

IN THE JUSTICE'S COURT

of Plevna, Montana.

STATE OF MONTANA }
County of Fallon }

The State of Montana

Plaintiff
Versus

Andrew H. Knudson

Defendant.

Witnesses sworn in by Geo. J. Buergi Justice of the Peace.

Jace Bullard,
Fred M. Perry,
Christian Feifer.

Mr. Fred M. Perry called to the stand and examined by J.C.Dousman

- Q. What is your name?
A. Fred. M. Perry.
Q. Are you acquainted with the defendant Mr. Knudson?
A. Yes sir.
Q. You had a talk with him in relation to the war?
A. Yes it was the first time I worked for Mr. Shore.
Q. What day was it that you had this talk?
A. It was on March 12th
Q. Who was present at this conversation?
A. Christian Feifer.
Q. Where was this conversation?
A. It was down at the railroad bridge.
Q. In Fallon County?
A. Yes sir.
Q. Relate the conversation?
A. Well he stated to me that he was going to Perkins County and that he would run for sheriff and that he would educate the people not to volunteer or enlist for war.
Q. What else did he say about the peoples' duty in regard to enlisting?
A. He said people were foolish to enlist or get drafted.
Q. What else did he tell you at this conversation?
A. Well that is about the substance of it.
Q. Do you remember any other statement he made at that time?
A. He mad some statements, but I do not remember them.

Cross examination by P. C. Corniah.

- Q. That was on the 12th day of March?
A. Yes sir, we talked at different times, but I have forgotten the conversations.
Q. How long did you work with this gang?
A. I was working with the gang for 15 days.
Q. This conversation you say was on the 12th?
A. Yes sir.
X Q. Did you hear him try to dissuade any one from going to enlist?
A. I do not believe I did.
Q. Was anybody else present except Mr. Feifer at this conversation or at any others?
A. Yes, we had a little quarrel on the gradeQ
Q. Were any others present at that time?
A. Yes sir.
Q. Who was present on the grade?
A. Well I think everybody on the crew.
X Q. And you never heard him try to dissuade anybody from enlisting. There were none to dissuade.
X A. That was all that you remembered about the conversation?
Q. A. Well there were several conversations where he made a few remarks and stuck up for Germany and I told him that I was an American Citizen and he said he was an American citizen too, I told him that he was'nt an American citizen, but what remarks he made I have forgotten, but I do remember that he said that he was an American Citizen.

Examination by Dousman.

- Q. What was the commencement of the quarrel?
A. I do not remember exactly what it was about.
Q. Do you remember anything that he said against this country?
A. No nothing in particular.

Christian Feifer called on the stand and examined by J.C.Dousman.

- Q. What is your name?
A. Christian Feifer.
Q. You know Knudson here the defendant?
A. Yes.
Q. You had a talk with him about the Government of the United States?
A. Yes.
Q. What day did you have this talk with him?
A. I do not exactly know any date it was when we came in about the 14th of February.
Q. Who was present at this conversation?
A. There was Chas Haynes present.
Q. What did he say about the Government of the United States?
A. Well he said something of the Government Bonds, I said that If I had to go to war I was going to buy some bonds, then Knudson said that was the last thing he would do that he would never spent any money for Government bonds.
Q. What did he say ought to be done with the bonds?
A. Well after awhile he said something about the Government bonds he said that he would'nt wipe his ass with it.
Q. What did he say about the Government?
A. He said that it was a rotten Government.
Q. What Government did he say was rotten?
A. The Government in Washington.
Q. He did'nt say anything about the German Government?
A. I do not remember.
Q. Did he say anything about the transport Tusciaana?
A. No I was not there at that time.
Q. Did he say anything about the raising of crops for the Government?
A. No He sid'nd say anything about that.
Q. Do you remember anything more he said?
A. He said ones that President Wilson was no good and the Kaiser Wilhelm was right.

Cross examination by P.C.Cornish.

- Q. Where were you born?
A. In Denmark.
Q. You worked with these people quite a while?
A. Well after the 3rd of February.
Q. With this defendant?
A. Yes sir.
Q. You had some little trouble with this defendant?
A. Well he was talking a little against the Government.
Q. Did'nt you have some quarrel in South Dakota about a homestead?
A. Well we had a little quarrel about a homestead.
Q. You were quarreling with him?
A. Yes, I know at that time when we were quarreling Tom was there?
Q. What is Tom's other name?
A. Tom Fisher.
Q. He was there all the time?
A. Yes.
Q. (Did Tom say anything about the Government bonds?
A. I do not remember.
Q. Well did you hear anybody else say anything similar to this) objected by Dousman,
objection sustained by the Court,
Exception by P.C.Cornish)
Q. What language were you talking?
A. Our own language.
Q. This Tom does he talk Danish too?
A. No.
Q. He did'nt say anything about not raising any crops to help support the Government.
A. No, I do not remember.
Q. Who was present when he said that President Wilson was no good?
A. Tom was present.

Q. Was Tom agreeing?)

Objected to by Dousman,

Objection sustained by the Court.

Q. Was one of your friends about to take a homestead or contest a homestead at the time you were having the trouble about and did you take off your coat and want to fight this man, what were you talking about then.

A. We were talking about the war and not about the homestead.

Q. Then your quarrel was upon the decision he took because Wilson was not a good President?

A. Yes.

Q. That was what he was talking about and that was why you took off your coat to fight him?

A. I do not remember, but it was something like that.

Q. Did he tell you at that time and frequently at other time that if Wilson would have had his way about it he would have kept us out of war?

A. I do not remember.

Q. Did you have any other quarrels with this defendant than the ones you mention?

A. Well we had several over the homestead.

Mr. Jack Bullard called on the stand and examined by J.C.Dousman.

Q. What is your name?

A. Jack Bullard.

Q. Do you know Knudson the defendant?

A. Yes.

Q. You had some talk with him?

A. Yes.

Q. Did he ever have anything to say to you about the drafted soldiers?

A. Yes he did.

Q. What was the date?

A. Well now I couldn't exactly give you the date, I know what he said, but the exact date I do not know.

Q. About how long ago was this?

A. It has been a couple of months ago.

Q. Where was this at?

A. It was down at Lemmon.

objected to by P.C.Cornish.

Objection over-ruled by the Court.

Q. What was it he said?

A. He said that the drafted soldiers were no better than hoboes, these were the exact words he used.

Q. Did you have some talk with him at the time the Tusciana went down?

A. Yes sir.

Q. What was it he said?

A. He said, when we received the papers that the soldiers were saved, he said he wished they all went down.

Justice.

Q. Was that at Lemmon?

A. No that was right here.

Cross examination by Dousman continued.

Q. He was referring to the American soldiers on board?

A. Yes.

Q. What did he say about saving crops or raising crops?

A. He said that if he had a farm himself and had a bunch of hogs, instead of sending the wheat over to the Allies or whatever the United States wanted, that he would rather feed them to his hogs.

Q. Did you have any talk with him since this last battle?

A. No sir, I did not have any talk with him about that.

Cross examination by P. C. Cornish.

Q. Are you with the crew?

A. No.

Q. You had some quarrels with this man.

A. Yes

Q. So you are not feeling very friendly towards him?

A. No I do not.

Q. You would kind of like to see him go to the penitentiary?

A. Yes I would rather see him go there than anywhere else.

Q. Rather see him go there than be running loose?

A. Yes I would.

Q. You are rather glad to have a chance to testify against him?
A. Yes indeed I am.

Examination by Dousman.

Q. What was the quarrel with him about?

A. It was about the war, Justice.

Q. Did you quarrel with any members of the crew?

A. No sir.

Q. Did he quarrel with any of the crew?

A. Yes sir, with every member of the crew.

Mr. Knudson called on the stand and sworn in by the Justice.

Examination by P. C. Cornish.

Q. You are the defendant in this action?

A. Yes sir,

Q. You heard the testimony of all of these men?

A. Yes sir,

Q. No w you hear the testimony of Mr. Perry?

A. Yes sir,

Q. You may tell what was said in those conversations?

A. What was said in the conversations I had with Mr. Perry were in regard to the English, I do not know, but I think he is an Englishman, and I joked him to tease him. Our conversation was neither Pro-German or against the Government here.

Q. Justice

Q. You stated that you did it to tease him?

A. Yes sir,

Examination by P. C. Cornish continued.

Q. Can you tell what was said to Perry?

A. Well I told Perry that if was mainly a war between Germany and England and that England if they would have done their share of the fighting the war would have been over with, but they hav'nt and the other countries had to fight the war for them and so it was in this case now, that they were expecting us to fight their battles.

Q. Did you tell him that you were discouraging people from joining the army.

A. No.

Justice.

Q. Did you tell him that you were going to South Dakota?

A. Yes I did tell him that I was going to South Dakota as I have been aiming to go to South Dakota last week.

Q. Did you make the remark that people should'nt enlist?

A. I did'nt make the remark that I was going to discourage enlisting in the army because that is something that I think that a man has to do his duty to go to war.

Q. Did you make these statements to Perry to tease him?

A. Well the remark I made to Perry about teasing him were in regard to England.

Examination by P. C. Cornish continued.

Q. Were you at that time or are you now in favor of the German Government as against the United States Government and its Allies?

A. No, I have been against the German Government from the start as much and more so perhaps than any man.

Q. You have heard the testimony of Christian Feifer?

A. Yes sir,

Q. And of the talk which he said that he had with you in Feb. this year or rather since Feb. sometime this year and did you talk with him about having Government bonds or buying them.

A. All that I know that has been said about the Government bonds is that we talked about Government bonds and that it was bringing a hardship on the country out here in the West.

Q. (Was that what you said?)

A. Yes, any objections that have been made were made by Tom and not by me, but Tom was drunk.)

Objected to by Dousman.

Objection sustained by the Court.

Q. And when you have talked with them they have been drunk a large part of the time?

A. Yes sir, all except this Christian Feifer.

- Q. He has not been drunk?
A. No sir.
Q. Did you ever say that the Government was rotten?
A. No sir,
Q. Did you ever tell them that Wilson was no good and that Kaiser Wilhelm was all right?
A. The only thing that I have said about Wilson was this, that I said I did not think that we would be in this war if Wilson had had his way about it.
Q. Did you ever say that you would't use the Government bonds in toilet?
A. No sir,
Q. You know Jack Bullard?
A. Yes sir,
Q. Did you ever have any talk with him in this state or elsewhere where he said that you used this language?
A. No.
Q. Did you in this County ever tell Bullard that you wished all the soldiers on the transport Tusculana would have gone down?
A. No sir, Mr. Bullard has been drunk most of the time and had been fired on account of being drunk.
Q. Did you tell Bullard that if you had a farm and crop that you would rather feed it to the hogs than let the soldiers have it.
A. No sir.
Q. Cross examination by Dousman.
Q. Where were you born Mr, Knudson?
A. Denmark.
Q. When did you come to America?
A. In 1878.
Q. How old were you at that time?
A. I was 13 years old.
Q. You were born in about 1866 then?
A. Yes sir,
Q. Are you an American Citizen?
A. Yes sir,
Q. Did you become naturalized yourself or are you by virtue of your father?
A. Yes sir, by virtue of my father
Q. Do you know where your father was naturalized?
A. In Dakota City, Nebr.
Q. In what year?
A. It was a year or so before I became of age as soon as he came here.
Q. What school did you attend in United States?
A. I attended the Public School.
Q. How long did you attend school?
A. About 3 or 4 winters in Nebr.
Q. Are you now and have you always been a loyal citizen of the United States.
A. Yes sir,
Q. You say you are a loyal American Citizen,
A. Yes sir,
Q. You know the United States is engaged in a war with the German Government?
A. Yes sir,
Q. And that they are fighting with their Allies the English and the French?
A. Yes sir,
Q. Did you have some conversation with Mrs McIrvine since the last battle was in progress?
A. Yes the last week just a few words.
Q. Was there some discussion of the German taking Paris?
A. Yes.
Q. What did you say about that?
A. I said that I wished it would have been London instead of Paris.
Q. Did you say you wished that they would take London instead?
A. I said I wished it had been London instead.
Q. Do you consider that expression wishing that the Germans should take London as a legitimate wish at this time.
A. objection by P.C.Cornish,
objection over-ruled by the Court.
Q. Did you consider that as a loyal statement for an American citizen to make.
A. Between the French and the English I rather would have seen it be London.

Q. You thought at that time that they had taken Paris?
A. No.

Lars Falkastad called on the stand and sworn in by the Justice.
Examination by P.C.Cornish.

Q. What is your name?

A. Lars Falkastad.

Q. Where do you live?

A. I used to be all over South Dakota.

Q. Do you know Andy Knudson the defendant in this action?

A. I know him since I have been in the camp.

Q. How long has that been?

A. Well it was before Christmas sometime.

Q. Have you worked with him during that time?

A. Yes we were in the same camp.

Q. Since sometime in September?

A. Yes.

Q. Have you talked with him or heard him talk about the present war between the United States and Germany?

A. He had been talking on and off a little.
Justice.

Q. Where was that at?

A. I do not know exactly.

Examination by P. C. Cornish continued.

Q. Did you ever hear him say anything or express his opinion whether or not he was in favor of Germany as against the United States.

A. No I cannot say that.

Q. Did you ever hear him say anything else about the war?

A. Well we had a talk and we were kind of blaming England for getting us into the war.

Q. He said that it was the fault of England that we got into this war?
A. Yes.

Q. You remember anything else that he said?

A. No.

Q. Well you are sure aren't you Lars that he never said that he was in favor of the German Government as against the United States?

A. Yes I am sure he never said that that I heard it.

Q. Did you hear him talk in and around the camp and where others with him against the war?

A. Probably I did, but I did not pay any attention to it.

Q. Did you remember hearing him talk to Jack Bullard about the war?

A. No.

Q. Nor with Perry?

A. No.

Q. (You knew there was some trouble between this defendant and Christian Feifer)

objected to by Dousman.

(Cross examination by

objection sustained by the Court C.Dousman)

Q. Can you tell anything that the defendant said relative to the war or the German people etc.

A. No.

Q. What did he say about the drafted army?

A. I never heard him mention that.

Q. You never heard him say anything about saving food?

A. No I do not believe I did.

Q. Nor the Government rules regarding this war?

A. No

Andrew Knudson recalled to the stand.

Cross examination by C. Dousman.

Q. You know Otto Koenig,

A. I know him from working with him.

Q. You had a talk with him up here ones on the fight of way two or three weeks ago when you and him were together sitting on a culbert?

A. Yes.

Q. Did you at that time say to him I know how far I can go in talking about the Government, I have been mixed up in this stuff before?

A. No I did not say that I had been mixed up in this stuff before.

Q.

Q. What did you say?

A. We were talking and I was having fun about joking Perry and Perry he said had made the remark that he would squeal on me, it was in regard to Perry that our conversation was and he as well as I had fun about teasing Perry.

Q. Well what did you say to him about how far you could go?

A. I do not remember if I used these words at all, as that is something I do not know.

Justice.

Q. Are you a member of any organization or of any labor organization?

A. I have belonged to three organizations in the early days, to the Butcher's Union, Knights of Labor and the Yeomen Lodge, and that is all.

Q. You have no affiliation with any National organization of any kind?

A. Not at all.

Q. What journal do you generally read?

A. Why before until this winter I have read the Sioux City Tribune as a Democratic paper as I have always been a Democrat.

Q. Answer my question what journal did you read?

A. Before I came up here it has always been the Tribune and since that it has been a Chicago paper.

Q. Any foreign papers that you have read?

A. No, I haven't read a Danish paper for many years.

Q. Can you read any other language besides Danish and English?

A. No sir.

Otto Koenig called on the stand and sworn in by the Justice.
Examination by P.C.Cornish.

Q. You are acquainted with the defendant Mr. Koenig?

A. Yes since I have been with the crew.

Q. You remember having any talk with the defendant about the war?

A. No sir.

Q. You remember his talking to you something about Perry, when you were sitting with him on the bridge or culbert?

A. No he never spoke to me about Perry?

Q. About teasing Perry about the English?

A. He was joking a little bit, I do not exactly know what it was, I think he was joking as he was always laughing about it.

Q. He never said anything to you that would indicate that he was for the German Government and against our Government?

A. No.

Q. Did he say to you out there that "I know how far I can go" or words to that effect?

A. He told me how far he could go, at that time when the people were pulled on account of the German and American flag. That was the time he told me how far he could go, in this thing.

Q. Did you hear the talk between Perry and this man?

A. Well I heard it but I never paid any attention to it.

Q. Did you hear this talk between Perry and the defendant when Christian Feifer was there,

A. I do not remember.

Q. Did you know Christian Feifer?

A. I do not know him, but I might have seen him with the others.