

STOCKMEN GIVEN HEAVY DAMAGES

Reservation Cattlemen Are Beaten by Tompkins and Frost.

Actual damages of \$11,545.20 and punitive damages of \$16,000 were awarded the plaintiffs in the case of B. A. Tompkins and D. L. Frost against J. H. Long company, H. F. Cary and Frank Heinrich by jury verdict of the district court Friday evening. The case which had evoked an unusual amount of interest among stockmen of this section started Tuesday before Judge Robert C. Stone.

The hearing of the case followed a decision rendered by the state supreme court about a month ago remanding it to the district court for retrial. At the previous trial, a directed verdict for the defendants was given by the court.

The case arose over the sale of cattle from the Crow reservation which the plaintiffs declared belonged to them. Tompkins, a resident of Billings, had furnished Frost, an Indian, with 299 head of cattle which the latter was to run on the reservation under tribal privileges. Tompkins holding a mortgage against the cattle. Later the defendants rounded up a bunch of cattle on their leasess on the reservation and shipped them to market. Among these, according to the testimony, were the cattle belonging to Tompkins and Frost. There were about 70 of these which were found to have been placed on the market but no trace was secured of the others, it was testified. The case first came up in July 1919.

The present trial extended over four days and a large number of witnesses were called, including nearly all the stockmen of this section. Tompkins was on the stand for half a day. Among the witnesses was Abe Burkheimer, manager of the Rosenbaum commission firm of Kansas City and Omaha, who was in Billings and was subpoenaed by the defense to testify on values of cattle. Arguments of counsel took up three hours. The jury brought in their decision at 9:30 o'clock after several hours deliberation. The plaintiffs were represented by Grimstad & Brown and by Goddard & Clark. Attorneys for the defendants were Nichols & Wilson and Cooper, Stevenson & Hoover, of Great Falls.

Grimstad/Brown Firm Wins Substantial Damages

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