69. THE ROBERTS BROTHERS CHRONICLES V – TRIAL *(continued)*

We left off with young Nettie Forshey's damning testimony – still ringing clear a century later – from a fifteen-year-old girl with a learning disability. She was followed on the witness stand by her mother.

Nettie's mother, Lida, confirmed her daughter's testimony, noting the added irony that George Roberts' and young Cooley's hazing of the *'big red cow'* had taken place while Mr. Forshey was gone to Pueblo to testify to the family's harassment by the Roberts brothers before the Federal Grand Jury(!).

The Defense. The defense was presented by Fred "Judge" Stow and consisted of the testimonies of Edward Cooley, Ernest Roberts and George Roberts. All refuted the testimony presented by the several witnesses called by the prosecution. Their answers, under oath, were often given in an arrogant, careless and entitled manner. Here's an exchange with a seemingly bored Ernest:

Q. You have about 500 head of cattle?

A. About that many, probably a little less, probably more...

All three defendants appeared indifferent to and unembarrassed by the inconsistencies exposed on the witness stand by themselves and the witnesses for the prosecution, in person or by affidavit.

Verdicts. At 9:30 a.m., June 9, 1920, Judge Lewis read instructions to the jury, which returned the following day with their verdicts. Edward Cooley, not guilty. George and Ernest Roberts, guilty.

The defense immediately indicated its intention to file a *Motion for a New Trial*.

A Wild Card. Upon which, a new, totally unexpected character joins the cast, Mrs. Ella Sophia Williams (née Parish – 1859-1933).

Mrs. Williams was an unimpeachable paragon of propriety and public service, also a human dynamo.[1] Her affidavit supporting the *Motion for a New Trial* states that, though she did not attend the trial, she was, nonetheless, *"...horrified at the result thereof and knowing that the defendants were kind-hearted men and good citizens and not criminals, that she voluntarily took it upon herself to go to Larimer County..."* In less than two weeks from the Jury's verdict(!), she had secured twenty-one sworn affidavits of neighbors and friends of the boys attesting to their good characters.

The US Attorney, Harry B. Tedrow,[2] responded with nineteen affidavits of his own attesting the contrary, including from the District Attorney, Russell W. Fleming (1879-1923)[3] and Larimer County Attorney, George H. Shaw (1890-1956).[4]

Further, Mrs. Williams and her husband *"...took upon themselves the responsibility of insisting that defendants employ another attorney..."* Toward this end, she recruited Horace N. Hawkins (1867-1947),[5] who had worked with her in the past.

The Williams Family Livermore Connection. James and Ella Williams were acquainted with George and Ernest Roberts through their brother, Charles E. Roberts (1858-1955) and his second wife, Esther (née Davis – 1865-1953), who had been assisted by Mrs. Williams, in her professional capacity, with the adoption of a child in 1911 (Harold Evan Roberts – 1911-1994 – not to be confused with *James Evan Roberts*, DL's father).

Mrs. Williams' affidavit indicates that she became well acquainted socially with the Roberts on account of that connection.

The Limestone Connection. At that time, Charlie Roberts was engaged in the quarrying operations at Ingleside south of Owl Canyon between Livermore and Fort Collins. These quarries supplied limestone to sugar factories in the area for purification of the virgin sugar juice.

The assistant superintendent of the Fort Collins factory was Norman L. Latsch (1880-1959). [6] Norman was brother-in-law to George, Ernest and Charlie.

James and Ella Williams' son, James Benjamin Williams (1888-1973), as we shall see in a future chapter, was somehow involved with the Roberts brothers in their quarrying aspirations. As *Hank the Cowdog*[7] is fond of saying *"The thick plottens."*.

(more to follow...)

Thanks to Lori Vanagunas and DL Roberts for their generous help with this chapter.

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[1] *"Resident of Denver, Colorado since 1884 and a leading factor in establishing its most important lines of philanthropic work. Has been President of the Old Ladies' Home, Children's Hospital, and of the State Board of Charities and Corrections* [my emphasis – more later]. *Founder and life President of the Jacob Downing Home for the Aged. Through her efforts the State Home for Mental Defectives was established. Member Colorado Chapter, D. A. R., and Mayflower Society."* Representative Women of Colorado. 1914. *James Alexander Sample. The State Board of Charities and Corrections, of which she was President from __ to __.*

[2] *"Harry B. Tedrow, appointed by President Woodrow Wilson as United States Attorney in 1914, proved to be a most tenacious prosecutor."* justice.gov/sites/default/files/usao/legacy/2011/11/23/bicn_celebration.pdf . Mr. Tedrow died unexpectedly on January 1, 1921, before the boys sentence was handed down.

[3] (Chapter 67)

[4] Mr. Shaw was the party's standard-bearer for the US Senate seat in 1930 (unsuccessful).

[5] Many viewed Mr. Hawkins as Denver's leading criminal lawyer at the time. He may be best known as attorney for the *United Mine Workers of America* in the wake of the *Ludlow Massacre* and the *Colorado Coalfield Wars*. Vanderbilt Law School. Denver City Council, 1918-1919. denvergov.org

[6] Married to Kate (née Williams - 1877-1930). Kate was the 'third' sister, the wives of George and Ernest being the other two. Together the three sisters were the heirs to the considerable fortune of their uncle, Asa Sterling, an early Colorado cattleman, Greeley banker and businessman.

[7] *Hank the Cowdog,* 'family' book series (required reading). John R. Erikson.

THE LEGAL PLAYERS

Harry B. Tedrow, US Attorney, 1917. Wikipedia, Bench and bar of Colorado (1917)/Portraits

Fred W. "Judge" Stow, Attorney for the Defense, 1917. Wikipedia, Bench and bar of Colorado (1917)/Portraits

Horace N. Hawkins, Attorney for the Defense - Motion for a New Trial, 1914. Walter P. Reuther Library

Colorado District Court Judge Robert E. Lewis, Trial Judge, openjurist.org

Colorado District Court Judge John F. Symes, Sentencing Judge, Wikipedia

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