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TRANSCRIPT OF RECORD OF PROCEEDINGS  
IN THE CIRCUIT COURT OF PALM BEACH COUNTY,  
FLORIDA, IN THE SUIT OF ISLAH (MABEL) CHAM-  
BERS, TRACE WILKINSON, CHARLES DAVIS AND  
WALTER WOODWARD (WOODARD), PETITIONERS, VS.  
THE STATE OF FLORIDA, FLEES, GARDNER, MERRITT  
DABNEY TRADING

**FILED**

FEB 23 1937  
*W. H. ...*  
CLERK SUPREME COURT

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On the 16th day of February, 1935, Assignment of Errors on Writ of Coram Nobis, was filed in Broward County, Florida; same being filed in Palm Beach County, Florida, on July 13th, 1936, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR BROWARD COUNTY.

ISIAH (IZELL) CHAMBERS, JACK	)	
WILLIAMSON, CHARLIE DAVIS and	:	
WALTER WOODWARD (WOODARD),	)	
	:	CORAM NOBIS -
Petitioners,	)	
	:	PETITIONERS' ASSIGN-
-vs-	)	
	:	MENT OF ERRORS.
THE STATE OF FLORIDA,	)	
	:	
Defendant in Error.	)	
	:	

---

COME NOW the petitioners in the above cause and say there is error in the judgments and sentences of this Honorable Court heretofore entered in this cause against these petitioners; that if the Court had known the facts as to how the confessions and pleas of guilty were obtained from these petitioners, said judgments and sentences never would have been entered by the Court. And for more specific assignments of error, these petitioners say:

1. That the confessions and pleas filed at the trial of these petitioners and which form the basis of the judgments and sentences herein complained of were not in fact freely and voluntarily made by these petitioners.

2. That the confessions and pleas filed at the trial of these petitioners and which formed the basis of the judgments and sentences herein complained of were in fact, obtained

from these petitioners by force, coercion, fear of personal violence and under duress.

WHEREFORE, petitioners pray that the said judgments and sentences may be vacated and set aside and that these petitioners be placed back in the same condition as they were before such confessions and pleas were entered.

S. D. McGill

Attorneys for Petitioners

On the 16th day of February, 1935, Traverse or Answer of State Attorney to Assignment of Errors on Writ of Coram Nobis was filed in Broward County, Florida; same being filed in Palm Beach County, Florida, on July 13th, 1936, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE TWENTY-  
SECOND JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY.

ISIAH (IZELL) CHAMBERS, JACK :  
WILLIAMSON, CHARLIE DAVIS and :  
WALTER WOODWARD (WOODARD), :

Petitioners, :

vs. :

THE STATE OF FLORIDA, :

Defendant in Error. :

DEFENDANT IN ERROR'S TRAVERSE BY  
PLEAS AND JOINDER OF ISSUE TO  
PETITIONERS' ASSIGNMENT OF ERRORS.



Comes now the State of Florida, Defendant in Error as aforesaid, by and through Louis F. Maire, State Attorney in and for the above styled Circuit, and joins issue upon the allegations of fact in Petitioners' Assignment of Errors, and to each paragraph thereof separately and severally, and says that it is not guilty, and further specifically says:

(1) Defendant in Error denies the averments and matters in paragraph Two (2), Assignment of Error No. One (1), of Petitioners' Assignment of Error, and says that it is not guilty, and joins issue upon same.

(2) Defendant in Error denies the averments and matters in paragraph Three (3), Assignment of Error No. Two (2), of Petitioners' Assignment of Errors, and says that it is not guilty, and joins issue upon same.

TO ALL OF WHICH the said Defendant in Error puts itself upon the country.

Louis F. Maire,  
State Attorney as aforesaid.

STATE OF FLORIDA     )  
                              :   SS:  
COUNTY OF BROWARD   )

ON THIS DAY personally appeared before me, an officer duly authorized to administer oaths, LOUIS F. MAIRE, State Attorney in and for the Twenty-second Judicial Circuit of Florida, who after being first duly sworn, on oath says that he has prepared, read and understands the above and foregoing Defendant in Error's Traverse by Pleas and Joinder of Issue to Petitioners' Assignment of Errors, and that the matters and things therein set forth are true in fact.

23

Louis F. Maire.

Sworn to and subscribed before me  
this 18th. day of February, A. D. 1935.

C. F. Brodbeck

(N. P. Seal)

Notary Public, State of Florida at Large  
My Commission Expires Feb. 12, 1937

On the 29th day of June, A. D. 1936, Petition for  
Change of Venue was filed in Broward County, Florida;  
same being filed in Palm Beach County, Florida, on July 13th,  
1936, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE TWENTY-  
SECOND JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY.

ISAIAH (IZELL) CHAMBERS, JACK  
WILLIAMSON, CHARLIE DAVIS AND  
WALTER WOODWARD (WOODARD),

Petitioners,

-vs-

THE STATE OF FLORIDA,

Defendant In Error.

)  
:  
)  
: WRIT OF ERROR CORAM  
)  
: NOBIS  
)  
: PETITION FOR CHANGE  
)  
: OF VENUE.  
)  
: \_\_\_\_\_  
:

COME NOW the petitioners Isaiah (Izell) Chambers, Jack  
Williamson, Charlie Davis and Walter Woodward (Woodard), in  
the above named cause and showeth to this Honorable Court as  
follows:

1. That on the 23rd day of May A. D. 1933, joint indictments were found against these petitioners by the Grand Jury of Broward County, Florida, charging them with murder in the first degree and in June 1933, they were sentenced to death by the Circuit Judge of Broward County Florida, said judgments and sentences being based upon forced confessions and pleas. From the forced and involuntary confessions upon which sentences of death were passed, various and sundry appeals were made to the Supreme Court of Florida, which resulted in three reversals of the judgments and decrees of this court. That on February 21, 1935, the question as to whether said confessions of guilt were made freely and voluntarily, was decided by a jury which found against your petitioners. That upon said verdict of the jury, this court rendered a final judgment sustaining the verdict of the jury; that upon said final judgment an appeal was again taken to the Supreme Court of Florida, and on April 20, 1936, that court again reversed this court and remanded it back for a new trial. That the causes now before this court to be tried upon the indictment or issues are based upon petition for writ of error coram nobis but these petitioners say they fear they will not receive a fair and impartial trial in the above named court where this cause is now pending on account of your petitioners being so ODIIOUS to the inhabitants of Broward County Florida, that a fair trial cannot be had; that as heretofore stated, great interest was manifested at all of their trials in this court in this case and these petitioners believe and so state the fact to be that it will be impracticable for them to obtain a qualified jury for the trial of their case now pending in this Court; that said condition is due to the fact that they are persons of African descent under sentences of death for the murder of a white person and the newspapers

and others in Broward County Florida have found a fertile field in which to create the condition herein complained of, particularly do your petitioners mention the Fort Lauderdale Daily News, which has repeatedly published inflammatory articles in regard to said crime of which your petitioners are convicted and thereby have aroused great prejudice and hatred among the citizens of Broward County against your petitioners.

2. Your petitioners further represent that the odium of your petitioners endured by the citizens of Broward County is further manifested by your Honor in May 1933, during the arraignment and pleas of these petitioners, when your Honor publicly from the bench addressed a crowd of Broward County citizens who were present in the Circuit Court room to witness the trial of these petitioners on the indictments herein found against them as follows:

"The court wishes to express its appreciation for the orderly procedure today, to you, Citizens of Pompano and other sections of the County. You have conducted yourselves as properly as could be expected in a case of this kind and I appreciate it."

3. Your petitioners further showeth unto this Honorable Court that various efforts have been made to obtain persons in Broward County to sign affidavits in support of this petition; that various persons have been contacted, all of whom are unanimous in the statement that no fair trial can possibly be had in this cause in Broward County, yet all of such persons are afraid to sign any such affidavits and for that reason no affidavits accompany this petition.

YOUR PETITIONERS THEREFORE PRAY, that the venue in said cause be changed from the County of Broward to the County of Dade in the State of Florida, and that said cause be set for trial at the present term of the Circuit Court in the said County of Dade, or some other county.

AND YOUR PETITIONERS WILL EVER PRAY.

Izell Chambers

ISAIAH CHAMBERS

Jack Williamson

JACK WILLIAMSON

C H Davis

CHARLIE DAVIS

Walter Woodard

WALTER WOODWARD

STATE OF FLORIDA )  
                                  :  
COUNTY OF UNION )

ON THIS DAY personally appeared before me an officer duly authorized to administer oaths, Isaiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward, who after being duly sworn on oath say, each for himself, that he has heard read and understands the above and foregoing Petition for a Change of Venue in this cause and that the matters and things therein set forth are true.

E. R. Bennett

(Circuit Court Seal) Clerk Circuit Court

By Chas H Gordon D C

I, S. D. McCall, of counsel for the petitioners, do

On the 29th day of June, 1936, Order for Change of Venue was filed in Broward County, Florida, which was recorded in Minutes Circuit Court No. 16, Page 199; same being filed in Palm Beach County, Florida on July 13th, 1936, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE 15th  
JUDICIAL CIRCUIT OF FLORIDA IN AND  
FOR THE COUNTY OF BROWARD

THE STATE OF FLORIDA                    )  
  vs.    )  
IZELL CHAMBERS, WALTER                )  
WOODARD, JACK WILLIAMSON,            )  
and CHARLIE DAVIS,                     )  
  Defendants.                                )

ORDER

This cause came on to be heard upon the Petition for Change of Venue and stipulation of counsel for the State and Petitioners, and upon consideration thereof,

It is ORDERED, and ADJUDGED, that the said Petition for Change of Venue be, and the same is, hereby granted, and the said cause transferred to Palm Beach County, Florida.

It is FURTHER ORDERED that the Clerk of this Court immediately enter the proceedings of record in this cause and transmit all the original papers filed in the case with a certified copy of the entries of Record relating to the case to the Clerk of the Circuit Court of the County of Palm Beach, State of Florida, and that said Clerk retain a copy of all the papers transmitted.

DONE AND ORDERED, this 29th day of June, A. D. 1936.

George W. Tedder  
Judge

On the 29th day of June, 1936, Order for Change of Venue and directing Sheriff to convey the prisoners to Palm Beach County, Florida, was filed in Broward County, Florida, which Order was recorded in Minutes Circuit Court No. 19, Page 257; said Order being filed in Palm Beach County, Florida, on July 13th, 1936, in the following words and figures, to-wit:

BOOK 19 PAGE 257

IN THE CIRCUIT COURT OF THE 15th  
JUDICIAL CIRCUIT OF FLORIDA IN  
AND FOR THE COUNTY OF BROWARD

THE STATE OF FLORIDA, )  
vs. )  
IZELL CHAMBERS, WALTER )  
WOODARD, JACK WILLIAM- )  
SON, and CHARLIE DAVIS, )  
Defendants. )

ORDER

This cause came on to be heard upon the Petition for Change of Venue and Stipulation by counsel for the State and Petitioners, agreeing to the change of venue, and the Court being of the opinion upon the record so made, that the Change of Venue should be granted,

It is thereupon ORDERED, and ADJUDGED, that the Petition for Change of Venue be and the same is hereby granted, and the said cause be, and the same is, hereby transferred to Palm Beach County Florida for trial upon the issues made and the determination of said cause.

It is further ORDERED and ADJUDGED that Walter R.

Clark, as Sheriff of the County of Broward, State of Florida be and he is hereby commanded to safely convey the said prisoners to the jail of the County of Palm Beach, State of Florida where trial is to be had, there to be safely kept by the Jailer thereof, until discharged by due course of Law, or transferred by an order of said Court, the said defendants not having entered into a recognizance bond.

DONE AND ORDERED at Ft. Lauderdale, Broward County, Florida, this 29th. day of June, A. D. 1936.

George W. Tedder  
Judge

ENDORSED ON BACK THEREON:

Received this Order on the 29th day of June A. D. 1936 and executed same on the 29th day of June A. D. 1936 by delivering the within named Izell Chambers, Jack Williamson, Charley Davis and Walter Woodward to the Sheriff of Palm Beach County, Florida, W. H. Lawrence, and by delivering a true copy of this the original writ to him, at the same time exhibiting this the original to him and explaining the contents hereof.

Copy	.35
Service	1.00
Return	<u>.25</u>
Total	1.60

WALTER R. CLARK,  
Sheriff of Broward County, Florida.

By Robt H Clark  
Deputy Sheriff.



On October 12th, 13th and 14th, 1936, the following proceedings were had in the Circuit Court of Palm Beach County, Florida, as shown by Minutes Circuit Court No. 34, pages 488, 489, 490, 491 and 492, to-wit:

MONDAY, October 12th, A. D. 1936

The Court convened at 9:30 A. M. Monday, October 12th, A. D. 1936 for the purpose of trying the issue in the case of Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), Petitioners versus the State of Florida, Respondent, and for the determination of a question of fact, to be submitted to a Jury. Present: Honorable C. E. Chillingworth, Circuit Judge, presiding; the State Attorney of the Fifteenth Judicial Circuit of Florida, viz: Hon. J. W. Salisbury, also the Sheriff, W. H. Lawrence, together with his deputies, T. P. Riggs, H. E. Motter, H. L. Dyer, C. B. Bowen, A. E. Budd, J. T. Lawrence, and J. M. Tapscott, and Geo. O. Butler, Clerk.

The Sheriff having executed the Venires for Jurors for thirty four (34) and eighteen (18) Jurors respectively; returnable at 9:30 A. M. this date by Order of the Court issued on September 21st, 1936, and a Venire for sixty-five (65) Jurors, issued on October 2nd, A. D. 1936, returned the following as having been duly served, to-wit:

REGULAR	Frank G. Lang, Jr	C. A. Johnson	Hugh M. Brown
<u>VENIRE</u>	Robt. G. Bostwick, Jr	W. M. Waters	C. C. Lindsay
	John H. Meerdink	Manley P. Caldwell	John J. Baker
	Robt R. Neil	F. A. Rowley	Chas. R. Barfield and Charles M. Morris

The following were reported as "Not to be Found" in Palm Beach County, Florida:

Clarence Sheen	W. D. Johnson	Jack O. Malley
D. L. Crosby	C. D. Hartman	

On the Special Venire issued on September 21st, 1936, for thirty four (34) Jurors, the following were returned as having been duly served:

SPECIAL	Nick J. Balls	R. A. Pumphrey	James C. Ohmer
<u>VENIRE</u>	G. M. Culver	R. L. Stubbs	L. H. Pitts
	Glenn A. Morgan	E. L. Green	J. E. Smith
	William Schroeder	G. W. Bennett	W. J. Blankenship
	Joe Griffin	C. H. Armstrong	E. F. Gollattscheek
	L. E. DeLoe	Thos. J. Grier	James P. Riley
	J. J. Hutson	Thos. C. Manning	W. H. Told
	Lester McGehee	Fred M. Burbach	Fred Depew and L. L. Griffin

The following were reported as "Not to be found" in Palm Beach County, Florida:

Cornelius Waalewyn	S. L. Edleman	J. E. West (deceased)
J. J. Anderson	Oscar G. Connor	E. L. Cobb and
Benj. H. Holmes	T. O. Martin	Harry Mullen

The following is the return on the Special Venire issued on October 2nd, 1936, for sixty five (65) Jurors; returnable at this time, to-wit:

SPECIAL	F. L. Cory	C. W. Sands	Ira Webb
<u>VENIRE</u>	L. L. Griffin	Albert Newell	C. H. Holden
	W. E. Gladson	J. B. Reynolds	H. L. Brown, Jr

J. E. Hardwick, Sr.  
 Roger G. Atkins  
 F. A. Reynolds  
 Geo. King, Jr.  
 A. C. Knesley  
 C. A. Ford  
 David Miller  
 H. W. Cole  
 J. H. Witherspoon  
 Roy Taylor  
 S. M. Drake  
 Truman P. Matthews  
 W. F. Doolittle

Jack Deadwyler  
 J. A. Bass  
 John Nowak  
 Wm. King  
 Emmett F. Hill  
 E. A. Eakin  
 James M. Dillard  
 Kenneth Hanbury  
 J. R. Colliver  
 J. M. Wilson  
 E. A. Schurlein  
 H. Simons  
 W. B. Harman

Ray R. Thomason  
 O. B. Braley  
 M. T. Marko  
 Homer A. Barr  
 Harmon Blue  
 Lewis Auerbach  
 Clarence C. Coston  
 Ernest W. Flanders  
 Wm. G. McCandless  
 A. E. McMillan  
 Roscoe Merritt  
 Harry L. Matson  
 and R. P. Travis

The following were reported as "Not to be found" in  
 Palm Beach County, Florida:

Carl J. Hughes  
 C. A. Grantham  
 L. C. Markham  
 Clyde B. Chase  
 H. H. Gilbert  
 Frank Hoofnagle

Lewis H. Shipman  
 B. B. Armstrong  
 (deceased)  
 E. J. Kelly  
 William Bethel  
 L. M. Ard  
 C. T. Langford

W. G. McCullen  
 R. C. Smith  
 H. M. Thaxton  
 W. R. Dunbar  
 (deceased)  
 A. L. Browne

For reasons satisfactory to the Court the following  
 persons were excused for the Term:

C. A. Johnson  
 W. M. Waters

Manley P. Caldwell  
 (Attorney)

John J. Baker  
 (Illness)

J. E. Smith  
 E. F. Gollatts-  
 cheek

J. H. Withers-  
 spoon

S. M. Drake

Ira Webb

H. L. Brown, Jr

M. T. Marko

Homer A. Barr

J. J. Hutson	Wm. King	Clarence C. Coston and Roscoe Merritt
G. W. Bennett	J. R. Colliver	
L. H. Pitts	W. B. Harman	

The following failed to answer when their names were called:

John H. Meerdink	G. M. Culver	R. A. Pumphrey
F. A. Rowley	Lester McGehee	Fred Depew and F. A. Reynolds

The remaining Jurors were sworn upon Voir Dire and qualified by the Court.

G. M. Culver answered late and was excused.

The Court called Criminal Case styled as follows:

Crim # 1395

Isiah (Izell) Chambers,	:
Jack Williamson, Charlie	:
Davis and Walter Woodward	:
(Woodard),	:
	:
Petitioners	:
	:
versus	:
	:
The State of Florida	:
	:
Respondent	:

Counsel for the Petitioners and the State of Florida announced that they were ready for trial. At this time Messrs Phil O'Connell and Louis F. Maire, were duly sworn by the Court as Assistant State Attorneys.

Now come the Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis, and Walter Woodward (Woodard) in their own proper persons and by Sidney J. Catts, Jr., and John Ziegler, Esquires, appointed by the Court to their defense; also the State of Florida, by Hon. J. W. Salisbury, Hon. Phil O'Connell, and Hon. Louis F. Maire. Come also the following Jurors duly qualified and duly sworn to try the

case, to-wit:

C. C. Lindsay	E. L. Green	Wm. J. Blankenship
Chas. R. Barfield,	C. H. Armstrong	James P. Riley
Charles M. Morris,	Fred M. Burbach	F. L. Cory and
R. L. Stubbs	James C. Ohmer	Joe Griffin

The Court placed the Jury in charge of the Sheriff and ordered a brief recess.

The Jury was recalled and at the request of counsel, the witnesses were placed under the rule by the Court and were excluded from the Court Room.

The counsel for Petitioners and the State made opening statement to the Jury.

Jack Williamson, a petitioner was duly sworn and testified on his own behalf.

With Jack Williamson on the stand the Court ordered a recess until 2:00 o'clock P. M. this date.

At 2:00 o'clock P. M. this date, the Court reconvened for the purpose of resuming the testimony in Criminal Case No. 1395- Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), Petitioners vs. The State of Florida, Respondent, the Honorable C. E. Chillingworth presiding as Circuit Judge. The petitioners being present in person and accompanied by their counsel; also the Counsel of the State of Florida, the Jurors empanelled to try the issue, and the officers of the Court. The trial was continued by the testimony of Jack Williamson, Petitioner, recalled to the Witness Box.

Walter Woodward (Woodard) a petitioner was duly sworn and testified on his own behalf.

A short recess was ordered, Jury retiring in charge of the Sheriff.

The Jury was recalled, all parties being present the testimony was resumed, by the recall of Walter Woodward (Woodard) to the Box.

Charlie Davis, one of the petitioners was sworn and testified on his own behalf.

At the conclusion of the testimony of Charlie Davis, the Court ordered a recess until 9:00 o'clock A. M. Tuesday, October 13th, 1936, with instructions to the Jury to remain together in charge of the Sheriff, and not to discuss this case among themselves or with anyone whomsoever.

ATTEST: Geo. O. Butler  
Clerk Circuit Court

TUESDAY, October 13th, A. D. 1936.

At 9:00 o'clock A. M. Tuesday, October 13th, A. D. 1936, the Court convened.

Present: Hon. C. E. Chillingworth, the Circuit Judge; Hon. W. Hiram Lawrence, Sheriff, and his Deputies; T. P. Riggs, H. E. Motter, H. L. Dyer, C. B. Bowen, A. E. Budd, J. T. Lawrence, and J. M. Tapscott, and Geo. O. Butler, Clerk.

The Petitioners: Isiah (Izell) Chambers, Charlie Davis, Jack Williamson and Walter Woodward (Woodard) being present in open Court and accompanied by their counsel, Messrs. Sidney J. Catts, Jr., and John Ziegler, as also the Counsel for the State, and the Jurors empanelled to try the case, the trial was resumed with the testimony of Charlie Davis, one of the Petitioners, who was recalled, and testified on his own behalf.

Isiah (Izell) Chambers, duly sworn as a petitioner and testified on his own behalf.

Charles H. Gordon, Deputy Clerk of the Circuit Court

of Broward County, Florida, was duly sworn and testified on behalf of the petitioners.

- The petitioners rest -

The following witnesses were duly sworn and testified on behalf of the State;

Elbert B. Griffis; James Little; Frank Manuel; Willie Henderson; James (alias Prince) Douglas, from Raiford; Leonard Jackson; Mack Little.

The Court ordered a recess until 1:45 P. M. October 13th, 1936.

At 1:45 P. M. this date, the Court reconvened, Judge C. E. Chillingworth, presiding and the following present in open Court: Isiah (Izell) Chambers, Jack Williamson, Charlie Davis, and Walter Woodward (Woodard), the petitioners, accompanied by their Counsel, Messrs. Sidney J. Catts, Jr., and John Ziegler; the Attorneys for the State of Florida; the Jury empanelled to try the issue, and the officers of the Court.

The following witnesses previously sworn, testified on behalf of respondent, the State of Florida: Eddie Hamilton; B. B. Johnson; W. Ford; W. C. Mather (Attorney at Law); Charles H. Gordon; Tom J. Collins; J. N. Cain; W. H. Blount; John Darsey; J. W. Coleman (Court Reporter of Broward County, Florida); Virgil Wright; W. C. Goodrich and R. C. Helton.

The Court recessed until 9:00 o'clock A. M. Wednesday, October 14th, A. D. 1936, with the Jury in charge of the Sheriff, and instructions to them to remain together and not to discuss this case among themselves or with anyone whomsoever.

ATTEST: Geo. O. Butler  
Clerk Circuit Court

WEDNESDAY, October 14th, A. D. 1936.

The Court convened pursuant to recess at 9:00 o'clock A. M. Wednesday, October 14, A. D. 1936. Present Honorable C. E. Chillingworth, Circuit Judge, presiding; the Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) in person and accompanied by their counsel, Messrs. Sidney J. Catts, Jr., and John Ziegler; the attorneys for the State of Florida; the Jury empanelled to try the issues; Geo. O. Butler, Clerk, and W. Hiram Lawrence, Sheriff, and his Deputies; T. P. Riggs, H. E. Motter, H. L. Dyer, C. B. Bowen, A. E. Budd, J. T. Lawrence, and J. M. Tapscott.

The trial was resumed with the testimony of the following witnesses who were sworn and testified on behalf of the Respondent, State of Florida: Robert L. Clark; Louis F. Maire, (State Attorney for Broward County, Florida); Walter R. Clark (Sheriff of Broward County, Florida) and A. D. Marshall.

- The Respondent rests -

The Court recessed until 1:45 P. M. this date.

At 1:45 P. M. this date, the Court with Hon. C. E. Chillingworth, Circuit Judge, presiding, resumed the trial of the foregoing cause, all of the Petitioners, Counsel and Court officials being present in open Court.

The Jury retired.

Hon. Sidney J. Catts, Jr., counsel for the Petitioners moved the Court for a directed Verdict for his clients; this motion was denied by the Court who directed that the Jury be recalled. The Jury returned to Court Room.

Counsel for the Petitioners and the Respondent argued the case to the Jury.



The Court read a written charge to the Jury on the law of the case, and the Jury having heard the evidence, the argument of counsel and the Charge of the Court, retired to consider of the Verdict.

On coming into the Court the Jury returned the following Verdict which the Court received and ordered recorded:

In the Circuit Court of the Fifteenth  
Judicial Circuit of Florida in and  
for Palm Beach County.

Isiah (Izell) Chambers, Jack :  
Williamson, Charlie Davis and  
Walter Woodward (Woodard) :

Petitioners :

-vs-

: V E R D I C T

The State of Florida, :

Respondent :

---

We, the Jury, find against the petitioners, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward, and in favor of the State of Florida.

So say we all.

F. L. Cory, Foreman.

The Court ordered the Verdict recorded.

The Court informed counsel that he would consider any further motions at some date to be fixed in the week beginning on the 26th day of October, A. D. 1936.

The Jury was excused with the thanks of the Court.

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No further business pending in open Court the Judge ordered a recess.

ATTEST: Geo. O. Butler  
Clerk Circuit Court

On the 19th day of January, 1937, after the adjournment of said term, by virtue of a special order to that effect entered on December 2nd, 1936, the petitioners made up and tendered their Bill of Exceptions, which, after due notice was settled and signed by the Judge, which Bill of Exceptions, Assignment of Errors and Stipulation or Notice is in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL # 1395

ISIAH (IZELL) CHAMBERS, JACK	)	
WILLIAMSON, CHARLIE DAVIS and	)	
WALTER WOODWARD (WOODARD),	)	
	)	
Petitioners,	)	
vs	)	BILL OF EXCEPTIONS
THE STATE OF FLORIDA,	)	
	)	
Defendant.	)	

I, C. E. Chillingworth, Judge of the Circuit Court of the Fifteenth Judicial Circuit of the State of Florida in and for Palm Beach County, do hereby certify that during the progress of the cause pending in said Court wherein Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) were petitioners and the State of Florida was defendant the following proceedings were had viz:

On the 12th day of October A.D. 1936, during a term of said Court the issues joined between said parties said cause came on to be tried before a jury and the said parties having concluded and submitted their evidence, the Court thereupon instructed the jury and the said cause having been submitted to the jury by the Court under its charges and the jury having returned a verdict against the petitioners and in favor of the defendant.



MR. GATTS:

Counsel for petitioners decline to request either.

(The civil oath was administered)

Jury impaneled at 11.25 A.M.

JACK WILLIAMSON, being first duly sworn by the Clerk, testified on behalf of the petitioners as follows:

DIRECT EXAMINATION

BY MR. GATTS:

Q Your name is Jack Williamson? A Yes, sir.

Q How old are you, Jack? A I am 23 the 14th of this past September.

Q On or about May the 12th or 13th, 1933, where were you living? A I was living in Pompano, Florida.

Q Where were you born? A In Georgia, Emanuel County.

Q And who were you living with in Pompano on or about the 12th or 13th of May, 1933? A Living with Walter Woodward, at Mr. Blount's quarters.

Q Just where are the quarters located with reference to the railroad crossing there in Pompano?

A It is on the east side of the railroad.

Q About how far from the railroad?

A I don't know exactly the distance, I never measured it, or heard any one say; it is around a mile.

Q Were you arrested down there about that time?

A I was arrested on the 14th night of May, Sunday night.

Q Sunday night, the 14th day of May, 1933? A Yes, sir.

Q About what time of night? A It was between 11 and 12 o'clock. I didn't have no timepiece, I don't know exactly what time it was.

Q Who was with you at the time you were arrested?

A Walter Woodward, Izell Chambers and Claudie Mack.

Q Are both of these boys in the court room?

A Yes, sir.

Q Point out where Walter Woodward is, which one of these boys? A That one with the light clothes.

Q This is Walter Woodward? A Yes, sir.

Q And this one? A Izell Chambers.

Q They were with you at the time you were arrested, they and one Claudia Mack? A Yes, sir.

Q State what happened at the time you were arrested; what officer arrested you, and just what happened at the time the arrest was made? A On Sunday night, May the 14th, 1933, about 11 or 12 o'clock. Mr. Bob Clark, Chief Maddox of Pompano, some three or four men came there and called and knocked on the door, and I wakes up and opens the door and they come in.

Q Who is Chief Maddox? A He is Chief of Pompano.

Q Chief of police of Pompano? A Was at the time.

Q And Robert Clark? A Yes, sir.

Q Who was Robert Clark? A A deputy sheriff. I didn't know who he was at that time.

Q Do you know whether he is brother to the Sheriff there?

A Yes, sir, I hear he was brother to Mr. Walter Clark.

Q Go ahead? A They came there and arrested me; they put handcuffs on .

Q On who? A On me first because I opened the door for them.

Q All right. A They walked in and so they put handcuffs on all four of us; and on the way to the car - they had a car parked out there at the quarters, around a hundred yards from the corner of the house, between the house and the car, they had a man chained to an old car side of the road.

Q Who was the man? A Frank Manuel. They took him and put him in the car and carried us to Fort Lauderdale.

Q What was said by these officers at the time they arrested you? A I asked them what it was about, or what did they held me for; they said "never mind about that, come on and go with us". So they made us trot from the house to the car.

Q Why did they say they made you trot?

A They said they was dodging a mob, to keep the mob from getting us.

Q And did you go on the run from the house to the car?

A Yes, sir.

Q How many of you were put in the automobile; were you all put in the same automobile? A Yes, sir, five of us.

Q You were all put in the same automobile? A Yes, sir.

Q Now what happened to you after they put you in the automobile? A They took us to Fort Lauderdale jail; took the handcuffs off me when they got to the county jail and took me back there in a room.

Q Where was this room in the county jail?

A It was down at the bottom when we first came in. I had never been in the jail, never had been in a jail before. When they come in the door they took me alone and carried me back into a little room that way from the door.

Q They didn't bring the other boys in there with you?

A No, sir. Mr. Chief Maddox set me down in the chair, and he cocked his pistol and stuck it in my neck, side of my head, and Mr. Bob Clark hit me there.

Q What did he hit you with? A A pistol.

Q What did he say to you? A I don't remember, I don't recall.

Q Who all was present besides Bob Clark and Chief Maddox?

A Bob Clark and Chief Maddox, and men was coming in and out, I didn't know any one; I hadn't been down here that long. Then they take me upstairs and put me in a cell and kept me there until about daylight; about daylight that morning they took me back down in the same room they had me in before.

Q That room you were in first, when they put you in there first, was just a private cell; did it have a bed in it?

A It was a room that had a chair in it; it wasn't any cell, it was down in the bottom on the ground, had a chair and tools, something or other.

Q How big a room was it? A I don't know just how large it was; it was a square room.

Q As far as from here to the wall over there?

A No, sir, I don't think it was that large.

Q Go ahead and tell what happened when you came back down there? A They took me back down there that morning about daylight, and Mr. Sheriff Walter Clark, Mr. J.T. Williams and Chief Maddox was down there; so they sit me down in the chair, and Mr. J.T. Williams had a bicycle tire and it was loaded with something; so he hit me side of the head and knocked me out of the chair, and when I went to get up he kicked me in the left side. So they took me then and carried me back up to my cell and put me by myself that time around in another tier.

Q Was this the first time you ever see Captain Williams, that morning? A Yes, sir, the first time.

Q When they took you back down to that room that morning was the first time you ever see Captain Williams? A Yes, sir.

Q What size man was Captain Williams?

A He would weigh about 230 or 40 pounds.

Q Did the Sheriff or Mr. Maddox or Captain Williams say anything to you at the time they hit you down there that morning?

A Yes, they says something but I can't remember what they said. They cursed me, it was curse words; I was scared so I don't know what they said.

Q Who were there? A Mr. Sheriff Walter Clark, Mr. J.T. Williams; several of them cursed me; these was the only men that I knew.

Q How long did they keep you there; was it before daylight or after daylight? A They carried me down there right around daylight.

Q Now after they left there you said they took you to a private cell? A Yes, sir.

Q Where was that private cell? A It was upstairs. I had never been in the jail. I don't know just how the jail was built.

Q Do you know what floor it was? A No, sir, I don't know just what floor it was.

Q You were in a cell by yourself? A Yes, sir, by myself; but they took me out of there later and carried me across - they never carried me downstairs - so they carried me to a room



where a bed was and a radio and I was taken out, he hit me, Mr.J.T. Williams.

Q Who was it that took you out? A Mr.A.B. Marshall.

Q He unlocked the door of your cell and took you to the other room? A Yes, sir, took me across to the room; I was taken out several times that day until late that evening; so they brought me back that night; then they came up there and took five of us and carried us to the Miami jail.

Q What time of night was that?

A It was the first part of the night.

Q After dark? A Yes, sir, it was after dark.

Q Who come up there to get you? A The jailer.

Q Mr. Marshall? A Yes, sir.

Q Anybody with him? A No, sir. When he come there was a man standing at the door of the elevator.

Q After you were taken across to the room where the radio and the bed was, who all was there during that time?

A Mr. J.T. Williams, Mr. Bob Clark, Chief Maddox, and another man with glasses, and I never knew him, I just remember him having on glasses.

Q Did Mr. Marshall stay in the room there with you?

A Yes, sir.

Q He was there all the time you were there? A Yes, sir.

Q And Captain J.T. Williams was there all the time you were there? A Yes, sir; he was the one that did the slapping.

Q Was Sheriff Clark there all that time? A Yes, sir.

Q Did anybody in the room at any time during the day on the several occasions you said you were called in there with the bed and radio, did anybody else hit you, other than Captain Williams? A No, sir.

Q He was the only one? A Yes, sir

Q When you were taken out of that room where were you taken to first? A Taken right to the cell, the private cell.

Q Nobody in there with you? A No, sir.

Q You never did go back to the bull pen after the first

time you were taken there? A No, sir.

Q Who took you to Miami? A Mr. J.T. Williams and Sheriff Walter Clark.

Q Who else was in the car? A Five; me and Izell Chambers, Mack Little, Frank Manuel and Walter Woodward.

Q Did they tell you where they were taking you?

A No, sir, but on the road down there, there was a speed cop run up side of us, Sheriff Walter Clark was driving the car and he told the cop that he had some negroes that he taking down to Miami to escape a mob.

Q The sheriff told the police officer that?

A Yes, sir.

Q That's the first time you knew where you were going?

A That was the first time. They took me down there and put me back up in the jail, and when they went to beating the boys in jail, Captain J.T. Williams told them to take that light son-of-a-bitgh and put him in one of them death cells; and the man said he didn't have any blankets, and he said "never mind the blankets", so he put me in the death cell.

Q Anybody there with you? A No, sir.

Q How long did you stay in there?

A I stayed in there until the next day.

Q They feed you in there? A Yes, sir.

Q Anybody come to the cell to see you while you were in the cell in Miami? A Yes, sir.

Q That was in Dade County jail? A Yes, sir

Q When were you taken out of that cell that night?

A I was taken out that night say around 12 o'clock.

Q Who took you out? A Mr. Virgil Wright and Mr. Bob Clark.

Q Virgil Wright an officer in Broward County?

A Yes, sir, he was an officer, as far as I know, at that time.

Q Have his gun with him? A Yes, sir.

Q Did the jailer in Miami also come to the cell door

to get you? A Some men came there.

Q They come to the door with Virgil Wright? A Yes, sir.

Q What did they do with you then? A They took me and brought me back to Broward County jail and put me in a private cell again.

Q Who all was with you when you came back to Broward County? A These two cars, they drove them up in two cars. I disremember who was in the car that I was in.

Q And what did they do with you? A Carried me back and put me in the private cell they had me in at the beginning.

Q The same cell? A Yes, sir.

Q What time did you get back? A Around two o'clock.

Q In the afternoon? A Yes, sir.

Q Was that Tuesday? A Tuesday, yes, sir.

Q After you were arrested on Sunday night? A Yes, sir.

Q How long did you stay there then in that cell before anybody came for you again? A About two hours.

Q Go ahead and tell what happened that time.

A I was taken out about two hours after I came back from Miami, and J.T. Williams, Mr. Sheriff Walter Clark, Mr. Bob Clark, Mr. Chief Maddox, and some more men I didn't know, Mr. J.T. Williams he beat me over the head.

Q Tell me where you were taken again and who came to the cell to get you? A The jailer, Mr. A.D. Marshall.

Q Did anybody come with him? A No, sir.

Q Where were you taken? A I was taken across into the same room where the radio and bed was, and then while Mr. J.T. Williams and Mr. Bob Clark and Sheriff Walter Clark was there, he beat me with a bicycle tire loaded with something, beat me with his fist and knocked me down.

Q What was he saying during this time? A I don't recall just what he was saying; he was cursing, and they kept me and beat me around and then they put me back in the cell, and later on that evening - I didn't have any timepiece - but later on in the evening he came back up there and got me again.

Q Who come and got you? A Mr. A.B. Marshall, he would come for me every time, he was the onliest man to take me out of the cell. They took me back over in the same room where the bed and radio was at down there where Mr. J.T. Williams would hit me and strike me. So that evening he told me, Mr. J.T. Williams says "it isn't what you want to say but it is what we tell you to say; you are going to tell me what we want you to say"; so then they beat me and knocked me around. I told him "no, sir, I don't know anything about it." They beat me that evening. So they took me out of there and carried me back up to the private cell, where they had me once before, and came back again that night around first dark, at that time Mr. A.D. Marshall got me and carried me back in the bedroom where the bed and radio was. Mr. J.T. Williams he beat me again with a loaded bicycle tire, knocked me down, knocked me almost unconscious. He says "it isn't what you want to say, it is what we tell you to say, you have got to say what we tell you"; so he beat me until Wednesday morning, all night Tuesday until Wednesday morning, I don't remember how many times I was so scared.

Q You mean to say they would take you to the bed room and when they took you out of there they took you back to the cell where you were and put you in by yourself? A Yes, sir.

Q That continued all that night, you say you don't know how many times? A No, sir, I don't remember how many times.

Q You sleep any that night? A No, sir.

Q What happened to you the next morning?

A The next morning they didn't bring me back. It came out in the newspaper that Frank Manuel and Mack Little confessed to the crime. So they didn't bother me Wednesday.

Q How did you know it came out in the paper?

A I read it.

Q Did you have the newspaper? A Yes, sir. So they didn't bother me Wednesday night. Thursday in the morning they

came back for me again, Mr. A.D. Marshall came for me, took me out of the cell and took me across over there into this same room where the bed and radio was.

Q Could you see the room where the radio and bed was from your cell in where they had you by yourself? A No, sir

Q How far would you say it was from that room?

A I don't know, but it was on the same floor, I don't know just the exact distance, and I was so scared at the time.

Q It wasn't right across the hall from you?

A It was across the hall, but I don't know anything about the jail at the present.

Q It wasn't directly across the hall? A No, sir.  
So on that Thursday evening they came back for me again.

Q They didn't come for you any time between Wednesday morning until Thursday? A No, sir. So they beat me Thursday evening and Thursday night.

Q Who did? A Mr. J.T. Williams, with a loaded bicycle tire, trying to make me say what he told me to say; they told me over and over, sit down and tell me what to say, and I would tell them that I didn't know anything about that, and they would knock me out of the chair, and another man would hit me, Mr. G.T. Williams would knock me down and strike me with the bicycle tire, and I would get up and get in the chair, and he said "don't you know that some nigger has got to die for this, and we just as soon it be you as any one. All we got to do is to blow a long whistle and the whole mob of Pompano will be here for you in a few minutes ." I said "I don't know, sir." So they took me back that time and put me back in the private cell where they first put me in. So they came back again way in the night that night and brought me out again; so they beat me that time and knocked me unconscious.

Q This was way late in the night? A Yes, sir.

Q Who came in there at that time? A Mr. Sheriff Walter Clark, the man with the glasses on, J.T. Williams; he was the man that done the beating.

Q Captain J.T. Williams? A Captain J.T. Williams.  
So they took me and carried me back and put me back in the

private cell.

Q Took you out while you were still unconscious?

A No, when I got up where I could walk; I was crazy, I don't know, but when I knew anything I was in the cell.

Q What did he beat you with? A Beat me with a loaded bicycle tire, or sticks and with their fist and kicked me, and I don't know what else. So they came back Thursday morning about daylight and took me out again and carried me into that room and they beat me that time, tried to make me say I knew Charlie Davis. On Friday morning I told them, "no, sir, I never see him until I see him now." So he beat me terribly to make me say I knew Charlie Davis. I told him "no, sir, I had never see him before", and he knocked me unconscious at that time, and they struck me and cursed me and tried to make me say I knew Charlie Davis.

Q Did you finally say you knew him? A Yes, sir.

Q Why did you say you knew him? A I was scared they were going to kill me.

Q Where was this happening? A In the same room. So they took me back and put me back in this private cell. So they took me out later on the same day and beat me again and asked me questions that I don't remember. So they took me back. That time they beat me again Friday night, and beat me with a bicycle tire and kicked me and knocked me around off and on all Saturday night. So Saturday they come later in the day Saturday morning and took me out again and they beat me again to make me say I knew Charlie Davis.

Q Who took you out then? A A.D. Marshall, the jailer, took me out.

Q Who came up there with him? A Mr. Sheriff Walter Clark, Mr. Bob Clark and Chief Maddox, Mr. J.T. Williams, and the fellow with the glasses, and that's the only folks I knew; I hadn't been in Florida long and I didn't know anybody at the time.

Q Go ahead? A They took me out and beat me that time

and made me to say I knew Charlie Davis again, and took me back in the cell, put me back into this private cell. So later in the evening, Saturday evening, they came up there, took me out of the cell again, and so they beat me up Saturday evening, and brought me back to the cell, and I stayed just a few minutes, and carried me right back again, and just kept me walking off and on until way up to dark; so they brought me back, in just a few minutes and took me back for them again, and when I come back for them that time Mr. J.T. Williams told them, said "we going to turn him over to the mob if he don't say what we told him to say", and trying to get me to tell what they told me, and beat me up trying to make me say it, and I couldn't remember every time they called me back, I couldn't remember it, and they were telling me over and over again, so finally they got a grass rope that was laying there and they took the grass rope, and carried me to the bull ring cell --

Q On what floor was the bull ring cell?

A It was on the same floor. Carried me to the bull ring cell and tied the rope around my neck, and some one got one side and some on the other and caught the other end of the rope, and pulled me up by my neck, and beat me with the bicycle tire, and beat me with sticks and beat me until I was unconscious, then they dropped me back to the floor; I would get up and they would snatch me up, tell me what to say, and then try to make me say it, so I told them I couldn't remember it; so they did that again and again until they did it three times, and I told them the last time if they wouldn't do it any more I would tell what they told me to say.

Q What time of night was the last time they took you in there? A It was late, way in the night. I don't know just what hour.

Q On how many times on this Saturday night did they take you from your cell to that room? A I don't know just how many times it was.

Q Did they keep you up all night? A Yes, sir, all night.

Q How long would it be between the times when they would come back and get you? A Just a few minutes. I didn't have any timepiece, I don't know the exact time.

Q Did you sleep any that night? A No, sir, I was trying to pray.

Q Did you see any of these other boys in there?

A No, sir.

Q You hear them take any other people out of these cells? A Yes, sir.

Q Hear anything that was going on with the other people? A Yes, sir, I hear them hollering, I heard the lies.

Q How long did you hear that going on?

A This was a continual thing.

Q All the week? A All the week, all night.

Q You didn't know who they were beating at any time?

A No, sir, I couldn't recognize the voices. I recognized Izell Chambers voice once on Saturday night.

Q About what time was it on Saturday that you finally told them that you would tell them what they wanted you to say?

A It was in the morning; it was just a few minutes after they put me back, and then brought me back, and had all the other boys sitting in a chair in the other room.

Q After you told them that did they put you back in the cell? A Yes, sir.

Q When you told them that were you in the bull ring place? A I was in the bull ring place.

Q They were putting the rope around your neck in the bull ring place? A Yes, sir.

Q How long was it then before they came back to get you after you told them you would tell what they wanted you to say? A I don't know exactly how long, around 25 or 30 minutes.

Q Had they been telling you what they wanted you to say? A Mr. J.T. Williams and Mr. Sheriff Clark had, yes, sir.

Q They told you what it was they wanted you to say?

A Yes, sir



Q When they come and got you the next time, after they had put the rope around your neck the last time - where did they take you after you told them that you would tell what they wanted you to say, and took you back to your cell, the next time they got you where did they take you? A They took me over to a little room where there was a sofa setting there and a bunch of chairs, right across the hall on the same floor.

Q Who was in that room when you got there?

A Mr. J.T. Williams, he came in ~~in~~ with the jailer and got me that time, he was with the jailer when the jailer come after me, and they had Charlie Davis and Walter Woodward and Izell Chambers there when I got there.

Q Who else was in the room? A There was some more men but I didn't know who they was.

Q You know Mr. Maire? A I know him.

Q You know whether he was one of the men that came in the room that morning? A Yes, sir.

Q What time in the morning was it?

A It was around sunrise.

Q Were the lights still lit there in the room?

A Yes, sir, I think they were, but it wasn't necessary.

Q Just about daylight? A Yes, sir.

Q You know Mr. Maire was there that time? A Yes, sir.

Q He is the gentleman who is sitting over at this table?

A Yes, sir.

Q Did you see the court reporter there taking down what you said? A There was some three or four men there but I didn't know the court reporter from nobody else at the time.

Q Captain Williams was still there? A Yes, sir.

Q And Sheriff Clark was there? A Yes, sir.

Q Just why was it that you said, whatever it was you said, there at that time to the officers of the law and the court officials, just why did you say what you did at that time?

A Because they said they would kill me; they did everything else to me but kill me, and I thought that's what they would

do; they said they would do it, if I didn't say what they told me to say they would kill me.

Q That's the sole reason you did it? A Yes, sir, because they did everything else to me, except kill me. I was scared to death.

Q That was on Sunday morning, you say? A Yes, sir.

Q Following the May 14th ~~tax~~ on which you were arrested? A Yes, sir.

Q About sunrise in the morning? A Yes, sir.

Q And that night had you slept any at all? A No, sir.

Q How many times would you say you had been brought from the cell where you were kept? A I don't remember how many, lots of times, so many I don't remember.

Q And that night you heard other people being beat?

A Yes, sir.

Q Now after that time were you later brought into court down there and charged with a capital offense? A Yes, sir

Q Did you enter a plea of guilty in that case? A No, sir. They told me to enter one.

Q What plea did they tell you to enter, and what did you enter? A They told me if the Judge asked me was I guilty to say yes. Mr. Sheriff Walter Clark and Mr. J.T. Williams came to my cell door that morning, early in the morning, told me I was going down before the Judge this morning, if the Judge asks you you better say yes, or we will put a rope around your neck, we will tie the rope around your neck and swing you over a limb and riddle you with bullets. So after he carried me down in the court room that morning, I was sitting over on some benches and he carried me off next to the jury stand there and he told me the same thing over again.

Q Who did that? A Mr. J.T. Williams, and he told me the same thing over again, him and Sheriff Clark came to the cell door.

Q That Sunday morning, Jack, when you were brought down, after you had told them you would say what they wanted you to say, and Captain T.J. Williams and Sheriff Clark were

present there at that time, was there a typewriter there in the room at that time? A Yes, sir, I think there was.

Q That was in the jail at Broward County. Were you given any paper to sign there at that time? A No, sir.

Q You weren't given a paper to sign at that time?

A No, sir.

Q Were you later given a paper to sign? A No, sir.

Q You never were given a paper to sign? A No, sir.

Thereupon at this time a recess was taken until 2 o'clock P.M.

A F T E R N O O N   S E S S I O N .

Jack Williamson, the witness on the stand at adjournment, returned to the stand, and testified as follows:

DIRECT EXAMINATION (Resumed)

BY MR. GATTS:

Q Jack, during the time that you were in jail that you testified about, in Broward County, did any of the trustees around the jail visit you in your cell? A Yes, sir.

Q Which one or how many; tell the jury just who did visit you? A Prince Douglas, he visited me and brought me some salve to go on the places that was cut, and on the back of the head here where J.T. Williams hit me on this side.

Q Stand up and show that to the jury. (Witness stands before the jury) How many times did Prince Douglas visit you in your cell? A He visited me several times, I don't know just how many times.

Q At the time he visited you, you say he brought you some kind of salve preparation? A Yes, sir.

Q Did you use that, or did he put it on? A He put some of it on the back here, and this here, and he left a little bit with me.

Q How many times did he visit you? A He visited me several times, he visited me quite a number of times.

Q These wounds you have testified about on your head, what caused them? A Mr. J.T. Williams, he hit me there and

caused this wound.

Q Show the jury the scar you have reference to that was inflicted by Mr. J.T. Williams and tell the time it happened?

A He hit me there on Thursday night, and Mr. Bob Clark hit me there on the night which I was arrested, which was Sunday night; he hit me with his pistol; and this scar, Mr. J.T. Williams hit me; and others, I don't know who they are. There is a lot I don't know who all they were.

Q Turn around and let the jury see? (witness turns around) A That's where Mr. Bob Clark hit me, and Mr. J.T. Williams kicked me on the side.

Q Is there any scar there? A No, sir, there is no scar; on the inside there is a knot.

Q This scar down in the middle of your forehead?

A No, sir.

Q What caused that? A I got in a wreck.

Q Automobile wreck? A No, sir, motor car wreck.

Q That happened some long time before this happened?

A Yes, sir.

Q Any other scars on your head you can show the jury caused by anything else; do you have any scars which were caused by anything else? A No, sir. Only that long scar, it was caused by a wreck, that long scar comes from the front of my head and ends right up here back of my ear. Mr. Bob Clark hit me just above that scar. That scar is not connected with it. That's where he hit me with his pistol.

Q What scar that goes all the way across the top and side of your head was caused by an accident? A Yes, sir.

Q But this one scar, V-shape, was made by Mr. Bob Clark hitting you with a gun? A Yes, sir.

#### CROSS EXAMINATION

BY MR. MAIRE:

Q Jack, what night was it you say you were arrested?

A On the 14th of May, Sunday night.

Q And who arrested you? A Mr. Bob Clark and Mr. Chief

Maddox, three or four other men, I don't know who they were.

Q Mr. Helton? A No, sir.

Q Who brought you to the Broward County jail?

A Mr. Chief Maddox and Mr. Bob Clark.

Q Just the two of them brought you to the jail?

A Yes, sir, brought five of us there.

Q Where did they first take you when they first brought you to Broward County jail? A They took me aloose and took me to a little room, and Chief Maddox stuck his pistol to my neck and Mr. Bob Clark hit me there with his pistol.

Q They did that before asking you any questions in there?

A I don't recall; they said so much and cursed me so much, I don't know what they said. I was scared.

Q You weren't so scared you don't recall some of the things you have testified about, do you, Jack; you recall everything you testified about, don't you?

A I don't know just what you are talking about.

Q Don't you remember what you have already told this jury? A Yes, sir.

Q Was there anybody else in the sheriff's office at that time? A Yes, sir, there was men going out and in there.

Q Men going in and out? A Yes, sir.

Q Any women around there? A No, sir, I don't remember any.

Q What floor in the Broward County court house is the sheriff's office on, do you remember? A I didn't know the sheriff's office from no other office at that time. This was on the bottom, when I first walked into the door and back in a room there.

Q Was this on Sunday that they stuck the pistol at you and hit you that you testify about, <sup>or</sup> was that on Monday?

A It was on the night I was arrested, I don't know what time of night, I didn't have any timepiece.

Q How many times have you testified before with respect to the issues involved in this case? You understand my question?

A Not exactly, no, sir.

Q Do you know how many times you have testified in

this case? A Three.

Q Is this the fourth time? A Yes, sir.

Q Did you testify in the last hearing on the 21st day of February, 1935, that this happened on Monday morning, after you were arrested on Sunday? A I don't remember what I said in the last hearing.

Q I asked you then on the 21st day of February, 1935, if you had testified in this case before, and here is the questions I asked you and the answers you gave; now listen and see if this isn't true: "You remember when you testified before, I asked you this question, - I will go back and ask you this question: what occurred on Monday morning, that was the 14th?

(Q) What? On Monday morning after the 14th; that is what you said, and I said After the 14th; and you said, On Monday morning after the 14th. And I said Who was present when he did that? And you answered, Mr. Chief Maddox; he was the man that had the pistol cocked; stuck it to my neck, and I asked you this question: Anybody else present? and you said, Yes, sir, there were three or four men in there, but I didn't know them." Now did you testify that way in this trial before?

A No, sir, I don't remember.

Q Have you ever testified before any jury or any court room before you took the stand this morning right up there, that Chief Maddox and Bob Clark made you trot when you were arrested?

A Yes, sir.

Q You say that you testified to that before? A Yes, sir.

Q When did you testify to that before?

A I testified every time I been on the stand.

Q Don't you know as a matter of fact you never testified to that before this morning? (No answer)

Q Did you ever testify before this morning they told you they were making you run on account of mob violence? (No answer)

Q Isn't this what you testified to on the last trial on the 22nd of February, 1935: "I was arrested on the 14th night of May of 1935 by Mr. Bob Clark and Mr. Chief Maddox. I never knew

no officers at that time, but I knew them when they had arrested me; so they wake me up out of the bed at Pompano, in Mr. Blount's quarters. On the way to the automobile that they had parked out there in the quarters I saw that they had a boy tied in chains and was locked to a car bumper, and they taken him loose and brung up to jail here to Ft. Lauderdale, and they taken me downstairs in the sheriff's office where they first brought me, and Mr. Chief Maddox of Pompano, he took a pistol and stuck it to my neck". Isn't that what you testified to before? A I don't recall.

Q Are you swearing now you didn't testify to that before? A I don't say I didn't do it; I don't recall it.

Q You didn't testify at that time that they said anything to you about mob violence, or making you trot, did you?

A I mentioned that every time I been on the stand.

Q All right, you say now they took you to Broward County jail on Sunday the 14th at night, and that's when Chief Maddox stuck the pistol in you and when Mr. Clark hit you?

A Yes, sir, it was between 11 and 12 o'clock when I was arrested; at the time they got me up to the jail, I don't know what time of night that was, but it was the following day of the 14th.

Q You didn't make a confession then, did you, as a result of that treatment? A When?

Q The first night they arrested you on Sunday the 14th?

A Didn't make any what?

Q Confession or any statement or any admission of any kind? A No, sir.

Q When was the next time that any officers or anybody in the jail did anything to you? A That morning at daylight when they brought me back down.

Q That was Monday morning? A Yes, sir.

Q And who was there then? A Mr. J.T. Williams, Mr. Sheriff Clark, Mr. Bob Clark, Mr. Chief Maddox.

Q And what did they do to you then?

A That's when this J.T. Williams hit me with the loaded

bicycle tire and kicked me in the side.

Q And where did that happen? A In the same room on the ground where I was first taken when I first entered the jail.

Q In other words, they brought you downstairs on the elevator? A Yes, sir.

Q And that was on Monday morning? A Yes, sir.

Q Did they do anything to you on Monday that day?

A Yes, sir, they taken me out often, off and on all day; they struck me every time they took me out until Monday night.

Q Until about what time Monday night? A It was late in the evening. I didn't have any timepiece, I don't know.

Q Anything happen to you on Tuesday? A Yes, sir.

Q What? A They started beating me Tuesday evening, they beat me Tuesday evening, and Tuesday night taking me back and forth all the evening Tuesday, and all night Tuesday night, off and on.

Q You say they beat you all day Monday, too, off and on?

A Off and on until late Monday evening.

Q Beat you with a hose, did you say?

Q Bicycle tire loaded with something.

Q Treated you pretty badly on Monday?

A They beat me pretty bad all the week.

Q And also on Tuesday and Tuesday evening? A Yes, sir.

Q You remember all those things that you say now, don't you? A Well there was licks; I should remember them.

Q What happened on Wednesday? A They didn't beat me Wednesday. Wednesday, Mack Little and Frank Manuel, it come out in the paper they had confessed to the crime that was committed. They didn't beat me Wednesday.

Q Up to Wednesday you hadn't made any confession of any kind? A No, sir.

Q They do anything to you on Thursday? A Yes, sir.

Q What did they do on Thursday? A They took me back and forth, walked me and beat me and struck me every time; I was



taken out all day Thursday and all night Thursday night.

Q Who was there then? A Mr. J.T. Williams, Mr. Sheriff Walter Clark, he was there, and some more men.

Q Chief Maddox, you know him? A Yes, sir.

Q Was he one of them? A No, sir, he wasn't there on Thursday.

Q When you say the Sheriff, you mean Sheriff Walter Clark, this man here? (pointing) A Yes, sir.

Q What happened on Friday? A Well they took me out on Friday and walked me off and on all day and struck me every time I was brought out.

Q Threaten you in any way? A Yes, sir.

Q Tell you they were going to kill you? A Yes, sir.

Q Just what did they tell you? A I don't remember all they did tell me, they told me so much.

Q Were you scared? A Yes, sir, I was scared and crazy, too.

Q Well, you remember what happened; you weren't so crazy you don't remember what happened, do you? A I should remember.

Q Whether you were crazy or not? A I was bound to remember that.

Q But you didn't confess then, did you? A No, sir.

Q On Friday? A No, sir.

Q In other words, you had Sunday, Monday, Tuesday, Thursday and Friday, and you hadn't made any confession, up until that time. Go ahead and tell what happened on Saturday.

A Well they took me Saturday - beat me all night Friday night and Saturday morning they got me again and walked me all day Saturday and Saturday night, until late Saturday night they come for me and took me from across a private cell to where there was a bed and radio in there, and they had a grass rope, Mr. J.T. Williams, Sheriff Clark, A.D. Marshall, Mr. Chief Maddox, and some more men I don't remember --

Q Was it Saturday morning they started walking you and beating you? A Yes, sir.

Q Did they keep that up all day? A Yes, sir.

Q Was Chief Maddox there, was he one of them?

A He wasn't there Saturday morning; I don't know when he come there, but he was there Saturday night.

Q What time did they start walking you on Saturday night?

A They never did stop; they walked me off and on all day and Saturday night was when they come and take the grass rope and put it around my neck and pull me over the bar, that's when I remember seeing Chief Maddox.

Q About what time was it you remember seeing Chief Maddox? A I don't know. I didn't have any timepiece. It was late in the night though.

Q Have you ever testified before they beat you during the day time on that Saturday? A I don't remember what I testified.

Q Saturday was the 20th of May, wasn't it, or do you remember? A I don't remember.

Q You remember what day the confessions were taken?

A Yes, sir.

Q What day was that? A I don't remember the date, I remember it was on Sunday morning about sunrise.

Q You say they started Saturday morning the 20th and kept that up all day and all through the night?

A Yes, sir, they beat me all the week.

Q Now you told about the balance of the week, I just want to get this Saturday part straightened out. A Yes, sir.

Q Did they start early Saturday morning?

A Yes, sir; it wasn't so early. I didn't have any timepiece, I didn't have the correct time, I can't say what time it was Saturday morning.

Q You say that Sheriff Clark and Mr. J. T. Williams and some others were there, but Chief Maddox wasn't there in the day time? A Wasn't there in the day time.

Q But at night Chief Maddox come around and joined them;

is that right? A Yes, sir.

Q Didn't you testify before they came and took you out long about seven o'clock Saturday evening? A I don't know what I testified.

Q Now this time you testified last was the 21st day of February, 1935; do you remember that?

A I didn't just understand what you said.

Q Do you know the last time you testified in the court room in Broward County? A Yes, sir, I remember.

Q That was just last year, 1935, wasn't it?

A I think so.

Q And if there was any beating that took place in 1933, didn't it? A Yes, sir.

Q Let me ask you this: did you testify on the 21st day of February, 1935: "and they taken me out then on the 20th of May and Mr. J.T. Williams taken me about 7 o'clock in the evening, and they beat me, I don't remember just how long it was between the spaces; it was a space of time, but they beat me and then told them to take me back and bring another one out." Did you testify to that? A I don't remember.

Q Did you give this testimony: "so they beat me until I was crazy". A Yes, sir.

Q "I don't know what I said and what I didn't say"?

A Yes, sir.

Q "I said what they wanted me to say. So Saturday night about 12 or 1:00 o'clock, something like that -- 1:30, they come up there and bring me down into the jailer's quarters, they say the jailer's quarters -- office up there, with a bed and radio in it, and they taken me in that office and set me in a chair and carry me over and over what to say, telling me what to say". Did you testify to that?

A I don't recall.

Q But you recall everything you told this jury before I started questioning you, don't you? (No answer)

Q Do you know a physician by the name of C.F. Duncan and one named R.L. Brown? A Yes, sir.

Q Do you remember when they went to Raiford and made an examination of you while you were at Raiford? A Yes, sir.

Q How long was that after you had been tried in Broward County before they made that examination?

A I don't know just how long; several months.

Q You showed those doctors those scars at that time, did you? A Yes, sir.

Q And you didn't tell either one of those doctors then that any of these scars had been made in an automobile accident, did you? A Yes, sir, I think I did. I don't just recall whether I did or not.

Q You were beat up you say by these men on Saturday night and Sunday morning, the 20th and 21st of May; and did you make a statement or confession that was taken down in writing in the presence of B.B. Johnson, W.F. Ford, W.C. Goodrich, Walter R. Clark, R.C. Helton, A.D. Marshall, H.H. McNeal, J.T. Williams, Lewis F. Maire and J.W. Coleman, the Court Reporter, at 6:30 o'clock in the morning?

A I made a confession about sunrise Sunday morning.

Q That's when you made this confession, isn't it?

A That's when I said what they had told me to say.

Q That's when you said what they had told you?

A Yes, sir.

Q Now you had been beat at that time from the day before, Saturday morning, all day and all night? A Yes, sir.

Q With a rubber hose? A Off and on.

Q Kicked? A Yes, sir.

Q Had a rope tied around your neck? A Yes, sir.

Q Scars made on your head, your head busted open; is that true? A My head wasn't busted open, but there was a gash cut in my head and scars all over my head in two or three places.

Q Was there more than one gash in your head? A Yes, sir.

Q Had it healed up by that time? A No, sir.

Q So that all these men that were present could have seen that gash on your head? A If they had looked for it, yes, sir, but they never looked for it. I wasn't examined.

Q All of these men there at that time were not sheriff's officers and police officers, were they? A Sir?

Q All of the men that were present were not sheriff's officers or police officers, were they? A I don't know what they were.

Q You remember I was there, don't you?

A I remember you, yes, sir.

Q And you remember that I asked you whether anybody had promised you anything or not? A No, sir.

Q Whether anybody beat you? A I don't know what I said I was so crazy and scared, too.

Q You remember me saying this and you answering it this way: "Your name is Jack what?" You said "Jack Williamson." I said "Jack, do you want to make a statement about a case involving the robbery of Mr. Darcy at Pompano on Saturday, May 13, 1933?" And you said: "Yes, sir." I said: "Has anybody mistreated you in any way to induce you to talk, anybody beat you or hit you or anything like that?" You said "No, sir." I said: "Has anybody promised you any reward or anything at all to get you to talk?" You said "No, sir." I said: "You want to make a statement just to tell the truth about it in the presence of all these men?" You said "Yes, sir." I says: "What you are going to say you are going to say it because you want to say it and not because anybody has beat you or abused or hurt you or anything?" You said: "No, sir, they haven't." Is that true?

A I don't remember what I said.

Q You don't remember saying it? A No, sir.

Q And you are testifying now if you did say that that wasn't true? A I don't know what I said.

Q You know everything that happened to you but you don't know what you said; is that right? A I know when I was struck and beat and kicked.

Q Now did you say that at that time; is it true or false?

A I don't remember saying that.

Q You don't deny saying it then? A I was crazy, I don't know what I said.

Q You were crazy from the result of all this beating?

A Yes, sir.

Q Well if you were crazy how do you remember what you have been telling this jury about? A I should remember the licks and who hit me.

Q Why shouldn't you remember the rest of it?

A I don't remember what I said because they had told me to say it, and carried me over it.

Q Who do you mean when you say "they"? A Mr. gheriff Walter Clark and Mr. J.T. Williams and the fellow with the fellow with the eyeglasses, and some more.

Q Who took you from your cell the first time on Saturday?

A Mr. A.D. Marshall took me each time, the jailer.

Q Was that Saturday morning? A Yes, sir.

Q You remember testifying this way on the last trial on February 21, 1935, when I asked you this question: "Do you know about what time it was the first time they took you out of your cell that night, the night before the confessions were taken", and you answered like this: "It was right early, first of the night." Did you testify that way? A I don't remember what I testified .

Q All you remember now and all you can think of to tell this jury is that these officers took and beat you all the evening long, and that's all you can remember to tell them about it, isn't it? (No answer)

Q When did you commence to get crazy?

A I don't know the beginning when they all was beating on me.

Q Were you kind of crazy on Monday after they beat you on Sunday? A I don't remember.

Q Were you kind of crazy on Tuesday after they beat you on Monday? A I don't remember, sir.

Q Were you crazy on Wednesday after they beat you on Tuesday? A I don't recall, but I was crazy Sunday morning when they beat me and I lost sleep all the week up until Sunday.

Q Were you crazy at any time before Sunday? A Yes, sir.

Q They beat you up before Sunday, didn't they?

A They beat me all the week, every time I was taken out.

Q You didn't get crazy until you made the confession?

A No, I was crazy all the time.

Q Then you didn't make the confession on account of being crazy, because you didn't confess before Sunday morning, did you?

A I don't remember.

Q You didn't make a confession on Monday, Tuesday, Wednesday, Thursday, Friday or Saturday, although you testified you had been beaten continually during all of those days, except Wednesday, yet you didn't make a confession until Sunday morning, did you? A I didn't confess; I told what they told me to say.

Q You told what they told you to say?

A What they told me to say.

Q After that statement was made on Sunday morning, then what happened to you? A Sir?

Q After they told what they told you to tell, then what did they do to you? A Took me back and put me in a cell.

Q What did they do after they put you back in the cell?

A Well they come and told me off and on every day, they told me over and over what to say.

Q Who did? A Mr. Sheriff Walter Clark and Mr. J.T. Williams.

Q You had already said what they wanted you to say?

A Yes, sir.

Q Did they beat you any then? A No, sir.

Q They didn't beat you ~~xxxx~~ after that Sunday?

A No, sir.

Q How many days was it after that Sunday before you were taken down before Judge Tedder and entered your plea?

A I don't remember.

Q Was it several days? A I don't remember just how long it was. It wasn't the next day.

Q But you were taken down before Judge Tedder?

A I was taken down there before some man, I didn't know whether it was Judge Tedder or who it was.

Q You know where the court room is, don't you?

A Since I have been in it several times, but I didn't know it before.

Q You know now you are before Judge Chillingworth in a court room? A Yes, sir, I realize it.

Q And you were taken before Judge Tedder, weren't you?

A Yes, sir, I guess I was.

Q What did Judge Tedder tell you when you were brought up there to plead in this case? A I don't remember.

Q Don't you know he asked you whether or not you had ever been beaten? A No, sir.

Q You remember that? A No, sir.

Q Did he ask you whether or not anybody had promised you anything to get you to plead? A No, sir.

Q Or whether any sort of representations had been made to you of any kind to induce you to make a plea? A No, sir.

Q You don't remember that? A No, sir.

Q Did anybody beat you up that morning? A No, sir. They come and told me what to say, they would take me out and tie a rope around my neck and hang me to a limb if I didn't say what they told me.

Q Who did all that? A Sheriff Walter Clark, Mr. J.T. Williams.

Q Don't you know that Mr. Clark and Mr. J.T. Williams never went up in the jail the morning you were brought down?

A They went in my cell.

Q Don't you know that A.D. Marshall is the only man that saw you that morning and he was the only one that took you from the cell? A They come up there before he took me out of the cell.

Q You swear they did? A Yes, sir.

Q And told you you better go in and plead guilty; is that right? A Yes, sir.



Q You remember that?

A They told me over and over again.

Q You weren't crazy then if you remember that?

A I was scared and crazy, too.

Q Were you scared after you got in the court room?

A Yes, sir, scared the whole time I was in Broward County.

Q Did Judge Tedder give you every opportunity to testify there in the court room and tell anything that happened to you?

A I don't remember.

Q You don't remember that? A No, sir.

Q On this Saturday night and Sunday morning you claim you were beaten, who did the beating? A Mr. J.T. Williams did the most of the beating, tied the rope around my neck and swing it up on the bar, and Chief Maddox beat me, Sheriff Bob Clark struck me, and several other men - there was some other men that kicked and hit me, I don't know who it was.

Q Was Chief Maddox there? A Yes, sir.

Q Was Bob Clark there? A Yes, sir.

Q Don't you know that Chief Maddox or Bob Clark weren't over at the jail? A I know they was there from the time the rope was around my neck.

Q Where was it they tied the rope around your neck?

A It was upstairs in the place called the bull ring.

Q What did they tie the rope to? A They didn't tie it to anything, they throwed it through a crack to a bar on one side and pulled me up on the other.

Q Chief Maddox and Bob Clark did that? A Mr. J.T. Williams, Chief Maddox. Mr. Walter Clark didn't have anything to do with that, he stood back with a pistol in his hand cursing and telling me what to do.

Q What did they hit you with that night? A A bicycle tire loaded with something, and sticks, had sticks, I don't know what all, their fists and kicked me.

Q What did they beat you for, what did they want you to say? A They wanted me to say what they had told me to say.

Q What did they tell you to say? A I don't remember.

Q Didn't you testify before they wanted you to say you knew Charlie Davis? A No, sir, not that night.

Q What night was it they told you that? A They told me that back in the week, they told me that Thursday night and Friday.

Q Did you know Charlie Davis before this time? A No, sir.

Q You ever work with him in Pompano?

A I met him in jail in Fort Lauderdale.

Q Did you bleed any that night? A Yes, sir.

Q Any blood fall on your clothes? A Yes, sir.

Q How much did you bleed; freely, or just a little bit?

A Well I don't remember how much I bled, but I bled.

Q How much blood got on your clothes?

A I didn't have on any shirt.

Q You had on an undershirt? A I had on B.V.D's, yes.

Q What? A Yes, sir.

Q Any blood get on that? A Yes, sir.

Q Was any blood on it that morning when you went in where these men were and made that statement? A Yes, sir.

Q You know Frank Manuel, A Yes, sir.

Q Was Frank Manuel in jail where you were in Broward County jail? A Yes, sir.

Q Between the 14th and 21st day of May, in Broward County jail, did you tell Frank Manuel you had gotten these scars working on a railroad, some of them? A No, sir.

Q You didn't tell him that? A No, sir, I wasn't nowhere around Frank Manuel, I was in a private cell to myself all the week only ~~xxxx~~ when I was taken out.

Q Did you work in the field with Frank Manuel before this trouble? A Yes, sir.

Q Did you have any accident while you were working at Mr. Blount's by which you got some of these scars? A No, sir.

Q Did you tell Frank Manuel you got some of them that way?

A No, sir.

Q You now say to this jury that you got one of the scars in an automobile wreck? A No, sir, I didn't tell the jury that.

Q You said a motor car accident, didn't you? A Yes, sir.

Q Is that where you did get it? A That long scar, yes.

Q What do you mean when you say motor car, is that on the railroad? A Yes, sir, railroad motor car.

Q Did you ever tell Frank Manuel that's where you got it?

A No, sir, I never had much talk with Frank Manuel.

Q Did you two months before, approximately two months before Mr. Darcey got killed and this case came up, tell Frank Manuel while you were working out in the field in Pompano, did you show him the scars on your head and tell him you got those on this motor car truck you just testified about? A No, sir.

Q You sure you know Frank Manuel? A Yes, sir.

MR. MAIRE: Bring Frank Manuel in.

Q You know that boy there? A Yes, sir.

Q Who is that? A That's Frank Manuel.

Q You know Mr. G.A. Worley, an attorney at Miami?

A No, sir.

Q Did Mr. Worley ever come and talk to you about this case in the Broward County jail after you were convicted?

A No, sir.

Q Did he talk to Charlie Davis in your presence about it?

A No, sir.

Q Who represented you on the first trial of this case?

A We had a lawyer - I don't recall his name. I think his name was ~~Mather~~ Mather.

Q W.C. Mather? A I don't remember his initials.

Q Did Mr. Mather ever talk to you about this case before he went in the court room? A I don't remember, but he talked with me during the trial. I asked him to come up to my cell and he came up there. I told him I was innocent and had witnesses to prove my innocence, and he give me a pencil and piece of paper, but he told me there wouldn't be no use of me giving him no

names because they wouldn't let them take the stand.

Q Did he give you a pencil and piece of paper and tell you to write the names of the witnesses?

A He said there ain't no use trying to get them down because I haven't got any witnesses.

Q Didn't he take you into a room right off the Broward County court room, with a Mr. Albert Griffis, the other attorney, and didn't they talk to you in the presence of these other defendants, and talk to you about this case? A Yes, sir, they talked to us all, some men talked to us all, the lawyers.

Q The lawyers that were appointed by the court?

A Yes, sir.

Q Did you ever tell those lawyers at that time that you had been injured or coerced in any way to make this confession? A I don't remember.

Q Don't you know you told them you hadn't been?

A I don't remember what I said.

Q Don't you know you told your lawyers that you made this confession freely and voluntarily and nobody had ever beaten you or hit you or coerced you or promised you anything to get you to make it? A No, sir, I never told them that.

Q You know Virgil Wright, deputy sheriff, up there?

A Yes, sir, I think I do.

Q Mr. Wright ever beat you in any way? A No, sir.

Q Did you talk to Mr. Wright while you were in the jail there between the week of the 14th and 21st?

A No, sir, I don't remember seeing him.

Q Did you tell Mr. Wright you got these scars on your head in a motor car accident? A No, sir.

Q You deny that, do you? A Yes, sir.

Q Didn't tell him that? A No, sir.

Q To either he or Mr. Walter Clark? A No, sir.

REDIRECT EXAMINATION

BY MR. CATTS:

Q Jack, did you say the day you were carried over to the court house, in answer to Mr. Maire's question, that Mr. J.T. Williams came in your cell before you were taken out?

A Yes, sir

Q Did you see Mr. J.T. Williams in the court room that day? A Yes, sir.

Q Did he have any conversation with you in the court room? A Yes, sir. I was sitting on the bench at the time, all four of us, and he carried me off and told me to remember what he had told me that morning, what him and Sheriff Clark told me that morning in my cell.

Q And what you said in the court room that day, did you still have the same fear of Mr. Williams that you had on Sunday morning? A Yes, sir.

Q What made you go ahead and admit, say what you did in the court room that day? A Because I was scared of Mr. Williams, and scared of him yet.

Q Jack, during the time that you were in the jail there in Broward County, from Sunday night when you were arrested, until the next Sunday morning, when you were brought into the presence of these other three petitioners, did you at any time during that week or period of time see any of these petitioners, other than Izell Chambers? A No, sir.

Q And you only see Izell Chambers when he was taken to Miami and brought back? A Yes, sir.

Q You were kept in confinement by yourself during that time? A Yes, sir.

Q Did you see and talk to Frank Manuel during that time?

A No, sir.

Q Were you at any time ever put in the bull pen where these petitioners were? A From the first morning I was arrested until I was hit on the head, then I was taken to the bull pen.

Q How long did you stay there? A I stayed there a short time. I was taken back, and that's when they kicked me

in the side and hit me with a loaded bicycle tire, then they took me from there and put me in a private cell.

Q From that time on did you see any of these other petitioners? A No, sir.

Q Did you see Frank Manuel? A No, sir.

Q Did you see Maek Little? A No, sir.

Q Did you see any other person who was there in that jail for the homicide? A Yes, sir.

Q You never saw or talked to the others in the jail?

A No, except Charlie Davis, they brought him in and kept him there for a moment.

Q That's the time they were trying to get you to say you knew Charlie Davis? A Yes, sir, but I didn't know him.

Q Did you have any conversation with him alone at that time? A No, sir.

Q You did say you saw the trusty down there?

A Yes, sir, he brought me something to eat.

Q And the other inmates of the jail, the other prisoners you didn't have an opportunity to converse with them?

A No, sir, no one.

(Witness excused)

WALTER WOODWARD, being first duly sworn by the Clerk, testified on behalf of the petitioners as follows:

DIRECT EXAMINATION

BY MR. GATTS:

Q You are one of the petitioners in this case?

A Yes, sir.

Q Where were you living on or about the 12th, 13th and 14th day of May, 1933? A I was living in Mr. Blount's quarters.

Q Did you have a house there in Mr. Blount's quarters?

A Yes, sir, I had a tenant house.

Q How many rooms in that house? A Two rooms.

Q You married? A Yes, sir

Q Who was living there with you at the time of your arrest?

A Jack Williamson, Izell Chambers and Claudie Mack.

Q Now on Sunday night, May 14, 1933, were you at home that night? A Yes, sir.

Q What time did you go home, or had you been home all day?

A I had been right around in the quarters all day; I hadn't been far from the quarters all day.

Q When did you go to bed that night?

A I went to bed around nine o'clock.

Q Who all was home with you at the time?

A They all was there, every one that stays there, Jack Williamson, Izell Chambers and Claudie Mack.

Q Did they also go to bed about the same time?

A Yes, sir, we all went to bed about the same time.

Q How long had you lived in Pompano? A I went to Pompano the last day of November, 1932, and I lived there from the last day of November up until the time I was arrested the 14th of May.

Q Where did you go there from? A I came from Scriven, Georgia, here.

Q Do you remember that Sunday night when you were arrested, May 14th, you remember the night you were arrested?

A Yes, sir.

Q You been in jail ever since?

A Yes, sir, been in jail ever since.

Q Tell the court and jury just the circumstances and what happened at the time you were arrested that night, who arrested you, and all that happened?

A Well, the 14th night of May I was in my house in Mr. Blount's quarters, around 11 or 12 o'clock this night, which was on the night of the 14th of May, when I was arrested by Mr. Bob Clark and Chief Maddox of Pompano, at that time, and Mr. Dick Goodrich, and there was two or three or four men who I didn't know who they were were present.

Q At that time did you know Mr. Goodrich? A No, sir.

Q You know Chief Maddox? A Yes, sir, I know Chief Maddox.

Q Did you know Bob Clark at that time? A No, sir.

Q Chief Maddox was the only one that came there that you knew at that time? A Yes, sir.

Q You did know he was a police officer? A Yes, sir.

Q Go ahead and tell what happened. A So I was lying down asleep, I didn't know even when they come and called; I guess I was the last one to wake up, because some one hit me on the bottom of the feet with a club or jack or something, but not enough to hurt you; I felt it sting, and I jumped up. He had a flash light and they told me to get up. I said "for what," and they said "its no time to mess around here because if the mob gets you you will know what it is." So they rushed me out without time to get my shoes. They trotted me to the car, and when we come out Frank Manuel was tied and fastened to a car, an old body of a car just outside my yard twenty or thirty feet; so they got him in the car along with us, and when we got in the car we got in Chief Maddox' car and was taken to Broward County jail and locked in a cell.

Q Who was taken? A Izell Chambers, Claudie Mack, Frank Manuel and myself.

Q And Jack Williamson? A Yes, sir.

Q Five of you taken down there in Chief Maddox' car?

A Yes, sir. So Chief Maddox put <sup>me</sup> up upon the second floor of the bull pen. He took \$1.10 off me in silver. So I was lodged in jail until Monday evening. The first time I was taken down I seen Captain Williams, Mr. Marshall the jailer, Sheriff Clark, the three men was present.

Q That was the first time you had been taken out of the bull pen at the time you were put in jail? A Yes, sir.

Q At the time you were put in there Jack and the rest ~~xxxxx~~ of them were all put in jail the same time? A Yes, sir.

Q Were any of the rest of them taken to the jail there put in the bull pen with you? A Yes, sir, one of them, Claudie Mack.

Q You remained there that Sunday night until Monday night without having anybody ~~talk~~ take you out? A Without being taken out.



Q And they took you out that evening, you said, Mr. Marshall, Sheriff Clark and Captain Williams took you out, all three? A No, sir

Q Well, who come and got you? A The jailer got me, he took me out on the elevator up on another floor, I guess his quarters, there was a bed in the room, I don't know whether there was a radio in there or not; so he beat me in there and axed me and wanted me to tell him what I knowed about this crime, this homicide; I told him I couldn't tell him anything.

Q Who was talking to you? A Captain Williams.

Q Did he come down with the jailer, or did you find him in the room? A I found him in the room when I went upstairs, I was carried to the bedroom where he and Mr. Clark the Sheriff was. So he asked me about the homicide; I told him I didn't know anything about it. Well he asked me several different questions, but I was not hit that time at all. Of course I was crazy. He said I was lying, I had to come straight, etc., and all like that, so I wasn't questioned very long before I was taken back to the same place I came from, and I was taken out several times through the week, sometimes in the day and sometimes at night and questioned in connection with this homicide.

Q Were the same people there each time? A No, the same wasn't there every time. The jailer was there, Mr. Marshall, and the Sheriff, Mr. Walter Clark and Captain Williams was there, and sometimes there would be other people.

Q But these three were always present? A Yes, sir.

Q Now how many times after that Monday night when you were taken out, you say you were not struck or abused, how many times after that were you taken out? A I don't recall just how many times, but I was taken out several times, sometimes two or three times a day.

Q Were you ever struck while in jail by anybody? A Yes, sir.

Q When was that? A Well I was struck every time, except the first time I went down, I don't recall being struck, but after this Monday evening, that was the first time I was lodged in jail, I was taken down, with the exception of that time, either my

my feet was stamped or I was struck and told I was lying.

Q Tell the jury the first time you can remember you were taken down and abused that way? A The first time I remember being taken out and went under torture was on Monday night, after this Monday evening; I was taken back Monday and was brought out again in the early part of Monday night and was asked about this homicide, and when I didn't know anything about who committed the crime, or either know Charlie Davis, why this Captain Williams stamped my feet, and I was barefoot, and I was kept the whole time I was there without my shoes, while I was down there, until I was sentenced and sent to Raiford, even went down to the trial with bare feet, and when I asked for my shoes I was told I didn't need no shoes.

Q Who told you that? A Captain Williams. The concrete was cold; it was May and the concrete was cold at that time.

Q You say he stamped your feet? A Yes, sir.

Q What room were you in when this happened?

A I was in the same room up from the cell I was in.

Q That was the room that had the bed in it?

A That was the room that had the bed in it.

Q And the Sheriff was there at that time? A Yes, sir, in fact he was present every time I was brought out.

Q Tell the jury what he did when he stamped your feet?

A Well sometimes he stamped my feet once or twice, just according how long I might be there talking to him and asking me questions. He struck me several times and my feet was stamped and I was told I was lying, and I would be taken back, but from time to time, I don't recall how many times, each day and night, except one day, on Wednesday, I was taken down day and night during the period of eight days I was lodged in Broward County jail, and several different times I was taken down and struck. I wasn't beaten until the night of the 20th, which was on the following Sunday night.

Q Tell the Court what happened on that night?

A That night they come up and got me --

Q You been staying in the bull pen all the week?

A In the bull pen all the week, yes, sir, where several other prisoners were.

Q Were they in there in connection with the same matter?

A Some wasn't even connected or arrested on the same thing. So on the night of the 20th I was brought down and Captain Williams asked me do I know Charlie Davis. I told him no, sir, I didn't know him, just as I told him all the week; he told me I was lying, I had to come straight, so when I denied it why he struck me as usual, like he had from time to time; he didn't break the skin at these different times but I was struck hard enough to be bruised. So after I denied it he stamped my feet and cursed me, grilled me for fifteen or twenty minutes, and told them to take me back to my cell; they took me back to my cell, and then later I was brought back and he told me, he says "Jack have come across and you just come across", and then he began to brutally beat me sure enough at that time; as far as being bloody, I wasn't bloody, but like I was struck in the side some time Saturday night.

Q What did he hit you with? A I was struck with a club.

Q Who hit you? A Captain Williams.

Q Did it make a scar? A Yes, sir.

Q Stand up and show the jury the scar. (Witness stands up)

A The scar is right here.

Q Where were you when you were hit there; in the same room? A Yes, sir.

Q You ever taken in any other room, other than that one room? A Yes, sir.

Q Is the bull pen in that same room? A Yes, sir.

Q About what time of night do you say that was after they told you that Jack had already come across? A That was the night of the 20th.

Q About what time would you say it was?

A It was the early part of the night.

Q Just what kind of a club was it? A It seemed to be a piece of some kind of a handle like a hoe handle or shovel, it was a handle of some kind; it run off sharp like this, one end sharp and the other end blunt.

Q Had you seen that instrument around there before that time? A Yes, sir, I see it before that time.

Q Go ahead and tell the jury what else happened to you after they struck you with that instrument? A So after I was struck with this instrument he grilled me for quite a while, I stuck to it I had been telling him all the time I knew nothing about it, and so he ordered me back to my cell, and I was taken out several times after this time, I was taken out several times on the night of the 20th, and later in the night, around two o'clock this night I come down and he told me if I wanted to live to sunrise it would be best to come across, and if I didn't I would be taken to the west Dixie and there would be a necktie party, if I didn't come across, I better come across because Jack Williamson had come across and said I was one of the boys in it. So I still denied it. Well Captain Williams had an automatic pistol and had it in a scabbard, and Charlie Davis was sitting side by side, and had me sitting in the chair in front of them, and he was nodding like he was sleeping sitting up with his eyes closed, and Captain Williams was crying, and he told when I kept denying it, he drew the gun and pushed me to the window and stuck the gun to my head, an automatic gun, and told me if I said another time that I was not there and had part in the crime, that he would kill me and throw me out the window, and Mr. Clark jumped in then and got between me and Captain Williams, and he said "you better take him out of here, if you don't, I will kill him", and he took me back to the cell.

Q What was he crying about? A He said I had told lies and kept him sitting up all the week and he was tired and if I didn't come across I would never see the sun rise.

Q And he took you back to your cell?

A Not the same cell I was the third time I was brought out, I was kept in another part in a private cell; after the third time on the night of the 20th, then I was taken back to the private cell. So I hear them hollering, some of the boys, and shortly after that they come back, shortly after that, twenty or twenty five minutes, and bring me out. He said "you know I am going to kill you tonight if you don't break down, you just come across and tell what I want to know." I told him he had no right to kill me because I can't lie to myself. He says "you going to tell me", so he went to crying again, and he says "I am going to take you to the west Dixie". I begged him if he wouldn't take me to the west Dixie and if he would send for the State attorney he could take down what I said, I said send for him and I will tell him what I know. So he sent for Mr. Maire some time during Saturday night, must have been around one or two o'clock in the night, it was after midnight, and so he sent for Mr. Maire, I didn't know Mr. Maire then, but I know him now by his face.

Q Where did they take you when Mr. Marie came in?

A Just in the same room, Mr. Maire came in the same room I was in. Of course it may have been his office, but I was in the same room I had been questioned in continually all the week.

Q That's where you were when Mr. Maire came in?

A Yes, sir.

Q What happened at that time? A Well he come in and said "this boy got something to tell me" and Captain Williams says "yes, he is ready to tell you." Well during the time they had sent for him Captain Williams gave me a cigarette and told me to smoke a cigarette so I would be ready to tell him. So I was sitting there thinking what to say, because I was afraid of being killed, because he threatened to kill me all the week, swore I wouldn't see the sun rise, and I got to the place where I had to tell him something, so I was sitting there studying what to tell him, when I knew I didn't know nothing to tell him.

So Mr. Maire came in. Well I had figured while I was sitting there of reading in the newspaper on Wednesday, which was May 17th, I got hold of, I think it was a Lauderdale paper, and I see in the paper, which I read the headlines, negroes made a confession, Frank Manuel and Mack Little. So that's what I told him when he come in. Mr. Maire had a pen and a book to take down what I told him, which he said had to be on the typewriter, but I didn't see any typewriter, I saw him with a pen and book, so whether it was shorthand or regular writing I don't know, but he took it down with pen. After I told him my story he said it was no good, and he tore it up. He said "when you get something I will come back."

Q What was it you told him that time? A I told him that I red in the newspaper where Frank Manuel and Mack Little had made a confession.

Q You tell him you overheard any conversation?

A Yes, sir, I told him I overheard conversation; they were at my home , the Sunday night before they were in my home and I overheard the conversation, that they was talking but I didn't know what they was talking about, I didn't get it all, I heard them talking about spending some of the money that was taken off this man. He asked me several questions and I couldn't tell him anything further, only they was just talking in the house.

Q Were you making that up about overhearing that conversation? A Yes, sir, I had to make something up.

Q What was it Mr. Maire said? A He told them it wasn't no good, when they got something out of me he would be back. It was late he had to go back and go to bed.

Q Then what happened? A Well after that Captain Williams put a grass rope on my neck and said if I ain't going to tell the truth I am going to kill you. So he was strangling me with a rope, put a rope around my neck and strangled me, and then he ordered me back to the cell, and go get another one. I wasn't in the cell long before they come back. After I come out of the cell I was in the bull ring, and the cell is in the bull ring in a line like that,

and I come out the bull ring door and Captain Williams met me with the rope and put the rope around my neck the second time, and that's when I made the confession.

Q What did he say? A He twisted the rope and strangled me, swore he would kill me. He said if I didn't say I was present when this man was killed he would kill me before sunrise, and it wasn't very long before sunrise.

Q What did they do then? A They took me into the same room that Mr. Maire was going to take the confession in.

Q Did they leave you in that room? A There was four chairs setting, but I disremember whether Charley Davis or Izell Chambers, but there was one of them there when I was brought in.

Q How long was that from the time you was brought into that room until Mr. Maire left there? A Something like two or three hours, I guess, because it was around sunrise when I went into the room.

Q Had you slept any that night, Walter? A No, sir, I was walked all night, not continually, but I didn't have no time to sleep except in short spaces of the night.

Q Was there any bed in your cell that you were taken to when you were put in there by yourself that night? A Yes, sir.

Q But you didn't sleep? A No, sir, didn't have time to sleep.

Q When Mr. Maire came over there that morning you say it was around sunrise? A Yes, sir, I wouldn't say it was before or after, but it was around early morning, something like six o'clock, I remember it was red back in the east.

Q Between daylight and sun up?

A It was daylight all right.

Q When Mr. Maire got there it was after daylight?

A Yes, sir.

Q When he came in who all was in the room when he came in?

A It seems like to me, I am not sure, but I think Mr. Maire was already in the room when I came in there, but I remember

there was a little table set there and a typewriter on the table. I am not sure, but I know it was two or three different times I was there.

Q How long did you sit there after you were first taken in there before they started to take the confession that last time? A How long?

Q Yes. A It wasn't long because immediately after I was taken in they brought two more in and they begun to questions. Just a short space of time.

Q What officers of the law were there; was the Sheriff there? A Yes, sir, he was there.

Q Mr. J.T. Williams there? A Yes, sir.

Q Who else was there at that time? A Mr. Walter Clark was there, Mr. Maire, the State's attorney that I know, and the deputy clerk, I don't know his name, he is clerk or reporter, he ~~was~~<sup>is</sup> sitting in a chair right over there, I don't know his name.

Q You mean the court reporter? A Yes, sir.

Q The one that took down what you said? A Yes, sir.

THE COURT: You mean Mr. Gordon?

WITNESS: I don't know his name.

THE COURT: You mean the man sitting over there at that table?

WITNESS: Yes, sir, he was sitting over there that morning. I didn't know his name, but I know his face.

Q Why did you say to them that morning anything after you were brought into the room? A Because I was scared, I had been threatened for my life all night long, and I was told if I denied anything I had said or any questions they asked me I would be abused.

Q Who told you that? A J.T. Williams.

Q He was there in the room at that time? A Yes, sir.

Q Were you represented by counsel from that time on?

A No, sir, I wasn't represented. I had one appointed but he never did nothing but tell me to plead guilty.

Q When were you taken into court after this Sunday morning?



A The day I was arranged (arraigned) I can't recall what time it was, but it was several days later.

Q Now do you remember the day you were taken to court?

A Yes, sir.

Q When you went to court that day, did you see Captain Williams that day? A Yes, sir.

Q He was in the court room? A He come to my cell the morning before I was taken down, he and Mr. Walter Clark.

Q What did they say to you that time?

A They asked me was I still going to stick to what I said and I said no. He told me if you go down there and try to change your statement in the court room, he says, "don't you know you won't live until the next morning, because the majority of the people in Pompano they are from Georgia, they believe in mob violence, they will lynch all the niggers." I says "they they have no right to lynch me", and he says "they will, and I will turn the keys over to them."

Q Was he there in the court that monning? A Yes, sir.

Q Did any of them say anything to you in the court room?

A No, sir.

Q Before you were taken in the court room did this attorney ever come to the jail to see you? A No, sir.

Q Did you ever talk to the attorney before you went into the court room? A I didn't know I had one until I was taken down to be arranged (arraigned). I came down on the elevator I see a man in the elevator, - I saw him here today- he told me he was Mr. Mather, he told me he was my attorney appointed to represent me.

Q How long was that in hours or minutes before you were finally brought to court to be arraigned? A About thirty minutes.

Q What did he tell you? A He told me the sentiment of the people of Broward County was highly against me and the best thing I could do was to go down there and plead guilty. That's all he has ever told me since or before.

CROSS EXAMINATION

BY MR. MAIRE:

Q When did you first talk to Mr. Mather about your case?

A I talked to him on the morning I was to be arranged.

Q You know whether Mr. Mather knew at that time you were supposed to have made a confession? A No, sir, because I hadn't seen him before.

Q Did he ask you about the confession you were supposed to have made? A No, sir.

Q Mr. Mather ask you whether or not you had made a confession? A No, sir.

Q You say you were arrested on the 14th day of May, was it?

A At night, yes, sir.

Q That was what date Sunday? A It was on Sunday night.

Q That was the Sunday before this statement was made by you? A The statement was made the following Sunday morning.

Q What first happened to you after you were put in jail; where were you taken? A Pardon me?

Q Where were you taken when you were first arrested?

A I was taken to Broward County jail.

Q I believe you stated you were awakened by Mr. Goodrich tapping you on the feet with a club or something?

A Yes, sir, something.

Q Mr. Goodrich didn't hurt you when he did that?

A No, sir.

Q You are not trying to tell the jury or convey the impression there was any brutality involved in that? A No, sir.

Q He just come along and tapped you on the bottom of the feet to wake you up? A Yes, sir, because it didn't hurt.

Q Who else was present when you were arrested? A The ones I know were present was Mr. Bob Clark and Chief Maddox of Pompano.

Q What did they do after they arrested you?

A They took me out to the car.

Q What did they say to you? A I asked them what was this about, and got up, what's all this about; they say "you know what

it is about, and don't let this mob get you" and told me to hurry and get out, so they handcuffed us - no, I wasn't handcuffed, the two boys I think was handcuffed.

Q Who else did they have in the car; somebody in the car when you got there? A No, sir. They arrested me, told me to hurry to get out there, trotted me to the car, me and Jack Williamson, Izell Chambers and Claudie Mack.

Q This is the fourth time you have testified in this case?

A The third time.

Q Didn't you testify in the hearing when Izell Chambers didn't plead guilty? A Yes, sir.

Q And you testified in the hearing before Judge Tedder when there wasn't a jury? A Yes, sir.

Q And you testified before Judge Tedder when there was a jury last February; that makes four times, doesn't it?

A Yes, sir, four times.

Q You have heard Jack testify every time in the case?

A Yes, sir.

Q And this is the first time you or Jack ever told the jury that the officers trotted you anywhere or told you anything about a mob when you were arrested? A If you look in my first statement that I give in this case I think you will find where I told I was trotted from the house to the car. I don't say I brought it up each and every time I made a statement.

Q Are you swearing you ever did say that before?

A I give the statement once before.

Q Who to? A I know I told my attorney once.

Q When did you first tell him that?

A Well I give him that statement in Raiford I think.

Q How does it happen this is the first time you ever told the jury about it? A There is quite a bit of things, quite naturally there is a lot of things was said and did that slip my remembrance at the time.

Q This case has been in court three years, hasn't it?

A Yes, sir.

Q You have had all that time to think about it?

A I have had other things to think about, too.

Q You have done a lot of thinking about this, haven't you?

A Yes, sir.

Q You are just adding that this time to what you said before? A It is true.

Q It is true that you are adding it? A They did it.

Q You never told another jury that until today?

A I don't recall telling it before.

Q When they first took you to Broward County jail where did they take you? A They took me up on the second floor.

Q Did they take you to the sheriff's office?

A I don't know. I don't know where the sheriff's office was.

Q Did they lock you in the cell first? A No, sir, they brought me in the door, put me on the elevator and carried me up on the second floor.

Q They didn't stop on the ground floor and question you down there? A No, sir.

Q You say that was Sunday night? A Yes, sir.

Q After they locked you up when was the next time they took you out? A They brought me down Monday evening.

Q Who brought you down? A Mr. Marshall, the jailer.

Q Where did they take you to? A Took me upstairs to this room where the bed was.

Q Took you to that same room they took you the night the statements were taken down up there in Mr. Marshall's room?

A Well, there is two little rooms, go through one that haven't got the bed in -- no, sir, not the one the statement was taken down, because the one that has not got any bed in I had to go through, the one that has got the bed in it, it is on the same floor.

Q You were arrested at the same time Jack was? A Yes, sir.

Q Taken to jail together? A Yes, sir.

Q You were both of you taken to the same place?

A Yes, sir, Broward County jail.

Q I mean when you got to the court house were you both taken and locked up? A No, sir.

Q What happened then? A I was locked up, that's what happened to me.

Q What happened to Jack? A I don't know, I didn't see him no more.

Q They took him one place and you another; is that right? A They took him some place, they didn't bring him up with me.

Q Did he get in the elevator with you? A No, sir, I left him downstairs, I left him down where we come in.

Q When was the first time they did anything they should not have done, like beating you? A Well, the first time was Monday night, the second time I was brought down they stamped my feet.

Q Where did that happen? A That was in the room where I was when I was taken out of the bull ring and taken upstairs in the room where the bed was.

Q Was it the same room you were taken into later where the statement was taken down? A No, sir.

Q That was another room? A That was the little room just outside of this room where you had to go through it, in fact it is not a room, it is just like a lobby.

Q You say you were arrested and placed in jail on the 14th day of May; is that right? A Yes, sir.

Q The petition you had filed by counsel in this case -- did you sign the petition in this case? A Yes, sir.

Q It says the 13th day of May; is that a mistake?

A That's a mistake; I was arrested on the 14th.

Q When was the first time you saw Captain Williams?

A Monday.

Q When did you first see him? A Pardon me, I was wrong. The first time I saw him was the night I was arrested at my house.

Q Did he do anything to you that night? A No, sir.

Q Just tell the jury now when were you first taken out of your cell and illtreated in any way. It is stated right on from the time you were arrested right up to the time your confession was taken. A I have already explained that.

Q You haven't told every time?

A I was taken out several times.

Q Monday night was the first time; is that right?

A Yes, sir, Monday night.

Q Were you beaten any on Tuesday? A I don't say I was beat any time up until Saturday night, but I was struck several licks and my feet stamped; I didn't say I was beat every time, but I was threatened and struck, and said I was lying; I wasn't hit any licks not until the night of the 20th.

Q You say you don't remember now of having been beat and abused until that Saturday night? A Yes, sir, I was tortured and abused, but I wasn't beat?

Q Tell them how you were treated? A I was struck several times, and my feet was stamped all through the week each time I was brought down, excepting the first time.

Q What is the difference between being struck and beaten?

A Difference of being beaten and being struck?

Q Yes. A Well, being struck is only one or two licks, but being beat is a continuous thing for something like five or ten minutes.

Q Were you beaten continually? A No, sir, I wasn't beat continually.

Q Is that your signature on this petition, this is the one prepared by your counsell, McGill? A Yes, sir.

Q You signed that? A This is my handwriting.

Q It was read to you; you know what was in it?

A Mailed to me, some of them were mailed. I didn't see this one.

Q Well, you signed this one? A Yes, sir.

Q You know the contents of it? A Yes, sir.

Q This is the petition for writ of error coram nobis.

What about this one here? A That's my handwriting.

Q Did you know you were swearing to it?

A Well, I don't know whether I did or not, I never was in court before, and I went through a lot of things, I don't know what I went through.

Q This was up at Raiford you signed it? A Yes, sir.

Q You remember signing this? (Counsel reads)

MR. GATTS:

Object to the reading of the affidavit to the petitioner before the jury. He admits the signature is his signature, and he has testified so far that he knows about swearing to it, and I don't see the materiality of reading the body of it.

THE COURT: Objection overruled.

Q Did you sign this? A That's my handwriting, yes, sir.

Q Now you are swearing now that you were occasionally beaten and struck by these men; is that true?

A I was continually struck any time I was brought down, struck or my feet stamped.

Q Did you ever hear this before: "Your petitioners further represent that Walter Woodard, one of the petitioners herein was almost continuously beaten, kicked and bruised every night from the time he was arrested May 13, 1933, until May 21, 1933, when it is stated that he confessed to the crime therein charged against him". Is that true?

A Yes, sir, that's true. I say it was continuous beating of about five or ten minutes, but I was continually struck and my feet stamped each time. You call it what you will.

Q They didn't start on Monday morning and beat you until Sunday? A Each time I was brought down my feet was stamped, and sometimes they struck me two or three times.

Q Did they beat you some on Monday or strike you and stamp your feet? A Yes, sir.

Q Did they do that on Tuesday? A Every time I was brought down I was struck some or my feet stamped.

Q Did they do that on Wednesday?

Q No, I wasn't beat on Wednesday.

Q Did they beat you Thursday? A Every day I was brought down, and every night.

Q Did they beat you Friday? A That was continued each day and night, I was brought down.

Q Did they do anything to you on Saturday before the confession was taken from you, in the day time?

A I don't recall being brought down on Saturday until around dark Saturday night, the first part of the night.

Q They didn't beat you then during the day on Saturday?

A I don't recall being brought down until Saturday evening, or the first part of the night.

Q Then you weren't continuously beaten, bruised and kicked on that day? A No, the times I wasn't brought down I wasn't beat.

Q About what time did they first take you out of the bull pen on Saturday night, May the 20th? A Well, I didn't have any timepiece, I couldn't say definitely, but it was the early part of the night, around dark.

Q Who took you out of the bull pen? A Mr. Marshall.

Q Where were you taken that night? A I was taken up to the same room I have explained to the court.

Q Who was there? A Captain J.T. Williams, Sheriff Walter Clark was present.

Q Mr. Marshall? A Yes, sir.

Q A crowd of other men there? A Sometimes there was other men, but the first time they were the only ones.

Q What did they say or do to you that time?

A Well it was only one talked to me that time.

Q Did he do anything else but talk to you? A Not the first time, no, sir. He threatened to kill me, said I was lying.

Q Did he step on your toes or hit you with a rubber hose or strike you the first time? A Not the first time, no, sir.

Q Questioned you, and then did they take you back to your cell? A Yes, sir.