

Subpoenas Served on Alleged Head of Fairmont Ku Klux Klavern Requiring Him to Produce Roster of Membership and Record

Similar Papers Issued For Grand Klaliff E. F. Randolph of Realm of North Carolina to Produce Roster of Fairmont Klavern and Other Papers

Subpoena Served on V. W. Keith, Al- leged Head of Fairmont Klavern, To- day--Required to Bring List of Mem- bership and Records Pertaining to Mike Lawson and H. L. Taliaferro-- Keith Will be Put on by State in Re- buttal--Randolph Commanded to Bring Letters and Telegrams Sent to or Received From Taliaferro.

TRIAL OF WOMEN FLOGGING CASE MAY LAST ALL WEEK

Defendants Brogden and Hedg-
peth Have Been on Stand and
a Cloud of Witnesses Appears
for Defense--Burglary Charge
in Abeyance -- Mrs. Purvis'
Story Same as Told in Prelim-
inary Hearing--Papers Served
on Attorney F. D. Hackett of
Council for Defense to Produce
Notes of Private Testimony of
Mrs. Watson as to Who
"Judge" Was Who Superin-
tended Whipping.

A subpoena duces tecum was served about noon today in the court house here on V. W. Keith, a Fairmont attorney, alleged head of the Fairmont klavern of the Ku Klux Klan, to produce the roster of membership of the Fairmont klavern and all records pertaining to Mike Lawson and the flogging of women at Proctorville, also all records pertaining to H. L. Taliaferro, alleged Ku Klux Klan detective, who is under bond to answer to the charge of contempt of court in intimidating witnesses.

Keith remarked in passing some newspaper men just after court adjourned for noon recess that they'd better have that correct.

Similar papers have been mailed to E. R. Randolph of Warsaw, alleged grand klaliff of the realm of North Carolina, requiring him to appear in court here at once with a list of the membership of the Fairmont klavern and all letters and telegrams received from or sent to Taliaferro.

Keith will be put on as a State's witness in rebuttal in the trial of B. M. Lawson, chief of police of Fairmont, Jule Brogden and John Hedgpeth of Proctorville, charged with being leaders of a band of 18 hooded and masked men who took Mrs. Hattie Purvis and Mrs. Mary Watson from the former's home at Proctorville on the night of April 14, carried them to a near-by negro church, bent them over a log, pulled up their dresses and flogged them with a leather strap, playing a flash light on them the while and the band looking on until the "judge" said it was enough.

A similar subpoena was served this afternoon on Attorney F. D. Hackett, of private counsel for the prosecution, requiring him to produce notes of private testimony of Mrs. Mary Watson as to identity of the man who was addressed as "judge" during the flogging.

When court convened this afternoon Jule Brogden the second of the defendants to be placed on the stand, was subjected to cross examination at the hands of Mr. Stephen McIntyre, who without remuneration is assisting Solicitor T. A. McNeill in the prosecution.

Direct examination of Brogden was concluded at 14 minutes to 1 o'clock this afternoon and court took recess until 2 p. m., half an hour earlier than the usual hour. It is thought that Lawson, considered the principal defendant, will be put on the stand next and that then a cloud of witnesses will be introduced to prove an alibi. The State which rested unexpectedly yesterday afternoon after Mrs. Purvis told her story

about the whipping, which story was in all respects the same as the story published in The Robesonian when the preliminary hearing was held early in May, and her son Conrad had given his testimony and testimony as to evidences of the whipping the women bore on their bodies a week after the event had been introduced, will put on additional witnesses in rebuttal.

It looks like the case will last out practically the entire week, unless some unexpected termination of the trial is reached.

The court room has been packed every moment since the trial began yesterday morning, special deputies being on duty. Every inch of the ground is being closely contested by Solicitor McNeill and Mr. McIntyre for the State and Messrs. J. Dickson McLean, T. L. Johnson and W. S. Britt for the defense.

Judge N. A. Sinclair has been on the bench only six months, but he is conducting the case with the dispatch and precision of a veteran. He has ruled repeatedly that questions pertaining to the Ku Klux Klan are incompetent as tending to show whether or not the Klan is connected with the whipping in any way, despite the continued objections raised by counsel for the defense. His decisions are swift and without hesitation.

At 10:45 Tuesday morning Solicitor McNeill announced that the State was ready for the trial of B. M. Lawson, Jule Brogden and John Hedgpeth on charges of secret assault, kidnapping and assault with deadly weapon with intent to kill, the other charge of first-degree burglary being deferred.

Selecting Jury

In selecting the jury, Mr. J. A. Campbell of St. Pauls township raised his hand in answer to the question if any member of the jury as it was then constituted was, or had ever been, a member of the Ku Klux Klan. He explained that he was a member of the Klan in reconstruction days. Judge Sinclair stated that he could retain his seat on the jury, explaining that the organization then and now were entirely different. Mr. J. W. Bryant went to a lecture by a member of the Ku Klux Klan and was excused by the court. In telling of attending the lecture he stated that he did not like the lecture and did not join the Klan. Mr. Roy Townsend was excused on the ground that he had within the past few days been riding with Mr. H. L. Taliaferro, alleged Ku Klux Klan detective, and had talked with him since he was summoned as a juror. Mr. J. F. Lewis stated that he had never joined the Ku Klux Klan but that he had given them \$10 and had attended three meetings. Attorneys for the state were allowed to challenge twelve jurors and exhausted their entire quota, as did the defense, which was allowed to challenge six. The main questions asked by the state to the prospective jurors were relative to their connection with the organization commonly known to the outside world as the Ku Klux Klan and if they were related by blood or marriage to the defendants.

The jury as it was empaneled is composed of Gilbert Cox, W. R. Baxley, J. H. McLean, J. A. Campbell, J. S. McQueen, J. D. Medlin, J. C. Carlyle, F. K. Biggs, W. H. Prevatt, J. H. Bass, E. C. Floyd and A. D. Evans.

Mrs. Purvis' Story

Mrs. Hattie Purvis was the first witness to take the stand. According to her testimony she is 34 years of age and has lived in the lower part of Robeson county all of her life. She was raised within 4 miles of

Mike Lawson and has known him all her life, being for some time a schoolmate of his. Her story of the affair as it occurred on the night of April 14th last is as follows:

"Just about first dark Hybert Legget, a cousin of mine, came to my house. Mrs. Mary Watson and her two children, Norine and Nethelie, were there also, Norine and my son Conrad leaving for a meeting of the B. Y. P. U. just before Hybert came. In a little while, about 9 o'clock, Dr. Ricks came to my house and told me that he wanted to speak to me a minute. We went into the parlor, where he told me that a friend of his and a friend of mine had told him to notify me that the Ku Klux were coming to see me that night. I called Hybert, who heard what Dr. Ricks said. I went back into the other room after Dr. Ricks left and told the others about it. Then I went around the house and locked all the doors and windows. Norine and Conrad returned about this time from B. Y. P. U. Hybert left soon after they came. About 10 or 10:30, after I had taken down my hair and was getting ready to retire, I heard someone on the front porch. I said, 'There they are now.' I went to the front door and recognized Jule Brogden with his face close to the door, holding the screen door back. He was commanding that I open the door. I told him that if he wanted it open he would have to open it. I then called my son, Conrad. Just as I called him the back door flew open, slamming against the wall. Six or seven masked and robed men came up the hall led by John Hedgpeth, whom I recognized on account of his pants and shoes and walk. A big man whom I recognized as Mike Lawson followed Jule Brogden in the front door, as did some others, all robed and masked.

"Lawson had a pistol and a policeman's club. He was telling the other men which ones to take. He hit Nethelie Watson over the head with the club as she screamed from fright. The old lady, Mrs. Baxley, who has lived with me for 20 years, fainted. Mike told me that they were not going to hurt me and not to be afraid. They then carried Mrs. Watson out the front door and threw her into a waiting car. Then one took my arm and carried me to the car and threw me in Mrs. Watson's lap. Mrs. Watson was asking them not to choke her and continued to beg them until they nearly reached the churchyard, when one of the men stopped choking her. She was pulled out of the car and blindfolded. One of the men pulled out a dirty handkerchief and started to blindfold me. I asked him not to use that dirty rag. I was not completely blindfolded. They lead us to the side of the church. bent Mrs. Watson down over a log that had been used to support the church which had leaned on account of a heavy wind. They waited until all of the 18 men were there. They raised her skirt and began beating her. When she started to scream, Mike said 'Hold the gun on her.' I then saw Mike raise his mask and wipe his face with a handkerchief. They told Mrs. Watson that she had raised the biggest crook in that part of the country. They would not let her explain and further told her that her daughter had caused Dr. Ricks and his wife to part. She was also accused of not treating her husband right. A man standing looking on was asked if that was enough when they had beaten Mrs. Watson severely. Then I was next to be taken to the log. I begged them to tell me just why they were beating me. They then raised my skirt and I tried to pull it down. I was told that Mrs. Watson's husband had said that he had seen men and women at my house huddled up and that I was running a disorderly house. The blood was beaten out of Mrs. Watson. We were both black and blue from our waists to our knees. The Ford in which we rode out there had left. We started walking back to town. Mrs. Watson stated that she did not believe she was able to make it. Mike said 'Don't you reckon a few more licks would help you along?' On the way back I told them I knew some of them and Mike said that I had better not let anything ever be heard of this, that there was 10,000 Ku Klux and it wouldn't be good for me. He then told me that I was the bravest little woman he ever saw. I recognized Brogden by his hands and eyes, Hedgpeth by his trousers, shoes and walk and the way he stood. He stopped right under the hall light. When we left the house the car went

right through the main part of town and turned at the corner near Mr. I. P. Graham's house. Many men were standing in front of W. R. Surles' store. Sam Watson, husband of Mrs. Watson, was the chief of police of Proctorville. The street lights were on, when we went out but were out when we returned. The whipping hurt me very badly. There is scars on Mrs. Watson now and it is black and blue on me in places."

She then told of showing her wounds to Miss Elizabeth Frye, county welfare officer, Mr. J. A. Sharpe, editor of The Robesonian, Dr. E. R. Hardin, county health officer, and her attorneys. She stated that Mike Lawson told her that this flogging was just a warning and that she had ten days in which to go to her husband, who, she explained, is a traveling salesman out of Rocky Mount. She stated that she was living in Proctorville in order that her children might finish the year at the high school at Orrum. She also stated that Taliaferro, the alleged Ku Klux Klan detective, had been to see her since the preliminary hearing. Objections were entered by the defense and sustained by Judge Sinclair. Mrs. Watson was struck about 12 or 15 licks with a leather strap about 4 inches wide, Mrs. Purvis said.

On cross examination Mrs. Purvis denied that she had ever had any dancing in her house. She gave as her reason for moving to another house that the first house was not large enough to hold the furniture that she was moving from the old farm house. She denied that she knew that there was an automatic switch on the power house and that the lights were cut out in town at the same time every night. She said the reason the lights burned longer that night was because the majority of people in Proctorville were members of the Ku Klux. When she was asked why she did not ask Hybert Leggett to let her go home with him when she heard the K. K. Ks. were coming she said that she had children and the old lady and she could not carry them about. She flatly denied that she was the cause of the divorce of Dr. L. E. Ricks and his wife, that she had been run out of a hotel in Wilmington or Wrightsville Beach on account of immoral conduct, or that she had met Dr. Ricks in Elrod at different times since the preliminary. She also denied seeing Dr. Ricks in the Riff department store at Fairmont upstairs. The fact that she was denied credit by John Hedgpeth when he was working for Mr. W. R. Surles was also denied by her and she explained the matter by saying that she had not asked for credit or time business since moving from the farm and that Mr. Surles was not in the store at the time.

Conrad Purvis

Conrad Purvis, a son of Mrs. Purvis, corroborated that part of his mother's testimony regarding the men coming to the house except that he did not recognize anyone except Jule Brogden and John Hedgpeth. He said that he saw the men carry Norine and Nethelie Watson off down the street and shove them toward home, and that when he tried to follow his mother they shoved him back into the house. When his mother returned to the house about 11 o'clock she told them that she had recognized Jule Brogden, John Hedgpeth and Mike Lawson. He denied on cross examination that he had told Mr. Atkinson that Mr. Surles was recognized by him that night.

Mr. J. A. Sharpe went on the stand and testified that he was called to the office of Solicitor McNeill when the warrants were sworn out for the men and was shown how badly the women were beaten. He stated that the flesh appeared to have been severely beaten, was black and blue and angry-looking and resembled beefsteak which had been beaten preparatory to cooking. Mrs. Purvis told him that it was done by 18 masked and robed men and that she recognized the three defendants.

Witnesses for Defense

At this point the state rested its case. Twentyfive or thirty witnesses for the defense were sworn. The first of these to go on the stand was a character witness, Mrs. Mary Surles, who testified that Mrs. Purvis had a bad, very bad, reputation. On cross examination she was asked if she approved of the whipping that was given to Mrs. Purvis and Mrs. Watson. To this she replied that she did not approve of the whipping. Mrs. W. R. Surles was called next and like the

other three female witnesses examined Tuesday gave Mrs. Purvis a bad reputation. She stated that she did not exactly approve of the whipping, but that she did not go to see if either of the women was badly beaten and that she didn't believe they were, beaten as badly as they said.

Mrs. Rachael Nobles, a resident of Proctorville, swore that Mrs. Purvis had a bad reputation. On cross examination she stated that Mr. Sam Watson and his daughter Nethelie came to her house about 12 o'clock on the night of the flogging and asked her to go and see if she could do something for Mrs. Watson. On account of sickness she said she did not go. She stated that she did not exactly approve of the whipping but that sometimes something has to be done.

Woman Approves Whipping

Mrs. Geo. P. Branch gave Mrs. Purvis a bad reputation, saying that it was "bad, bad". The witness proceeded to interrogate Mr. McIntyre, who was doing the cross examining, asking him if he was a member of the Ku Klux Klan. To this he replied, in a loud and emphatic voice, "No, mam, and I never will be if all the rest of the world belongs to it". When asked if she approved of the whipping she finally stated, after Judge Sinclair had asked, "Well, yes". She first stated that she did not approve of whipping good women.

Mrs. W. A. Graham stated that Mrs. Purvis' reputation was bad. She did not approve of the whipping the women received.

John Hedgpeth On Stand

John Hedgpeth then went on the stand and stated that he had been a member of the police force of Proctorville, an alderman of the town and was now assistant postmaster. He stated that he did not wear yellow pants and tan shoes on the Saturday in question and that he wore blue trousers and black shoes. He exhibited the trousers. He went to the funeral of Mr. Dock Barnes and returned to Mr. W. R. Surles' store, where he was employed, about 11 o'clock. He went to supper between 7 and 8 o'clock and returned to the store, where he remained until 9. Went home by way of postoffice, arriving home a little after 9 o'clock. Sat up reading a book. Robert Byrd came by and talked awhile about farming. He didn't leave home that night, and had nothing to do with the whipping. Heard it the next morning at Sunday school. Went to Watson's on way to tobacco patch, and saw sister, who called him out to a nearby ditch and told him about it. According to his testimony, she did not know who did the whipping and she wished she did. He also swore that she was complaining. On Monday afternoon he was in Fairmont.

He heard Mrs. Watson, his sister, state in the court house that she did not know who whipped her when the preliminary was being held. He explained that he wore brown trousers on cold bad days. He also stated that he had sold several pairs of the trousers to people living in and near Proctorville. On cross examination he was the subject of a furious attack by Mr. McIntyre, who had him in very close quarters on several occasions. He told the story of the book he was reading, which was entitled "The Seven Keys". When asked if he turned off Sam Watson as policeman after the flogging he replied in the negative, admitting he was an alderman at the time. He admitted that he didn't try to find out who whipped his sister because there was nowhere to find out. He emphatically denied knowing anything about the K. K. K. but said he did attend a lecture one time and was unable to tell what it was about. He recognized Mr. W. R. Surles present at the meeting and that was all he could remember. The meeting was conducted by a Mr. Stephenson. When he was asked about flogging women he stated that he would not whip anyone but that if he did he would not deny it.

W. R. Surles On Stand.

The first witness offered by the defense this morning was Mr. W. R. Surles, a merchant of the town of Proctorville, who testified that he employed John Hedgpeth at different times and that Hedgpeth worked for him on April 14th all day except while he was attending a funeral. He further testified that Hedgpeth wore a blue suit that day. According to Mr. Surles, Hedgpeth acted toward his sister Mrs. Mary Watson as a brother and had at one time cared for her furniture while she was away

from home a long time. The sales book used by Hedgpeth was identified by him as the one he used on Saturday, April 14th, and it was shown that he did not use it on the following Monday. Didn't know that anyone went into the Purvis house that night. Streets lights went off every night about 10:30. On cross examination it was shown that Mr. Surles did not get up and investigate when he saw several hooded and robed men parading in the streets of Proctorville that night. He stated that they went toward his store and the bank of which he was an officer. He was later told by Mr. Walter Nance that the K. K. K. had visited Mrs. Purvis, and later told by Mr. Nance that it was a mistake. He admitted telling Mrs. Purvis that he thought it best for all concerned that she leave the community and go to her husband in Rocky Mount.

He stated that Mrs. Purvis told him that Dr. Ricks was coming now just for spite and he advised her against that. He admitted that he told her that those who went to see her were possibly her friends and didn't mean any harm about it. He further admitted that he went on the bond of the men after the preliminary hearings and gave his reason for doing so that he did not believe them guilty of the crime with which they were charged. Admitted also that he had attended a lecture of the Ku Klux Klan but denied any affiliation. He saw in the hall at the lecture about 15 men, among whom he said was C. C. Fennel, Jos. A. Nye, John Hedgpeth and Kelly Bass. He stated that he saw H. L. Taliaferro, Ku Klux Klan agent, there after the preliminary and that the agent went with him to the house vacated by Mrs. Purvis. He said he went to the house to see if the locks were broken, explaining that he was a part owner of the house. He said that some one was on the porch the night before he went to the house and that he could not tell who it was. When asked why he didn't investigate the noise, stating that he was afraid of ghosts and afterwards stated he was possible afraid of hooded ghosts. He said that when he looked at the locks in the house they were not broken.

Retained Watson as Policeman.

Mr. K. Atkinson went on the stand and corroborated the testimony of Mr. Surles as to the whereabouts of Mr. Hedgpeth on April 14th and the charge books. On cross examination he admitted that he was an alderman of the town of Proctorville and that he was still retaining Sam Watson as policeman. He said he inquired about the whipping but that he did not make a thorough investigation. He emphatically denied membership in the Ku Klux Klan.

Mr. Robert H. Byrd testified that he was at the home of John Hedgpeth from 9:45 until 11 o'clock on the night of the whipping and that he and the defendant talked about tobacco plants and farming in general. Cross examination confused the witness to some extent when it was found that he did not have a watch that night.

Wanted to Run from Kluxers.

Mr. H. W. Hudson testified that he was a relief agent at Proctorville at the time of the whipping and that he met Robt. Byrd coming from the direction of John Hedgpeth's house about 11 o'clock. On cross examination he stated that he was afraid of the Ku Klux and that he wanted to run from them.

Mrs. John Hedgpeth, wife of the defendant, corroborated his testimony as to where he was during the day and night of the 14th. She said that she had asked Sam Watson to help her get ready to come to Lumberton. She also corroborated the testimony regarding the clothes that her husband wore that day and night.

Brogden's Story.

Brogden's story on direct testimony was as follows: On the night of April 14 he left his garage about sunset, went to his home, washed, changed clothes, went to the barber shop, got a haircut and shave; thence to Mr. Haynes Barnes' store, where he bought flour and cigarettes, went to Mr. Geo. Branch's store and from there to the post office and then on home after talking with Mr. C. C. Burns. Only stayed at home a minute. Returned to a store and bought some eggs, returning home afterwards. He testified that he had not joined the Klan and that he did not have anything to do with the flogging. He said that the grease had been thoroughly washed from his hands and face. He admitted having been arrested in Proctorville about 18 months ago charged with using profane language and he paid the costs in the case.