrible sum of \$152,000, or about ten cents apiece for every person in the state. Now, then, tell us, where to find the article in your valuable sheet, where you raised your humble voice against some of the deals that were pulled off during the war. Tell us something about that bunch of saddles that were purchased for the army. We are told (and on pretty good authority) that each horse and mule was supplied with eleven saddles each, 5 halters, four brushes and that every mounted officer was supplied with 36 sets of spurs, and in the Year of Our Lord 1922 the government is offering for sale (and this 150 years after the war is over) 300,000 kegs of horse shoes or enough to give every horse and mule a new pair of shoes every day including Sunday, that the Army owned, and then the Soldier Boys would have had enough left, to have several pitching contests. Now, tell us something of the millions, yes, hundreds of millions of the people's money that was squandered during the war, and then set it up along side of this \$152,000 and see how insignificant it looks. I am with kind personal regards, Yours truly, CHAS. A. PLATT.

### Auto Struck Cow Near Surrey

A man whose name we cannot learn, struck a cow while driving on the Roosevelt highway a short distance east of Surrey Monday night. His car was put out of commission and it was necessary for him to send to Minot for a service car. The cow must have received some injury.

H. O. Kjosvik of Drayton, N. D., is spending the week in Minot, receiving treatment from a nose specialist.

## CONFESS TO BEING IMPLICATED IN WESTHOPE MARSHAL MURDER

### Kiwanis Weekly Meeting

The Minot Kiwanis Club enjoyed the usual luncheon served by the Guild, in the basement of the Episcopal Church. The meeting was well attended. Visitors who spoke at the meeting were Walter E. Gordon formerly of Indiana, now of the Minot State Normal, Manual Training Department; Oscar Herum, Carpio, Frederick Vollmer, Minot, favored the members with several violin solos. F. L. Blume was the speaker on the subject of the "Bar" as related to soft drinking and soda fountains, giving the members some statistics showing how the increased business in the particular line has created a demand for cream, milk, nuts, chocolate and other confectionery, as well as the fine marble, a large share of which is imported to this country. S. S. Morgan was the story teller. The attendance prize offered by John A. Corlett was awarded to Ed. Schrepel. W. E. Tooley acted as chairman.

### Frank Rose Wins Important Point in Court

Frank Rose, better known as "Dago Frank", charged with having liquor in his possession, won an important point in federal court Wednesday morning when Judge Miller granted the motion made by Rose's attorney, G. W. Twiford, that the evidence be suppressed, on the grounds that whatever evidence had been secured had been ordered destroyed, and also on the grounds that the officers had searched the Rose room in the Grams block without a legal warrant. This virtually means an acquittal for Rose. There are numerous other cases that will undoubtedly be dismissed on the grounds that illegal search of the premises was made, the judge ruling that officers have no right to enter a man's residence or his place of business in search of liquor, without having a valid search warrant in his possession.

### Cold Snap Damaged Potatoes

A. C. Erb hauled five wagon loads of potatoes to Minot Saturday only to find that he had to take all but one load home in order to sort them over by hand to pick out the frosted potatoes. Mr. Erb raised 60 acres of the finest kind of potatoes and himself and family worked very hard, digging the crop. The potatoes were placed in piles and covered with straw, but the cold snap did considerable damage. E. J. Aymond, north of the city, raised 160 acres of potatoes this year. He harvested several carloads and placed them on the market before the cold snap, but quite an acreage is in the ground yet. Mr. Aymond started digging the remainder of his crop Tuesday and will sort them very carefully to get rid of the frosted potatoes.

### La Follette Not Coming to Minot

Senator Bob La Follette of Wisconsin, who is scheduled to visit the eastern part of the state soon in the interests of Frazier's candidacy, cannot come to Minot, as expected. La Follette recently won the republican nomination for Senator in his state, passing his nearest competitor by over 223,000 votes.

## VELVA JOURNAL CANDIDATE FOR OFFICIAL PAPER OF McHENRY CO.

Dan E. Weigle, St. Paul, to Speak Here Civic Week, Beginning Nov. 19. The board of directors of the Minot Association of Commerce, have decided to make the week of Nov. 19, Civic Week in this city and will concentrate on reviving the community spirit throughout the city.

Minot citizens have always been foremost in community work but need a little brushing up in the school of civic education occasionally.

Dan E. Weigle, the noted community worker and orator from St. Paul, has been engaged to come here during that week to speak before the various clubs and civic organizations. The week starts out with Civic Sunday, Nov. 19, when the pastors of our various churches are expected to deliver sermons appropriate to the occasion.

### Four Men Charged With Robbing Eckman Store

Four suspicious characters arrested in Minot were taken to Bottineau by Sheriff Hennessy Sunday charged with robbing a store at Eckman. One of the men had a watch which was identified by the Eckman merchant by the coat mark which it still carried. The men arrested are known as Blair, Gray, Ryan, James Doyle and Jackson, alias "Oklahoma Kid".

### Bismarck 12; Minot 0

The Minot high school football team journeyed to Bismarck where they were defeated by the Capital City team Saturday, 12 to 0. The local boys fought hard but went up against a stiff team and luck was a trifle against them in the bargain. About 60 Minot fans accompanied them.

A Grand Forks farm hand secured a quantity of intoxicating liquor by tapping the bottom of a silo. The concoction is said to possess a death dealing kick.

Harry Patterson and Earl Kyle, two of the five men arrested by Sheriff Scofield and Deputies at Kenmare, recently, were taken to Bottineau Sunday by Sheriff Hennessy, charged with being implicated in the murder of Carl Peterson, night watchman at Westhope recently.

Kyle has made a confession to the effect that he was in the car the night of the murder. Patterson he says drove the car to Westhope and Kyle cut the wires leading out of the city. He says he was invited to go with the men and presumed that they were going to Canada for whiskey. Instead they planned on robbing the hardware store at Westhope. The marshal was shot and killed by one of the men who robbed the store. They were known to him only as White and Blackie and he was sitting in the car waiting for them to come out. He heard the shots and says the men came running to the car and said: "Step on her and go like hell. We had to knock one fellow over."

The car the men used was a Buick stolen from a Harvey man. This car was later located at Columbus by Deputy Vandenoever. The sheriff was up recently from Fessenden and took Kyle back as a witness but could not hold him as a Bottineau county wanted him on the murder charge. Both Kyle and Patterson have confessed to the part they took in the affair.

Joe Kraemer and Jack Long, serving sentences in the Ward county jail charged with vagrancy, were accused by Kyle and Patterson as being the men who stole the Buick at Harvey. It was through the automobile that officers got some tangible evidence which lead to the arrest of the men who did the job at Westhope. The officers followed the car from Westhope to Maxbass and found that the men had broken into an oil station there. The Buick was seen going thru Mohall and an acquaintance recognized Earl Kyle of Kenmare as one of the occupants of the car.

### Mrs. A. P. Blonde's Father Died in Wisconsin

Mrs. A. P. Blonde received a telegram stating that her father, Soren Herum, aged 96, had passed away at his farm home near River Falls, Wis., Tuesday evening and left Wednesday afternoon to attend the funeral which will be held Friday. Mr. Herum was one of the oldest settlers in that vicinity and was the father of a large family. His wife who is 80 years of age survives.

### Oscar Herum, Cashier of the First National Bank of Carpio, is a son.

He also left to attend the funeral. The deceased resided for 68 years on his farm continuously and never allowed his taxes to become delinquent once, never had a mortgage on the farm or ever gave a note to anyone.

### Gov. Nestos Spoke at Mohall

Governor Nestos passed thru Minot Wednesday afternoon by auto enroute to Mohall where he delivered an address at an entertainment given by the Catholic church of that city. John J. Coyle, J. F. McGuire, and others attended the affair which was very successful.

## "BUY A SACK OF POTATOES"

The Minot Association of Commerce has mailed an appeal to the men and women of northwestern North Dakota urging them to "Buy Potatoes Now" and help create a market for the splendid potatoes produced in this section of North Dakota this year. The appeal points out that money can be saved by buying potatoes at this time when the price is at the bottom and the marketing of a part of the crop, now congested on farms or at shipping points, will aid materially in bringing the farmers a fair return for their year's work.

D. E. Mair met with the board of directors of the Association of Commerce Tuesday and urged that the Association launch such a campaign for this section of North Dakota and also urge clubs in other cities and towns of the state to relay this advice to the people of their immediate territories. The campaign was started in Minnesota a short time ago and is aiding the potato producers of that state.

The Association has sent its appeal to the men and women of Minot and several hundred towns in what is regarded as Minot's trade territory.

"The opportunity is golden," President C. E. Danielson of the Association stated today, "for the people of Minot and Northwestern North Dakota to save money and at the same time render a real service to the potato producers of this section. Let's buy at least a part of our supply of potatoes now, start the product moving and we will all benefit by it. Potatoes will not be as cheap next week as they are now. It doesn't matter who you buy them from—but be sure and buy now."

The Velva Journal, published by W. H. Francis, is a candidate for the official newspaper of McHenry county and the name of the journal will appear on the general ballot.

The McHenry county Farmers Press at Towner is now the official paper of that county and it is presumed that it will again be a candidate. Having had the honors for more than two years, or ever since the new law went into effect, it is only right that some other newspaper should be chosen.

The Velva Journal is admirably equipped to handle the work. Mr. Francis recently installed a modern offsetting machine. He is an excellent printer himself, publishes one of the very newest papers in this section of the state and has a large circulation thruout McHenry county. The Journal is entitled to be chosen and the Independent hopes to see Bro. Francis win.

### Pretty Girl Draws Ten Days for Vagrancy

Rose Brantner, a pretty nineteen-year-old girl, was arrested by the police on a vagrancy charge and she is now under the care of the police matron, Mrs. Campbell.

Rose arrived in Minot wearing neat fitting Khaki coat and pants, engaged a room at the Dacotah hotel where she lived without visible means of support. She told the police that she had worked but two days all the time she had been in Minot. Rose has a beautiful head of bobbed hair, bewitching eyes and is really too good looking to be without protection. She claims her father lives at Miles City, Mont.

### Armistice Day Ball

The American Legion has rented the Scottish Rite Home for a big ball to be held on the evening of Armistice Day.