

Q She understood, did she, that you and Harry had an engagement to go fox hunting that night, and to take her out?

A Yes, I suppose she did.

Q What time was it in the night that you picked her up out at the Jones home?

A Well, I don't recall exactly.

Q Well, would you say it was as late as nine o'clock?

A No, it wasn't that late. I don't think it was. To be positive, I don't know.

Q After dark, was it? A Oh, yes.

Q Did you go in the Jones home after her?

A No, sir.

Q What did you do when you got up there?

A Just drove up and blowed the horn.

Q She came out and got in the car? A Yes, sir.
and you

Q Anyone with her/on that occasion? A No, sir.

Q Just as soon as she heard your car horn she came out and got in the car? A Yes.

Q Didn't have any trouble getting her to go along that night, did you, Clarence? A No.

Q Now, you say that you took her down to Crooked Creek. Whereabouts on Crooked Creek?

A I taken her up Crooked Creek. Are you very well acquainted with Crooked Creek?

MR. CHAFIN: Yes.

THE WITNESS: Do you know what they call Clover Bottom

of Crooked Creek?

MR. CHAFIN: I don't know Clover Bottom. I know all of Crooken Creek, but not those places?

THE WITNESS: You are not very well acquainted with it, then.

Q How far up Crooked Creek would you say you took her?

A A mile or farther.

Q I am not as well acquainted with it, Clarence, as you are, probably. Did anyone go up Crooked Creek with you and Mrs. Robertson?

A Mrs. Robertson wasn't there.

Q I mean Mrs. Thurman.

A No.

Q Who was up there where Harry was when you let her out? A Mr. Broom was across the creek from where Mr. Harry was.

Q Where did Mr. Robertson and Mrs. Thurman go at that time? A Drove a short ways up the creek farther, and they stayed in the car.

Q Did you drive the car on up the creek?

A I did.

Q You say they stayed in the car? A Yes, sir.

Q What became of you? A I got out and went in the shed.

Q Left them in the car by themselves? A Yes, sir.

Q What time in the night would you say that was?

A I don't recall.

Q Then who brought Mrs. Thurman back home that night?

A I did.

Q Anyone come back with you? A No.

Q How many other occasions, if any, have you had Mrs. Thurman out in that Ford automobile?

A That is the only ones.

Q Do you know where King Shoals is? A I do.

Q Did you ever have her there? A No, sir.

Q You are positive, are you, Clarence, you never took her down to King Shoals? A I am.

Q What time did you get Mrs. Thurman back into home on that night? A Well, I don't know.

Q Was it as late as eleven or twelve o'clock?

A I don't recall.

Q Now, the Thurman residence and Harry Robertson's residence are all on the same lot up there, aren't they?

A Yes, sir.

Q And Mrs. Thurman had been living there during all the time that you were about there? A Yes, sir.

Q Of course you came in contact with her several times a day, didn't you? A No, not several times a day.

Q You would see her around there pretty often?

A Some days I would and some days I wouldn't.

Q On this Tuesday night that Mrs. Thurman was killed you had an engagement to go fox hunting that night, didn't you?

A I did not.

Q You didn't? A I did not.

Q Didn't you and Mr. Robertson and Mr. Broom agree with each other a while before that Tuesday, on that same Saturday, possibly, that you would all go out again Tuesday night? A They said we might go out again Tuesday night. They didn't make it definite we would go at all.

Q You know Mr. Broom pretty well, don't you?

A I do.

Q You heard him testify, of course? A I did.

Q You heard him say that you came to him over here at the power house office around the noon hour on that Tuesday and cancelled the fox hunting date, didn't you?

A For Tuesday night I did.

Q Then you did have a date to go fox hunting Tuesday night, didn't you? A Definitely we did not.

Q Then why did you go to Mr. Broom and cancel it?

A Because Saturday nights and Tuesday nights was our hunting nights, and he was expecting to be up there to go.

Q They are your regular nights?

A When the weather is favorable it is.

Q Did you go any other times except Saturday and Tuesday? A If the weather was favorable and we hadn't went those nights we would go some other night.

Q Anyhow, you did go to Mr. Broom, as he testified, and told him you were not going that night?

A I did.

Q And you also went to Mr. Robertson and notified him of the fact-- A I did not.

Q Who did tell him? A He asked, "Are you going hunting tonight?" I told him, "Let's put it off until tomorrow night."

Q That Tuesday night was your regular hunting night?

A If the weather was favorable.

Q How was the weather that night?

A I don't remember.

Q So far as you know, it was favorable, wasn't it?

A I don't recall.

Q It wasn't raining that night, was it? I mean in the early part of the night. A I don't think it was.

Q You were out a great deal in the forepart of that night, weren't you? A I was.

Q You told the jury about where all you had been that night. Can you tell them now whether it was a nice night or not? A I don't think it was a nice night. It wasn't raining at that time when I was up.

Q You went to Fanette Jones that night, didn't you?

A I drove by there.

Q That was the same home you had found Mrs. Thurman the Saturday night before, wasn't it? A It was.

Q Why did you drive by there that night?

A I was requested to.

Q How? A I was requested to drive by and see if

I could see anybody up there.

Q Who requested it? A Mr. Robertson.

Q When? A Sometime that evening.

Q Where were you when he told you to drive up by Fanette Jones? A It was there about the back yard at home.

Q You say you were requested to go back up there and see if you could see somebody up there. Who was that somebody? A Well, he didn't say. He said, "Drive up by there and see if you can see anybody up there."

Q Didn't mention any names?

A Didn't mention any names to see, no.

Q There is a large number of people live on that graveyard hill, are there not? A There are.

Q And he didn't mention anyone at all, just told you to drive up by Fanette Jones and see if you could see someone? A That is what he said, yes, sir.

Q Was Mrs. Thurman's name mentioned between you and Mr. Robertson at that time? A I don't think her name was mentioned, no.

Q Clarence, tell that jury who you went up there that night to see. A I drove by up on that hill to see if I could see anyone.

Q Don't you know, sir, that you went up on that hill that night to see if Mamie Thurman was up there?

A Didn't nobody say to go up there and see if Mamie Thurman was up there.

Q I didn't ask you that. Don't you know she is the one that you went up there to see?

A No, I don't know that; no.

Q Well, was she? A I didn't see her any place.

Q Did you go up there to see her?

A I went up there to see who I could see up there, not in particular to see her.

Q Did you have anyone in mind to see when you went up there? A I could remember most anybody I knew if I had seen them up there.

Q Study right well and see if you can remember Mrs. Thurman. A Mrs. Thurman, I didn't see her up there.

Q You went up there to see her?

A You heard what I said. I didn't go up there definitely to see her.

Q Well, not definitely; did you go up indefinitely to see her? A I did not.

Q Now, have you told the jury the only reason why you went up on that hill that night? A I have told the jury why I went up on that hill that night.

Q You had Harry Robertson's Ford sedan with you, too, didn't you? A I did.

Q You didn't find Mrs. Thurman up there, did you?

A I didn't see Mrs. Thurman any place.

Q Did you see anybody else up there?

A I seen some people up there.

Q Who were they? A I seen Clyde White for one.

Q You reported that to Mr. Robertson when you came back, didn't you, that you had seen Clyde White up there?

A No.

Q You say he sent you up there to see if you could see someone; why didn't you tell him you saw Clyde White up there? A He didn't ask me did I see Clyde White up

there.

Q Did you see anybody else up there?

A I don't recall their names if I did. I seen a colored woman up there, yes.

Q Who was she? A Mrs. Day.

Q Did you tell Harry Robertson about her?

A He didn't ask me about her.

Q Was the house dark when you got up there?

A I didn't see any lights in it.

Q Did you blow your horn? A I did not.

Q Then where did you go? A Drove back and put the car up.

Q Where did you turn your car? A Down in front of the Draper old store.

Q Why didn't you turn it at the foot of the street where Fanette Jones lived? A You can't turn a car there; at least, I would not turn one there.

Q You have been over that road right often, haven't you? A Been over it twice in my lifetime that I can recall--three times.

Q You tell the jury you can't turn a car there?

A I wouldn't turn one there.

Q You first qualified it.

A I didn't say I couldn't turn one there; I said I wouldn't.

Q When you first came off High Street into the hard road you could have turned there?

A That is what I am talking about.

Q That is not Draper.

A That is the hard road that comes out from Draper.

Q Where did you turn that night with reference to the Draper store? A Right in front of it, that wide place.

Q The Draper store is a quarter of a mile below where High Street comes into the hard road at the water tank.

A You can come off that hill at the water tank.

Q It is just below the water tank, isn't it?

A It is a good piece below it.

MR. CHAMBERS: We object to that question, because Mr. Chafin is mixed up in his geography.

MR. CHAFIN: No, I am not. I have driven over that street, and especially since this crime occurred.

THE COURT: Let the witness answer the question without telling him what it is.

BY MR. CHAFIN:

Q Then when you came back up from Draper where you

turned you say you came up what is known as Dingess Street. That comes up by the C & O depot? A Yes, sir.

Q Do you know where Stratton Street runs into Dingess Street? A I do.

Q You came by there, didn't you? A I did.

Q You say that was about ten minutes of nine?

A I don't know whether it was that early or not.

Q Ish't that what you told the jury a while ago?

A If it was, it was, then.

Q Do you know Bill Brandon? A No, sir.

Q You saw him on the witness stand and heard him testify? A I don't know whether I did or not. I don't know the man, if I saw him.

Q The man from the Logan Grocery that testified he saw Mrs. Thurman right there at the Midelburg Theatre about fifteen minutes of nine. You remember him?

A I seen him, yes, sir.

Q And you met that man at that intersection between Stratton Street and Dingess Street at the Midelburg Theatre just about ten minutes of nine, didn't you?

A Probably I did.

MR. CHAMBERS: I want to object to that, because the witness Brandon is being misquoted.

MR. CHAFIN: No, he is not.

MR. CHAMBERS: Yes, he is.

MR. CHAFIN: Tell us what way.

MR. CHAMBERS: He said he saw the woman somewhere between eight-thirty and nine o'clock.

THE COURT: I think I will overrule the objection.

MR. CHAMBERS: If there is any question, I don't want this witness to be misquoted, and I will ask the reporter to read Bill Brandon's testimony. I am not going to permit, if I can help it, the witness to be misquoted.

THE COURT: All right, the reporter may read it.

MR. CHAMBERS: I insist Bill Brandon's testimony as to the time he saw Mrs. Thurman be read to the jury.

(The testimony of W. L. Brandon referred to above was thereupon read, as follows:

"You say it was between eight-thirty and nine o'clock you saw her? A It was between eight-thirty and nine."

MR. CHAMBERS: I insist that the question propounded does not give any particular time between eight-thirty and nine o'clock. You said eight-thirty a minute ago.

THE COURT: Objection overruled.

Exception saved by the defendant.

BY MR. CHAFIN:

Q Isn't it a fact, Mr. Stephenson, that you saw Mrs. Thurman there about the Midelburg Theatre about ten minutes of nine o'clock? A It is not a fact.

Q In going in your Ford automobile from Stratton Street, in order to come up into town you would have gone on out to the bus terminal, wouldn't you?

A I would.

Q And come on up Main Street? A I would.

Q What time did you put your car up that night?

A I don't know. I didn't look at my watch.

Q Give us some idea about it. A I couldn't tell you; right around nine o'clock.

Q Nine o'clock? A To my best remembrance and judgment.

Q What time would you say it was when you left here going out on High Street to look for somebody?

A Well, I went-- a little after eight-thirty. I don't know just exactly what time.

Q Well, when you got back home that evening and put this car up did you see Mr. Robertson?

A I didn't go in the house.

Q I didn't ask you if you went in the house. Did you see Mr. Robertson? A No, not for some time after that.

Q How long afterwards? A Probably thirty minutes.

Q Where did you see him then?

A In the sitting room listening to the prize fight.

Q Where was he when you reported to him that you had not seen anybody? A There in the kitchen of the home.

Q Who was by at the time? A There wasn't anyone

right in the kitchen but just him and I.

Q Where were the other folks? A Mr. Townsend had gone to bed.

Q Around nine-thirty? A I didn't say that.

Q You say you got back there about nine o'clock and saw Harry about thirty minutes afterwards, if I understand you correctly. A That is what I said.

Q Then you must have told Harry at nine-thirty.

A I didn't say that.

Q Well, when was it? A About ten-thirty when I told him.

Q You got back to the Robertson home at nine o'clock?

A Got back to the Robertson home at nine.

Q Then you waited an hour and a half before you reported to Mr. Robertson, didn't you?

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

MR. CHAFIN: I want to get straightened out on it.

MR. CHAMBERS: He has been over that.

THE COURT: Objection overruled. Let him answer it.

A I did.

BY MR. CHAFIN:

Q Now, what did you tell Mr. Robertson?

A I don't recall just what I did tell him.

Q Can't remember? - A I don't recall at the present time.

Q He had sent you out on High Street. You remember

about him sending you out there to see if you could see someone. Can't you tell us now what report you made to him?

A I don't recall just at present.

Q Don't you know that you told Harry Robertson there that you couldn't find--

A I never told Mr. Harry Robertson no such statement as that.

Q How long was it after that that Harry sent you out again to hunt? A Mr. Harry never did send me out to hunt her any more.

Q What did he send you out for?

A He never sent me out.

Q Didn't you tell the jury a while ago after you went to the house you came back down in town and sat on the bank steps? A I did.

Q What were you doing? A Setting down at the bank steps looking up and down the streets.

Q What for? A Well, what do people usually set around on the streets for?

Q You know my question. I am not caring about arguing with you.

THE COURT: Answer the question.

MR. CHAMBERS: Don't argue. Answer the question.

BY MR. CHAFIN:

Q Why were you sitting on those bank steps?

A I was setting on those bank steps watching the

entrance of the Holland Building.

Q What for? A To see if I could see Mrs. Thurman come out of there.

Q Then you say now that was what you were doing on the bank steps? A I do.

Q How long did you sit on the bank steps over there and watch for this lady? A I would say twenty minutes.

Q What time did you park there to watch for her?

A I sat down there at a quarter to eleven.

Q And you stayed there about twenty minutes?

A I did.

Q That was the Guyan Valley Bank steps?

A That was the rear of the Guyan Valley Bank steps where you go upstairs.

Q What were you doing on the First National Bank steps that night? A When I first come up there I set down and was talking to Sam Steptoe and some other fellows there. I don't recall just who they were.

Q Who were you watching for then?

A Not anybody.

Q When you say that you were sitting on the Guyan Valley Bank steps that night around eleven o'clock, do you mean on the stone steps or in the entrance that goes up to Judge Bland and Mr. Joyce's offices?

A Those are the ones, the ones that goes upstairs.

Q Why were you watching for Mrs. Thurman to go into

the Holland Building or to come out of it?

A Mr. Robertson had asked me to.

Q He had asked you to? A He asked me if I--

Q Asked you what? A He asked me if I went down town would I mind watching at the Holland Building to see if she came out.

Q When was that that he told you that?

A It was about ten-thirty.

Q Then, if I understand you, Mr. Robertson did send you down there about ten-thirty to look for Mrs. Thurman?

A No, he never sent me.

Q He told you to go? A He didn't tell me to go.

Q Did you have any other purpose down in town at that time except to watch for this woman? A I did.

Q How? A I did.

Q What? A I come to the lavatory at the court house.

Q Well, the court house is not where these steps are, is it? A No, sir.

Q You had just left down in town a short time before that and gone home, hadn't you? A Well, sometime before that.

Q Had you used the lavatory of the court house when you went up to Mr. Robertson's next to the last time that night? A I hadn't when I went up. I used it when I come back down, before I set down on the First National Bank

steps.

Q What time did you leave Mr. and Mrs. Robertson that night when they started to bed? A Between ten-thirty and eleven o'clock sometime; I don't know exactly what time.

Q How long had Oscar Townsend been gone to bed at that time, if you know? A A very short time.

Q As long as thirty minutes? A No.

Q Twenty? A No.

Q When Townsend went to bed after Mr. Robertson had sent you down on High Street once you and Mr. and Mrs. Robertson stayed in their kitchen or dining room there fifteen or twenty minutes and had a conversation, didn't you?

A No, sir.

Q And were talking when Oscar Townsend went to bed, weren't you? A We was all four talking, and Mr. Townsend departed for bed.

Q And left you three there still talking?

A Yes, he did.

Q Then Mr. and Mrs. Robertson went to bed, you went out the back door. Did you lock the door?

A Locked it as I went out, yes, sir.

Q Took the key with you? A No.

Q Where did you leave it?

A Put it under the mat on the back porch.

Q That is when you came down here and sat on the bank steps? A Yes.

Q What were you doing down at the Smokehouse?

A I didn't go in the Smokehouse. I just walked down in front of the Smokehouse, spoke to someone, and turned and came back.

Q The Smokehouse is a little distance below the bank steps down toward the Midelburg Theatre?

A It is.

Q And on the principal street in town, known as Stratton Street? A Yes, sir.

Q What were you doing down there?

A I wasn't doing anything.

Q What did you go down there for?

A Just to go down the street.

Q Didn't use any toilet down there, did you?

A No, sir.

Q Who went down there with you? A Not anyone.

Q Who came back with you, if anyone?

A Not anyone.

Q You didn't see Mrs. Thurman anywhere? A No, sir.

Q Still looking for her, weren't you?

A When I walked down the street I wasn't.

Q You gave it up as soon as you got out of the bank steps? A No, when I first walked down the street I didn't think of it right then.

Q Now, you say you were sick on that day?

A I was.

Q How long had you been sick?

A A week or ten days.

Q A week or ten days? A Yes.

Q Well, you went fox hunting Saturday night, didn't you, before that? A I drove down Crooked Creek and set in the car that night and listened to the dogs run.

Q Did what? A I drove down Crooked Creek and set in the car that night and listened to the dogs run.

Q And you were well enough to be out here until eleven o'clock that night, and going up on High Street and sitting around on Bank steps, weren't you?

A Well, I had to come to the toilet. I was well enough to come to the toilet.

Q How? A I was well enough to come to the toilet.

Q And well enough to hunt for Mrs. Thurman?

A I wasn't hunting for Mrs. Thurman.

Q And well enough to drive a car?

A Yes, I was well enough to drive a car.

Q How much of that medicine had you taken that day?

A I don't recall just how much I had taken.

Q You say then you went home and went to bed around eleven-thirty? A No, I say I went home and went upstairs between eleven-thirty and twelve o'clock.

Q Between eleven-thirty and twelve? A Yes.

Q What did you do when you got in home?

A I taken my medicine at eleven-twenty.

Q That was the same kind of medicine that was causing you to have to come to the toilet pretty often?

A It was.

Q And you still kept taking it? A Yes, sir.

Q How long was it after you took the last dose until you went to bed? A I went right on upstairs to bed.

Q How many times did you come to that toilet between six o'clock that evening and eleven o'clock that night?

A To my best recollection I don't know; two or three times.

Q Two or three times? A Yes.

Q All right, you went to bed at what time?

A I went to bed between eleven-thirty and twelve o'clock.

Q What time did you get up next day?

A When I was called.

Q You didn't have to get up during the night and go to the toilet any, did you? A No.

Q The last dose you took didn't work on you very much?

MR. CHAMBERS: I am going to object to that argument.

THE COURT: I will sustain that.

BY MR. CHAFIN:

Q Clarence, isn't it a fact that you were suffering at that time from a kidney ailment?

THE WITNESS: A what?

MR. CHAFIN: A kidney ailment, something wrong with your kidneys.

A I don't know whether it was kidneys or not.

Q And isn't that what you were taking the medicine for? A I don't know whether that was for that or not. It wasn't told to me to be that.

Q Dr. Justice waited on you, didn't he?

A He give me the prescription.

Q And you got it filled that day? A Yes.

Q Did you take any medicine the day before?

A Only Sal Hepatica.

Q That is a liver salts. Did that work on you, too, like this other? A I don't know whether it is liver salts or not. It has reaction on you as soon as you take it.

Q But you had not taken any Sal Hepatica that day, had you?

THE WITNESS: Which day?

MR. CHAFIN: Tuesday. A I taken a dose that evening. That is what first started me going to the toilet that evening.

Q I thought you took some out of this black bottle.

A I taken that, too.

Q Oh, you took both of them? A I did.

Q What time did you get up Wednesday morning--about what time? A I got up Wednesday morning-- Well, I don't know what time. It was when Mr. Thurman called for me.

Q Was that the first time? A No, I had got up a little before that.

Q What did you get up then for?

A Come downstairs to take a couple headache tablets.

Q You didn't come to the toilet? A No.

Q What time in the morning was it you got up to take your two headache tablets? A Between six and six-thirty. X

Q That was Asperin, wasn't it, Clarence?

A Yes, sir.

Q You made the statement here it was around five-thirty, didn't you? A No, sir, I didn't.

Q Didn't you say that you took two Asperin tablets and sat on the bed a while, and finally took three more?

A I taken two Asperin tablets; two Asperin tablets as I came down, taken two in my hand as I went back up; then I dropped off to sleep and taken the other two.

Q Weren't you asked this question, "What time did you get up?" and didn't you answer, "At five-thirty"?

A I never did answer that.

Q "And I came back, took two Asperins, sat there a while and took three more, and want back to bed?"

A I never did make that statement.

Q Never made that or anything like it?

A Not at that time of morning, no, sir.

Q Weren't you sworn at the time you made that statement by L. W. Hatfield, and wasn't it taken in the presence

of E. F. Scaggs, L. W. Hatfield, C. A. Thompson, and Sara Ferrell?

THE WITNESS: What date was that statement made on?

MR. CHAFIN: That was made on the 22nd day of June, the day Mrs. Thurman's body was found.

A I was not sworn by anyone that day.

Q Well, you tell the jury that you never made any such statement as that, do you?

A I said I never made no such statement at that time in the morning.

Q I am not asking you when you made the statement. I am asking you if you made the statement you got up at five-thirty that morning. A I did not.

Q Did you see Harry Robertson or Mrs. Robertson either one from the time you left them about ten-thirty in the dining room that night, or kitchen, until you saw them next morning? A No, sir.

Q Who was the first person you went to see next morning? A First person I went to see was Mr. Jack Thurman.

Q Who was the next person? A Next person was Mr. Robertson down at the bank.

Q After you had been down here watching for Mrs. Thurman to go in or out of the Holland Building, did you report that back to Mr. Robertson? A No, sir.

Q Did you report it to him next morning?

A I don't recall whether I did or not next morning.

Q What time in the morning Wednesday morning did you go to the bank to see Harry Robertson?

A Shortly after the bank opened. I don't recall just exactly the time.

Q Around nine-thirty, wasn't it?

A Probably so.

Q Went in the back way? A I did.

Q Found Mr. Robertson in there? A Yes, sir.

Q And you and he had a conversation there, didn't you?

A We stood up there and was talking; I wouldn't say a deep conversation about anything.

Q How long did you and he talk in the back end of that bank that morning?

A Probably five or ten minutes.

Q What were you talking about? A Well, first I asked him about Mrs. Thurman being missing, what was this kicking up around about Mrs. Thurman being missing.

Q What was this kicking up about Mrs. Thurman being missing. I suppose you told him then, didn't you, that you couldn't find her the night before?

A I don't recall telling him that.

Q Don't remember that? A No.

Q You told him you had sat down there on the bank steps and watched the Holland Building for her, didn't you?

A I don't remember telling him that.

Q You told him there was a lot of excitement kicking up about Mrs. Thurman being missing?

A No, I never told him that.

Q Did you and Mrs. Robertson talk any about it before you went to see Harry? A I don't think so.

Q Never talked with her about it?

A I don't think I did.

Q You went just about as early as you got up to see Harry Robertson, didn't you? A No, sir.

MR. CHAMBERS: We object.

THE COURT: I think I will sustain the objection.

BY MR. CHAFIN:

Q Tell the jury how many times you went back to that First National Bank building that day and had a conversation with Harry Robertson about Mrs. Thurman.

A I don't recall being there but twice before Mr. Jack Thurman and I went there.

Q What did you go there the second time for?

A Second time was when I drove around, and he was going to work.

Q Who, Mr. Robertson?

A Standing there talking, and Meade Smeltzer he got in the car. I drove to the bank. I told him I had been to Midelburg, hadn't seen her or heard of her. He said that was all wrong about over there.

Q Over where? A Midelburg.

Q You had been talking about Mrs. Thurman being up at Midelburg? A I had not.

Q What did he mean when he talked to you about Midelburg? A He told me to drive over there first thing that morning, if she was over there she would probably see me and hail me, to try to get her home if I could, to do anything I could for her.

Q During all the conversations you had with Harry Robertson in the First National Bank or anywhere else that day, it was all pertaining to Mamie Thurman, wasn't it?

A I don't think so.

Q Can you tell the jury anything else you talked about? A I don't know hardly whether I can or not.

Q You say you had a gun and kept it there at the Robertson home? A Yes, sir.

Q You heard the State Police, Mr. Satterfield, I believe it was, testify about that gun being freshly oiled, didn't you?

MR. CHAMBERS: We object, because he is misquoting the witness.

BY MR. CHAFIN:

Q Well, about it being oiled, or full of oil. You heard that, didn't you? A Yes, sir.

Q How long had you owned that gun?

A Since 1925, my best recollection.

Q How would you get it back and forth when you would go from one place to another in Logan County?

A Wrap it up in some of my clothes or in my trunk, whatever way I was carrying my clothes.

Q Did you ever carry it about your person?

A Not transporting it back and forth.

Q You had owned it about seven years and never had had it on your person traveling around with it?

A Not just to say to put it on me, in my pocket or something, I never did, no.

Q Who oiled that gun when those police found it? Who had oiled it? A I don't know when it was oiled.

Q You heard Mr. Satterfield's testimony there about it having been oiled, didn't you? A I did.

Q Who put that oil in the gun?

A I don't know whether it was oiled or not.

Q You didn't, did you? A I don't remember.

Q Now, you told the jury that you and Mrs. Thurman were in the yard there together just before she came down street that evening, didn't you?

A No.

Q Well, a while before weren 't you?

A I told you we was in the yard that evening.

Q Who was with you?

A At that particular time not anyone.

Q How long did you and she stand there and talk together that evening? A Just a very short while.

Q That is where you told her to meet you at Fanette Jones that night, isn't it?

A I never told her to meet me at Fanette Jones.

Q You were talking about the fox hunt that night, weren't you? A Talking about the fox hunt for the next night.

Q Did you tell her that night the fox hunt was cancelled? A I did not.

Q She knew your regular hunting nights, didn't she?

A I don't know whether she did or not. I suppose she did.

Q You knew she was going out with you on that night?

A No, I didn't know it.

Q Or that was the arrangement?

A No, no such arrangement as that was made.

Q Can you tell this jury why Mrs. Thurman went to Fanette Jones that night? A I can not.

Q So far as you know she wasn't meeting anybody else out there? A So far as I know she wasn't.

Q How long had Fanette Jones lived there?

A I couldn't tell you that.

Q Just a few days? A I couldn't tell you that.

Q You told Mr. Robertson that would be a good place, didn't you, for them to meet? A No.

Q How? A No.

Q And didn't he tell you that he didn't want to meet there, that he didn't think it was a proper place for them to meet there, that some of the people around there would

see him or say something about it, isn't that right?

A He might have told me that, but I didn't tell him that was a good place for them to meet.

Q Who made the arrangements, if you know, for Mrs. Thurman to meet Harry Robertson at Fanette Jones?

A I don't recall.

Q How did you know she was going to be there?

A She told me that forenoon to come by up there, and that was where she would be, or to tell Mr. Harry to come up there.

Q That was the Saturday night? A Yes, sir.

Q She told you that on Tuesday night, too, to come up there and she would be there around nine o'clock, didn't she? A No.

Q Did you carry a note from Mr. Robertson to Mrs. Thurman Tuesday evening? A No.

Q Did you on Saturday evening? A No.

Q Did you on Monday evening? A No.

Q Did you on any evening? A I did Sunday evening.

Q Where was Mr. Robertson when he gave you that note?

A Standing in the kitchen.

Q Did you deliver the note? A I did.

Q Where to? A Mrs. Thurman.

Q Where? A Her home.

Q Did she answer it? A Not to my knowing.

Q Did you read the note? A I did not.

Q What did she say when you delivered the note to her, and when she read it, did she give you any word to take back to Mr. Robertson? A She did next day.

Q What did she tell you? A She told me to tell him she read his note carefully and destroyed it.

Q What did Harry say? A I don't recall just what he did say.

Q He told you to ask her if she had writer's cramp?

A He didn't at that particular time.

Q Did he later on? A Later on he did.

Q Clarence, what did you do on the day before Mrs. Thurman was killed? That was on Monday.

A I didn't do very much of anything.

Q Where were you all that day? A Practically around home, sitting around down here.

Q You were not in bed, were you? A No.

Q Where were you the Sunday before? A The Sunday before I dog hunted practically all day.

Q You were well enough to dog hunt that day?

A Well enough to drive a car around.

Q You hadn't been bedfast or confined in bed any time while taking this medicine? A Oh, no.

Q Now, you spoke about your nose bleeding. How long do you say you have been having trouble with the nose-bleed?

A Since 1926.

Q You got hurt? A Yes, sir.

Q And you knew, of course, that your nose was apt to bleed at any time, didn't you? A I did.

Q And for that reason you always carried a handkerchief or rag? A Yes, I carried two or three handkerchiefs in my pocket all the time on account of my nose bleeding.

Q When your nose would bleed of course you would use those handkerchiefs? A Yes, sir.

Q You have heard the evidence here, of course, about all the blood being found in this car? A I have.

Q Do you remember when you were examined, one of those statements you testified to, about how you accounted for this blood getting in that car?

A I very well remember it, yes, sir.

Q What did you tell them then? A I told them I didn't know anything about any blood any place in that car only on the back seat.

Q How did you tell them that got there?

A I told them my nose bled on the back seat of that car.

Q Back seat? A Back of the seat of that car.

Q Which seat? A Front seat, the only seat in that car.

Q Did you make a sworn statement, as I read to you a while ago, in which this question was asked you: "Do you know how that blood got in the car? (Answer) It might

have got in there when I went down to the Piggly Wiggly to get raw meat for the dogs. I picked it up and threw it in the back end and drove up to the house." Did you make that answer?

THE WITNESS: That was the blood in the back of the car?

MR. CHAFIN: That was the blood in the back of the car.

A Yes.

Q You were also asked about how that blood got on that floor matting, weren't you, at the same time?

A I believe I were.

Q You never rode in the back of the car when you were fox hunting, did you, Clarence? A No.

Q You always rode in the front seat? A Yes.

Q Now, as a rule, Clarence, when your nose would get to bleeding while you were in the car, you would get out of it, wouldn't you?

A If I was awake, I would.

Q Then the only time that your nose bled in the car was when you were asleep, wasn't it? A Oh, no.

Q Well, you would use your handkerchief any other time? A I would if I was awake.

Q That is what I say, at any time you were awake and your nose bled you always used your handkerchief?

A I would.

Q When you would be asleep where would you usually sit, in what part of the car?

A I would sit in the front seat.

Q Do you know where the tarpaulin was on the back of the car? A Yes.

Q You didn't sit back there, did you? A No.

Q Do you know where that side curtain was that went up by that door? A I do.

Q You didn't sit back there, did you? A No.

Q You didn't use the tarpaulin to wipe your nose on, did you? A No.

Q Nor the side curtain, either--the door curtain?

A No.

Q Nor you didn't use the rubber mat for that purpose?

A No.

Q Now, the time that you were asleep in that car and your nose bled, were you in the driver's seat that time?

A I was sitting on the right side.

Q On the right side? A Yes, sir.

Q Did it ever bleed while you were asleep on the left side? A I never would go to sleep in the left side of that car.

Q Always on the right side? A Not under the steering wheel, a man can't stretch out to sleep on the left side.

Q How do you account for this human blood getting on the floor matting in the back of the car, and over this