

Q That is what is called a piece of canvas or tarpaulin?

A Yes, sir.

Q How many other pieces of canvas did you have about the car?

A We must have had three or four. We had them on the doors, and then I think part of the back of the door, we had canvas, as well as I remember.

Q Did you have canvas on both doors?

A Yes, sir.

Q Both of the rear doors? A Yes, sir.

Q Did you have canvas on the front doors on the inside?

A No, sir.

Q Do you know whether or not the dogs sometimes got over in the front seat of your car?

A Yes, they would get over there.

Q What would be the occasion of their getting over there?

A If we was away from the car and one would get in he would always pick a good place to lie down. He would get over the front seat.

Q Did you leave the car doors open when you were out hunting? A At times we did, yes, sir.

Q And if the dogs came in when you were not there they would climb up in the car?

A Yes, if you left a window open in the car they would

get in.

Q Do you know whether or not these dogs ever fought each other on the inside of the car? A Yes, sir.

Q In hunting, running foxes, did they tear themselves, their feet or their ears? A Yes, sir.

Q Did they bleed often?

A Hardly ever have a fox race that their feet don't bleed; that is, any race that amounts to anything.

Q Was there blood on this tarpaulin and on the various articles in the car that would get on them?

A Yes.

JUDGE DAMRON: You mean from the dogs?

MR. CHAMBERS: Yes.

Q You say the dogs would fight in the car and their feet would bleed. Would that blood get on the canvas or on the car? A Yes, sir.

Q How long had you been using that car for that purpose?

A Ever since I bought it. I don't remember how long I have had it.

Q Did you ever notice any of your dogs bleeding pretty freely while they were in that car?

A Yes, sometimes the dogs tail would bleed, sometimes their ears would bleed, and their feet.

Q Do you recall on one occasion Stephenson calling your attention to one of the female dogs you had bleeding

very profusely in the car?

A Yes, sir, I remember that.

Q Did you observe her to see whether or not she was?

A Yes, she was bleeding.

Q And where was she?

A She was in the rear of the car with the rest of the dogs.

Q This side canvas that you had on the doors, would the dogs get up against that? A Yes, sir.

Q You had that canvas on there to keep dirt, blood and things from getting on your car?

A On the upholstering of the car, yes, sir, that is why we had it on there.

Q Mr. Robertson, how long was it before this Crooked Creek fox hunt that Mrs. Thurman was up on Band Mill Hollow with you?

A I imagine about three weeks. Something like that.

Q Who took her up there then?

A Clarence Stephenson.

Q What time did she leave Band Mill Hollow?

A I imagine around eleven-thirty or eleven o'clock, something like that.

Q In the night time? A Yes, sir.

Q Who brought her back? A Clarence Stephenson.

Q Anybody come with them? A No, sir.

Q Anybody go out with them except Clarence and Mrs.

Thurman?

THE WITNESS: I don't understand what you mean.

(The question was read to the witness.)

THE WITNESS: You mean when he brought her up there?

MR. CHAMBERS: Yes.

A No one but Clarence and Mrs. Thurman.

Q Do you know who made the arrangements on that night?

A No, I do not.

Q Do you know where Clarence Stephenson met her?

A Yes.

Q At what place?

A I know--I think maybe I had a date with her that night, to meet her one place, and I didn't want to go there, and I sent Clarence Stephenson there after her.

Q Do you recall what place that was?

A It was up on Pine Street.

Q That is back of the railroad here in the city?

A Yes, sir.

Q Did you tell Stephenson where to go to find her?

A Yes, sir.

Q Now, did you ever have an engagement with her or be out with her at night when you brought her in yourself?

A Yes, sir.

Q On how many different occasions?

A One.

Q Where was that? A Trace Mountain.

Q What car did you bring her in?

A Ford sedan.

Q About what time did you get into town?

A I imagine around twelve o'clock.

Q Anybody with you? A No, sir.

Q Where was Clarence Stephenson?

A Out on Trace Mountain.

Q You left him out there hunting, and you brought Mrs. Thurman and came on in?

A He and Broom were hunting together that night, and they didn't know anything about my date.

Q Where did you let her out that night?

A On Pine Street.

Q Did you pass by her home? A Yes, sir.

Q Did you go up Main Street? A Yes, sir.

Q Around by what is known as Don Chafin corner and then up on Pine Street?

A I went up by the Don Chafin corner and up Stratton Street to where you turn out to the Wilson camp, and back down Pine Street.

Q Did she live out on Pine Street? A No, sir.

Q Go to anybody's house out there?

A No, sir.

Q When you came through town you came up Main Street here, did you? A Yes, sir.

Q What did she do, if anything, towards concealing her identity?

A She would get down in the car where people couldn't

see her.

Q Is that the only time you brought her in from one of these fox hunts?

A Yes, sir, that is the only time.

Q On the other three occasions Clarence Stephenson, the defendant, brought her in? A Yes, sir.

Q Now, you told the jury that you saw Mrs. Thurman about eight o'clock the Tuesday night she left home?

A Yes, sir.

Q Clarence Stephenson at that time was in the kitchen, along with your wife? A Yes, sir.

Q And you were there also? A Yes, sir.

Q Do you know whether or not Clarence Stephenson was sick that night?

A Yes, sir, he was sick. He had been sick for several days.

Q Was he taking medicine or treatment from a physician?

A Yes, sir.

Q Do you know which one?

A He had a prescription from Doc Justice.

Q Doctor J. I. Justice? A Yes, sir.

Q When you were down on Crooked Creek fox hunting this Saturday night before she was killed, was there any definite arrangement made at that time about another engagement?

A No, there wasn't any definite.

Q You simply told her that you might go out with her again in less than three weeks or a month?

A I told her it probably would not be that long.

Q Did you after that Saturday night make any definite arrangement or engagement with Mrs. Thurman to go on a fox hunt with you?      A No, sir.

Q Do you know whether or not she expected to go on Tuesday night?      A I don't know whether she knew we were even going or not.

Q Had you said anything to her about going Tuesday night?      A No, sir.

Q On Tuesday did you say anything to her about going with you that night?

A I never talked to her only on the Saturday night before.

Q I believe you say you and Stephenson had decided you would go with Mr. Broom on Tuesday night?

A Yes, sir.

Q But that was called off by Clarence Stephenson?

A Yes.

Q Why?      A He said he was sick and didn't feel like going, and he thought he would feel better on Wednesday night and he would like to wait and go Wednesday night.

Q And you told him to notify Mr. Broom?

A Yes, sir.

Q Do you know whether or not he did notify Mr. Broom?

A Mr. Broom came up home that evening and said Clarence told him we were not going hunting.

Q That was Tuesday evening?

A Yes, sir.

Q Was that before or after Mrs. Thurman had gone out?

A I believe it was before. I am not sure.

Q Now, after Mrs. Thurman went out about eight o'clock how long did you remain at home before you left?

A I imagine about thirty-five minutes, something like that.

Q You would say, then, you left your home about twenty minutes of nine?

A Yes, twenty or twenty-five minutes of nine.

Q And you started to put your car up?

A Yes, sir.

Q At that time the Packard was parked out in front of your home on Main Street?

A Out back on Main Street, yes, sir.

Q And the Ford was in the garage, you thought?

A Yes, sir, I suppose it was.

Q Did you see it any place while you were out there?

A No, sir.

Q You got your boy, he went with you, went up by Don Chafin's residence and down Stratton Street to the Smokehouse down here on Stratton Street, is that right?

A I drove up to Don Chafin's and down Stratton Street



and couldn't get a place to park in front of the Smokehouse, so I drove around the corner and back around the Smokehouse and yet couldn't find a place to park, and parked in the rear of the Smokehouse and went in the rear door.

Q The Smokehouse fronts on Stratton Street and extends clear back to Main Street?

A Yes, sir.

Q You went in the rear entrance on Main Street?

A Yes, sir.

Q About how long were you gone from the time you left home, something like about twenty minutes of nine, until you got back home?

A When I got back home the prize fight, the main bout, the men were in the ring, and the announcers were announcing the fighters when I got back home.

Q That was the night Sharkey and Schmeling had the prize fight?

A Yes, sir.

Q Do you know what time that prize fight started?

A Supposed to start at nine o'clock.

Q When you got back to your home the announcer was announcing the principals of the fight?

A Yes, sir.

Q Then it must have been right around nine o'clock?

A It was right around nine o'clock, yes, sir.

Q Where was Clarence Stephenson at that time, if you know?

A I don't know.

Q When did you next see him?

A Well, during the prize fight.

Q What part of the prize fight? How long had it been in progress until you saw Stephenson?

A Well, I suppose the fight was along several rounds had passed, maybe half the fight or hardly so much. I don't know just what part of the fight it was.

Q Where did you see Stephenson?

A He came there to the living room door where Oscar Townsend and I were listening at the fight.

Q Did he say anything to you?

A Yes, he asked me how the fight was going on.

Q How long did he stay there?

A He stayed there a few minutes. I don't know just how long.

Q Where did you next see him?

A Standing in the door of the kitchen where you come into the dining room.

Q And about what time was that?

A That was just after the fight was over, after ten o'clock.

Q The fight ended about ten?

A Yes, or a little after.

Q Did you talk with Clarence Stephenson after this prize fight had ended?

A Yes, sir.

Q Who else talked with him?

A Oscar Townsend and I were discussing the decision. We thought that Schmeling had won the fight, according to the radio announcer, and we were arguing about the decision, and Clarence was there and he joined in with us.

Q Tell the jury about what time you ate supper that Tuesday evening.

A Well, it was after seven o'clock. I didn't get back from the swimming pool until right around seven, and I ate supper after seven o'clock.

Q Did Clarence Stephenson eat supper there?

A I don't know whether he did or not. They had eaten when we got back from the swimming pool.

Q Who washed the dishes, if you know?

A I did.

Q Do you know about what time you washed the dishes?

A Oh, between seven-thirty and eight o'clock.

Q Did you see Clarence Stephenson while you were washing the dishes?           A Yes, sir.

Q Where did you see him?

A He came in out of the yard, and was kidding me about washing the dishes.

Q Now, then, you say after the prize fight was over, around ten o'clock, when you were discussing the fight, that Clarence Stephenson was there with you?

A Yes, sir.

Q How long did he remain there?

A He remained there until we went up to bed.

Q About what time was that?

A I imagine about fifteen or twenty minutes to eleven. ✓

Q And you say "we went up to bed." Who went up to bed? ✓

A My wife and I at that time. Townsend went to bed about ten-thirty. He went up first.

Q He went up a little ahead of you and your wife?

A Yes, sir.

Q Where did you and your wife sleep?

A On the sleeping porch in the rear of the house next to Main Street.

Q That is in the rear of the house and next to this garage? A Yes, sir.

Q And it is up over the back porch?

A Yes, sir.

Q Do you have a door to this back porch?

A Yes, sir.

Q What kind of door?

A It is a heavy lattice door.

Q You go through that lattice door onto the porch and then open another door inside the house?

A To get in the kitchen, yes, sir.

Q Where did you last see Clarence Stephenson that night? A In my kitchen.

Q And about a quarter to eleven?

A Yes, sir.

Q Where did he go, if you know?

A Well, when we started up to bed he took the back door key and went out.

Q What toilet did Mr. Stephenson use?

A He didn't use any at our house.

Q I know he didn't use any in your house, but where did he go to use the lavatory?

A Down to the court house.

Q Used the toilet down here? A Yes, sir.

Q Was it or not his custom to go out just before going to bed?

A Yes, he usually always went out.

Q How long would he be gone?

A Well, different times. I don't know. He would sometimes be out a good while, and sometimes a short while. I don't know how long he would average.

Q On this Tuesday night you say you went to bed about a quarter of eleven, and that Clarence Stephenson took the key and went out the back door? A Yes, sir.

Q Did you hear him return? A Yes, sir.

Q How long after was it that he returned?

A We was in bed around eleven o'clock, and before we went to sleep, I don't know what time it was, I judge fifteen or twenty minutes, probably.

Q Just tell us about how you heard him and where he went when he came in?

A Well, that lattice door is a heavy door and it drags when you open it. I heard him open the lattice door and close it and open the kitchen door and come in and go up to the attic and shut the door of the back room where he roomed.

Q Were all the other occupants of your home in at that time? A Yes, sir.

Q Was there anyone else staying there except you and your wife, Oscar Townsend, and your two children?

A That is all.

Q And Clarence Stephenson? A That is all.

Q Were your two children in bed at the time you and your wife went to bed? A Yes, sir.

Q Did Oscar Townsend room or sleep on the same floor that you did? A Yes, sir.

Q On the porch or in a room?

A He slept in the front room facing Stratton Street, down next to Holland's.

Q Where were the stairs leading up to the attic, next to where you and your wife slept?

A I imagine it is probably twenty-five or thirty feet from the steps that go to the attic from our bed room.

Q After you heard Clarence Stephenson open the door, go upstairs and shut the attic door, how long was it until

you fell asleep, if you know?      A I don't know.

Q Did you hear him go out any more?

A No, sir.

Q At any time that night?      A No, sir.

Q When did you next see him?

A Next day down at the bank.

Q When did you next see Jack Thurman?

A Next morning.

Q Where?      A In my yard.

Q Tell us what he said.

A He came over there before I got downstairs and was talking to my wife, and after I got dressed I went down, and she said Mr. Thurman wanted to see me, and I went out in the back yard and talked to Jack.

Q Did he come in your house?

A No. He told me Mrs. Thurman was missing, and he had been hunting for her all night and couldn't find her, and I asked him the different places he had looked for her, and he told me several places he had looked for her. ✓

Q Did he ask you to help him hunt her?

A He asked me if I knew anything about her, where I could find her, or where he might find her. X

Q Do you know about what time in the morning that was?

A Around seven o'clock.

Q Did you leave there with Thurman or did you leave alone?

A I left alone, I think. Yes, I think I did.

Q Where did you go?

A Came down the street to work.

Q When is the next time you saw Thurman?

A I saw him after I came down the street.

Q Where? A Over near the First National Bank corner.

Q Talk with him? A Yes, sir.

Q Was that before the bank opened?

A Yes, sir.

Q And when was the first time you saw Clarence Stephanson that morning?

A I imagine around nine-thirty, at the bank.

Q Where did you see him?

A He came in the rear door of the bank.

Q Talk to you? A Yes, sir.

Q What did he say to you?

JUDGE DAMRON: Objection.

MR. CHAMBERS: If you object, I will withdraw my question.

Q Did Mr. Stephenson tell you, when he came in the bank, that it was reported Mrs. Thurman was missing?

A Yes, sir.

Q Did he ask you if you knew anything about where she was?

JUDGE DAMRON: Your Honor, that is the same thing.



It is self-serving.

MR. CHAMBERS: All right, I will withdraw it if you don't want to let it out.

MR. CHAFIN: It is improper evidence.

MR. CHAMBERS: You put him on. He is your witness.

MR. CHAFIN: Yes, but we examined him within the legal rules.

BY MR. CHAMBERS:

Q That was about nine-thirty? A Yes, sir.

Q You were asked a while ago if he talked to you and then talked to Oscar Townsend. Did he do that?

A He talked to me, yes, sir.

Q Do you know whether or not he talked to Townsend?

A No, I don't.

Q Did you see him talk to Townsend?

A No, sir.

Q Was there anything secret about his talking to you?

A No, sir.

Q Did he talk out to you just like he always did?

A Yes, sir.

Q Didn't take you off in the corner and whisper anything to you? A No, sir.

Q When is the next time you saw Jack Thurman?

A I believe it was in the afternoon.

Q Where did you see him? A Over at the bank.

Q Who came with him? A Clarence Stephenson.

Q That is the defendant? A Yes, sir.

Q And what did Jack Thurman say to you?

A Well, he told me that he had looked everywhere he knew to look for his wife, and that he was going to report it to the law and see if the State Police and the other officers could find his wife.

Q And he asked you to let Clarence Stephenson drive him around, didn't he?

A Yes, he said Clarence had been taking him around.

Q Said Clarence had been taking him around?

A Yes, sir.

Q What did you tell Clarence Stephenson, in the presence of Jack Thurman, about hauling him around?

A I told Clarence to take him anywhere he wanted to go.

Q Had you sent Clarence any place before that to look for Mrs. Thurman? A Yes, sir.

Q Where did you send him?

A Over in Midelberg.

Q Did you have reasons to believe she might be over in Midelberg Addition? A Yes, sir.

Q Do you know whether or not Clarence Stephenson went over there at your direction to see if he could find her?

A He said he did.

Q Now, about what time in the morning was it you told him to do that?

JUDGE DAMRON: In the morning?

BY MR. CHAMBERS:

Q (Continuing) If it was in the morning.

A It was in the morning, and it was about-- I don't remember the exact hour. It was in the morning, though.

Q Wasn't it right after the bank opened?

A Yes, the bank had been open some time. I would say around nine-thirty.

Q Around nine-thirty?

A Yes, sir, approximately that time.

Q Do you know whether or not he drove this Ford over there?

A No, I don't know that he drove it over there.

Q Now, when was it you first learned that the body of Mrs. Thurman had been found?

A Just before the bank had closed, after two-thirty in the afternoon.

Q Was Jack Thurman there then?

A He was there then.

Q Who was with him? A Clarence Stephenson.

Q Did they come in there together?

A Yes, sir.

Q And who had informed you that her body had been

found?

A I was talking to Jack and Clarence when I got the 'phone call. They got the 'phone call mixed up and sent Willard Robinson to the 'phone first, and Willard came out to the back of the bank inside where you go upstairs and told me I was wanted at the 'phone, and when I went to the 'phone it was Mr. Smeltzer. He told me they had found Mrs. Thurman's body on Trace Mountain.

Q Meade Smeltzer was Chief of Police at that time?

A Yes, sir.

Q And at the time that message was delivered to you, or you were called to answer the telephone, you and Clarence Stephenson and Jack Thurman were in the rear of the bank?

A Yes, sir.

Q Out at the landing of the stairs?

A Yes, sir.

Q Outside of the banking room?

A Yes, sir.

Q Who had called you out there? A Mr. Thurman.

Q Jack Thurman? A Yes, sir.

Q Do you know whether or not Clarence took Mr. Thurman in the car, in this Ford of yours, and drove him from that place around to the funeral home?

A No, I don't know.

Q You don't know that? A No, sir.

Q You have told the jury that about four o'clock or

four-thirty, in that neighborhood, you and Clarence Stephenson went up on Trace Mountain?

A Yes, sir.

Q And rode in this same Ford sedan?

A Yes, sir. Bob Vaughan went out there first, another employee of the bank, and he got to trying to tell me where they had found the body, and he couldn't explain it to me where they found it so I would know where it was, so I went out there with Clarence when I got through work to see where they had found the body.

Q Were there any people out there?

A Yes, sir.

Q How many?

A Oh, a pretty good crowd there. I don't know how many. Probably twenty or twenty-five.

Q Did you turn the car at the place where the body was found?      A Turned right above there.

Q You and Clarence both get out of the car?

A Yes, sir.

Q Was that the same car Jack Thurman had been riding around in looking for his wife?      A Yes, sir.

Q Mr. Robertson, that day did you notice anything wrong with this Ford car?      A Not a thing.

Q Anything unusual about it?      A No, sir.

Q Did you see any blood in it you had not already seen there?      A No, sir.

A No, sir.

Q Do you know whether this tarpaulin, this long canvas you told the jury about, was in the car at that time?

A I don't know.

Q Do you know whether or not the side curtains were up at that time?

A I don't know that, either.

Q You didn't notice? A No, sir.

Q Who drove it? A Clarence.

Q You rode in the front seat with him?

A Yes, sir.

Q Did you notice the floor matting?

A No, sir.

Q Notice anything wrong with it? A No, sir.

Q Did it appear just like it always did?

A Same old Ford to me.

Q Now, you have told the jury that you had some water in the garage, on the upper side? A Yes, sir.

Q Same side that the Ford was kept in?

A Yes, sir.

Q Was that Ford, to your knowledge, ever washed in that garage? A No, sir.

Q Did you wash either of your cars there?

A No, sir.

Q Did you have hose to wash the cars with?

A Yes, sir.

Q Where was it? A Up in the yard.

Q And where did you attach the hose?

A Side of the house. Side of my house. There is a spigot in the side of my house.

Q And there is where you did the car washing?

A Yes, sir.

Q Now, that Wednesday evening after this body was found you were in this car on that night when you saw it, did you notice that it had been washed?

A No, sir.

Q Had it been washed?

A The body had not been washed, no, sir.

BY JUDGE DAMRON:

Q The body, you say? You mean the body of the car?

A Yes, the body of the car had not been washed,

BY MR. CHAMBERS:

Q Had the inside of it been washed?

A Not that I know of. I couldn't tell it. I didn't notice it had been washed at all.

Q Did you look on the inside of the car?

A I rode in it. I just looked at what-- I didn't look for anything in particular. I just rode in it, was all. I didn't notice anything at all more than I had always noticed in it.

Q Now, Mr. Robertson, about what time was it that Wednesday afternoon or night that the officers came up to

your house and talked to you?

A Well, it was, I judge, around seven or seven-thirty, something like that.

Q Who came? A Bill Bruce and Thompson and Satterfield. I don't remember who all did come.

Q Who asked you for the keys to the garage?

A Thompson, State Trooper.

Q Did you give them to him? A Yes, sir.

Q Did you go with him?

A I went down and unlocked both sides of my garage.

Q And which side did they examine first?

A Well, they went in both sides. Thompson and I went in the lower side where the Packard is, and the other fellows went in the other side.

Q And after you came out of the side where your Packard was, where did you go?

A I went in the other place, the other garage.

Q What did they do to you?

A Put me out.

Q Who did? A Someone said for me to get out of there. They was examining the Ford then, and I was there, and Satterfield had the seat turned up, and the floor mat, and he said, "That looks like a damp place there." They had a flashlight on it, and they put me out. I don't know what they did after that.

Q Wouldn't let you see it? A No, sir.



Q Then it was that they asked you if you would let them take the car?

A I went on out. I was talking to the City Manager. I went on back out after they put me out of the garage. In a little while Thompson came out and asked if I objected to them holding the Ford a few days. I told him no, and gave him the key to it.

Q Do you know whether or not they took it away?

A Yes, sir, they took it away.

Q Did you see them take it?

A I don't know as I saw them take it. I believe maybe they had-- He took me in a little while.

Q Who took you? A Thompson.

Q That is the State Policeman? A Yes, sir.

Q He took you away from there without any warrant, didn't he? A Yes, sir.

Q And wouldn't let you even get your hat or coat--

JUDGE DAMRON: We object to that.

Q (Continuing) Or tell your wife where you were going?

THE COURT: You need not answer. I am going to sustain the objection.

(Exception saved by the defendant.)

BY MR. CHAMBERS:

Q Tell the jury whether or not the State Policeman arrested you on that occasion.

A Yes, sir.

Q Did you make any request of the State Policeman?  
If so, what was it?

MR. CHAFIN: We object to that.

THE COURT: I think I will sustain the objection.  
(Exception saved by the defendant.)

BY MR. CHAMBERS:

Q What did they do with you?

A Told me he was going to take me over and hold me,  
that I had to go with him.

MR. CHAFIN: We can't see the materiality of this,  
and we are going to object to that line of examina-  
tion for two reasons: In the first place, it has no  
bearing on the trial of this case, and in the next  
place, we didn't go into it while we had Mr. Robertson  
on the witness stand. If they want to bring out any-  
thing by him that we didn't go into, they would have  
to make him their own witness. But our main objection,  
your Honor, is the materiality of it, and the admis-  
sibility, because it has no bearing.

THE COURT: The Court has sustained the objection.  
(Exception saved by the defendant.)

BY MR. CHAMBERS:

Q Mr. Robertson, is it not a fact that you were ar-  
rested on this charge of murdering Mamie Thurman?

A Yes, sir.

Q And a preliminary trial was given you and you were

bound over to answer indictment?

A Yes, sir.

Q You have not been indicted? A No, sir.

Q Do you know anything more about Mamie Thurman's death than what you have told this jury?

A No, not a word.

Q When was it you next saw this Ford sedan after it had been taken from your garage that night?

A I imagine it was five or six days. Something like that.

Q Where did you see it?

A State Police Headquarters.

Q Was it in a garage or sitting outside?

A It was in a garage.

Q Was the garage locked or unlocked?

A Unlocked.

Q Anything to keep anybody from getting in it?

A No, sir.

Q Do you know how many days it was after this car was taken from you until some of these officers claimed they found some blood on the canvas or some other parts of it?

A No, I don't know just how long it was. Several days. It was reported to me. I was in jail. I don't know when.

Q The piece of canvas you have told the jury about

that showed some blood stains, or what looked to be blood stains, do you know where on the car that piece of canvas belonged?

THE WITNESS: You mean the piece that they brought out of the Headquarters and showed to me?

MR. CHAMBERS: Yes.

A Well, I suppose it was the door curtains, or the canvas that was on one of the doors. They came out and put it on there.

Q Who did?

A I don't know. One of the State Police, either Satterfield, Streagle, or Thompson. They was all three there.

Q Did you notice where they got the piece of canvas from?

A No, sir. They got it at the Headquarters up there.

Q When you were up there at State Police Headquarters you say that was four or five days after the woman's body was found?

A It must have been longer than that. I think I was in jail five or six days, I don't remember how long, and I was up there then a day or so after that. Thompson stopped up home and I went up with him and Mr. Streagle to see the car.

Q It was after you had been released on bond?

A Yes, sir.

Q Now, when they got up there they called your attention to this piece of canvas and the front seat of the car, said it looked like it was wet, that is where you sit on the car?

A Yes, sir.

Q I believe you told the jury you took your knife and split it to see if it was wet or there were any blood stains there?

A They thought it might have gone through the upholstery of the seat, and I took my knife and ripped the cushion to see if anything had gone through, and it hadn't.

Q At that time did they call your attention to any other blood stains about the car?

A No, not blood stains. They told me about sending off these different specimens. They didn't show me any blood at all only on this canvas of a thing they said was blood, and there was a big piece cut out of it. They said they sent it to Charleston.

Q Did you see any blood whatever on the car?

A Not on the car, no, sir.

Q You say you saw this rubber floor mat, your attention was called to it, on the bottom of the car?

A Yes, sir.

Q You noticed a piece cut out of the floor mat?

A Yes, sir.

Q Where was the piece with reference to the mat, what part of the mat had it been taken out of?

A No, I couldn't.

Q Why? A I didn't have any key. I lost my key.

Q You could lock the ignition? A Yes, sir.

Q But not the doors? A Not the doors, no, sir.

Q Because there was no key that would lock the doors?

A I didn't have any that would lock it, no, sir.

MR. CHAMBERS: That is all.

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REDIRECT EXAMINATION BY JUDGE DAMRON:

Q Only one key to the door of the car?

A Yes, sir. I lost one. We had two. I lost one, the one I had.

Q Who had the other one?

A It was-- I suppose it was on that bunch of keys we kept there at home.

Q Who kept those keys? A Well, we kept them on the mantel in the dining room, usually.

Q Who used them? A Well, if I took the Ford I used them; if Clarence took it he used them.

Q Then whenever you would use the Ford either one of you could lock the door if you would get that set of keys?

A Yes, if that key was on there. I don't remember locking the car up, though. I don't know whether I had it or not.

Q When you would use the car it was not necessary to

use that bunch of keys?

A I usually got it because it had a key to the spare on the rear.

Q Mr. Robertson, you told the jury in answer to a question of Mr. Chambers, that the defendant cancelled this fox engagement because he said he felt bad, sick, that day?

A He said he was sick, yes, sir.

Q Had he been sick the day before?

A He had been complaining around for a week or so.

Q He wasn't sick on Saturday night, was he?

A Well, I don't know.

Q Well, he brought this Mrs. Thurman down to Crooked Creek for you, didn't he?

MR. CHAMBERS: We object.

THE COURT: I am going to sustain the objection.

(Exception saved by the State.)

BY JUDGE DAMRON:

Q You say he had got a prescription filled?

A I suppose so. I gave him \$1.50 to get a prescription filled.

Q When you said he got the prescription filled you meant you gave him money to get one filled, but you don't know whether he got one or not?

A He took the medicine, I know that.

Q When did he get that filled?

A I don't know.

Q It was on Monday, wasn't it?

A No, it wasn't on Monday. I don't know what day it was.

Q Was it on Tuesday?

A I don't know what day it was.

Q It may have been the week before?

A I don't know when it was.

Q He had not been in bed that day, Tuesday, had he?

MR. CHAMBERS: Don't answer that. We object.

JUDGE DAMRON: Your Honor, he said he was sick that day.

MR. CHAMBERS: He is your witness.

JUDGE DAMRON: He brought this out.

THE COURT: I am going to sustain the objection.

(Exception saved by State.)

BY JUDGE DAMRON:

Q He was out after you went to bed that night, wasn't he?

THE WITNESS: On what night?

JUDGE DAMRON: Tuesday night.

A He left when I went up to bed on Tuesday night.

Q And when you went to bed or started to bed he told you to give him the key to the back door, didn't he?

A No, sir.

MR. CHAMBERS: Don't answer that. We still object. It is leading.



JUDGE DAMRON: You brought it out.

THE COURT: I will sustain the objection. You can ask it in a different form.

BY JUDGE DAMRON:

Q When you started to bed tell the jury whether or not he asked you for the key to the back door.

A He did not.

Q Well, what was said about the key to the back door, Mr. Robertson? A Not a word.

Q Well, did he take it?

A He took it and went out. The key stays in the door.

Q That was the key to the back door of your home?

A The key stays in the back door of the kitchen, and if you go outside you simply remove it from the inside and lock it from the out.

Q Is that what he did that night?

A Yes, sir.

Q You never saw him any more that night after he went out? A No, sir.

Q And you assumed that he went down to the court house? A I don't know where he went. I just knew he went out.

Q You said that it was customary for him to use the toilet at the court house here? A Yes, sir.

Q There wasn't any on the third floor of your home?

A No, sir.