

# THE TABLE ROCK SENTINEL

NEWSLETTER

SOCIETY



BEST OF  
EVERYTHING  
SINCERELY  
INTO  
OLYMPIC  
THE  
VILLAGE  
CLOWN  
1959



Poco, one of the llamas at Juniper Ridge Ranch on Mount Ashland, seems to have developed an attachment for Roberta Gregory, at least he looks happy to be taking a little constitutional with her. The photograph was taken on the mystery tour, *Walk and Talk with the Llama*, which was sponsored by the SOHS. Tour members viewed Tunnel 13 and enjoyed a delicious luncheon provided by their hosts, Rosanna and Kelly Hart.

### Cover

VANCE DeBAR COLVIG (1892-1967), better known as Pinto because of his many freckles, was born in Jacksonville, the youngest child of William Mason Colvig and Adelaide Birdseye Colvig. Pinto said, "My mother covered me with a crazy quilt when I was born, and I've been clowning ever since."

Pinto was a clown, a cartoonist, a writer, a hobo, a musician, and creator of the voices of Pluto and Goofy for Walt Disney. For the 1937 Disney production of *Snow White*, Pinto was the voice of both Grumpy and Sleepy, and he said that Grumpy's voice was a "composite of all the old codgers in Jacksonville in the early days." He created the sound effects for Jack Benny's Maxwell and various voices on the *Amos 'n' Andy Show*. In 1846 he became Bozo the Capital Clown. But when Pinto left Jacksonville, he never forgot the area. He was here in 1948 and in 1965 he autographed the wall of the privy at the Birdseye farm. He also visited in 1959 and 1962 when he signed the guest register at the Jacksonville Museum and visited the Beekman House. He was grand marshal of the Jubilee Parade in Jacksonville in 1963. He died in 1967 and is buried in Hollywood.

#### THE SOUTHERN OREGON HISTORICAL SOCIETY

##### OFFICERS OF THE BOARD OF TRUSTEES

Donald D. McLaughlin .....	President
Isabel Sickels .....	1st Vice President
James M. Ragland .....	2nd Vice President
Laurel Prairie-Kuntz .....	Secretary
William R. Bagley .....	Treasurer

##### STAFF

Acting Executive Director .....	Samuel J. Wegner
Children's Museum Coordinator .....	Stacey Williams
Curator of Collections .....	Marc Pence
Gift Shop Manager .....	Sharon Lumsden

Coordinator of Exhibits .....	Jime Matoush
Curator of Interpretation .....	Dawna Curler
Coordinator of Photographic Services .....	Natalie Brown
Curator of Preservation and Maintenance .....	Byron Ferrell
Coordinator of Chappell-Swedenburg House .....	Leslie Egger-Gould
Financial Manager .....	Maureen Smith
Librarian/Archivist .....	Paul Richardson
Membership/Administrative Assistant .....	Susan Cox
Newsletter Editor .....	Raymond Lewis
Oral Historian .....	Marjorie Edens
Coordinator of Volunteers .....	Marge Herman

Mr. Charles Sweet has been a consistently helpful volunteer for S.O.H.S. He has contributed research and maps for the Interpretation Department and has supplied a map of Jacksonville at the turn of the century for use in the Beekman living history program. He and his wife Letha may always be depended upon to act as greeters and hosts at any S.O.H.S. function, and Chuck has accumulated over 520 volunteer hours this year. We are grateful for his dedication.

His splendidly researched article, *The John Beeson Story*, appeared in the newsletter in April 1986 (Volume 6, Number 4). It is an interesting biography which helps restore Beeson to his right place in the tapestry of southern Oregon history.

In this issue we are proud to present Mr. Sweet's manuscript, *The Judge Colvig Story*, which also presents a significant contribution to the southern Oregon background. We look forward to many more collaborations and authentic tales from our number one volunteer.

# *The Judge Colvig Story*

*by Charles Sweet*

*W*illiam Mason Colvig, according to one reporter,\* had "a personal history longer than the constitution of the United States," and he could have "filled the congressional library with yarns of the old days." And what's more his stories would have been amusing as well as instructional for "Judge" Colvig, unlike most of the moss-back pioneers, had a sense of humor.

The term, *moss-back*, is Judge Colvig's own descriptive word; he was continually astonished by his contemporaries' lack of progressiveness and their dogged adherence to tradition, but he did admire their sturdy and reliable qualities -- virtues which we must admit were pretty important for people who were hewing homes in the wilderness for their future

generations -- namely *us*.

Perhaps his refusal to fit into the accepted mold of the pioneer was a result of his remarkable background. He sprang from a unique family -- unique in that it hasn't shown up before in the research of other southern Oregon families. His great grandfather, Jean Baptiste Colvinge, was born in Toulon, France, in 1750. Jean Baptiste was a prosperous shipowner with three vessels and part-interest in several others, and he was also proprietor of a wholesale tea supply house in Paris. His wife, Zelista Abigail Lyngae, was the genteel daughter of one of Jean Baptiste's sea captains.

When the French Revolution erupted, Jean Baptiste was in China, but his wife and children were in Paris. Because they had some money and property, they

\**The Medford Sun*, August 13, 1911

were on the fringes of the aristocracy and they lived in constant terror of the guillotine, which claimed many of their friends in similar financial circumstances. But, before the mob actually arrested any of the Colvinge family, the fright had abated, and, although two of the sons were recruited into the army, the other members of the family survived the conflict.

One of the sons, Jacob Lyngae Colvinge, became Judge Colvig's grandfather. He was only a school boy at the time Robespierre was lopping off the heads of the best blood in France, but his children remembered for all their lives his tales of the beheadings and his description of the Parisian rabble who gathered around the guillotine to exult in the gory executions.

Jacob Lyngae Colvinge served with Napoleon's army in battles. On several occasions he was badly wounded but each time recovered to return to the fighting. In one bloody engagement his younger brother was killed at his side.

After he was pressed into the military service, Jacob Colvinge never saw his parents again. His mother had lived in the dread that her sons would be forced to enter the army and take part in the insurrection, and, as she greatly feared, they were at last conscripted. Standing by her street door one day, she saw a platoon of men marching in formation on their way to the barracks, and, as she watched them rushing along the street, she recognized her sons, Jacob and John Baptiste, among the marchers. The young men saw her clutch her throat and fall to the pavement in a sudden faint. It was the last glimpse the boys ever had of their mother.

Before Napoleon became Emperor he dispatched three war ships under the command of his youngest brother, Jerome Bonaparte, to quell a slave rebellion on the island of Santa Domingo. Jacob Colvinge was in this expedition. Few of the men on board these ships could have joined the French navy with any great fervor or loyalty to the Emperor for as they approached American soil, the troops, seamen and officers deserted en masse. Among the rebels was Jacob Colvinge.

*(Author's note: This account of Jacob's involvement in the Napoleonic era, as*

*well as a few other tales in the Colvig story, have more than one version in the family records and news articles. We have taken what we thought to be the most plausible version.)*

Napoleon wasn't one to take desertion lightly. Hearing that his faithful followers weren't so faithful after all, he immediately enacted a law providing that any deserters who made it back to *La Belle France* would be beheaded. This edict, which would certainly discourage an expatriate from yielding to an attack of *mal du pays*, convinced Jacob Colvinge that there were good solid reasons for remaining in America. When a naturalization clerk misspelled Colvinge, the family name was changed to Colvig.

Jacob became a resident of Leesburg, Virginia, and in 1809, when he was 33, he married Winnifred Hoffman in Leesburg. Later they moved to Belmont county, Ohio. Jacob and Winnifred Colvig had ten children, and their third child was Judge Colvig's father, William Lyngae Colvig.

After years had passed and the children were grown, Jacob learned that the French law regarding deserters was no longer in force. He and Winifred at once began making plans to go to Paris. He was of the opinion that a large sum of money from his father's estate was being held there for him, and of course he was eager to see family faces after so long a separation. But before they were able to depart, they both became ill with cholera and died.

William Lyngae Colvig was born on September 19, 1814, in Leesburg. In 1838 he married Helen Woodford in Morgan County, Ohio, and in 1844, they moved to Richmond, Missouri. Like his father, William was a farmer but, somewhere along the line, he became a physician. He fathered ten children and the fifth in the line up was named William Mason Colvig. Born on September 2, 1845, in Ray County, Missouri, William was the last of the children to be born in the east. He was six years old when the family headed west in the covered wagons, part of a train of 27 families.

*T*he Colvigs traveled in two prairie schooners: the provision wagon with three yoke





*Dr. William Lyngae Colvig*

of oxen and the smaller family wagon with two yoke. Before they had reached Fort Hall they had lost three oxen to the rigors of the trail and had to abandon the heavier wagon.

William's mother taught him to read as they sat in the seat of the wagon and jolted across the plains. His textbooks were a few cherished family volumes: the Bible, *Pilgrim's Progress*, *Plutarch's Lives* and Shakespeare's plays. From these books he acquired a life-long interest in reading and learning.

By October 5, the train reached The Dalles. Dr. Colvig sent his wife Helen and the five children down the Columbia in a Chinook canoe with Indian rowers as far as the Cascade Rapids, where they transferred to a steamer for the remainder of the trip into Portland. The doctor, driving the second team, crossed over the Cascade Mountains alone, taking the overland route. When several weeks passed by and he had not arrived in Portland, the family assumed he was dead.

They were staying at the home of Tom Carter, a Missouri friend who had been instrumental in persuading them to come west. Carter had settled in Portland in 1848 and in 1850 claimed that portion of land known as Portland Heights. At



*Helen Mar Woodford Colvig*

the time he was known as Portland's wealthiest citizen.\*

Dr. Colvig finally pulled into Portland five weeks after leaving The Dalles, his team of oxen all but exhausted from the trip. He had been caught in the Cascades by early snowstorms and had lost all but three of his animals. The Colvigs rented a house on lower Murchison Street in the same block as the *Oregonian*, then a weekly paper. Son Volney was old enough to get a job with the newspaper, and his father worked in a sawmill. The following spring they set out for California, but the team drawing their light wagon played out at Canyonville.

Here, on the Umpqua River, they took out a 640 acre donation land claim, where Dr. Colvig farmed, practiced his profession, and ran a drug store. Helen bore three more children while in Canyon-

\* Tom Carter's daughter Julia operated a private school in a log cabin. Julia later married the Reverend Joseph "Carving Knife" Smith, Jacksonville's first Methodist minister. Her second husband was a wealthy Portland lawyer. Another Carter daughter married Lafayette Grover who became Oregon's fourth governor.

ville. In addition she reared three of her brother's children, whose mother had died crossing the plains.

On the Colvig's mile square of land was an Indian village of about twenty-five people. The natives were friendly and the Colvig children, who had no other near neighbors, became playmates of the Indian children. William Colvig soon learned the Indian language and spoke it fluently during his lifetime. He often said he could speak Indian better than English. He also said the Indians had helped him to understand many beauties of the Oregon country which were not always appreciated by other settlers. The Colvig family lived at Canyonville throughout the Indian wars, and members of the family took no part in those battles. During the war years from 1853 - 1856, when the Rogues made their final rebellion, the Colvigs came to no harm.

Although William was almost entirely self-educated, he attended school for a year or two in Canyonville. His first teacher, Samuel Strong, he used to tell, was so fond of liquor that he had to sign a contract not to get drunk during the school term. If he did, he would forfeit his wages. He got the money, but later cashed in his chips in an attack of the DT's in Jacksonville.

William Colvig had a collection of stories of life in Canyonville. One, which was featured in *The Medford Sun* of August 13, 1911, is a tall tale of the Canyonville growing season. As a lad, he planted some watermelons in the sticky and "they grew like New Foundland puppies, but finally the sun came out and the soil warped and cracked until there were crevices from four to eight inches in width running through the melon patch." Into these the melons fell, but the boy still had hopes and would pull them up every now and then and thump their sides in great expectancy. "But one night it rained, and the next morning the sticky was as smooth as a mud puddle and the melons were never recovered until potato digging started the next fall."

Another story: "In those days the boys all wore buckskin britches. You couldn't wear them out. When they were outgrown they went on down the line to

the next boy in size. If there was any special reason to have them look clean then Mother would send us down to the riverbank where we had a kind of an otter slide in the sand, and we would sit down and slide and then lie down and slide until they were clean for and aft."

Although he was a serious scholar as a youth, Bill, like most lads, had an urge to travel. Furthermore, by the time he was seventeen, the Civil War had started and he felt it was his patriotic duty to preserve the Union. On April 5, 1863, he enlisted at Fort Baker (near Phoenix, Oregon) in Company C of the volunteer First Oregon Cavalry. Instead of fighting in the war between the states, however, his company remained in the West building Fort Klamath and mapping routes east of the Cascades. While locating a military road between Jackson and Klamath counties, some of these troops came across Crater Lake, which they named Lake Mystic on their maps. As company clerk, Bill Colvig drew a crude map of the area which is now roughly Klamath, Lake and Malheur counties. Apparently it was the first ever made of this territory, and the map was sent to Washington, D.C., for copying.

William Colvig was in the army three years to the day and served in Idaho and Utah before being mustered out at Fort Vancouver. Five days later, still eager to see other parts of the country, he left Portland by boat to San Francisco. From there he traveled by tramp steamer to New York City by way of the Isthmus of Panama and Cuba. When the ship got to Santiago, Cuba, Colvig was robbed of the \$480 in gold coin that he was carrying in a buckskin pouch. He had tied the bag to his suspenders with leather thongs and felt it was secure and safe from pickpockets, but one morning he discovered the thongs cut and his nest egg missing.

He landed in New York with less than two-dollars in his pocket. Taking his silver watch, his army Colt revolver, some gold nuggets and a new copy of Byron's poems to a pawnbroker, he received \$47 and headed for Wheeling, West Virginia, where an uncle had a store. He never retrieved his items from the pawnshop.

THE TABLE ROCK SENTINEL

William Colvig remained in the east and midwest for about nine years and held an assortment of unrelated jobs. There was no rhyme nor reason for the variety in his occupations. He seemed to want to try his hand at everything, and he apparently had great enthusiasm for whatever he did. Knowing and understanding a multitude of people throughout the country undoubtedly contributed to his later successes in dealing with the public.

Following his short visit with the uncle (during which he borrowed \$50), he went to work in the oil mines of Muskingum County, Ohio, and West Virginia earning \$2 a day. The first job was that of running a drill; later he learned to operate the portable engine that pumped the oil from the wells. Eventually his employer had him running a company store. His next job found him harvesting in Illinois in 1867 and working on a hemp plantation in Missouri. The plantation owner was Joe Shelby, a rebel general during the Civil War. General Shelby liked this former Union soldier so much that he made young Bill -- he was then 23 -- a foreman.

After a brief stint as solicitor for an Illinois nursery, Colvig studied law under Judge Rodecker in Pekin, Illinois. Reportedly during this period he took an independent course at nearby Tremont Collegiate Institute and secured a first grade certificate to teach. For eighteen months he taught school in Tremont. Then he became a map worker in Ohio. This task was followed by a job with Lakeside Publishing Company of Chicago, during which he traveled extensively in Minnesota and Iowa while writing histories of those states. In 1875 the company sent him to California to be General Manager of the Pacific History Company. He arrived in San Francisco just in time to see the company go bankrupt.

At this point romance entered into Bill's life. With the publishing company



*William Mason Colvig*

position folding, he returned to Oregon and spent some time with his parents, who were then living on the farm at Rock Point. It was a glorious family reunion after Bill's absence of thirteen years. Just three miles down the Rogue River from Rock Point lived the Birdseyes, one of southern Oregon's best known pioneer families. It was not long before Bill was sparking Adelaide Birdseye. Addie was the daughter of David and Clara Birdseye, who had settled near Foots Creek on a donation land claim in 1852. Adelaide was born at Fort Birdseye on January 28, 1856.

Rumors were that Clara Birdseye did not look too favorably on Addie's suitor. Apparently she thought him both opinion-



*Addie Birdseye Colvig*

ated and impertinent -- probably because he refused to be intimidated by her. David Birdseye, on the other hand, took a liking to this young man. Possibly because of Clara's attitude, or perhaps because Addie wasn't quite ready for marriage, Bill pulled up stakes again and hied himself back to California for another stint of writing histories for a San Francisco publishing company. The record is a little vague at this point, but we do know that he prepared histories of Santa Clara and Sonoma counties and that he may have remained in California for two or three years before returning to Oregon for good.

*I*t appears that eventually William Colvig decided to make history rather than write about it and proposed to the girl of his dreams. Addie not only accepted

but her mother reluctantly agreed to the marriage. The wedding took place before the huge fireplace in the Birdseye home on June 8, 1879. The groom was then 34 and his bride was 23. They spent their honeymoon in Prospect-- a three-day trip up the river traveling in a light wagon.

Upon their return, Bill took over his father-in-law's ranch and ran it for several years. Their first two children were born at the Birdseye ranch. Clara Louise arrived in 1880. She later married Clarence Reames, son of the Jacksonville pioneer, Thomas Reames, and later a law partner of Judge Colvig. Helen Mar came along the following year. Her first husband was Dr. Rowe Gale. One of her sons, Winsor Colvig Gale, became a star graduate of Annapolis and, as a Lieutenant Commander, was killed in World War II. Helen later married Floyd Cook.

Indications are that Bill Colvig began practicing law soon after he returned to Oregon. Around 1882 he was elected Jackson County School Superintendent and served two terms in that capacity. This was followed by three terms as district attorney for the First Judicial District comprising Jackson, Josephine, Klamath and Lake counties. As district attorney, he prosecuted eleven men for murder and, although none were hanged, ten were convicted. One murderer who was slated for the gallows starved himself to death in the Jacksonville county jail.

Local legend has it that the condemned man, as a last request, had asked that he be allowed to keep his sheep dog in the cell with him because they had been companions on the range. The sheriff complied, whereupon the man grew ill and died shortly before the hanging date. It turned out that he had starved himself to death by feeding his food to the dog. To add to this gruesome tale, the convict's skeleton was later used by the psysiology class at the Jacksonville school to study human anatomy. When the schoolhouse burned, the skeleton went with it.

The Colvigs had moved to Jacksonville after Bill became a county official and, in 1887, bought the George Schumpt house





*The Colvig house in Jacksonville*

*Ella Young Wilson, Helen Mar, Donald Lyngae, Addie Birdseye, Vance Debar, Clara*

at the southwest corner of Fir and South Oregon streets. The last three children were born in Jacksonville. First came Mary in 1886, who would marry W.J. Warner of Medford. Next was Donald, who was born in 1888 and married Star Marshall. Finally came Vance in 1892. He was to marry Margaret Slavin. All of the Colvig offspring became prominent citizens in Oregon, but the most famous was the youngest, known in Jacksonville as Pinto. Vance achieved fame in Hollywood as a cartoonist, radio and TV personality, and a top artist with Walt Disney. He created the character of Bozo the Clown whom children of that period loved.

Following his third term as district attorney, William Colvig opened up a law office at the county seat. In 1895 he went into partnership with Evan Reames, second son of Thomas Reames. They practiced in Medford for two years before returning to Jacksonville. In 1900 Evan Reames was elected to public office and his younger brother, Clarence, took his place as Colvig's law partner. The firm

moved back to Medford in 1906 and continued to operate as Colvig and Reames until 1914, when it became Colvig and Roberts. The Colvig residence was on Laurel Street.

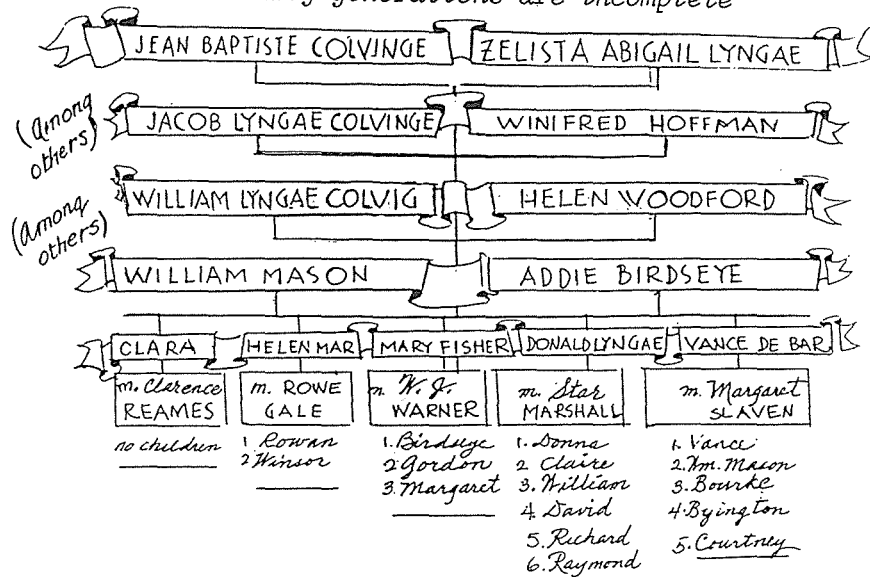
While still living in Jacksonville, William Colvig had taken on the title of "Judge." One story is that he acquired this title when serving as arbiter during a turkey raffle in town. His son-in-law, W.J. Warner, recalled that Colvig used to say in fun that the only thing he was judge of was good whiskey. Although he never served on the bench, Judge Colvig became a very successful civil and criminal lawyer in southern Oregon. He also served as attorney for the Southern Pacific Railway in Jackson County and in 1913 he was appointed tax and right-of-way agent for the railroad, with an office in Portland for several years.

*A*ddie died in 1912 after a losing battle with cancer. William Colvig continued to



*The photograph was taken on Christmas day, 1904.  
(left to right) William Colvig, Addie Birdseye Colvig, Clara Colvig Reames,  
Helen Colvig Gale (with dog), Mary Colvig Warner, Don Colvig, Vance Colvig.*

Early generations are incomplete



live in the Laurel Street house, and and his daughter Helen came to live with him and keep house for him. She brought her two children with her. In addition to his law practice, Judge Colvig was very active in civic affairs. Soon after his move to Medford he became president of the Commercial Club, predecessor of the Medford Chamber of Commerce. He served in this capacity for several years and was credited with being one of the men who put Medford on the map during those boom years. He also served for twelve years on the Oregon Textbook Commission and was an adjutant general in the State Militia.

Colvig retired from his law practice in 1922 and sold his law books. He remained active for the rest of his life however. He was an orator in great demand and loved to speak on a variety of subjects: the Indian wars, early Oregon history, and Shakespeare to name a few. In his early years, he had aspired to be a Shakespearean actor. He once remarked that the world had been robbed of a great actor and had forced upon it an indifferent lawyer. During the heyday of the K.K.K. in the Rogue Valley, he addressed meetings of the Independent Voters' League in 1922 and was harassed by Klan members who had infiltrated the meetings.

Judge Colvig with Pinto's children

In 1926 Judge Colvig took his first plane ride when he flew from Medford to Los Angeles in the open cockpit of the mail plane. Flying at speeds of up to 125 m.p.h., the flight took 6½ hours. The 81-year old enjoyed the experience so much that he began chartering a plane to take him to ballgames in Portland. He was at all times interested in progress, even in his advanced years, and kept in touch with the newer generation and its ideas.

William Mason Colvig died January 19, 1936, at the age of 91. For a number of years he had been living in the Oakdale Avenue home of his daughter, Mrs. W.J. Warner. At the time of his death, an editorial obituary commented in part:

Judge William Colvig was a forceful power in the early politics of the state and gave a life-long interest to the upbuilding and progress of Jackson County...He was as much a part of the valley he loved as the hills that guard it -- his humorous philosophy, his kindly smile, his gentle patience and his perfect understanding of human nature, leave a memory which is uplifting to all who knew him.

To which could be added that he lived a rich and rewarding life. William and Adelaide are buried in the Jacksonville Cemetery.







William Mason Colvig



Addie Birdseye Colvig



Sons and daughters of Don L. Colvig and Star Marshall Colvig.  
 From left to right: David E. Colvig of Houston, Claire Colvig Oberon of Paso Robles,  
 William Colvig of Aptos, Donna Colvig Tuttle of Iowa Hill, Ray Colvig of Berkeley,  
 Richard M. Colvig of Oakland. (photograph taken in 1979)





# PROHIBITION AT WORK

## 2. The Case of Nona, Babe & Mr. Heflin

**N**early everybody is a booster for law and order and everybody longs to see justice doled out fairly, promptly and objectively -- the innocent citizen rewarded and the penitent crook returned to the straight and narrow. But there are always qualifications: what if you have a reluctant admiration for the highwayman? what if the detective plays sneaky dirty tricks?

Newspaper accounts of prohibition at work nearly always show those gray areas of indecision. Where is the logical place for sympathy? Is it with America's finest, lined up on the decks at midnight, their torches flickering and their sledgehammers flashing, as they smash to splinters case after case of precious medal-winning spirits, unsuccessfully smuggled in from a country that didn't prohibit its sale? Is it with the poverty-ridden mountainman who, to feed his family, puts his freedom and life in jeopardy to produce and deliver

a product that is in constant demand by those who will gratefully pay for it? Is it with an agent who tells lies and stages little comedies--or tragedies--to entrap his victim into revealing his guilt?

Court records of those years present virtually hundreds of cases, enough to suit any taste. A trial held in 1923 presents a less heartbreaking resolution than that of the Zimmerlee case which appeared in our last issue.

So go to the cupboard, get down a nice rock crystal tumbler, throw in a lot of cracked ice and a splash of whatever tickles your fancy and read all about Nona Dunlap, Babe Glen and their friend Mr. Heflin who beat the rap on the third time around.

**A**ccording to the newspaper of February 2, 1923, the justice department had cause to be gleeful: a series of arrests for bootlegging

and possession, which took place during the week, had practically crumbled the backbone of local operations. A few successful weeks like this one and those sly prohibition officers would have control of the situation and Jackson County would be sober as the proverbial judge and dry as the thirsty Sahara. And you know just about how accurate that statement is.

Among those arrested were Mrs. Nona Dunlap, charged with selling intoxicating liquor -- at liberty on \$500 bail -- Babe Glen, charged with possession -- free on \$300 bail -- and Mr. M. M. Heflin, -- accused of selling -- bail set at \$1000.

Nona Dunlap was an attractive widow, or possibly a divorcee. There is no mention of Mr. Dunlap in any of the stories. If he were alive and well and a man about town, he had other fish to fry, and had found better ways to spend his time and money than in helping Nona make her defense. She was a legal secretary and worked in the office of Attorney George Roberts. And you can register a strong point in her favor for putting in eight hours a day pecking away at a typewriter on the right side of the law. She had a young son not yet in school, and he was probably the light of her life. At least we must assume so for in those days delinquents were rather a rare breed, and boys wore short pants and long cotton stockings and neckties and said "Ma'am" a lot. That can be very endearing.

Nona and her son, and Babe, her sister, and M.M. Heflin, a boarder who worked at the Rogue River Canal Company, lived in a modest little house at the corner of Sixth and Bartlett. Today that intersection is one of the busiest cross streets in Medford, but in 1923 it was at the edge of the residential area, shadowed by the big old brick schoolhouse which backed up to Riverside Avenue. The second floor of the school building towered over the backyard of Nona's little house, and the students, if they were a mind to, could watch the hands of the occupants as they worked around the kitchen sink, peeling vegetables and washing dirty dishes. No one could be certain whether the hands in the sink belonged to Nona or Babe, because the top of the narrow

window hid the ladies' faces from view. In those days of studious, almost adult juniors and seniors, everyone had far better things to do than watch a pair of unknown hands pearl diving in the kitchen sink, so probably no time was spent in that pursuit.

Nona Dunlap and Babe Glen had moved into the house in January, only a couple of weeks before, and Babe had added to their income by taking in a few boarders. She was a good cook and set a nice table and a number of businessmen welcomed the opportunity to take their noon meals at the house and a few bachelors ate their suppers there regularly. Mr. Heflin had moved in only four or five days previously. He may or may not have been a beau of Nona's or Babe's, but in this story a romantic interlude between any members of the cast is not our concern. The ingenious prohibition officers and agents, who seem to have fancied making spectacular raids on their suspects, changed their *modus operandi* in rounding up the leading lady. They had unimpeachable evidence, and catching the culprit red-handed, with pie on her pretty face, was an unnecessary move.

On Wednesday, February 2, in the late afternoon, just after a mantle of fog had descended on the city and made the electric street lamps necessary, a prohibition agent, J.H. Leggett, entered the office of Attorney George Roberts.

Nona, at the typewriter, looked up at the stranger, and said pleasantly, "May I help you?"

"Mrs. Nona Dunlap?" asked the gentleman, and as she nodded, he announced, "I have a warrant for your arrest."

If she were shocked or surprised and offered resistance or tears, the *Tribune's* objective reporter failed to record the scene. Being a well-trained legal secretary, she probably thought, "What a nuisance," informed her employer she was called away, put on her coat and her hat and her gloves, picked up her purse and her umbrella and prepared to accompany the agent to the city hall.

Attorney Roberts surely must have questioned the man, who might have answered, "The charge is 'operating a nuisance at the corner of Sixth and Bartlett, a charge which includes selling and possession of alcoholic beverage."

ages.'" No doubt Attorney Roberts felt duty bound to defend and support a faithful employee, and, donning his hat and coat, he joined Nona and Leggett and accompanied them to the city hall.

The fair Nona was arraigned before County Judge G.A. Gardner, and entered a plea of not guilty. Judge Gardner called a preliminary hearing of her case for the following Monday, set her bail at \$500, which she at once provided, and, after these transactions had been dutifully performed and recorded, she set out for home.

A little earlier in the day, probably just after Babe had cleaned the kitchen in preparation for supper, and set the lemon meringues\* on the cupboard shelf to cool and had slit the roasts to insert a little garlic and sprinkle on some herbs, special prohibition officers S.B. Sandifer and D.M. Lowe and Patrolmen George Prescott and Joe Cave banged away on the front door of the boarding house and noisily entered the dining room. The mystery of why four men arrived to arrest Babe when only one performed the service for Nona was not revealed. Maybe Nona was a little more refined and wouldn't present any violent opposition. Keep in mind that Babe was armed with a lot of cutlery, some pots and pans and a cast iron skillet or two.

Anyway, the two incorruptible agents and the two courageous boys in blue were certainly enough reinforcements to assure that Babe went downtown dutifully and anted-up her bail on the charge of "operating a nuisance." If supper was late that evening, the waiting only made it tastier.

M.M. Heflin's arrest was postponed for several days. He may have been out of town making a few business calls -- shall we say in regard to his beverage enterprises? -- but enforcement agents had had him under close observation for some time and he wasn't about to get away. A special agent, brought in from Salt Lake City, was being briefed,

\* So the pies were actually butterscotch already. The *Tribune* reporter neglected to give us the details. The author is aware that this essay falls somewhat short of the criteria for deathless prose, and he might give wing occasionally to a flight of historic imagination, and--who knows?--Babe could have been into lemon meringue on February 2, 1923. The *significant* events of the case do not veer from the newspaper stories or the court records. Cross my heart.

and if, in the meantime, Mr. Heflin was lulled into a false sense of security, so much the better. He might be caught red-handed with gallons of liquid refreshments left carelessly lying about the premises.

In his case, a large, well-rehearsed staff of officers and agents, each at the ready in his assigned spot, with watches synchronized, would make the raid and it would be a dramatic sweep which would uncover a rich source of evidence and put this lawbreaker permanently out of commission. Like so many perfectly planned endeavors, the foray turned out to be a bit of a dud although it was far from a complete bust.

On Sunday evening, four days after the lawmen had arrested Babe at the cookstove, and well after the Sunday supper dishes had been stacked away and the kitchen tidied *and* the occupants had been given enough time to sit down, kick off those tight shoes and pour a little something into a jelly glass, the legal eagles struck. They suddenly clomped across the front porch, banged on the door and yelled, "Federal officers! Open up!"

The scene didn't unwind as the officers had planned. None of the suspicious trio ran to the front door in panic, swinging it wide to reveal a bacchanalia of bottles and revelry. After their initial barrage of noise, the raiding party could only stand on the porch waiting, while they listened to unhurried footsteps approaching.

Nona took several minutes to reach the door. She had just happened to feel extremely thirsty and had gone to the kitchen sink for a drink of water. She had been looking out the back window into the fog as she allowed the tap water to run for a few minutes to cool.

But once the door was open, the gentlemen callers wasted no time in polite exchange of pleasantries. They were there for good solid proof of dirty work and they didn't fool around. The two policemen, Cave and Prescott, found Babe in the kitchen scraping some sticky, tar-like substance off an empty "Whistle" soda pop bottle. Aha! why was she fooling around the sink with that empty bottle? But possession of Whistle wasn't against the law and a lot of folk saved the bottles for home-made catsup. That was certainly not earthshaking evidence.

But Sandifer and Lowe, armed with their search warrants, executed a more thorough exploration. They uncovered two freshly washed bottles under the sink, a corkscrew on the kitchen table, and -- lucky break -- a Scotch label in the woodbox. There were, however, no hidey-holes with any incriminating cases of booze anywhere in the house and Babe didn't even use cooking sherry.

A search of Mr. Heflin's room, however, offered more pay dirt. Mr. Sandifer discovered currency tucked under the dresser scarf. A check with Mr. Lowe, who kept a record of the numbers of the bills issued to prohibition agents to make their purchases of contraband booze, revealed the money had originally come from secret agent, George Tucker.

Mr. Heflin declared he didn't know any George Tucker. He had come by the greenbacks by making change for one of the diners at the boarding house, but his statement wasn't very persuasive.

## The First Trial

**O**n February 2, court was called to order. Nona and Babe, in smart but modest attire, and Mr. Heflin, in his Sunday best, sat with counsel. Rawles Moore, across the room, represented the state. A jury was empaneled with little difficulty and the trial was off and running by noon. The evidence appearing in *Tribune* reports hardly seems conclusive enough to bring the case to trial, much less to end in conviction, but it did the trick. In this first run, much of the testimony was omitted.

Justice of the Peace Glenn O. Taylor, Charles E. "Pop" Gates and Horace G. Nicholson testified that the boarding house had a bad reputation. Those three were respected city fathers -- whether they deserved it or not -- and their statements didn't help Nona's cause, even if the shady reputation had been made long before her move to Sixth and Bartlett.

Mr. Tucker, the secret agent, was not called to the stand, but District Attorney Rawles Moore had apparently done his homework thoroughly and he chalked up a number of points for the prosecution. He may also have had considerable biased moral support from Judge Gardner, who was known to be on

on the sanctimonious side. Attorney Roberts may have been too busy to study the ins and outs of the case, and it got out of hand.

After the attorneys had made their final statements, members of the jury retired and after casting a couple of ballots returned with a verdict of guilty. Judge Gardner sentenced Nona to serve ninety days in jail and to pay a fine of \$500 with the provision that if she served ten days of her sentence, the rest would be suspended, Babe was given thirty days and a \$300 fine, and Mr. Heflin was sentenced to thirty days and fined \$200.

Bail was posted and Attorney Roberts announced an appeal of the decision would be made at once to the circuit court. He probably had an attack of deep regret for failing his faithful employee in her time of need and resolved he would not be caught napping again.

**N**ot until the last day of May, 1923, almost five months later, did the *Mail Tribune* again make mention of the allegedly guilty trio. They were out on bail, awaiting the appeal, and no matter what capers they had cut earlier, they certainly had kept their noses clean after they had been declared guilty by Judge Gardner.

Finally on May 30 headlines declared:

### SECOND DUNLAP TRIAL TO JURY TOMORROW

## The Second Trial

**F**or this trial Sandifer and Lowe and Cave and Prescott reported additional evidence which had been found at the boardinghouse before the initial arrest. None of it pointed to an easy-win for Nona, Babe and Mr. Heflin who at this point appeared to need a powerful fairy godmother in their corner if they were going to avoid spending a little vacation in the county bastille at Jacksonville.

Testimony showed that A.W. Stewart, another of those ubiquitous secret agents who always seemed to be skulking around the corner, had gone to the boarding house, had taken supper, and then charmed Nona into selling him a



round of drinks for the four of them one evening after the other supper guests had gone. He had paid the sum of \$3.50 for the liquor.

Agent Stewart was not working on the case alone. As he sat at the dining table enjoying a splendidly cooked supper in company with the other boarders, and while the genial hostesses, Nona and Babe, were graciously attending him, his immediate superiors, the dedicated lawmen, Sandifer and Lowe, and the two flat-footed cops and a couple of standbys stood around in a hidden retreat awaiting the signal to strike.

At last, after the generous Nona had imprudently slipped Agent Stewart the partly filled bottle, and the money had exchanged hands -- or so testimony made claim -- he bid the assemblage a pleasant good night and, once outside, scurried like a rat to the rendezvous and turned over the evidence. Imagine the jubilation. The lawmen snapped to attention, took formation, marched to the front porch and made their first raid on the boardinghouse.

Strangely there was no booze to be found, either by the glass or the bottle, in the kitchen or in the attic, and Nona, Babe and Mr. Heflin appeared to be as innocent as lambs -- except for that damnable bottle of mother's ruin which Agent Stewart had purchased and surrendered as cold, hard, uncontestable evidence.

"This is clearly an underhanded frame-up," declared the defense.

On June 1 the jury was still out. They had begun deliberating after lunch the day before, and had sent out several requests for further instructions. Twenty-two hours later they were still discussing the problem. No one would change his opinion and the vote stood seven to five for acquittal throughout the entire session. At last the court called them back to the jury box, thanked them perfunctorily and sent them home.

Nona, Babe and Mr. Heflin may have held a little private party and clinked their Whistle glasses in minor celebration, but they weren't out of the woods yet.

## The Third Trial

There was no delay for the third trial. Selection of a jury began on June 6, and

this time Mr. Sandifer and his lieutenants were resolved to pull no punches. The full story would be told and justice would prevail. If it was necessary to reveal the secret sources and crafty maneuvers required to put those two jades and that Heflin scoundrel behind bars, why, they would do it. Agent Sandifer would be no more Mr. Nice Guy. He didn't need to be ashamed of his operations. Catching bootleggers was an advanced skill and demanded cunning investigations and subtle procedures.

It was no secret that Nona Dunlap's house had been under surveillance for some time and Agent Stewart had done a masterful job of putting the finger on her and her cohorts. As early as January 22, he had been given the assignment and only gradually had he won his way into Nona's confidence.

W.A. Stewart was a young, handsome fellow with a ready wit and an infectious smile. He was like the boy next door -- the Personality Kid -- and he certainly spread his charm around the boarding house. He first made his appearance when he casually dropped in to meet the folks. A couple of days later he was back again. It was the night of the American Legion masked ball and he bounced into the dining room just to show off his costume. The report unfortunately gives no description of his outfit, but he should have gone as a wolf in sheep's clothing. He won a prize that night for one of the best costumes. A student "of the theatrical business," he could be counted upon to do his share of the entertaining. He later said that Nona told him she enjoyed his company, and "was amused by the way he talked and acted." He was obviously a master of deceit, but we must reluctantly admit he earned his pieces of silver for turning in his friends. The going rate was \$25 per bootlegger and \$50 per still -- on a "piece basis."

The jury was made up of a worthy bunch and they took their places, eager to perform their roles as featured players in the drama: They were H.H. Boyer, Carrie C. Carnahan, J.W. Richardson, Roscoe Applegate, Raymond Crawford, J.M. Dews, W.W. Truax, Frank Lindley, W.W. Cameron, Edith Potter, Harvey Lord and W.J. Hartzell. At the last instant one of the

ladies was given word that her mother was stricken with an illness and an alternate juror was ordered drawn by the court for the emergency. Pete Kershaw was accepted by both sides after Attorney Roberts had excused Perry E. Wyncoop.

**W**. A. Stewart of the dimpled grin was the first witness called by Attorney Rawles Moore. He testified he stopped for the first time at the boardinghouse on the evening of January 22. Although his visit appeared to be the whim of the moment, it was methodically staged. Agents Sandifer and Lowe met him a couple of blocks away from the house and gave him a thorough examination. A little unfortunately the would-be-star of the show had developed a fondness for the bottle and a time or two he had rendered himself useless by showing up with the odor of illegal spirits on his breath. How could they prove he'd been given a drink at a suspect's house if he had been tanked up before he went in? This night the thorough federal agents had frisked him, searched his automobile for contraband, and made him exhale as they suspiciously sniffed his breath. He was pure.

Turning on his charm, he walked up to the front porch and entered the house, his dimples and his flashing smile turned to full steam ahead.

The first evening no opportunities arose. He did tell Babe he certainly didn't find Medford a very lively place, "It's dry as a desert," he said, but no one took up the conversation or offered to relieve his thirst. Mr. Heflin was wearing a fancy pair of boots which had been tooled with an intricate design and had been polished to a rich sheen. Unhappily they had proved to be too large and Mr. Heflin was concerned that they would be a complete loss. Stewart tried them on and said he might consider buying them; for him they were a perfect fit. He considered ways to re-introduce the subject of the bottle, but rejected them all. Before he left, he said, "You know, a friend of mine told me he had got a drink here."

"How amusing," Nona had said.

"He was a traveling man by the name of Billy Grey," Stewart said.

None of the people at the house had ever heard of a traveling man by the name of Billy Grey, and Nona graciously ushered her caller to the door.

Empty handed, back at the hideaway, he pointed out to Sandifer and Lowe that he was off to a good start.

The third night, January 25, Stewart failed to make his appearance until late in the evening. It was the night of the big, big Medford-Roseburg high school basketball game and naturally the young man was in the stadium. But by half time he was at the door of the house on Bartlett. It appeared he had come directly from the Natatorium on Riverside, but actually he had been getting his usual instructions.

Sandifer and Lowe, Prescott and Cave and the two extras had installed their secret operations in the home economics room of the high school which hovered over Babe's kitchen. One of the enforcement officers had hung a dishrag on a nailstuck into the windowsill and had tied back the window shade. They thus had an unobstructed view of the sink.

Stewart appeared at the door of the high school and was admitted to the darkness of the front hall. There he was carefully examined, fastidiously smelled and sniffed by his superiors and given his allowance -- three marked five-dollar bills. Promising to nail the suspects, he left the schoolhouse and made his way to the boardinghouse.

**I**f you're in an illicit business, you eventually must show your hand. Caution must be thrown to the wind or you'll never turn a profit, and customers who find their dealers too cagey will eventually give up the game of will-you-or-won't-you, do-you-or-don't you? and seek out another supplier. The third night that young Mr. Stewart called was a festive night. The high school students had been holding cheer meetings on and off during the day, the downtown merchants were keyed up for an exciting game, the diners at the boardinghouse had been noisy and high spirited, and, apparently Nona and her crew had decided their friend Stewart was to be trusted as well as admired.

He entered the dining room, took off his hat and coat, sat down and said,

"I'd sure like to have a drink."

"I'll have one with you," Babe declared.

And Nona chimed in with, "I'm not in the habit of drinking, but I'll take one with you both just to be sociable."

And then she gave the plot away. "We must be careful of Mr. Sandifer," she said.

So far there had been no exchange of money and young Stewart, who was generous to a fault, offered twenty-five cents for his glass. Nona laughed merrily and refused his opulent gift, and he, realizing the time had come to strike, sang out, "I'll buy a round for everybody."

The evening became a gala occasion and as Babe retired to the kitchen and returned with a soda pop bottle full of Scotch whiskey, Stewart offered Nona a marked five dollar bill. She took it. Alas.

As they sipped the excellent Scotch and chatted, Stewart turned his attention to Mr. Heflin. His assignment was to stash some of that incriminating currency on him, and Stewart faced up to his challenge.

"I'd like to buy a bottle of good stuff like this," he said, turning to Mr. Heflin. "You think you could find me some?"

"Well," said Heflin, "I might just be able to get a bottle of really fine bonded goods for you. It'll cost you about \$16 a quart."

"That's too steep a price for me," said Stewart. "I'd just like to have a bottle of standard stuff like this."

Nona said, "It does seem to be an expensive brand, but it's very difficult to come by."

Mr. Heflin thought that if Stewart really wanted a bottle, he could probably find one for him. It would only take a few minutes. He'd get his hat and coat and be back in a jiffy.

Calling Nona's little boy to come along for the ride, he helped him into his coat and cap, took him by the hand and when they reached the car, Nona's Studebaker, he helped him into the front seat. He started the engine and it sputtered and belched a bit in the February night before he pulled away from the curb. Two federal standbys, hiding in the alley a block or two up

Sixth Street, checked their watches and clocked him as he drove towards Riverside where he turned south. Mr. Sandifer, from the second floor of the high school, saw him turn left on East Main and head for the Bear Creek bridge.

The trip took twenty-six minutes.

It was about 10:10 p.m. when Mr. Heflin and the little boy returned to the house, glad to get back to the warm dining room. Heflin carried a bottle wrapped in paper and set it on the table as he removed his coat and hat. Babe put her arm around the boy and said, "It's way past your bedtime," and led him to his bedroom.

Nona and Stewart had been chatting, but they turned their attention to Mr. Heflin and Stewart said, "How much is it?" as he reached for his billfold.

"Six dollars," said Heflin and Stewart handed him the two marked bills. Heflin made change and gave him the bottle as Stewart thanked him effusively and, in some haste, went for his hat and coat.

As he said goodnight and went out the front door, Babe and Heflin caught each other's eye. Something was wrong! The young fellow had left too abruptly. His departure was off-rhythm some way and instantly Nona and Heflin went into action.

She gathered up the four glasses and the Whistle bottle and walked rapidly to the kitchen, where she turned on the faucet in the sink. In her haste she dropped a glass and, hitting the hard surface, it shattered. She allowed the water to wash over the pieces of glass as she dried the other three glasses with a tea towel and put them into the cupboard.

Heflin ran to the hall door and called out, "Oh, Babe," and when she noted the urgency in his voice, she came on a run.

"Wash this bottle," ordered Nona, and Babe, discovering some sticky material clinging to its side began scraping it with a knife blade. Heflin rushed to his room and returned with two full bottles of Scotch which he opened with a screw driver, poured the contents into the sink, and rinsed the empties carefully before he set them down by the woodbox.

The entire procedure at the kitchen sink was observed by the men who watched from the window of the home economics room.

**T**he operation had taken about three or four minutes and suddenly the noise erupted on the front porch. Agent Lowe, who was always noisy and aggressive, began yelling and Sandifer pounded on the door demanding admittance.

Maintaining her dignity, Nona opened the front door. Seeing the collection of men standing on her front porch, she waited for Agent Lowe to stop shouting and making his wild gestures. "Mr. Sandifer," she said, "what are you doing here?"

"I have a search warrant," he said.

"Well then," she said calmly, "read it to me."

"Do you rent this house?" Sandifer asked.

"Read the search warrant!" she snapped.

Finally, after relinquishing some of his effort to be big man in charge of the federal operation, he read the document, and she stepped aside to permit him and his men to enter.

The broken glass, the empty bottles, the Scotch label, and the screwdriver were found in the kitchen. The two marked bills were discovered tucked under the dresser runner and Sandifer, as he held them up to her, said pointedly, "We have found these two bills which will convict you. There is a third bill in this house in your possession, but I cannot search you because you are a woman."

Nona's delicate hand fluttered daintily to her *cleavage* and she did not reply. It is too bad Mr. Heflin hadn't given his incriminating greenbacks to Babe to tuck away on her even more ample shelf.

Not a drop of liquor was found.

**A**s the third trial progressed Attorney Rawles Moore deftly revealed the facts which pointed out the guilt of the three defendants and which had been omitted during the first two trials. Sandifer's elaborate preparations, his shrewd plotting and his masterminding the raid from start to finish were brought out in brilliant detail. When the prosecution rested, no one jumped up to take bets that this jury would be lenient to the three accused.

At noon it was Attorney George Roberts' turn, and he was prepared, eager and

belligerent. He quickly established that

- a) the bottles found in the house had been filled with kerosene for starting fires;
- b) no corkscrew was found on the premises;
- c) Heflin was arrested without a warrant;
- d) there was absolutely no evidence that intoxicating liquor had ever been kept or sold in the house;
- e) the two five dollar bills found in the possession of Mr. Heflin were given him by Stewart when "he asked to change them for a ten dollar bill."
- f) Stewart, who came to southern Oregon from Astoria where he had been working as an agent, had been paid \$50 for his services;
- g) Stewart had a record and had been convicted three times of criminal action: speeding, driving while intoxicated and drunk in public;
- h) he was a shifty witness and his word could not be relied upon. (He denied on the stand he had tried to frame Mrs. Dunlap. He had grown quite fond of her, he said.)

Incidentally the publicity surrounding the case had eliminated Stewart's usefulness to the department. He could no longer finger bootleggers who would instantly have recognized him. If he could not get an assignment in another state, he'd have to start pounding the pavement looking for work. In 1923 there was really little demand for spies and liars except by the federal government.

Mr. Roberts ruthlessly examined the other witnesses. His questioning revealed:

Tucker, a secret agent: *I made the arrangements for hiring Stewart and I was paid \$25 for my services.*

Yes, Mr. Sandifer occasionally searched his agents' cars for liquor and frequently sniffed their breath for tell-tale signs of drinking. Sometimes Mr. Lowe did the frisking and smelling.

Leggett, a stand-by agent: *When the raid started no one could tell what was going on in the house because all they could hear was "Lowe a-hollering."*

*I saw broken bits of glass in the sink, a corkscrew, the label of a whiskey bottle, two bottles that had been freshly washed and one bottle with some sticky*



stuff on it.

Did you see any liquor?

No, sir.

Verne Chappell, temporary agent: *I was in the high school watching the sink, but there were too many of us in the window. I couldn't really see what was going on.*

"Pop" Gates: *The house bore a bad reputation of being a place where intoxicating liquor could be purchased or produced. But of course I never went there.*

D.M. Lowe: *No, I couldn't draw a map of the sink. I really didn't get a good look at it and I'm a little confused about its location.*

Officer George Prescott: *There were quite a few men in that house...*

Officer Joe Cave: *There were some cork-tipped cigarettes on the table, but they might have been Camels.*

**I**n the course of his questioning, Mr. Roberts abruptly called Mr. Sandifer to the stand. "Have you ever been convicted of a crime?" he asked.

Sandifer whispered a reluctant "Yes."

Establishing the fact that this pietistic man, like nearly everyone else, had committed a foible or two in his youth was apparently all Mr. Roberts desired to do with his question, but Mr. Sandifer at once stood and addressed the court. "I desire to introduce an affidavit setting forth this incident for the enlightenment of this court," he announced.

"Objection!" called Mr. Roberts, feeling the situation had already got out of hand.

"Overruled!" said Judge Charles M. Thomas.

The story -- a sort of dull tale unrelieved with the spice of real villainy or guilt -- was presented to the jury who listened with some curiosity but little real interest.

"While engaged in enforcing prohibition in the state of Washington," confessed the penitent, "I was assigned by the justice of the peace -- a man of about eighty years -- to arrest a young man, who afterward proved to be underage, for selling cigarettes. This young man -- or boy -- was fined \$15 and costs and he wrote a check to cover that amount. I turned the money for this check over to a woman to pay the justice

of the peace. Afterward that man claimed that she had given him only ten dollars and I was charged with the crime of keeping that five dollars."

"Were you charged with extortion?" asked Mr. Roberts impatiently.

"I do not know what the charge was. The prosecutor, with whom I had worked on prohibition enforcement cases, refused to prosecute, but an attorney, who had been indiscriminately defending bootleggers, volunteered to act as a special prosecutor. I realized he was no friend of mine and had criticized my methods, and I saw I was over a barrel. I pled guilty and paid a fine for a crime I had not committed. But I stand here, an innocent man."

"I am sure we are all moved by your tragic story," said Mr. Roberts, "but I suggest it is irrelevant and I request it be disallowed as immaterial to the case."

Mr. Sandifer insisted on his innocence. "This is the only crime I have ever been convicted of and now I am engaged in the honorable enforcement of the prohibition laws and I hope to continue."

Mr. Roberts made little effort to control his sarcasm, and some pretty snide remarks were made. The judge sustained his objections to the affidavit and it was stricken from the record.

**M**r. Roberts' steam-roller tactics which had been totting-up points for the defense, came to a halt while Sandifer made his confession which delayed the questioning and held up progress. Although Roberts had introduced the question of Sandifer's guilt, the prolonged answer antagonized him and his disposition didn't improve with the telling. At the same time the judge was becoming more and more hot-tempered and cautioned Roberts several times to exercise some restraint.

When Deputy Sheriff Forncrook was on the stand, Judge Thomas asked him a number of questions: the measurements of the kitchen, the size of the sink and the window, who had given him the order to take the measurements, had he collected mileage, etc., etc.?

Attorney Roberts became more agitated and broke in with the statement, "I desire exceptions to the remarks of the court."

Judge Thomas said, "You have your objections."

Roberts continued belaboring the point and finally the judge, completely vexed, said: "Mr. Roberts, you are fined fifty dollars for contempt of court, and you will pay it before proceeding with this trial."

Whoa! Mr. Roberts was at once contrite and humble. His obligation was to win the sympathy from the jury, not to alienate it. How could he have allowed these repetitive and unnecessary questions to shake his equilibrium so that he threw caution to the winds?

"I am very sorry, your honor," he said. "I had no desire to cast any reflections upon the bench; I was merely taking exceptions upon what I believe to be an error at law. I respectfully request that actions in this contempt matter be postponed until the conclusion of the trial."

Well, it was late on a Friday afternoon and tempers had been strained listening to witnesses giving uninspired testimony and presenting the same evidence over and over. The case at hand was more important than disciplining a disrespectful attorney.

"I set Thursday, June 21, as the time for the disposition of the contempt proceedings. Let us continue with the trial," said Judge Thomas.

**D**uring the course of the first two trials Attorney Roberts had attempted to bring out the fact that Sandifer had authorized his agents to entice Nona into offering them a bribe. He was apparently of the opinion that if she should agree to a substantial figure to be allowed to escape the clutches of the law, a conviction would be a certainty and they could lock her up and bury the key. But whenever Mr. Roberts approached the subject in his cross-examinations, he met such a barrage of objections, all based on technical legal points of immateriality, that he had given up the attempt.

Now he began dinging away again on the allegations of bribery, and Rawles Moore, who apparently saw no ethical wrong in such a procedure, and in fact seemed proud of the ingenuity of the department in conceiving the idea, permitted the subject to enter the questioning. At the

time Attorney Moore was exercising a little *tour de force* in the courtroom. "To keep the record straight" he was asking and answering his own questions, moving back and forth from the witness stand to the floor in front of it to make his statements. Possibly he got carried away with his cunning performance for on the stand he said, "Mr. Sandifer told me he was trying to induce Mrs. Nona Dunlap to offer a bribe, and I said, 'Use your own judgment.'"

Immediately the defense called Nona to the witness stand and she presented her story.\*

In early January, before my arrest, I was approached by George Tucker, a special agent. He called me on the phone at my office and said he wished to make an appointment to see me about a matter which should be of great concern to me. I of course was interested and suggested he come at once to the law office.

Oh, no, he couldn't do that, he said. The matter was of extreme confidence and he could only see me in a private place. Could I meet him in his automobile? I set a time for later that afternoon, as there was no pressing legal business on my desk and, as the hour approached, I put on my wraps and walked to the designated place downtown.

It was foggy that day, and I thought if this gentleman really wanted to be unrecognized, he could not have picked a better time. He was sitting behind the steering wheel of a Ford coupe, and as I approached, he got out of the car and walked around to open the door on the passenger side. I stepped into the Ford and he returned to his place behind the steering wheel.

He told me he was a special agent, a federal representative, who worked in the prohibition enforcement department. My house, he said, had been observed for some time and there was evidence that illegal liquor had been brought there and sold to several of our boardinghouse customers. He assured me my position was precarious, and I was liable to arrest for violation of the Harrison Narcotic Act. Not only that,

\* For the sake of story line, I have put this narration into a first-person account. The *Tribune* reporter presented it objectively in the third person as a news story. R.L.

but if I were arrested and given a jail sentence, my boy would be taken from me.

This was of great concern to him, he said, and he would like to prevent it. He could take me and my son out of Oregon, where I would no longer be under surveillance, but such a move entailed risks and would require money. He could, for \$1,000, make arrangements and set the plan into action.

I was fascinated with his proposition. It was so obviously a scheme of some kind which would work to my disadvantage. "You must come to my office with me and present your suggestions to Mr. Roberts," I said, but he refused to do this.

"It is a plan made in confidence," he said. "I don't believe you should mention it to your employer."

Eventually I thanked him for his concern and returned to the office where I told the story to Attorney Roberts. Several times after that Mr. Tucker called me on the telephone and suggested that I meet him for further conferences, but I made my excuses."

**R**awles Moore, on hearing Nona's recital, suddenly realized this clever ruse could backfire. The jury might see it as deceit rather than strategy. Breaking into a house to nab law-breakers was one thing; threatening to take a son away from his mother was quite another. The damage had been done; it was obvious the members of the jury had missed nothing.

Agent Tucker, on the stand, was asked about the bribe by the defense, but the question was not allowed to be answered. He had done damage enough and should have kept a lid on his contribution.

**A**s the trial came to its close, the three defendants took the stand in their own behalf and collectively and individually denied in whole and in part the allegations of the state. District Attorney Moore attempted to make a comeback by firing questions at Nona, but she was clearly angered by his renewed efforts. What a trying ordeal -- a tempest, really, over a \$3.50 bottle of whiskey and she had endured the nightmare of it for months. She had, with great effort maintained her poise and consistently clung to her innocence, and she was at the end of her tether. Towards

the conclusion of the questioning she droned her answers in a weary monotone as Attorney Moore returned again and again to the broken glass in the sink and the empty bottles by the woodbox. How could he whip a spark into his conclusion if that bored woman sat there in the box indifferently answering his questions? The case, which had earlier generated such fireworks, wound down to an empty reel.

Judge Thomas gave his instructions, and the panel retired to the jury room. They were all a little dazed. They had been bombarded with accusations, denials, dirty tricks, bribery, contempt of court, playacting, tampering with evidence, and misstatements under oath. There was little likelihood that anyone in the jury room thought that Nona, Ba'e and Mr. Heflin were innocent of the charges against them. The evidence, often awkwardly given by less than adequate witnesses, was persuasive enough. But the final direction of the trial was no longer the guilt of Nona and her cohorts. It had dwindled down to the question: how could a jury show a united disapproval of the underhand procedures used by Sandifer and his thugs? The second ballot was a unanimous vote for acquittal.

**A**s Nona B. Dunlap, flanked by her faithful supporters and her ingenious champion, Mr. George Roberts, swept from the courtroom, the audience cheered. She bowed graciously to the reporters and the people who lingered to offer their congratulations, and walked through the courtroom door, down the corridor of the city hall and out of our lives. If she ever had another stand off with Mr. Sandifer and his unscrupulous crew, the story is obscurely tucked away in the dusty files of yellowing newspapers.



Raymond Lewis

# Society News



Sam Wegner  
Acting Executive Director  
Photograph, Natalie Brown

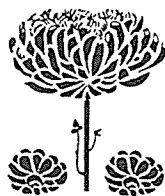
With the resignation of Nick Clark in late August, the Board of Trustees met and appointed our Director of Operations, Sam Wegner, as Acting Executive Director of the Southern Oregon Historical Society. The transfer of authority has gone smoothly and the operations have continued without interruption. Although we sorely miss Nick's good humor, his boundless energy, his progressive planning, his spirit and his instant grasp of the challenges of the society we sincerely wish the best for him in his new position and say godspeed. In the meantime we appreciate having Sam Wegner on board. His sense of humor, his industry and his willingness to tackle problems are gratifying. He has a pretty wife, Linda, who sings like a Highland thrush, and two attractive children, Ethan and Elena.

*Raymond Lewis*

The Oregon Museums Association, an organization that meets variously around the state on a quarterly basis, was established for those in the museum field interested in the enhancement of their skills, knowledge and abilities. The September meeting was held at the Paul Jensen Museum on the Western Oregon State College campus in Monmouth, and our oral historian Marjorie Edens was elected to a two-year term as treasurer. Membership in OMA is open to individuals and institutions; for more information contact Marjorie Edens at 899-1847.

The magnificent oak tree, sometimes known as Hooker Oak, which has stood for many years at The Willows, came crashing to earth on September 9. It was apparently structurally weakened by deterioration at the center, and has been removed. Another tree will be planted and, although an oak is a slow-growing tree, we'll do our best to keep up the tradition.

The Woodville Incorporated Museum which has acquired a picturesque old house at the corner of First and Oak Streets in Rogue River, is presently preparing exhibits. Colista Moore, spokesman for the group, has announced the organization is in need of wooden display cases for their collection. They are yearning for some free-standing cabinets, glassed in, which they may place back to back, but any exhibit case in keeping with museum decor will be more than welcome. Ms Moore may be reached by calling 582-0238.





# Correspondence

Dear Members of the Southern Oregon Historical Society,

I've got Mr. Beekman's calling card beside me as I write this to thank you and congratulate you on a wonderful time back into the year 1911. My younger daughter Kate and I were hot and tired and were napping, waiting to go to dinner and on to Ashland for a play when I suddenly felt a burst of energy and said, "Let's get on our bikes for a trip to Jacksonville." (Not all that ambitious a suggestion since it was just a few blocks away.) On the way we passed the Beekman house, a house I've passed many times on various trips to Ashland but never visited. I suggested to Kate that we stop by and see if a tour was going through. *Never* did either of us expect the fun we experienced as we were first greeted by a woman who told us what we were about to see including Mrs. Beekman, the maid, the sister of Mrs. Beekman (oh, yes, I remember, she was a Kate, too) and the piano student who was perfect but whose name I no longer remember. Suffice it to say, everyone was in character, and made the cynics in the group enter into conversations I'm sure they never imagined having.

For my Kate it was a touch with history I don't think she'll ever forget. Everyone who greeted us was believable and dynamic and in character. Apparently the good acting isn't confined to Ashland. Kate and I had visited the cemetery the day before largely because her older sister had been reading Stephen King - *groan* - and wanted to visit it. It turned out that for each of us it was an interesting experience, bringing up thoughts on cemeteries, death, families, beauty, loss. When we went through the Beekman house and Kate and I heard about Lydia, my Kate asked if "My Darling Lydia" was Mrs. Beekman's Lydia in the graveyard and Mrs. B. said, "Yes."

Kate said, "It's a very lovely tombstone! Somehow a ten year old, a sensitive one at that, but one who has been known to stoop to Saturday morning cartoons, was transported, the people lived for her, the house was one in which things happened: piano lessons, baths, baking, *electricity!* talks about poetry.

So if ever you feel discouraged, don't be. Your work counts. You've made history live just as we all do for a time. I'm old enough now to know, we are all history, even ten year olds; history is all the stories, that's why I was a history major who went on to become a writer: It's the stories that hold one's attention.

Thank you.

Paula Gocker  
Oakland, CA

*And another in the same vein:*

To all the Beekman cast,

On Sunday, August 31, we spent the most delightful afternoon visiting with Mr. Beekman and his bank staff and then continuing down the street to his home to meet the Beekman family and Louise, the maid.

As far as we were concerned, you certainly managed to set us back in time for a couple hours and allow us to see more clearly certain *details* of a day in 1911 -- in fact, to be able actually to touch a day in 1911.

What a wonderful job you are doing for your area and for history.

We are trying to thank you by spreading the word of your work and what a delight it was to make the trip to your lovely town.

Jim and Sandra Crittenden  
Oakland CA

*Apology:*

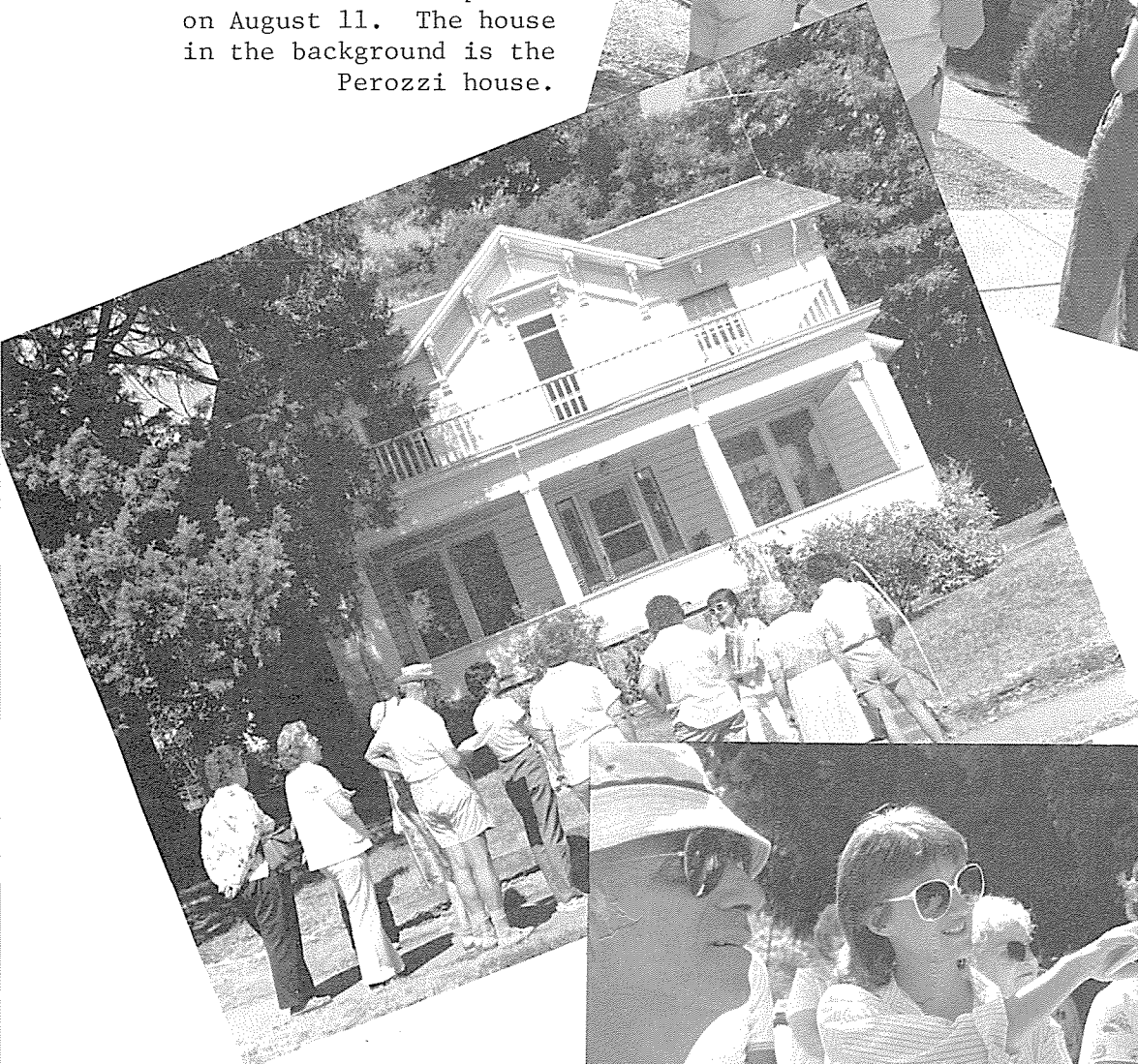
In the last issue of the newsletter Sue Lily, a potter from Williams, was pictured at the Hanley farm as she demonstrated her skill with a "kick wheel, a tool used to make clay bowls and other pieces. Unfortunately she was identified as Sally Lallie. We regret the slip. The name is kinda cute, however, but since the lady has no use for it, it's up for grabs.

## Announcement

Sharon Lumsden, manager of the Museum Gift Shop, wishes to remind members that gift certificates are available. Members receive a 15 percent discount on purchases.



Photographs on this page, taken by SOHS photographer, Natalie Brown, are views of a walking tour taken by the Chappell-Swedenburg House volunteers and the public on August 11. The house in the background is the Perozzi house.



Leslie Egger-Gould, Coordinator of the Chappell-Swedenburg House, points out historic sites, Sam Khouri, SOHS receptionist, is on the left.

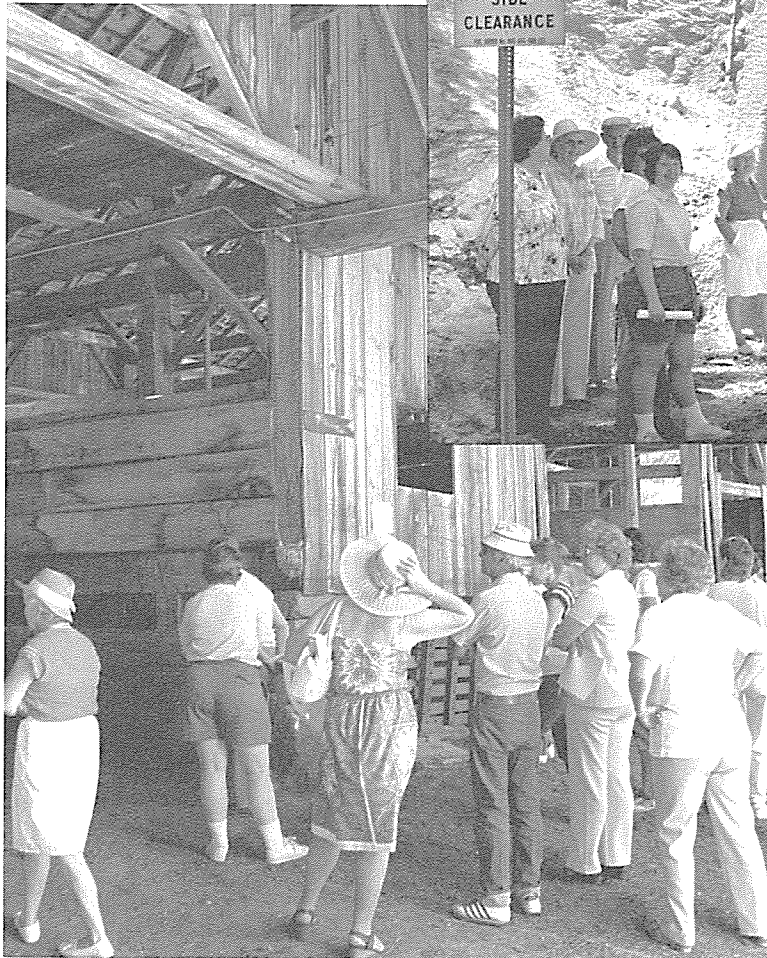


## *Walking Tour of Ashland*





The Barron ranch house,  
pictured above,  
was featured  
on the Museum Docents Tour  
at Ashland on August 11.  
Notice the Peter Ogden oak.  
*Photographs by Natalie Brown.*



*(Center)*

The tour group  
is photographed as  
they approach the  
famous Tunnel 13.

*(Lower left)*

Docents examine the  
barn-within-the-barn  
at the historic Barron ranch.

## *Museum Docent Tour*

# Swedenburg House Event



The Ashland Public Library sponsored a Book Mobile Exhibit on August 5th at the Chappell-Swedenburg House. Stacey Williams, who frequently demonstrates spinning for visitors at the Children's Museum is pictured above spinning a tale as she spins the yarn.



**Magna Carta**  
Liberty Under the Law



A Bicentennial Celebration  
of the U.S. Constitution

SOHS is honored to host "Liberty Under the Law," an exhibit commemorating the 200th anniversary of the U.S. Constitution. The exhibit will be open from 11 AM - 7 PM between November 26 and December 7 in the ballroom of the U.S. Hotel. The exhibits feature documents and objects which are related to our heritage. The original Magna Carta will be included as well as many other priceless historical objects. (Closed Thanksgiving)

## THE NEWSLETTER OF THE SOUTHERN OREGON HISTORICAL SOCIETY

206 N. Fifth St., P.O. Box 480,  
Jacksonville, Oregon 97530, (503) 899-1847

Volume 6, No. 9, September 1986

ISSN: 0732-0523



NON-PROFIT  
ORGANIZATION  
U.S. POSTAGE  
PAID  
Permit No. 13  
Jacksonville,  
Oregon 97530