

Defense proved man accused of murder was quiet today in history

By Evelyn Ward
Sherman County Historical Society
July 16, 1905: ANDERSON DEFENSE — The defense proved that Anderson was a quiet, inoffensive man and that Hill was an arrogant, disagreeable and quarrelsome man. The Negroes who had testified for the prosecution were called by the defense to prove this point. Anderson took the stand in his own behalf. He admitted killing Hill but said that he had done the act to save his own life. He testified that when Hill got up out of his bunk and made his remark about having “killed for less,” he had an open knife in his hand. Anderson said that Hill advanced upon him and that he was “scared of his life.” He thought that Hill meant to kill him and that the only way to save his own life was to strike with the ax the man who had threatened him. To the questions asked him in cross examination he had but one answer, “I don’t know. I was scared to death. I was scared for my life.” Anderson remembered striking but one blow. The next thing he recalled was going up town to find the sheriff.

A spirit of friendliness toward the prisoner was manifest on the part of the colored witnesses. It was plain that they did not like Hill and that they did like Anderson. They invariably referred to the prisoner by his nickname, “Happy”. A more wretched-looking creature than this same “Happy” probably never cringed and trembled before a court. If he had ever been anything but miserable, he showed no trace of it during his trial. Attorney Hartzler told the story of the killing from the standpoint of the defense. He exhibited to the jury the knife found in the dead man’s pocket. Anderson, a small, timid man, weak in both body and mind but of a cheerful disposition, was sitting on the floor, and without the least thought of harm to anyone on earth, was singing to himself. Hill, a big, burly, dangerous-looking Negro, made for him with an open knife. Anderson, so frightened that he was beside himself, picked up the only weapon at hand, an ax, and obeying the instinct of

self preservation, struck his assailant down. He was justified, was the attorney’s view of the case. The speech was a strong one and undoubtedly had its weight with the jury. The next argument was made by Mr. Jones, Negro lawyer for the defense. He began his speech immediately upon the convening of court Friday afternoon. The court room was filled with spectators. Mr. Jones began by defending his man from an unjust prejudice and asked only for justice to the prisoner. He claimed, if guilty at all, his client was guilty of the less degree of crime. He quoted passages of scripture, more or less applicable to the case, and cited book, chapter and verse, thus showing either own familiarity with the Bible, or his consciousness of his hearer’s unfamiliarity. In glowing words, he described the scene at the final judgment bar, where would be grouped the members of the jury, the prisoner and the prisoner’s mother and sister. The

three last mentioned would appear as accusing witnesses against the jury, in case they gave the prisoner the worst of it on this present occasion. Judge Smith would be there, too, but in case of any attempt to make things unpleasant for him, the judge could submit the instructions filed in the case and thus throw the whole blame upon the jury. The latter part of the speech was an appeal for sympathy and mercy. The appeal seemed to be successful, and when the lawyer spoke of the prisoner’s old mother, waiting anxiously at home for news of the trial, there was probably no one in the court room altogether unmoved. County Attorney Calvert closed for the prosecution, speaking briefly. He claimed that the state had successfully proved every element of the crime of murder, at least in the second degree, and the claim of self defense was not supported by the evidence. **July 17, 1905: JOHN ANDERSON ACQUITTED** — Jury Said He Killed N.P. Hill, the Negro, in Self Defense — The only criminal case on the Sherman county District Court docket for July was given to

the jury early Friday afternoon, after closing statements when the prosecution claimed that the state had successfully proved every element of the crime of murder, and the defense appealed for mercy and sympathy while claiming that the frightened defendant acted in self defense. The court instructed the jury that the charge of murder in the first degree included a charge of murder in the second degree and of the various degrees of manslaughter. The instructions defined each degree and explained the theory of justifiably homicide, especially the law of self defense. The spectators waited awhile, thinking the jury would soon return a verdict. Opinions varied as to what the verdict would be. When night came, and the jury was still out, the general opinion was that there would be a disagreement. During their nearly 24 hours of deliberations, the jury returned to the court room where some of them expressed doubt as to their being able to arrive at any verdict and asked the court for further instructions, which were given. The rumor is that the Jury stood, up to the last

ballot, eleven for acquittal and one for conviction. **July 18, 1905: Harvest Hands Coming** — Two parties of college students from New York will start for the wheat fields of Kansas in a few days with this first division of laborers sent out by the free employment bureau. Appeals have come from the Kansas employment bureau for 40,000 men. It includes, besides college men, teachers, clerks and others of sedentary habits, who believe their health will benefit in the wheat fields. *From weekly issues of The Goodland News, provided by the Sherman County Historical Society. Since the paper was published weekly, some items were arbitrarily assigned a date.*

Representative battling cancer determined to vote on school finance

As the Legislature wrestled with its special session mandate to fund our public schools, Kansans got to witness the courage of one determined Kansas lawmaker. Rep. Judy Showalter from Winfield had missed the entire 2005 legislative session, as she battled cancer. But when the Kansas House of Representatives finally voted on a school finance plan, Rep. Showalter wanted to be there. She informed the House leadership that she would be ready to travel, if and when her vote might



kathleen sebelius
• governor

Barbara Allen, who has also fought cancer and returned to participate in the special session, Rep. Showalter simply wanted to do her duty, by representing her constituents and casting a vote on behalf of Kansas schoolchildren. Upon entering the House chamber, it took her 15 minutes to work her way to her seat, as dozens of her fellow representatives spoke with her, grasped her hand, and wished

her well. Legislators gave her a long ovation when Speaker Doug Mays observed her presence and welcomed her back, as a “ray of sunshine” in “this sometimes stormy place.” Judy Showalter’s individual courage was on display for the entire day, as she waited well into the evening for a school finance bill to come to a vote. Warmed by blankets, she looked on and hoped for a chance to make a difference. More than 137 years ago, Kansas

Senator Edmund Ross did make a difference, as he cast the deciding vote against the impeachment of President Andrew Johnson, and his unpopular decision ultimately cost him his political career. In 1956, John F. Kennedy immortalized Ross in “Profiles in Courage,” his award-winning book on courageous actions taken by politicians. It would have been a fitting capstone to Rep. Showalter’s decades of public service if she could have voted one more time on behalf

of children and schools across the state. But that never happened, as the Speaker and House Republicans continued to bottle up a responsible plan to fund Kansas schools. But that does not diminish in any way Judy Showalter’s great determination, humanity and courage, as she sought to do her duty. She remains an inspiration to us all, and we should honor her commitment by making one of our own, that all Kansas children go to the best possible schools.

Bermuda grass makes good lawn but has short season

Bermuda grass can make a nice lawn if you don’t mind its invasiveness and short growing season, but many people dislike both. Warm-season grasses, such as bermuda, zoysia and buffalo green up later than the cool-season grasses, such as tall fescue and Kentucky bluegrass. They also go dormant earlier in the fall. This can be unattractive if bermuda invades a cool-season lawn. The bermuda will be brown during much of the spring and fall while the rest of



dana belshe
• ag notebook

vaded a cool-season lawn? Research conducted during 1996 showed that glyphosate (Round-up, Kleen-up, Killzall, Kleeraway) is the best herbicide for the job. We applied a 2 percent solution of glyphosate on July 15 and again on Aug. 15 on a bermuda grass plot that was more than 15 years old. Over one year later, we saw no re-

growth. Glyphosate works best if the bermuda is growing well. The better the bermuda is growing, the more chemical is taken up and pushed into the roots. Water and fertilize if needed to get it going. Spray about the middle of this month (or when the bermuda is growing well) and again about a month later if there is any green left in the bermuda. Use glyphosate 2 percent solution. Wait two more weeks and re-seed.

Thomas County Rodeo seeks queen candidates

The Thomas County Rodeo Queen and Princess contest is seeking contestants for the 2005 pageant on Monday, July 25, in Colby. The age range for the queen competition is 16-23. For the princess contestants, the age range is from 12-15. Junior princesses from eight

to 11 years old are also eligible. A trophy saddle will be awarded to the queen along with belt buckles and crowns for all winners. Contestants will be judged in horsemanship, interview, speech and modeling. Call 785-586-2228 for an entry form.

matters of record

Marriage Licenses
The following marriage licenses have been issued by the Sherman County District Court: Steven Joseph Dureau and Ashley Lenae Phillips, both of Goodland. Kevin Scott Lanty and Ami Sue Marie Olson, both of Goodland. Misael Chavez and Iris Veronica Duante, both of Goodland. Michael Dean Lewis and Amy Danielle Flax, both of Goodland. Dax Aron Webring and Stacie

Lynn Cooper, both of Goodland. **Divorces Granted**
The following divorces have been granted by the Sherman County District Court: Christopher D. May of Colorado and Michelle L. May of Sherman County. Cody Calvin Black III of Washington and Terra LeAnn Black of Sherman County. Hugo Gomez of Nebraska and Veronica Gomez of Sherman Coun-

ty. Timothy D. Douglas and Gloria L. Douglas of Sherman County. Kurt Zupko and Corbin Huffman of Sherman County. Scott W. Frazier of Washington

County, Ark., and Darcy L. Frazier of Sherman County. Stacy L. Palmer and Richelle E. Palmer both of Mitchell County. Lance W. Keys and Janet D. Keys both of Goodland.

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New Listing.....307 West 9th

Priced to sell quickly, this 3 bedroom 1 bath modular is situated on a large lot and is located close to downtown. Offer large living room kitchen and central heat and air. Priced at \$12,900. Contact Cynthia for more information.

Price Reduced.....702 East 14th

Was \$85,000, Now 79,500! Step inside this home and you'll fall in love with its style and design. This beautifully decorated home offers vaulted ceilings with formal dining room, living room, open kitchen with center island and beautiful cabinetry. Master bedroom offer large walk in closets and masterbath. Outside you'll find a nicely landscaped yard, a patio and double car garage. Ask Cynthia to show you this home!

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WHAT DO THE RESEARCH STUDIES SAY?
In Gastrointestinal Endoscopy, Vol. 33, #2, D.A. Norman R. Newton, and G.V. Nicholas reported the results of treatment of 42 patients with d.c. current therapy. They noted “All patients were successfully treated and symptom free at a mean duration of follow up of 18.2 months.” They concluded “This painless outpatient treatment of all grades of hemorrhoids is effective and safe”, and “warrants consideration as the treatment of choice of hemorrhoidal disease”. In the American Journal of Gastroenterology, Vol. 83, #9, Dr. S. Zinberg reported the results of treatment of 193 patients with this method. “Good results were achieved in 95% of patients.”

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