

## **The murder of Kenmare Police Officer Julius Nielsen – September 18, 1921**

Thirty-two years ago today, I drove from Minot to Kenmare and began a fourteen year career as a Patrolman with the Kenmare Police Department.

I became familiar with the line of duty death of Officer Julius Nielsen in the early nineties when the North Dakota Peace Officer Memorial was being constructed.

One hundred years ago today the Kenmare Police Department lost an officer, the community lost a pioneer homesteader, a wife lost her husband, seven children lost their father, and North Dakota lost a hero.

Julius Nielsen, Night Policeman at Kenmare was shot and killed about 3 o'clock, Sunday morning, September 18, 1921 while attempting to arrest a twenty-five year old transient man and a forty-five year old companion, who had held up and robbed eight men who were playing poker in an upper room on the south side of the Irvin Hotel.

The officer was shot to death a robbery suspect came down the stairs and out the rear of the Park Hotel. (point out the area is to the south of the square)

The story of an eye witness, a 17 year old Minneapolis boy who said the suspect and his friend came to the room the three had occupied at the Park Hotel—Officer Nielsen appeared at the bottom of the stairs and attempted to place the twenty-four year old robbery suspect under arrest at which time he pulled his .45 caliber six shooter and fired once or twice and called to the officer, “Stick em’ up,” but the officer had already been mortally wounded. The boy said the murderer then straddled the fallen officer’s form and continued firing into his body, eight or nine times however more than six wouldn’t be possible without reloading the revolver.

Jack Longre, who said he was involved in the Poker Game at the Irvin Hotel that night from 10 o'clock on, said he heard the firing but first thought the noise was from box cars bumping each other. But when the firing continued, he ran down the street and saw Nielsen's body lying with feet on sidewalk and head in the ditch. Longre stated he took his coat off and placed it under the dying officer's head. Mayor Nelson and Longre started carrying the officer to an automobile but he passed away before they reached the car. Officer Nielsen had been shot three times; in the stomach, left hand and head.

Chief of Police Jack Kinser got site of the killer running around the south side of the Irvin Hotel and inflicted a flesh wound by firing at him, but he kept running. Chief Kinser later arrested Jack Longre on suspicion of murder as he thought he was the man that had run from him. After Longre was able to provide an alibi that he'd been playing poker with the other men at the Irvin Hotel, he was turned loose.

Chief Kinser went to the Lakeview Hotel and secured two shotguns. He attempted to get twenty men to help him go after the murderer but when no one responded, Longre offered to go with him. Kinser remarked that he wasn't fond of having Longre behind him with a gun, but later decided to take him along. The Cunningham barn and jungles were searched but the suspect was not located.

Sometime later the killer was located at the Fred Hiatt farm, five miles southeast of Kenmare. It is speculated that someone gave him an automobile ride to the farm. He was arrested by Deputy Iver Walstad, Percy Clark and Chief of Police Jack Kinser. A dope needle and dope was found on the suspect when he was arrested.

Jack Longre, who will be a witness was currently being held in the Ward County Jail on \$10,000 bond for highway robbery in connection with an

auto theft, wherein Bill Calos's Buick had been stolen. Longre blamed his arrest on the fact that he was a "Strong non-partisan leaguer."

The suspect retained Attorney Twiford for his defense. He claimed to be from Portland, Oregon.

The associate who helped robbed the men playing poker was also arrested. The .45 caliber weapon was located under his mattress in the hotel room. The money was located in his pillow. It was reported the pair made a haul of \$144 in the poker game robbery.

J.H. Ward, a former Minot man was being held in the county jail as a witness and had been associated with the killer.

Ward and the suspect said they were drinking Canned Heat which was a poisonous concoction that was used for campers to prepare their meals. They placed the substance in a wet towel, wringing it out and drinking the filtered liquid. It reportedly had forty-mule power kick. The group consumed 132 cans which costed fifteen cents each and was purchased at a hardware store.

The seventeen year old boy remarked that the suspect once pulled out the .45 gun and said, "Here kid is what I make my living with." The boy said the suspect was going down the stairs to get more canned heat when he met Officer Nielsen and started shooting.

Officer Nielsen was fifty-one years old at the time of his death. He was said to be the finest kind of man who was really too good natured for his position. He had come to the Kenmare area twenty years prior and owned a farm northwest of the city, which he later traded for two houses and lots in town. He was survived by his wife and seven children.

A criminal complaint was filed with Justice Evan Griffith by O.B. Herigstad, Ward County States Attorney charging the suspect with

Murder in the First Degree. A warrant was issued and placed in the hands of Ward County Sheriff A.P. Scofield for service. Court was called and the Sheriff filed his return of the arrest warrant. The suspect was duly arraigned in Justice Court at which time he waived a preliminary examination (now referred to as a prelim or preliminary hearing) and was bound over to the next term of the district court and a bond of \$10,000 was ordered. The suspect was committed to the county jail to await a hearing in the district court. The commitment was issued by Judge Griffith and the defendant was remanded to the custody of Sheriff A.P. Scofield.

It was reported that Sheriff Scofield and Minot Chief of Police Larry Byrne had went to Kenmare and brought all the prisoners back to the county jail in Minot. It was reported the suspect told county officials, "I was drinking Canned Heat and I guess it put me out of my head."

The defendant was also implicated as one of five men involved in an August 29 shooting of a state prohibition agent and a Renville County deputy sheriff, according to a co-conspirator that confessed to that crime. Other associates of the thugs had been arrested in Crosby.

In a subsequent investigation by the Ward County Sheriff's Office, Deputy Vandenoever learned the defendant was using an alias and in fact was a man that had escaped from the state prison in Fort Madison, Iowa the previous Christmas day.

Plymouth County Sheriff Hugh Maxwell of LeMars, Iowa sent correspondence to Sheriff A.P. Scofield stating that he understands the defendant is "apt to be hanged," according to North Dakota law, and if that was to be the case, that he desires to come to Minot to "cut the dead fall."

During a Plymouth County Jail escape in November of 1919, Sheriff Maxwell's son was murdered by the defendant. The Sheriff and his wife were also injured at the time but recovered. Another associate that had been convicted in the killing of a Sioux City, Iowa detective was in the LeMars jail at that time but did not participate in the jail break.

Ward County authorities were undecided whether to turn the defendant back over to Iowa or to accept a guilty plea and have him committed to the North Dakota penitentiary.

According to North Dakota law at that time, a person could be hung if he committed first degree murder while under a life sentence for first degree murder.

The defendant was taken to the North Dakota Penitentiary to await transfer to Iowa authorities. However, the Attorney General intervened and notified the Ward County State's Attorney that he wanted the defendant tried for murder. The State's Attorney indicated he'd have a tough time rounding up witnesses against the defendant that had been released when he was transferred to Bismarck.

On December 5, 1921 it was reported in the Bismarck Tribune that two officers came from Iowa to take the defendant back to their penitentiary. O.B. Herigstad, Ward County States Attorney expressed his willingness to let him go back to Iowa.

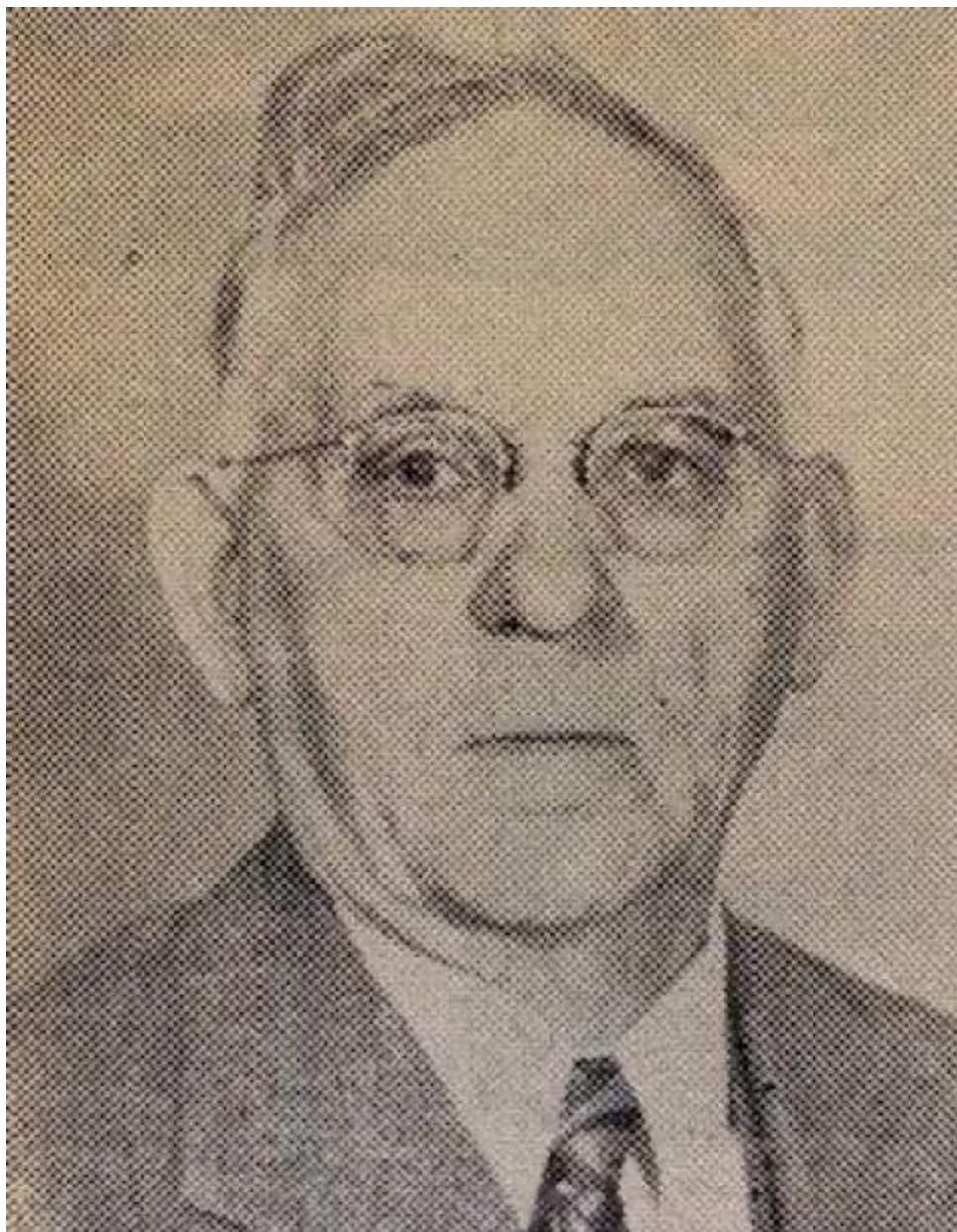
Officer Nielsen was one of five officers killed in Ward County in less than four years; thankfully they were the last line of duty deaths in the county. 1910-1929 was an especially deadly time for North Dakota Law Enforcement—17 officers were killed in the twenty year period, a great majority by gunfire. The twenty year period accounted for 29% of all time line of duty deaths in the state.

The era was deadly. North Dakota's largest mass murder happened the calendar year prior when seven members of the Wolf family and their hired chore boy were killed by a neighbor at their farm north of Turtle Lake in McLean County.

The Monday following Nielsen's murder, Minot Police, along with Great Northern railroad agents, the Sheriff from Fargo and his deputies were involved in a gun battle at the Great Northern stockyards outside of Minot. The time was particularly busy for law enforcement who were battling desperados of all kinds—many who were running illegal liquor.

A lot has changed in North Dakota law enforcement in the past one hundred years, but at the same time a lot hasn't changed. North Dakota law enforcement worked together back then just as we do now. Officers often times cross jurisdictional and county lines to help their fellow officers in executing search warrants and apprehending criminals.

Law Enforcement is a family—not born of a blood line, but bonded in life with a blue one. Officer Julius Nielsen, we salute you, we remember you and we miss you our fallen brother.



**Kenmare Justice Evan Griffith**



**Ward County States Attorney**

**O.B. Herigstad**