

State

vs-

Saturday Dec. 11th 1889-

J. W. Shaw.	}	Examination for Assault and Battery while disguised - <u>contra formam Statutorum</u>
Henry Hutson		
Eeli Eubiss		
Riley Coley		

Defendants appear according to adjournment.

Daniel Saylor	}	Witnesses for the Prosecution sworn.
Farley Cable		
Mary Kime		
Matilda Saylor		
Sarah J. Shoffner		
William Hutson*		
Ellen Seits		
Abram Pugh		
Oliver Fritch		

R. J. Shaw	}	Witnesses for the defence sworn
Molly Summers*		
John H. Shoffner		
J. R. Coley		
Alfred Smith		

On motion of defendants' Counsel the witnesses are all sworn and placed under custody of Sheriff in another room.

Matilda Saylor - wife of Earl Saylor - born in county - on Dany Green's land, 15 miles from here. Self, Husband & Family sleep in there together.

This night 2 weeks since, about 10 oc
I think, had gone to bed, some one
rapped & called. I woke my husband
& he went & opened the door. There
one asked for red hot water, asked
if it would hurt his family. Got up
and went to door, saw 8 men. Five
were tall & 3 shorter ones. Only one of them
talked - no snow, but a clear night. They
were some 3 steps from the door. They
were dressed in black broad sound with
white. Could not see faces nor eyes. Asked
about Joel Pike. Asked the road to Joel
Pike's - Said Daniel must put on his
shoes and go and show them the way.
Soon after I heard him call out "Oh
Lord!" once only. Then I went in and
sat down by the fire I was frightened -
After about 15 minutes he came back
seemed to be in a chill or badly frightened.
For about 2 hours he only cried and ^{said} he
would give "Prob" a colt he has, to know
who these men were. I thought the voice I
heard, of the one who spoke, was that of
"Cin Colley" (Soft Colley). I am not sure but
thought it was his then and think I or some
have known him for 6 or 7 years - know
his voice. These men were on foot - They had
something like long coats. One could see their
shoes, and they had on high caps which seemed
to meet their coats -

Curlis has a even voice - I know
his voice very well - Had not seen him
before since the meeting at Mt Pleasant
Church - I have heard him talk at
other times - Have known Celi Curlis
before he was grown - lived a mile
from here then - Have heard him
talk many a time - Don't know as I
ever had a conversation with him
He is the man that told me they trapped
Guyton - Know Henry Hutson's voice well
Told this to Peggy Suits that night - Told Sam
Guyton and my husband -

R X

Coats were black or dark - with white
stripe down from the waist -

William Hutson - Know Henry Hutson. He
is my son - lives on the same plan-
tation at another house - Left
the mill at about sundown -
I generally stay in the mill -
His house is not ~~at~~ more
than 75 yards from mill -
Saw no light in his house
After he come home on
Sunday evening - He was
somewhere about there at home
around home -

R X

was in sight of his house all day Sunday
There was no one there until evening -

X X X

This night 2 weeks ago - about 11
guess - no timepiece - ~~Conner~~ ~~Call~~
Refused to open door - I'd told each
hurt me. Asked where was my husband.
I'd told not hurt me. Asked to come
in & look for my husband. Three
came in. Talked to 2 of them. Stood
near the door. Recognized Henry
Hudson - lived 1 1/2 mile from me
Have known him long & know his
voice. Eli Cullis was the other
man - then know him a
long time - There was fire in
the house - no more - Eight
night searched house - Cullis
did not talk to me until they had
searched the house. Identified Cullis
and Hudson.

Though I knew Riley
Coley and Wash, Shaw were the men
Identified Coley & Shaw - Thought I
knew them by form & motion - Shaw
lived ~~near~~ eight of me - he was at
most every day - Coley was also
for a long time my neighbor. ~~Know~~
They told me they had been
at Gayton's and had strapp'd
him

CX
They had on long coats and caps which
came over their heads and down to the
ankles - Knew Shaw by his shape &
actions - I am not certain it was
him - But thought it was - Thought

She said
that they
were
strapp'd

Then they told me to pull off my coat
and jacket & take a few. Refused -
One came up & struck me across
the head with a stick - and said "Take
it off" - The one who talked - with the
man who struck me spoke - said I
would be killed before I would take
it off - The one who spoke said
"Draw your Repeaters" - Three caught
me before & two behind - The others
took down my pants & whipped
me - with a strap I think -

~~They~~ Threatened me with death and
my family also if they did not keep
still - Dress looked blue - came
across to their feet - trimmed with
white & red - Could see any of them,
Think I heard Hiley Shoffner laugh
as I went along with them -

Think the man who talked was
~~Wiley~~ Ceulless - Have known him for a
long time, Cousin Wiley Sington was with me
when I found the distillery -

C. X.

Motion to dismiss proceedings by Dept from
the fact that the witness upon whose affidavit
the warrant was issued was not ex-
amined by the judge who issued the war-
rant -

Furley Coble -

Dirch

Am wife of Emory Coble - live
 $\frac{1}{2}$ mile from ~~Coble~~ David Sington's -

S. X.

Think the voice sounded like Core Coley's
somewhat as if he had tried to utter it -

Daniel Saylor — D. Irick —

Saw in camp
on Dan Green's land. This night
two weeks ago, 8 men came & call-
ed me up. 10 or 11 o'clock at night.
Asked if we had used hot water &c.
They asked the way to Joel Pike's.
Told me to put on my shoes and show
them the way to Joel Pike's, ~~which~~
On the way they asked me what
I thought of Col. Dan. Cable, said
so far as I ~~know~~ ~~was~~ ~~straight~~ ~~in~~
we had been ~~used~~ right. Asked
what of Mission & Hopper, said
I did not know much of him
was the ~~at~~ fence & showed them
the road - They asked where ~~they~~
could get something to drink, did
not know, unless at Tom Saw's
asked if I did not know of some
one running the blockade, said
did not - Yes you do - Said not
more than I was hunting a few
days before and found place where
it had been - ~~was~~ - did not know
by whom - Asked if I did not guess
who made it - ~~did not~~ unless it
was Lewis & Alfred ~~members~~ in whose
field it was -

State of Oregon, County of Clatsop,
Judge Superior Court of said County,
Sitting as Magistrate -
J. W. Shaw }
Henry Hutton }
Eli Coulter }
Riley Coley }

Counsel appearing for the prosecution move to continue, for the absence of the witnesses, Mary Kime, Barbary Kime and Abram Pugh.

W. W. Levenson, sworn, deposes that he has subpoenaed the witnesses above named and that the witnesses Kime were sick, and the witness Pugh was ill on yesterday -

Adjourned until 12 o'clock tomorrow
Saturday, Dec. 11th 1889 -

Witnesses - Daniel Layton^x
Terley Koble^x Layton security
Seymour Shoffner for Sara June Shoffner
~~Eli Coulter~~
William Keaton^x
Oliver Fridell^x

Witnesses recognized in the sum of \$200 -
for their appearance on Saturday Dec. 11th
1889 - to give evidence to, and Daniel Layton
the Seymour Shoffner and for their wives

Order of arrest ad testificandum for
Mary Kime, Barbary Kime and
Abram Pugh -

J. W. Shaw, Henry Hutson, ^{and Riley Cely} Eli ~~Shaw~~
Riley, Eli ~~Shaw~~, and William Hutson
as security - Recognized in amount
\$200 - for each defendant for
appearance tomorrow

H.K. 12

Wm. Hutson
Riley Cely
Eli Shaw

KKK
trial
material

CHAUTAQUA COUNTY HISTORICAL SOCIETY