

# JURY ORDERS ARREST OF W. W. TILLEY AND WIFE

## Charges Five of Family With Conspiracy, Murder In Death of Wilkes Girl

### CLAIM MRS. LUTHER TILLEY WROTE NOTE

TWO HANDWRITING EXPERTS, AFTER STUDY OF NOTE AND SPECIMEN OF WOMAN'S WRITING AGREE THAT SHE PENNED NOTE ALLEGED TO HAVE BEEN FOUND IN LEODA CHILDRRESS' APRON AFTER MURDER WAS COMMITTED.

### SAYS LUTHER TILLEY RAN FROM HOUSE

NATE THARPE TESTIFIES W. W. TILLEY'S SON WAS RUNNING AWAY FROM HOUSE AS HE ENTERED YARD AFTER BEING CALLED OVER TELEPHONE BY CHILDRESS GIRL.

By ALAN BROWNING, Jr.  
Staff Correspondent

Wilkesboro, February 3.—The arrest of Mr. and Mrs. W. W. Tilley, their two sons, Clyde and Luther, and Mrs. Luther Tilley was ordered here today by a coroner's jury following a final hearing into the death of Leoda Mae Childress, 20, who was murdered at the home of W. W. Tilley, near Benham, on December 30.

The jury directed that they all be charged with conspiracy and murder of the Childress girl.

The coroner's verdict came as the culmination of sensational evidence which tended to show that the entire Tilley family was mixed up in the murder and that the home of Hill Cox, brother-in-law of Leoda Childress, had been burned down by Luther Tilley in an effort to destroy letters written to Mrs. Cox by the murdered girl.

Evidence was also presented which showed that Luther Tilley was seen running from the W. W. Tilley home a few minutes after the girl was killed and before anyone had been into the house.

A preliminary hearing for the five Tilleys, three of whom have been held in jail for some time will be held before Magistrate A. E. Spainhour. Date of the hearing has not been set.

The first witness to be called when the hearing got under way in the courthouse at 10 o'clock was Nate Tharpe, one of the two men who were first upon the murder scene the day of the killing. Mr. Tharpe stated that after receiving a telephone call for help, he immediately rushed to the Tilley home, and that upon entering the yard he saw Luther Tilley running away from the house through a nearby field. Luther was running fast, Mr. Tharpe stated, and had a double barreled shotgun in his hand.

Upon entering the home with Kelly Brown, who arrived upon the scene as he did, he found the girl's body upon the floor. Going back into the yard he said he walked to the edge of the yard and called to Luther: "Luther, come here quick! Someone's killed Oda!" Tilley made no reply, Tharpe said, and it was "some little time" before he came to the house after calling to someone in the woods who turned out to be Levi McCann and his son Jim.

The three then came to the house but Luther refused to go in.

Detective F. G. Sides then took the stand to tell of having a talk

### Charged With Death



Luther Tilley, top, and Clyde Tilley, bottom, who were ordered held for conspiracy and murder by a coroner's jury at Wilkesboro today following a continuation of the hearing concerning the death of Leoda Mae Childress.

jumped a rabbit which ran in that direction while he was hunting with Mr. McCann and Jim McCann.

Asked why he turned and went the other way when Mr. Tharpe called to him he said he was scared to come back because he feared Tharpe and Brown would shoot him. Tilley also stated to his questioners that he was afraid to enter the house although he was armed with a double barrel shotgun.

Questioned about his actions later in the day, Luther was said to have replied that he went home and placed his arms around his wife and told her "something terrible has happened over at Dad's."

Mr. Sides also testified that he had questioned W. W. Tilley a short time after the note was found and that Mr. Tilley told him that Mrs. Luther Tilley had shot the .22 rifle with which Leoda was killed, a number of times. He said she was a good shot—that she could shoot a chicken's head off. Mr. Tilley was also alleged to have stated that there was no malice in the Tilley family against Leoda Childress. When asked why he was holding

### Experts Testify She Wrote Note



Mrs. Luther Tilley, sketched as she sat in the courtroom at Wilkesboro this morning listening to evidence presented in the coroner's hearing concerning the death of Leoda Mae Childress. Handwriting experts testified she wrote the mystery note.

### EXPERT IS WARNED NOT TO TESTIFY IN ELDRIDGE MYSTERY

He States Luther Tilley Wrote Andrew Eldridge Note

### PROBABLE CAUSE

Another note, equally as mysterious as the two which have featured the Childress-Eldridge murder case, came to light Friday morning during the preliminary hearing for Luther Tilley and Winfield Stanley before Magistrate A. E. Spainhour, at Wilkesboro.

Tilley and Stanley, charged with the death of Andrew Eldridge in June, 1927, were bound over to superior court without benefit of bond.

The note, which was unsigned and printed in pencil on a scrap of ruled paper, was placed between the screen door and front door of the home of E. B. Brooks, handwriting expert of Winston-Salem, who has given damaging evidence in the case against Luther Tilley and Stanley. The note read as follows:

"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 dam sharp."

Mr. Brooks testified he found the note Saturday night following the coroner's hearing at Ronda Wednesday a week ago in which he was a witness.

The Winston-Salem handwriting expert, when placed upon the stand this morning, testified that the note presumably left by Andrew Eldridge the day he disappeared from home in 1927, was written by Luther Tilley.

Upon being cross examined by Hayden Burke, Tilley's attorney, it was revealed Brooks was carrying a pistol. He stated that he had secured a permit from Winston-Salem police to carry a gun after he found the note. He testified that the communication "scared me."

Although Mr. Burke endeavored to confuse Brooks as to his testimony regarding the handwriting of the Eldridge note, the expert refused to become mixed up.

The first witness to be called to the stand during the hearing was J. F. Eldridge, father of Andrew Eldridge. Mr. Eldridge testified that the last time he saw his son alive he left him at the house while he and his wife went into the fields to work. Upon returning about dusk he stated he found the note upon the kitchen table. It read: "Notice—I am going to Elkin to work. Will be back Saturday, Andrew."

Questioned further, Mr. Eldridge testified that to the best of his knowledge there was no writing paper at his home similar to the paper upon which the note was written.

The witness, in telling of the finding of his son in Klondike lake, 19 days after he disappeared, stated that there appeared to be a dark welt around the boy's throat.

He became confused at one point during his testimony when Solicitor John R. Jones asked him to identify the note found at his home. He stated that it didn't look like the note that was presumably left by his boy. Upon being called back to the stand, he testified that he didn't understand the question, and stated it was the note.

Mr. Eldridge also testified that Andrew was in the habit of calling his parents "Papa" and "Mama." The note in question was headed "Notice."

C. S. Foster, Surry county deputy sheriff, stated that the Eldridge note was turned over to him by Mr. Eldridge Monday after the hearing at

### Ordered Held In Childress Murder Case



Mr. and Mrs. W. W. Tilley, whose arrest was ordered following the coroner's jury hearing at Wilkesboro this morning on a charge of conspiracy and murder.

back information which might aid in clearing up the case. Mr. Tilley was quoted as saying "I don't know anything to tell."

E. B. Brooks, handwriting expert, testified that he was positive in his

own mind that the note alleged to have been written by Leoda Childress, was written by Mrs. Luther Tilley. Brooks' testimony was backed

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### Murdered



Leoda Mae Childress, 20, who was murdered at the home of Mr. and Mrs. W. W. Tilley shortly after noon on December 30.

with Luther Tilley in jail Sunday. Luther said then that he was within 175 yards of the house at the time of the killing. He said the dogs had

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