

“Cairo Farmer Dies in Shootout”

*The Grand Island
Daily Independent
Wednesday, October 24, 1984*

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Courtesy *The Grand Island Daily Independent*

The Grand Island Daily Independent, Oct. 24, 1984

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gets \$5.9 million
federal grant

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Legislative
committee hears
S.E. Copple testify

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Omaha Central
can keep
its gridiron record

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PREP

The Grand Island Daily Independent

Vol. 114, No. 296

Grand Island, Nebraska—Wednesday, October 24, 1984

Single Copy 25¢
Lower Price for Carrier Delivery

48 Pages
Plus Supplements

Cairo farmer dies in shootout

By JIM TITSWORTH
Independent Staff Writer

Arthur L. Kirk, 49, died Tuesday in a shootout with a Nebraska State Patrol SWAT Team. Hall County Attorney Steven Von Riesen said Kirk was shot as he ran toward a sandbagged position at the windmill on his rural Cairo farm, after he had fired at the officers. He had refused an order to surrender to the SWAT Team, Von Riesen said.



Kirk

G.I. bank files lawsuit against Cairo couple

By JIM FADDIS and BRUCE WEIBLE
Independent Staff Writers

Norwest Bank of Grand Island filed a lawsuit in Hall County District Court Tuesday to recover assets and \$100,000 in cash from Arthur and Debra Kirk. Arthur Kirk, of rural Cairo, was killed Tuesday in a shootout with a Nebraska State Patrol SWAT Team.

The suit states Kirk owed the bank \$201,891 in principal and interest. The bank asked the court to give it possession of approximately 190 head of cattle, 20,000 bushels of grain and farm equipment belonging to Kirk. It also alleges Kirk sold livestock and crops that were pledged to the bank without turning over the proceeds, totaling approximately \$100,000, to the bank.

The bank also asked for proceeds from 20,000 bushels of Payment-In-Kind corn, which Kirk had sold.

As of Oct. 15, the suit states the Kirks had borrowed \$256,500 from the bank and owed it \$24,961 in interest.

The bank said Kirk entered a security agreement on the property Nov. 4, 1983, and a financing statement was renewed Aug. 10, 1983. The petition states Kirk had put up no collateral for all farm equipment, crops and livestock.

Claiming the Kirks were in default, the bank asked the court to give it immediate possession of the equipment, crops and livestock of Kirk's and \$100,000.

Kirk had filed two actions in the federal courts in July, naming Norwest Bank and officers Richard Faldorf, Thomas Collins and Richard E. Speltz Jr. as defendants.

A spokesperson for the clerk of the U.S. District Court in Lincoln said the actions were filed as part of a larger action, Kirk vs. Norwest Bank and Others. According to the spokesperson, those actions were ordered dismissed on Oct. 4, except for those pertaining to one sub-chapter of the U.S. Code. An amended motion was also granted on Oct. 9, dismissing all actions except those dealing with a different sub-chapter.

Among the actions filed by Kirk were a notice of intent to file an action against the bank and a "notice of rescission," contending that the bank had 10 days to release all liens and mortgages "subject of the instant lawsuit."

Copies were filed in the Hall County register of deeds office, along with three other documents. They alleged the Kirks were owners of the land and property involved, that the Kirks were entitled and were claiming a "homestead exemption" to set aside the real estate and other personal property "as exempt," and a warning posting the Kirk property with a "federal post."

Wednesday report

Reagan recalls Grenada invasion

By The Associated Press

President Reagan, after facing the worst heckling of his campaign, is defending a 24-year-old letter he wrote criticizing John F. Kennedy, while challenger Walter Mondale concedes the Carter-Mondale administration didn't do enough for the embattled steel industry and sales for another chance.

Reagan ignored the one-year anniversary Tuesday of the terrorist bombing that killed 241 American servicemen in Beirut, but today he was remembering another anniversary, the U.S. rescue-invasion of Grenada. Page 2

Crash kills Salvadoran army leader

SAN SALVADOR, El Salvador (AP) — The Salvadoran army's leading field commander and three other top officers were among 14 people killed when their helicopter crashed during an offensive against leftist rebels.

The guerrillas claimed they shot down the helicopter, but the military said the crash Tuesday "almost certainly" was caused by mechanical failure.

Among those killed was Lt. Col. Domingo Monterrosa, 42, widely considered the army's most effective combat commander. His death marks the worst single blow to the Salvadoran military leadership in the 5-year civil war. Page 37

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SWAT team members returned fire, killing Kirk.

Von Riesen said Kirk was the only casualty of the shootout. He said that before the SWAT team was called in, a sheriff's deputy tried unsuccessfully to negotiate with Kirk in an attempt to get him to surrender to arrest. About 4 p.m. an arrest warrant for Kirk was issued for felony resisting arrest with a dangerous weapon.

Von Riesen also said that after the SWAT team moved into position, after darkness, a deputy and State Patrol negotiator had talked with Kirk in another unsuccessful attempt to get him to surrender.

Von Riesen said that Kirk's wife, Debra, had also talked to Kirk on the telephone from the Grand Island State Patrol Headquarters during the negotiations, but he said he did not know what they talked about.

Corn inventory level is lowest in 8 years

WASHINGTON (AP) — The U.S. corn inventory going into this fall's harvest was the lowest in eight years, reflecting the 1983 drought and government acreage cutbacks, a report by the Agriculture Department showed Tuesday.

As of Oct. 1, the beginning of the new marketing year, an estimated 72.3 million bushels of old-crop grain were on hand, down 7 percent from the record high of 1.12 billion bushels a year ago.

According to USDA records, that was the smallest Oct. 1 corn carryover since 1976, when the inventory was 400 million bushels.

The Oct. 1 inventory was 66 million bushels less than had been projected by USDA Oct. 12. At that time, the old-crop carryover was expected to be about 78 million bushels.

Based on the new Oct. 1 stocks of corn, the department will issue new projections for the entire 1984-85 marketing year, including a look at what the corn carryover may be next Sept. 30. Those new figures will be issued on Wednesday.

Currently, based on the previous Oct. 1 projection, the corn carryover on Sept. 30, 1985, is expected to be slightly more than 1.1 billion bushels, a decrease reflecting this fall's larger crop — 7.5 billion bushels against the 1983 harvest of 4.17 billion bushels.

When Agriculture Secretary John R. Block announced the department's 1985 feed grain program on Sept. 14, the corn carryover at the end of the 1984-85 season was projected at less than 1.02 billion bushels.

The 1985 feed grain program requires farmers to idle 10 percent of their base acreage in order to qualify for federal price support benefits on the crop. If the Sept. 30, 1985, corn carryover had been projected at more than 1.1 billion bushels, Block would have been required by law to add a further acreage cutback of at least 1 percent, for which farmers would have received cash "diversion" payments.

Farmers began signing up in next year's crop programs, including feed grain, on Oct. 15. Enrollment will continue through March 1.

The grain inventory report also showed Oct. 1 stocks of old-crop sorghum at 220 million bushels, down 38 percent from 400.2 million a year earlier.

Other grains included: Oats, 474.3 million bushels, down 6 percent from 508.2 million; barley, 54.5 million bushels, up 13 percent from 515.5 million; wheat, 2.72 billion bushels, down 8 percent from 2.96 billion; and soybeans, 174.8 million bushels, down 49 percent from 344.6 million.

The snakes flood around in the water, you can see 'em. They're real big," she added.

National Guard trucks evacuated 121 patients from a nursing home in Erath, La., Tuesday afternoon. Nursing home resident Celina Leblanc, 73, said she stepped out of bed Tuesday morning into ankle-deep water. "It just kept on rising," she said. "Thank God the trucks came."

"There was water all over — everywhere," said Doris Bertrand, 56, another nursing home resident evacuated to the nearby Abbeville High School Gymnasium. "I'm glad to get out."

Crowther said there was a "potential for 3 to 5 inches" of rain overnight in Louisiana's bayou country, with nearly 12 inches already fell Tuesday.

Gov. Edwin Edwards declared the area, Lafayette, Vermilion and St. Martin parishes disaster areas Tuesday.

There it is! — Arved Rasmussen, 80, of Damsburg rediscovered his sideboard under a thick cover of leaves Tuesday afternoon. Lawns in Damsburg, which has more than its share of leafy trees, were blanketed with the colorful things. More leaves were floating downward in the fall breeze too. (Photo by Rich Fox)

Reporter talks to Kirk hours before shooting

1984, The Grand Island Daily Independent
By JIM TITSWORTH
Independent Staff Writer

Art L. Kirk of rural Cairo died in a shootout with a Nebraska State Patrol SWAT Team at 10:30 p.m. Tuesday on the farm where he was born 69 years ago.

County Attorney Steve Von Riesen said Wednesday morning that Kirk was killed when he opened fire on the SWAT team. The SWAT team was called in by the Hall County Sheriff's department after an arrest warrant was issued against Kirk for "felony resisting with a dangerous weapon."

The incident began about 1:45 p.m. Tuesday when three Hall County deputies tried to serve legal papers at Kirk's farm, two miles east and one mile north of Cairo. A stalemate developed with drawn pistols, and deputies subsequently observed Kirk from parked vehicles on the road as he returned to harvesting beans while daylight lasted.

Kirk and this reporter met accidentally about five hours before the shootout.

During the discussion, he said his farming operation had shrunk from 2,000 acres three years ago to the 260-acre farmstead on which he was born. He once had 250 head of cattle. Currently he had 60 brood cows, he said. "It's not the sheriff's duty to carry out the bankers' dirty duties like that," Kirk said of the standoff.

Kirk acknowledged he was going to fight for what was left of his farming operation and that he had pulled a pistol on the three deputies trying to serve the papers.

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to Sheriff's deputies involved. Unable to find them, the writer had stopped at three other farms to ask directions to the Kirk farm. At two, no one was home; at the third a worker said he did not know. At the fourth farm, when Kirk was approached and asked where the Art Kirk farm was located, he replied, "You're speaking to him."

Kirk said that after the initial incident he went about his business, harvesting beans on land south of his farmstead. The gate to his house, which sits about 200 yards off the road, was barred by a barbed wire fence.

As Kirk opened his gate he pointed out the deputies parked about three-fourths of a mile away. He was angry as he talked about what had happened, telling how he had walked from his shop to be confronted by three deputies.

As it was, however, the projected carryover was less than the 1.1 billion bushels specified by Congress, although the Oct. 12 projection exceeded the specified trigger for a paid diversion for corn.

Block has been under pressure from the east and west members of Congress and commodity officials to add the paid diversion as a sweetener to the 1985 program. However, budget-conscious people within USDA and elsewhere in the administration have advised against it.

Farmers began signing up in next year's crop programs, including feed grain, on Oct. 15. Enrollment will continue through March 1.

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"We're afraid of the snakes, that's why we're keeping (residents) here," Dorothy Mergitt, a manager of the evacuation center at Abbeville High School said this morning. "The water's very high. In some locations it's as much as 4 feet deep."

"The snakes flood around in the water, you can see 'em. They're real big," she added.

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Kirk

Tuesday about 1:45 p.m. Kirk had refused service of civil papers to recover \$100,000 from the sale of crops and livestock and his 240-acre farm and equipment. He had forced a standoff with three Hall County sher-

iff's deputies, pulling a .41-magnum pistol to force them off his land.

Five hours before he died, Kirk told The Independent he was confronted by the deputies on his farm, and one of them had displayed a pistol before he pulled his pistol. County Attorney Steve Von Riesen said that Kirk had pulled his gun first.

Von Riesen said Kirk was killed about 10:30 p.m. as he tried to fight his way to the sandbagged windmill. He died in his farmyard, holding an AR-15 army-type rifle that was converted for automatic firing.

Von Riesen said Kirk's face was camouflaged for night fighting, and he was wearing a gas mask and a steel helmet. He said Kirk was attempting to run from his farmhouse to the sandbagged windmill when a SWAT team member called, "Stop." Von Riesen said Kirk fired in the direction of the voice and at least two

SWAT team members returned fire, killing Kirk.

Von Riesen said Kirk was the only casualty of the shootout.

He said that before the SWAT team was called in, a sheriff's deputy tried unsuccessfully to negotiate with Kirk in an attempt to get him to surrender to arrest. About 4 p.m. an arrest warrant for Kirk was issued for felony resisting arrest with a dangerous weapon.

Von Riesen also said that after the SWAT team moved into position, after darkness, a deputy and State Patrol negotiator had talked with Kirk in another unsuccessful attempt to get him to surrender.

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Hall County District Court records show that a petition of replevin was filed Tuesday, alleging that Kirk owed Northwest Bank of Grand Island \$301,891 from from three loans made between Nov. 4, 1983, and Feb. 3, 1984.

Supporting documents, which required service by the Hall County Sheriff, demanded \$100,000 cash proceeds from sale of crops and livestock, as well as his farm and farm equipment.

Von Riesen said that part of the continuing investigation was to determine Kirk's link to the posse comitatus, if any. Before his death, Kirk had claimed his telephone was tapped, but Von Riesen said he did not know of any wire tap on Kirk's telephone.

He also said he was considering a coroner's inquest, but had not yet made a decision.

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The suit states Kirk owed the bank \$301,891 in principal and interest.

The bank asked the court to give it possession of approximately 190 head of cattle, 20,000 bushels of grain and farm equipment belonging to Kirk. It also alleges Kirk sold livestock and crops that were pledged to the bank without turning over the proceeds, totaling approximately \$100,000, to the bank.

The bank also asked for proceeds from 20,000 bushels of Payment-In-Kind corn, which Kirk had sold.

As of Oct. 15, the suit states the Kirks had borrowed \$266,900 from the bank and owed it \$34,991 in interest.

The bank said Kirk entered a security agreement on the property Nov. 4, 1983, and a financing statement was renewed Aug. 10, 1983. The petition states Kirk had put up for collateral all farm equipment, crops and livestock.

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The Grand Island Daily Independent, Oct. 24, 1984

Third Article, upper right side: "Reporter talks to Kirk hours before shooting"

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1984, The Grand Island Daily Independent

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Art L. Kirk of rural Cairo died in a shootout with a Nebraska State Patrol SWAT Team at 10:30 p.m. Tuesday on the farm where he was born 49 years ago.

County Attorney Steve Von Riesen said Wednesday morning that Kirk was killed when he opened fire on the SWAT team. The SWAT team was called in by the Hall County Sheriff's department after an arrest warrant was issued against Kirk for "felony resisting with a dangerous weapon."

The incident began about 1:45 p.m. Tuesday when three Hall County deputies tried to serve legal papers at Kirk's farm, two miles east and one mile north of Cairo. A stalemate developed with drawn pistols, and deputies subsequently observed Kirk from parked vehicles on the road as he returned to harvesting beans while daylight lasted.

Kirk and this reporter met accidentally about five hours before the shootout.

During the discussion, he said his farming operation had shrunk from 2,000 acres three years ago to the 240-acre farmstead on which he was born. He once had 250 head of cattle. Currently he had 60 brood cows, he said.

"It's not the sheriff's duty to carry out the bankers' dirty duties like that," Kirk said of the standoff.

Kirk acknowledged he was going to fight for what was left of his farming operation and that he had pulled a pistol on the three deputies trying to serve the papers.

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to sheriff's deputies involved. Unable to find them, the writer had stopped at three other farms to ask directions to the Kirk farm. At two, no one was home; at the third a worker said he did not know. At the fourth farm, when Kirk was approached and asked where the Art Kirk farm was located, he replied, "You're speaking to him."

Kirk said that after the initial incident he went about his business, harvesting beans on land south of his farmstead. The gate to his house, which sits about 200 yards off the road, was barred by a barbed wire fence.

As Kirk opened his gate he pointed out the deputies parked about three-fourths of a mile away. He was angry as he talked about what had happened, telling how he had walked from his shop to be confronted by three deputies.

As Kirk recalled the incident, he said he first saw a deputy, identifiable from his description as Lt. Roger Williams, with papers in one hand and a small-frame revolver in the other. Kirk said he pulled his own gun — a .41 magnum with an 8½-inch barrel — from his pocket and pointed it at the deputy.

At that point, Kirk said he saw Jim O'Brien, another deputy he identified by name, standing beside a metal grain bin, near Williams. Kirk became agitated and talked in a high-pitched voice as he talked about the incident.

He walked around his grain truck and pointed to a red sign, with the words "Posted, Keep Out." "That's a federal posting. It's punishable by a \$10,000 fine or 10 years in a federal prison," Kirk said.

As Kirk argued that the deputies had no right to come uninvited on his property, he pulled out the gun, which was in the right-hand pocket of his dark-green coveralls, and pointed it in the direction of the deputies parked nearly a mile away. His finger was never on the trigger. He pointed with the gun as a man might point with his finger.

Kirk then invited this reporter onto his property to describe the incident and show where it occurred.

Behind the house, which was on a hill overlooking the country road, was another rise with a Quonset-type hut that he said was his workshop.

Standing on the farmland that he said his father bought from his grandfather, and that he bought from his father, Kirk continued the story.

He said Williams told him to put the revolver away, but Kirk said he had pointed it at Williams. About that time, Kirk said another deputy with a pump shotgun stepped from behind a horse trailer about 20 feet behind the right side of Kirk.

Kirk said Williams told him he had papers to serve and that they were hanging on a fence.

Continued on Page 2

The Grand Island Daily Independent, Oct. 24, 1984

Third Article, upper right side, continued on p. 2: "Reporter talks to Kirk hours before shooting"

Reporter talks to man hours before shooting

Continued from Page 1

"Do you see any papers. I don't know where they are? I didn't see any papers," he said he responded.

Kirk said he did not know what the papers concerned, but he acknowledged they could be bank-related. "I've had problems with banks just like every other farmer."

Kirk said the confrontation ended when he turned and ran back toward his work shop. "They could have gunned me down if they wanted to," he said.

At that time the deputies left Kirk's property, he said. But they followed him as he went about his farm work.

Kirk said it was time that farmers fought back — "like they had in 1776." He suggested that vigilante groups to protect farmers might become more popular. But Kirk denied he was a member of the Posse Comitatus. "That's a much maligned term," he replied of the posse.

He said he preferred to use the term vigilante groups. "If they ever get organized — they're not organized — they'll have to be reckoned with."

Kirk, a strongly built man about 5-foot-8-inches tall, appeared to have been growing a winter beard for about two weeks. It was more gray than light-brown. Kirk's voice was calm and almost hard to hear as he talked in his farm yard.

A crowd of cats and a single, black poodle that was smaller than the cats congregated around Kirk. He bent down and pointed south, through some trees, toward his section line.

"My grandfather lived in a house over there. A tornado took it and he moved here," he said, turning to point toward an ancient, leaning shed.

Later Tuesday evening, Kirk tried

to contact this reporter at the newspaper office, leaving the message, "I've got problems."

Kirk was contacted about 8:30 p.m. by telephone by this reporter. His voice again was high-pitched. He said, "I know they're coming for me . . . I am ready to die, but I'm going to take a lot of them with me."

He said that his telephone was tapped and he knew that someone had been listening to his telephone conversations for several weeks. He complained that his telephone conversations that night had been fading.

He said he had read a lot about situations like his and was prepared for an assault. "They'll kill the dog first," Kirk said. He explained that he had taken his registered Black Labrador retriever out of the kennel and had a surprise for anyone who might assault his home.

"I'm ready to die," Kirk said during the telephone call.

Earlier, during the first conversation, Kirk had said, "I'm not afraid of them . . . I'd rather fight them in court, but I'll do it this way . . . I don't belong in a dirty, damn jail."

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Polk County farm group tabs Thelen

OSCEOLA (CNS) — Richard Thelen of Shelby was chosen president of the Polk County Farm Bureau at the bureau's recent annual meeting. Wesley Peterson was elected vice president; Don Schott, secretary-treasurer, and Tom Peterson, junior board member.

Mrs. Frances Sandell will be woman's chairman for the 1984-85 school year.

**The Grand Island Daily Independent, Oct. 24, 1984
TRANSCRIPT**

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By Jim Titsworth, Independent Staff Writer**

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County Attorney Steve Von Riesen said Wednesday morning that Kirk was killed when he opened fire on the SWAT team. The SWAT team was called in by the Hall County Sheriff's department after an arrest warrant was issued against Kirk for "felony resisting with a dangerous weapon."

The incident began about 1:45p.m. Tuesday when three Hall County deputies tried to serve legal papers at Kirk's farm, two miles east and one mile north of Cairo. A stalemate developed with drawn pistols, and deputies subsequently observed Kirk from parked vehicles on the road as he returned to harvesting beans while daylight lasted.

Kirk and this reporter met accidentally about five hours before the shootout.

During the discussion, he said his farming operation had shrunk from 2,000 acres three years ago to the 240-acre farmstead on which he was born. He once had 250 head of cattle. Currently he had 60 brood cows, he said.

"It's not the sheriff's duty to carry out the bankers' dirty duties like that," Kirk said of the standoff.

Kirk acknowledged he was going to fight for what was left of his farming operation and that he had pulled a pistol on the three deputies trying to serve the papers.

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to sheriff's deputies involved. Unable to find them, the writer had stopped at three other farms to ask directions to the Kirk farm. At two, no one was home; at the third a worker said he did not know. At the fourth farm, when Kirk was approached and asked where the Art Kirk farm was located, he replied, "You're speaking to him."

Kirk said that after the initial incident he went about his business, harvesting beans on land south of his farmstead. The gate to his house, which sits about 200 yards off the road, was barred by a barbed wire fence.

As Kirk opened his gate he pointed out the deputies parked about three-fourths of a mile away. He was angry as he talked about what had happened, telling how he had walked from his shop to be confronted by three deputies.

As Kirk recalled the incident, he said he first saw a deputy, identifiable from his description as Lt. Roger Williams, with papers in one hand and a small-frame revolver in the other. Kirk said he pulled his own gun – a .41 magnum with an 8 ½ barrel – from his pocket and pointed it at the deputy.

At that point, Kirk said he saw Jim O'Brien, another deputy he identified by name, standing beside a metal grain bin, near Williams. Kirk became agitated and talked in a high-pitched voice as he talked about the incident.

He walked around his grain truck and pointed to a red sign, with the words 'Posted, Keep Out.' "That's a federal posting. It's punishable by a \$10,000 fine or 10 years in a federal prison," Kirk said.

As Kirk argued that the deputies had no right to come uninvited on his property, he pulled out the gun, which was in the right-hand pocket of his dark-green coveralls, and pointed it in the direction of the deputies parked nearly a mile away. His finger was never on the trigger. He pointed with the gun as a man might point with his finger.

Kirk then invited this reporter onto his property to describe the incident and show where it occurred.

Behind the house, which was on a hill overlooking the country road, was another rise with a Quonset-type hut that he said was his workshop.

Standing on the farmland that he said his father bought from his grandfather, and the he bought from his father, Kirk continued the story.

He said Williams told him to put the revolver away, but Kirk said he had pointed it at Williams. About that time, Kirk said another deputy with a pump shotgun stepped from behind a horse trailer about 20 feet behind the right side of Kirk.

Kirk said Williams told him he had papers to serve ant that they were hanging on a fence.

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“Do you see any papers. [sic] I don’t know where they are? [sic] I didn’t see any papers,” he said he responded.

Kirk said he did not know what the papers concerned, but he acknowledged they could be bank-related. “I’ve had problems with banks just like every other farmer.”

Kirk said the confrontation ended when he turned and ran back toward his work shop. “They could have gunned me down if they wanted to,” he said.

At that time the deputies left Kirk’s property, he said. But they followed him as he went about his farm work.

Kirk said it was time that farmers fought back – “like they had in 1776.” He suggested that vigilante groups to protect farmers might become more popular. But Kirk denied he was a member of the Posse Comitatus. “That’s a much maligned term,” he replied of the posse.

He said he preferred to use the term viginalante [sic] groups. “If they ever get organized – they’re not organized – they’ll have to be reckoned with.”

Kirk, a strongly built man about 5-feet-8-inches tall, appeared to have been growing a winter beard for about two weeks. It was more gray than light-brown. Kirk’s voice was calm and almost hard to hear as he talked in his farm yard.

A crowd of cats and a single, black poodle that was smaller than the cats congregated around Kirk. He bend down and pointed south, through some trees, toward his section line.

“My grandfather lived in a house over there. A tornado took it and he moved here,” he said, turning to point toward an ancient, leaning shed.

Later Tuesday evening, Kirk tried to contact this reporter at the newspaper office, leaving the message, “I’ve got problems.”

Kirk was contacted about 8:30 p. m. by telephone by this reporter. His voice again was high-pitched. He said, “I know they’re coming for me . . . I am ready to die, but I’m going to take a lot of them with me.”

He said that his telephone was tapped and he knew that someone had been listening to his telephone conversations for several weeks. He complained that his telephone conversations that night had been fading.

He said he had read a lot about situations like his and was prepared for an assault. "They'll kill the dog first," Kirk said. He explained that he had taken his registered Black Labrador retriever out of the kennel and had a surprise for anyone who might assault his home.

"I'm ready to die," Kirk said during the telephone call.

Earlier, during the first conversation, Kirk had said, "I'm not afraid of them . . . I'd rather fight them in court, but I'll do it this way . . . I don't belong in a dirty, damn jail."

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