

# MOTHER-IN-LAW AND WIFE TELL OF GIBBS MURDER

### Mrs. Cynthia Gibbs and Mrs. E. P. Counts Are Witnesses for State at Huntley Murder Trial—Prayer Meeting Held On Eve of Crime.

Hyman Huntley, 58, a section crew worker, on trial in the circuit court charged with first-degree murder, heard his mother-in-law, Mrs. E. P. Counts, age 69, and Cynthia Gibbs, widow of Jesse James Gibbs, 28, the man he is accused of slaying in a knife battle last September at their home on Ashland avenue, this city, testify against him Tuesday afternoon.

There were traces of bitterness in the evidence offered by the elderly woman; the widow told her story in a frank and honest manner. The defendant manifested no particular interest.

Both women corroborated the other and the salient points of the evidence of each varied but slightly. Mrs. Counts testified that the morning after the fatal affray she found "where Hattie had knelt in the shed," and saw the imprints "made by her knees and the toes of her shoes."

Mrs. Gibbs testified that she had "seen the same tracks" and "the cloth prints made by the knees." The defense contends that Mrs. Huntley went to the shed for a clandestine meeting with Gibbs, and the state that she went there to pray "for restoration of the home life" that had been lost. The defense also contends that the space where Mrs. Huntley is claimed to have knelt was worn hard by the tramp of feet and is a dirt path from the door to the mattress where Gibbs slept.

The two women differed on one point in their testimony. The mother-in-law testified that she has arranged the prayer meeting, held before the tragedy, by a Mr. Dewey for the purpose of "converting Hyman Huntley," and because Mrs. Gibbs was unable to go to meetings.

The widow testified the meeting was for the purpose of affecting a reconciliation between the Huntleys.

How the women testified to domestic storms in the Huntley family and that Mr. Dewey had advised the Huntleys "to let bygones be bygones" and "turn over a new leaf." Efforts of the defense to bring out causes of the family trouble were blocked by state objections. It was also testified that Dewey, before he went home, advised Mrs. Hattie Huntley "to pray alone" for peace.

Mrs. Counts testified that after the preacher had departed, Huntley came to the door of the house and said "Hurry up and we can catch them." Mrs. Gibbs went immediately and Mrs. Counts remained behind to get out on her nightgown and slippers. When they drew near the shed where Gibbs was sleeping both the women testified they said, "Hyman, you're wrong! He's snoring!"

While the three were outside, the door of the shed opened, the testimony showed, and Mrs. Huntley stepped out. Huntley accused her and hot words followed. Mrs. Huntley maintaining, "Hyman, I was in there praying for our souls." A club of huge size was identified by both women as the one Huntley picked up with a threat against Gibbs.

Huntley and his wife went towards the house, the evidence showed, and Mrs. Counts lingered and told Gibbs to go to her room. In the meantime the defendant and his wife were walking outside the house and Cliff Larkins, who was present, said, "I'll stop this fuss. I'm going to get a cop." Mrs. Gibbs testified she called to Larkins to come back, but "He's deaf and didn't hear me."

The Huntleys continued the argument in the yard and, according to Mrs. Counts' testimony, the wife cried "Help! Help!" and Gibbs, who was in the house, rushed out and the men fought back into the tiny kitchen.

"I thought it was just a fist fight," testified Mrs. Counts, explaining why she had not tried to stop it. But the women denied the defense claim that Mrs. Huntley had cried "Help! Help! Help! You never did forsake me when I needed you, and you won't forsake me now!"

The women then told of the last moments of Gibbs and the coming of the authorities.

J. R. Kunz, who testified he had known Huntley since 1890, said that a few days before the slaying Huntley had asked him: "What would they do if I killed that man?" and he had replied, "They would hang you. For God sakes get it out of your mind." Kunz testified that he did not talk to Huntley as he was rushing to the bedside of his sick wife. Efforts of the defense to show that the witness had been a confidant of Huntley for years was denied upon the objections of the state.

In the cross-examination of Mrs. Counts the defense endeavored to impeach her testimony by showing it was different in vital details from what she had given at the coroner's inquest. Several lively exchanges flared up between counsel and the court admonished both "to make their objections without arguments." Mrs. Counts became confused under cross-examination.

John H. Palmer, a photographer, identified a number of photos of spots connected with the affray.

There will be no hearing of the trial today on account of Armistice day.

A. R. Brown of Ashland, who reported ill Monday, was in the box Tuesday and Bert H. Smith, also of Ashland, is acting as an alternate juror, hearing the evidence, but taking no part in the final deliberations.

# STORY OF LOCAL WAR HERO IS TOLD 1ST TIME

### Col. E. E. Kelly and Private Gilbert Stuart Tell of E. C. Fawcett's Heroism in the War-Swept Vesle Sector Back in August, 1918

To the Editor:

This is a scoop on a war story that broke more than seven years ago, as big a story of heroism as the World War or any other ever produced, a story that merely proves that the poet knew his oil when he said: "Full many a tale of purest fate serene, the dark unfathomed cavern of silence bear."

When the medals and the war decorations are proudly displayed tomorrow on the chest of many a worthy hero celebrating the Armistice anniversary, one of Jackson county's stalwart sons, E. C. Fawcett, will in all probability be peacefully digging in a mine in the silence of the hills of Jackson county, and yet for cold grey nerve, for individual bravery, Fawcett's feat, on the war swept Vesle back in August of 1918, has few parallels in the annals of war.

If you can get the picture of a continuous drum fire of falling shells of a big ammunition dump with tons of big shells, hand grenades and explosives on fire and exploding with the regularity of firecrackers on a Chinese new year; of a wounded soldier with clothes on fire lying in the center of this inferno; of soldiers fleeing in all directions from the falling explosives; then you can gather some idea of Fawcett's remarkable feat.

Fawcett had just put in five days and nights of volunteer service in packing grub and ammunition thru a zone swept by machine gun fire, he was weak and sick with dysentery, but when his great opportunity came he did not hesitate or measure the chances. Here is the story, as written by an eye witness, Gilbert Stuart, now one of the foremost building contractors in southern Oregon:

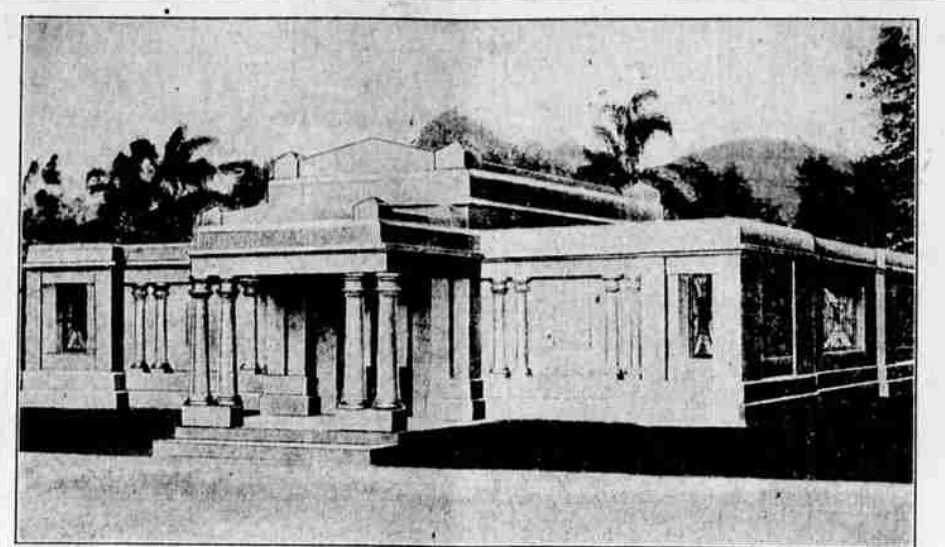
"This happened, I think, on the 9th day of August, 1918. When Jerry fell back from the Marne river, he left large dumps of ammunition scattered along the roads. These were one of these dumps (a big one) on the road above Cherre Charteuse a bunch of 150's, some 77's, lots of powder, hand grenades and all other kinds of explosive junk. This dump was about a mile or a mile and a half from the Vesle river.

There was quite a war on the Vesle. The Americans (we were with the 4th division) crossed the river on August 4, but the German defense was too strong and our losses too heavy to gain more ground.

"The fighting was heavy for several days, but about the 8th of August the Americans quit attacking and started building defensive works. We, the engineers, were digging ditches, straining barbed wire, and all of the other stuff that goes with war. The company to which Ed Fawcett and I belonged were camped within about two hundred yards of the captured German ammunition dump, dug into the regular 'fox holes' for sleeping quarters. We worked the night of the 8th, stringing wire and digging trenches near Mount Saint Martin, and came back at daylight to sleep. C company, of the woods men, were working in the woods near where we had been stringing wire, but were sheltered by the trees, so could work in the day time. Along about 5 o'clock in the afternoon (we of E company had slept during the day, and were waiting for chow) two squads of C company men were coming back from their work on the road that led by the ammunition dump.

I don't know what set that dump off. There were lots of shells coming over, also German planes had been bombing quite a lot and one of the other got a direct hit and the dump blew up; first, a terrific roar, and then the continuous explosion of shells. Most of the men going by were killed, several more were wounded. One of the men, badly wounded was lying by the exploding

# Medford Memorial Mausoleum Will Be Dedicated Sunday



The Medford Memorial Mausoleum, are of solid cast bronze and weigh better than 500 pounds each, while the transoms and jambs are 300 pounds. The glass in the doors is of exceptional thickness and quality.

The building, which is 25 feet high at its highest point, is 192 feet long and is double the size of the Ashland mausoleum. The base walls are 18 inches thick and are reinforced throughout with 3-8 and 3-4 inch steel, while the roof is nine inches thick, reinforced with 3-8 inch steel on four-inch centers and covered with two tons of asphaltum, which is said to be the best known roofing in the world. The drains thereof, of which there are several, are imbedded in the falls and have emergency outlets.

The exterior of the building, as viewed from the front, presents a pleasing impression with its three panels on each side of the entrance. The two end panels are decorated with cast bronze grill work. Each panel is separated with double Ionic columns, the tops and bases of which were cast in Seattle. Two double columns also support the porch, immediately before the bronze doors, above which are yet to be placed artistic Grecian figures.

Within, the building is lighted by three large amber windows, alone entailing a cost of several thousand dollars. One is located at each end of the long corridor, the other in the chapel tomb, owned by L. Neidermyer and Charles W. Palm. The chapel window is of exotic beauty, depicting Christ on Resurrection Morn, allegorically depicting the change of the material into the spiritual. The picture is reflected in every detail on the highly reflective marble nearby. The sunlight can enter the building but through one window at a time and through this window is reflected throughout the building, the longest distance that light can be safely reflected.

Sunday, the public is invited to inspect the mausoleum at the invitation of G. D. Mason, the builder. The numerous interesting features will be shown and explained. The interior of the building will be appropriately decorated with carnations and three-linked chains extending from crypt to crypt of the center section. Wreaths will mark the crypts where bodies now at rest at the Ashland tomb will be placed next week, following the formal opening of the mausoleum.

"Of the 3000 mausoleums in the United States, Medford can be justly proud of the fact that one of the best is situated within its limits," said Mr. Mason today.

"I have personally visited over 400 and none are more beautiful than the Medford memorial, one built in classic Grecian architecture style."

Its approximate cost, complete, is \$63,000. Fifteen hundred cubic yards of sand and gravel were used in the concrete construction, while 100,000 feet of lumber was utilized in building the wooden forms in which the five cars of concrete was poured. Nearly 50 tons of highly polished Alaskan marble were used in laying the floor and for the inside walls of the 300 crypts, the building contains. Two massive doors, which are open only to crypt holders or relatives.

Ed Fawcett saw it happen and saw the wounded man laying helpless. It wasn't a pleasant place, shells of different sizes were bursting all around, cast iron was raining all over the country, I think everybody that could get under cover did so. I know I did.

Ed didn't dive into a hole, instead he walked into that inferno of exploding shells, took that 200 pounds of helpless wounded soldier and dragged him to safety. That's about all there was to the greatest exhibition of cool nerve that I saw, or heard about in the war."

(Signed) GILBERT STUART, Ex-back private, 4th engineers.

Had Fawcett served in the British army, it is safe to say that within a week he would have been decorated with Britain's greatest war medal, the Victoria Cross. Months afterward, down in Germany, he received a carbon copy of a citation written on paper that was but little better than wrapping paper that a butcher uses for meat.

Fawcett is of the quiet and retiring type. He was well just forty when he enlisted for the war, and there are not in Jackson county, or the state of Oregon, outside of his comrades in the service, a dozen people who ever heard of his war exploits. All of which goes to show the wisdom of Gray, when he wrote his famous elegy.

E. E. KELLY.

# PROHIBITION AGENTS WON'T BOTHER HIP FLASKS

SAN FRANCISCO, Nov. 11.—(A. P.)—Prohibition agents will not be among those present at this year's "big game" between Stanford and the University of California, nor will they disturb the fans who gather at dinner parties and dances after the annual classic. Colonel Ned Green, prohibition administrator for this district, says that "the duty of apprehending hip-pocket flask violators of the prohibition law must be handled by the police."

They Should Worry.

NEW YORK—David and Abby Rockefeller's Milton are back from Europe. They have no home and he has no job, but they are not worried.

Almanac Wins Case.

QUINCY, Ill.—Taking an almanac to court, Lawrence Niek showed his car had been tagged four minutes too early for parking without lights. His case was dismissed.

# CHANGES FAVORED IN SHIPPING B'D.

WASHINGTON, Nov. 11.—(A. P.)—Sweeping changes in the government's administration of shipping affairs, including reduction of the shipping board to three members and curtailment of its powers to those of a semi-judicial regulatory nature, will be proposed before the national merchant marine conference next week in a report by a committee of the chamber of commerce of the United States, which organized the meeting.

The committee's report, made public today, also contains recommendations for definite transfer of the administration of the government-owned fleet to the fleet corporation, which would be given a board of directors' committee comprising three cabinet members and for the centralization, as far as practicable, of other government activities relating to shipping in a special branch of the department of commerce.

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(Continued from page 1.)

mentatives of the two branches of the military service.

The tomb as in other years was also a Mecca for thousands of visitors, joining the tributes of various Washington posts of the American Legion. Three o'clock was the hour for services there conducted by Rabbi Morris B. Lazarene of Baltimore, one of the four chaplains who conducted the burial service for the unknown soldier.

**Wilson Is Honored**

In tribute to the memory of Woodrow Wilson, a twilight service will be conducted in Washington cathedral, his burial place. The war president will be eulogized by the Right Rev. James E. Freeman, Episcopal bishop of Washington, and the Rev. James H. Taylor, who was Mr. Wilson's pastor. At the conclusion of the service a wreath will be placed on the late president's tomb. Armistice Day messages were issued by Dr. S. Parkes Cadman, president of the federal council of churches, and William Green, president of the American Federation of Labor. Dr. Cadman declared the bringing about of American adherence to the world court was the "immediate duty of these churches in keeping faith with the war dead."

"We must dedicate ourselves," he said, "to the stupendous task of banishing war from the earth."

Mr. Green cited the accomplishments of the Locarno conference as

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**Says His Prescription Has Powerful Influence Over Rheumatism**

Mr. James H. Allen, of 26 Forbes St., Rochester, N. Y., suffered for years with rheumatism. Many times this terrible disease left him helpless and unable to work.

He finally decided, after years of ceaseless study, that no one can be free from rheumatism until the accumulated impurities, commonly called uric acid deposits, were dissolved in the joints and muscles and expelled from the body.

With this idea in mind he consulted physicians, made experiments and finally compounded a prescription that quickly and completely banished every sign and symptom of rheumatism from his system.

He freely gave his discovery, which he called *Allenhu*, to others who took it, with what might be called marvellous success. After years of urging he decided to let sufferers everywhere know about his discovery through the newspapers. He has therefore instructed Heath's Drug Store and druggists every where to dispense *Allenhu* with the understanding that if his prescription does not banish every sign and symptom of the disease he will gladly return your money without comment.

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