

A Yes, sir.

Q Pretty severe bruise, wasn't it?

✓ A No, it didn't have the appearance; it had more the appearance that it had been caused after death.

Q Was it discolored?

A Slightly discolored, yes, sir.

Q The body of a dead person, bruised, would it discolor?

A It would a short time afterwards, to a certain extent.

Q Large or little?

A Very small amount.

Q Do you recall that there was a yellow ring around the right eye, or the orbit of the right eye of this body?

A I don't recall that.

Q Don't remember that?

A No, sir, I do not.

MR. CHAMBERS: That is all, Doctor.

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J A C K T H U R M A N, introduced as a witness in behalf of the State, having been first duly sworn, testified as follows:

DIRECT EXAMINATION BY JUDGE DAMRON:

Q Is your name Jack Thurman?

A Yes, sir.

Q Where do you live?

A I live in Logan.

Q How old are you?

A Forty-eight.

Q How long have you lived in Logan?

A Going on eight years, September, this time.

Q Do you hold any official position in the town of Logan?

A Yes, sir.

Q What?

A Police officer.

Q How long have you been a police officer?

✓ A Fifteen months, I believe, this month.

Q Are you a day or night policeman?

A Night, mostly - partly.

Q You work at night? What are your hours?

A From six until six in the morning.

Q What is your beat?

A Most of the town. We patrol most of the city here.

Q Are there other night policemen?

A Yes, sir.

Q How many?

A There is two more police and a night watchman--store watchman.

Q Three night policemen and a night watchman?

A Yes, sir.

Q How long did you live there?

✓ A I had lived there ever since we have been in Logan.

Q How long is that?

✗ A About eight years.

Q Who built the property?

A My wife's father.

Q What is his name?

A George Morrison.

Q I believe he is dead now?

A Yes, sir.

Q Who lived in the residence immediately in front of this garage?

THE WITNESS: Opposite on Stratton Street, you mean?

JUDGE DAMRON: Well, isn't that front, or do you call this front?

A We call that front on Main.

Q Who lived immediately in the rear of the garage, then?

A Harry Robertson.

Q Upon what street does that residence abut?

A It fronts Stratton Street.

Q Is that one of the main streets of the city?

A Yes, sir.

Q That is the street that runs on the other side of this court house?

A Yes, sir.

Q What kind of residence is that?

A I think it is about-- I don't know how many rooms-- It has something like eight and an attic, I believe. Brick building.

Q Brick residence?

A Yes, sir.

Q How near this residence of Harry Robertson is this garage over which you lived?

A I suppose it is about something like fifty feet, guessing at it.

Q How do you get from the street near the garage into the residence part of the building?

A There is stone steps leads up front by the side of my place that goes back

Q Go back by the garage to the right as you go in?

A Yes, sir.

Q And that is the way you reach the residence part of the garage and also the residence of Harry Robertson?

A Yes, sir.

Q Do you know the defendant, Clarence Stephenson?

A Yes, sir.

Q How long have you known him?

A I don't know. Something like four or five years. I couldn't say just exactly how long.

Q Where has he been working and where has he been staying the last year or so?

A He had been working at Mine 22, I believe they call it, the last work I know of him doing.

Q Was that the last year?

A Yes, sir, last year. I believe it was some this last year. I don't know just how long it has been since.

Q Where has he been staying?

A He had been staying up there for some time.

Q Up there? What do you mean by up there?

A Robertson's.

Q Harry Robertson's?

A Yes, sir.

Q Close to your home?

A Yes, sir.

Q Where did he room, if you know?

A He stayed inside of their house. I don't know where his room was at.

Q Never heard?

A I suppose he stayed there. I could see him going in and out.

Q You never heard that? Did you ever hear where he stayed?

A No, sir.

Q You are the husband of Mamie Thurman?

A Yes, sir.

Q Is she dead or alive?

A She is dead.

A Yes, sir.

Q Where had you been?

A I started to the hospital to see a sick man, a man that had gotten hurt. When I got down the street as far as Mobley's boarding house I went in and talked to her. I set on the porch and talked a while, and decided I wouldn't go to the hospital, and went back to the house.

Q What time did you get back to the house?

A It must have been around four-thirty.

Q When you left your home--I believe you said around five-thirty, was it, or five, when you went to work?

A Around six o'clock.

Q When you left your home, tell the jury whether or not you left anyone there.

A No, sir, she was alone when I left.

Q And was she dressed?

A Yes, sir.

Q Who did the washing for you or your wife, Mr. Thurman?

A We had always-- She had always sent it to the Aracoma Laundry up until a few weeks before. There was a colored lady, a woman out in the east end. I don't know what her name was.

Q Was it Mattie Bell?

A Mattie Bell, yes, sir; she had been doing the washing for a few weeks. I don't know just how long.

Q Had she come to your home before you left that evening?

A No, sir.

Q Which way did you leave your apartment over the garage when you left for work that evening?

A I left out the way of Main Street.

Q That by going down the steps and onto the Main Street running by the court house here?

A Yes, sir.

Q Did you go direct to the city hall, or where you were to report?

A We don't report. I just went down the street. I don't know just where I went.

Q Did you wear a uniform?

A Yes, sir.

Q Were you wearing the uniform that night?

A I think I was.

Q How is that?

A I can't say whether I was or not. Warm weather lots of times we leave our blouse off.

Q In leaving your home that night did you see anyone on your way to work and near your home?

A Clarence Stephenson was sitting on the stone steps when I went out to go to work.

Q Is that the colored man that is on trial?

A Yes, sir.

Q And where was he sitting with reference to your home when you left going to work?

A He was sitting on the top of the stone steps to the left as I went down the steps.

A How close would you have to go to him in passing him?

A Two or three feet.

Q Did you speak to him?

A Yes, sir.

Q Have any talk with him?

A I think we spoke two or three words.

Q Talk louder.

A Spoke a word or two. I don't know just what was said at the time.

Q What did you talk about?

A I don't remember.

Q You do remember, though, of speaking a word or two to him?

A Yes, sir.

Q Did he speak to you?

A I think he did.

Q Do you know what he said to you?

A I don't remember what he said.

Q Any dogs around there?



A Yes, sir.

Q Any dogs around near where he was when you passed him?

A No, I don't remember of seeing any outside of the pen.

Q Did you have any dogs your self?

A Had one.

Q Where was your dog kept?

A He was kept in a pen back of the house.

Q Back of the house? A Yes, sir.

Q Did you feed your dog before you left, or was that left to your wife to do?

A Sometimes-- I think she fed the dog that night.

Q What kind of night was it, a rainy night or clear night? This Tuesday night I am speaking of.

✓ A It rained after midnight.

Q Do you know what time it commenced raining?

✓ A I think it was between one and two o'clock.

Q Now, were you on your beat up to the time it commenced raining? A Yes, sir.

✓ Q Anyone with you? A Yes, sir.

Q Who? A Hibbard Hatfield.

Q Is that the jailer? A Night policeman.

Q Another policeman? A Yes, sir.

Q Anyone else with you up until the time it commenced raining?

A No, sir.

Q To refresh your memory, wasn't Bill Bruce with you before midnight? A He was just before twelve o'clock.

Q That was before it rained? A Yes, sir.

Q Tell the jury whether or not you had occasion to call your home that night before it commenced raining.

A I called it, yes, sir. Yes, sir, I called home.

Q Do you have a telephone in your home?

A Yes, sir.

Q Where did you call from?

A Charley Small's restaurant.

Q Get any answer? A No, sir.

Q Was that about the time the storm came up?

A The storm-- No, sir, it was after that.

Q What did you call for?

A I called my wife. I had the habit of calling her two or three times before midnight. Sometimes I would go up and get lunch.

Q This was after the rain, you say?

A No, sir, I called before the rain.

Q You called her before the rain. Anyone answer?

A No one answered.

Q Tell the jury whether or not you went to the house after you called and got no answer.

A Yes, sir, I did.

Q What time did you go to the house first?

A Walked from Charley Small's on to the house. The wind was blowing some, like it was going to storm. I went in and pulled the windows down. She wasn't there.

Q Well, you said that you had called and she didn't answer?

A Yes, sir.

Q Anyone with you when you called?

A Yes, sir.

Q Who? A Mr. Hatfield.

Q That is the other night policeman?

A Yes, sir.

Q Did you go immediately after you called to your home? A Yes, sir.

Q Did he go with you? A Yes, sir.

Q Did he go up in the home with you?

A He didn't go up in the house, no, sir.

Q Do you know why he went?

A I asked him to go along.

Q Was the door open or closed?

A No, sir, the door was closed.

Q Locked or unlocked? A Locked.

Q Who had the key? A I had a key and she had a key--my wife.

Q How many beds did you have in that home?

A One.

Q Had it been occupied that night?

A No, sir.

Q What was kept in the garage immediately under where you and your wife slept? A A Ford car.

Q Whose car? A Harry Robertson's.

Q Did he own that garage? A Yes, sir.

Q Who ran the car, Harry Robertson or someone else?

A Harry and Clarence was the only two people I ever saw run the car.

Q When you say Clarence you mean the defendant, Clarence Stephenson? A Yes, sir.

Q Did he have more than one car? A Yes, sir.

Q What other car did he have?

A He had a Packard car.

Q Is that garage a double garage? A Yes, sir.

Q Packard kept in one side and the Ford in the other?

A Yes, sir.

Q How is the garage fixed as to water? Is there water in the garage? A Yes, sir.

Q Cars washed on the inside of the garage?

A I never saw a car washed there. I don't know.

Q What was the water used for?

A I couldn't say, but I remember seeing a spigot down about that high from the wall--water spigot. (Indicating)

Q Now, as I understand it, in getting out of that

garage you go right out onto the river bank. Can you turn a car there between the garage and the river?

A You can back out of the garage and turn.

Q That is what I mean. Tell the jury whether or not there is a gasoline station close there.

A Yes, sir, there is a gasoline station.

Q Who runs that? A I think Mr. Mosely run it at that time. I am not sure about who owned it.

Q Who worked for Mosely at that time?

A Some young fellow. I don't know who he was. I don't know his name.

Q Do you know James Murphy?

A I know James, yes, sir.

Q Was it he? A I believe he was working there, helping around there.

Q What did you do after you went up to the house and found your wife not at home?

A I called Mrs. Morrison-- Dallas Morrison.

Q Who is she? A It is the wife of Dallas Morrison. They live down in the west end of Logan.

Q Was your wife a Morrison or kin to Morrison?

A She wasn't any kin to this Morrison, I don't think.

Q Well, did you look for her that night?

A Yes, sir.

Q Tell the jury what you did.

A I called Dallas Morrison's. I think Dallas answered

the 'phone the first time. I asked him if my wife was down there. She went down there quite often.

Q He said no?

A He said no, so I called Mrs. Booker--she went up there quite a bit--and Mrs. Booker said she hadn't been there.

Q Call anybody else? A I called the operator-- I called for the hospital-- She didn't get them right then, but afterwards she said she would call. She called back. She said she wasn't over there. She had asked them.

Q Well, when was the next you saw your wife?

A The next evening.

Q What time? A It must have been about around three o'clock. Three or three-thirty or four. I don't know just what time.

Q That was after she was dead? A Yes, sir.

Q Where did you see her?

A Down at the funeral home here.

Q At the undertaker's? A At the undertaker's.

Q Had you been to bed since you got up the evening before?

A Yes, sir, I went to bed along up in the day some-time. I don't know just what time.

Q At your home? A Yes, sir.

Q Who was the first one that told you of your wife's death?

A Harry Robertson.

Q Where were you when he told you?

A I was standing in the back end of the First National Bank.

Q How came you to be over there?

A I had been driving around looking for her and I went over there to consult him about finding her.

Q And was it he that told you she had been found dead?

A Yes, sir.

Q Was that the first you heard about it?

A Yes, sir, that is the first I heard about it.

Q Now, you said you had been riding around looking for her. How long had you been riding around? ✓

A I don't know just how long.

Q Five hours--

A No, sir, twenty-five or thirty minutes, something like that. ✓

Q And who were you riding with?

A That is after I got up.

Q Well, of course you were up when you rode around. Who were you riding with?

A Clarence Stephenson.

Q Is that the defendant?

A Yes, sir.

Q What time and where did you get with him?

A It was sometime afternoon at the house.

Q You mean at your house?

A Yes, sir.

Q Was that after you had been in bed?

A Yes, sir.

Q Where was he when you got with him?

A He came out of Mr. Robertson's house.

Q Did you call to anyone and ask for Stephenson?

A Yes, sir, I went over and called Mrs. Robertson to the door.

Q That Harry Robertson's wife?

A Yes, sir. I asked her where Clarence was. She said he was upstairs asleep. She asked me if I wanted him. I told her I did, that I wanted him to drive me around a while. She said she would call him. I went back over to the house, and in just a few minutes he came over.

Q A few minutes after you went over to the house he came over?

A Yes, sir.

Q Where did he come from?

A I was in the house when he came in.

Q Where did he come from?

A He come in the door. I don't know where. I guess he come from the house.

Q Well, did he come out of the house or out of the basement?

A He told me to wait until he cleaned the car out, and



I stayed in the house a little bit, and I went out on the bank of the river. The car was sitting out there, and he come up out of the basement and come and got in the car with me.

Q What basement?

A Basement of Robertson's home.

Q Where was the car when he told you to wait until he cleaned the car up?

A It was outside, sitting on the bank of the river, headed up the river.

Q It was at the same place as it was when he came up out of the basement?

A Yes, sir.

Q Were you standing over there close to the car?

A Yes, sir, I was standing close.

Q Was that the Ford sedan or the other car?

A That was the Ford sedan.

Q From the time he told you to wait until he cleaned the car up, did he do anything to the car?

A No, he did not.

Q How long was it from the time Mrs. Robertson called him and he came down and told you to wait until he cleaned the car up was it until you saw him come out of the basement?

A Just a short time. Just a few minutes. I don't know just how long.

Q Did this Ford car have one or two seats in it?

A It was a two-seated car.

Q There was only one seat in it, wasn't there? Hadn't one been taken out--the back seat?

A I couldn't say.

Q Never looked?

A I never looked.

Q Well, you got in the front seat with him and drove around in town?

A Yes, sir.

Q Can you tell us what part of town you drove around in?

A I remember three places. We drove out to Draper, close to the Draper mines, and turned, come back through town and went over and out around Black Bottom, and back up to Stollings to the swimming pool. ✓

Q What time was it when you got out of the car and went into the bank?

A I don't know.

Q Was it after your wife had been reported found on the hill?

A She was reported found after I walked in there. I was in there just a few minutes.

Q After you walked in the bank, you mean?

A Yes, sir.

Q You walked in the bank after you got out of the

car from Clarence?

A Yes, sir.

Q Did you get back in the car with him, or where did you go from the bank?

A I don't remember after that.

Q How?

A I can't remember after that whether I did or didn't.

Q After you learned your wife had been found dead on the mountain you were worried to such extent that you don't--

A No, sir, I don't remember where I went.

Q Did you see her after she was brought to the funeral home?

A Yes, sir.

Q Did you look at her?

A Yes, sir.

Q Recognize her? A Yes, sir.

Q Were you in the court room when the undertaker, Mr. Harris, was examined as a witness?

A No, sir.

Q Do you see this clothing on the table?

A Yes, sir.

Q Tell the jury whether or not that was the dress of your wife.

A Yes, sir, that was her dress.

Q Did she have that dress on when you left home that

evening going to work, or did she dress after that?

A She dressed after I left. She hadn't dressed when I left.

Q She put this dress on after you left the home?

A She must have.

Q Do you recognize this princess slip?

A She had slips like that, yes, sir.

Q Do you recognize that as your wife's?

A I think I do, yes, sir.

Q This piece of wearing apparel that has been examined by the undertaker, do you recognize that as part of the wearing apparel of your wife, or do you know?

A I don't know, sir. I think it is.

Q Tell the jury whether or not this hat belonged to your wife.

A Yes, sir.

Q Did you ever pay close attention to her wearing apparel or to her hats, things like that?

A I remember that hat pretty well, yes, sir.

Q Did she usually wear this?

A She hadn't had that long. She had wore it a few times.

Q Can you tell the jury whether the holes in the lining of that hat were in there prior to that night?

A No, sir, there wasn't anything the matter with the hat before that I know of.

Q How old was your wife, Mr. Thurman?

A She was thirty-one, would have been thirty-two in September, I think.

Q What size woman was she?

A She weighed about a hundred and thirty-one pounds, I think.

Q Was she in good health when you left her that evening going to work?

A Yes, sir.

Q Mr. Thurman, Mr. Harris, the undertaker, testified on the witness stand that when the body was turned over to him there was certain jewelry taken off of the fingers of your wife, there was a certain pocketbook with certain moneys and articles in the pocketbook, and that that was turned over to you. Have you those?

A Yes, sir.

Q Have you them with you?

A No, sir.

Q Do you have them at home?

A The pocketbook is at home, and the jewelry is in the bank over there - First National Bank.

Q What kind of rings were those?

A She was wearing a little diamond ring and a wedding ring.

Q Do you know what the cost of the diamond ring was?

A Yes, sir.

✓ Q How much? A \$200.00.

Q \$200.00. Were there any cigarettes in the pocketbook when it was turned over to you?

A Yes, sir.

Q What kind of cigarettes were they?

A Lucky Strike.

Q How much money was in the pocketbook?

A Eight dollars and seventy-five or six cents. I don't remember. Somewhere between eight and nine dollars.

Q Was your wife buried here in Logan?

A Out at McConnell.

Q Was her father buried close here?

A Yes, sir.

Q I want you to tell the jury whether or not, after you saw the defendant, Clarence Stephenson, around six o'clock that night sitting out near your home, if you saw him any more that night?

A Yes, sir, I saw him.

Q What time?

✓ A At eleven o'clock.

Q Who was with you?

THE WITNESS: With me?

JUDGE DAMRON: Yes.

A Bill Bruce and Hibbard Hatfield.

Q Where did you see the defendant?

A He was sitting on the steps of the Guyan Valley Bank.