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Supreme Court of Appeals
Richmond, Va.

209 VA 282

Record No. 6767

In the Supreme Court of Appeals of Virginia at Richmond

HENRY LEE WILES

v.

COMMONWEALTH OF VIRGINIA

FROM THE HUSTINGS COURT OF THE CITY OF RICHMOND

RULE 5:12—BRIEFS

§5. Number of Copies. Twenty-five copies of each brief shall be filed with the clerk of this Court and three copies shall be mailed or delivered by counsel to each other counsel as defined in Rule 1:13 on or before the day on which the brief is filed.

§6. Size and Type. Briefs shall be nine inches in length and six inches in width, so as to conform in dimensions to the printed record, and shall be printed in type not less in size, as to height and width, than the type in which the record is printed. The record number of the case and the names and addresses of counsel submitting the brief shall be printed on the front cover.

HOWARD G. TURNER, Clerk.

Court opens at 9:30 a.m.; Adjourns at 1:00 p.m.

IN THE

Supreme Court of Appeals of Virginia

AT RICHMOND

Record No. 6767

VIRGINIA:

In the Supreme Court of Appeals held at the Supreme Court of Appeals Building in the City of Richmond on Wednesday the 4th day of October, 1967.

HENRY LEE WILES, Plaintiff in error,

against

COMMONWEALTH OF VIRGINIA, Defendant in error.

From the Hustings Court of the City of Richmond
W. Moscoe Huntley, Judge

Upon the petition of Henry Lee Wiles a writ of error and *supersedeas* is awarded him to a judgment rendered by the Hustings Court of the City of Richmond on the 10th day of March, 1967, in a prosecution by the Commonwealth against the said petitioner for a felony, but said *supersedeas,* however, is not to operate to discharge the petitioner from custody, if in custody, or to release his bond if out on bail.

RECORD

* * * * *

page 1 } AFFIDAVIT FOR SEARCH WARRANT

COMMONWEALTH OF VIRGINIA:
CITY OF RICHMOND, to-wit:

Before me, John W. Chalkly, a Justice of the Peace of the City aforesaid, this day appeared C. D. Coleman and made oath as follows:

(1) (1) Substantially the offense in relation to which search is to be made. Possession Narcotics.
(5) (2) The material facts constituting probable cause for issuance of the warrant.
(a) 1—Information form informant, who has given reliable
(2) information in the past, that Henry Wiles wm residing at this
(3) address has narcotics in his possession at this time.
(b) 2—This Division has received several complaints that this man is a user of drugs.
(3) What is to be searched for under the warrant. Narcotics.
(4) (4) The Dwelling House to be searched. 204 S. Linden St.

C. D. Coleman
Affiant

Subscribed and sworn to before me this 15 day of December, 1966.
A Copy of Affidavit Dec. 27, 1966 filed in Chancery Court.

E. E. WARRINER, Clerk
BY EVELYN S. PUCKETT, Dep. Clerk
John W. Chalkly
Justice of the Peace

page 2 } SEARCH WARRANT

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND
To:

WHEREAS an affidavit has been filed pursuant to law and complaint made before me by C. D. Coleman, that Posses-

sion of Narcotics, at 204 S. Linden St. and I being satisfied from the affidavit filed with me that there is reasonable and probable cause that there is now being concealed certain property, namely Narcotics, which is illegally Possessed at 204 S. Linden St.

You are hereby commanded and authorized, in the name of the Commonwealth of Virginia, to enter in the day or night-time the said Dwelling described as follows: 204 S. Linden St. and there diligently search for the said Narcotics, and bring the same and the person or persons in whose possession the same are found, before POLICE COURT of the said City to be disposed of or dealt with according to law.

And you are hereby further required to make your return of this warrant to POLICE COURT — of said City, showing all things done thereunder, with a particular statement of the things seized and the name of the person in whose possession they were found, if any, and if no person be found in possession of said article, your return shall so state, and you shall post a copy of this warrant on the door of the building or other place where said Narcotics is illegally possessed, are found, and if there be no such door, then in any conspicuous place upon the premises.

Given under my hand and seal, this 15th day of Dec., 1966.

John W. Chalkly
Justice of the Peace

* * * * *

page 4 } VIRGINIA:

IN THE HUSTINGS COURT OF THE
CITY OF RICHMOND

City of Richmond, to-wit:

The GRAND JURORS of the Commonwealth, for the body of the City of Richmond, on their oaths present that Henry Lee Wiles on the 15th day of December in the year one thousand nine hundred and sixty-six at the said City, and within the jurisdiction of the Hustings Court of the City of Richmond. Did unlawfully and feloniously possess narcotics, against the peace and dignity of the Commonwealth of Virginia.

* * * * *

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* * * * *

The defendant, by affidavit having made oath that he is unable to pay attorney's fee, costs and expenses incident to his trial or appeal and this Court having investigated the matter, said investigation establishing nothing to the contrary, this Court is of opinion that the defendant is unable to pay or secure to be paid attorney's fees, costs or expenses and doth so certify in conformity with Virginia Code Section 19.1-289.

Date tendered: 31 January 1968.
Date signed: 31 January 1968.

W. MOSCOE HUNTLEY, Judge

Recd. 2-1-68. H. G. T.

* * * * *

page 5-B } AFFIDAVIT

I, the undersigned, do hereby state that I am unable financially to pay an attorney's fee, costs and expenses incident to my trial in, or my appeal from, the judgment of conviction entered against me on the 10th day of March, 1967 in the Hustings Court of the City of Richmond, Virginia and request that an attorney be appointed to advise and represent me and that appropriate funds be made available for payment of such attorney's fees, costs and other incidental expenses.

Dated: Jan. 24, 1968.

HENRY LEE WILES

STATE OF VIRGINIA
COUNTY OF POWHATAN, to-wit:

I, the undersigned, a notary public in and for the County aforesaid, do hereby certify that Henry Lee Wiles, who, after first being duly sworn by me at the date and place set forth herein, made oath that statements contained in the above affidavit are true and signed the same after having read the same, on this the 24 day of January, 1968.

My commission expires on the 28 day of August 1968.

* * * * * *, Notary Public

Recd. 2-1-68. H. G. T.

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* * * * *

And at another Hustings Court held for the City of Richmond, at the Courthouse, on the 10th day of March, 1967, the following order was entered:

* * * * *

Judge Huntley

* * * * *

The said defendant was this day led to the bar in the custody of the Sergeant of this City and was represented by Attorney William Dervishian and A. Conrad Bareford represented the Commonwealth. And the said defendant, by counsel, moved the Court to suppress the evidence in this case, which motion the Court doth overrule and the defendant noted an exception. And thereupon the defendant was arraigned and pleaded not guilty to possessing narcotics as charged, after consultation with counsel. And with the consent of the accused, given in person, after consultation with counsel, and the concurrence of the Court and the Attorney for the Commonwealth, the Court proceeded to hear and determine this case without a jury. And the witnesses having been sworn and the Court having heard the evidence for the Commonwealth, the said defendant, by counsel, moved the Court to strike the evidence of the Commonwealth as being insufficient for the finding of a judgment of guilty, which motion the Court doth overrule and the defendant notes an exception. And having heard all of the evidence and arguments of counsel, the Court doth find the said defendant guilty of possessing narcotics as charged and doth assess his fine at one thousand dollars and ascertains his term of confinement in the Penitentiary at twenty years.

Thereupon the said defendant moved the Court to set aside its judgment as being contrary to the law and to the evidence and grant him a new trial, which motion the Court doth over-

rule and to which action of the Court in overruling his said motion, the said defendant notes an exception and time is allowed him not to exceed sixty days in which to file his bills of exception.

Whereupon it being demanded of the said defendant if anything for himself he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law and nothing further being offered or alleged in delay thereof, it is the judgment of this Court that the said Henry Lee Wiles be confined in the State Penitentiary for a term of twenty years and pay and satisfy a fine of one thousand dollars and costs, this being the period and fine by the Court ascertained. And it is ordered that the Sergeant of this City do, when required so to do, deliver the said defendant from the jail of this City to the Superintendent of the Penitentiary, in said Penitentiary to be confined and treated in the manner prescribed by law.

* * * * *

page 8 }

* * * * *

And at another Hustings Court held for the City of Richmond, at the Courthouse, on the 3rd day of May, 1967, the following order was entered:

* * * * *

The transcript of the evidence adduced, the objections to evidence and other incidents in the trial of the above case therein recorded, said transcript was this day signed and sealed by the Court and hereby made a part of the record in this case.

* * * * *

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* * * * *

NOTICE OF APPEAL AND ASSIGNMENT OF ERROR

* * * * *

Notice is hereby given that Henry Lee Wiles appeals from the final judgment of the Court rendered herein on March

10, 1967, and assigns the following error as required by the rules of Supreme Court of Appeals of Virginia, Rule 5:1, paragraph 4.

1. The Court erred in admitting as evidence, Commonwealth Exhibits 1, 2, 3 and 4, consisting of narcotics obtained by illegal search and seizure, in that the search warrant utilized was not valid, in that the affidavit upon which it was based was insufficient as a basis for any search warrant.

2. The Court erred in that the Commonwealth failed to prove that the narcotics were in the exclusive possession of the defendant, in that the evidence was uncontradicted that five persons other than the defendant, occupied the same premises with the defendant.

HENRY LEE WILES
By WILLIAM A. DERVISHIAN
Counsel

WILLIAM A. DERVISHIAN
Farm Bureau Building
200 West Grace Street
Richmond, Virginia 23220
Counsel for defendant

Received & Filed May 1, 1967. Hustings Court Clerk's Office.

D. M. B., Deputy Clerk

* * * * *

page 3 }

* * * * *

Mr. Dervishian: If Your Honor please, at this time I'd like to make a motion to suppress the evidence. I hesitated in—hesitated in filing a written motion because I don't believe it will take too much of the Court's time and I believe it would be—the situation would be that it wouldn't be necessary for the Court to rule on it at this time, in fact I feel that there is a valid defense in this case, however, I would like to set forth the grounds for the motion to suppress at this time.

The Court: Very well, all right, sir.

page 4 } Mr. Dervishian: Your Honor please, I'd like to

offer into evidence affidavit in support of the search warrant. If Your Honor please, the defense contends that the search warrant was illegal and unlawful in that the affidavit is not sufficient to support the search warrants for reasons based upon the case of *Arquila* v. *Texas,* 84 Sup.Ct. 1509. The Court held in that case that the affidavit for a search warrant may be based on hearsay information and need not reflect direct personal observations of affiant but the magistrate must be informed that some of the underlying circumstances on which informant based his conclusions and some of the underlying circumstances from which the officer concluded that the informant, whose identity need not be disclosed, was credible or that his information was reliable, and if Your Honor please, the affidavit sets forth no information whatsoever as—in regard to facts of reliability nor of facts of personal observation of the informant. The affidavit sets forth that the affidavit is reliable, which is a conclusion. The affidavit sets forth that information in regards to narcotics found on the—narcotics for which the warrant issued —the specific language is that in the past Henry

page 5 } Wiles residing at this address has narcotics in his possession at this time, but it makes no statement and sets forth no factual information that the informant observed, personally observed, or any information of this nature is merely a conclusion. In *Arquila* v. *State of Texas,* the Court specifically states that when a situation is set forth on information received from an informant that facts must be known by the magistrate, or justice of the peace in this case, issuing the search warrant and, of course, all the information that he has before him should be under oath by affidavit, and for that reason, if Your Honor please, the defense contends that the search warrant on which the affidavit is based is improperly issued and, therefore, all evidence obtained thereunder should be held inadmissible in the evidence.

The Court: The Court will overrule your motion, the affidavit in the Court's opinion being sufficient. It relates informant has given reliable information in the past and the parties residing at this address had narcotics in his possession, as far as the several complaints are concerned they are probably hearsy but it's superfluous. The affidavit

page 6 } is sufficient, the police officer doesn't have to go into particulars in every detail, send it to the magistrate and the magistrate issues the warrant, that's sufficient.

Mr. Dervishian: If Your Honor please, note exception to the—

* * * * *

page 8 }

* * * * *

C. D. COLEMAN, introduced on behalf of the Commonwealth, being first duly sworn, testified as follows:

DIRECT EXAMINATION

By Mr. Bareford:

Q. State your name and occupation, please, sir?

page 9 } A. Detective C. D. Coleman, Richmond Bureau of Police, presently assigned to the Vice Division.

Q. All right, Officer Coleman, were you so assigned on the 15th day of December, 1966?

A. Yes, sir, I was.

Q. And did you have an occasion to investigate this charge against the defendant, Henry Lee Wiles?

A. Yes, sir, I did.

Q. Tell us, please, sir, what your investigation disclosed—were you the one that got the search warrant?

A. Yes, sir, I am.

Q. Well, let's start with the search warrant and go on through, please?

A. At approximately two A.M. on the 15th of December, I obtained a search warrant from the magistrate, 204 South Linden Street, which was the residence of Mr. Wiles, the defendant. Approximately twenty minutes later Detective J. D. Owens and myself responded to this address. On our arrival, the house was dark, there were no lights on at all. I knocked on the door, I think I knocked about three times, and a light came on upstairs and Mr. Wiles responded to the door. I identified myself as a police officer and told him that we had a search warrant for his residence for

page 10 } narcotics. At that time I handed him a copy of the search warrant which he read then and there. I then asked Mr. Wiles if he had the entire apartment or if this entire section of the house belonged to him, he stated that it did.

We proceeded then to search the apartment. I went upstairs and searched what appeared to be the master bedroom, it was a lady in the bed and Mr. Wiles said that was

his bedroom. I searched this room and then went out into a hall that this room leads off from. Right across from the bedroom was a closet. I then searched the closet. The closet had three shelves in it and on the top shelf, I had to get a box to get up to see up on the top shelf, I found a paper bag which contained several bottles.

At this time Mr. Wiles was in another part of the house or another room. I called for him to come to the closet and I showed him where I had got this bag from. We then went into the bathroom where it was more light and I took the contents of the bag out in the presence of Mr. Wiles. There were one bottle containing sixteen opium tablets, although it was powder, one bottle, approximately one-fourth full of opium powder, one bottle, one-half full of opium powder, and two bottles containing stypticin. At this time I placed Mr. Wiles under arrest for possession of narcotics. I advised him that he had to make no statement whatsoever in regards to this charge; that he was entitled to a page 11 } lawyer of his own choosing, who he could retain, that if he was unable to obtain a lawyer that the Court would obtain one for him. At this time we went to the —our office, which is situated in Police Headquarters, 501 North 9th Street, and Mr. Wiles was again advised of his rights and was booked at this time.

* * * * *

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CROSS EXAMINATION

By Mr. Dervishian:

Q. I understand you stated that defendant was advised of his rights?

A. That's correct.

Q. Did you ask him any questions after that?

A. No, sir.

page 13 } Q. Asked him no questions?

A. The only questions I asked him after that were the questions in reference to his name, address, necessary to put on the arrest sheet. I asked him nothing else at all about the charge.

Q. Well, did the defendant deny anything at any time?

C. D. Coleman

A. He made a statement that he didn't know anything about it.

Q. That he did not know anything about these bottles in question, stated he had never seen them before, is that correct, or do you recall the exact words?

A. I don't remember exactly how he worded it.

Q. There was no admissions on his part in any manner whatsoever?

A. No, sir, there were not.

Q. What was it the defendant said when you went to his—knocked on the door and he opened the door and you asked him a question?

A. I asked him if—we went into a door off the front and I could see that it had an upstairs and downstairs to it, and I asked him if he had this entire apartment or if the upstairs and downstairs was both his residence and he

page 14 } stated that it was.

Q. (wrattling of paper) Who—you stated that you went into this address, I believe it's 204 South Linden Street, who else did you find in this house?

A. There was a lady in bed and there were three or four children in an adjoining room, I don't know who they were. I believe Mr. Wiles said that it was his wife, I don't remember though, but it was a lady in bed and there were three or four children in an adjoining bedroom.

Q. Where was she in relation to this closet?

A. Well, she was in bed,

Q. I believe—

A. when you get to the top of the steps, you turn to your right, there's a hallway. The bedroom door is to the left on the north side of the building, the closet was directly across the hallway, the door's situated just about directly across from each other on the south side of the building.

Q. In other words, the closet was right across from

A. From the—

Q. Mr. Wiles' bedroom?

A. That's correct.

page 15 } Q. And there was this woman in his bedroom,

A. That's right.

Q. to your knowledge? Was anyone else found in the house?

A. No one, other than the children, which I did not disturb or wake up.

Q. You never saw the children?

C. D. Coleman

A. Yes, I walked into the room where they were and they were in bed, apparently asleep.

Q. Well, then altogether, it was four persons in this house?

A. Well, altogether I believe it would have been six, I believe it was four—I don't remember exactly how many children it was, but it was three or four children in the bed.

Q. Three or four children in the bed?

A. Right.

Q. A woman in the—in the defendant's bedroom and the defendant?

A. That's correct.

Q. Was the door locked on this closet?

A. No, it was not.

Q. Wide open, was it closed or open or—

page 16 } A. I don't remember whether it was open or closed.

Q. Uh huh. Anyone could have had access to this closet, is that correct?

A. After they got into the house they could.

Q. After they got into the house any of these persons could have access to the closets, is that correct?

A. I imagine so.

Q. Uh huh. Do you know who owns the house?

A. No, sir, I do not.

Q. Is it more than a one-family house?

A. I believe the houses join, but 204, or the part that Mr. Wiles lived in would be only a one-family house.

Q. Was it an apartment type of house?

A. No, as I said the houses join, I don't know what's on either side of it, but where Mr. Wiles lived was only one apartment.

Q. If I understand that you found Mr. Wiles, a woman in his bedroom and three children or three or four children in another bedroom, do you know if anybody else lives in that house?

page 17 } A. Do I know if anybody else lives in the house?

Q. Yes?

A. No, I do not.

Q. In other words, as far as your knowledge of the persons residing there it could be three other people, is that correct?

A. I don't know how many people.

Q. I say it could be any number—

Mr. Bareford: Well, Judge, now, I don't think it could be

anything, he's not asking the police officer what he says, he's asking for an opinion and he could say anything.

Q. You didn't find any of these items on the person of the defendant, did you?

A. No, sir, I did not.

Q. What was in the closet?

A. There were some magazines, a newspaper scattered on the floor of the closet, there was a box, pretty good sized box sitting in the closet that had some clothes and some other articles in it, that's the box I used to get up to the shelf to get the drugs. There were various items, it was very disarranged, I mean disheveled—

Q. Looked like a storage area,

page 18 } A. Yea, I guess it did.

Q. storage area for everyone?

A. I don't know that.

Q. I mean you found magazines and clothes and various articles of all types?

A. Well, there were different articles in the closet.

Q. Items in the closet—that's all right, I withdraw that. Was it any—was it possible for any one else to put these articles in the closet other than the defendant—put both the articles found there and the articles in question here, the narcotics in question here?

A. You are asking me is it possible?

Q. Yes, sir, I mean—

A. I don't know how to answer that, I guess anything is possible, Mr. Dervishian.

Q. All right, sir. Did you all go directly to this closet?

A. No, sir.

Q. Searched the whole house?

A. Detective Owens was searching in the back and I was searching in the front and I searched the front bedroom of Mr. Wiles where the lady was in the bed and then I went to the closet.

page 19 } Q. The affidavit for the search warrant states that through information from an informant you acquired the knowledge that there might be something, narcotics or something, at this particular location, is that correct?

A. That's correct.

Q. What is the name of the informant?

The Court: Now, he doesn't have to answer that question.

C. D. Coleman

Q. Do you know the informant?
A. The informant stated in the search warrant, in the affidavit, yes, sir.
Q. How do you know him, have you met him?—You have met him?
A. Yes, sir.
Q. Has he ever given you any information before?
A. Numerous times.
Q. What occasions, please,
A. Ah—
Q. to the best that you can recall?
A. I'm not going to state cases,

The Court: No, sir, you don't have to state cases.

page 20 } A. but the only thing I can say, this informer has given me information several times that I have been able to use to effect arrests and get convictions.
Q. And get convictions?
A. Yes, sir.
Q. And get convictions in the cases that the information received, all right, sir?
A. Right.
Q. Has this informer ever been convicted of a felony?
A. No, sir.

The Court: Now, he doesn't have to answer that. You are going too far in your examination. The only things you can go into is the question of the liability of the informant, informer, now whether it was on information reliably received, the officer answered that question, said he had convictions previously on information given by this man.
Mr. Dervishian: All right.
The Court: He doesn't have to reveal his whole bag of tricks.
Mr. Dervishian: It would appear that I would be able to question on what he based his conclusions.

page 21 } The Court: He told you, reliable information.
Mr. Bareford: Judge, he read it to the Court when he was making his objection to suppress the evidence, he read the law.
Mr. Dervishian: That would be as to the name of the informant, yes, sir. All right, sir. I believe I have no further questions.

J. D. Owens

RE-DIRECT EXAMINATION

By Mr. Bareford:

Q. Officer Coleman, just one question: Who was occupying this 204 South Linden Street when you went in there?

A. Mr. Wiles, there were three or four children in the other bedroom and this woman was in Mr. Wiles' bed, I don't know who she was.

Q. All right, sir. And anybody else come in or go out while you were there?

A. No, sir, they did not.

Q. Did Mr. Wiles say anybody else lived there?

A. No, sir, he did not.

Q. That's all.

A. He said he had this whole apartment.

page 22 } Q. He acknowledged that this was his place, his abode?

A. Yes, sir.

Q. That's all.

Witness stood aside.

J. D. OWENS, introduced on behalf of the Commonwealth, being first duly sworn, testified as follows:

DIRECT EXAMINATION

By Mr. Bareford:

Q. You are Officer J. D. Owens?

A. Yes, sir.

Q. And with the Richmond Police Department, Officer Owens?

A. Yes, sir.

page 23 } Q. Were you so employed on December 15, 1966?

A. Yes, I was.

Q. Did you go to 204 South Linden Street with Officer Coleman?

A. Yes, I did.

Q. Tell the Court what you did upon your arrival please, sir?

A. Upon arrival, after we gained entry and we started searching the apartment, I searched the downstairs and I was downstairs when Detective Coleman called me upstairs. Mr. Wiles was with me at that time.

C. D. Coleman

Q. Then you weren't upstairs where the drugs were found or anything?

A. No, sir.

Q. Can you add anything to what Officer Coleman has testified to?

A. No, sir, I cannot.

Q. All right, sir. But Mr. Wiles was there when you all went there, is that correct?

A. Yes, sir.

Q. And it was one other adult there and four children?

A. I didn't see the children, I saw the adult

page 24 } lady.

Q. All right, sir, were you ever able to identify her as to whether or not she was Mrs. Wiles?

A. No, she was asleep.

Q. All right, sir. Answer Mr. Dervishian.

CROSS EXAMINATION

By Mr. Dervishian:

Q. When Detective Coleman found these items upstairs, did you go upstairs?

A. Yes, sir.

Q. Did you place the defendant under arrest at that time?

A. Detective Coleman placed him under arrest at that time.

Q. Did defendant just leave with you or did he inform anybody of what was happening, it was pretty late at night, I believe, wasn't it?

A. Yes, sir, the best I remember, he woke his wife up, or the lady in the bed, he said he was being arrested. She never did get out of bed.

Q. Did she ask him why, what he was arrested for?

A. I don't recall.

page 25 } Q. All right, sir, that's all.

Witness stood aside.

* * * * *

page 40 } C. D. COLEMAN, being recalled, testified as follows:

C. D. Coleman

RE-CROSS EXAMINATION

By Mr. Dervishian:

Q. Mr. Coleman, when was the first time that you advised the defendant of his rights?

A. Immediately upon arresting him.

Q. And you arrested him after you found the narcotics, is that correct?

A. Yes, sir.

Q. He had not been advised of his rights any time prior to that?

A. Previously, no, sir.

Q. All right, sir.

A. He was advised of his rights three times altogether.

Q. And when were they?

A. The first time was immediately upon placing him under arrest.

Q. All right, sir.

A. He was advised again by Officer J. B. Owens and I. At that time he was allowed to use the telephone. He was advised again by the magistrate,

page 41 } Q. All right?

A. after he got before him—when he went before the magistrate.

Q. In other words, you all came in with a search warrant, searched, found the narcotics, arrested him and advised him of his rights at that time?

A. Yes, sir.

Q. All right, sir. Did Mr. Wiles inform anyone on the premises that he had been placed under arrest before he left?

A. Yes, he did, the lady that was in the bed.

Q. Did she inquire as to what he was being arrested for?

A. No, sir, she never did ask him what he was arrested for, if I remember—

Q. Seemed to—seemed to know or—

A. If I remember, the only thing that she asked him was—I believe she asked him if he wanted—if he wanted her to call anybody and then she started crying.

Q. Thank you, sir, I have no more questions.

Mr. Bareford: No questions.

* * * * *

A Copy—Teste:

Howard G. Turner, Clerk.

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