

canvas out, because it stinks." I taken the canvas and started to hang it on the clothes line. Mrs. Robertson's wash woman was hanging up clothes. I asked her, "Glenna, will you use all the lines?" She said yes. I kicked the canvas down in the basement, and said, "Kick that canvas in as you go in."

Q You threw it in the basement?

A Threw it in the basement there.

Q Was that all the cleaning out of the car you did?

A That is all.

Q Where was the canvas on the side door?

A The canvas on the side door was on there.

Q On both side doors or just one?

A Both of them.

Q You didn't remove that?

A No, sir.

Q You only removed this large piece of canvas that extended from the back seat along the body of the car to the rear seat? A Yes, sir.

Q Where did you and Mr. Thurman go?

A We first drove down through town, stopped at the Midelburg Theatre and talked to the girl that sells tickets there. We stayed there about five minutes. We drove from there down to Drapers. We first drove around on High Street to Fanette Jones, and went out to Drapers and turned and came back, and he stopped at Mrs. Morrison's.

Q That is Mrs. Dallas Morrison? A Yes, sir.

Q Did he go in? A Yes, sir, he went on the porch. He didn't go in the house.

Q Then where did you go? A We stayed there about fifteen or twenty minutes. We came back and drove down through town. We drove over to Black Bottom, above the Duco plant, and turned and came back through town and drove up to Stollings, up to the swimming pool. We stayed up there probably twenty or twenty-five minutes watching the people swim at the swimming pool. We come back then and drove down to the bank of the First National Bank. We parked the car. I started to take it around behind the bank and park it off the street, as I always did. Mr. Thurman says, "That is all right, leave it set here, won't nobody bother it." We had up that sign then, "No parking, by Police Orders." After he told me that I parked it and got out and walked in the back of the bank. He told me to go in and call Mr. Robertson. I went in and called Mr. Robertson, and he came out in the back of the bank where the steps leads up to go upstairs between the two doors. Me and Mr. Thurman and Mr. Robertson was standing there talking. Mr. Thurman was asking Mr. Robertson about calling Huntington and having a search made by the State Police for his wife, and at that time the 'phone rung. My best recollection it was Mr. Willard Robinson came to the door and told Mr. Harry, he says, "There is a 'phone call for you." Mr. Robertson left me and Mr. Thurman standing there and went in and answered the 'phone.

and just in a short time came back out and told Mr. Thurman, while we was standing there talking, Mr. Robertson says, "Well, Jack, I hate to tell you, but" he says, "they have found your wife." Mr. Thurman says, "Where?" He says, "They found her on Trace Mountain, murdered." At that time Mr. Thurman chunned his fists into the corner of the door, of the wall, rather, something like this, and says, "I have nothing more to live for." He says, "I want to die." He had his gun on him. Mr. Robertson tried to take his gun off, or taken it off, I don't recall just which, and at that time me and Mr. Thurman-- Mr. Robertson, he came back on the street there, and he says to me, he says, "You stay around clâse to Mr. Thurman, don't let him hurt himself." He says, "I am afraid he might hurt himself." I stayed around as close as possible to him, right up against him, until Mr. Meade Smeltzer came in. Mr. Meade Smeltzer came in and unarmed him, then he walks out on the railroad.

Q Unarmed Thurman?

A Yes, sir. He walked out on the railroad, walks behind the First National Bank, walking back and forth, clambing his fists and hands in this form. (Illustrating)

Q Where did you take him to, if any place?

A After that he got in the car and I drove him around to Midelburg Theatre up to the bus station, and put him out at the funeral home. That is the last I seen of him.

Q Where did you go then?

A I went back up to the house.

Q That was sometime after two o'clock in the afternoon?

A Yes, sir.

(Thereupon a recess was taken until one o'clock P. M.)

- o -

AFTERNOON SESSION

MR. CHAMBERS: (Resuming examination of defendant)

Q Clarence, do you know Meade Smeltzer?

A Yes, sir.

Q You heard his testimony on yesterday?

A Yes, sir.

Q He testified that sometime after eight o'clock on Wednesday morning he went up to Jack Thurman's and this Ford sedan was parked out in front of the garage between the road and river, and that you were in the front seat of the car, or in the front of it, with a rag, cleaning. Is that true or not? A Not true, no, sir.

Q Did you see Mr. Smeltzer that morning?

A Yes, sir.

Q Where did you see him? A When I seen him he was coming into Mr. Thurman's house, coming up the steps, and went into Mr. Thurman's house.

Q About what time in the morning was that?

A I presume around nine o'clock.

Q And did you go in Thurman's house after Smeltzer went in? A Not at that time.

Q Did you later on in the day? A Yes, sir.

Q What time? A After twelve.

Q How did you happen to go in there?

A Mr. Robertson had sent me up.

Q Whom did you find at the Thurman home?

A I found Mr. Meade Smeltzer and Mr. Thurman.

Q What were they doing?

A Mr. Meade Smeltzer was sitting in a chair and Mr. Thurman sitting on the side of the bed, and they was drinking out of something, out of a half gallon fruit jar.

Q Do you know James Murphy? A Yes, sir.

Q Do you know Donald Derrick? A Yes, sir.

Q Do you know where the Moseley Filling Station was at that time? A I do.

Q How far below the garage is it--below the Robertson garage? A Well, I presume between forty and forty-five feet; hardly so far.

Q On the opposite side of the road?

A Opposite side of the street, yes, sir.

Q Did you see James Murphy or Donald Derrick that Wednesday morning? A I did.

Q Where did you see them? A James was sitting over by the garage--over by the filling station--and I think that the Derrick boy was in the filling station.

Q Donald Derrick testified that on that morning, in the neighborhood of eight-thirty, he saw you take this Ford sedan out of the garage twice and park it between the street and

the river, and walk around it and then drive it back into the garage. Did you do that? A No, sir.

Q He said you kept the car out about two minutes, and then you would put it back in the garage and keep it a while and back it out the second time. How many times did you back the car out of the garage that morning?

A I taken the car out once that day.

Q What time in the morning was that?

A To my best knowledge around ten o'clock.

Q Was it before or after you had been down to the bank?

A After.

Q Murphy testified that on that same morning he saw you take the car out four or five times, and that you would walk around it and look in it, keep it out fifteen or twenty minutes, put it back in the garage, let it stay a couple minutes, and back it out again. Tell the jury whether that is true. A That is not true.

Q Do you know Mrs. S. W. Browning? A Yes, sir.

Q She is the woman that testified she worked in the Green Lantern Inn. You heard her testify, did you?

A Yes, sir.

Q She testified that on Wednesday morning at ten minutes of six, or just about ten minutes of six, and between ten minutes of six and six o'clock, she met you over near the power house, on the other side of where the railroad track crosses the county road, and that you were coming towards Logan. Tell the jury whether or not that is true.

A That is not true.

Q Do you know Dude Dalton? A I do.

Q You heard his testimony? A Yes, sir.

Q He testified that at five-forty-five or about that time he met you or saw you pass him in Logan Avenue this side of Holden. Is that true? A Not true.

Q Roy Hall, Frank Gibson, Don Huff and Charley Huff testified that about five-thirty or forty some fellow passed them on Trace in a Ford sedan a short distance below No. 21 mine. Was that you? A No, sir.

Q Were you on Whitman Creek that morning?

A No, sir.

Q Were you on-- I don't mean Whitman Creek. Were you on Trace Fork of Island Creek that morning?

A No, sir.

Q Were you on that creek that night?

THE WITNESS: Which night do you have reference to?

MR. CHAMBERS: I mean Tuesday night.

A No, sir.

Q Were you there Monday night? A No, sir.

Robert Gillam testified that on Monday, the 20th of 1932, he was sitting on his front porch with

Henry Barney, and that around six o'clock

he saw you and another man go up riding

and call the jury whether or not that is

not true.

Q Do you know Sherman Ferguson? A No, sir.

Q Did you see him on the witness stand, a boy by the name of Sherman Ferguson? A I don't recall whether I recollect him at the present time.

Q I can make you remember it. Do you recall the witness that went on the stand and stated he saw you on Tuesday night about twelve-thirty driving between the Pioneer and the Aracoma Hotels? A Yes, sir.

Q You say you don't know him?

A Never seen him before he was on the stand, in my recollection.

Q Tell the jury whether or not that is so?

A That is not true.

Q At the time you had the car out that Tuesday night and went to Fanette Jones on High Street, tell the jury how you went and how you came back, what streets you traveled.

A Right down Stratton to Main, turned up Main, the way you go up to Junior High up here on the hill, and turned up that street--what do you call it?--High Street, out that way, and drove up to Drapers, turned and come back down Dingess, turned at the bus station, and turned up this Main Street.

Q You say you went Stratton Street on the way out there? A Yes, sir.

Q What street did you turn out to go out towards the school house hill?

A Dingess up until you turn through up there. I don't know the name of those short streets up there.

Q I don't understand, myself. You went down Stratton Street how far?

A Down Stratton Street to where Stratton empties into Dingess right in front of the Midelburg Theatre.

Q Turned which direction? A To the right.

Q Went out Dingess Street?

A Went out Dingess Street to you know where the Central Garage is?

MR. CHAMBERS: Yes.

A Turned that corner there, went up in front of where you live, up to the school, turned to the left. I think that is where High Street comes in right there. I went to High Street that way.

Q Then you went around High Street? A Yes, sir.

Q Did you go to the other end of High Street and down to Draper? A That is the only way you can turn. I had to.

Q Then you went back up the railroad and up Dingess Street by the depot? A Yes, sir.

Q Then came up Dingess Street until you come to Main Street down here at the bus station? A Yes, sir.

Q What time or about what time in the night would you say that was? A That was, my best opinion-- my best opinion about ten minutes to nine.

Q You didn't keep any accurate time of your movement?

A No, sir.

A No, sir.

Q Now, is that the time you put the car up?

A Yes, sir.

Q Tell the jury whether or not you had it out any more from that time on up until about nine o'clock next morning.

A I did not.

Q If anybody else had it out, do you know anything about it? A If they did I didn't know anything about it.

Q Now, Clarence, tell the jury about what time in the day Wednesday you were taken into custody.

A I was taken into custody by Mr. Bill Bruce that night about ten o'clock, or after.

Q Where were you at that time?

A Sitting on the house steps facing Stratton Street.

Q Had you been arrested or taken into custody before that time? A I had been taken up to Police Headquarters and questioned before that time.

Q What time? A I can't recall just exactly. It was before dark in the afternoon.

Q Were you released after you were first taken to the State Police Headquarters? A Yes, sir.

Q And then at ten o'clock you were arrested?

A Yes, sir.

Q Who took you to jail? A Mr. Meade Smeltzer and Mr. Streagle.

Q Smeltzer testifies that just before he put you in jail that you started to run. Is that so?

A That is so, yes, sir.

Q Why? A I couldn't get up nerve enough to go in. It was the first time I was arrested for anything. I never had been inside a jail house, and my nerve failed me.

Q And you started to run? A I did.

Q How far did you go? A Just a very short ways; not over twenty feet.

Q Then you came back and went in jail? A Yes, sir.

Q After you were put in jail were you taken out any more that night? A Not that night, no, sir.

Q When were you next taken out? A Next morning.

Q Where to? A I was taken several places. I don't recall exactly the first place I was taken. It seems like the first place I was taken was by Mr. Thompson.

Q Well, were you taken to State Police Headquarters?

A Yes, sir, during the day.

Q Were you taken to the Prosecuting Attorney's office?

A I never was in the Prosecuting Attorney's office.

Q Were you examined and did you make any written statements? A I never made a written statement to anyone.

Q You don't know whether they took down some of your statements or not? A I do not.

Q How many different times did you tell the State Police and Prosecuting Attorney's office what you knew about this case? A About forty-five or fifty times.

Q At different places or all the same place?

A Different places.

Q How long did you remain out here in Logan jail?

A Until Friday morning before the preliminary on Saturday.

Q Mr. Satterfield testified that over at Williamson you gave him the keys to the car. Is that right?

A Yes, sir.

Q That the key to the door, or keys to both the door and ignition? A There is only one key to the doors.

That is the keys to the door, the ignition, garage and spare.

Q Is the same key that unlocks the door the same one that unlocks the ignition? A Yes, sir.

Q How many keys did you have? A Four.

Q Key to the outside lock, and one to the ignition?

A Yes, sir.

Q What else? A Spare and the garage door.

Q Did you give all those keys to Satterfield?

A Yes, sir.

Q How long had you been in the Williamson jail?

A I was put in in the morning, and was taken out at eleven-thirty at night.

Q Brought back to Logan? A Yes, sir.

Q On your way over or on your way back who brought you?

A Mr. Cobb and Mr. Hampton brought me back. Mr. Satterfield and Mr. Hampton taken me over.

Q Did you see anybody in the head of Main Island Creek on your way back? A Yes, sir.

Q Who was it? A Well, I can't say.

Q Tell the jury what these policemen said to you, if anything.

JUDGE DAMRON: What policemen?

MR. CHAMBERS: State Police that brought him over.

A When we got to the junction of the road that turns down Pigeon, the one that comes to Island Creek coming to Logan, they says to me, "We are afraid to take you over the hill down Island Creek." He says, "We are going to turn down Pigeon and go up Trace with you and come out over 21 Holden, Trace Mountain." They says, "Is that all right with you?" I says, "It is." He says, "We think there is a mob wanting to mob you." They says, "Are you afraid to go back to Logan?" I says, "I am not afraid." There was nothing else mentioned until we got to the top of Trace Mountain where you come out the Trace Fork of Pigeon. There was two cars parked, one on each side of the road. Mr. Hampton says, "Here is somebody here now. I wonder who this is," and just as we drove into them Mr. Hampton says, "Lay down in the back seat of the car," and somebody hollered, says, "Hello." There was two or three shots fired. I don't recall whether Mr. Hampton fired any or not. I am pretty sure Mr. Cobb never; and we drove on through.

Q Did they say anything to you at that time, or either of them, about telling the truth or confessing to this charge?

A They did.

Q What did they tell you about that?

A They told me, says "You had better tell the truth, maybe that will save that mob off of you." I says, "I have told everything I know." He says, "If you don't tell probably they will catch us and take you away from us and you will be killed." I said, "Well, my dying statement is I don't know anything more than I have told."

Q After that time were you taken to State Police Headquarters at Stollings? A Yes, sir.

Q Were the State Police there? A When we drove in I don't think any was there.

Q Did Mr. Scaggs come up there to see you at State Police Headquarters? A Yes, sir.

Q Were you examined there? A Yes, sir.

Q Was Bob Jeffrey there? A He came later.

Q Now tell the jury what was done to you there, and by whom.

A Well, at first I was taken up into the attic of the Police Headquarters. We set up there. We talked. They was telling me I had better confess, tell something more than I had told about this murder. I told them I didn't know anything. Later on I was taken down into the back room on the lower floor and was questioned by Mr. Scaggs and Mr. Jeffrey, also by Mr. Cobb and Mr. Satterfield, to my recollection, and Mr. Hampton. Shortly after that all the State Police went out and left Mr. Jeffrey and Mr.

Scaggs in there with me, and Mr. Scaggs and Mr. Jeffrey jumped on me. Mr. Jeffrey hit me over the head with his fists, tried to hit me in the face, and after I dodged to the side out of the way Mr. Scaggs caught my hands and held me, and also caught me by the hair of the head.

Q Is that Mr. Scaggs here? A Yes, sir.

Q And Bob Jeffrey is this big deputy sheriff that was on the stand yesterday? A Yes, sir.

Q Where were the State Police at that time?

A They was in the front part of the building.

Q What did they say to you about confessing or telling more than you had told?-I mean Mr. Scaggs and Bob Jeffrey.

A They told me if I didn't tell that they would wear a pistol out over my head.

Q What did you tell them? A I told them I didn't know any more to tell.

Q Tell the jury whether or not the State Police at any time mistreated you? A No, sir, never did.

Q Now, Clarence, there has been introduced in evidence here a piece of undergarment, looks to me like the leg of a heavy suit of underwear. Have you seen it?

A Yes, sir, from a distance.

Q Do you know anything about it? A No, sir.

Q Did you have any heavy underwear last Winter?

A One suit.

Q When did you buy it? A I bought it when that snow come in March.

Q And how long did you wear it?

A I never wore it over twice.

Q And what became of it? A Up in my room in the attic at Mr. Robertson's home.

Q Is it all together? A It was when I left it.

Q Were you wearing any heavy underwear last June 21?

A No, sir.

Q Did you wear any all last Summer? A No, sir.

Q You know nothing about this leg of underwear, then?

A No, sir.

Q Now, there has been introduced in evidence here a shirt cuff and half of a sleeve. I will ask you to examine it and tell the jury whether or not that looks like the shirt, part of the shirt, you once owned?

A That looks like my shirt.

Q Do you know where you left that shirt?

A Yes, sir.

Q Tell the jury. A Upstairs in Mr.-- Up in the attic of Mr. Robertson's home.

Q Do you recall when you pulled it off?

A I pulled it off Monday evening--Monday night--when I went to bed.

Q What kind of shirt did you put on Tuesday?

A Blue cambric shirt Tuesday morning when I woke up.

Q Do you know whether the sleeves of the shirt you pulled off were rolled up or rolled down at the time you

pulled it off? A I presume they was rolled up, because I wear my sleeves rolled up in the Summer time at all times.

Q There has been some evidence here that there were stains on the cuff of this shirt, and that they were blood stains. Do you know anything about any blood being on your shirt cuff? A Yes, sir, I do.

Q Tell the jury how it came to be there.

A One evening there on the back porch I was sitting there and my nose began to bleed, and I had a piece of paper down like that and was bleeding on it, and Mrs. Robertson came through and spoke to me about something, I don't recall just what, and as I got up before I thought I stuck my-- held my sleeve to my nose before I happened to think what I was doing. She spoke to me, says "Don't wipe your nose with your shirt sleeve, wipe that blood on your shirt." That is all I know about it.

Q Did she give you anything to wipe your nose?

A Yes, she gave me either an old handkerchief or piece of rag, I do not recall which.

Q That was some few days before this Tuesday?

A That was on Monday night before that Tuesday night.

Q Now, there has been introduced in evidence a lot of other pieces of various and sundry articles, among which is a pocketbook. Do you know anything about that?

A No, sir, I do not.

Q Did you ever see Mrs. Thurman with it?

A I don't remember ever seeing her with it.

Q Also I have a piece of floor covering. Do you recognize that? A Well, it is a piece out of a car like that; whether that is it or not I don't know.

Q Where did you keep it? A Hold it up, let's see if I can tell you. (Counsel holds up articles referred to.) That looks like the piece that goes in the back of the car down on the side.

Q In the bottom? A Yes, sir, running parallel along with the door and out to the back seat.

Q There seems to be on both sides of this piece of cloth a great number of dog hairs. Were there any dog hairs in the car? A Yes, sir.

Q I believe you told the jury you had been hauling dogs in it? A I had.

Q Did Mrs. Thurman have a dog? A Yes, sir.

Q What kind? A Little white spitz.

Q Long or short hair? A Long hair.

Q Do you know whether or not she fondled, nursed, and caressed that dog? A I have seen her with it in her lap numbers of times.

Q There has also been introduced in evidence some pieces of canvas. Have you seen those? A Yes, sir.

Q There is some testimony there is some blood stains on them. Do you know anything about how they got on there, if they are blood stains? A I do not.

Q There is some testimony about a large tarpaulin. Do you know where that is now? A Not now I don't, no, sir.

Q Have you seen it lately? A No, sir.

Q Did you notice what kind of clothing Mrs. Thurman wore when you saw her leave her home that Tuesday evening?

A From the distance I was I couldn't tell what color they were, but she had on a dark garment of some kind, I don't know exactly what.

Q How was she dressed when you were talking to her some hour or two before that?

A She had on a light house dress.

Q When you came down the street that night after she had left, did you see her anywhere? A No, sir.

Q There is some testimony here that a piece of canvas with blood stains on it was found in the garage some two or three days after your arrest, down between a box and the side of the building. Do you know how that got there?

A I do not.

Q Were you in jail at that time? A Yes, sir.

Q Do you know who had access to the garage?

A Well, I presume all the officers.

Q How many pieces of canvas did you remove from the car? A Only one.

Q Is that the one you threw down in the coal bin?

A Yes, sir.

Q Then you know nothing about the other?

A No, sir.

Q Clarence, during the time you were being investigated did any of these officers or the Prosecuting Attorney or his assistant confront you with a knife that they claimed was found out on Trace Mountain near the body of Mrs. Thurman?

A Yes, sir.

Q Who had that knife? A It was in Police Headquarters when I seen it, laying on the table.

Q Who questioned you about it?

A I think about all of them.

Q You mean the officers? A Yes, sir.

Q What did they ask you? A Asked me had I seen the knife before.

Q What did you tell them? A I told them I had not.

Q Was it a straight knife or one that shut up?

A It was a straight knife.

Q Did they ask you anything about whether or not you had ever seen seen that knife before? A Yes, sir.

Q What did they ask you? A Asked me had I seen it in the Robertson home before, or did they have any in the Robertson home of that kind. I told them if they had I never seen it.

Q Did they call your attention to stains on it, what they said were blood stains? A Yes, sir.

Q Who did that? A I don't recall which one did do it.

Q Had you ever seen that knife before?

A Absolutely not.

Q Do you know anything about it? A No, sir.

Q Clarence, while you have been in jail out here did you receive any telegrams or letters purporting to have been written by Harry Robertson? A Received both.

Q Who brought that telegram and those letters to you?

A A trusty there in jail, Bill Deskins.

Q Did you answer that letter? A I did.

Q On the back of it? A I did.

Q Whose name was signed to this letter?

A Mr. Robertson's.

Q Harry Robertson? A Harry Robertson.

Q Whose name was signed to the telegram?

A Harry Robertson's.

Q Do you know what became of that letter and your reply to it? A I returned it to Bill Deskins and never heard of it since.

Q Bill Deskins is the man brought it in?

A Yes, sir.

Q Clarence, tell the jury whether or not you had anything against Mrs. Thurman? A Nothing in the world.

Q Had you ever had any trouble with her?

A No, sir.

Q Any ill-feeling between you and her?

A Not a bit.

Q Did you have anything to do with her murder?

A I did not.

Q Do you know who did? A No, sir.

Q Have you told all that you know about this case upon which you are being tried? A I have.

Q I believe you told the jury you told it some forty-five or fifty times? A At least that many.

Q Have you all during your examination by these officers told the truth about it as nearly as you could?

A I have.

MR. CHAMBERS: You may cross examine him.

- o -

CROSS EXAMINATION BY MR. CHAFIN:

Q How old do you say you are, Clarence?

A I am thirty years old now.

Q You came here about '24? A I came to the county first in '20.

Q Where did you first locate when you came to Logan County? A Peach Creek.

Q I believe you told the jury you came from Tennessee?

A I did.

Q Were you born and reared in Tennessee?

A I was born in Tennessee; reared in Kentucky, Tennessee, and Ohio.

Q Which state did you go to first after you left Tennessee? A I came through Kentucky and came to Ohio.

Q How long did you stay in Kentucky?

A At that time I didn't stay at all. I stayed in Ohio first.

Q How long did you stay in Ohio?

A About three months at that time.

Q Then where did you go?- A Went back home.

Q Did you then come back to the State of Kentucky?

A After I went home, yes, sir.

Q How long did you stay there the last time?

A Well, the last time I stayed in Kentucky I only stayed about three months.

Q Then where did you go?- A Come to West Virginia.

Q And have been in West Virginia ever since?

A No, I have not.

Q Where did you go after you left West Virginia?

A I left West Virginia and went back to Kentucky.

Q When did you first get acquainted with Harry Robertson and Mrs. Robertson? A I got acquainted with Mr. Harry Robertson in April, 1923. I got acquainted with Mrs. Robertson, to my best knowledge, something like '25.

Q How did you happen to get acquainted with Mr. Robertson in '23?

A Went up on the hill fox hunting up over Midelburg and met him up there.

Q Had you and he been fox hunting together from '23 up to the time Mrs. Thurman was killed?

A Off and on, yes, sir.

Q You told the jury that you went to live at the Robertson home in May, 1931, the first time, did you not?

A That is right.

Q Now, had you been about the Robertson home quite often before that time? A Well, just only going up visiting, staying up-- I don't guess I ever stayed there more than one night at a time before that time.

Q Then you did stay at the Robertson home on different occasions before you went there to live?

A Once in a while I did spend the night there.

Q And had been doing that from about 1923?

A No, sir.

Q When did you first begin to go to the Robertson home to stay?

THE WITNESS: You mean the first time I ever spent the night at the Robertson home?

MR. CHAFIN: Yes.

A In the Spring of 1929.

Q Now, how long did you stay there after you went there in May, 1931?

A I stayed there from about the 15th of May until the first of July.

Q You told the jury that was while your hand was hurt. Had it healed up at that time?

A It had healed up at that time, yes, sir.

Q Where did you go then? A I returned back to Holden 22 to go to work.

Q Which hand was that? A Left hand.

Q It had sufficiently healed, then, in July '31, that you went back to the mines to work? A It had not sufficiently healed, it was still sore, but I went back to work with it still sore.

Q When did you get your other hand hurt?

A On the 19th day of January, 1932.

Q As soon as you got it hurt you then went to the Robertson home again? A Not as soon as I did, no, sir.

Q How long afterwards? A Some several days. I don't recall.

Q You say that was in January? A Yes, sir.

Q '32? A Yes, sir.

Q How long did it take your hand to heal?

A Well, to be exact I don't know. It is not good and well yet.

Q And you stayed there then from January up until the time you were arrested? A I did.

Q Ate there and slept there and made it your home, didn't you? A I did.

Q You and Harry and Mrs. Robertson, of course, during all those times were very good friends, weren't you?

A I suppose we were. They never had any objections

to me staying there; never heard any.

Q You continued to go along fox hunting, and all you did to pay for any room or board there was to mow the lawn occasionally and do little errands around the house?

A I mowed the lawn any time it needed it, washed dishes, looked after dogs and kept the dog lot clean.

Q As a matter of fact about all you did do was to take care of those thirty-five dogs?

A We didn't keep thirty-five dogs there.

Q I understood you told the jury you had enough of your own with his to make thirty-five. A We did.

Q Where did you keep them? A Various places.

Q When did you and Harry Robertson first begin to take Mrs. Mamie Thurman out in this automobile?

A First time ever I can remember, first time ever I taken her out was the time she come to 21 Holden.

Q When was that? A Sometime in March, to my best recollection.

Q You mean this last March? A Yes, sir.

Q Had you taken her out any when you stayed at Robertson's the first time? A No, sir.

Q Did you know the first time you stayed there about the intimacy existing between Mr. Robertson and Mrs. Thurman?

A I did not.

Q How long had you been back there the last time until

you did find out that Mr. Robertson and Mrs. Thurman were intimate? A Whenever I went up to 21 Holden for him.

Q That was in March? A Yes, sir.

Q Did you take Mrs. Thurman that night from Logan to 21 Holden? A No, sir.

Q Do you know how she got there?

A She got out of a car there.

Q And did you meet her at 21? A Yes, sir.

Q Whose car did you have? A Mr. Robertson's.

Q Ford sedan? A Yes, sir.

Q Where was Mr. Robertson at that time?

A He was on top of Trace Mountain.

Q Had he sent you down there for her?

A Yes, sir.

Q Did you know about her going to come up there that night before you and Mr. Robertson went fox hunting?

A I did not.

Q Where were you when Mr. Robertson first told you about their being intimate?

A Well, I think it was on this trip.

Q Did you know when you left Mr. Robertson and went down to 21 Mine whom you were going for? A I did.

Q You had no trouble when you got down there getting Mrs. Thurman to get in the car and go to where Mr. Robertson was? A Not the least bit, no, sir.

Q Whereabouts on Trace Mountain did you take her that night?

THE WITNESS: Are you well acquainted with Trace Mountain?

MR. CHAFIN: Fairly well, yes.

THE WITNESS: Do you know where the top is over there?

MR. CHAFIN: Yes.

THE WITNESS: Do you know where the old water tank used to sit when Pete Minotti was grading the road?

MR. CHAFIN: No, I don't think I ever saw that water tank. It is this end of the dip?

A He come possibly this side of the dip.

Q I know where it is. It was there, was it, that she met Mr. Robertson? A That is the first place I ever knew of it.

Q What time in the night was it?

A Nine-thirty when I got her back up there.

Q It was after dark, of course? A Oh, yes.

Q What time did you meet her at 21?

A I don't know about that.

Q No one with you and her when you met her there?

A No, sir.

Q No one rode up Trace Mountain with you?

A No, sir.

Q After you took her to Mr. Robertson on Trace Mountain around nine-thirty that night, what became of her?

A They went up on the hill.

Q Who went with her?

A They went by themselves.

Q You mean she and Mr. Robertson?

A Yes, sir.

Q How long were they gone? A They was up there an hour.

Q Then about ten-thirty, if I understand you, they came back where you were? A They did.

Q Who brought Mrs. Thurman off of Trace Mountain and back home on that trip? A I did.

Q In this same Ford sedan? A Yes, sir.

Q What time did you get back into Logan that night?

A I put her out at home. It was eleven o'clock when I passed the bank here, when I come down the street and looked at the bank clock.

Q Did you let her out at home at eleven o'clock?

A Let her out just in front of Minter & McNemar Apartment up there on Main Street.

Q On the river street? A Yes, sir.

Q And that was in March, '32? A Yes, sir.

Q When was the next time you took Mrs. Thurman out?

A Well, I don't recall just exactly the date.

Q Well, about how long?

A Well, probably a month or longer.

Q Who had you to take her out then?

A Mr. Robertson.

Q When did you and Mr. Robertson make that arrangement?

A That arrangement was made that day; not by me, by Mr. Robertson.

Q Mr. Robertson told you about it, didn't he?

A That night, yes, sir.

Q Where did you find Mrs. Thurman that night?

A I got her on Pine Street up here.

Q What time in the night?

A I don't recall exactly. It was just shortly after dark.

Q Anybody with her? A No.

Q Did you have any trouble getting her to go with you that night? A Not a bit.

Q Then where did you take her? A Band Mill Hollow.

Q That is up on Dingess Run? A Yes, sir.

Q The mouth of Bank Mill Hollow is about three miles from the court house, isn't it? A I don't know how far it is.

Q Did you let her out at the mouth of Bank Mill Hollow that night? A I did not.

Q Where did you take her? A Taken her up in the hollow.

Q How far? A I don't recall exactly; some good piece up there.

Q That road is not traveled very much up Band Mill Hollow at that hour of the night, is it?

A People living back up in there I seen them coming in all times of night when I was up there.

Q No one went with you except Mrs. Thurman?

A No, sir, not at that time.

Q She wasn't afraid to go with you?

A No, sir.

Q How far up Band Mill Hollow would you say it was where you let her out to see Mr. Robertson on that occasion?

A Well, I can't say. I don't know.

Q Who was with Mr. Robertson when you got up there?

A Nobody.

Q Had anybody else gone up there to hunt with you?

A Yes, sir.

Q Who were they? A Mr. Broom.

Q Anyone else? A No, not with us.

Q Where was Mr. Broom when you let Mrs. Thurman out?

A Out on top of the hill; top of the ridge.

Q Where did Mrs. Thurman and Mr. Robertson go after she got out of the car? A They went up that creek a short ways.

Q Take the car or walk? A No, they got out of the car and walked.

Q And you stood watch there, stayed with the car?

A I stayed in the car.

Q How long were they gone? A Well, I don't know.
I didn't time them.

Q About how long, Clarence? A Well, I don't know.

Q Well, who brought Mrs. Thurman home that night?

A I did.

Q Where did you let her out?

A Mouth of Stratton Hollow, corner of Pine Street and
that street that comes out of Stratton Hollow. I don't know
what they call it.

Q No one came in with you? A No.

Q Did you let her out by herself, or anyone there
waiting for her? A I didn't see anyone.

Q Why did you let her out up there?

A That is where she wanted to get out at.

Q You didn't bring her on down through town?

A No.

Q You were afraid to, weren't you?

A I didn't have any reason to bring her down through
town.

Q She lived down here, didn't she?

A She didn't live down town.

Q Where did she live at that time?

A Lived back of the Robertson home over the garage.

Q This Pine Street that you let her out is right smart
ways above there, isn't it, Clarence?

A Pine Street is across the railroad.

Q Up here, the street that runs up Stratton Hollow, that is where you let her out? A Yes, sir.

Q Now, what time would you say it was when she got out of your car that night? A Well, I don't know. I don't remember.

Q Would you say it was as late as twelve o'clock in the night? A No, it wasn't twelve o'clock.

Q Now, where did you next take Mrs. Thurman to meet Mr. Robertson? A Crooked Creek.

Q Crooked Creek is about two miles or two and a half below the court house, isn't it?

A I don't know how far it is. I never heard nobody discuss the distance.

Q Did you take her down there in the day time or night time? A Night.

Q Where did you get her that time?

A Fanette Jones on High Street.

Q Anyone with her then?

A Fanette was at home.

Q You got her out at Fanette Jones' home that night?

A Yes.

Q That was on the Saturday night before she was killed, wasn't it? A Yes.

Q How did you happen to find her at Fanette Jones home? How did you know she was there?

A She told me that afternoon she would be up there.