

2 COUNTY OFFICIALS IDENTIFIED

(Continued from Page One)

Norris was told to put up his hands. He said he looked around a second time, and Norris had his hands down again.

The witness said he had tried to count the masked band, "but they kept jumping around pretty much." He judged there were six or eight in the party.

The jury this noon examined the Ford truck, used in the affair.

Paul York Testifies

Paul York, 18 years of age, an observer and minor principal in the "Taking out" of Henry Johnson, April 9th, last, was called this morning as the first witness in the trial of J. Alexander Norris, former county jailer, and his son-in-law, Thomas E. Goodie, charged with riot in the second of the Jackson county nightriding cases.

A deposition from W. A. Bishop, truckdriver of Jacksonville, Ill. in a local hospital, and a witness for the state, will be taken this noon. This was agreed upon by both sides, at the opening of court this morning. Bishop loaned the defendants the Ford truck with which they made the trip to Ashland, on the evening of the episode.

Case to Jury Tomorrow

It is now predicted that the case will go to the jury Thursday morning, and that the evidence in the case will be finished today.

Only a handful of people, mostly witnesses and friends of the two accused men, attended the session, the overflow crowds and the keen interest of last week being absent.

York gave a frank, straightforward story of the events before, after and during the affair. He testified he had lived in Jacksonville for two years and previous to that time, lived with his parents in Emmett, Idaho. Now and then during the questioning, the witness would reply "That's to the best of my imagination."

York testified that on April 6th, in the afternoon, he and Johnson and the defendants went to Ashland in a Chevrolet car, and brought back a gasoline pump. The quartette left the pump at Walker's garage for repairs. He said Goodie and Norris attended a lodge meeting in the Odd Fellows hall, Medford, while he and Johnson went to a movie. They waited for Norris and Goodie until 12:30 a. m., and then walked to Jacksonville. He said the defendants had told them to wait for a ride, but they grew weary, and "hoofed it home," as the witness said.

The youth then testified that Sunday afternoon, April 9th, while he was playing ball with 25 or so people around, Norris drove up and yelled to him. He went to the car. Goodie asked the whereabouts of "Frank" Johnson, and York replied he didn't know unless he was up the creek. They later found Johnson there, wandering around on a pleasant spring afternoon. They then picked up Norris, and afterwards the party stopped at the York home, the witness not knowing what conversation took place there. The witness then told of the uneventful trip to Ashland, and the task of digging out a gasoline tank Goodie was going to use in his garage business. He testified he and Johnson did most of the work and that the two defendants were "sort of straw bosses."

They left Ashland on the way home after dark, the witness had no idea of the time, and said it was a "hazy night with the moon shining." Trouble was experienced with the truck lights, and that a short distance beyond Phoenix on the Pacific Highway, a "touring car with a yellow light passed them, and about 300 yards down the road stopped, turned and slowly followed them." On cross-examination, York said he thought the touring car was a Studebaker.

The touring car, the witness said, followed when they turned in at the Voorheis Crossing, and passed them at that point, and a short distance beyond, drove off to one side of the road and stopped. The truck also stopped, and six or eight men, masked and armed, came up, and Goodie said: "We're pinched." York said the group came down to about the nose tops, and that they were dark colored. The men wore black masks with eye holes, completely concealing their identity.

York testified they were all ordered out of the truck, and Goodie and Norris told to drive down the road, and that he was taken to one side, and asked "if he had heard about somebody stealing the widow's chickens," and if Johnson was mixed up in it. He also testified that while being led to one side, his cap gouged him in the ribs with a nickle plated revolver. The man asked him if he was working, and he replied that he had been employed by the county, but had quit. He said he was told this was "better than nothing," and was advised "to go back to work." He said he was also told "to quit running around with that nigger."

He testified that during the "hold-up" Norris and Goodie came up, and were told to go back down the road. He also testified that during the proceedings a Ford sedan drove by, and was not molested, and that Johnson had been taken in another direction. He said he was directed to depart, and join the truck. He said the incident was closed with a number of revolver shots.

Under cross examination, York clung to his narration, which was not changed materially.

Benton Poole of the Appellate was the first juror examined at the opening of the afternoon session. Poole was challenged for cause by the de-

fense, because he said he held a fixed opinion regarding the crime being committed.

C. S. Newhall, orchardist, Medford, was then drawn. He was excused as a juror in the Hale case, because of his friendship for Howard A. Hill. He said he would not be influenced by anything that he had read, heard or discussed. The defense asked but a few questions of Newhall.

The talesman said in response to the state questions that he had heard little about the case, had no race prejudice, and no opinion. Fred E. Wahl was excused by the defense and Mrs. Mattie A. Coleman, who served on the Hale jury was called. Mrs. Coleman said she had two grown boys at home, who had grown up in the same town with Henry Johnson, the state's chief witness. She said outside influences would have no bearing on her verdict.

The juror woman was then questioned by the state relative to home talks about the affair. She said Johnson as a boy carried washing to and from her home. She said she never discussed the case, to any extent.

The state passed Mrs. Coleman, and the defense excused A. E. Stratton of Central Point. Lem Tucker, a resident of Ashland for 50 years, was drawn. He said he had never discussed the case. The defense queries were confined almost exclusively to those on the law.

Tucker said he never read about the case, and did not believe in riot, in reply to the state's interrogation. He had no prejudices on account of color, and had no fraternal connections with the defendants. He had no objections to the attorney general's office taking part in the prosecution. Tucker said he knew of a man who was "punished on circumstantial evidence and he didn't deserve it." The state passed Tucker for cause.

Mrs. Hill Not Prejudiced

Mrs. Loretta Lindley was excused by the state, and Mrs. Cora E. Hill, mother of Howard A. Hill, one of the defendants in the Hale case, was called. Mrs. Hill said nothing in that case would influence her in this one.

Mrs. Hill said she had never discussed the case on trial with her family, in reply to the state questions. She said her keen interest in the Hale trial left no sympathy in the case at issue, and was sure she would have no prejudices. She said she bore no ill will against Tom Word and would accept his testimony. She said she knew E. A. Fleming and Bert Moses but slightly. She had no racial prejudices and disapproved lynch law, nor did she believe there were any violations of the law could not reach. She had no opinions whether a crime was committed or not.

C. S. Newhall was excused by the defense, and Mrs. Minnie Slead was drawn. Mrs. Slead was a juror on the first nightriding trial, and was questioned at length on the legal points involved in the case, and she was passed by both sides.

Mrs. Cora E. Hill was excused by the state and Fred Puhl drawn in her place. He was questioned by the defense and at some length by the state regarding his views. He was excused by the defense.

The state excused Mrs. Mary E. Lozier, and W. F. DeFord of Sams valley was drawn. He had heard very little of the case. DeFord was excused by the defense and N. B. Hill, brother of Bert Hill, drawn in his place, who had opinions that would influence him. The defense challenged him for cause. The court excused Hill, and N. Houston of Trail was drawn. He had read and discussed the affair and thought a crime had been committed. He thought it would take considerable testimony to disabuse his mind of the opinion. The court questioned Houston on his qualifications and then excused him. W. H. Eberhard of Medford was then drawn. The witnessman said he had heard, read and discussed the affair, and his prejudices against masks, made him an unfair juror. Mary Jane Meadows of Meadows was then drawn, and under queries of the defense said she would not be influenced by newspaper articles she had read. Mrs. Meadows said she was the mother of eight children, and both the state and defense questioned her at great length, on every possible issue bearing on the case.

Good progress was made the first day of the trial, a jury being selected. Its personnel includes five women, three of whom served in the Hale case last week. Among those called to the jury box was Mrs. Cora E. Hill, mother of Howard A. Hill, acquitted on a riot charge last week, in an allied case to the one now on trial. Hill is a defendant with Bert L. Moses, in the Arthur Burr, colored, kidnapping and "hanging," scheduled to be tried at the conclusion of the present case. The mother was excused by the state, after answering a long list of questions.

The motion of the defense, filed at the conclusion of the opening arguments, asking for the right to inspect the grand jury records was opposed, by the state, and the court ruled, after listening to both sides, that the defense could have the right to inspect the records in this case, alone, and in no other case pending, however. The court did not sign the order.

Court Rules Against State. In handing down the ruling, the court said he agreed with both sides, and assured the state "no precedent would be established," which was the main grounds upon which the granting of the order was opposed.

The court said that "owing to the peculiar situation, and the suspicion in the atmosphere, I feel everything should come out in order that the public may know all about it." The court said in ordinary cases he would not grant the order, and held the matter entirely discretionary with the bench.

The defense filed two similar motions in the nightriding cases last fall and they were both denied by Judge Calkins at the time.

In opposing the motion the state's attorney held it was against public policy, established a bad precedent, was not provided for in the statutes of the state, and the records were secret matters to which the defense was not entitled.

The defense contended through Attorney Winslow and Boggs, that

withholding of the records prevented the defense from checking up on the testimony of the witness, that the defense was entitled to the same rights as the state, that public justice demands, and they have the right to see the grand jury records and that the granting of permission to inspect said records, was discretionary with the court, and not statutory.

The jury, as accepted and sworn in, is as follows: C. S. Moore, farmer, Rogue River; Joseph Webster, farmer, Phoenix; Mrs. Josephine Wallace, housewife, Ashland, who served in the Hale case, as did Mrs. Mattie A. Coleman, Medford and Mrs. Minnie Slead, Rock Point, housewives; Mrs. Minnie Tex, housewife, Gold Hill; Mrs. Mary Jane Meadows, housewife, Medford; David Force, miner, Meadows; Lem Tucker, retired, Ashland; A. M. Beaver, realtor, Ashland; W. L. Lamb, farmer, Rogue River and James Firestone, laborer, Ashland.

Another Witness III

The state of sickness that has followed witnesses in the trial, came to the front again Tuesday, when it was reported that W. A. Bishop of Jacksonville, and an important witness for the state, and who loaned the defendants, Goodie and Norris, the auto truck, with which they made the trip, was ill in the Community hospital. J. F. Hale, the star witness in the first trial, was stricken with illness on the eve of the taking of testimony last week and testified from a couch in the court. The seriousness of Bishop's illness was not learned.

State's Case Outlined

The state in its opening arguments to the jury said it expected to show that Norris and Goodie, "aided and assisted, and co-operated with the marked men," and "that the hold up was a frame-up." The opening argument was made by Assistant Attorney General Liljeqvist, who arrived yesterday afternoon by auto, from Portland and Salem, who also said the evidence was "largely circumstantial." The state will attempt to show by witnesses, said Liljeqvist, that on Wednesday or Thursday, before the hold-up, the defendants, Norris and Goodie drove to Ashland, with Johnson and York for the purposes of getting a pump and a gasoline tank, and that on this trip they only secured the pump. On the way back, they stopped in Medford, Goodie and Norris attending lodge in Medford, and the boys waiting for them on the promise of securing a ride to Jacksonville. After waiting all night, or after Johnson and York walked to the county seat.

Continuing the narrative the state contended it would show that on the following Sunday, April 9, 1922, York was called from a baseball game, and Johnson found strolling up a canyon, and both were driven to Ashland by the defendants to get the gasoline tank, which they had failed to secure on the first trip. The state will also show, counsel said, that Mrs. York had been apprised of the trip her son was taking, to the extent of calling at her home for that purpose.

The state said it expected to show that on the return trip which was quite late, that light trouble developed, that repairs were made, and that the traffic laws were violated. That when between Medford and Talent on the Pacific highway, a touring car passed them that later turned around and followed them. The state claims that when near Voorheis Crossing, the defendant turned into the road on the pretext of evading the speed cop, and to take a short cut home, the touring car still following them. It is the state's theory that the truck was driven fast by Goodie, for the purpose of burning out the lights.

The state holds that when a short distance beyond the railroad crossing the men in the touring car "masked" and wearing dark colored capes baited the truck and ordered all to hold up their hands, while ostensibly searching the truck for moonshine. The state said it would show by the testimony of young York that Norris and Goodie, when he saw them, had their arms by their sides, and that when it was noticed, they were ordered to hold up their hands, which they did, but later, when he caught a glance at them they had their hands down. Later, the state evidence will show, it was said, Norris and Goodie were ordered to proceed up the road, which they did, to later return "through curiosity," the state's attorney said.

The state contends that Johnson had a rope placed around his neck, that his life was threatened, and that firearms were pointed at him, and fired off in his presence. After these events, the state claims, Norris and Goodie, accompanied by York, returned home, after fixing the truck, and that no report was made to the sheriff of any "hold up."

Johnson, according to the opening statement, was charged with "stealing chickens," and other accusations, all of which he denied.

Attorney Winslow for the defense, said that on the preliminary showing of the state, he did not believe "this case will be given to the jury," and further characterized it as a "weak case." He said the defense expected to show that the defendants "had been the victims of a hold up and were then indicted for being held up," that state's witnesses had told stories on the street at variance with their statements to the grand jury, and would show the entire proceedings were "strictly business."

The defense statement occupied about ten minutes, and the state's presentation about half an hour.

Only by inference was the Ku Klux Klan mentioned, and then through the veiled query, "Are you a member of an organization, other than the Odd Fellows, that meets in the Odd Fellows' hall in Medford?"

Advertise your needs in Sun classified columns and get results

MANN'S
THE
BEST
GOODSMANN'S
THE
LOWEST
PRICES

SILK SALE

In Which Is Offered These
Unusually Attractive Values

Taffetex Lining

36 inches wide, in a fine line of colors, 75c value. This sale, yard 69c

Taffeta Silk

36 inches wide, heavy grade, in the new shades for spring, \$3 value. On sale Thursday, yard \$2.75

Figured Crepe de Chene

40 inches wide, in the new paisley and Egyptian patterns, \$3.50 values. On sale Thursday, yard \$3.19

Lingere Silk

36 inches wide, in flesh and white, fine quality. Regular price \$1.00. On sale Thursday, yard 89c

Wash Satin

in white, flesh and orchid. A fine cloth for underwear, 36 inches wide. Regular price \$2.50. On sale Thursday at, yard \$2.19

Lining Silk

36-inch, in fancy patterns, up to \$2 values. Thursday, yard \$1.50

Heavy Canton Crepe

All silk, 40 inches wide, in the best shades for spring \$4.00 value Thursday, yard \$3.69

Colored Taffeta

36-inch, good quality, soft finish, \$2.25 value. Thursday, yard \$1.98

Crepe de Chene

40 inches wide, in all shades. Regular \$2.00 value. On sale Thursday, yard \$1.48

Canton Crepe

40 inches wide, heavy quality, satin faced, in black only, \$4 value. Thursday, yard \$3.69

Flat Crepe

40 inches wide, in navy and black, the predominant material for spring dresses, \$3.75 value. On sale Thursday, yard \$3.48

Taffeta Silk

in fancy checks, 36 inches wide A regular \$2.00 value. On sale Thursday, yard . \$1.48

Canton Crepe

40 inches wide, in silk and wool. A fine cloth for Dresses. Special, yard \$3.98

THURSDAY SPECIALS

Sweaters

Women's All-Wool Slip Over Sweater, in the new colors, \$4.00 values. Thursday. Special, each \$2.98

Petticoats

A new line of Silk Petticoats in all colors, up to \$7.50 values. On sale Thursday, each \$5.00

Pongee Waists

A new shipment just in. Real \$5.00 values, Thursday \$3.98

COATS

Women's New Spring Coats, made of all wool materials. On sale Thursday, each \$18.00

Suits

Women's new Spring Suits in navy and tan, Thursday, each \$25.00

DRESSES

Women's Taffeta and Silk Crepe Dresses, new styles, Thursday, each \$25.00

Dress Linen—36 inches wide, in a fine line of colors.

Special Thursday, yard \$1.19

Dress Voile—40 inches wide, in a new line of patterns, \$1.25 value. Thursday, yard \$1.19

JAP CREPE—30 inches wide, in all colors, 29c value. On sale Thursday, yard 25c

Dress Gingham—27 inches wide, in fancy plaids, 22c value. Thursday, yard 17c

Curtain Marquessette—36 inches wide, 39c value. On sale Thursday, yard 33c

Prisse Crepe—for underwear, 30 inches wide, 40c value. Thursday, yard 35c

Ratine for Dresses—36 inches wide, \$1.19 value. On sale Thursday, yard \$1.00

Clarks Spool Cotton—6 spools for 25c

Adjustable Belts—Special, each 25c

Novelty Ric Rac—3c yard, 2 yards for 5c

Invisible Hair Pins—2 boxes for 5c

Tatrim Braid—in all colors. Special, card 10c

Kayser's 89c Chamossette Gloves, pair 69c

Silk Vests

Tricolette Silk Vests in flesh, maize and platinum colors. Special Thursday, each \$1.75

Pettibockers

Made of Italian Silk, \$5.50 values. Thursday, pair \$4.89

69c Brassieres, two for \$1.00

\$2.00 Corsets for \$1.00

\$2.25, Satine Petticoats \$1.75

Crochet Cotton

Coats best quality in white and colors. Thursday, ball, 15c

Bead Necklaces

and Bar Pins, a fine assortment to choose from, \$1.25 values, now, each, \$1.00

Fancy Goods

A new line of Bucilla Package Goods, priced from 39c to \$2.98

Germantown Yarn

Four Fold, in all colors. Regular price 39c. On sale Thursday, ball 32c

