

Five Members of Tilley Family Held For Childress Murder

(Continued from page one)

She testified that she was notified of Leota's death and did not learn of it until Wednesday after the girl was buried Sunday.

Cox corroborated his wife's testimony about their visit to the Tilley home. He testified that the family was awakened the night the house burned by Gene Butterfield and that he could see no reason for the fire unless some one set it.

The first witness at Saturday's hearing was Nath Tharpe, the state's star witness, who heard the scream over the rural telephone the day the girl was killed. He said he rushed to the Tilley home after hearing the girl's appeal for help and met Kelly Brown coming away. He said he saw Luther Tilley running rapidly away from the home, some hundred or so yards away. He testified that Luther was carrying a shot gun. After looking in the house and seeing the girl's body, Tharpe said he went out to the edge of the yard and called, "Luther, come here quick. Something terrible has happened to Leota." Tilley did not reply, Tharpe testified. He kept moving away, but later returned with Rev. Levi McCann and son, Jim McCann, who were hunting on the Tilley farm. Luther, however, refused to enter the room where Miss Childress had been killed, but said to call a doctor. Tharpe said he called his home and had Miss Lexie Settle to get a message through to Elkin.

F. G. Sides, Statesville detective, was the next witness. He said he had a conversation with Luther Tilley in jail and quoted Luther as saying he was out hunting and that the dogs jumped a rabbit and chased it in the direction of the house. He said he came within about 50 yards of the Tilley home. Sides quoted him as saying, "The witness said Luther admitted running the other way when Tharpe called, but said it was because he was scared. He was afraid they (Tharpe and Kelly Brown) would shoot him. Tilley told Sides, according to the testimony.

Sides further quoted Luther as admitting he went to his own home that afternoon, put his arms around his wife and told her something terrible had happened at his daddy's house.

The detective was then questioned about a conversation he had with W. W. Tilley. He said the old man had told him Minerva could shoot a rifle and hit a chicken's head a considerable distance away. Sides said Tilley told him Minerva wouldn't work in the field with Luther, that she would hide in the woods and watch to see whether her husband went to the house where Leota was.

**Brooks On Stand**  
E. B. Brooks, handwriting expert of Winston-Salem, who on Friday appeared in the Eldridge hearing armed with a pistol, testified that Leota Childress could not have written the much discussed note.

Questioned as to the comparison between the handwriting of the note and that of the known handwriting of Mrs. Luther Tilley, Brooks said: "The handwriting is the same in both notes." The expert under the direction of Solicitor Jones then gave a tedious explanation of the characteristics of individual letters of the alphabet as they were written in the note and by Mrs. Tilley.

At this stage of the testimony, Mrs. Luther Tilley was brought into the courtroom at the request of her attorneys, Eugene Trivette and J. F. Jordan. She heard the remainder of the evidence calmly and smiled occasionally as her attorneys talked with her or as some humorous incident in the proceedings broke the tenseness of the hearing.

The expert's testimony on the characteristics and formation of the letters continued for some time.

Solicitor Jones read the report of L. T. Yarborough, of Raleigh,

handwriting expert with 23 years of experience, who had studied Leota's handwriting. Mrs. Tilley's handwriting and the note. Using only numbers for identification, Yarborough's report was to the effect that the note was evidently written by the same person who wrote Mrs. Tilley's note.

Mrs. Hill Cox and her husband were then witnesses in succession.

Deputy Sheriff Tyre Barker offered damning evidence, telling of a conversation he had with Luther Tilley. He quoted Luther as saying the death of Leota hurt him worse than the death of his own child which occurred some months ago. Speaking in connection with the arrest of Andrew Smoot, reputed sweetheart of the dead girl, Barker quoted Luther as saying "I know he didn't pull the trigger."

W. W. Tilley had told him, the witness testified, that he didn't have any idea but that he would get his money and his papers back. The conversation took place before the note or the money was found.

Barker then recounted the actions of Mrs. Luther Tilley after she was released on bond following her arrest as a material witness. He said Mrs. Tilley went to the home of Tilden Darnell instead of going to her own home and told the Darnell family she didn't want anyone to know she was there. She sent a note to Mr. and Mrs. W. W. Tilley who later came and had a conference with her in a nearby woods.

C. S. Foster, of Elkin, then told of going to the Tilley home and of hearing Luther tell about his dogs chasing a rabbit toward his father's house.

I. J. Bell told of his visit to the Tilley home on Sunday morning. He said Margie Tilley Holcomb started to show him the clothes worn by Leota, but that Mrs. Tilley intervened. Margie did show him a new red dress which she said Leota would have worn that day had she lived.

Miss Lexie Settle said she reached the home an hour after the tragedy was discovered. She was questioned about a conversation she heard. Some of the ladies were looking in a tablet, the witness said, remarking that maybe Leota left a note. Miss Settle said Mrs. Tilley diverted their attention from that line of thinking by commenting that she was sure Leota didn't leave a note.

Mrs. Elizabeth Yarborough was placed on the stand to testify that Nath Tharpe borrowed some short .22 cartridges from her to kill hogs a few days before the Childress slaying.

A cartridge of the long type was introduced in evidence, this being identified as one given Solicitor Jones by W. W. Tilley and like the one found in the gun lying beside Leota's dead body. The importance of this evidence was not developed by Solicitor Jones.

Mrs. Dessie Cockerham, the next witness, told of hearing Mrs. Tilley say Mr. Tilley had been unworried, that he felt like Leota wanted to talk with him.

J. T. Billings said W. W. Tilley told him he just got the money (the \$510.00 thought stolen, but later found in the out-house) a few days before the girl's death.

Evidence against W. W. Tilley was also offered by Irk Pardue, who said Tilley told him he wasn't uneasy about getting his money and his papers back. He said he was certain he could find them, that Leota often hid the things when they were left in her care.

Barker returned to the stand to testify as to a conversation he had with Clyde Tilley. Clyde told him, the witness said, that he didn't know how the girl was killed. But added, "I tell you if Oda didn't kill herself, Minerva did or had some one to do it."

The jury which heard the evidence Saturday was composed of T. F. Byrd, M. C. Jones, Keith Prevette, S. F. Mastin, E. C. Sparks and J. A. Poplin. It was the same as sat at all the hearings with the exception of Levi

McCann, who was a member of the jury at the first hearing. The jury was out only 80 minutes Saturday. The verdict recommended that warrants be issued for the five members of the family and that they be given a preliminary hearing. The recommendation was that the Tilley's be charged with conspiring to murder the girl.

**History of Case**  
It is recalled that Leota's body was found in the Tilley home by Kelly Brown and Nath Tharpe on Saturday afternoon, December 30, between 12 and 1 o'clock. She was lying on her back, one arm on her breast and the other extended to the right at a right angle to the body. She had been shot with a .22 rifle, the bullet penetrating her heart.

The house appeared to have been ransacked and since the money and papers were missing, robbery was thought to have been the cause of the slaying. Four men were supposed to have committed the crime.

This theory was believed generally and the direction the bloodhound followed led to the arrest of Taft and Blaine Norman in High Point and Lexington and Jesse Brewer and Porter Norman.

The discovery of the following note on Monday changed the complexion of the mystery.

"Mrs. Tilley there are some men here, one negro and three white men. Said they was going to have 500 dollars of your money and have given me 20 minutes to get it in. I don't know any of them, never seen them before. I thought they was bird hunters. I took your things to the 'C' where we keep it sometimes. I would die in my tracks before I give it to them. They have got all the guns in the house. I don't have a thing to help myself with. I wish I had went with you. My 20 minutes are almost up. They have searched the house over and said if I didn't get it they kill me. I rather give my life than your money. If they kill me I want to be buried at Benham. Tell Andrew goodbye. I want him to be happy. I have tried to get help but I can't get anybody on the line. I guess my dream has come true, I have seen that money last two nights."

Mrs. Tilley was supposed to have found the note in the pocket of the apron of the slain girl. The apron was hanging on the porch.

The suicide theory was then advanced. However, Solicitor Jones considered this theory too fantastic to be believed and immediately launched further investigations.

Andrew Smoot, mentioned affectionately in the note, was then arrested at Schoolfield, Va. and formally charged with the murder. Smoot's story of his whereabouts at the time of the murder could not be refuted and he was released. Smoot pledged his assistance if his services were needed in clearing up the mystery.

Roy Johnson and Bud Martin, colored, were also brought into the case. Martin was turned loose after W. W. Tilley's statements were found to be without foundation.

**Funeral Held For Little McCoy Boy**  
Impressive funeral services were conducted at the Presbyterian church Thursday morning at 11 o'clock for James Albert McCoy, two-year-old son of Mr. and Mrs. J. B. McCoy, who died almost suddenly Wednesday. Rev. C. W. Robinson and Rev. B. M. Lackey, of Lenoir, were in charge. The floral offering was beautiful and profuse.

A number of local citizens accompanied the funeral party to St. Mark's church near Charlotte where interment was made in the church cemetery. Rev. John Long Jackson, pastor, was in charge of the service at the grave.

**Split Cage Games**  
Wilkesboro Teams Divide With Mountain View Cagers  
Wilkesboro high school basketball quint triumphed over Mountain View 26 to 14, while the visiting sextet won a 29 to 18 victory over the Wilkesboro girls Friday afternoon in county tournament basketball games.

The winning teams clearly demonstrated their superiority. Lillian Linney was outstanding for the Wilkesboro sextet, while Haynes set a fast pace for Mountain View.

In the boys' game, Phillips was high scorer for the winners, with Wiles and Holder tying for the scoring lead for Mountain View.

**Would Out Wheat Lands**  
Washington, Feb. 1.—The farm administration today announced its intention to seek removal of an additional 5,523,000 acres of wheat from production. Chester C. Davis said the removal would probably be accomplished by renting the acreage either for further reducing the production of previous contract signers or obtaining new signers.

Savannah, Ga., Feb. 1.—Mrs. R. B. Young, chairman of the women's advisory board to the mayor and city council, today reported to Mayor Thomas Gamble that the board advocates sterilization of criminals and the hopelessly insane.

Tilley and Stanley Are Held In Six-Year-Old Murder

(Continued from page one)

to the home of W. W. Tilley and Luther Tilley in an effort to obtain some information about Andrew. Luther told them he hadn't seen Andrew, the witness testified. This line of questioning was interrupted when the defense objected to the admission of any declaration made by W. W. Tilley in the absence of one of the defendants, no conspiracy having been alleged in the warrants.

The lake on the Klondike farm is three miles from the Eldridge home, Mr. Eldridge said. He said Mrs. Eldridge was unable to attend the hearing.

Charlie Foster, Elkin business man, identified the note purported to have been left by Andrew as the one represented to have been found at the Eldridge home the night Andrew disappeared and also identified the handwriting of Luther Tilley.

**Repeat Stanley's Statement**  
Alton B. Carter was the star witness against Stanley. He said Stanley told Willie Draughon, Gurney Draughon and himself that Gurney Draughon "was not drowned, that he was hung up to scare him, but that he was hanged too long and was dead when they took him down." Stanley was quoted as saying that the body was concealed for a few days and later thrown in Klondike lake.

The witness testified that Stanley told them the killing took place west of the Draughon farm on which they were working when the conversation took place. He said they had this conversation four years ago and admitted on cross-examination that he hadn't told anyone about it until two years later.

Gurney Draughon corroborated Carter's testimony about Stanley's statements. He also said he did not tell anyone about it until about two years ago.

**Brooks Testifies**  
The testimony of E. B. Brooks, who was put on the stand as an expert in handwriting, was the high light of the hearing. Brooks said he had had considerable experience in graphology. He said he had compared the Eldridge note with Luther Tilley's handwriting and came to the conclusion that both papers were written by the same person.

Mr. Brooks then told of finding a note on his porch, between the screen and door, on Saturday after he had testified in the Childress hearing at Ronda on Wednesday. The note, later introduced in evidence, read:

"If you know what is best for you you won't tell who wrote that note. And you won't show this note. You think you damn sharp."

The note was printed with a pencil and had no punctuation.

Burke, of the defense counsel, attacked this note and endeavored to create a doubt as to the experience and qualifications of Brooks as an expert. He came out second best, however, and Brooks stood his ground.

An interesting sidelight was the comment of Mr. Burke upon the fact that Brooks was carrying a pistol. He declared that it was the first time he had ever examined a witness who was armed.

Solicitor Jones fired back with the retort that "if you're afraid, we'll have him take it off." The gun was given to an officer and the examination continued.

Brooks admitted that he had obtained permission to carry a gun after he received the note.

**Sides On Stand**  
F. G. Sides, detective of Statesville, repeated statements Luther Tilley had made following arrest in the case. He testified that Luther told him the Eldridge boys had stolen some liquor from him (Luther). Luther further said, the witness testified, that he was not personally acquainted with Stanley.

Will Hemrick was placed on the stand to tell of a visit of W. W. Tilley and Luther Tilley which was made two months before Andrew Eldridge disappeared. He said Luther accused the Eldridge boys (Walter and Andrew) of stealing his liquor.

Wade Hemrick was the eighth witness. He said Luther and his father came to see him in May and asked if Andrew Eldridge had come home to get Hemrick's boys to go after some liquor. He said he told they they had.

J. S. Adams was the last witness. He said he viewed the remains of the dead boy and testified that the boy's neck and face were swollen and that there were marks on his neck.

Miami, Fla., Feb. 1.—Likening President Roosevelt to a general commanding an united army, Valentin Boucas, financial advisor to the government of Brazil, today predicted he would lead the nation to a victory over economic conditions.

Mrs. Minnie Laws Claimed By Death

Resident of Boomer Community Passes At Wilkes Hospital; Funeral Thursday  
Mrs. Minnie Laws, a resident of the Boomer community, died at Wilkes Hospital Wednesday night following an illness of several days. She suffered an attack of pneumonia and death quickly claimed her.

The funeral service was conducted from Boomer Baptist church Thursday morning at 11 o'clock by Rev. Isaac Watts. Interment was made in the church cemetery.

Mrs. Laws was 49 years and 11 months of age.

The deceased was the wife of M. F. Laws who with several children survive her.

Honor Roll

Following is the honor roll of the fourth grade of Roaring River school for the fourth month: Sammie Lambeth, Alton, Miner, William Cothran, Vaughn Durham, Harry Sebastian, G. C. Porter, Ama Petty, Hazel Shew, James Durham, Mary Helen Ward, Little Male Byrd, Glenn Porter.

Grandfather Mrs. Rousseau Passes

Elvis Williams, 92, grandfather of Mrs. J. A. Rousseau, of this city, died at the home of Mr. and Mrs. W. A. Hall in Yadkinville Saturday morning. He was a widely known and highly respected citizen of Yadkin.

The funeral was conducted yesterday at Forbush Quaker church.

Vera Ruth Harper

Vera Ruth Harper, 14-year-old daughter of Mr. and Mrs. E. F. Harper, of Whitehead, died Saturday morning at 9 o'clock. Funeral service was conducted yesterday at 10 a. m. from Liberty church with Rev. Landreth Bierins and Rev. C. C. McKnight in charge. The girl is survived by her parents, two sisters, Eva and Texie, and one brother, John.

**Car Owners--**  
Get the maximum mileage and power by using ESSOLENE Gasoline. This quick-starting gas costs no more than other regular gasoline.  
—ESSO— ESSOLUBE— ATLAS TIRES—  
**W. R. Vannoy Service Station**  
NINTH STREET  
North Wilkesboro, N. C.  
Phone 34

**QUICKEST STARTING**  
**STARTS UP MOTOR IN A BLOCK OF ICE**  
**GAS**  
**GAS**  
**GAS**  
**MEASURED TO THE WEATHER**  
**GAS**

A wise old owl sat on an oak;  
The more he saw, the less he spoke;  
The less he spoke, the more he heard;  
Just take a tip from this wise old bird:—

Try a tankful of Essolene and make your own quick-starting test without any tricks. You will then see for yourself why . . .

**STANDARD ESSO STATIONS**  
This sign identifies 30,000 Esso stations and dealers from Maine to Louisiana who represent the service and products of the world's leading oil organization.

**I CHANGED TO CAMELS**  
**BECAUSE THEY HAVE A MORE LIKABLE FLAVOR—AND DO YOU KNOW, I HAVEN'T HAD A SIGN OF UPSET NERVES SINCE.**

**CAMEL'S COSTLIER TOBACCO'S**  
YOU CAN ENJOY THEM STEADILY—BECAUSE THEY NEVER GET ON YOUR NERVES. NEVER TIRE YOUR TASTE!

AT REGULAR GASOLINE PRICE  
**Essolene**  
Guarantees Smoother Performance in cold weather or any other weather  
Sold at all Esso Stations and Dealers  
Copyright 1934, Esso, Inc.  
**STANDARD OIL COMPANY OF NEW JERSEY**

FILL UP WITH ESSOLENE GASOLINE AT  
**DICK'S SERVICE STATIONS**  
AND GET AWAY QUICKLY TO GREATER MILEAGE THIS COLD WEATHER