

1 MR. PONTON: No further questions, Your
2 Honor.

3 THE COURT: Okay. You may step down, Mr.
4 Gilbert. Who is your next witness?

5 MR. PONTON: His wife, Alice Gilbert.

6 THE COURT: Mrs. Gilbert, raise your right
7 hand.

8 All right.

9 ALICE GILBERT,

10 having been first duly sworn by the Court to tell the
11 truth, the whole truth, and nothing but the truth,
12 was examined and testified as follows:

13

14 DIRECT EXAMINATION

15 BY MR. PONTON:

16 Q. Good morning, Mrs. Gilbert.

17 A. Hello.

18 Q. Don't get too nervous.

19 A. Okay.

20 Q. This is -- We will try to be informal here,
21 and if you don't understand something I say or get
22 nervous, just let us know and we will take a break.

23 Please state your name for the record.

24 A. My name is Alice Gilbert.

25 Q. And was that your husband, Steve Gilbert,

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1 who just testified here?

2 A. Yes, sir.

3 Q. How long have you-all been married?

4 A. 15 years.

5 Q. And where do you live?

6 A. Presently at the old Bowie Lake 10 miles
7 north of Bowie.

8 Q. And how long have you lived in Montague
9 County?

10 A. All the 15 years that I've been married.

11 Q. Okay. And what is your relationship to
12 Rueben Moore?

13 A. He is my father.

14 Q. Now, I want to ask you if you know a fellow
15 named Henry Lee Lucas?

16 A. Yes, sir.

17 Q. Do you see him here in the courtroom?

18 A. Yes, sir.

19 Q. Would you please point him out for the Court
20 and describe how he is dressed? Stand up if you need
21 to.

22 A. He is right there wearing the red tie and
23 the blue suit.

24 MR. PONTON: Okay. May the record reflect
25 that the witness has identified the defendant, Your

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1 Honor?

2 THE COURT: It will so reflect.

3 Q. (BY MR. PONTON) Do you recall when you
4 first met Henry Lucas, approximately?

5 A. Sometime in the early part of May or sometime
6 in May of '82.

7 Q. Okay. And where was it that you met Henry
8 Lucas?

9 A. In the chicken ranch in Stoneburg.

10 Q. Is that where your father lived -- lives?

11 A. Well, he lives there now.

12 Q. Was he living there in May of '82?

13 A. No.

14 Q. Did he convert that chicken ranch into a
15 sort of an informal church called the House of Prayer?

16 A. Yes.

17 Q. And he still has the House of Prayer there,
18 doesn't he?

19 A. Yes, sir.

20 Q. Now, how long did you know Henry Lucas or
21 did you see him around there?

22 A. I seen him there from May '82. Sometimes he
23 wasn't there later on, but the last time I remember
24 seeing him was around Christmas of '83.

25 Q. Was that in jail?

1 A. No, at the chicken ranch.

2 Q. Okay. Now, in the -- I believe -- I'm not
3 trying to confuse you, but I believe the evidence in
4 the case here would show that Henry Lucas got
5 arrested on June 11th of 1983 and has stayed in jail
6 ever since then.

7 A. Okay. I'm getting mixed up. It was '82,
8 then.

9 Q. All right. Your husband, Steve, worked with
10 your father, Rueben, in a roofing business, didn't
11 they?

12 A. Yes, sir.

13 Q. And when did they start working together in
14 the roofing business, for a long time?

15 A. My father and Steve?

16 Q. Yes.

17 A. About three years before we married.

18 Q. Okay. And so that would be about --

19 A. Well, at that time he worked with him. He
20 wasn't a partner or anything.

21 Q. Okay. Then were they working together in
22 the roofing business during 1983, your father and
23 Steve?

24 A. Yes. Well, let me think.

25 Q. Or for part of that year?

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1 A. Part of the year. At least part of the year.

2 Q. And later in the year did they split up for
3 awhile?

4 A. Uh-huh.

5 Q. And then later did they get back together?

6 A. Uh-huh.

7 Q. Okay. Now, the -- I want to direct your
8 attention to the spring of 1983, particularly to May
9 of 1983, and I want to ask you if you remember
10 whether or not Steve's family had a family reunion or
11 sort of an informal gathering of sorts that month of
12 that year that you recall?

13 A. Yes.

14 Q. When was that, do you recall?

15 A. It was Memorial Day weekend, on Sunday.

16 Q. On Memorial Day weekend of 1983?

17 A. '83.

18 Q. Okay. And why do you remember that reunion
19 happening on Memorial weekend in 1983?

20 A. Because it's always been Memorial Day
21 weekend. Since '81 we have had them.

22 Q. And what is that family called?

23 A. Jackson.

24 Q. The Jackson family. And have you been
25 having those family reunions on Memorial Day since

1 1981 with the Jackson family?

2 A. Yes, yes.

3 Q. In 1983 during Memorial Day, do you remember
4 whether you and your husband had a boat?

5 A. Yes, we had a boat.

6 Q. And why do you remember whether or not
7 you-all had a boat during Memorial Day weekend of
8 1983?

9 A. Because -- A lot of people come down to our
10 lake a lot and we -- several times a year we have
11 several people, sometimes 70, 75 people there at once.
12 And I remember it because they wanted to get some
13 boats together. My ex-brother-in-law had a boat, and
14 he was bringing his out and we were trying to get
15 ours together to bring it out and it was because so
16 many people were coming down.

17 Q. Did you-all have your boat on Memorial Day
18 weekend of '82?

19 A. Yes. Or -- Well, I don't know. Let me see.
20 I don't remember what month I brought -- I bought it
21 the summer of '82, but I can't remember if it was
22 early or late summer.

23 Q. And if the summer of '82 would start in June,
24 would that be after Memorial Day weekend of '82?

25 A. Yes, sir.

1 Q. For instance --

2 MR. PONTON: May I approach the exhibit over
3 here, Your Honor?

4 THE COURT: Yes, sir.

5 Q. (BY MR. PONTON) For instance, this exhibit
6 up here shows the dates surrounding Memorial Day
7 weekend of 1982. I believe it's common knowledge
8 that Memorial Day is always the last weekend in May.

9 A. Yes.

10 Q. So then I want to ask you if you recall
11 whether you had the boat Memorial Day weekend of 1984,
12 whether --

13 A. No.

14 Q. Had you-all had to let it go back?

15 A. Yes.

16 Q. Okay. What -- Do you remember whether or
17 not you-all's boat was working during Memorial Day
18 weekend, 1983?

19 A. No, it wasn't.

20 Q. And how do you remember that?

21 A. Because it was a few days before that
22 weekend Steve had gotten Henry to look at the boat at
23 the lake and he worked on it a little bit, but it
24 didn't work out. They couldn't fix it. So they took
25 it to the chicken ranch and left it there, and it

1 didn't get -- by the time the Saturday came, the boat
2 wasn't fixed.

3 Q. Was Henry supposed to fix the boat at the
4 chicken ranch for Steve?

5 A. Yes.

6 Q. Do you know if Henry was working on the boat
7 for Steve during that week prior to Memorial Day?

8 A. He was supposed to be.

9 Q. Okay.

10 A. It was there.

11 Q. Then, do you know if you-all made any
12 arrangements for the use of another boat for that
13 weekend?

14 A. Yes.

15 Q. What was that?

16 A. My Aunt Martha had a boat and she said that
17 we could borrow hers.

18 Q. Okay. And do you know if Steve made
19 arrangements to go get that boat?

20 A. Yes, he went and got it.

21 Q. Do you know if Steve ever took that boat by
22 the chicken ranch?

23 A. I don't know personally. I wasn't with him.
24 He said he did.

25 Q. Okay. Do you remember him telling you that

1 back in 1983?

2 A. Uh-huh. Yes.

3 Q. So back in 1983 did Steve tell you he had
4 gone by the chicken ranch?

5 A. Yes.

6 Q. With Martha's boat?

7 A. Yes. He had to get the gas tanks.

8 Q. And that was what he told you? Do you
9 remember him telling you that back there that weekend
10 that he had done that?

11 A. Uh-huh.

12 Q. Yes?

13 A. Yes.

14 Q. Now, what do you remember about that family
15 weekend on Memorial Day? Do you remember what
16 you-all did on Saturday?

17 A. On Saturday, you know, we had trouble with
18 the boat and --

19 Q. With Martha's boat?

20 A. No, with our boat. You know, we didn't have
21 our boat, so they -- he went and picked up Martha
22 Ann's. And I don't know what -- I don't remember if
23 it was Saturday that he picked it up. I know he
24 picked it up before Saturday or at Saturday. Anyway,
25 we had the boat out there Saturday and a lot of

1 people out there and the lake was real crowded with
2 people.

3 Q. I'm not trying to confuse you. I just want
4 you to remember what you can remember. But if your
5 husband had just testified that he remembered picking
6 the boat up on Friday before that weekend --

7 A. It could have been.

8 Q. -- so that it would be ready for use on
9 Saturday, you wouldn't disagree with that, would you?

10 A. No, it could have been a Friday.

11 Q. And do you remember what you-all did on that
12 Saturday and that Sunday of that weekend?

13 A. Saturday we rode the boats. My
14 brother-in-law had his out there and we switched on
15 and off. We had so many people that it took two
16 boats to take everybody around. And we just swam and
17 rode the boat all day. And I remember that night
18 telling everybody that I needed to go home and go to
19 bed because we had family reunion the next day.

20 Q. Okay. Where was the family reunion going to
21 be the next day?

22 A. Why was it?

23 Q. Where.

24 A. Where? At Pelham Park in Bowie.

25 Q. And do you remember when that family reunion

1 started on that Sunday?

2 A. What time?

3 Q. Approximately.

4 A. Oh, my sister-in-law always got up there
5 real early to make sure she got plenty of tables, so
6 I think she got up there about 7:00. I think we got
7 there about 9:00 or 10:00.

8 Q. And do you know if you-all spent all day
9 there at Pelham Park or if you went somewhere --

10 A. No.

11 Q. -- later on?

12 A. No. We stayed for dinner, and a little bit
13 after dinner we went back to the lake. And some of
14 the -- my relatives came to the lake with us.

15 Q. And that Sunday you-all still had Martha's
16 boat there?

17 A. Yes, as far as I can remember.

18 Q. Do you remember Henry Lucas working with
19 your husband and your father on that roofing crew
20 during that period of time, I mean, generally during
21 that spring?

22 A. Yes, he worked with them.

23 Q. And do you remember Henry Lucas being around
24 the chicken ranch when you would go by to visit your
25 father?

1 A. Yes, he come to church there.

2 Q. Uh-huh.

3 A. At different times.

4 Q. Would you go to church there?

5 A. Uh-huh. Yes, sir.

6 Q. And when you would go to church, you would
7 see Henry there?

8 A. Sometimes. He didn't come every church
9 night, but he was there.

10 Q. And did you go to the revival or the camp
11 meeting, I guess it is, what your dad calls it, there
12 in May of '83?

13 A. Not in May of '83, no.

14 Q. You didn't go to that camp meeting?

15 A. The one the year before.

16 Q. Okay. You were aware that your father -- or
17 were you aware that your -- whether or not the House
18 of Prayer had a camp meeting in May of '83?

19 A. Yes.

20 Q. It did have one?

21 A. Yes.

22 Q. To your recollection, was Henry Lucas around
23 the House of Prayer at that time?

24 A. I don't know. I didn't go down there.

25 MR. PONTON: We pass the witness, Your Honor.

1 MR. JEWKES: May we have just one moment,
2 Your Honor?

3 THE COURT: Yes, sir.
4

5 CROSS-EXAMINATION

6 BY MR. JEWKES:

7 Q. Mrs. Gilbert, I'm going to ask you a few
8 questions. Some of these questions might be kind of
9 nitpicky, but there are certain facts that I've been
10 trying to find out and I'm asking you to bear with me
11 and be patient with me. Okay?

12 You just got through testifying that you
13 didn't go to the camp meeting in 1983. Is that
14 correct?

15 A. Yes.

16 Q. May I ask why?

17 A. Because my father had just gotten a divorce
18 and I didn't -- I didn't want to be in the middle of
19 everything. And I quit going to church down there
20 the end of '82, sometime in December.

21 Q. Okay. So sometime, let's say -- let's pick
22 a reference point. Maybe sometime shortly before or
23 maybe shortly after Christmas of 1982 you quit going
24 to the House of Prayer?

5 A. Yes, shortly before Christmas.

1 Q. And did that have anything to do with the
2 fact that your daddy and mama were having marital
3 problems?

4 A. Yes.

5 Q. After, let's say, Christmas of 1982 going
6 into the first part of 1983, did you stay pretty much
7 away from the House of Prayer?

8 A. Yes.

9 Q. Did you go around to visit much or just --

10 A. No. My grandfather got sick at one point in
11 time during that -- after I quit going to church down
12 there, and I went to see him once. And I believe the
13 last time I went down there was right around
14 Christmas Day or the day after because it was daddy's
15 birthday and I took him his present.

16 Q. When you talk about your grandfather, is
17 that the man that -- he is now dead, but he was
18 commonly referred to as Pop Moore?

19 A. Yes, sir.

20 Q. And Pop Moore, during his last days he lived
21 with your daddy, Rueben Moore?

22 A. Yes.

23 Q. Okay. And when you say that you took a
24 present to Pop Moore, would that have been Christmas
25 of 1982?

1 A. No, I didn't say I took a present to grandpa --

2 Q. Oh, I'm sorry.

3 A. I took it to my father.

4 Q. Rueben Moore?

5 A. Yes. Around Christmas.

6 Q. Of 1982?

7 A. Yes.

8 Q. And thereafter, that's when you quit going
9 to church at the House of Prayer?

10 A. Yes.

11 Q. And that's when you stayed away from the
12 House of Prayer, the chicken ranch?

13 A. Yes.

14 Q. Did you ever go out on any of the roofing
15 jobs with your husband or your sons?

16 A. No.

17 Q. Well, after that Christmas when you quit
18 going to church there, where would you see Henry
19 Lucas?

20 A. I didn't in '83.

21 Q. Oh, okay. I see.

22 A. It was the end of '82 where I seen Lucas
23 down there.

24 Q. Okay. Just so that I understand, because I
25 get confused sometimes --

1 A. And that, you know, I might see him on the
2 road or like when Steve brought him to the lake to
3 work on the boat in '83. But as far as going to the
4 cook shack and seeing him down there, I didn't.

5 Q. Therefore, based on your recollection, what
6 you have in your mind of it, you would not have seen
7 Henry Lucas any time after Christmas of 1982 unless
8 maybe you saw him, passed him on the road?

9 A. Yes, except for when they brought him to the
10 lake to work on the boat.

11 Q. Okay. Let me ask you about that. Can you
12 give me a rough idea when it was that your husband,
13 Steve, brought Henry Lucas to the lake to work on
14 your boat?

15 A. I feel like it was the week before Memorial
16 Day, sometime during that week.

17 Q. Okay. And Memorial Day always comes on a
18 Monday?

19 A. Yes.

20 Q. And it's, in this case, of course, it was
21 the last Monday in May. So we are talking about
22 somewhere around maybe the 23rd of May?

23 A. Yes.

24 Q. Okay. I want you to think real hard. When
25 Henry Lucas was brought to the lake to work on your

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1 boat, was it during the week or was it on a weekend
2 or would you even know or even remember?

3 A. I don't feel like it was on a weekend, but I
4 can't say for sure. It could have been a Saturday,
5 but I don't think it was.

6 Q. Those times when you would pass Henry Lucas
7 on the road, what would he be driving, do you
8 remember?

9 A. A lot of times my father's pickup.

10 Q. Were you aware at that point in time as to
11 whether or not Henry Lucas had a car of his own?

12 A. I don't know if he did or not.

13 Q. Mrs. Gilbert, are you aware whether or not
14 Henry Lucas ever -- Pardon me -- bought a car from
15 your aunt, Martha Walker?

16 A. From Martha Walker? No, I didn't know.

17 Q. Did you ever see Henry Lucas driving a 1973
18 maroon-colored Pontiac two-door sedan?

19 A. Not that I recall.

20 Q. I need to ask you just a few questions while
21 I'm thinking about it about the House of Prayer.

22 To the best of your recollection, when did
23 your daddy, Rueben Moore, take over the chicken ranch
24 and convert it into the House of Prayer? -

25 A. I don't know. Sometime in the '70s. I

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1 don't recall how long ago.

2 Q. Before it was converted, was anybody
3 preaching there before then or was it just --

4 A. Oh, no.

5 Q. It was just a chicken ranch?

6 A. Chicken ranch.

7 Q. Right after your daddy took it over and
8 converted it, it's my understanding he didn't do the
9 preaching, he taught Sunday school. Is that right?

10 A. Right.

11 Q. Who was doing the preaching?

12 A. When we moved the church -- they hadn't got
13 that built and moved down there -- Doc Clipper was
14 the preacher.

15 Q. Okay. He is a local minister?

16 A. Well, he is deceased now.

17 Q. I see. Now, I understand that your
18 stepmother, Faye --

19 A. Yes.

20 Q. -- she does some of the preaching --

21 A. Some.

22 Q. -- duties there?

23 A. Yes.

24 Q. When Faye is not preaching, who is? -

25 A. I just started back to church there in this

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1 past -- sometime in May, April, something like that.
2 And at that time, Brother Bill Rosenbaum was the
3 pastor, but he has resigned since then and they just
4 have -- sometimes people come visit and they preach
5 or Faye preaches.

6 Q. Okay. Now we are talking about the Jackson
7 family reunion, okay? Let's talk about two reunions,
8 but we will start with the Jackson family first.

9 In 1983 it fell on the Sunday just before
10 Memorial Day.

11 A. Uh-huh.

12 Q. Do you agree with that?

13 A. Yes.

14 Q. It was at Pelham Park?

15 A. Yes.

16 Q. And did your husband, Steve, go down to the
17 reunion with you at Pelham Park?

18 A. Yes, sir.

19 Q. Did you take your children?

20 A. Yes.

21 Q. I believe you have three children?

22 A. Uh-huh.

23 Q. And you got there, I believe you testified,
24 maybe sometime just a little bit before dinner?

25 A. Yeah, something like that.

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1 Q. All right. Dinnertime. And you-all ate
2 there?

3 A. Uh-huh.

4 Q. And you stayed a short period of time?

5 A. Yes.

6 Q. And then left?

7 A. Yes.

8 Q. Okay. And returned to the lake?

9 A. Yes.

10 Q. And you wouldn't have seen Henry Lucas any
11 time around there because you didn't see him after
12 Christmas of 1982?

13 A. No.

14 Q. Except on the road?

15 A. Yes.

16 Q. Now, shortly after that weekend, did you-all
17 have another family reunion? Did the Moore family
18 have a reunion?

19 A. We had several of my uncles there. But,
20 yeah, it was in '83. And I'm not sure what month it
21 was. It was hot. It could have been June, could
22 have been the end of July. I can't remember what
23 month it was. But it was after. It was after
24 Memorial Day weekend that they all come down.

25 Q. Would it be proper to say that it was a

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1 Moore family reunion or a Walker family reunion or --

2 A. No. It really isn't -- It wasn't a reunion
3 at all. But my grandfather had -- was living with
4 daddy and I wanted to invite him over, and some of
5 the boys had wanted to come over to be with him and --
6 plus his daughter from California was down. And by
7 the time it ended up, it was like a reunion because
8 so many of them came.

9 Q. Might that have been in June of 1983 or --

10 A. It could have been June.

11 Q. Mrs. Gilbert, on that Memorial Day weekend,
12 do you happen -- either before or after the Memorial
13 Day weekend, do you know anything about a job,
14 roofing job done on the house of a gentleman by the
15 name of Raymond Kay in Nocona Hills?

16 A. No, other than just I have heard Steve talk
17 about it, you now, about the job. As far as back
18 then?

19 Q. Yes, ma'am.

20 A. No, I didn't know any. He might have come
21 home and told me he worked in Nocona. That's all he
22 tells me, and I don't know who they work for or what
23 names.

24 Q. Would you yourself have any knowledge as to
25 when that job was started and/or finished?

1 A. I wouldn't have the least idea.

2 Q. Your sister-in-law, who is married -- well,
3 actually, it's your sister?

4 A. Sister.

5 Q. Is married to Ronald and her name is?

6 A. Gladys.

7 Q. Gladys.

8 A. Um-hum.

9 Q. Is she here today?

10 A. She was.

11 Q. What about Ronald?

12 A. He was here, too.

13 Q. He was here, too?

14 MR. JEWKES: May I have just a moment, Your
15 Honor?

16 THE COURT: How many more people do we have
17 out there? Go ahead with your moment. I'm talking
18 to him.

19 MR. PONTON: Two, Your Honor.

20 THE COURT: Okay.

21 MR. JEWKES: We pass the witness, Your Honor.

22 MR. PONTON: We have no questions.

23 THE COURT: Thank you. We are going to take
24 a brief recess. Mr. Ponton, come up here and talk to
25 me a minute.

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