

May the 12th-1924.

Exhibit #6 -

to the Exalted Cyclops, Terrors, and Fellow Klansmen, The KLOKAN Committee.

In consideration of the principles of Klankraft as embodied in our order and to which we have sworn a solemn and unreserved allegiance, it becomes us, to occasionally check up on the irregularities of certain ones in this noble order, therefore and because certain ones have wilfully violated their obligations and brought the order into more or less disrepute it becomes the duty of any and all who are fully conversant with such violations to prefer charges against any whose conduct is decidedly unbecoming a Klansman and whose life is lived directly in opposition to our order's great principles and obligations.

Therefore it becomes my painfull duty to prepare certain and definate charges against Klansman James R. Carroll. Any one of these charges I firmly believe sufficient to expell him from this order.

✓ In charge #1 I alledge that he violates not only our order's Constitution and his obligation thereto, but also the 18th. Amendment of the Constitution of the United States, which he swore to uphold. To substantiate this charge I wish to state that upon the return from an open air naturalization at Mc David (I think, last Sept. or Nov 1923) Mr. Carroll who was riding in an automobile with four other men, whose names I am prepared to submit-pulled a glass whisky flask from his pocket and in the presence of those four other Klansmen drank a portion of the whisky that it contained, after having previously nudged the Klansman who sat next to him on the rear seat and urging him to indulge which he positively refused to do. After Carroll had drank some of the stuff he passed it over the front seat to the Klansmen that were there and the one that took it then steared the car as near the middle of the road as he could and holding the steering wheel with his left hand raised the flask to his lips with his right proceeded to drink so much that Carroll asked him if he was going to kill all of it, whereupon he answered that he had done so, then the statement was made that they had better find a good place to throw the bottle where it wouldnt be so apt to be found.

✓ Charge #2

I alledge that Mr. Carroll has on several and on one definite occasion, recommended for membership in this order, a man whom he claimed he had never known to take a drink in all the 18 years he had known him, when the truth of the matter is that both he and Carroll were so much under the influence of whiskey on a certain night last winter that one of your Klokan Com. members was disgusted to note their condition. Here-you see was a direct misstatement of facts.

Charge #3

I also alledge that Mr. Carroll came to me and said that he had upon two or three occasions and for various reasons considered pulling a gun on me and shooting me to death, - but-he had afterwards decided not to but WAS going to bring me into court to prove certain allegations brought against me by a lady friend of his, now I ask is this the spirit of Klanishness?-doesnt this speak volumes against this man?-when you consider it in the light of Klankraft and it's obligations to protect a Brother Klansman rather than to shoot him?

Charge #4

I alledge that Mr. Carroll went to our Exalted Cyclops and tried to use a lot that I am prepared to prove is false to influence your E.C. for my expulsion from this order

Charge #5

I alledge that out of spite, prompted by anything but Klanishness, Mr. Carroll tried to have his brother in law installed in the office of Klabe, which office I now hold. Now mind you this was after the Klan had upon nomination night seen fit to nominate none other than me for the office. He carried this spitework to the extreme that led him-alone- to pose me while the vote by acclamation was being taken after it had been voted to elect by acclamation.

Thus you were able to see his exhibition of a revolting lack of Klanishness-this along with other demonstrations, such as a demonstration out in the middle of the Klavern's floor of defending young single men who go a-whoring and advocating their admittance to membership in the order, because said he I used to do it and I guess there are lots of us here that did endind his defence with the remark that we could take care of them agter they got in.

And upon other occasions his open defence of men who had up to a short time before their application been drinking men, yet denying that he himself ever used it and that he hated the stuff and yet as before stated, trying to get other Klansmen to use the filthy stuff, mind you this happening on the way home from an initiation where part of the exercises included an address by a preacher who is a Klansman and who in part told the public that we Klansmen were a law observing and lay enforcing organization.

Now Klansmen I am prepared to attach sworn affidavits as substantiation to charge #1 and I am also prepared to call witnesses to corroborate charge #2 and furnish at least one name whom the herein charged tried to have enter our portals regardless of the fact that they both were seen under the influence at the same time and in each others presence.

As to charge #3 and #4 I refer you to the E.C. for substantiation.

I therefore respectfully request that owing to the new and fatal danger to our order of allowing this member continued membership in this order especially since he is about to assume the membership as one of the Klokan Com. Which is no doubt the most important committee in our order, composing as it does that body of men who shall safeguard the portals we have

ALL sworn to guard. I Request you to consider these charges as major charges and that they be acted upon before the present Klokan Committee's term of office expires, this I believe to be a most expedient duty for the very life of the order, so I urge you therefore to dispose of these charges no later than is absolutely necessary to intelligently and fairly make your decision after goin over the herein charges.

Respectfully submitted InTheSacredUnfailingBond

Klabeo--R.C.Willis.

Charges attached, as Exhibit #6, were read to Jas. R. Carroll.

Question by Klan Judge: Are you guilty ?

Answer Carroll: You did not read all of the charges.

Judge: Do you refer to the clipping at bottom of page ?

Ans. Yes.

Judge: That is not part of the charges.

Carroll: I plead not guilty. I would like to request that

I be permitted to do my own speaking during this trial.

Wills on stand says that, according to the Constitution,

Page 76, section 6, article 20, the trial is outlawed and unconstitutional, inasmuch as the charges were filed on

May 12th and read in Klonklave on May 30th, and is now being tried on July 18th.

One of the Tribunal asks this to be investigated before we proceed with the trial.

Wills reads in answer Const. page 78, section 11, and says the member of Tribunal mentioned above had himself violated the Const. by drawing names last Friday night.

Exalted Cyclops J. H. Varnum is called to give permission to proceed in view of the above dispute.

Varnum says that the man is being tried on his guilt, and if both sides agree the trial should proceed.

R. C. Wills takes the stand and proceeds as follows:

" Gentlemen of the Tribunal: I want to open my remarks with the statement that I know you men joined this order from the same promptings that drew me to it. Those promptings were inspired from within your very soul,- wanting to find expression in aggressiveness; in the willingness to pledge and swear allegiance to those ideals of yours and mine which find expression in our threefold oath of allegiance to this (in my mind) noblest of all fraternal orders.

This glorious order, as well as others, has had the demonstration made before your very eyes of different ones becoming members whose daily walk in life proves conclusively that they are out of the scheme of the order's purpose. You find this in the churches as well, and you find the Apostle Paul, I think, enumerating certain things that he names as grounds for expulsion from God's church on earth. Now, would you gentlemen consider a person who, under that religious regime, asserted his authority and preferred charges against his religious brother to be necessarily at enmity against that brother? Of course you wouldn't. Well, then, I wish right here to state that I bear no grudge nor ill will to the Klansman accused,- but I do here and now affirm that, so long as I am a member of the Knights of the Ku Klux Klan, I shall busy myself with the unpleasant duty of doing my best to keep from membership any and all who are not qualified to join, and to try my level best to rid the order of any and all who have unscrupulously gotten past the portals and have falsely sworn allegiance to our oaths, knowing when they did so that their lives (if only known) would prove them imposters. So you see it is first and last a determination on my part for the good of the order and not for selfish gain - for I have lost a certain few friendships hereby in going through with this case. I'll tell you gentlemen honestly and in all sincerity that, when I realized the all importance of preferring charges against the accused, I simply could not help but look ahead and see what dire necessity there was for some halt to be called and a stop put to any man being put on the Klokan Committee whose life and actions were his own condemnation, and how could I (knowing this) sit idly back and allow such a farce to carry on? I am at a loss to conceive how one whose character he has himself besmirched could be even nominated, much less voted into the most vital and all important position in the Klan from the standpoint of 100% law-abiding, Christian, American manhood. I wanted that new Klokan Committee to be composed of upstanding men of sterling worth and character,- men who could at all times be trusted to render a prayerful and just decision upon an applicant,- men whose word should be final in such things as to who and what should compose our members. So, in view of these statements, I will now submit what I consider irrefutable evidence of facts and I do sincerely hope that no witness of the accused will be lead for any reason whatever to perjure himself, but will stick to the truth even if it hurts.

I have witnessed the unpleasant spectacle of one of the companions of the accused doing ~~this~~ his little bit (and in a most un-klannish method) towards influencing different Klansmen towards sympathy for the defendant and have recently heard that upon the reading of the charges by the E. C. (who should have read them, according to the Constitution, without the comments of the Klaliff) - recently heard, I say, that this Klansman shouted out "Those charges are false".

Now, gentlemen of the Tribunal, either he has falsified or my witness ~~and~~ I have done so. Which of us are the guilty ones is for you gentlemen to decide, and if we have placed untrue charges, then in the name of justice I claim for our order, please try us and expel us, for we have no more place in this Klan than has the one we accuse. I shall be happy to know, gentlemen, that your decision in this case shall be based solely on evidence that you feel to be correct and not on personalities. You know that, after all is said and done, and impressions have been created as they are in all trials, that evidence, and evidence alone, convicts where it is proof conclusive. Keep always uppermost in your minds the fact that our order is in danger and it is up to you gentlemen right here and now to put a stop to it going farther, - and in this case right here and the influence of your decision will serve as a restraint on others, and I predict a dropping off of a certain element that has been coming here and who when they pay their dues are so unmistakably scented up with whiskey that you would wonder where the Klan is drifting to and how soon it will be before it will be on the rocks. Think and say what you will, this fact remains, no Christian organization will be a vital factor in cleaning up the law defier whose members are up ~~the~~ to the same stuff.

Now, if you gentlemen can only realize (and I think you can) that you have been selected to represent the whole Klan in your decision, then fail us not and in considering a principle or an ideal alongside of your erring brother you had better by far choose to sacrifice the man than the principle. For, if you fail to vote the accused guilty, don't you see what a world of encouragement has been lent to the very element we are trying to eliminate ? So now, we will get down to facts.

First, I wish to substantiate as briefly as possible charge No. 1, that is, the drinking of whiskey by the accused in an automobile while returning from McDavid in the company of four other Klansmen, who were as follows: W. Fillingem and J. S. Durham on the front seat, and the accused with Petty and Peterson on the rear seat. I wish to substantiate my evidence of charge No. 1 by a sworn affidavit (Exhibit No. 1) of one of the occupants on the rear seat with said defendant, - to prove that the accused did not only drink whiskey in this Klansman's presence, but did also pass it over to W. Fillingem who did also drink and who acknowledged it to Dr. L. C. Phillips and B. A. Davis. The Doctor also proves this by swearing to an affidavit which I hereby submit as

Exhibit #2. If this is not proof to you, gentlemen, I will call B. A. Davis, whom I am sure you will believe, and the E. C. who being upon his honor will affirm that the defence's counsel, Fondy Seals, admitted last night in front of Tom Wentworth's store and in the presence of him, the E. C., and myself, that he would admit there was whiskey in the car on the night in question. Now, then, gentlemen, if the accused did not handle the whiskey, and did not drink it, how did it happen that it was from his hand that Will Fillingem took it ?

In reference to charge No. 2, I wish to call your attention to the oath we take regarding the recommending of any one for membership in this order whom we know to be unqualified, - in other words, one who could not constantly and truthfully swear to uphold the Constitution of the United States because of the fact that in drinking whiskey he would thereby be an imposter in the order and subject to banishment. (See Oath of Allegiance, Section, - "Fidelity".) *which was here read.*

Now, I alledge that the accused did arise and upon the floor of this Klavern recommend such a character (Fredrick by name) and he said in defense of his plea to let the said Fredrick in, that he had known Fredrick for 18 years and had never known nor seen him take a drink, and he said " I myself never have used it; I hate the stuff." This plea came right on the heels of his counsel's (Fondy Seals) statement, which was "I want to tell you right here that I know he drinks, and he'll not get in here if I know anything about it."

Now, in Exhibit #3, I wish to introduce an affidavit that W. G. Porter swears to regarding what took place on the following Sunday Evening. What more proof do you wish than than to substantiate my charge that we have in our midst one whose oath has been violated, twice as regards whiskey drinking, and once up to this part of the evidence as to recommending an unfit applicant after swearing not to do so.

As evidence in charge #3, I herewith present an affidavit, it to be known as Exhibit #4, and I think you will find it speaks for itself.

Regarding charge #4, refer to Exhibit #5.

Charge No. 5 deals in personalities, and you who were present May 9th, the night of the election of officers, remember that the nominations had been closed by ballot, when up jumped the accused and in a most sarcastic tone of voice tried to nominate his brother-in-law to take the office that I have worked a good many long hours and days to keep correct and render a good stewardship in the discharge of same. And all this after Carroll claimed to have gotten over the affair about the kind of a letter I was ~~to have written~~ supposed to have written about his wife. If there is anything at all in the principle of Klannishness, I have failed to see it in the actions and speeches of the accused, and I say when a man so far forgets the respect he owes to this noble order as to try to over-ride their decision as they place in office an officer whose name had no opposition in the entire assembly on nomination night, but sliding up next to the E. C.'s chair and in a disgusting, conspicuous, over-loud voice

demanding for his brother-in-law the Treasurer's chair,- then I say it smacks of spite work and is not good for the order.

Now, the latter part of charge 5 deals with a matter upon which this order is somewhat divided, but I claim to be within my constitutional rights when I charge that any man who gets up on the floor of a Klavern and champions the cause of prospective members whose life has been anything but of good character, which on page 14 in section 1 of our Constitution and by-laws designates shall be one of the qualifications of membership,- I reiterate that any man who thus recommends such a person has missed the mark of Klanishness and, if allowed further membership, will just as surely drag the morale down. Why? I'll tell you why. He will always seek his kind for membership and if allowed to pack them in the order, then those of us who care for things spiritual and for a high class order after the Christian standard of things, will wake up some day to the fact that like the weak-kneed protestants that we are, we have no more idealistic order, but a mere sensual, lack of law-respecting, selfish and inefficient gang of rough-neck, pistol-toting, knife-carrying crowd of law-defiers. Just like the Houston, Texas, Klan is at this present time dominated and run by a crowd of whiskey guzzling bootleggers and whoremongers,- a Klan, the decent members of which liken it to a rotten egg. Ask Brother Erwin of the Texas Oil Co. to verify this statement.

When I was elected Great Kligriff of Realm #1 of Florida on June 17th at DeFuniak Springs, I heard the Grand Dragon's Chief of Staff make this recommendation "Whatever you do, don't neglect to watch your membership and if you happen to get a man not fit to associate with in the order,- for goodness sakes let there be someone with guts and backbone enough to prefer charges against him and get him out. " The great trouble has always been that everyone who knows it should be done will say "Let George do it ", with the result that numerous Klans go down in defeat for the lack of thus eliminating trouble.

I want to mention right here that there were a number of smutty stories told in that automobile on its way back from McDavid on the night referred to in these charges, and no-one, so I am told, enjoyed them in a more boisterous fashion than did the accused, who would shout and laugh over them and once made the remark "You struck oil that time". This, you see, is the inevitable result of whiskey, automobiles, and the liberty of the great open spaces with three or four friends like-minded.

I called the Klokan's attention, in my charges, to the fact that if the order allowed the accused a place on the Klokan Committee that judging by past performances of the defendant our order would be in grave danger. For, you see, if he would get up and deliberately falsify the character and habits of applicants like he did in Fredrick's case, we would soon be able to throw down the barriers and let all the riff-raff come in, as some of our sworn enemies of Catholic ^{faith} would have done with the immigration ^{problem} had it not been that our

last Congress stood firm and said "Not on your life will we ever let our fair America become Europeanized. "

Then why, - why in the name of all that's good and right shall we of this order cease to be vigilant, and cease to regard the oath we have all taken to guard well the portals of our Klavern. I have been in the order just two years to-day, and I have fought hard to keep out the whiskey drinkers and whiskey peddlers and whoremongers, etc., and yet in spite of all, we have them in the order, and they are increasing in numbers, for each one recommends another and he does the same. Don't you see what we are up against ?

Please don't regard this appeal to your honest and impartial judgement as of a personal request, - but I plead for a good, clean, honest, Christ-like order, and so I leave it with you. If you think that Klansman Carroll is justified in doing what I aver he has done, then re-instate him in the good standing of a Klansman, but rest assured if you do so that I shall then decide that an order that upholds such a decision by you, its Tribunal, does not further care for the services of men like I claim to be, - a total abstainer for life, a Bible School Superintendent, a trusted employee of as large a Jewelry store as is in Pensacola, and one who holds the Klan's ideals above the individual or any click of the order, - one who is not afraid to proclaim to the whole world that he is a Klansman or to stand up for its great principles, or to serve and sacrifice for the right.

If you thus decide in favor of the accused, I shall have to cease my activities and give over my office as Treasurer, and Chairmanship of Publicity Committee, Benevolence, and Robe Committees, and assistant to Tom, tho he begs me not to leave him with the full burden of the Secretaryship. For, I shall feel that in my battle to keep this order clean, thereby making it a power in the community and a blessing in God's sight, that I have lost the co-operation of my brethren and it is best for all concerned that I absent myself from the order. However, I shall still hope to be permitted to pay my dues and if I have in the past earned the honor to be made a member of the 2nd degree, or K DUO, I would greatly appreciate that honor very much. If I have to, I expect I will appeal this decision to the Grand Dragon or his Chief of Staff, whose ear I have hopes will be open to my plea for a clean order.

Gentlemen, I pray for your fair-minded decision, based solely on the charges and what evidence there is to substantiate them, and not on personalities, and that you remember your oaths and obligations and give me the same fairness of decision that you no doubt heard requested for the accused. Let's forget friendships and consider the issue in a big, broad, Klansmanlike attitude and render your decision for the good of the order, your home, God and Humanity. This I plead for in the sacred unfailing bond of your brother Klansmen.

Now, do your duty in a good conscience, and in a way you will never have to regret, and when you get on your

knees in prayer to-night, may you be able to face your God and mine and tell Him you did your honest duty in rendering your decision as you did. Ask Him to bless you and your erring brother and the whole Klan and thank Him for giving me the courage and fortitude in the face of threatened death to go through with these charges, and not only me but all of my witnesses, - for not one of them went back on his first account of these disgraceful affairs which are the foundation of my charges against the defendant.

Gentlemen of the Tribunal, I thank you each and severally for your kind attention and trust ~~that~~ to your best judgment. Gentlemen, I thank you. "

Jas. R. Carroll, the defendant, takes the stand, and makes the following statement:

"As to charge #1, I deny passing whickey to the driver of the car, and I also deny drinking myself. The flask was passed to the driver, but I did not have it in my possession.

Regarding charge #2, I was sitting in my car on Wright street, by Bryan's Drug Store, and Fredrick came along and called to me. He walked over to my car and was talking to me when Mr. Porter came up. Mr. Porter talked a few minutes. I do not know whether Fredricks was drinking, but I was not.

As to charge #3: I was told by two ladies that Mr. Wills had written a letter regarding my wife and the Kamelia, and I was asked to see him. I went to him as man to man, or as Klansman to Klansman, and asked him a few words about it and he gave me some bad words and I told him that I can't control myself when I am angry, and that I might do something serious. I wanted to have an explanation and have no hereafter to it. "

Fondy Seals, Counsel for Defendant, takes stand, making the following statement:

Seals to Carroll: Did not Wills call the ladies ^{and} and did you not ask him to stop?

Carroll: Yes. As to the efforts I made, I went to Mr. Varnum to have it straightened out. Regarding the question about the nomination of officers, I understood that the nomination had been re-opened, and that I was in order. I thought I had a right to say anything I wanted to, and did not know I was fighting anyone.

COPY OF EXHIBIT ONE.

AFFIDAVIT.

MAY IT HEREBY BE KNOWN that I, H. E. Peterson, did, upon the occasion referred to in Klansman Wills' charges against Klansman James R. Carroll, have offered to me in an automobile by said James R. Carroll a bottle of whiskey and that I did positively see him and at least one other Klansman (one Will Fillingem) take it and drink its contents, and furthermore positively affirm that I overheard a conversation at that time as to the best disposal of the empty bottle so that the Klansmen riding in the car just behind the car we five Klansmen were in would not be able to see the bottle thrown from our car on account of the rear car's headlights.

Signed: H. E. Peterson.

Sworn and subscribed to before me this 14th day of July, 1924.

T. T. Wentworth, Jr.,
Notary Public.

(SEAL).

COPY OF EXHIBIT #2.

AFFIDAVIT.

MAY IT BE KNOWN HEREBY that, after receiving Klansman Wills' charges against James R. Carroll, that I took it upon myself as in duty bound I felt I must, in order to render an impartial and fair decision as one of your Klokan Committee upon the constitutionality or foundation for such charges, I took it upon myself to interview Klansman Will Fillingem with the purpose in mind of finding out if he really was with J. R. Carroll and in the automobile mentioned in these charges and if he did also drink from the same bottle that J. R. Carroll did, and I now firmly assert and swear that he admitted he did, but said he was sorry for having done so.

Signed: L. C. Phillips.

Subscribed and sworn to before me this 18th day of July, 1924.

T. T. Wentworth, Jr.,
Notary Public.
My Comm. expires Sept. 6, 1927.

(SEAL).

COPY OF EXHIBIT #3.

Affidavit.

MAY IT BE KNOWN HEREBY that upon one definite occasion I sat in Klonklave and heard Klansman James R. Carroll say, after arising from his seat in open Klonklave, that one Mr. Frederick (whom I have known for years) had never taken a drink of whiskey in the 18 years that I (Carroll) have known him, and neither do I, for I hate the stuff."

I also wish to state that on the following Sunday night I saw both these men under the influence of whiskey. I also wish to state that Fondy Seals expressed my views when he said he was positive that Frederick was a drinking man, and this from Fondy in answer to Carroll's recommendation to let him in the order.

Signed: W. G. Porter.

Sworn and subscribed to before me this 18th day of July, 1924.

T. T. Wentworth, Jr.,
Notary Public.
My Comm. Expires 9/6/27.

(SEAL).

COPY OF EXHIBIT #4.

Affidavit.

MAY IT HEREBY BE KNOWN that about three months ago, or thereabouts, that one Jas. R. Carroll by name came to the store where I work at 5:25 P. M. and did falsely accuse me of sending a certain letter to H. Tom Kite in Atlanta, Ga., in which he claimed I mentioned his wife's name in a character defaming way and stating that because of my doing that he had become so agitated over it that when he came to me one night in the hall after everybody but he and I and two others were gone home, and asked me if I was a good writer - because as I before stated he thought that I wrote a letter (which I solemnly swear I did not) with his wife's name in it,- he asked me if I was a good writer. This he did just to pick a fuss with me, he said, and then shoot me. Not only on that occasion did he have murder in his heart for me, but at other times as well, so he told me. This I subscribe to as being positively true, and the same night he told me this I told our E. C. about it when he came to the store later in the evening, and Fondy Seal was not twenty five feet away at the time I told him.

Signed: R. C. Wills.

Sworn and subscribed to before me this 18th day of July, 1924.

T. T. Wentworth, Jr.,
Notary Public.
My Comm. expires 9/6/27.

(SEAL).

COPY OF EXHIBIT #5.

Affidavit.

TO THOSE IT MAY CONCERN: That one night after a Klonklave that your E. C. did ride with me in my car to his home, and did tell me during our discussion of James R. Carroll that Carroll had been coming to his (J. H. Varnum's) office some few times, and did ask advice of him as how best to deal with me (since he had been falsely told about a letter I wrote), and your E. C. said "There are two ways to handle that case: one is to sue Wills in open court for defaming your wife's name if he did, or prefer charges and have him expelled from the order ". I also swear that Klansman B. A. Davis told me that Jas. R. Carroll went to him to have him use his influence to banish me from the order. This I claim was wrong and unklannish and sneaky.

Signed: R. C. Wills.

Sworn and subscribed to before me this 18th day of July, 1924.

T. T. Wentworth, Jr.,
Notary Public.
My Comm. expires 9/6/27.

(SEAL)

Fondy Seals: The whole thing seems like spite work. I want justice. This thing happened last November. Why did Wills wait till now to bring charges? Why does he not prefer charges against the other men in the car?

Regarding the throwing away of the bottle, they did not have to hunt a place to throw it if there was a bottle. Regarding charge #2, I did not consent to take Fredricks ~~into~~ into the order, but Carroll did say that he knew Fredrick for the last 18 years and did not know he drank whiskey.

About charge #3, when Carroll married his wife, he promised to shield and protect her. Do you blame him for talking to Wills about it when he heard what Wills was supposed to have said about her? He simply asked Wills to stop talking about his wife. Our oath requires us to shield and protect the home. Wills should have expressed dis-belief when he heard the rumor about the wife of his brother Klansman. I don't think Wills stood back of his oath in this instance, - instead, he tried to agitate the thing.

I don't know anything about Carroll trying to have Wills expelled from the Klan.

Carroll's wife went to see Wills about the letter that was supposed to have been written, and Wills would not talk to her because he said it was his dinner hour.

J. S. Durham is called as a witness for the defendant:

Judge: State what you know about the whiskey on the way from McDavid on the night in question.

Answer: Brother Petty had the whiskey, but Mr. Carroll did not drink any of it.

Question: When this whiskey was passed around, did Carroll handle it?

Answer: I don't know.

Question: Was it handed to you?

Answer: No, sir.

H. D. Lampkin called for the defendant:

Question by F. Seals: State whether or not you know of Carroll drinking.

Answer: I never knew of him taking a drink.

F. Seals: You work for the same company?

Answer: Yes. If he were a drinker, he could not work for those people, as it is against the rules.

T. A. Dougherty called as witness for defense:

Question by Seals: State whether you know if Carroll drikks.

Answer: I have known him for 14 years, and have never known him to take a drink. The L. & N. is strict about that, and it would be hard to get by with. The Exalted Cyclops of the McDavid Klan said he did not believe there was any liquor drank at McDavid.

I investigated Carroll at Thomanton, to find out if he had been drinking ~~xxx~~ up there, but nobody knew of it if he had. He works as Baggage man between here and there.

Witness excused.

Wills to Carroll: Did you ever buy whiskey from a negro woman who lives next to Cleve Fillingem?

Answered No.

Carroll: Cleve Fillingem came to me and asked me to help him catch that woman selling whiskey. I went to her house and she showed me a jug of whiskey. I went to the Prohibition Officer, Stearns, and made an affidavit against her, and she was arrested and placed in jail.

Upon agreement of both prosecutor and defense, it was decided not to call any further witness; neither to go on stand in rebuttal.

Case was at this juncture turned over to the Tribunal.