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# THE ROBESONIAN

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## Trial of Men Charged With Flogging Women Nearing Its Close

### Examination of Witnesses Ended at 3:40 This Afternoon—Counsel Agree on 3 1-2 Hours Argument for Each Side.

### LAWSON ONLY ONE OF FLOGGERS RECOGNIZED BY MRS. WATSON

### Says She Does Not Believe Her Brother John Hedgpeth Raised His Hand Against Her—Believes Her Husband Cause of It All—Norine Watson and Aristo Purvis Swear to Recognizing Other Two Defendants—Alibi Built for Lawson by Many Witnesses Considerably Weakened—Keith Files Answer That He Has No Records of Klan and Has Not Seen Them.

Trial of Mike Lawson, John Hedgpeth and Jule Brogden on charges growing out of the flogging of two women near Proctorville on the night of April 14, which began Tuesday morning, is nearing its close. At 3:40 this afternoon examination of witnesses was ended and counsel agreed to limiting argument to seven hours, three and a half hours for each side. Only a few witnesses were put on by the State this afternoon and counsel for defense rested after putting on a few witnesses in rebuttal.

This prospect of rapid closing of the trial eliminates the probability of a night session, which had been expected.

Mrs. Mary Watson, one of the victims of the flogging on the night of April 14 at Proctorville on charges growing out of which flogging Mike Lawson, Jule Brogden and John Hedgpeth are being tried in Superior court here, swore on the stand this morning that Lawson was the only one of the men she recognized, that he was the one who used the strap. She said she did not believe her brother John had ever lifted his hand against her and that she loved him and would gladly change places with him if she could. Her husband Sam Watson, she said, is meaner than old Satan wants him to be and was the cause of her and the children being at the home of Mrs. Hattie Purvis, the other victim, that night.

Mrs. Watson said that her husband was the cause of the whole thing and she gave even more evidence than she gave at the first hearing. Many were looking for her to say that she did not recognize any of the men, but they were disappointed as she told emphatically of recognizing Mike Lawson.

Norine Watson gave positive testimony as to recognizing Jule Brogden on account of his eyes, and Aristo Purvis was certain he recognized John Hedgpeth.

Strong Alibi Weakened. The strong alibi which the defense had built up for Lawson were in some instances torn completely down this morning and only a few were left standing in a prominent light, after the State had put on a number of witnesses for that purpose. The defense used many things against the witnesses and were in some cases impeaching, where the witnesses admitted to having had trouble with Lawson about liquor.

The strongest testimony offered by the State was that of Mr. E. G. Mitchell, who swore that he saw a car parked near the station in Fairmont about 9 o'clock on the night in question and saw the defendant Mike Lawson and P. P. Smith get into the car and drive off in one direction of Proctorville. Counsel for the defense did not try to impeach his testimony with any of the other methods previously used on the self-admitted partakers of liquor.

Keith Says He Hasn't the Records. Mr. V. W. Keith, an attorney of Fairmont, filed answers yesterday with Clerk of the Court C. B. Skipper to the duces tecum subpoenas served on him Wednesday at the instance of counsel for the prosecution to produce in court records of the Fairmont klavern of the Ku Klux Klan showing list of officers and members and any communications from or to H. L. Taliaferro, alleged Ku Klux Klan detective, in regard to flogging of women at Proctorville, or hearing upon the alleged theft of robes or helmets from the Fairmont klavern

Mr. Keith makes answer that he is not in possession of and has never seen such records and places himself at the further service of the court. No answer had been received up to noon today from Mr. E. F. Randolph of Warsaw, alleged grand klaff of the realm of North Carolina, to a similar subpoena mailed to him Wednesday.

Health Officer Describes Wounds. The State opened this morning by offering Dr. E. R. Hardin, county health officer, who testified that he examined Mrs. Purvis and Mrs. Watson on the 20th of April, 6 days after the flogging. He described the wounds, and by following his notes gave an exact description. There was a lot of discoloration and large bruises.

Miss Elizabeth Frye, county welfare officer, was called but failed to answer. Ricks Purvis, 10-year-old son of Mrs. Hattie Purvis, corroborated the testimony previously offered as to the appearance of the Ku Klux and happenings at the Purvis home.

How He Recognized Men. He described intelligently the way the Klansmen were dressed and how he was able to recognize Jule Brogden, by his eyes and hands, and John Hedgpeth by the way he stood, and his pants and shoes. As he started out the door after his mother, P. P. Smith pushed him back he declared. The young man was somewhat confused by a stiff cross-examination when he tried to explain the kind of grease he saw on Brogden's eyes. Like his brother, Aristo, he said he was not afraid.

spite of rumors that the State wouldn't offer her as a witness. Counsel for the defense subpoenaed her yesterday to use her in case the State did not put her on. She gave her reason for going to Mrs. Purvis' that she didn't want to stay at home alone. Her husband told her when he left that he would be back some time that night.

Her first few minutes on the stand corroborated Mrs. Purvis' testimony with the exception of the identification of the three men Mrs. Purvis recognized. Contradicted W. R. Surles testimony, stating that when she was thrown in the car she saw W. R. Surles standing on his porch looking at them.

Recognized Lawson. When they reached the church the Ku Klux started to carry them inside of the church but carried to the side. A big tall man took out leather strap and gave it to Mike Lawson, she said. They put something like a flour sack over her head which did not completely blindfold her, and she easily recognized Mike Lawson.

"Didn't Get Enough". She said she could not swear that the "judge" was P. P. Smith but she would always believe it was him. She said that her husband Sam said "we got just what we deserved, and if anything didn't get enough."

She said she was afraid to return to Proctorville after the warrant was issued, that she knew she had no protection there. That part of Norine's testimony relative to the Klan coming back a few nights afterwards was corroborated by Mrs. Watson.

Nothing Out of the Way. On cross-examination Mrs. Watson stated that she never saw or heard anything out of the way at Mrs. Purvis'. She contradicted Norine's testimony about slippers, saying Conrad had jerked them off instead of Norine pulling them off.

"Meaner Than Satan Wanted". She had been at Mrs. Purvis' several times with children and played games. Her husband admitted to her that he had saved Mrs. Purvis' house when she and the girls were there. She said her husband was "meaner than old Satan could want a man to be," and continued that she wanted to be allowed to tell who were the members of Sam Watson's Klan. The defense didn't care for it.

She said Haynes Barnes was a man she doesn't speak to. Didn't Want to Tell. Mrs. Watson admitted that she told some people in the court house she didn't know who did it and that she was not going to tell anybody's name until she had to. She explained the reason for saying she didn't know any of them because she didn't want to tell about it.

Doesn't Accuse John. Mrs. Watson was the victim of scorching questions by Mr. W. S. Britt about telling witnesses in case that John Hedgpeth had nothing to do with it. She answered these by saying that she does not believe that John ever raised his hand to harm her.

Sam Told Her to Go. She testified to a rebuttal from State counsel that Sam had told her to go to Mrs. Purvis'.

Saw Mike Lawson's Car. Wade Nye testified he was in Proctorville on the night of April 14th and stayed part of time at John K. Atkinson's. He said his car stopped on road from Proctorville to Fairmont and a car with five men in it that he had previously seen in Proctorville passed him. He remarked to his companions then that he would see that car again, that it was Mike Lawson's. He swore he saw the same car the next morning.

Raymond Inman, driver of the car which stopped on the road on account of a puncture, corroborated Nye's testimony.

On cross-examination he said he left Proctorville just before 11 o'clock and it was a few minutes after when car passed them on road, Mr. T. L. Johnson used terrific energy in trying to tear down the witness' testimony relative to the time he left Proctorville. He was successful in compelling the witness to admit he had driven a car in town of Fairmont and that he had trouble in Fayetteville in the "red-light" district. The witness denied telling Lawson that he now had a chance to even up with him for his past abuse.

H. H. Atkinson was on his way from Geo. Branch's store when he saw the Ku Klux car going towards Mrs. Purvis', only two men in it and no number on car. Heard Ford start up in front of Surles' store, after hearing a whistle; heard the noise at Mrs. Purvis'; went to Mrs. Purvis' after the Ku Klux left.

Gay Bullock and Fairmont recorder's court Judge A. E. Floyd testified they were with Inman and Nye and partly corroborated the testimony.

Didn't See Lawson in 2 Hours. R. R. Turbeville, policeman in Fairmont on the night of April 14th, testified he saw Lawson between 8:30 and 9 and no more till 11:15. Lawson told him he was going home about 9

o'clock, that he was sick, he said. On cross-examination he denied Lawson told him to look out for some drunks, but admitted he had been drunk himself in Fairmont. Denied having applied for Lawson's job since this affair.

Saw Lawson After 11. Jno. D. Purvis said he drove up to barber shop after 11 p. m., at same time Mike drove up. Heard Turbeville ask him about going home early. Said Mike asked Turbeville if there was any drunks in town that night.

On cross-examination he admitted to being drunk and paying fines. Lawson didn't arrest him that night. E. G. Mitchell saw a Ford car parked near station, saw Mike and P. P. Smith get in car and drive toward depot, crossing railroad about 9:15, one of the ways to Proctorville. Others were in car, in the back seat.

On cross-examination defense's counsel tried to show that they got into the car and went in the direction of P. P. Smith's home.

Mr. E. B. Hayes stated he went home at about nine o'clock, Mr. E. G. Mitchell accompanying him.

Got Time Mixed Up. Thursday afternoon's grind consisted of a renewed effort to establish an alibi for each of the defendants, prove good characters for them and further impeach the character of Mrs. Hattie Purvis. Partial alibis were shown by character witnesses W. F. Mitchell, Glenn Ashley and Roy Johnson in the early afternoon. S. G. Floyd was considerably confused by the cross examination when his testimony as he had just given it contradicted the signed letter of her husband was being sharply hearing, in which he testified that Lawson was in his place of business between the hours of 9 and 10. His testimony at this trial differed considerably as to the time.

Mrs. Mike Lawson on Stand. Mrs. Mike Lawson, wife of one of the defendants and who hotly protested out in court when the character of her husband was being sharply handled Wednesday, took the stand and offered an alibi for her accused husband, corroborating his testimony as to the time he returned home on the night of the alleged flogging and the time he ate his supper. According to her testimony, Lawson came home at 11 o'clock, the clock striking just as he entered the house. She was not confused by the cross examination, which was much milder than was expected by the large crowd of people with hungry auditory nerves.

About the Lights. The question of the lights going out in Proctorville at a certain time was practically settled when Mr. Walter Nance, who testified that he was in charge of the plant, told that the switch controlling the lights was of the automatic kind and that he had it set that night to go off at 10 o'clock. On account of a severe storm the day before, he explained that the switch or clock had been thrown out of adjustment and it was necessary for him to call Mr. C. M. Reeves to help adjust the automatic part. He swore that he had asked Mrs. Purvis about the whipping and she told him a few days later that she did not receive one.

A Little More Flogging. Despite the warnings of Judge N. A. Sinclair regarding laughter, the packed court room rocked when Mr. Nance on cross examination was asked if he did not say that it would be the thing to do if the Klan would come to Lumberton and flog Mr. Sharpe, editor of The Robesonian, and give a little to Mr. McIntyre, the prosecuting attorney. Mr. Nance stated that it was generally rumored over that part of the county that Mr. Sharpe was trying to prejudice the public against the defendants, but flatly denied making any such statements.

Messrs. A. S. Thompson, A. J. Floyd, D. R. Mitchell, P. B. Thompson, R. L. Owens, S. W. Floyd, Oscar Abbott, W. J. Walters, Will Barnes and Frank McLeod testified in succession as to the good character of the defendants and the other witnesses who had been used in an effort to establish alibis.

Four Women Testify. Four women from Proctorville followed these men for the same purpose. Mrs. I. P. Graham was the first on the stand and fulfilled the desire of the defense as to the character of Mrs. Purvis. She stated that she did not approve of the whipping but that the matter should have been handled by law. There was nothing unusual in the testimony of Mrs. W. G. Nance, a character witness. Mrs. H. Barnes was the subject of a short cross-examination after she had testified as to the character of Mrs. Purvis. She didn't approve of the whipping, but didn't go to see how badly the women were hurt. She said that the women should have been indicted, but explained her reason for not doing so by the fact that she did not know how to go about it. She admitted that Mrs. Purvis sent her children to Sunday school, but stated that she had invited Mrs.

Purvis to church, but she wouldn't come. Mrs. K. Barnes said that she had talked earnestly with Mrs. Watson and pleaded with her to stop the row and commotion at her home, and that she would not, and she did not go about her any more. At this point the defense rested.

Had Time Wrong. The prosecution came back with renewed vigor and had a large number of additional witnesses sworn. The offensive was launched by recalling to the stand Conrad Purvis, son of Mrs. Hattie Purvis, who contradicted Ernest Branch's testimony relative to the time Mike Lawson was in Proctorville. Conrad testified that Mike and P. P. Smith went into Geo. Branch's store at first dark. He also stated that Mrs. Stone had testified wrong about his telling her that they did not know who did the whipping.

Norine Watson's Story. Miss Norine Watson told a straight story of the happening on the night of April 14th and corroborated the testimony of Mrs. Purvis relative to the happenings at the house before her mother, Mrs. Mary Watson, and Mrs. Purvis were taken out by the masked men. She was positive about recognizing Jule Brogden on account of his eyes, which were showing plainly through eyeholes in his hood, which had been cut too large. When the masked men took the women out of the house two of them shoved her and her sister Nethelle down the street and told them to go home. She went to the home of Mr. John Atkinson, where she stayed until her mother and father came for them.

Pitiful Tale of Pain and Woe. The most pitiful part of the evidence offered during the day was when she next told of how badly her mother was beaten and how she sat on the bed with her all night, expecting her to die every minute, and seeing her suffer such awful pain. A bit of new evidence was brought to the surface when she told of some men coming to her house a few nights later and talking to her from the outside where she could not see them. They told her that they were members of the Ku Klux Klan and that they had come back to tell her that they had learned they were mistaken about her character and wanted to beg her pardon. They also stated that they came from a distance, and that she would continue to have the good-will of the Klan if she would not go to Mrs. Purvis' any more.

On cross examination she could not explain the color of Brogden's eyes but told counsel for the defense that they were different and easy to recognize. Recognized John Hedgpeth. Aristo Purvis, the second son of Mrs. Purvis to testify, told a firm story of the happenings of the night and his voice was strong despite the few breaks caused by using all surplus breath in making his story heard. He is only 13 years old but the defense did not win a victory on cross examination of him. He made the best description of coming of the robbed men and said his reason for recognizing John Hedgpeth was that his cloak "blowed apart" up to and above his knees so that he could get a good view of the trousers and shoes that he wore. He introduced new evidence when he stated that he saw P. P. Smith in the afternoon and asked a boy who was selling salve to try to sell some to Mr. Smith. "But he didn't buy one," he added in a low tone. His testimony was concluded by telling how he waited on old Mrs. Ratley when she complained of her heart and called for water and pills. He said he was not afraid of the Ku Klux.

Same Size as Lawson. Nethelle Watson, 13-year-old daughter of Mrs. Mary Watson and considered by some the best witness offered since the beginning of the trial, said that there was not any difference in the size of Mike Lawson and the man that hit her on the head with a policeman's billy in Mrs. Purvis' house when she screamed. Her testimony was a complete corroboration of her sister's testimony. She contradicted the testimony of Mrs. Nobles, who had testified for the defense that Sam Watson and Nethelle came to her house about midnight and asked her to come and help his wife, saying that Sam Watson did the talking. According to Nethelle, she was the one that did the talking and her father did not say anything. A part of her testimony different from any other was that she did not recognize any of the masked men.

Lawson Ready With Answers. In cross examination yesterday Mr. Stephen McIntyre asked Mike Lawson numerous and searching questions, but the witness was ready with answers. He said when he called Mr. Rouse the ugly names for accusing him of being a newstoter for the Ku Klux Klan that he took off his pistol and handed it to some one near by, but that some men stepped between them. He said what Mr. Rouse accused him of he considered as bad as what he called Rouse. He was indicted for using loud and profane language and paid \$1 fine. When Raymond Inman made remarks to him about the Ku Klux he ad-

mitted saying that any man who said he was a Ku Klux was a (using an opprobrious epithet), but did not understand, and didn't think Inman understood, that he was calling him that. He innocently protested that he had heard and was under the impression that it was not against the law to bet on ball games, but knew it was unlawful to shoot craps or engage in some other forms of gambling, answering questions about holding stakes and paying over money to Fairmont men who covered a Lumberton man's bet on a game that was forfeited. He denied emphatically that his father-in-law, Mr. Jacob Ivey, had ever said any harsh words to him or had told him that if he did not quit following the Ku Klux and quit his meanness he would take his daughter to his home.

Andrew Smith Whipping. The Andrew Smith incident, wherein in hooded men took charge of Smith one night just after he had been fined \$98.75 in Recorder Floyd's court in Fairmont and took him outside of town and whipped him, was borne down upon heavily, but Lawson protested that he did not see the men until they had gotten into their cars and were moving off. He talked about it to people on the street, while, he said, but did not try to investigate and did not know how he could have found out about it. He said the men caught Smith after he left the court room, where he had remained because the bondsman wanted to give him a check. The trial had been set for 7:30 and was held at that time, after dark.

Klansmen Visited Negro. When hooded klansmen visited Mack Taylor, negro, at a time when Lawson had stopped there, innocently, he said, merely to get water for the parched insides of his new car, they accused him of being there to get something to drink. He said Mack ran, and the klansmen scattered and he vomited himself, not standing on the order his going.

He said he knew nothing about a Ku Klux raid on Pittman Barnes down in Columbus county.

Sandy McCormick Incident. When questioned about Sandy McCormick, Lawson said that Sandy got crazy drunk one night and was threatening to kill everybody at his (Sandy's) home, and he took his gun away from him and put him in the guard house. It took three men to hold Sandy, he said. Did not keep Sandy's gun or go to his house with klansmen. Had not been accused of helping to run a negro away who had not been seen since or of taking Brooks Lewis out and giving him a lecture. Didn't know about klansmen taking two young men out of Mr. Rowland Bullock's car at Jones' swamp.

Lawson said he had not had a fight with Jack Edmund in Lumberton since court started last week. Edmund said something to him about trying to arrest him because he went up and down the streets of Fairmont yelling "Ashpole, Ashpole", and he called Edmund a lie, but no blows were passed.

Just before leaving the stand Lawson denied having been in Lumberton on the Fourth of July and denied having been in the office of his attorneys when P. P. Smith, E. L. Taliaferro and V. W. Keith were present. He was on the stand exactly one and three-quarters hours.

Told Lawson to Collect. Mr. H. G. Mitchell, an alderman of the town of Fairmont at the time of the alleged flogging, testified that he directed Lawson to collect some tax money on the night of April 14 as the town was in need of funds. He was preparing to close the store when Lawson came back from collecting, which was about 10 o'clock. Lawson staying there just a few minutes. He said that it was about 6 miles from Fairmont to Proctorville. He gave Lawson a good character and said that he was still employed by the town as chief-of-police. On cross examination he said that he had allowed Lawson to remain on duty, carrying a pistol, after being held under bond, for appearance to answer charges of the flogging. He admitted hearing of the time when Andrew Smith was taken from the court room by masked men, but didn't investigate it. Denied membership in Klan and stated he was not in sympathy with it.

Mr. C. E. Graham corroborated the testimony of Lawson regarding the purchasing of underwear about 10 o'clock, and gave Lawson a good character. Admitted on cross examination that he had been accused of being a member of the Klan but said he was not, and that he would tell it if he was.

Lawson's testimony also was corroborated by M. B. McDaniel as to the officer buying a shirt from him about 10 o'clock. He admitted that he saw Smith taken out at Fairmont by masked men and that he was in sympathy with some things that the Ku Klux did, but denied membership.

Mr. J. R. Jacobs corroborated Lawson's testimony relative to seeing Lawson in Grantham drug store between 9:30 and 10 and gave Lawson (Continued on Next Page.)