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Five Eagles Sentenced to Jail for One Year

Stay Is Granted to Permit Preparation of Appeal in Liquor Case.

Defense Attorney Contends Accused Were Not Proved Guilty.

Sentences of one year each in the Winona county jail were imposed by Judge John B. Sanborn, late Monday, in United States district court on five members of the St. Anthony aerie, Fraternal Order of Eagles, found guilty of maintaining a nuisance at the lodge headquarters, 117 Fourth street southeast, in violation of the federal prohibition act. The five men are: Erick Hove, president; Arthur C. Dagman, secretary; State Senator A. L. Lennon and John Friend, trustees, and Matt Farrell, employe. A stay of 42 days was granted the men in which to perfect an appeal.

"While I do not want to deliver a lecture here," Judge Sanborn said in passing sentence, "I must say that I cannot see where we ever have had a more flagrant violation of the law. These defendants have tried every means available to get out of this thing. Every one of them is guilty of a conspiracy to violate the prohibition act. The grand jury would have been entirely justified in indicting them on a conspiracy charge, which carries with it a sentence of about two years in Leavenworth.

Judge Sorry for Offenders.

"Instead of saying, 'Yes' we were doing this thing,' they have tried to prevent the government from obtaining its evidence. I never had a case in my experience where there was so much manipulation.

"Personally, I feel sorry for these men, but I cannot see how the government can protect itself, and at the same time permit such acts to go unpunished."

Calling attention to the fact that a group of the original defendants came into court and pleaded guilty to the charge, whereas the five denied it, Judge Sanborn asserted that under the circumstances he was not disposed to take into consideration pleas for clemency made by John F. Dahl, counsel for the defendants.

"I can only urge the court to consider the latitude which the law provides," Mr. Dahl said in making a blanket plea for the defendants. "It makes allowance for varying degrees of culpability." He pointed out that during the trial claims were made by the defense that Senator Lennon and Friend had no direct knowledge of the violations, and that they and Hove would have had no power to prevent sales of liquor in the lodge bar, had they tried.

No Personal Profit.

"It seems to me that it is rather a case of neglect, rather than of commission," he said. "There was no personal gain or profit."

Senator Lennon was the only one of the five to make a personal plea for clemency.

"I stand before the court with a clear conscience, knowing that I am guiltless of aiding or abetting the violation of the law," he said. "On February 16, a resolution was introduced in the lodge, which took control of the club room out of the hands of the trustees and palced it in the hands of a custodian. The resolution was passed unanimously."

A motion for a new trial to clear at least two of the defendants, will be taken before Judge Sanborn, defense attorneys announced, following pronouncement of the sentence. The basis for the argument, according to Mr. Dahl, will be that the showing that Senator Lennon was a trustee of the lodge was not sufficient to include him in the list of defendants.

"No evidence showed that he had any authority to prevent it," Dahl said. "The same applies to Mr. Hove." An appeal may be taken to the United States circuit court of appeal, he said.

The men were found guilty of the charges by a jury Friday night, following a four days' trial.

Result of Raid.

The case grew out of a raid on the St. Anthony Lodge headquarters by federal prohibition agents, May 3. Originally, 17 were charged with violating the prohibition act, eight of whom pleaded guilty and were sentenced to eight months each in the Winona county jail, leaving nine to stand trial. During the course of the trial, charges were dismissed against four of the men who pleaded not guilty. They were J. L. Keefe, Fred Schulenberg, C. P. Golden and William Brunskill. It was shown that there was insufficient evidence to convict them, and they were released by the court.