

WORD-FOR-WORD TRANSCRIPT
OF DR. NORRIS' MURDER TRIAL.

TAKEN FROM THE AUSTIN STATESMAN,
JANUARY 14, 1927 – JANUARY 26, 1927

Friday, January 21st, 1927

Norris
PASTOR'S TESTIMONY AT DRAMATIC CLIMAX AS HE RECOUNTS FATAL SHOTS

Every word of Dr. J. Frank Norris' testimony beginning when he took the stand Friday morning, is printed in The Statesman today.

By Frank Baldwin, Written for the Austin Statesman

Dr. J. Frank Norris, pastor of the Fort Worth Baptist church and the man who killed D.E. Chipps, July 12, 1926, told his story of that killing in Travis county criminal court this morning.

He told it with evidence of deep emotion. At times he sobbed.

He told it after his attorneys had failed in a desperate attempt to get before the jury knowledge of alleged threats the minister had heard made against his life by Mayor H.C. Meacham of Forth Worth.

Under the direct examination of his leading counsel, Dayton Moses, the fundamentalist, swearing he thought his life was in danger, told this:

The Court: Call your next wittness.

Dr. J. Frank Norris, the defendant having previously been sworn, testified in his own behalf as follows:

DIRECT EXAMINATION:

By Mr. Moses:

Q Doctor, what is your age?

A Forty-nine.

Q Where were you born?

A In Alabama: Dadeville, Ala.

Q How long did you live in that state?

A Until I was three years old.

Q In what portion of Alabama did you live?

A In Shelby county northern Alabama.

Q Is that in the vicinity of Birmingham?

A About four miles from Birmingham.

Q Is your father living or dead?

A He is dead.

Q Is your mother living?

A No sir.

OBJECTIONS

Q Which one of your parents died first?

Mr. McLean: Your Honor, that is wholly immaterial.

The Court: The court fails to see the relevancy of that. It has no bearing on this case.

Mr. McLean: The state objects to it on the grounds that it is irrelevant and immaterial.

The Court: Objection sustained to that.

Q Did your father hold any official position in Alabama?

Mr. McLean: The state objects to that upon the grounds that it is irrelevant and immaterial as to what

The Court: The Objection is sustained.

Q Do you remember in what year your parents moved to Texas?

A I think it was 1889.

Q To what place did they move?

A Hubbard City, Hill county.

Q Now, which of your parents died first?

A My mother.

Mr. McLean: Wait a minute. I understood the court held. I may be mistaken, that it is immaterial whether they are dead or alive and which died first.

The Court: It is immaterial. Objection sustained.

Mr. Moses: Well, since they object to it of course, we bow to the decision.

Q Where were you educated, Doctor?

A I went to the public school at Hubbard City for a while; and then to the public school for a few months at Brandon Hill County.

Q Where.

A Brandon. Hill County

Q And later where did you go?

A I went to Baylor University.

Q Did you graduate from any institution?

A Yes, sir. From Baylor University.

Q What degree. (unreadable)...did you receive?

A A B.

Q Then where else (unreadable) you go to school?

A The Southern Ba(unreadable) Theological Seminary at Lo(unreadable)ille.

Q How long were you (unreadable)?

A I was there for four (unreadable)erms. Two years.

Q Did you receive any degree from that institution?

A Master of Arts

Q Doctor, how did you sustain yourself during the time that you were going to school at Baylor University?

Mr. McLean: If your Honor please, the state objects to that because it is irrelevant and immaterial how he sustained himself when he was going through the different schools.

The Court: Objection sustained.

Q All right. What else did you do while you were going to school besides study?

A I preached every Sunday at some country churches during the four years I was at Baylor.

Q When did you receive your first authority to preach as a minister of the gospel?

A Just before I was twenty.

Q Are you an ordained minister of the gospel?

A Yes, sir.

Q When were you ordained?

A I was ordained a short time after I was twenty years old.

Q Doctor, did you ever - you are referred to and have been referred to as "Doctor". Was the title of Doctor of Divinity conferred upon you by any religious institution?

A Simmons University

Q Where is that located?

A Abilene

Q When was that?

A About nineteen or twenty years ago.

Q Doctor, where was your first charge as pastor?

A At a country church in southern Hill county, named Mt. Antioch.

Q How long were you pastor at that church?

A About a year and a half.

Q And then where did you go?

A I became pastor at Mt. Calm, three miles north of there.

Q You were pastor there how long?

A Four years

Q And then where did you become pastor?

A I went from there to the seminary at Louisville and from there to the McKinley Avenue Baptist church in Dallas.

Q How long were you pastor of that church?

A About three years.

Q You are now pastor of the First Baptist Church of Fort Worth?

A Yes, Sir.

Q How long have you been pastor of that church?

A Soon will be 18 years.

Q Are you married?

A Yes, sir.

Q Is your wife living?

A Yes, sir.

Q Is she here? Has a (unreadable) here?

A Yes, sir.

Q Have you any children?

A yes, sir.

Q How many?

A Four.

Q Is the oldest a boy or girl?

A Girl.

Q Where is your daughter, Doctor?

A She is in Harvard University.

Q Married

A Yes, sir.

Q And the three boys, what are their ages?

A The oldest is 19, the next one is 15, and the baby is ten.

Q Your oldest boy is in school?

A Yes, sir.

Q Where? What institution is he a student of?

A Culver Military Academy

Q Where is that located, Doctor?

A Culver, Indiana.

Q And the other two boys are at home in Tarrant county?

A Yes, sir.

Q Doctor, where is and where was your home on the 17th of July, 1926?

A Seven miles out in the country.

Q Is it reasonably near Dallas-Fort Worth interurban?

A A short distance north of the pike, about a quarter of a mile.

Q On the day of the tragedy, resulting in this trial, where was Mrs. Norris?

A She was at home.

Q Doctor Norris, are you acquainted with H.C. Meacham?

A Yes, sir.

Q Mr. Meacham is mayor of Fort Worth, is he not?

A Yes, sir.

Q How long have you known Mr. Meacham?

A Practically all the time I have been in Fort Worth.

Q What is his business?

A Merchantile: general merchantile

Q Does he own a large or small store?

A A large store.

Q He is now filling the office of mayor of our city?

A Yes, sir.

Q Prior to July 17th last year had you ever met Mr. Chipps?

A No, sir.

Q Doctor Norris, did you know Mr. Chipps by sight?

A No, sir.

Q When, or about what time did you have your first controversy with him?

A It was in 1920.

Q In 1920?

A Yes, sir. That is to the best of my recollection.

Q About that time did you have a conversation with Mr. Meacham or did Mr. Meacham have a conversation with you?

A Yes, sir.

Q Whereabouts was that conversation had?

A On the 12th street side of the store, the street running from Main to Houston street.

Q In Fort Worth?

A Yes, sir.

Q At that time, Doctor Norris, did you know a gentleman (unreadable) in Fort Worth by the name of Mock?

A Yes, sir.

Q Now, the conversation that you had with Mr. Meecham - kill that next question Mr. Stenographer. Did you know Mrs. Mock?

A Yes, sir.

Q What relation, if any, did she bear to the First Baptist church?

A She was a member and a teacher in the Sunday school.

Q Do you know by whom she was employed.

A Yes, sir.

Q By whom?

A Mr. Meacham

Q Now, the conversation that you had with Mr. Meacham, did that nor not relate to Mr. Mock?

A Yes, sir.

Q State what it was?

Mr. MacLean: The state objects to that, it is irrelevant and immaterial; doesn't tend to shed any light upon this case.

Mr. Moses: It is withdrawn at this time. We will endeavor to show it is admissible later.

Mr. Moses: Q: Now, when was the next time you had a controversy with him, if there was another one?

A It was in the latter part of 19???. At the time he was foreman of the grand jury.

Q Were you or not a witness before that grand jury?

A Yes, sir.

Q Of which Mr. H.C. Meacham was foreman?

A Yes, sir.

Q And about that time I will ask if you - kill that -

Mr MacLean: We will also object to this other matter being irrelevant and immaterial, and does not tend to shed any light-

Mr. Moses: I have withdrawn it, it is not before the court at this time.

Mr Moses: Q: Doctor, references have been made during this trial about a publication called the Searchlight. Is there such a publication as that?

A. Yes, sir.

Q And who is the editor-in-chief of that publication?

A I am.

Q I believe it is in evidence at this time Mr. Gilliam is the business manager of the Searchlight?

A Yes, sir.

Q Was that paper or periodical being published in the year of 1922?

A Yes, sir.

Q Don't answer this until I see whether they want to object to it. State whether or not you wrote and published in the Searchlight an editorial criticizing the grand jury, of which Mr. H.C. Meacham was the foreman, and criticizing Mr. Meacham?

Mr MacLean: We will object to that of being irrelevant, and immaterial does not tend to shed any light upon case now on trial, that to the charge of murder against this defendant of D.E. Chipps.

The Court: Objection sustained.

Mr. Moses: Now, your honor, the relevancy of this testimony, we think, is apparent.

Mr. Sayers: If they are going to make discussion of it, and state what the testimony is and things of that kind - the court has ruled -

Mr. Moses: The court has not ruled yet if the court please, I object to being taken off the floor. I am not going to state anything that is not improper, and I object to being taken off the floor by Mr. Sayers suggesting something improper is going to be done. I object to being interrupted by Mr. Sayers with the statement I am going to say something improper because that is not the case.

Mr. Sayers: You anticipate it, Mr. Moses. Now, your honor, it is in evidence before this jury -

Mr. Martin: The court has ruled on this.

The Court: I said the objection is sustained.

Mr. Martin: We have a right to be heard.

The Court Well, come up here.

Mr. Moses. No. I am not going to state anything improper in the record.

Mr. Sayers We will object to it. If he has anything to say about this matter they ought to say it privately.

Mr. Moses: I propose to state nothing except what has been testified to by other witnesses.

Mr. Shelton: We would like to ask the court to have the jury withdrawn.

Mr. Moses I have a right to say what has been testified to and state nothing else.

The court: I thought the agreement between you counsel, that such things as this would be discussed privately with the court. Do you want the jury withdrawn?

Mr. Sayers: Yes, sir.

Mr. Moses: We ask these gentlemen when they have an objection to make, to go up to the bench and make it, without stating it in the presence of the jury.

Mr. McLean: We will do so.

(Thereupon, counsel for both sides went to the court's bench, where the following proceedings were had:)

Mr. Moses: The witness, Woodruff - the testimony of Woodruff was, and is before this jury now, was that Chipps stated to him that he had been criticizing his friend, Meacham, and that he (Chipps) was going to start a graveyard and put Norris in it, and that Woodruff said to CHipps, "Who is it?" and that Chipps said, "It is this - - preacher up here." at which time counsel for the state W.P. McLean, asked the witness Woodruff if he didn't know at that time there wasn't even any controversy or ill(unreadable) between Norris and Meacham and upon re-direct examination we sought to ask the witness,

(unreadable) if he knew whether or not H.C. Meacham was, at that time foreman of the grand jury, and if he knew whether or not Dr. Norris had criticized him, as foreman of the grand jury, in the (unreadable) at which time Mr. Meacham (unreadable) to the presence of the (unreadable) that wasn't true, and there (unreadable) of it in the Searchlight

Mr. Sayers: What is it you propose to (unreadable)..?

Mr Moses: We propose to prove the editorial.

The Court I don't know what the editorial was.

Mr. Moses: It is in the Searchlight, published on the 29th day of December, 1922, and is in the third column of the first page.

Mr Sayers: Let's see it.

Mr. Moses No, I am not going to show it to you. We have identified it here, and you ask that it be excluded. You have seen copies of the Searchlight and you know what it is.

The Court I can't rule on it unless I know what the editorial is. I don't know what it's about.

Mr. Moses: It is a criticism about H.C. Meacham and the grand jury. I will show it to the court: he can read (unreadable)

The Court: What is the object of it?

Mr. Moses I think I have stated that the testimony of Woodruff was about this time he had a conversation with Mr. Chipps and Chipps told him he was going to start a graveyard and put him (the policeman) and that damn preacher (Norris) in the cemetery; the reason he was doing it was because he was criticizing his friend, H. C. Meacham.

The Court; Now, what is your objection (referring to Mr. Sayers:)

Mr. Sayers: We object to it, in the first place, because the name of Meacham and no other man is mentioned in there. There is mentioned his department store store manager only, and the man who had been foreman of the grand jury was not mentioned, and because it is not shown that the public generally or that Meacham or Chipps or anybody else, that it was a criticism leveled at Meacham, because his name is not mentioned there. Our further objection to the testimony is, it is irrelevant and immaterial and prejudicial to the rights of the state's case, in that this trial is based solely upon an allegation that the defendant killed Mr. Chipps on the 17th of July, and it has been shown that H.C. Meacham had no connection with the killing or was a party to it; he is not a joint defendant and has not been a witness in the case and the defense has already stated that he could not be called as a witness by them, and the state assures the court that he will not be a witness for the state, and therefore any disparaging remarks made by Mr. Meacham who, from the evidence it is shown was a friend of the deceased, would prejudice the state's rights, and the editorial which they undertake to show, wherein it says that the party mentioned in said article was in favor of open saloons, gambling, hell's half acre, and

all other character of vices, is not named in there. It is highly prejudicial and inflammatory, and if permitted by the court to go before the jury, the jury would mistake the reason and would be considered as evidence against the state and for the defendant.

Mr. Martin: Just this additional statement: This evidence would be no more admissible than evidence of a statement made by Norris concerning any other person in this case to whom Chips had communicated the threat. In other words Woodruff testifies that chips told him that he was going to kill Norris if he didn't stop making statements. Now, it would be just as much admissible to put on evidence showing what Norris had said about Woodruff as it would about Meacham or any of these other people, because there is no more connection shown between Meacham and this killing than there is between every other witness who has testified about a statement that Chipps made to them concerning this transaction. If we go into this we will be here the rest of the year listening to what Norris had to say about others in Fort Worth.

The Court: I will sustain the objection at this time.

Mr. Moses: We except. We will put it in the bill - we have already dictated it here.

Mr Moses: Q: Doctor Norris, at the time of the death of D.E. Chipps, state, if you know, what the state of feeling of H.C. Meacham was toward you.

Mr. McLean: That is irrelevant and immaterial. The court has ruled upon that.

The Court: I will sustain the objection at this time.

Mr. Moses: WE except.

Mr Moses: Q State, if you know, who has employed the firm of McLean. Scott and Sayers and the firm of Shelton and Shelton to prosecute you.

A H.C. Meacham

Q Did you ever, in the hearing and presence of Mr. McLean, hear Meacham say what fee he was going to pay for that service?

Mr McLean: That is irrelevant and immaterial.

Mr. McLean We have permitted the witness to testify to matters we didn't think was admissible, but that (unreadable) all right. He has testified that (unreadable) Meacham had employed the firm of McLean, Scott and Sayers and Shelton and Shelton to assist in Prosecution -

Mr (unreadable - Moses?) I assume there will be no controversy about the amount?

Mr. McLean: That is irrelevant and immaterial, we think.

The Court: Objection sustained

Mr. Moses: If we can't agree as to the amount we want to state it in the record.

Mr. McLean: There will be no controversy about that.

Mr. Martin: We want to ask the court to instruct the jury not to consider the first question and answer with reference to whether or not Mr. Meacham employed counsel, and that it be stricken from the record.

Mr. Martin: I was talking here and didn't catch the question. We are making that objection now, that it be stricken from the record. It serves no purpose in this case. H.C. Meacham was neither the dead man nor the defendant in this case.

Mr. Moses: We resist it.

The Court: That request will be granted at this time, and the jury will not consider that for any purpose.

Mr. Moses: To which the defendant excepts.

Mr. Moses: Q: Doctor Norris - don't answer this until they have time to make an objection, if they so desire - Did you have a visit from H.C. Meacham shortly before the death of D.E. Chipps?

A: Yes, sir.

Mr. Martin: I asked you not to answer that until I had time to object. Didn't you understand that?

Mr. Simpson: Counsel has no right -

Mr. Martin: I want to object to this witness answering the question, and I want to further object to the question as to what any conversation he might have had with H.C. Meacham or any other person, until some connection is shown. It is irrelevant and immaterial.

The Court: Objection sustained to that at this time.

Mr. Moses: We except

Mr. Moses: Well, I want to show whether there was a conversation. Whether he had a conversation with him.

Mr. Sayers: We don't think that it is relevant either, your Honor; if he had a conversation with the governor or the mayor of Fort Worth, or some other fellow over in Europe, there is no connection shown here and we think it is wholly irrelevant and immaterial.

Mr. Simpson: We can't show it all at one time.

The Court: Well the objection to that is sustained at this time.

Mr. Moses: You mean he can not say that he had a conversation with him? I am not trying to prove what was said - I am not insisting on that now, under the rulings of the court.

(After further arguments, the following question was asked the witness:)

Q (By Mr. Moses) Dr Norris, did you receive any information as to any threats against your life made by the mayor of Fort Worth?

A Yes, sir.

Mr McLean Just a minute.

The Court Dr. Norris, don't answer until the other side has an opportunity to object.

Mr. McLean Tell him not to do it; that is three times that he has done it.

Mr. Moses We might as well ask the jury to be retired and thrash this out now; let's retire the jury and thrash it out now and settle it.

Mr. McLean I agree with counsel.

(The jury were thereupon retired, and the following proceedings were had out of the hearing and presence of the jury, to-wit:)

(Here followed at length arguments to the state's objection)

(The jury was recalled to the court room)

By Mr. Moses:

Q Now, Dr. Norris, when, if you remember, was it that you first received any information, if you received any, of any threats against you purporting to have been made by the deceased, Mr. Chipps, and from whom did you get that information?

A I received that information on a Friday before the tragedy from Mr. Fred Holland

Q Now, Doctor, pay close attention to the questions I ask, and answer no more than I ask you, and if you see any counsel rise, you will refrain from giving your answer. Without stating what it was state whether or not, on Sunday night before the tragedy, or rather the Sunday before the tragedy that resulted in the death of Mr. Chipps, if you preached a sermon in which you mentioned the name of Mr. Meacham.

A Yes, sir.

Q Was that sermon in which the name of Mr. Meacham was mentioned delivered before or after you had the conversation with Mr. Holland?

A Before

Q Where did you have that conversation with Mr. Holland?

A In my study.

Q Do you remember definitely the hour of the day when that was?

A It was in the forenoon of Friday; somewhere between 10 and 12 o'clock.

Q Can you be any more definite as to the time than that, Doctor?

A Well, I would say around 11 o'clock.

Q That is your best judgment?

A Yes, sir.

Q Now, as I understand your previous testimony, at that time you had no personal acquaintance with Mr. Chipps, had never seen him so far you knew?

A No, sir.

Q Now, Dr. Norris, tell the jury what was communicated to you by Mr. Holland?

A At that time - at that occasion the trouble between, or matter between me and Mr. Chipps.

Q Doctor, just a moment, now. Bear in mind the ruling of the court, which you heard made here a while ago. We don't want you to consciously violate that, but you may repeat all Mr. Holland said to you.

A I said, "None that I know." "Why do you ask me that?" "Well," He said, "I heard him make a threat against you last night." And I asked him, "where?" He said, "Down on Main street, in front of the Texas Hotel." I asked him "To Whom", and he said, "To an officer by the name of Harry Connor." I asked, "What did he say?" He said, "I heard Mr. Chipps say I am going to kill a -----, and Harry said "Who." and Mr. Chipps said, "Frank Norris." And I asked him - shall I go ahead?

Q Go ahead, Doctor.

A I asked Mr. Holland, "Where did he go, what next?" He said, "They walked away." I asked him, "Did the officer arrest him, take him and lock him up?" He said he didn't know. Must I go ahead?

Q Yes

A Then I asked, I said, "Do you know- what do you know about Mr. Chipps?" Had he ever had any dealings with him as an officer. He said that while he was on duty, I think he said at the corner of Eighth and Main, he had trouble with him, had a fight with him and had to arrest him. Then I asked him what kind of a man he was, as to his habits, and he said he was a heavy drinker, and very violent while under the influence of liquor. Then I asked him what else he knew, and then he told me he had a long police record, that the officers had had a good deal of trouble with him; then I asked him for specific cases, and then he related several instances. I recall that he told me of one case where he tried to kill an officer

when he went to arrest him because Mr. Chipps had broken into an apartment house where he had choked a woman nearly to death.

Q Pardon me for interrupting you. Did Mr. Holland tell you what he had heard Mr. Chipps had done at this apartment house?

A Yes, sir.

Q If so, tell the jury what that was.

A He said that he had broken in to this apartment house one morning after midnight, and they had received a call. I think it was two officers that went over there. I am not sure whether it was one

NORRIS FALTERS: Pastor Barely Able To Tell Story

Q: Now, did you receive a telephone conversation or have a tele- or two, my recollection is it was two, and that he resisted arrest and attempted to kill one of the officers making the arrest before they arrested him. And then he told of trouble that he had had at the Texas hotel, that he had several difficulties there and was blacklisted and not allowed to stay in the hotel, that he understood that he had tried to kill the proprietor or manager, Mr. Fenton Baker.

Q: What relation is Mr. Fenton Baker to any of the attorneys in this case?

Mr McLean What is wholly irrelevant and immaterial, your honor.

The Court: Do you object to it?

Mr. McLean The state objects to it.

The Court: Objection Sustained.

Q: All right. Go ahead.

A: And then he told me of trouble that an officer by the name of Hinkle had had with him on one of the principal streets, at which time Mr. Chipps tried to kill another officer, and officer Hinkle took a gun off of him in that transaction in his attempt to kill another officer. And then I asked him what else, any other troubles, and then he told me that he had had trouble with an officer named Woodruff. He had several difficulties with him, and had attempted to kill him. And then he told me he understood that he had had a good deal of trouble at the Westbroow hotel, that he had attempted to kill the house officer there once, and then he told me they had continual trouble with him down at the police station. That he would call up and use very abusive language. He told me what the language was -

Q Well, I don't care for that.

A Then he mentioned another case of trouble that he had at a garage - Reed's garage. He and another officer went there early one morning to arrest him and stop him in his trouble - violence. I think there were some others. He police, Mr. Harry Hamilton, at that time, called the men in and told them not to use their clubs on people that they arrested, but make an exception, and that exception was Mr. Chipps.

Q Well, you need not go into any further details about that unless we ask you about it. When was Harry Hamilton chief of police?

A I think probably -

Q Under what administration

A John Alderman's administration

Q John Alderman's administration?

A As police commissioner.

Q Who was mayor at that time?

A Mr. Cockrell.

Q That was the administration just preceding the present administration?

A Yes, sir. I think so.

Q How long had you known Fred Holland at that time?

A Oh, I would say eight or ten years.

Q Do you know Mrs. Holland?

A Yes, sir

Q Were you intimately acquainted with her? Was she intimately acquainted with you and your family?

A Yes, sir, very intimate.

Q Now, what business relations did she occupy towards your family?

A She did most of the sewing for my family, made my daughter's wedding clothes.

Q State whether or not, Mr. Holland and his wife were members of your church, the First Baptist Church?

A Yes, sir, and his son.

Q And your relations at that time, were they very friendly or only casually.

A Very friendly

Q Doctor, when you received these communications from Mr. Holland, did you believe them?

A Yes, sir.

Q Now, before the killing of Mr. Chipps, which was the following afternoon, and after you had had the conversation with Mr. Holland did you remain in Forth Worth or at your home?

A I remained in Fort Worth. I was at home a great deal of the time.

Q Your residence being some seven miles away?

A Yes, sir.

Q What was your custom at that time, with regard to whether or not the subject of your sermons would be published in the papers preceding their delivery?

A They were always published on Saturday, in the morning and afternoon papers.

Q And had that been done with regard to the services that you contemplated holding on the 18th?

A Yes, sir.

Q (missing some conversation from previous page)...phone conversation with D.E. Chips?

A Yes, sir.

Q Doctor, could you tell us definitely what the hour of it was?

A It was between four and five - about 4:30 in my best recollection.

Q Do you know that accurately or is that an approximation?

A That is an approximation.

Q How did those How did this conversation start, that is to say, did - what was the custom of your office, did you answer the phone or is that done by some of the office force first?

A All calls are answered by the telephone girl at an exchange desk.

Q In which room?

A In the general office.

Q That is, the large room located north of the ante room, and north of your study?

A Yes, sir.

Q And how would you be notified that someone was on the wire seeking a conversation with you?

A The call from the outside would come to this central station or exchange board, and then a signal would be rung in my office - not a telephone signal - and I would answer it.

Q Just a buzzer?

A Yes, sir, a buzzer.

Q At that time when you received a signal that somebody wanted to talk to you over the phone, what did you do?

A I picked up the receiver and said "hello." A woman -

Q Now, go ahead doctor and tell the court and jury that conversation as best you remember it from beginning to end. and what you did during the time of the conversation, if anything?

A I said "hello," and a woman's voice answered back at the other end and said "hello, Doctor Norris". There was a pause and a man's voice came on the line and said "hello." I answered back "hello, this is Doctor Norris" and then I couldn't understand what the other party was saying: I said "who is this, this is Doctor Norris. what do you want" and I still couldn't understand him, and I shook up the telephone and I said "hello" and kept repeating it, and then I heard this in a louder voice. In words and substance like this: "we are coming over there to settle with you on that sermon" and then I asked "who is this" and a voice came back "it don't matter - " Shall I repeat it -

Q Yes, sir. The conversation as you remember it?

A (Witness continuing): "I am not going to stand it any longer. I am coming over there to kill you. you -----." I says, "who is this." He said "Never mind my name, you will find out when I get there." I insisted on his name and then he said "my name is D.E. Chipps." I said "I don't want you coming over here, you are mad. I don't want any trouble." He said, "By God I am coming anyhow." About that time I called to my stenographer a few feet away and I said, "get this conversation" and she went over to the telephone desk a few feet away -

Q Located in the ante room?

A Yes, sir.

Q Near the northwest portion of the ante room?

A Yes, sir.

Q And where the pointer is placed?

A Yes, sir. Then I asked him again what was his name. He said "that doesn't matter." I says, "what do you want to come over here for. I don't want any trouble with you." Then he ripped out another oath and said, "you will find out when I get there. " I says, "you are mad. I don't want to talk to you." Then he got another sentence about half out and I hung up the receiver.

Q You know Mr. Nutt, of course?

A Yes, sir.

Q He is one of the officers or trustees of your church?

A Yes, sir.

Q Now, up to that time, did you know where Mr. Nutt was or whether he was in that building?

A I think the first I saw of Mr. Nutt was when I walked to (unreadable) of the general office to talk to (unreadable) stenographer.

Q Was that after your conversation with Mr. Chipps?

A Yes, sir.

Q That is your best recollection?

A Yes, sir.

Q Where was Mr. Nutt then?

A He was standing on this side talking to one of the young ladies.

Q By "this side" you mean that was in the general office?

A Yes, sir. The general office next to Throckmorton street side.

Q You had a conversation with Mrs. Raines, did you?

A Yes, sir.

Q Now, had you previously dictated your sermons to her?

A Yes, sir.

Q For the --

A Coming Sunday

Q Following days services. She was typing them at that time?

A Yes, sir.

Q Do you remember whether you spoke to Mr. Nutt or whether he talked to you at that time?

A Yes, sir.

Q And then what was done?

A I called him to come into my office, and he came in and stood by my desk a short time, a few minutes, and then sit down.

Q What conversation did you have with him, or , if you had any conversation that related to Mr. Chipps state what that was?

A I asked him "do you know D.E. Chipps?"

Q What reply did he make?

A He said, "I think I do, but I am not sure. I think he does business down at the bank."

Q Mr. Nutt was connected with the F & M bank?

A Yes, sir. F & M bank; and I asked him what kind of a looking man was he, do you know him when you see him?

Q And he said what?

A He says, "I know him when I see him. My recollection is, "I am not sure whether I would or not"

Q Did you tell Mr. Nutt of the conversation, the telephone conversation you had had with Chipps?

A No, sir.

Q Why didn't you tell him, Doctor Norris?

Mr. Scott That wouldn't be admissible. We will object to it.

Mr. Moses Alright, if they object to it. Was it excluded?

The court: Yes, sir.

Mr. Moses: We except. We may state fully what the answer would be?

The court: Yes

Q Did you say anything to any other person about the conversation with Mr. Chipps - telephone conversation?

A At that time?

Q Yes, sir.

A No, sir.

Q What were you then intending to do?

A I was intending to leave as soon as my sermon notes were ready.

Q Why?

A I wanted to get away. I was not sure whether he would come or not, and if he did come I did not want to be there.

Q Doctor, at the time you had this telephone conversation with Mr. Chipps and between that time and the time he came over there, what did you believe regarding Mr. Chipps, from what you had heard as to whether he was a quiet, peaceable man, or a man of violent and dangerous disposition, and whether or not he was a man, from what you had heard of him, calculated to carry out a threat that he would make?

A I believed that he was a dangerous man and that he would carry out his threats.

Q Mr. Chipps did come?

A Yes, sir.

Q Had Mrs. Rains finished typing your sermons before he came?

A Just a short time before.

Q And what did she do with them?

A She brought them into my office.

Q And delivered them to you?

A Yes, sir.

Q And you did that just a short time before Mr. Chipps came?

A Yes, sir.

Q Can you tell us about how long it was after the delivery of those sermons to you before Mr. Chipps arrived?

A Well, it could not have been over two or three minutes, maybe longer, but approximately that.

Q What would be your best judgment, Doctor, as to the interval of time between the conclusion of that conversation and the time Mr. Chipps came?

A Well, it would be somewhere around fifteen or twenty minutes, maybe longer.

Q Where was Mr. Nutt at the time that Mr. Chipps arrived?

A He was sitting in my study.

Q Now please indicate to the jury your location at the time of Mr. Chipps arrival, and where Mr. Nutt was sitting.

A I was sitting here at my desk in this chair, Mr. Nutt was sitting there in that chair.

Q Now what were the positions of the chairs as best you remember it - your chair and the one occupied by Mr. Nutt - at the time that Mr. Chipps came into the room?

A Well, they were about halfway facing each other, as two men would be talking to each other.

Q Is the replica there of those chairs (unreadable)on this model as they were at that time?

A Approximately so.

Q Through which door did Mr. Chipps come?

A Through this door from the ante-room.

Q That is the door that leads from the ante-room into your study?

A Yes, sir.

Q Was that door closed at the time Mr. Chipps arrived at it?

A Yes, sir.

Q Was there any knock on the door?

A No, sir.

Q Doctor, so that we may understand it what do these openings here on the east side of your study represent?

A Double windows

Q About how far is the bottom of those windows from the floor?

A Oh, I should say about two and a half feet. Something like that.

Q How wide is Throckmorton Street?

A Sixty or seventy feet.

Q State, if you know, Doctor, whether a person standing on the sidewalk on the east side of Throckmorton street could see into your study through those windows.

A Yes, sir.

Q Have you ever made any observations of that?

A Yes, sir.

Q Now, Dr. Norris, will you tell the jury what was said and done at the time of the entry of Mr. Chipps into that room?

A When he first entered he announced his name by saying, "This is D.E. Chipps," closing the door behind him and stood there an instant, a few seconds, and looked over in the direction of Mr. Nutt and walked up to him and said, "I know this man. I have seen him down at the bank." And then he took his seat on the settee. And when he sat down he clenched his fists in this fashion (illustrating) and looking at me said, "I have got something to say to you," and then turning to Mr. Nutt, "and you can hear it." and then turning back to me "if you say another word about my friends I am going to kill you. I mean every word of it." Mr Nutt asked him, "who are your friends?" And Mr. Chipps replied, "Meacham. Austin, Carr and Roach." And then I spoke in an undertone to Mr. Nutt and said, "Who is Roach?" And then Mr. Chipps, looking at me and moving out on the edge of the settee, he repeated he said "I mean every word that I say. If you say another word about my friends, Meacham, Carr, Roach and Austin, I am going to kill you. Damn you." Then I spoke to him for the first time. I said, "you do not mean that. What interest is it to you?" He said, "A whole lot." and with that he got on his feet and ---

Q Now indicate the point where he was sitting.

A He was sitting right at this point on the settee.

Q What is "that point"?

A That would be the east end of the settee. And when he got up he walked to about this position (indicating).

Q Where is that now with reference to the room?

A That would be practically the center of the room from north to south. And when he got up and started there, then I arose.

Q What did you say, Doctor?

A I looked at him and I saw he was so mad. I said, "I do not want any trouble with you." He said, "You have got to retract that sermon on Meacham or I will kill you." I said, "The sermon is already published, you are making an impossible demand." I said, "I do not want to discuss the matter with you. There is the door and I want you to go." He stood there, looked at me, hesitated, and I reached and opened the door and I said, "I do not want to have another word with you." And he turned and walked towards the door and went out into the ante-room. and as he went out, just as he got out at the door he said, "Remember what I have told you, I mean every word of it." I said to him, "I repeat what I have said to you. I do not want any trouble with you, "and turned my back to my desk.

Q Just state now what occurred from that time on. You say you were going back toward your desk?"

A Yes, sir. And just as I got practically to my desk I heard him say, "I will kill you, " and I looked over my shoulder and saw him coming.

Q Just state the place now where he was when you saw him.

A He was approximately even with the telephone, with the table.

Q Was he advancing slowly or fast?

A Very rapidly.

Q What were the positions of his hands at the time when you looked over your shoulder and saw him advancing rapidly toward you?

A He had it in his right side.

Q Will you kindly stand up, Doctor, and face the jury and show the movement that you saw him make or the position of his hand?

A Something like that (illustrating)

Q Where was his hand?

A His right hand was at his right side, at his hip, his coat was pulled back.

Q What did you do then, Doctor?

A I jerked open the drawer of my desk and grabbed the gun.

Q What did you do with the pistol?

A And shot.

Q Doctor, why did you shoot D.E. Chipps?

A Because I felt certain he was going to kill me. (sobbing)

Q Doctor. When Mr. Chipps turned around in the ante-room and started back toward your office with his right hand to his hip, what opinion or belief did you have in your mind at that time as to what he was then about to do to you?

A That he was about to kill me.

Q Doctor Norris, would you have killed Mr. Chipps on that occasion if you had believed that your life was in no danger?

A I certainly would not, I did not want to kill him.

Q Doctor, what did you believe at the time Mr. Chipps started back into that room, into your study after he had left, as to the relative strength between you and him?

A He was a powerful man, much stronger and larger than I was.

Q Was that your belief at that time, Doctor?

A Yes, sir.

Q What was your belief at that time, Doctor, as to whether you were a physical match for D.E. Chipps?

A I was not.

Q Dr. Norris, where was Mr. Chipps when you fired the first shot?

A He was coming in the door just inside of it.

Q And where were you standing?

A I was standing by my -

Q Give directions and I will point.

A By my desk - just in front.

Q You mean on the north side of your desk?

A Yes

Q Were you nearer one end of it than the other, if so which end were you nearer to?

A My impression was I was nearer the other end, that would be the ---

Q West end?

A West end.

Q Where was the drawer located out of which you got the pistol? Just describe it and I will point to it.

A In the front, to the top of the desk.

Q Was that a roller top desk, Doctor?

A Yes, sir.

Q And on roller top desks is there not a drawer just underneath the center of the working portion of the desk?

A Yes, sir.

Q And the pistol was in that drawer?

A Yes, sir.

Q Doctor, how many shots did you fire?

A I don't know.

Q Why is it you do not remember, Doctor?

A Because of the excitement or fright that I was under.

Q Where was Mr. Chipps when you last saw him at the conclusion of the firing of those shots?

A My observation is that he was backing out into the ante room -

Q Doctor, did you see what he did, if anything in the ante-room after the firing of those shots?

A No, sir.

Q Did you see any object on the floor of that ante room?

A No, sir.

Q What did you do after the conclusion of the firing of those shots?

A I came into the general office.

Q Through the door that is on the north side of your study?

A Yes, sir.

Q Then where did you go?

A My best recollection is that I went to the telephone.

Q Doctor, do you remember whether you gave any directions or made any requests to anyone with regard to an ambulance?

A No, sir, I do not recall

Q You do not remember whether you did or not?

A No, sir.

Q You say you went to the telephone?

A Yes, sir.

Q For what purpose did you go to the telephone?

A To call up my wife (sobbing)

Q How long had you been married?

A It will soon be 25 years.

Q Did you call Mrs. Norris?

A Yes, sir.

Q Doctor, do you remember what you said to her?

A I told her about the trouble.

Q Do you remember the language you used?

A No, sir.

Q Doctor Norris, did you see Mr. Chipps, or do you know by having seen the occurrence, when and how he got into the study of the First Baptist church and at the place where his body was picked up by the gentlemen from the undertaking parlors?

A I do not know that I get...(unreadable)

Mr. Moses: Read the question.

(The reporter thereupon read the last preceding question to the witness).

Q That was after the shooting?

A No, I do not.

Q Did you notice or see his body on the floor of the study later?

A No, sir.

Q Doctor, what did you do with the pistol that you used in the difficulty?

A My impression or best recollection was I handed it to somebody when I came into the general office.

TRIAL CLIMAX: Norris Takes Stand in Slaying Trial

Q Do you know who that was?

A No, sir.

Q Now, doctor, what was the state of your mind at that time? Were you calm and cool and collected or were you still frightened and very much agitated and shocked?

A I was overwhelmed.

Q Then, from there, pardon me for leading, then from there you went over to the main courthouse, (unreadable...)...are you?

A Yes, sir.

Q From the district attorney's office?

A Yes, sir.

Q And appeared before Judge Shannon, the justice of the peace?

A Yes, sir.

Q The formal charge of murder was filed against you there, or do you know?

A I don't know.

Q Well, at any rate ---

A I signed some paper.

Q The bond was fixed?

A Made bond.

Q Bond was given at that time?

A Yes, sir.

Q And you were released from custody?

A Yes, sir.

Mr. Moses: Gentlemen, the defendant is with you. No, pardon me just a moment.

Q Just for the purpose of identification, Doctor, I hand you a copy of the Searchlight of date of July 14, 1926. Without stating the contents, state whether or not the sermon, preached by you on Sunday previous to the homicide, in which the name of H.C. Meacham is mentioned, is published in this paper? (passing to witness.)

A Yes, sir.

Mr. Moses: The defendant is with you. (and court adjourned until 3pm)

NORRIS ON STAND

It was exactly 9 o'clock when Norris was called to the stand. First questions by the defense through Dayton Moses, concerned his birth and parentage, and the particular question relative to his father holding an official position in Alabama met strenuous objection from McLean.

Norris said among other schools he took his Master of Arts degree at Baylor university.

"How did you sustain yourself while you were at Baylor?" met another state objection, and it was sustained as irrelevant.

Mt. Calm, near Waco, for four years, was among his first pastorates, he said: thence to Louisville and then McKinney, Texas, First Baptist church. He had been 18 years pastor of the Fort Worth Baptist church.

Married, four children, oldest 19, next 16, baby 10, and a married daughter now in Harvard university, were his next answers. He said his oldest son was in Culver Military academy.

On July 17, 1826, (unreadable.....) home was seven miles from Fort Worth, Mrs Norris was at home on the day of the tragedy.

Yes, he is acquainted with Mayor Meacham of Fort Worth and had known him all the period of the pastor's residence in Fort Worth.

He had not met Chipps prior to July 17, 1926, and did not know him by sight.

"Have you had any controversies with H.C.Meacham?"

"Yes, Sir"

"When was the first?"

"About 1920," he answered.

Had a conversation with him on the 12th street side of his store in Fort Worth.

yes, he knew a gentleman by the name of Machet and his wife, Mrs. Machet, a teacher int he Baptist Sunday school and an employee in Meacham's store.

"Did you have a conversation with Meacham concerning Mrs. Machet?"

"Yes, sir"

"What was it?" and state objection was sustained.

CONTROVERSIES

He had another controversy with Meacham in 1922, when Meacham was foreman of the grand jury, and Norris said he was a witness before the grand jury.

Yes, he is editor-in-chief of the Searchlight. Question on an editorial criticizing Meacham as foreman of the grand jury in 1922 was objected to by the state.

Sayers charged Moses was about to say something improper before the jury, to which Moses strenuously entered denial. Court sustained state's objection, and Moses asked to be heard, Sayers and Shelton demanded the jury be withdrawn. Jury was held in court, but all attorneys went to the bench for inaudible argument.

A racking cough impeded Norris on the witness stand and he wiped his forehead repeatedly with a handkerchief which he kept in his hand constantly. Twenty-five minutes of Norris recital had passed by this time and the bench conference was the first of the morning and lasted fully ten minutes before examination was resumed, the court reversing sustainment of state's objection.

"At time of death of D.E. Chipps state what feeling was of H.C. Meacham toward you?" asked Moses.

EMPLOYING COUNSEL

"Who has employed McLean, Scott and Sayers, and Shelton to aid in your prosecution?"

"H.C. Meacham"

"State if you know how much they are being paid." came Moses. And state's objection was sustained.

"Did you have a visit from H.C. Meacham shortly before Chipps' death?" asked Moses.

"Yes, sir." And state's objection to question and answer was sustained. Sayers said it didn't concern this case anymore than defendant might have had a conversation with the governor of the state, or some one in Europe.

JURY WITHDRAWN

"Dr. Norris, did you receive any information about any threats made against you by the mayor of Fort Worth?" Moses asked and state's counsel was on it's feet in a body to object. Jury was withdrawn and argument on admissibility of answer to this question ensued.

MOSES ARGUES QUESTION

Moses then addressed himself to court in support of his question, detailing a meeting of Meacham and Norris in summer of 1922, at which he said Norris had been asked by Meacham: "What do you mean by meddling in my business." Other words passed between the two, said Moses and they separated. In fall of that year, Moses then pointed out Meacham became foreman of the grand jury and Norris from pulpit and in his Searchlight attacked this grand jury for not closing the redlight district. Moses then recalled testimony of the Police Officer Woodruff that in that same period he had been told by Chipps when he was arresting him that he, Chipps was planning to start a graveyard and put the officer and Norris in it. Moses continued this line of argument to the court by pointing out that then in 1925, Meacham became a mayor-alty candidate and in the midst of the campaign came to Norris' office to accuse the minister of having women broadcast, by telephone, and attack on his reputation. This, Moses said, Norris denied. That there then resulted (unreadable) the city that the Fort Worth First Baptist church and not paid its taxes.

Came later another attack on pulpit and Searchlight on Meacham by Norris' that Meacham gave his store employees a chance to either resign membership in Norris' church or quit their positions in the store. That there followed renewed attacks by Norris; that there came to him a threat he would be killed.

McLean was first to answer for the state, followed by Jess Martin, district attorney for Tarrant. McLean's was an impassioned denial of charges against him, quoted by Moses as ready to be sworn to by a Fort Worth witness.

"I wouldn't advise any man to kill anybody." he declared to the court. The advice he gave, he declared, whenever the subject of J.Frank Norris came up, was to let him alone, ignore him.

I'll let my co-counsel answer to the legal issue now before this court but it is my purpose to deny this charge against me personally which has been injected." he continued.

It was Martin's contention that admission of such a line of testimony as Moses sought by his question of Norris would send the trial off into the realm of hearsay.

Throughout the half hour or more of argument Norris remained in the witness box. With Martin's conclusion Simpson took the floor again for the defense. His was a renewal of the outline presented by Moses. At this point the argument had been continuing well over an hour.

As Simpson closed, Martin again spoke for the state this time briefly and as he sat down Judge Hamilton promptly but in an even tone said:

"The objection is sustained."

The import of his ruling seemed to go to the farthest corner of the court room crowd.

Blocked at asking question relative to any threat Meacham may have made, Moses then asked the pastor when he heard of threats made against him by Chipps.

"It was on Friday before the tragedy." answered Norris and here he paid the jury in detail of the story brought to him by the ex-Fort Worth police officer Fred Holland of hearing Chipps the night before in front of the Texas hotel tell a Fort Worth officer he was going to kill Norris.

Norris carefully detailed to the jury that Holland (unreadable) Chipps had a long police record. That he, Holland, had had a fight with him.

"I asked him for incidents, " said Norris to the jury, and then related several incidents of trouble the ex-officer had told him he knew Chipps had had.

He had known Holland eight or ten years, Norris said. Mrs. Holland had sewed for his family, he added. "Mrs. Holland made my daughter's wedding clothes."

Moses: "Did you believe Holland?"

"Yes, sir."