

A He came while I was there and took the children swimming.

Q What time did he take the children swimming?

A Just a few minutes after I got home.

Q Where was the defendant when you got to the Robertson home around five o'clock, if you know?

A I didn't know.

Q He wasn't there, so far as you could see?

A I don't remember seeing him.

Q You didn't see him? A No, sir.

Q And Robertson didn't come back from swimming until around seven o'clock? A That is right.

Q And you didn't see the defendant from the time you went home around five o'clock until after Mr. Robertson came home around seven o'clock?

A I don't remember seeing him.

Q Well, of course not. Now, you had eaten supper when Mr. Robertson came, is that right?

THE WITNESS: Had eaten supper?

JUDGE DAMRON: Yes, sir.

A No, we had sat down to the table--

Q To eat supper? A The way I remember it.

Q You and Mrs. Robertson had sat down to eat supper?

A Yes, sir.

Q Just you two? A Yes, sir.

Q And the defendant had not come yet?

A Not that I remember.

Q And you had not seen Mamie Thurman up to that time, had you?      A No, sir.

Q Did you get through eating before Mr. Robertson came?      A No, sir.

Q Did he eat at the same time you and Mrs. Robertson did?      A I believe we had started when he came.

Q Did he sit down and eat with you?

A Yes, sir.

Q Then after you got through eating he washed the dishes, didn't he?      A Yes, sir.

Q The defendant still had not come, had he?

A He was there.

Q While Mr. Robertson was washing the dishes--

A Yes, sir.

Q (Continuing) --or before he commenced washing them?

A While he was washing the dishes.

Q Did he come in before Mr. Robertson started to washing dishes?      A Yes, sir.

Q Was it customary for Mr. Robertson to wash the dishes, or did the defendant do it?

A He did it.

Q Who?      A Clarence Stephenson.

Q Do you know why he didn't do it that night?

A He said he was feeling bad, and Mrs. Robertson said she would wash the dishes. Mr. Robertson said he would.

Q Did the defendant eat after he came in?

A I didn't see him eat.

Q Did you go any place after you had eaten supper until you went up to your room?

A I was out in the back yard practicing some golf shots.

Q But you didn't go away from the home?

A No, sir.

Q After you got through eating you went out into the back yard? A Yes, sir.

Q Did Mr. Robertson or the defendant either one come out there while you were practicing?

A I don't remember seeing them.

Q You stayed out there until eight o'clock in the back yard, didn't you? A Sometime after eight, I believe.

Q And while you were out there around about eight, Mrs. Thurman left her home going out to Main Street?

A Yes, sir.

Q How long was it after she left her home around eight o'clock until Mr. Robertson left again?

A He left, I would say, around eight-thirty sometime.

Q Then about fifteen minutes after she left he left again, is that right? If she left at eight-fifteen and he left at eight-thirty, it was about fifteen minutes apart?

A I am just giving the approximate time.

Q I know that, but I say that is--

A I have no way of knowing the exact time.

Q Well, you are guessing at it?

A Just judging to the best of my ability.

Q And I say about fifteen minutes after she left, he left--Mr. Robertson, with his little boy?

A He left sometime around eight-thirty, I should judge.

Q What time did she leave?

A Around eight, or after.

Q You were out there playing, you say, until eight-fifteen? A I said sometime after eight.

Q Well, sometime after eight, then. Did Mr. Robertson take his little boy with him? A He did.

Q What became of Clarence Stephenson, the defendant?

A I don't know.

Q Well, was he there? Did he stay there, or did he leave, too? A I don't know where he went.

Q Did you see him any more after you left him in the house with Mr. and Mrs. Robertson around seven o'clock, until around nine-thirty, when the prize fight was going on?

A He was in the kitchen while Mr. Robertson was washing the dishes.

Q That is when you came out to play your golf, wasn't it? A We started supper about seven o'clock.

Q Yes. A He would not be washing dishes at seven o'clock.

Q How is that? A Mr. Robertson would not be washing dishes at seven o'clock.

Q You didn't see the defendant, Clarence Stephenson, any more after you left the house and came out to play golf in the back yard until he came back into the house after the prize fight was on, did you?

A No, I don't remember seeing him.

Q And you don't know where he was? A No.

Q And you did go back into the house after eight-fifteen, or around after eight, after you got through playing your golf? A Yes, sir.

Q You didn't see him in there, either, did you?

A I don't remember seeing him.

Q What time did Mr. Robertson come back from down in town, or from wherever he went and took his little boy with him? A It was sometime before nine o'clock.

Q And a short while after he came back the defendant, Stephenson, came in, didn't he? A Yes, sir.

Q Now, you and Mr. Robertson were listening in on the radio to the prize fight? A Yes, sir.

Q Was Mrs. Robertson in there with you?

A No, sir.

Q Where was she? A She was in the dining room.

Q She was in the dining room, and you heard Clarence back in the dining room, didn't you?

A No, he came to the door of the living room. I saw him.

Q Did you hear him before he came to the door of the living room? A No, sir.

Q He came to the door of the living room and asked you and Mr. Robertson how the fight was going on?

A Yes, sir.

Q And that was around nine-thirty?

A I would judge it was sometime around there.

Q And you had not seen him for an hour and a half before that--at least an hour and a half--had you?

A Something like that.

Q When he asked you how the prize fight was going on, he went back then into the kitchen or dining room?

A He went in that direction.

Q Where Mrs. Robertson was? A Yes, sir.

Q Did he stay there in the kitchen or dining room, or where Mrs. Robertson was, until after the prize fight was over?

A I don't know. I was listening to the prize fight.

Q After the prize fight was over where did you then see the defendant, Stephenson?

A He was standing in the door leading from the dining room to the kitchen.

Q Where was Mrs. Robertson?

A She was sitting in the dining room.

Q That was the same room of the door he was standing in?

A Yes, sir.

Q Anybody in there but those two? A That is all.

Q And you went in there, and you and Robertson and

Mrs. Robertson and the defendant, Stephenson, all talked there a few minutes? A Yes, sir.

Q Then you left and went upstairs to your bed around ten-thirty? A Yes, sir, I should judge it was about that time.

Q And you left these three people, Mr. Robertson and his wife and Clarence Stephenson, talking in the kitchen?

A No, it was in the dining room.

Q In the dining room. Now, where were the two Robertson children then? A They had gone to bed.

Q Then, after Mr. and Mrs. Robertson and the defendant, Stephenson, after you left them in the dining room talking and went to bed, in about thirty minutes you heard Mr. and Mrs. Robertson come up to bed?

A No, I don't believe it was that long.

Q You don't think it was that long?

A No, sir.

Q Well, anyhow, it was sometime before thirty minutes, you believe? A I should judge so, yes, sir.

Q Now, you didn't hear the defendant come upstairs with them, did you? A No, sir.

Q You talked about a back door having a key to it. When anyone went out at the back door, unless they locked it, they would not have to have a key to get back in, would they?

A No.

Q The door did not lock itself, did it?

A No, sir.

Q And one going out at the back door, unless he took the key along and locked it on the outside, it wasn't necessary to have a key to unlock it, was it?

A No, sir.

Q Did you know that the defendant took the key to the back door with him when he went out?

A No, sir.

Q You don't know where he went after he got through talking with Mr. and Mrs. Robertson? A No, sir.

Q Up to the time you went to bed you had not seen Mrs. Mamie Thurman come back home? A No, sir.

Q Now, after you had gone to bed, that was around ten-thirty? A Yes, sir.

Q Do you usually go to sleep soon after you go to bed?

A Sometimes, and sometimes I don't.

Q Did you go to sleep soon after you went to bed that night, or stay awake? A No, I was awake a while.

Q More than usual? A Well, sometimes I go to sleep right away and sometimes I don't.

Q Anything that kept you awake that night?

A No, sir.

Q Can you tell the jury about what time you dropped off to sleep that night?

A No. It was sometime after eleven, I should judge.

Q Sometime after eleven o'clock. And before you went



to sleep you heard someone come up the stairway and go into the attic?           A Yes, sir.

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

Q You don't know whether it was Clarence Stephenson, the defendant, or who?   A No, sir.

Q Anyhow, shortly after eleven o'clock you dropped off to sleep, and did you wake up any more?

A No, I don't remember of waking up any more.

Q Until next morning?           A Yes, sir.

Q If it was Clarence Stephenson you heard come up the stairs, then he could have gone back down and you would not have heard him, because you didn't wake up, is that right?

A That is right.

Q Now, do you know what Mr. Robertson and his wife and the defendant, Stephenson, were talking about when you went to bed?   A No, sir, I don't.

Q All there in the dining room together?

A We had all been talking about the decision given in the fight.

Q But you have told the jury you don't know what they were talking about when you went to bed, is that right?

A No, I don't know what they were talking about when I left.

Q And you don't know, of course, what they continued to talk about after you went to bed?           A No, sir.

Q You don't know why the defendant, Stephenson, didn't

wasn't he? A Yes, sir.

Q And there was no one else back there, was there?

A Nobody except the other bookkeepers.

Q They were not close to Harry Robertson?

A No.

Q Nor they were not close to Clarence Stephenson?

A The machines are all close along there together.

Q But Stephenson was standing close to Robertson,  
wasn't he? A Yes.

Q And you don't know what they were talking about?

A No, sir.

Q And you don't know how long they continued to talk,  
or where Stephenson went, do you? A No, sir.

Q What kept you from hearing what was going on between  
Robertson and the defendant?

THE WITNESS: In the bank, you mean?

JUDGE DAMRON: Yes.

A There was too much distance, too much noise.

Q How far were you from them?

A I imagine as far as from here to the back end of the  
room.

Q And you say that you don't remember of the defendant  
coming back in there that morning?

THE WITNESS: Again?

JUDGE DAMRON: Yes, sir.

A No, I don't remember.

Q To refresh your memory, didn't he come back about ten-thirty, go out and was gone an hour, and came back about ten-thirty?

A I don't remember seeing him.

Q You don't remember seeing him that time. Anyhow, you saw him in the bank two or three times that day, didn't you?

A No, I don't remember.

Q How? A I don't remember.

Q You made a statement, didn't you, about this case right after the happening? A I was questioned by Mr. Scaggs and Mr. Hager.

Q Your memory, of course, was fresher then, Mr. Townsend? It was fresher in your mind then?

A Yes, I suppose so.

Q You said then that you had seen Stephenson in there two or three times that day, didn't you?

A I don't remember saying that.

Q Wasn't this question asked you and didn't you make this answer: (Question) "How many times did you see him, (meaning Stephenson) in the bank Wednesday?" and didn't you answer, "I believe two or three times?"

A No, I don't remember that.

Q Don't remember saying that?

A No, sir.

Q You may have said it and don't remember it, and it

may have been a fact and you don't remember it, is that right?       A I don't remember it.

Q Now, on Wednesday night you were in the Robertson home when the officers came up there?       A Yes, sir.

Q And Robertson and the defendant were arrested and taken to the jail that night?       A Yes, sir.

Q And you stayed there all night?       A Yes, sir.

Q Where were the two children sent that night?

A I don't remember whether they were there that night or whether they were sent away the next night.

Q They were sent away either that night or the next night?       A That is the way I remember it, yes, sir.

Q That is the way you remember it. Did you stay there next night?       A Yes, sir.

Q Do you know where they were sent?       A I believe they spent the night with Mr. and Mrs. Jack Peck, if I remember.

Q Here in Logan?       A Yes, sir.

Q Do you know why they were sent away from home?

A No, I don't know, except to keep the children from knowing.

Q Knowing what?       A Well, the disgrace of their father, I should say. I don't know.

Q Now, you told about the search by the officers on Wednesday night, didn't you?       A Yes, I told about the officers coming and searching the house.

Q And you told about their coming and searching

Thursday afternoon, and you said that you didn't see but one or two articles that they claimed to have found, is that right?

A No, they gathered up a whole--

Q How is that?

A They gathered up a bunch--I know what they were-- they were potato sacks.

Q You know they got them? A Yes.

Q And you know they got the shirt? A Yes, I know they got the shirt.

Q And you know they got the first time they searched, the canvas in the basement? A Yes, sir.

Q Didn't they get something else you have not told us about? A Nothing I remember.

Q Didn't they get a pistol under your pillow?

A No, sir.

Q In your room? A No, sir.

Q Didn't they get a thirty-eight pistol there that night? A No, sir, not out of my room.

Q Did they get it out of any room? A I don't know.

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

Q Was there a thirty-eight pistol there in the home that you know of? A Yes, there was one there.

Q Whose was it? A It was mine.

Q Where was it? A Mr. Robertson kept it under his mattress.

Q Where is it now?

A I don't know.

Q Haven't you inquired about it?

A Well, they said-- I believe Mr. Robertson said they took it.

Q Did you trade for that pistol?

A No, I bought it.

Q Did you have a thirty-two-twenty?

A No, sir.

Q Did you ever have a thirty-two-twenty?

A No, sir.

Q How long had you owned this thirty-eight?

A Since right after the mine war, whenever that was.

Q But Mr. Robertson kept it in his room, you didn't keep it?      A No, sir.

Q You spoke about Clarence using the basement as his toilet. Did you ever see him shaving down there?

A No, I don't remember ever seeing him shave.

Q How do you know, then, that he used it?

A I know when he would come downstairs of a morning he would go down there and wash.

Q But you don't know where he shaved?

A No. I know he had a mirror suspended on a string down there. I suppose he shaved.

Q And you saw this razor down there?

A Yes, sir.

Q Was it gapped when you saw it?

A I didn't look at the blade--simply folded up.

Q How is that? A The razor was just left with the blade folded together like you usually keep a razor.

Q See anything on it? A No, sir.

Q They didn't show it to you? A No, sir.

Q You saw nothing there on this box except the razor with which to shave? A Tooth brush.

Q You saw no brush, did you?

A Tooth brush, I believe.

Q You don't use that to shave, do you?

A No.

Q You didn't see any shaving brush? A No.

Q You told the jury that the defendant used the court house as the toilet? A I had heard him say so.

Q That is all you know about it? A Yes, sir.

Q Just what he told you? A Yes, sir.

JUDGE DAMRON: That is all.

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REDIRECT EXAMINATION BY MR. CHAMBERS:

Q Mr. Townsend, were you down in the basement of the Robertson home when some of these officers were down there searching and one of them discovered a dent place in the wall of the basement? A Yes, sir.

Q Who was there at that time? A If I remember, Mr. Thompson was the one talking about it--State Trooper Thompson.

Q And did they stand anybody up in front of it to see whether or not it was about the right height for a bullet hole in the head? A Yes, sir.

MR. CHAFIN: We object to that. What does that have to do with it? We never brought anything like that out.

MR. CHAMBERS: I know you didn't. That is the trouble.

THE COURT: He may answer.

(Exception saved by the State.)

BY MR. CHAMBERS:

Q You were asked about this thirty-eight pistol. One of these officers swore he got that pistol out from under your mattress. Tell the jury whether or not that is true.

MR. CHAFIN: We object to that. The officer said he got it out from under Harry's mattress, is my recollection, or some mattress. He didn't say Mr. Townsend's.

THE COURT: He may answer the question.

(Exception saved by the State.)

MR. CHAMBERS: This man swore he got it from Harry Robertson's mattress.

BY MR. CHAMBERS:

Q How long had this thirty-eight pistol of yours been in Harry Robertson's room?

A He had had it for years.



Q Did you see it after it was taken by the officers?

A No, sir.

Q The testimony of one of these State Policemen was that that pistol had not been fired recently, but was covered with lint. You don't know whether that is true or not?

A No, sir.

Q You were also asked about why the Robertson children were sent away. Where was their father at that time?

A He had been taken to jail.

Q Harry Robertson had been arrested and taken to jail, and then the children were sent away?

A Yes, sir.

Q Did they know where their father had been taken?

A No, sir.

Q And do you know whether or not the mother tried to send them away to keep them from finding out where their father had been taken?

A Yes, I think that was the reason.

Q You were asked about Stephenson being close to Robertson over in the bank, after the bank opened that morning. How many of those bookkeepers worked in a radius of each other of, say, twenty feet?

A There is three.

Q And about how far was Stephenson from the nearest bookkeeper to him when you saw him standing close to Robertson?

A The machines are closer together, I should judge, than the length of this table.

JUDGE DAMRON: You mean the length of the two tables?

A No, this one long table.

BY MR. CHAMBERS:

Q You were also asked what Mr. and Mrs. Robertson were talking about at the time you went to bed at ten-thirty or in that neighborhood. What was the last thing you talked with them about before going to bed?

A We were talking about the prize fight and the decision rendered by the judges.

Q Did you hear Mr. and Mrs. Robertson and Clarence Stephenson start to talk about any other subject after they finished talking about the prize fight? A No, sir.

Q Mr. Townsend, tell the jury whether or not the defendant, Stephenson, was in the habit of leaving the house just before retiring of a night?

A Yes, I have seen him do it lots of times.

Q Your understanding was that he used the court house toilet?

A Yes, sir.

MR. CHAMBERS: That is all.

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LOUISE ROBERTSON, called as a witness in behalf of the defendant, having been first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHAMBERS:

Q Give the Court and jury your name, please.

A Louise Robertson, or Mrs. Harry Robertson.

Q You are the wife of Harry Robertson?

A Yes.

Q Where do you live, Mrs. Robertson?

A 510 Stratton Street.

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

A Eighteen years next month.

Q How long have you been married?

A Eighteen years the 4th of next month.

Q Do you have any children? A Two.

Q And what are their ages?

A My little girl is fourteen, and my little boy is eight.

Q Do you know the defendant, Clarence Stephenson?

A Yes, sir.

Q About how long have you known him?

A Well, I would say about four or five years. I couldn't tell you the exact time.

Q On how many different occasions has he stayed at your home? A Twice.

Q Tell the jury the first time he stayed there, and

about how long.

A Well, it was a year ago last May, I guess, when he came there, and he stayed there, I imagine, a month or six weeks, or maybe two months.--I don't know exactly how long, myself--when he hurt his hand the first time.

Q Do you know where he had been working when he hurt his hand that time?

A Over at 22 Holden.

Q And he stayed something like a month or six weeks?

A Yes.

Q Where did he stay, what part of the house?

A He slept in the attic.

Q Then after he had stayed some month or six weeks at that time, do you know where he went?

A He went back to 22, to Holden.

Q And when did he come back the next time?

A In January.

Q Of this year? A Yes, sir, the latter part of January.

Q Do you know why he came back the second time?

A Well, after he was hurt he came back and stayed there because he had to pay board over at Holden, and he could do chores enough around the house to have his board there.

Q You say he was hurt? A Yes, sir.

Q What part of him was hurt, if you know?

A He got a finger cut off and the end of his little finger mashed off, I think it was.

Q And the first time he came, was his hand hurt on that occasion?

A Yes, his left hand was hurt. This finger was off.

Q The first trip his left hand was hurt, and on the second trip his right hand? A Yes, sir.

Q Where did he stay when he was there the second time? A In the attic.

Q How many beds in the attic? A Just one.

Q Are there any toilet facilities in the attic?

A No, sir.

Q Any wash basin? A No, sir.

Q Were there any lavatories down in the basement?

A Nothing but the tubs--wash tubs.

Q Any wash basin down there? A No, sir.

Q Where did the defendant, Stephenson, make up his toilet? A In the basement, I suppose.

Q Did he use the toilets in any other part of the house? A No,

Q Mrs. Robertson, is there a back porch to your home?

A Yes, sir.

Q How many? A Just one.

Q Have a sleeping porch? A Yes, sir.

Q Where is it with reference to the back porch of your home? A Well, part of the sleeping porch is over the back porch.

Q Is the back porch latticed in? A Yes, sir.

Q What kind of door is there to the back porch?

A There is a lattice door, and it has screen wire over the door.

Q Is it a light or heavy door?

A Pretty heavy door.

Q In opening and closing that door tell the jury whether or not it drags.

A It does drag, and if it is not-- It makes right smart noise when it is shut.

Q To get into your home from the rear through this screen door you have testified about of course you would have to cross the back porch? A Yes, sir.

Q Now, did you keep the door between the back porch and the kitchen locked? A Yes, sir.

Q On the inside or outside? A Well, of a night it was always locked on the inside, except when Clarence went out and took the key with him.

Q How often did he go out and take the key with him?

A Well, sometimes as we went going upstairs for the night he would go out and be gone a few minutes--just a little while.

Q Did he do that often?

A Well, I couldn't tell you, Mr. Chambers, how often. Sometimes I noticed it, and then sometimes he would go upstairs as we did, or around the time we did.

Q Now, after you got into the kitchen from the back porch did you have to go through the dining room to get upstairs?

A Yes, sir.

Q Then you went from the dining room into the hall?

A Yes, sir.

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

Q You know Oscar Townsend, of course?

A Yes, sir.

Q How long has he been rooming at your home?

A About eleven years.

Q Did he occupy or has he occupied the same room all the time? A He has had the same room for the last nine years.

Q Where is that room situated with reference to the stairway leading to the attic? A The attic stairway goes right up like this, and his door is right by it, by the foot of the stairway. (Illustrating)

Q Then when going up to the attic one would have to pass very close to Townsend's room?

A Right in front of the door.

Q Was there a door to the attic? A Yes, sir.

Q Did you know Mrs. Mamie Thurman in her lifetime?

A Yes, sir.

Q How long had you known her?

A Ever since they moved out there about eight years ago this fall.

Q I believe they lived up over your garage?

A Yes, sir.

Q And your cars were kept downstairs in the garage?

A Yes, sir.

Q Does that garage front on the street?

THE WITNESS: You mean the car part?

MR. CHAMBERS: Yes, ma'am.

A Yes, sir.

Q To get into the garage you drive over the sidewalk, do you? A Yes, sir.

Q How close does the sidewalk run to the doors of the garage? A Right up against it.

Q Now, while Mrs. Thurman was living there tell the jury whether or not you visited her and she visited you.

A Yes, we knew each other ever since she moved there, and frequently she was in home and frequently I was out there.

Q Did you go places together? A For about eighteen months or two years we went a good deal together.

Q Did you play golf together any?

A Yes, sir.

Q Tell the jury whether or not at any time you ceased keeping company with her and she with you.

A I stopped going around with her last January.

Q Tell the jury why you ceased keeping company with her.

A Well, I had reasons to believe that she and my hus-



band were intimate, and I wouldn't run around with a woman that I knew--that I didn't--that I thought was intimate with my husband.

Q When was the last time, if you know, that she was at your home? A To my knowledge, the last time she was in my home was in January, one Saturday night.

Q Were you in her home after that time?

A Yes, I believe I was.

Q Now, were you at home on the Tuesday, 21st day of June, 1932, all day? A Yes, sir.

Q Were you there that night? A Yes, sir.

Q Did you see the deceased, Mrs. Thurman, that day or night? A I saw her that evening as she went out and went down the back steps.

Q About what time? A Well, I judge it was around eight o'clock.

Q Had you seen your husband that day?

A Yes.

Q What had he done? A Well, he got up and ate his breakfast and went to work, and was home at noon and ate his lunch, and he came in from work just as usual.

Q Then after he had come in from work did he go anywhere?

A Yes, he took the children up to the swimming pool.

Q Where is that swimming pool?

A Up at Stollings.

Q Tell us about what time he came back.

A Well, it was somewhere between six-thirty and seven. I couldn't tell you the exact time.

Q Had you eaten supper at that time?

A No. I had supper ready when they came in, and I put it on the table, and we were all at the table when he came to the table.

Q Was Oscar Townsend there at the time?

A Yes, sir.

Q And did you and Oscar Townsend and your husband all eat supper together?      A Yes, sir.

Q Now, where had Clarence Stephenson been that day, if you know?      A Well, he had been in and out and around the place as usual. I don't remember any special happening of the day, but he had been around as usual.

Q Where was he at the time you and your husband and Townsend were eating supper?

A I don't know whether he was in or whether he was out in the back yard.

Q Did you see him shortly after supper?

A Yes. Clarence was sick. It was his duty to wash the dishes, and he was sick, and I told him I would wash the dishes. When I got the dishes ready to wash Harry said he would wash them--my husband--and he washed the dishes. Clarence came in while he was washing the dishes, and was kidding him about washing the dishes.

Q Where was Oscar Townsend at that time, if you know?

A He was out in the yard.

Q After the dishes were washed by your husband do you know where he went--I mean your husband?

A Well, he was around there for a while. I don't think that he went-- No, I am positive he wasn't even out of the house.

Q Where did he go, if he went anywhere?

A He went out in the car. He had had some work done on the car that day, and he went out to see about it, and he took the car and thought he would drive around the square and put the car up.

Q What car was that?

A That was the Packard.

Q Where was the Packard sitting at the time?

A It was sitting parked on the street back of the house.

Q Whom did he take with him, if anyone?

A Took my little boy with him.

Q About what time did Harry and the boy leave the house? A It was after eight-thirty.

Q How long were they gone until they returned?

A Not very long, because he wanted to be back in time for the prize fight.

Q Do you know about what time the prize fight began?

A Nine o'clock.

Q Now, did you see Stephenson leave the home after Harry had washed the dishes?

A No, I didn't see him leave. After Harry left I was in the dining room, and I heard him in and out of the kitchen a time or two.

Q When is the next time you saw Clarence Stephenson?

A Oh, it was-- I don't know how much longer, but it was while the fight was going on.

Q Where did he come from?

A I don't know. The back door was hooked, and he knocked at the door, and I went and let him in.

Q Did he come in the house?

A He came in, in the kitchen.

Q What part of the house? A In the kitchen.

Q Do you know whether or not, while the fight was in progress, he went in the living room?

A Yes, he went on in the living room then.

Q You were in the kitchen, however, at the time he came in? A I had gone in-- Well, I went out on the back porch and opened the door so he could get in.

Q How long did Stephenson stay there after he came back during the prize fight?

A Well, he was there a good while. I don't know just how long, Mr. Chambers.

Q About how long did you and your husband and Oscar Townsend stay up?

A Oscar went to bed at ten-thirty. He had been trying to get to bed every night by ten-thirty, and he went upstairs at ten-thirty.

Q Was Clarence Stephenson there at that time?

A Yes, sir.

Q How long was it after Oscar Townsend went to bed at ten-thirty until you and your husband retired?

A Oh, I should say fifteen or twenty minutes, maybe, because we were in bed by eleven o'clock.

Q Tell the jury whether or not Clarence Stephenson went upstairs that night the same time you and your husband did.

A No, he didn't go upstairs the same time we did.

Q What did he do?

A He went out and came in a little while after we were in bed. I heard him go up the stairs then.

Q How long would you say it was after you had gotten in bed until you heard Stephenson go up the stairs?

A Oh, not more than ten or fifteen minutes.

Q Where did he go? A I don't know.

Q I mean the first floor.

THE WITNESS: Oh, when he came in?

MR. CHAMBERS: Yes.

A He went to the attic.

Q Did you hear him go up the second flight of steps that leads to the attic? A Yes, sir.

A Yes, sir, I heard the door.

Q Do you know about how long you remained awake after that time? A No, I don't, Mr. Chambers. Not very long, though, I don't think.

Q Did you see Stephenson any more that night after you heard him go up sometime after eleven?

A No, sir.

Q Where were your children at the time you all went to bed? A They were in bed, in one of the front rooms.

Q Of the second floor? A Yes, sir.

Q Do you know where Clarence Stephenson kept his pistol? A Yes.

Q Where did he keep it? A He kept it in the pantry in a built-in cabinet over behind some dishes.

Q Is that in the kitchen? A No, it is in the pantry.

Q Where is the pantry? A You have to come out of the kitchen-- There is just a little hallway like, you go into the pantry or into the dining room.

Q It is on the first floor? A On the first floor.

Q How long had his pistol been there?

A Well, ever since he came there, and I told him--

Q Do you know whether or not he had had the pistol out since it was put in the pantry?

A No, sir, I do not.

Q Do you know how it happened to be put in the pantry?

A I told him to put it up somewhere safe. I was afraid the children would get hold of it.

Q And did you often see it in the pantry?

A Never saw it after it was put there. X

Q Did your husband have a pistol?

A Yes, sir.

Q Do you know what kind? A No, I don't know what kind. I heard them say it was a thirty-eight. I don't know anything about guns.

Q Where was it kept? A Under the head of our bed.

Q How long had it been under the head of your bed?

A I couldn't tell you. It had been there a long time.

Q Were you present at the time it was taken out by the officers? A Yes, sir. I was in bed. They came in there about four o'clock Thursday morning. I was in bed.

Q Four o'clock Thursday morning? A Yes, sir.

Q You were in bed at the time? A Yes, sir.

Q Did you notice that pistol that was taken out from under the head of your husband's bed?

A No, I didn't notice, because I don't believe I had the light on. The light was on in the next room, and it shone through in there enough for them to see.

Q Where was your husband at that time?

THE WITNESS: What, when they took the pistol out?

MR. CHAMBERS: Yes.

A He was standing right there by Mr. Thompson, the

State Police.

Q Had your husband been arrested?

A Yes.

Q Was he in the custody of the State Police at the time, A Yes.

Q Did you hear either one of the State Police make any statement about the pistol when he took it out from under your husband's bed?

A I heard Mr. Thompson, when he looked at it, say it had not been shot.

Q Do you know whether or not Townsend had any pistols?

A Yes, he had one. It was a smaller one, though, than the one that was under Harry's bed.

Q Were you in his room that morning about four o'clock when these officers were searching?

A No, sir.

Q You don't know whether they examined the pistols in his room or not? A No.

Q Now I will ask you to tell the jury, Mrs. Robertson, if you know, whether or not the defendant, Stephenson, had a razor that he kept down in the basement.

A Yes, there was a razor down there.

Q Where was it kept?

A Just laid around down there anywhere.

Q Were there any other toilet accessories down there?

A No, sir-- Oh, yes. You mean-- He had a tooth



brush and a tube of tooth paste.

Q Where did he keep it?

A They were just laid down there on the tubs on a bench, a box of a thing that I had to set things on.

Q Was there a mirror down there? A Yes, sir.

Q Where did that mirror hang?

A On the cord of a light.

Q Where with reference to the tub?

A Right over the tubs.

Q Do you know where Stephenson washed of a morning before breakfast? A He always went to the basement. I suppose he washed down there.

Q Now, after your husband was arrested and Clarence Stephenson was arrested Wednesday evening, did your children remain at the home that night?

A Yes, sir, they were at home all night Wednesday night.

Q When did you send them away?

A Mrs. Peck came the next afternoon and asked me if she could take the children down to her home, down to the Country Club, and keep them, and I told her yes, I would be glad for them to be down there.

Q Just tell the jury why you sent them down there.

A Well, I didn't know how much I would have to be away from home. I had to be down at Judge Estep's office Thursday morning at nine o'clock, and I couldn't leave my