

# Elton Watkins Part in Ballot Theft Discovery Told by Janitor Daniels

The name of Elton Watkins of Portland, former congressman, and candidate for the United States senate on the Democratic ticket, crept into the testimony at the trial of Earl H. Fehl, charged with ballot theft conspiracy. Attorney Watkins was attorney for former Sheriff Gordon L. Schermerhorn in the recount proceedings.

The testimony of Joe Daniels, on direct examination, and on cross-examination, insofar as it concerns Attorney Watkins, as furnished by the official stenographic report, is as follows:

Direct examination by Mr. Moody: Q. I believe you were given credit with being the first one that discovered this burglary the next morning—how did you happen to find out?

A. We were talking with the attorneys just before 8 o'clock.

Q. What attorneys?

A. Mr. DeGouss and Mr. Watkins.

Q. Elton Watkins of Portland?

A. Yes, with Mr. Fischer and myself were all standing there waiting for the county clerk to open the vault so we could take the pouches up to the courtroom and Mr. Watkins said he wanted to look around the building, so we went downstairs and he asked where the vault was and we went outside of the building.

Q. Who led you out?

A. Mr. Watkins.

Q. Where did he lead you?

A. We started along the south side towards the south of the west side of the building and I was telling him where the different places were and the things he had asked about and I believe Mr. Fischer and I both saw the window at the same time.

Q. Who was Mr. Fischer?

A. He was the locksmith that was going to open the locks that morning.

Q. And when you got to the window who was the first one that saw this window broken?

A. I am not really sure—Mr. Fischer and I seen it about the same time.

Q. Who stopped you there?

A. We were just walking around the building. When we seen that we stopped.

Q. Then what was said by any one of you, and who said it?

A. Mr. Watkins—

Von Schmaltz: We object to that as hearsay.

Court: Objection sustained.

Q. After you discovered that the window was broken, what did you do? It was already open?

A. Partly open, yes.

Q. What did you do?

A. We naturally looked in.

Q. Yes—what did you find out?

A. We could see lots of glass over the floor inside, but we couldn't see whether anything was gone or not.

Q. Did anyone want you to go inside then?

A. Well, Mr. Watkins asked me to look in.

Q. I didn't mean to ask you who I wanted to know, was it a fact that you refused to go inside or not?

A. Yes.

Court: This evidence isn't competent.

Q. When did you report it—then?

A. Yes, to the county clerk's office.

Cross-examination by A. C. Heigh: Q. Now the next morning after this affair you say the first information you got of it was through Elton Watkins?

A. No, I was with Elton Watkins.

Q. You were in the corridor of the courthouse when Watkins and somebody else came in?

A. They were standing there when I got there.

Q. They had come through the front door, had they? Where had they—where were they standing?

A. At the head of the stairs on the second floor.

Q. That's the floor on which Fehl's office and the clerk's office and the sheriff's office is on?

A. Yes.

Q. Who was with Elton Watkins?

A. Frank DeGouss and Mr. Fischer.

Q. The three of them were standing there when you went into the hallway or corridor?

A. Yes.

Q. How long after that before there was anything said about the ballot theft, and who said it?

A. There wasn't anything said about it until after we found the window broken and went inside and found out that they were gone.

Q. How did it come you left this corridor and went around there—who suggested that?

A. Mr. Watkins.

Q. Where did you go, out of the east door, the front door, or the west door?

A. Out of the west door.

Q. He led the way, didn't he?

A. Yes.

Q. Down the stairs and through the west door?

A. Yes.

Q. And then right around to where the window was broken?

A. Yes.

Q. He seemed to know right where he was going?

A. Well, I don't know.

Q. That's the way it occurred to you, didn't it?

A. Well, it could have been.

Q. He walked right direct—there wasn't any hesitancy or looking at any other objects was there?

A. Yes, he stopped and looked at various parts of the building. On the way down I told him where the different offices were and different things about it.

Q. Nothing surprising about the fact he may have known about the breaking of that window from his actions?

A. It might have been—it seemed that he merely wanted to look around.

Q. Who was it called the attention of the clerk to the fact the window was broken?

A. I did.

Q. Did you look into the vault from the outside?

A. Yes.

Q. Did he?

A. Who?

Q. Watkins?

A. Yes.

Q. And Fischer?

A. Yes.

Q. Was the window open or closed?

A. It was partly open.

Q. So all you had to do was to push it open—you could see in plainly then?

A. Yes.

Q. I see—Did you go with the clerk afterwards—after you notified him, to see what had happened to that vault?

A. Yes.

Q. And were you present when he checked up to find out how many ballot pouches, etc. were there?

A. I was there through part of it, yes.

Q. Now there is a photograph here I want to call your attention to, then I am through. Look at State's Exhibit K—do you recognize that as a representation of the interior of the clerk's vault?

A. Yes.

Q. Now these objects like that—looks like a can—these two, one on top of the other, looks like a can—what are they—what does it represent?

A. Ballot boxes.

Q. These are large ballot cans?

A. Yes.

Q. Made out of some kind of metal?

A. Yes.

Q. And did you find they had been disturbed—opened?

A. Part of them had, yes.

Q. And the contents removed?

A. Yes.

Q. However, for most of the products they had pouches similar to these that are here in evidence?

A. Yes.

Question by a juror: Q. May I ask who is this man Watkins and what is his capacity?

Mr. Hough: He is a lawyer from Portland.

The Court: Oh, it don't make any difference. (Speaking to the witness, Mrs. Ingrid Homes: Be sworn.)

Mr. Moody: I think the record in this case shows he is one of the attorneys for Mr. Schermerhorn.

Mr. Hough: In the contest.

The Court: Yes, that's correct.

Cross-examination of Gordon L. Schermerhorn by Ralph E. Moody in the case of State versus Schermerhorn, with reference to the presence of Elton Watkins in Fehl's office on the evening of February 20, 1933, between the hours of 6 and 7 p. m.:

Q. But you didn't get home, as I understood your testimony, until some time after 7 o'clock.

A. Oh, no—you are mistaken.

The Court: I think he said before 7.

A. Twenty or 25 minutes before 7.

Q. Twenty-five minutes before 7?

A. Yes, sir.

Q. All right—and when you left Fehl's office, who did you leave there?

A. Well, some of the men that had been there, and some had gone—I didn't take notice. Elton Watkins, the attorney, was there.

Q. He was?

A. Yes, sir; he came back from the hotel with me.

### Meteorological Report

August 2, 1933.

Forecast.

Oregon: Generally fair, but cloudy in northwest portion on the coast. Normal temperature.

Local Data.

Temperature a year ago today: Highest, 99; lowest, 54.

Total monthly precipitation, trace. Deficiency for the month, none.

Total precipitation since September 1, 1932, 14.83 inches.

Deficiency for the season, 2.96 inches.

Relative humidity at 5 p. m. yesterday, 27 per cent; 5 a. m. today, 73 per cent.

Tomorrow: Sunrise, 5:07 a. m. Sunset, 7:27 p. m.

Observations Taken at 5 a. m., 120 Meridian Time.

City	Partly Rain	High	Low	Wind	Weather
Boston	92	78	62	Clear	
Cheyenne	78	52	34	Clear	
Chicago	84	68	54	Clear	
Eureka	58	52	2	Rain	
Helena	80	56	36	P. Cdy.	
Los Angeles	76	60	40	Cloudy	
MEDFORD	90	60	40	Clear	
New Orleans	92	78	62	Clear	
New York	94	78	62	Clear	
Omaha	88	70	54	Cloudy	
Phoenix	102	78	62	Clear	
Portland	82	58	42	Cloudy	
Reno	88	58	42	Clear	
Roseburg	94	54	38	Clear	
Salt Lake	92	70	54	P. Cdy.	
San Francisco	66	56	40	Cloudy	
Seattle	78	54	38	Cloudy	
Spokane	88	54	38	Clear	
Walla Walla	94	68	52	Clear	
Washington, D.C.	98	78	62	Clear	

## MASS MEETING IS ENTHUSIASTIC FOR ADOPTION OF NRA

### Over 2000 Hear Rules and Aims of Recovery Plan Explained—Resolution of Support Sent President

More than 2000 people, representing the consuming public of the Rogue River valley, gathered at the mass meeting called by the Chamber of Commerce in the Medford park last night, endorsed the National Recovery Act program of President Franklin Delano Roosevelt, and pledged themselves to support those merchants who have complied with the President emergency re-employment agreement, and to patronize no others.

The enthusiastic gathering, characterized by that flame of patriotism not extinguished since the World War, was preceded by a parade through the city by the American Legion drum corps, in uniform; and closed with community singing of the Star Spangled Banner, led by James Stevens.

Resolution to President.

Resolution, expressing the crowd's faith in the recovery act and unanimous support of the President in his program to establish re-employment, with a promise of compliance, was prepared by A. P. Johnson, chairman of the Chamber of Commerce forum committee, approved by all present, and forwarded to Washington last night.

Support of the manhood and womanhood of the nation was urged by the four speakers of the evening: Mr. Johnson, Frank Jenkins, Mrs. A. E. Reames and Porter J. Neff.

Directing her appeal to the housewife, who spends the greater part of the American dollar, Mrs. Reames, recently appointed lieutenant-general of the local campaign, asked the housewives to buy from only those who have signed the president's agreement. "To make that investment in humanity."

Women's Duty Plain.

"Since the women represent 75 per cent of the buying power of the nation, our duty is plain," she declared. "It has always been the patriotic effort of the women who have made it possible for the men to win the battles that have saved the nation. And unless the women of this country will back up these patriots who have signed the President's agreement, the cause will be lost. So let the housewives stand as a unit with the President and patronize those who are serving with him."

A blue eagle has been taken as the emblem to indicate that the product upon which it is displayed is put forth by the signer of this agreement. Let us all follow the sign of the blue eagle."

Describing the history of the movement, Mrs. Reames further stated that under the National Recovery Act, the President has drawn a temporary contract, which he asks all employers of labor to voluntarily

sign and carry out. The provisions will increase the buying power of the nation. "But unless the employers can sell their wares, they cannot succeed—hence it is the patriotic duty of us all to assist in this great work," she declared. "This is a war-time measure—a battle against poverty."

Medford Leads Move.

Mr. Jenkins, southern Oregon newspaperman, whose column is read in all sections of the state, complimented Medford upon her advanced work on the NRA program, stating that people here are ahead of all others of the state in observance of the President's agreement, and that Medford has the best chamber of commerce in the state.

"Twelve million men are unemployed. They must be put back to work. That's the whole story," Mr. Jenkins summarized the situation. "Those who don't live up to their agreement will find the whole country organized against them," he warned anyone displaying the NRA banner, who has not complied with the President's wage agreement. "If more men are not put back to work at higher wages, the employers will find that Washington means what it says. That's the sole and only purpose of the code. When we went to war," he added, "we didn't know where we were going, but we obeyed orders and followed leaders, and we won the war."

Condemning vehemently unfair competition in business and the "reign of the chisel," Mr. Jenkins expressed sincere faith that the nation is approaching a new period of business.

Too Few With Money.

"During prosperity the big men hogged all the profits. Money went into too few pockets. To have prosperity for all time in this country we've got to get the money back into the majority's pockets," he stated, in closing, explaining that through all the preceding years he has been a pronounced conservative, but that today he is a sincere believer in the recovery program of President Roosevelt.

Voicing a patriotic appeal to the people to support the recovery program for the welfare of the nation, Attorney Neff began his address: "We are stumbling for prosperity and a leader to bring us to it. We now have that leader. A nation's greatness can be measured only in manhood and womanhood. It is a disgrace that in a nation which has everything, that 12,000,000 men are unemployed. It is a fact each patriotic citizen should be ashamed of. Welfare Involved."

"The people have as if by magic come into the leadership of President Roosevelt, because they realize that the welfare of the nation is again involved, even as it was in war."

All speakers were introduced by Mr. Johnson, who described progress made by the Chamber of Commerce in observance of the recovery act here. Other persons introduced from the platform were: W. S. Bolger, president of the Chamber of Commerce, Roland Hubbard, vice-president, and E. O. Roseborough, representing the master barbers.

The program was broadcast by station KMED, with Lee Bishop at the microphone. The loudspeaker for

## GLADIOLUS SHOW FRIDAY IN PARK

The Medford Garden club will hold its annual Gladiolus Show in the city park Friday, August 4. The ladies in charge will be there at nine o'clock to receive and arrange exhibits, and every one is invited to attend the show.

During the evening the flowers will be sold for just enough to defray expenses.

Every one who has glads in bloom now is asked to exhibit and help make this show as large and interesting as possible.

## BLASTS DISRUPT MANAGUA FIESTA

MANAGUA, Nicaragua, Aug. 2.—(AP)—Modified martial law was declared today after a series of explosions in the Campo de Marte arsenal caused considerable destruction and injured four members of the national guard. None was killed.

About 500 men were ordered to Managua from Leon and guards were stationed at the arsenal. Meanwhile the government ordered an investigation.

Early reports were 30 guardmen had been killed or wounded but a subsequent official statement said there had been no fatalities and the injured totaled only four.

Many of the 50,000 inhabitants were participating in a traditional fiesta at Santo Domingo plaza when the first detonation occurred at 7

p. m. P. S. T. Leaser blasts continued until after midnight.

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## Long-Bell Wage Scale Advanced

LONGVIEW, Wash., Aug. 2.—(AP)—Higher wage scales prevailed today among mill and woods workers of the Weyerhaeuser and Long-Bell lumber companies.

Long-Bell increased the minimum wage rate from 35 cents an hour to 42½ cents and Weyerhaeuser boosted its level from 32½ cents to 42½ cents, the minimum wage named in the lumber code now before Administrator Hugh Johnson at Washington.

## MILE MULE JOINS IN ATTACK ON DEPUTY

UNIONTOWN, Pa., Aug. 2.—(AP)—Mine mules are taking an active part in the coal strike gripping this region. Deputy Sheriff Rockcain fled to a stable to escape a barrage of bricks hurled by pickets at the Edenbarn strip mine. A mule kicked him out of the barn into the stable yard where he was hit by a stone.

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