

CHARACTER WITNESS CALLED

(Continued from page one.)

time after the Hale incident.

Offutt denied that he was a member of the "party," and was vague on seeing some "black robes" in a box in the Odd Fellows, except that they were black. He could not further describe them.

The defense filed objections to the line of questioning used by the state in its examination of Offutt, and were overruled by the court. He said he intended to stand by his announced policy of liberality, and "let all come out." The state's questions were based on testimony given before the grand jury.

Mrs. J. H. Cochran was the first witness called at the opening of the morning session, to testify to the reputation for "truth and veracity" of Howard A. Hill. An objection was made by the state, which was sustained by the court, and the defense changed their questions to their general reputation for "truth and veracity" of Howard A. Hill. An objection was filed by the state which was sustained by the court, and the defense changed their questions to their general reputation for truth and veracity. Mrs. Cochran testified that Howard was a former pupil and that his reputation was good.

Business Men Testify.
J. A. Perry, a resident of Medford, a bank official, testified that Dr. Bray's reputation for truth and veracity was good, and he had known him for four years.

O. L. Davidson, a news and cigar dealer, testified that he had lived in Medford for 12 years, knew Dr. Bray three years, and his reputation was good.

Glen Fabrick, laundryman, testified he had lived in Medford 15 years, and known Dr. Bray for four years, and his reputation as a peaceful and law-abiding citizen was good.

Prof. N. M. Narrogon, testified he had known Hill for 32 years, the length of his residence in this section and that his reputation as a peaceful and law-abiding citizen was good.

Mahlon Purdin, attorney and former mayor, under whom Hittson served as chief of police, testified he had lived in Jackson county 50 years and that Hittson's reputation as a peaceful and law-abiding citizen was good, and he had heard nothing to the contrary, until the present controversy arose.

Mrs. R. W. Stearns testified that he had been a resident of Medford for 11 years, and had known Howard Hill for ten years, and that his reputation as a peaceful and law-abiding citizen was good. Mrs. Stearns testified she "had talked little about the Hale incident."

W. J. Warner, postmaster testified that he had known Hill for 23 years and that his reputation on the point of a question was good. Warner said he was a close friend of the Hill family.

George A. Coddling was recalled to stand to testify regarding his appearance before the grand jury.

Alibis Are Supported.

John Winterhalter, a clerk at De-

Voe's, Walter Whisenant, and Gene Watkins testified that they had seen Dr. Bray in De Voe's store between 11 and 12 o'clock p. m. on the night of March 17th, in corroboration of Dr. Bray's testimony. Whisenant did not remember the date, and said Dr. Bray and he had talked about a sore hand he had.

Books used at De Voe's were produced to corroborate the date, and were introduced for identification purposes by the state. Watkins corroborated the testimony of Whisenant and Winterhalter. The latter denied a query that he had ever said anything to the effect that Hale ought to be hung.

The defense expects to close its case early Friday morning, according to Attorney Winslow and it is foreseen that the trial will be completed this week.

Co. Clerk Florey Testifies.
Chauncey Florey, county clerk, and former employer of Miss Ruberta Pierce, who testified she "was not exactly engaged" to Hale showed considerable feeling on the stand, and said it was due to "not expecting to be called as a witness, and guess I am a little peeved over it."

Florey testified that Hale's reputation for veracity was bad, and for morality "rotten."

In response to questions by the state, Florey said "I am not a member of the Klan, and if I was I wouldn't be ashamed of it," and added that "I never expect to run for office again."

Florey was questioned about civil suits Hale had been a party to in the local courts, including one with the Jackson County Bank, and brought for the witness, that "the jury had decided in his favor."

Florey testified that he had talked to Ruberta Pierce, about the "reputation of Hale," and that the young woman had followed the promptings of her heart with a determination that "I did most of the talking," said Florey. "She thought he was all right" with the observation later "that she was the only one about" that held this opinion. The defense brought out this incident.

Sandefur a Klansman.

S. B. Sandefur, county prohibition officer, testified that he had seen Howard Hill going home about 10:30 on the night of March 17, 1932, as Hill and Mrs. Bert R. Elliott had testified. Sandefur admitted that he "was a member of the organization that meets in the Odd Fellows' Hall" and testified "there was nothing in their oath that was above the court oath."

Glen Fabrick, laundryman called to testify to the reputation of Hale, said it was bad. Fabrick said he formerly belonged to "the organization that meets in the Odd Fellows' hall." Asked if he had resigned, Fabrick replied, "I have not paid any dues for a year."

C. W. McDonald, banker Glenn O. Taylor, justice of the peace, and T. W. Miles, attorney also testified to the good reputation of the defendants. B. J. Palmer testified to the bad reputation of J. E. Hale for "truth and veracity."

Yesterday's Session.

The three defendants—Dr. Jouett P. Bray, minister and chiropractor; Jesse F. Hittson, auto dealer, and Howard A. Hill, orchardist—on trial in the Jackson county night riding cases, all testified at the Wednesday afternoon session. All offered alibis of their whereabouts on the night of March 17, 1932, and all were supported by witnesses, who corroborated their statements.

Hill, on the stand in his own behalf testified that on the night in question he had quit his orchard work about 5:30 p. m., had gone to his home, eaten his supper, and about 7:30 drove down town looking for a man to work on his place. He said he spent about an hour around Front street, and received a couple of phone calls from his wife, regarding the sickness of their child. About nine o'clock, he drove to the home of Dr. Bray, and that he was met by Mrs. Bray. He then drove to near the Rialto theater, and met Dr. Bray when he came out of the movie, and asked him to go to his home, to treat his child. He said that he did this, Dr. Bray going in his own car, and Hill in his own. On the way, near DeVoe's ice cream parlor and store, Hill testified he met George A. Coddling and drove him to his home on Laurel street. Hill then said he went to his own home. Dr. Bray was there administering treatment, and that after a short visit with Dr. Bray, he took the car to the ranch in southwest Medford, he having no garage at his home. He then walked home and retired.

Hill denied that he had ever worn a black robe in a meeting of a lodge in the Odd Fellows Hall, as testified to by W. L. Craig, or that he had ever told J. E. Edmiston that he had burned the black robes used on the night of the "hanging," and alleged to have been worn by the captors of

Hale. Hill said that he had no fraternal relations with Craig, as far as he knew, and was not very well acquainted with him.

"No Use for Dates."
Two checks for \$2.50, both said to have been dated March 17 were introduced under cross examination by the state for identification. Hill testified they were in payment of services rendered by Dr. Bray, who Hill testified had made two visits, and explained both being dated on "March 17th" with "I am a farmer, and have no use for dates." Hill denied that the "checks had been made that way to form an alibi," in response to a state question.

Hill testified that Dr. Bray had administered chiropractic treatment and had given his little girl a dose of castor oil.

Asked by the state counsel, if he belonged to a faith, that did not sanction the use of medicine, in the treatment of sickness, Hill said he belonged to the Christian Scientist church, and "attended it still, whenever we go." In response to a further question Hill testified he "liked to have doctors around."

Hill denied statements alleged to have been made in the presence of Tom Ward, federal investigator.

Bray Offers Alibi.

Dr. Jouett P. Bray was then called and testified that he was a minister and chiropractor, now living at Myrtle Point, Oregon. Bray described his affairs in Medford, ministerially and professionally.

He described his movements on the night of March 17, 1932, as follows: Left his office in the Liberty building about five o'clock or shortly afterwards, and after transacting some odd errands around town, had some home, eaten supper, and then put on a pair of overalls, and started to paint the living room floor, finishing between 7:30 and 8 o'clock in the evening. He then testified that he went to the Rialto theater, and remained until 9:30 or 9:45 o'clock. He testified he saw Mr. and Mrs. Riley D. Henson seated in the audience. Outside of the theater, Bray said he met Howard Hill and was requested to go to his house to treat his little girl and left to comply, driving a Dodge car. He said Hill arrived after he did. He gave the little girl chiropractic treatment, and recommended the taking of castor oil, testifying that the little one was suffering from a light form of stomach trouble.

Bray said he visited socially with the Hill's for a short time and then left for home, stopping at DeVoe's for refreshments, and there met John Winterhalter, a clerk, and Gene Watkins, a customer. He said he talked for a few minutes, and then went home, arriving about 11:40 o'clock, would judge, and immediately went to bed.

Dr. Bray testified he was a licensed chiropractor in this state, and used the "recoll adjustments," which were administered with a "direct thrust." He gave a technical description of his profession.

Dr. Bray said he had never treated J. E. Hale, the "victim," and only knew him slightly. He admitted he had threatened to sue Hale, when he had accused him of being a member of the "party," and also threatened to subpoena Tom Ward, as a witness, who pleaded exemption on the grounds of being a government agent. This occurred during the probe last spring.

Dr. Bray said that the first he heard of the "hanging" incident was from the newspapers on March 18, 1932, and that he first heard he was "suspected" of being a member on the following Sunday. Both Defendants Hill and Bray entered an emphatic denial of being present at the Hale "party," and denied the substance of alleged interviews with Tom Ward. Hill said the first he knew of the hanging was from reading the papers the day following, and that he heard he was under suspicion on the same day. Dr. Bray testified that "some of the folks had teased and joked him about it." Dr. Bray testified he was a southerner and the state declared it wanted his record to show in the records.

In the cross-examination of the two defendants, the state laid the ground for the introduction of impeaching testimony.

Mrs. Howard A. Hill and Mrs. Jouett P. Bray testified, and corroborated the testimony of their husbands. They were subjected to little, if any, cross examination.

Alibis Corroborated.
Mrs. Bert R. Elliott testified that about 10:30 o'clock, she had recognized Howard Hill as he passed under a street light. Mrs. Elliott said she judged the time from the fact that her little daughter generally awakened about that time, and when she heard that Hill was "under suspicion" she remembered the incident. She said she was very close to the Hill's socially. The state spent considerable time in its cross examination of Mrs. Elliott, who said she first heard of the "hanging" from her brother-in-law, a Mr. Rightmeyer of Grants Pass, who had questioned her about it, being a resident of this city.

George A. Coddling, of the commissioner of corporations office at Salem, a former resident of Medford, testified that he met Hill near DeVoe's store about ten o'clock on the night of March 17, 1932, and rode home in Hill's car. He said he belonged to the "same fraternal organization as Hill."

Mrs. J. F. Hittson and Miss Carmen Hittson, wife and daughter of J. F. Hittson, testified that he was at home on the night of March 17, 1932, and that William Offutt, Jr., was present, and left about eleven o'clock. At the opening of the afternoon session of court, Sheriff Terrell was questioned relative to statements he was alleged to have made to Joe Cave Medford policeman and W. H. Leggett, former Medford policeman, regarding a gun permit issued to "Shine" Edwards, now serving a county jail sentence for bootlegging, the state offering objections. Deputy Sheriff Forncrook was also questioned, on the same points.

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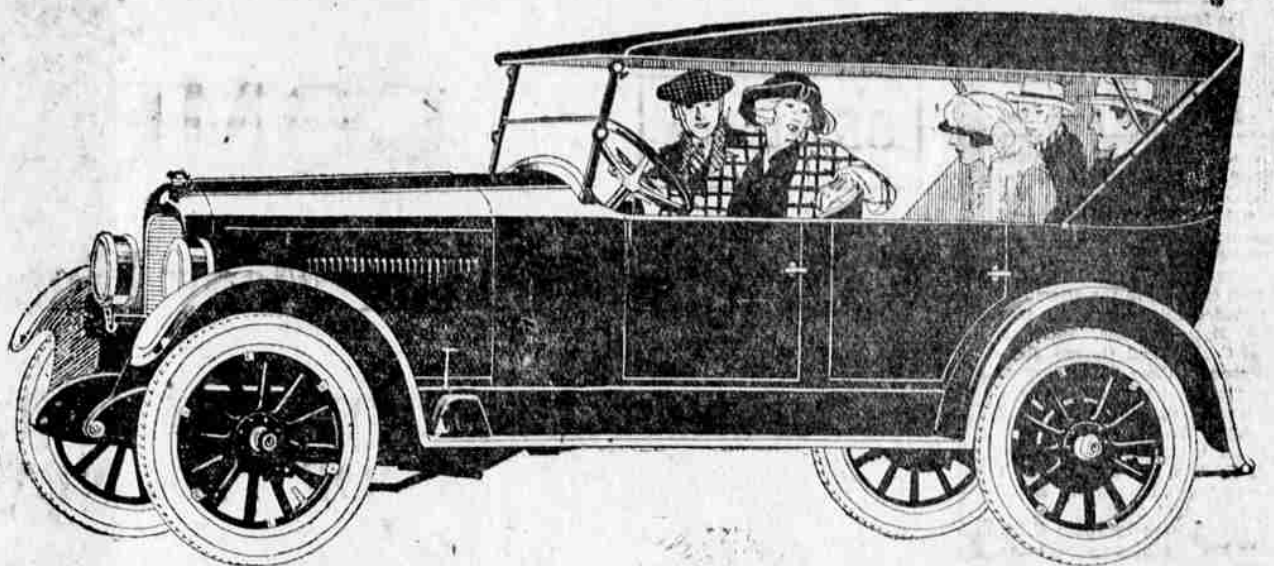
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