

son and with Broom until about daylight, or just before daylight?      A Yes, sir.

Q All came back together?      A No, sir, I came back before they did.

Q Oh, you were driving your car?

A I was driving a taxi, yes, sir.

Q While you were down there you got out of your car and came back and you saw the defendant get out of another car, and he told you his nose was bleeding?

A I seen him get out of the Ford sedan.

Q That was another car, wasn't it?      A Yes, sir.

Q And he told you his nose was bleeding?

A Yes, sir.

Q Remarked when he got out of the car, and wiped his nose with the back of his hand, would he?

A No, sir, he wiped his nose with his handkerchief.

Q With his handkerchief, and said, "My nose is bleeding?"      A Yes, sir.

Q That is all he said about it?

A That is all I remember.

Q And how long was it until his nose quit bleeding?

A Well, he wiped his nose several times standing around there.

Q How long was it until his nose quit bleeding?

A I couldn't say.

Q Well, he was out of the car, wasn't he?

A Yes, sir.

Q And you were standing there with him?

A Yes, sir.

Q And his nose was bleeding out of the car?

A Yes, sir.

Q You say the defendant has a good reputation?

A So far as I know. I never heard nothing against him.

Q So far as you know?

A I never heard nothing against him.

Q Tell the jury here where he has lived the last two years, for you to know or to find out about his reputation.

A Peach Creek.

Q Whereabouts at Peach Creek did he live, and when was it?

A Well, I don't know exactly where he stayed; at the Y M C A a while, and he stayed up in the head of the hollow a while.

Q That was more than two years ago, wasn't it?

A It has been off and on ever since I have been here.

Q What do you do?

A I have been connected with the Tri-State Refining Company for the last five years.

Q You have not been at Peach Creek, then?

A Off and on.

Q What were you doing down at Peach Creek?

A Fox hunting.

Q Is that the only occasion or thing that would take

you to Peach Creek, when you would go to fox hunt?

A No, sir, I was down there when I was driving taxi.

Q When was that? A In June.

Q Of this year? A Yes, sir.

Q That was when you went down to Crooked Creek?

A Well, I was there several times before I went to Crooked Creek.

Q You don't run a taxi, do you?

A Not now, I don't.

Q When did you run a taxi? A In June.

Q This year? A Yes, sir.

Q How long had you been running?

A Just a few days.

Q You ran a taxi a few days and quit?

A Yes, sir.

Q The defendant wasn't living at Peach Creek any time you ran a taxi, was he? A No, sir.

Q You had not lived there for several years before, and you had not seen him there for several years before, had you? A I seen him there, yes, sir.

Q You know he has not lived there for more than two years, don't you? A I don't know how long it has been since he lived there. He has been around there off and on ever since I knew him.

Q And so far as you know his reputation is good. You don't know what the people say at Peach Creek about him, do you?

A Yes, sir, I know what Mr. McDonald said.

Q Mr. McDonald is not the whole of Peach Creek?

A No.

Q You know what Mr. McDonald told you, or what you heard him say. Did you hear the people generally talk about it down there?

A I didn't hear all Peach Creek say anything.

Q Did you hear anybody outside of Mr. McDonald?

A Yes, sir.

Q Who else? A Mr. Shelton.

Q He has been on the witness stand. Who else?

A Mr. Conley.

Q He has been on the witness stand. Who else?

A Well, Mr. Blankenship.

Q He has not been on. The talk you heard was back in the room here, wasn't it? A No, sir.

Q When did you hear Mr. Shelton say anything about the defendant's reputation?

A On fox hunting occasions.

Q When was that? A Different times.

Q Any time this year? A Well, I think one time, yes.

Q Mr. Shelton had not been hunting with you and the defendant this year, had he? A Yes, sir.

Q Where? A He may not with the defendant. He has with me.



Q Why would Mr. Shelton mention this defendant's reputation if he wasn't along?

A Well, we generally discussed several people besides the ones that was long.

Q Discuss the reputation?

A Well, not so much the reputation, but different subjects.

Q Different subjects. Had no occasion to discuss the reputation for being a quiet, peaceable, law-abiding citizen, did you? A Well, I don't know as we did.

Q And you never discussed that, did you? Now, where else outside of Peach Creek has this defendant lived in the last three or four years? A 22 Holden.

Q Where is that from Holden? A Over Trace Mountain.

Q Did you ever live there? A No, sir.

Q Do you know the people there?

A I know some few.

Q How came you to know them?

A Well, I met them.

Q Who? A Taylor Blair.

Q Who else? A Well, I talked to Mr. Hunt.

Q Mr. Hunt? A Yes, sir.

Q Does he live over there? A I don't know whether he lives at 22 or main Holden.

Q You don't know where he lives?

A No; he lives at Holden somewhere.

A Yes, sir.

JUDGE DAMRON: That is all.

- o -

S A M S T E P T O E, called as a witness in behalf of the defendant, having been first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHAMBERS:

Q Is your name Sam Steptoe? A Yes, sir.

Q Where do you live? A Live on Dingess Street.

I forget the number.

Q That is in the City of Logan? A Yes, sir.

Q Do you know Clarence Stephenson?

A I know of him.

Q Well, do you know him when you see him?

A Yes, sir.

Q How long have you known him?

A Oh, four or five years, I guess.

Q Where has he lived during the four or five years you have known him? A He was living at Peach Creek during the time I got acquainted with him.

Q Living there when you got acquainted with him?

A Yes, sir.

Q Do you recall hearing of the body of Mamie Thurman being found on Trace Mountain?

A Wednesday morning, I think it was.

Q Whatever morning it was, do you remember hearing

about it? A Yes, sir.

Q Did you see the defendant the night before you heard about it?

A Me and him was setting on the First National Bank steps over there just about half-past eight o'clock, I believe, that night, before they turned on the prize fight. We was talking there.

Q That was the night that Schmeling and Sharkey fought? A Yes, sir.

Q Who was with you and Clarence Stephenson there on the First National Bank steps?

A No one but me and Clarence Stephenson, and Mr. Ernest Thompson was standing up there talking.

Q How long did the defendant sit there on the steps where you were? A Just about twenty minutes, I guess.

Q Can you tell the jury about what time he left there?

A Just about half-past eight or quarter to nine, somewhere along there.

Q Did he say anything about where he was going?

MR. CHAFIN: We object to that. It may be he made that statement intentionally for some method or purpose. It would be a self-serving declaration.

MR. CHAMBERS: That couldn't be a self-serving declaration.

MR. CHAFIN: Any statement a defendant makes is

a self-serving statement when he makes it to someone else. If this man knows where he was going, or where he went, that is different; but as to what the defendant told him as to where he was going--

MR. CHAMBERS: I will change the question.

Q Do you know where he went?

A I asked him to come on and let's go up and hear the return on the prize fight, and he said no--

JUDGE DAMRON: Just tell what he did.

THE COURT: Just answer the question. Read the question.

(The question was read to the witness.)

A No, sir, I don't know where he went.

BY MR. CHAMBERS:

Q I will ask you this point blank question: Did he tell you where he was going?

MR. CHAFIN: We object to that.

THE COURT: Objection sustained.

(Exception saved by the defendant.)

BY MR. CHAMBERS:

Q Did he say anything that night-- Do you know whether or not he had been to the doctor that night?

A He told me he had some medicine he was going to take.

Q Did you see the medicine? A I did not.

Q I will ask you to tell the jury whether or not he said anything to you about being sick.

MR. CHAFIN: We object to that, your Honor.

THE COURT: I will sustain the objection.

MR. CHAMBERS: All right, note an exception. That is all.

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D R. J. E. R O B E R T S O N; called as a witness in behalf of the defendant, having been first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHAMBERS:

Q Is your name J. E. Robertson? A Yes, sir.

Q What is your profession?

A Practice of medicine.

Q And where are you located? A Located in Logan.

Q How long have you been practicing?

A May, 1913.

Q Licensed to practice medicine in this State, are you? A Yes, sir.

Q Are you a graduate of a school? A Yes, sir.

Q Which one? A University of Louisville.

Q Do you know Dr. W. S. Rowan? A Yes, sir.

Q Did you know Mamie Thurman in her lifetime?

A Yes, sir.

Q Do you know the defendant, Clarence Stephenson?

A Yes, sir.

Q Were you called or did you assist Dr. W. S. Rowan in making an examination of the body of Mamie Thurman? ✓

the throat had been cut before or after death.

A It had been cut after death.

Q Why? A Because the gunshot wound was discolored around that where she was shot at the left side of the head, was all discolored, and blue around, which occurred-- that was bound to have been shot before the throat was cut.

Q Did you notice the size of the holes in the head where the bullets had gone in? A Yes.

Q Tell us about the size of those holes, Doctor.

A Well, as near as I could judge it was a good sized hole, and the State Police took a cartridge which he said was a thirty-eight and fit it into the hole.

Q Did he have any difficulty in inserting this thirty-eight cartridge into the hole?

A No, I would not say he had any difficulty.

Q Have you had experience with gunshot wounds?

A I have seen quite a few of them.

Q Now tell the jury whether or not a hole made by a thirty-eight ball, after the ball goes in, is the same size of the ball, or smaller or larger.

A There is usually some contraction there.

Q What size calibre pistol, in your judgment, was this woman shot with?

A I couldn't swear exactly. It must have been a thirty-eight or forty-four or five. I couldn't exactly be positive which. X

Q Either a thirty-eight or forty-four or forty-five?

A Something as large as a thirty-eight, I would say.

Q Were you down at the funeral home when Jack Thurman came there?      A He was there when I came upstairs.

Q Was Mr. Bumgardner there?

A Yes, I saw Mr. Bumgardner there.

Q I will ask you to tell the jury whether on that occasion Mr. Thurman said there, in words or substance, referring to the time his wife had left home the night before, that he was only sorry for one thing, that was he left the house that evening without saying anything to his wife or asking her if she wanted any money?

MR. CHAFIN: We object to that question for this reason: that it is immaterial, it would have no bearing on this case and throw no light upon the case. Even if it should contradict Mr. Thurman, it is an immaterial matter and could not be of any service in this case.

THE COURT: I am going to sustain the objection.

MR. CHAMBERS: All right, note an exception. You may take the witness.

JUDGE DAMRON: Nothing, Doctor.

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H A R R Y   R O B E R T S O N, recalled, testified as follows  
DIRECT EXAMINATION BY MR. CHAMBERS:

Q You are the same Harry Robertson that was on the stand yesterday or day before?      A Yes, sir.

Q Tell the jury whether or not Mrs. Thurman owned a dog.  
A She did.

Q What kind of a dog? A Spitz. A white spitz.

Q Did it have long or short hair?

A Long hair.

Q Do you know whether or not she handled that dog?

A Yes, sir, she did.

Q Carried it in her arms? A It would jump up in her lap. I don't know as I ever saw her carrying it in her arms.

Q Did she have that dog at the time of her death?

A Yes, sir.

Q Now, you told the jury on your direct examination that you had been intimate with the deceased, and told about some of the trips that she went out with you fox hunting or elsewhere. I want you to tell the jury whether or not you know of her intimate relations with any other men.

MR. CHAFIN: We object.

THE COURT: I am going to sustain the objection.

BY MR. CHAMBERS:

Q Did she at any time admit to you or give you the names of any men with whom she had been intimate?

MR. CHAFIN: Your Honor, that is the same objection.

THE COURT: I am going to sustain the objection.

(Exception saved by the defendant.)



BY MR. CHAMBERS:

Q Do you know whether or not the defendant was sick and had obtained any medicine from the Doctor along about Monday prior to the time of his arrest?

A Yes, sir, he had been sick and was taking medicine.

Q Do you know from what doctor he obtained the medicine?

JUDGE DAMRON: We object to that. He brought that out the other day, and he told him he gave him \$1.50, don't you remember? and he went to Dr. Justice and got medicine.

BY MR. CHAMBERS:

Q Did you say that the other day?

A I told you he got a prescription from Dr. Justice and I give him \$1.50 to have it filled. I believe that is what I told.

MR. CHAMBERS: That is all.

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O S C A R T O W N S E N D, called as a witness in behalf of the defendant, having been first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHAMBERS:

Q Is your name Oscar Townsend? A Yes.

Q Where do you live? A 510 Stratton Street.

Q With whom do you room? A Harry Robertson.

Q How long have you been rooming at his house?

A About eleven years.

Q How long have you lived in the City of Logan?

A About fifteen years.

Q During the fifteen years you have resided here what kind of work have you been engaged in? A I have been in the bank practically ever since I have been here.

Q What bank? A Guyan Valley and First National.

Q After the merger of the two banks you went to the First National? A Yes, sir.

Q I believe Harry Robertson did likewise?

A Yes, sir.

Q Are you any relation to the Robertson family?

A No, sir.

Q How long have you known the defendant, Clarence Stephenson? A I should say four or five years.

Q Where was he, or where was he staying when you first became acquainted with him?

A He was working at Peach Creek, I believe, Mr. Chambers.

Q That is about a mile below Logan? A Yes, sir.

Q During the past three or four years has he stayed at Harry Robertson's any?

A Yes, he stayed there this year from sometime in the Winter up to the middle of the Summer, and part of the time last year.

Q What part of Harry Robertson's house did he occupy?

A The attic.

Q Who else, if anyone, stayed in the attic with him?

A No one else.

Q How many beds were there in the attic?

A One bed.

Q Where was your room? A My room is on the second floor facing Stratton Street, next to Mr. Holland's.

Q How near would one pass in coming from the attic to get to your room? A The back stairs are just about three feet from the door of my room.

Q One passing by the door of your room, then, coming from the attic, would pass within three feet of your door?

A Yes, sir.

Q Do you recall the time that Mrs. Thurman's body was found on Trace Mountain? A Yes, sir.

Q Where were you that day?

A I was at the bank--First National Bank.

Q Working? A Yes, sir.

Q Where was Harry Robertson?

A He was working at the same bank.

Q Where was Mrs. Robertson?

A She was at home at noon.

Q What time in the day did you first learn this body had been found? A Sometime in the afternoon. I don't know just what time.

Q Now, the night before the body was found where were you?

A I was at home.

Q What time did you go home that evening?

A Sometime around five o'clock, I should say.

Q Where did you take your meals?

A I taken my meals at Mr. Robertson's.

Q Boarded and roomed there? A Yes, sir.

Q Did you eat supper, or, as city folks sometimes say, dinner, at the Robertson home that evening?

A I did, yes, sir.

Q Tell us about what time you had supper.

A Well, it was around seven o'clock or later.

Q Was supper later than usual that day?

A Yes, sir.

Q Why was it later than usual, if you know?

A Mr. Robertson had taken the children swimming, and they were late getting back.

Q Now, when was the first time you saw the defendant, Clarence Stephenson, after you went home from work that evening, or that afternoon?

A The time I remember is after we had eaten the evening meal.

Q How long after you had finished the evening meal?

A I don't know exactly how long it was. I had gone out into the yard.

Q And where did you first see him, out in the yard or in the house? A In the kitchen.

Q Who was in the kitchen with you at the time Stephenson was there?

A Mr. and Mrs. Robertson.

Q Do you know whether or not the defendant was sick at that time? A I knew he had been.

Q Do you know whether or not he was taking medicine?

A Yes, he did.

Q Where did you stay after you had eaten supper, or where did you go? A Out in the back yard.

Q Did you leave the house that evening?

A No, sir.

Q How long did Clarence Stephenson sit around in the kitchen there, or around in the yard after the evening meal was over? A I don't know exactly.

Q Do you know about what time he left the house?

A No, sir, I do not.

Q When did you next see him to notice him?

A While the prize fight was going on.

Q At the beginning of that fight or after it started?

A After it had started.

Q Do you know what time the prize fight did start?

A Around nine o'clock, I believe.

Q I believe you were getting the returns of that over the radio? A Yes, sir.

Q Who was in the room with you when you were getting the returns? A Harry Robertson.

Q Where was the defendant when you saw him during the fight?

A He came to the door of the living room.

Q Did he talk to you or Mr. Robertson, or say anything to either of you?

A He asked us how the fight was going on.

Q Did he remain there until the fight was over, or did he go out? A No, he went back towards the kitchen and dining room.

Q And who was back in the kitchen and dining room?

A Mrs. Robertson was in the dining room.

Q Did you hear them talking in there after he had gone out of the front room into the kitchen and dining room?

A No, sir.

Q How long was it until you went into the kitchen and dining room? A Immediately after the fight was over, after the broadcast.

Q Did you see Clarence Stephenson just before you went to bed? A I did.

Q Where did you see him? A He was standing in the door leading from the dining room to the kitchen.

Q And about what time was that?

A I should judge around ten-thirty.

Q Was that about the time you usually went to bed?

A Yes, sir.

Q About what time would you say the prize fight was over? A Around ten o'clock.

Q Were you and the defendant and Mr. Robertson discussing this prize fight after the announcer had completed his

work? A We were discussing the decision.

Q Did the defendant take part in that discussion or not?

A He did, yes, sir.

Q Now, you say about ten-thirty you went upstairs to your room and went to bed?

A I did.

Q Where did you leave Harry Robertson and his wife?

A They were in the dining room.

Q And was the defendant, Stephenson, there also?

A Yes, sir.

Q Now, did you hear Mr. and Mrs. Robertson go upstairs?

A I did.

Q Did they have to go up the same set of stairs that led close to your door?

A It is the stairs leading from the hall.

Q Where was their room with reference to yours?

A It is on the back part of the house, facing Main Street.

Q Were there any other occupants of that house except Mr. and Mrs. Robertson, yourself, and Clarence Stephenson, and the two children of the Robertsons, at that time?

A No, sir.

Q Now, you say you heard Mr. and Mrs. Robertson go up the steps. Where did they go? They came up the steps, do you know what room they went to?

A They went back to their room.

Q Is that on the front or on the back?

A It is on the back.

Q I believe they sleep on the back porch?

A It is a sleeping porch, they call it.

Q I mean a sleeping porch. A Yes, sir.

Q Do you know about what time it was, or how long it was after you went to bed at ten-thirty, until Mr. and Mrs. Robertson came up the steps and went out on the sleeping porch?

A It was just a few minutes. I wouldn't know the exact time.

Q Would you say as much as thirty minutes?

A No, I hardly think it was that long. I wouldn't judge it to be that long.

Q After they had gone to bed tell the jury whether or not you heard anyone else come in.

A I heard, I supposed, Clarence Stephenson come up the stairs and go to the attic.

Q Had you heard him on other occasions come in and go up to the attic? A Yes, sir.

Q Did you hear the door shut to the attic?

A Yes, sir.

Q Tell the jury about what time in the night that was.

A It must have been sometime after eleven, the best I could judge.

Q After you heard someone that you took to be Stephenson go up the steps and close the attic door, tell the jury whether or not you heard anybody go down those steps



that night after that?       A I did not.

Q Did you hear anybody else moving around in the house that night?       A No, sir.

Q Do you know whether or not the defendant had a key to the back door?       A The key was always left on the inside of the door.

Q When you wanted to go out you would take the key with you, and when you locked the door leave it on the inside, is that right?

A If you go out the door you would have to take the key with you to lock it.

Q The door wouldn't lock? It wasn't one of these self-lockers?       A No, sir, just a plain key.

Q What kind of door was it to the back porch?

A It has a lattice door with screen on it.

Q Heavy or light?

A It is a rather heavy door.

Q In opening that screen door would it drag or not?

A Yes, sir.

Q Then in order to get into the attic of the house, coming in from the rear, one would open the screen door and cross the back porch. Now, was there a door between the back porch and the kitchen?       A Yes, sir.

Q Then how would you get to the stairway after you got into the kitchen?       A You go into the dining room and into the hall.

Q You would go from the kitchen to the dining room, and then from the dining room into the hall?

A Yes, sir.

Q And then up the stairs? A Yes, sir.

Q Mr. Townsend, what time did you awake the next morning?

A About seven-thirty, I believe.

Q Where was Harry Robertson at the time you got up?

A He had gone to work when I came downstairs.

Q He had eaten and gone? A Yes, sir.

Q Did you see Clarence Stephenson that morning?

A No, sir.

Q Do you know what time he usually arose?

A Different times.

Q Had no certain time? A No, sir.

Q Do you know what lavatory he used?

A He used the one in the court house, he said.

BY JUDGE DAMRON:

Q Who said it?

A The defendant, Clarence Stephenson.

BY MR. CHAMBERS:

Q Did he use any of the lavatories at Mr. Robertson's home? A No, sir.

Q Where did he keep his shaving soap and other apparatus of that nature? A In the basement.

Q What on? Did he have it in any sort of container, box, or case of any kind?

A Either a plate or saucer, I don't know which.

Q What did the plate or saucer sit on?

A It was on a box, I believe, next to the stationary washtubs.

Q There was water in those water spigots in those stationary washtubs? A Yes, sir.

Q Was that the only kind of a drain or sink there was down in the basement? A The only kind except the drains in the floors.

Q Was there a wash basin down there?

A No, sir.

Q The only wash basin or thing you could use as such would be these stationary tubs? A Yes, sir.

Q Do you know whether or not the defendant shaved down there? A I knew he washed. I suppose he shaved down there. I never saw him.

JUDGE DAMRON: Suppose you don't suppose. He is supposing he shaved down there.

BY MR. CHAMBERS:

Q Well, did he, to your knowledge, use any of the upstairs rooms for toilet purposes in making his toilet?

A No, sir.

Q Was there any wash basin in the attic?

A No, sir.

Q Was there any lavatory in the attic?

A No.

Q Oscar, when did you first hear that Mrs. Thurman had

been found? A Sometime in the afternoon. I don't remember the exact time.

Q When did you first see Clarence Stephenson that morning her body was found, after you had gone to work?

A Sometime after the bank opened. I should judge between nine and ten o'clock.

Q Did he come in the bank? Did Stephenson come in the bank? A He was in there. I didn't see him come in.

Q Did he talk with you? A No, sir.

Q Did you talk with him? A No, sir.

Q Did you see him talking to Mr. Robertson?

A I saw him back at the-- at Mr. Robertson's machine with him, but I don't know whether they were talking or not.

Q How long was that after the bank opened?

A I don't know exactly how long.

Q Did you see Mr. Stephenson any more that day?

A Not until that evening, I don't believe.

Q What time that evening did you see him?

A It was around supper-time, or after supper.

Q And where did you see him then?

A He was there at the Robertson home.

Q Were you taken in charge by the officers after Mrs. Thurman's body was found? A No, sir.

Q Were you present when the officers searched the Harry Robertson home? A Yes, sir.

Q Were you there on Wednesday night when a search was made? A Yes, sir.

Q Who made that search? A There was several officers. I don't know whether I can recall them or not. I remember Mr. Bruce, I believe--Bill Bruce--and Mr. Thompson, State Police.

Q And what part of the building did they search?

A The basement first, and then the attic.

Q Did you go with them? A I did.

Q Did they ask you to go?

A They asked me to show them the way, said they wanted to search the attic, and I went to show them the way to the attic.

Q I believe you say they searched the basement first?

A Yes.

Q How many rooms in the basement? A Three.

Q How many rooms did they search that first night?

A They searched all of them, I believe, Mr. Chambers.

Q Were there electric lights down there?

A Yes, sir.

Q Were they on? Were they burning, I mean?

A They turned them on, yes, sir.

Q Did these officers, or any of them, find anything down in the basement that first night, that they took away with them, or claimed was blood-stained?

A I remember they found a canvas--piece of canvas

that they took the first time they were there.

Q Is that all they took the first trip?

A That is all I remember they took.

Q Now, did they go into the attic on the same trip?

A Yes, sir.

Q Did they take anything from the attic?

A I don't know whether they did or not.

Q Now, how long was it after that until the officers were back searching this building again?

A I believe it was next day they were back again.

Q In the morning or afternoon?

A I believe it was the next afternoon.

Q Where were Harry Robertson and the defendant, Stephenson, the first night they searched there?

A The time I remember, they had taken them to jail.

Q Taken who to jail?

A Clarence Stephenson and Harry Robertson.

Q They were not at the house then?

A Not at the time I went with the officers.

Q After Harry Robertson and Stephenson were taken to jail--and the evidence shows they were taken that Wednesday night--who was in the house? Who stayed in Harry Robertson's house?

A I was there, and Mrs. Robertson.

Q And the two children?

A The two children had gone-- Read the question.

(The question was read to the witness.)

A I am not sure. I knew that the two children had gone to spend the night somewhere, but I didn't know whether it was that night or not.

Q From that time on how long did you remain in the house before you left it?

THE WITNESS: Just how do you mean, Mr. Chambers?

MR. CHAMBERS: Well, I mean from that night when this first search was made, did you remain in the house from that time on? A I did, yes.

Q If so, how long until you left the house? Did you stay all night there Wednesday night?

A I did.

Q Next morning did you leave the house for any purpose?

THE WITNESS: Wednesday morning?

MR. CHAMBERS: No, Thursday morning.

A Thursday morning? Thursday morning we came down to Judge Estep's office.

Q You and Mrs. Robertson? A Yes, sir.

Q Now, what I am trying to get at is this: From the time this first search was made was there anything done to the Robertson basement by way of cleaning it or taking anything out? A No, sir.

Q Was it in the same condition after the first search was made that it was before? A Same condition.

Q There is some evidence here that there was a pile of soiled linen on a box. Do you know anything about those clothes?

A There were soiled rags that had been used in house-cleaning.

Q Soiled rags that had been used in housecleaning?

A Yes, sir.

Q Did you know who had put them there?

A No. Either Mrs. Robertson or the colored woman that works there.

Q Did a colored girl do house-cleaning at that place?

A She helped, and they hired two other people.

Q Now, were you there when the officers came back the second time to make the search? A Yes, sir, I was there all the time.

Q Did you go with them on that trip? A I did.

Q And where did they search?

A They searched the basement again, and went to the attic.

Q Did they find anything in the basement that they took away on the second trip?

A Yes, they gathered up a whole bunch of potato sacks. I noticed them take those.

Q Were those potato sacks stained?

A They were stained. It looked to me like mildew and stain from the stamp of the trademark.

Q Did you see them take away a piece of a shirt sleeve or drawer leg, heavy piece of goods?

A No, I didn't see it.



Q Did you hear Bill Bruce or anybody else say anything about finding a piece of drawer leg there in the basement?

A No, sir.

Q Did you hear them say anything about a razor?

A I saw them pick up the razor.

Q Where did they get that razor from?

A Out of the plate on this box next to the stationary tub.

Q Was that razor covered up or was it lying there in plain view? A Just lying in plain view.

Q Had you seen that razor there before?

A Yes, sir.

Q Who took the razor, if you know?

A I don't remember.

Q Is that all you recall their taking out of the basement, these sacks on that trip, and the razor?

A That is all I recall them taking.

Q Now, did they go into the attic on that trip?

A Yes, sir.

Q Did you go with them? A I did.

Q What, if anything, did they find in the attic that they took away?

A They took a shirt, I believe, one time.

Q Where was that shirt?

A Lying on the bed.

Q On Stephenson's bed? A Yes, sir.

Q Was it covered up? A No, sir.

Q Had you noticed whether or not that was Stephenson's shirt? Had you seen him wear it prior to that time?

A No, I couldn't say whether it was his shirt or not.

Q Did you notice what kind of shirt Stephenson had on the night before Mrs. Thurman's body was found?

A No, sir.

Q You are not able to tell us what color shirt he had on? A No, sir.

Q I don't think I asked you whether or not you saw Mrs. Thurman that Tuesday evening before she left the house.

A I saw her as she left the house.

Q What time was it?

A It was after we had eaten supper and I had gone out into the yard.

Q Was there anyone else out in the yard with you at that time? A No, sir.

Q Do you know where Clarence Stephenson was at the time Mrs. Thurman left? A He was in the kitchen.

Q Did anybody leave the house with Mrs. Thurman?

A No, sir, I didn't see anyone.

Q Did you see her come down the steps and go out, or see her after she got down the steps?

A I don't remember. I just noticed her as she went out the back way.

Q Tell us whether or not Harry Robertson was in the

kitchen at that time, or in the house somewhere.

A Yes, sir.

Q Did you see Mrs. Thurman any more after that time?

A No, sir.

Q Were you with Mrs. Robertson when she came down to the Prosecuting Attorney's office? A Yes, sir.

Q Were you in the room when she was examined in there?

A No, sir.

Q You were in one room and she was in another?

A Yes, sir.

Q While you were down at the Prosecuting Attorney's office did you see the dress that Mamie Thurman was supposed to have had on at the time of her death? A Yes, sir.

Q Who had it? A Mr. Scaggs, I believe, showed it to me.

Q Have it in his hand? A No, it was in a box.

Q Did he open up the box?

A It was in a box, I remember.

Q Well, was it taken out of the box while you were there or not? A No, I believe not.

Q You don't know whether it was taken out later before Mrs. Robertson or not? A No, sir.

Q I believe you said you were not related to the Robertsons? A No, sir, no relation.

MR. CHAMBERS: That is all.

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## CROSS EXAMINATION BY JUDGE DAMRON:

Q Not related to them? A No, sir.

Q Been in their home about fifteen years?

A No, sir.

Q I say you have been in their home about fifteen years? A No, sir.

Q How long? A About eleven.

Q You worked in the same bank that Mr. Robertson worked in? A I did, yes, sir.

Q First National? A Yes, sir.

Q Prior to the consolidation of the two banks you worked in the Guyan Valley Bank? A Yes, sir.

Q And that was the bank Mr. Robertson worked in?

A Yes, sir.

Q That was the bank that the deceased, Mamie Thurman, worked in? A Yes, sir.

Q And you worked in the same room in the Guyan Valley Bank that Mamie Thurman and Mr. Robertson worked in?

A No, sir.

Q You worked in a different room? A Yes, sir.

Q What time did you say you quit work on Tuesday evening? A Somewhere around five o'clock, the best I could judge.

Q You went to the Robertson home somewhere around five o'clock? A Yes, sir.

Q And Mr. Robertson was not there?