

2/10/08

Dear Doc:

I placed the Silas Holliman file in my current file cabinet which I keep next my desk and which I, from time to time, go over to be sure that I haven't forgotten something. In looking at Silas' file, I noted some pictures and statements of Silas and Mrs. H., which I had not read. I don't believe that I am violating attorney-client ethics by sending you copies – especially in view of your kinship and the passage of time. The statements are not too revealing but are consistent with the common public view that Sam Bobo was an overbearing man and that he was dealing with one who could be pushed only so far. John H. was a good friend of mine and while I don't remember discussing the case with him, he was that type of man. (John operated the Pool Room for me for a couple of years (?) – likely the only honest operator I have had) I was acquainted with others of Silas' family, Earnest, Elora and Vela Mae, especially, and found them all good folks. I did not know Mrs. H., or her family. I never heard anything about hanky panky. Maybe his remark that she was the cause for him being in Jail, he was referring to the warrant and his return from Moline – or maybe her failure to join him there. Who knows? There is nothing in these statements that would indicate such and I am sure that Mr. Holder would have pushed Silas for any factor which would have been helpful in his defense. Apparently, all that he and co-counsel could do was to lean upon temporary insanity.

Anyway, I hope that you find some interest in the enclosed material.

I hope that your health has improved – maybe you know too much about physical ailments. I just stagger around until something knocks me down. (I know that's a dumb thing to say – but maybe there is some truth there?) I am enclosing a copy of a letter I mailed to our immediate family respecting a tragedy affecting us. Our son-in-law broke his neck in a fall and presently a paraplegic. The letter was written in mid-January and we have recently visited a few days – but there is no change to report. I believe that he is due to remain at Sheppard for 3 or 4 more weeks. They are presently making adjustments at their home now. He is breathing more easily and they have removed the trek. Both he and Retta seem to be in good sprit and accept that which has happened.

Best regards,
Lini

Rhodes Holliman

From: "Louis Moore" <lmoore@watvc.com>
To: "Rhodes Holliman" <drrbh88@verizon.net>
Sent: Saturday, November 17, 2007 11:41 AM
Subject: Silas Holliman

Doc:

Sorry to have been so long in looking at the Silas Holliman matter. I returned to Fayette on 11/5 but with chest congestion - gook - and all that stuff (my medical terms are quiet limited as you will observe) - went to the doctor Tuesday for the usual dosage of antibiotics - cough syrup, etc. Jane went to the doctor Wednesday. We each stayed in that week and I went to the office the 13th. I talked with Eddie later this week and he began a search of the county newspapers, locating good accounts of the event and of the trial. I have been sitting here the past 2 hours, trying to scan them in and e-mailing them to you, but so far have been unsuccessful. At last resort, I will get them in the mail today.

Sam Bobo was killed 7/4/51. I had finished Law School in February and left for the army on the 12th and to Walter Reed doing legal assistance until I returned home on October 19th. Silas was convicted on October 24. I remember going into the courtroom during the trial but did not remain any length of time. I went into solo practice in November - appointed Circuit Solicitor in January, 1953 - was elected in 54 and 58 and defeated in 62 and then into partnership in 63 with C. M. Holder who died in 1995. In thinking about the Holliman case, I decided to look at the old files and found that Red and Rankin Fite of Hamilton represented Silas !!! There may have been other lawyers involved, but I have not discovered this. There was no appeal, therefore there is no transcript of the case. I don't believe that Eddie will have anything in the Clerk's file since all case records are sent to the state archives after a period of time.

Red's file is interesting - particularly his notes on final argument seeking to establish the defenses of Self - Defense and Insanity, each of which are not strong under the facts, but each of which indicate that Sam's overbearing and unreasonable attitude together with Sam's charge against Lela (Silas's wife, Lela Bynum Holliman) of stealing corn caused Silas to lose it. I will look over the material and see how much I can pass on. I have ethical considerations in disclosing lawyer-client material. While the participants are deceased, there are family members still around. The Judge, V.W. Elmore, the Solicitor, Cecil Strawbridge, Assist. Sol., W.W. Monroe, both the attorneys for the defendant, the Court Reporter, Annie Gunter, and likely all the main witnesses are deceased.

Much would depend upon what use would be made of the material - if merely for genealogical interest and use - or if for publication.

We can talk about this later. I will close - the LSU - Miss game is but to start and I don't want to miss it.

Best regards, Louis

PS: We enjoy the e-mails very much! You certainly have a wide range of interest. The latest one - catching catfish - was tremendous.

Statement of Mrs. Silas Holliman (Mrs. Lela Holliman)

Given August 23, 1951.

Married Silas Holliman in Columbus, Mississippi on August 19, 1928, they have been married 23 years. She is about 2 or 3 years younger than her hisband, Silas Holliman.

They moved to the Sam Bobo Place on December 9, 1950. She does not know the details of the trade whereby Silas Holliman rented the place from Sam Bobo, but does know that Sam came to the place where they lived (on C. C. Holliman place) to trade with Silas about the place.

At the time the trade was made Sam Bobo lived in Birmingham. Silas Holliman went to work in Moline, Ill some time in January, 1951. From that time on she and their son, Leonard Holliman, 11 years of age, continued to live on the Sam Bobo place, alone.

Some time the first week in June, about June 6 or 7, Sam Bobo came to their place and brought a tractor with which he did about 2 days plowing, towards making a crop.

Approximately June 8, 1951 (Friday) Sam Bobo ask Mrs. Holliman if she had heard from Silas Holliman. She told Sam Bobo that she had not.

On second Sunday in June, 1951 (June 10, 1951) Sam Bobo came to the home and wanted to know just what Silas said when he left home the last time. Mrs. Holliman told Sam Bobo that Silas told her that if he failed to get a place to move the week after his return, that he would continue to do his best to find a place so that they could move to Ill, with him. Sam Bobo said that he was going to call Silas and Mrs. Holliman ask him if he wanted Silas' address, and was informed that he had the address. About that day Sam Bobo did move back to Fayette County, Ala.

Sam Bobo along with his wife and sons (two) continued to come on the place and tend the land. One time they came into the house of Mrs. Holliman and removed a part of the electric stove outlet and carried it away, this was agreeable with Mrs. Holliman as she did not have and electric stove and did not use the outlet. The boys played with the Holliman boy. They were friendly.

Silas Holliman had some farming tools there and Sam Bobo took possession of some of them and used them in making his crop. The father-in-law of Sam Bobo Avon Howton, unloaded some ferterlizer and tools in the garage, putting them on each side of the car.

2.

About this time, when Sam Bobo was planting his garden, Mrs. Holliman got a letter from Silas in which he said that he had failed to find a place to live, which information was told to Sam. Sam Bobo said that he knew how it was, for he had rented, that the places which one could afford were not fit to live in, while those fit to live in were too high.

About 3rd. week in June, Monday (would be June 18, 1951) Sam Bobo got a mule and brought it to the place and put it in the barn. Sam Bobo came to the back door of Mrs. Holliman house and ask about getting some corn. He wanted to know what Silas said about selling some corn. She told him that Silas said that if they moved he would have a little corn to sell. Sam then said that they (meaning the Holliman's) would not use all the corn. To which Mrs. Holliman replied that she guessed not. Sam then said that he would like to buy 10 or 12 bus., whereupon Mrs. Holliman said that she would sell him that much. Sam said that he would weigh it up and went on to the barn. When Sam returned from the barn Mrs. Holliman mentioned that if she had thought of it she would have let him had enough corn to feed his mule that time. Sam said that he had already feed the mule. Some of this was heard by Mrs. Sam Bobo.

About Wed. (June 20, 1951) Sam Bobo, his wife and Mrs. Holliman weighed the corn. Mrs. Holliman putting down the weights. The corn was placed back in the same crib, but not in the same pile with the Holliman corn. They weighed out 12 bus.

Thursday afternoon Sam Bobo came and ask Mrs. Holliman for Silas' address, which she gave to him. Sam was plowing there on the place. Mrs. Holliman went to call on Mrs. Sam Bobo, who live up the road a short distance and had a visit with her. When Mrs. Holliman got ready to leave she told Mrs. Bobo that she was sorry that she had been unable to move, whereupon Mrs. Bobo replied that "that day would come". Mrs. Holliman said that she had ment "now" and Mrs. Bobo just smiled.

That week about Friday (which would have been June 22, 1951) Silas came home from Moline, Ill. She told him about the corn and he ask if Sam had paid for it, and was informed that he had not, had not mentioned anything about paying for it.

On Sunday (which would have been June 24, 1951) Sam Bobo came down to the Hilliman home and stayed about $2\frac{1}{2}$ hours taking to Silas. Mrs. Holliman heard some of this conversation - but being busy with her house work, and cooking dinner did not hear all of it. She did hear

3.

Silas ask Sam Bobo \$1.50 per. bus. fro the corn. Sam offered Silas \$1.40 and to take all of the corn.

Late that afternoon Silas told Mrs. Holliman that she could tell Sam to weigh up the rest of the corn and take it, and pay her for it. Mrs. Holliman said that she had rather not do it, so Silas and Mrs. Holliman went by Sams house, or more properly by Sams house on their way to take Silas to Winfiled to get the bus to return to Ill. Silas told Sam that he had decided to let him have the corn at \$1.40 per bu. and for him to weigh the rest of it out the next day and pay his wife for it. To which Sam said well. About that time Sam seemed to get mad and told Silas that all this stuff that he (Silas) had been coming over, that he (Silas) had not ment a word of it. Then Silas said that he knew that they wanted the place, and I want to move and was going to move just as soon as he could find a place, and was doing his best to find a place.

That Sunday night (June 24, 1951) Leonard put the lock on the corn crib door.

The next morning (Mon. June 25, 1951) when Sam came to work he brought a tub with him in which to water his mule (prior to that time he had been using Mrs. Holliman's tub although he had not ask permission to do so). Although his children came with him, they did not come to the house to play as they had done theretofore.

Late that afternoon Sam Bobo came in from work with his mule and ask Mrs. Holliman to unlock the ^{crib} ~~door~~ door, and appeared to be very mad about it. Mrs. Holliman told him that she would not unlock it. Sam said that you will unlock it or I'll brake the lock off. Mrs. Holliman told him that he would not brake the lock off, for he knew what Silas had told him Sunday afternoon, viz: to weight up the rest of the corn and pay her the money for it. To this Sam replied that he was not trading with her, but that he was going to use the corn and it was to go on the rent. The second time she ask Sam not to use the corn and repeated the trade, and said that Silas said "that if they came there and tried to run over her or started trouble, that they (the Bobo's) would just have to stay away." "Now you have started trouble and just do not come back in this yard any more". Sam Bobo told Mrs. Holliman that we have not had the trouble that we are going to have. Further Sam said that he hated it that she was with Silas the Sunday Afternoon before, then they came by his (Sam's) house. Mrs. Sam Bob heard this. Them Mrs. Bob said that she did not know

4.

what kind of a letter Silas did write them, it is in black and white with his name to it, and that they intended to keep it. Then Mrs. Bobo said that Silas is a black liar, and Mrs. Holliman said you black rascal, do not talk about Silas here in this yard. Mrs. Bobo said that it has not been long since you have been in Court and Mrs. Holliman told Mrs. Bobo that it had not been long since Sam had beat her up there in that house. Mrs. Bobo said that Silas had told a certain individual that he did not have any intention of taking her (Mrs. Holliman) and Leonard to Ill, that he (Silas) was having to big a time up there, and she had better go see what he was doing. Then some remake was made about in-laws, and their not havint been the person that Silas told that to. Mrs. Holliman told Mrs. Bobo that hse had heard that Sam was fired from his job in Birmingham, /in place of being laid off. Whereupon Mrs. Bobo replied that he had in Jan. but not the last time and that people had told her that they were running a risk in moving down there expecting to get possession of their place. Then Mrs. Holliman told Mrs. Bobo that she had started trouble and not to come back in the yard any more, to which Mrs. Bobo said that she would be coming back some more too.

Then Sam Bobo went to the barn and broke into the crib, took some of the corn and feed his mule.

That night Mrs. Holliman tried to call Silas, but was not able to get a connection, the next morning /she tried again. So on Tuesday - June 26, 1951, she sent a telegram to Silas which said this: "We are having trouble with the Bobo's, think it necessary you come home at once. Mrs. Lela Holliman"

When she was trying to get the calls through John Franklin Holliman (defendants brother) brought her to town, and told her that he would help her in any way but he did not want to come down there or be there when Sam was there.

During the time Mrs. Holliman was away from home Tuesday morning the Bobo's took her rope off the well (she had taken her bucket off, as it was only fastened with a snap, and took water into the house with it) and put their rope, bucket on it and tired it "to a Post". They had again feed the mule from the corn.

That afternoon she took the corn which had been weighed out and separated and placed it back on their pile. Just about time she and Leonard were through they saw Sam coming. He wnet into the barn, came out

5.

got into his car and left. (This is about the time he got the warrant for her arrest for stealing the corn). After a while he came back. That night when he got through work he took both his mule and his tractor away with him, although at all times heretofore he had been leaving them in the barn.

That night (Tuesday night - June 26, 1951) Vela Mae Holliman (a sister of Silas) came and told Mrs. Holliman that Silas had called her. He had said that he had received the telegram, and told her to tell Mrs. Holliman that it would be 2 or 3 days before he could come or get home, that if it got ~~so bad that she could not stay there~~ so bad that she could not stay there she could go stay with some of the neighbors.

She did not see any of the Bobo's (except one time Sam came through the field with his mule and got a harrow from the barn) until July 4, 1951, the date of the killing.

Monday July 2, 1951 Oscar Pinkerton, Chief Deput Sheriff and Reno Lowery, Highway Patrolman, came to the Holliman home to serve a warrant upon Mrs. Holliman for stealing the corn. She was in the garden and the officer came to the garden gate. Mr. Pinkerton told her that he had a bond for her to sign. She ask what it was for, what had she done, she just stayed at home all the time. Pinkerton gave her a sheet of paper, she looked at it and was so shakey she could not read it. She told Pinkerton that he would have to read it to her, or tell her what was in it, as she was so shakey that she could not read it. Pinkerton told her that Sam Bobo had sworn out a warrant against her for stealing his corn. Then Mrs. Holliman explained it to him and said that it was ~~xxx~~ a mess. Lowery said "I figured that it was. Mrs. Holliman said she did not want to sign the bond as Silas was not at home. Lowery said that they were supposed to place her in jail, but they did not want to cause her the embarassement . Then Mrs. Holliman went to the phone and tried to find Silas, thinking he was some place in the community. Mr. Pinkerton told her that if she would sign the bond, they would do their best to find Silas as they want back, and if it was not satafactory with him they would destroy the bond. Then she signed the bond. Then they had some additional talk about destroying the bond, and Mrs. Holliman remarked "This is going to get serious". She had never been arrested or placed under bond at any time before. The officer left.

July 4, 1951. Day of Killing. Happened early in the morning, about 6 o'clock in the morning. Mrs. Halliman was in the kitchen cooking

6.

breakfast. The first thing which she heard was the tractor coming, and she went to the front hall. Silas was going in the North room and told her to go back as he was expecting trouble. Next thing she heard was shots. She run back to the front hall. The tractor was coming straight down towards the house, and did run into the corner of the house. Sam Bob was running towards the tree, the hickory with the steel drum by it, he lost his hat and went on the lower side of the tree. Silas was shooting at him. It is her opinion that shots came in two bursts, does not know how many shots were in each burts. The first was fired about the time she left the kitchen, second after she got up front in the hall. After the second burst, Silas came out of the room, with the gun under his arm, went to where Sam was lying, looked at him and said "I expected him to have a gun." All shots which Silas fired were fired from the front room, except the one hereinafter mentioned. Ted Bobo, the son of Sam Bobo, one of the boys who was on the trailer which the tractor was drawing, ran around the garage and went and laid down by the side of his father, when Silas went out there he got up and ran off, up throught the field. The other son ran off though the field, is the judgment of Mrs. Holliman.

After looking at Sam Bobo, Silas went back into the same room stayed a while, came out, stood on the door steps, pointed the gun South and up into the air and fired one shot. Then Silas put the gun up, and went down in the South yard.

Thelton Holliman ~~was~~ was the first one to come. He stopped about half way to the house and called to Silas. Siad "Can I come get Sam" Silas said "Of Course you can come and get him". Thelton ask Silas if he'd not bother him. Silas said some thing about, if he did not have any better sense than that just to not come. Thelton left.

Silas ask Alberta Sander's ring (for the phone) and talked to some one on the phone.

Then Mrs. Sam Bobo started down there. Mrs. Holliman called to her to go back, repeated it several times, and she also told Silas to go back into the house and stay there. Mrs. Bobo came on down there in the car, stopped where Sam was laying, open the door, got partially out of the car and said "Sam are you dead" All this time Mrs. Holliman was telling her to go back. Mrs. Bobo closed the car door, backed up, turned around and went out.

Silas changed shoes, and as he went out of the house told Mrs. Holliman that he was going to town, he went out into the South part of

7.

got into his car and left. About the time Silas was leaving or during the time he was getting out of the yard, John Franklin Holliman and Alberta Sanders came up at the road and ask what had happened. Silas told them to come down and see. They were in Alberta Sanders Car. After think about this Mrs. Holliman said she did not think that Silas said anything, just got into this car and left.

The lots of people came among them Travis Lawrence, Sheriff of Fayette County, Alabama and Thomas Veasey, along with him. They ask her somthing about it, and she told them along the lines of the above statement, but not at such length.

After the shooting was over, the tractor ran into the North end of the front porch and tore it down, Mrs. Holliman went out and looked at it. In the traileed she saw a piece of iron, an iron rod, about 2 feet long and round, although it was larger at one end than at the other.

Mrs. Holliman also said three other items which might be of use:

1. That when Silas came home from Ill. on the time of the killing, he did not seem mad, but he did seem strange and worried, did not appear to be at him self. Once when she remarked that a person who did as Sam Bobo had done and should have a whipping, Silas said "He was not able to give it to him" He never in any way threatened to do anything to Sam, not even to her.
2. During the Second World War, when Silas was working in the ship yards, he physical condition was such that he was not allowed to work off the ground.
3. Whe Silas got the telegram in Ill. He told the men with whom he was working that he had trouble, and that they had heard of people who had so much trouble just dying, and not be suprised if he just passed out. He told his landlady that he worried all night and did not sleep at all, or if he did he just dozed off a bit.

W. SILAS HOLLIMAN,
DEFENDANT.

Wife: Mrs. Lela Holliman, Route 2, Covin, Alabama.

Was Lela Bynum before her marriage.

Children:

William Kenneth Holliman, age 21 years, in Air Force in England

James Ray Holliman, age 19 years in Air Force, El Paso, Texas.

Leonard Holliman, age 11 years, still lives at home.

James Ray Holliman is married (other are not) *on arrival K. Breath*

Mother: Mrs. Bertha Holliman, Route 2, Covin, Alabama - Earnest Holliman

lives with her, on old home place - Father is dead.

Brothers:

1. Clyde Holliman, Route Winfield, Alabama (only half brother)

Wife was Martha Casey.

2. Earnest Holliman, Route 2, Covin, Alabama - not married,

lives with mother

3. Oreland Holliman, Route 2, Fayette, Alabama

Wife was Eva White.

4. John F. Holliman, Route 2, Covin, Alabama

Wife was Robbie White

Sisters:

1. Gracie Sanders (only half sister) Route 2, Covin, Alabama.

Husband: Alberta Sanders

2. Elora Holliman, Birmingham, Alabama - not married

3. Eula Watson, Hamilton, Mississippi

Husband: Lee Watson

4. Vela Mae Holliman, Fayette, Alabama - not married.

Works at Central Drug Store - Lives at Mrs. A. C. Branyon's.

Statements

Defendant says that he has talked to Travis Lawrence, the Sheriff of Fayette County, Alabama, along with Thos. Vasey, the Corner of Fayette County, Alabama, in the jail at Fayette, Alabama, several times, some of which times Oscar Pinkerton, Chief Deputy Sheriff of the county was present. Defendant says that he told them some of how it was.

Also talked to Dr. Thos Wiley some. The doctor treated defendant for a heart condition.

Cecil Strawbridge, the Circuit Solicitor, came to see the defendant in the jail at Fayette, Alabama, in company with the

County Solicitor, Mr. W. W. Monroe and Travis Lawrence. Defendant said that he did not make any statement to them about the facts of the case.

When I talked to the defendant, I cautioned him not to make any statement to any person about the case, not even to member of his own family, nor fellow prisoners or officers.

FACTS

As given July 11, 1951 by the Defendant.

Defendant says that he has lived on the Sam Bobo place since about December 9, 1950. That he and his family lived on the only house which was on this farm.

The place was rented from Sam Bobo by the defendant along with the land which went with it, and he was to tend the land in the event he was not able to secure a job, but he reserved the right to seek employment which he was able to do, and which would not be so hard upon him as farming, he being in ill health. Sam Bobo came to the place where the defendant was living, prior to moving to the Bobo place and made the trade with him.

The defendant was to tend the land, all that he could with one mule, in the event he was unable to secure a job. In the event defendant did secure a job or other employment off the farm, the trade was that he was to pay Sam Bobo the sum of \$15.00 per month rent for the place, for full 12 months, in the event that they were unable to rent any part of the land to some other person to farm. If only 15 acres to 25 acres, about what defendant was or would be able to tend, was rented to some other party or parties, then defendant was to pay the sum of \$10.00 per month for the house and same to be for full 12 months. If all the land was rented to others to be tended, then defendant was to pay Sam Bobo the sum of \$5.00 per month for the rent of the house for the full 12 months.

After the defendant moved to the Sam Bob place he was able to secure a job in Moline, Ill. as a arch welder or torch cutter, he secured this job about January 17, 1951.

At the time the place was rented to defendant the said Sam Bobo was living and working in Birmingham, Alabama. Some time after defendant moved on the place Bobo lost his job or otherwise became unemployed.

About the 2nd. Sunday in June, 1951 (which would have been

June 10, 1951) Sam Bobo called from Birmingham, Alabama by long distance telephone to the defendant in Moline, Ill. and told him that he (Bobo) had his household furnishing loaded and wanted permission to unload them at the place in Fayette County, Alabama where and which defendant had rented from Bobo. Defendant informed Bobo that he could not do this as he and his people did not have any place to go or move and that he had the place rented for the full 12 months. Bobo also informed the defendant that he wanted the place and did not want to have to move twice, and that it would not be any more trouble for the defendant to move twice that it would for him (Bobo) and in the event that he did not get the house that he would charge defendant the rent for the full 12 months. Defendant informed Bobo that he would pay the rent and wanted to keep the house.

Sam Bobo rented an adjoining place and moved back to Fayette County, Alabama and started to tend the lands which were on the Holliman place. He did not have permission from Holliman, nor did he ask for any to take over and tend this land.

Defendant came home from Moline, Ill. on the 4th. Sunday in June 1951, (which would have been June 24, 1951). When the defendant was at home this time Sam Bobo came and talked to him at his home (the Holliman home) two or three times.

First time Sam Bobo talked to the defendant was about dinner time. Sam proposed that the trade in relation to the rent of the house be remade or changed, in that Defendant would pay him \$10.00 for each month that defendant had used the house, and that Defendant vacate the house. Sam Bobo on this occasion claimed that he was not tending all the land, only part of it, and therefore would be due to collect the \$10.00 rent under their trade. Defendant told him that he would consider this, and might take him up and move when he could get a place to live in Moline, Ill., and also told him that he would like to look and see just what portion of the lands he (Bobo) was tending. At this time Sam Bobo told him that he was using some of his corn and that he would pay for the same, and ask what he wanted for it. Defendant told him at that time that he wanted \$1.50 per bu. for the corn as he understood that this amount was the market price. Bobo informed the defendant that he would not give over \$1.40 per bu. for the corn and would throw the rest ^{of} it back and not use it. This talk last some 1 or 2 hours.

Second talk that Sunday was in the afternoon. In this conversation Bobo told the defendant that he was going to make him move.

Defendant told Sam Bobo "to lets be civilized about this matter" and that when he was legally required to move that he would do so, and not to have and trouble about it.

Late that Sunday afternoon he told Sam Bobo that he could have the corn at \$1.40 per Bu. provided that he would take all of it, and do the weighing the next day and pay for the same the next day, giving the money to his wife, and also before any more of the corn was used. At this time defendant was getting ready to leave for Moline, Ill., going back to his work. During this conversation Sam Bobo told the defendant that he had lost confidence in any thing which he said, and did not want to hear any more out of him. Wife of defendant and his youngest son heard this statement.

Next Sat afternoon (which would have been June 30, 1951) the defendant again left his work in Moline, Ill and returned to his home in response to a telegram from his wife to come home, which telegram mentioned the trouble which they were having.

That Sat. afternoon when defendant got home he made out a check in the amount of \$120.00 and went to pay Sam Bobo the amount of rent which he claimed that he was due under their rental agreement. Sam Bobo was not at home he was down the road at or close to home of Alberta Sanders talking to him. Defendant went on down that way, and stopped at the house and went into the house and talked to Mrs. Alberta (Gracie) Sanders, his half-sister, and remained there until he saw Sam Bobo and Thelton Holliman, Route 2, Covin, Alabama leave in a car.

Defendants wife had, upon his return home informed him at Sam Bobo had broke the locks on their corn, and had use some or taken some of the corn.

Next morning. Sun. Morning, July 1, 1951, defendant took the check, which he had previously made out to Sam Bobo, got into his car and went to the home of Sam Bobo, and in the presence of Thelton Holliman, presented the check to deceased. Sam took the check and read it, and while he was doing so defendant went back and got into his car. Sam Bobo came to the car bringing the check and said that it was to much, that there was some corn to go on it. Defendant told Sam Bobo he was not nor had he agreed to pay in corn. Sam Bobo then told him that he had already done it. Defendant informed him that he wanted him to take the check. Sam Bobo brought the check and laid it in the car door. Defendant agains told Sam that he wish that he (Sam) would ~~take~~ ^{take} the check as it was the amount agreed on between them for the

rent, and you have done the equivalent of taking it. Then the defendant left and again went down to Mrs. Alberta Sanders (his half sister's) and told her and her husband about it. He also told John F. Holliman, Rt. 2, Covin, Alabama, his brother about it, and he also told them about Sam Bobo breaking into the crib or place the corn was stored and taking it.

Monday Marning defendant went over to Alberta Sanders to see about putting their corn together and thereby making up a large truck load and taking their corn and selling it.

On the road Oscar Pinkerton, Chief Deputy Sheriff of Fayette County, Alabama along with a Highway Patrolman (must have been Reno Lowery) in a State Patrol car, over took the defendant in the road and stopped him, and told him that they had been over to arrest his wife for stealing Sam Bobo's corn, on a complaint made by Sam Bobo, that Travis Lawrence, The Sheriff had told them to only put her under bond. That she had signed her own bond, and that they wanted him to sign it with her, although they stated that they had told her that if he did not sign it they would distroy it, and as the defendant understood it go back and get his wife and put her in jail. The defendant refused to sign the bond. The officers did not go back and take his wife to jail, they took the bond as it was, signed by wife only.

Also on Monday defendant came to Fayette, Alabama and purchased a 22 rifle from Dobbs Hardware Company, Fayette, Alabama along with the shells for the same, Prior to making the purchase he looked at the at Western Auto Associate Store, Fayette, Alabama and Anderson Hardware Store, Fayette, Alabama. Defendant had a shot gun at home which he had owned for some time.

Tuesday, July 3, 1951, Defendant got Revis South, Route 2, Covin, Alabama to take his corn, the part which he wanted to sell, to Vernon. Alabama and sell it. He kept a small amount for his own use, a box full.

During the time that defendant was home on the previous trip and the last trip, his wife and told and ordered Sam Webester to stay away, off their place.

On July 4, 1951 (day which killing happened) in the first part of the morning, early, the defendant was out in his yard when he saw Sam Bobo coming on his tractor. Then he saw him turn down towards the house, on the road which came down to the house, and defendant them went into house.

When Sam Bobo was down close, just a few steps from the house, the defendant punched out the widow and in his own words "Started shelling him" After that he does not remember anything ~~of~~ in relation to the killing until he was on the phone trying to call people to come into his place. He said that he does not know, nor will he ever know where he killed Sam Bobo or not.

Defendant recalls that Mrs. Sam Bobo ~~was~~ started down there and his wife told her not to come or some such statement.

Thelton Holliman started down there, and before coming called and ask about coming on down the road, and as to where he would be shot or not. Defendant told him that it was a ~~big~~ foolish question or statement, and that the question made him made.

Then ³~~two~~ persons, defendants best recollection is that it was Alberta Sanders (defendants brother in law) and Avon Howton (the father in law of Sam Bobo) came down that way a piece and ask about coming in (they ~~were~~ were in a pick-up truck) and as to where they would be shot or not, and defendant told them to come on that he had been trying to get people in, about this time, defendant got into his car and came to Fayette, Alabama and gave himself up to Oscar Pinkerton told him "that he wanted protection - a doctor - and some breakfast". Was locked in the County jail.

Defendant also says that after the shooting that he went to the phone, and when he picked up the receiver that lots of people were talking on the line, and he just said or called into the mouth piece that he wanted them all to come down that there was trouble or some such words.