

WAYNE HESS,

called as a witness on behalf of the People herein, having been previously sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY

MR. RICHARDSON:

Q Your name is Wayne Hess?

A Yes.

Q And you have been previously sworn?

A Yes.

Q And you have testified in this case?

A Yes.

Q Mr. Hess, I ask you to state whether or not on any of the occasions on which you talked to this defendant, whether you or anyone in your presence ever made any threats to Chester Weger?

A No threats.

Q I ask you to state whether or not you or anyone in your presence on any of the occasions upon which you talked to him, ever made any

Q And approximately what time did he return?

A Approximately one-fifty.

Q In that interval of time that Deputy Dummett was out of the room, were you and the defendant in the room together?

A Yes, alone.

Q And state whether or not at this time, this defendant made any admission to you or a confession?

A Yes, he did.

Q Was he talking to you when Dummett came back into the room?

A Yes, he was.

Q What, if anything, did you say when Deputy Dummett returned to the room?

A I said "Bill is here now, we will start all over again".

MR. RICHARDSON: That is all.

RE-CROSS EXAMINATION

BY

MR. McNAMARA:

Q What did he say at that time, what did the

A Well--

Q After you told him that?

A Bill came into the room and Chester started out by telling how he come down the Bluff Trail into St. Louis Canyon trail by the short cut and he met the ladies at the bridge--

Q Go ahead?

A And that this one woman in the lead had what he thought was a purse over her shoulders with the strap--he grabbed the strap, he grabbed at the purse or strap--and the strap broke, and it was at the bridge--

Q Yes?

A He got, he talked to them at the bridge, if they would go back to the other end of the canyon, he would not harm them, he would not hurt them--and they talked it over among themselves and with further conversations with Chester and they agreed to go along and go back to the other end of the canyon where he would tie them up and in order to give him

a chance to get away. He said that he didn't live around here and he wanted to get a chance to get out of the canyon.

He said that he wouldn't harm them if they would do that and they agreed. But on the way down the trail they asked him often "you are sure you will not hurt us if we do that" and he agreed.

They got down to the -- to the end of the canyon right by this cave and they asked him where they wanted -- where he wanted them to sit. He had two ladies on the left-hand side of the cave and he tied them together on the wrist and the ankles and the other lady was on the right-hand side of the cave and he tied her separately but he tied them loosely so that they would not shut off the blood pressure-- the blood circulation--and as he got about 75 feet out of the canyon way from the cave, one of the women got loose and run up behind him and struck him with what he

thought was a pair of binoculars or a camera or something and it kind of stunned him and he leaned over and he saw this club and he picked up the club and he swung around and struck this white haired woman.

He hit her over the back, the head and the shoulders and she went down unconscious. He looked at her and thought he had killed her and he picked her up and carried her back to the cave which he since described as a "fireman's carry" and he dumped her at the mouth of the cave right in the center.

These other two women, when they saw what happened to this first lady, they started to kick and scratch and scream and they were tied up, they couldn't get away. He said that he thought that he had killed this other woman, Mrs. Murphy--and he said "I'll have to kill the other two so that I will not be identified" and so he picked up the club again and started to strike the other two woman and he said that he hit them and hit them and hit them. About that time,

the lady that he had carried back and that he thought that he had killed, she became conscious and she got up and started fighting him and that was when he swung the club again and knocked her down and killed her too.

Q Go ahead?

A He said that he went--he saw an airplane circling around up in the air and he thought that he would drag them up in the cave so that they wouldn't see what was going on down there. While he was dragging them up in the cave, he dragged the one on the left--that's Mrs. Murphy which was the first one that he described, that he dragged--and the other two, he dragged the two of them by the shoulders and one of them by the feet and he told me how the shoe of one of them came off and it laid there in the snow.

He went down there, he went through their pockets and I believe there was a rolled-up handkerchief and belt and something in the pocket of one of the ladies.

He left the canyon and on the same

way out again, he stopped and washed the blood off his hands and off his pants with the snow -- at the edge of the trail -- he proceeded back to the lodge -- wait a minute -- He stopped at the creek and he said that he noticed a piece of comb -- at the bridge -- where he was at the first time -- where he thought one of the ladies had used this as a weapon when the tassel at the bridge took place and he picked it up and when he went back to the lodge, he threw it in the garbage pail and he went back to the lodge.

He went to the back room, he said nobody noticed him or saw him and he proceeded back to work.

Q Is that his oral confession?

A Yes, to the best of my knowledge.

MR. McNAMARA: I have no further questions.

(Witness excused.)

MR. RICHARDSON: Your Honor, we have run out of witnesses until tomorrow.

THE COURT: We will adjourn until tomorrow morning.

(Whereupon, an adjournment was had.)