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C	ase 3:75-cr-00026-F	Document 130-3 Filed 03/30/2006 Page 5 of 50
1		BY MR. SEGAL:
2	Q	What form did you take that mescaline in?
3	A	Tablet.
4	Q	Do you remember how many you took?
5	A	One.
6	Q	How soon thereafter did you start feeling
7	any of the	effects of the mescaline?
8	A	It was good mescaline; I guess pretty soon
9	afterwards.	I am not sure about the time.
10	Q	Is it hard to judge time when you are using
11	a drug like	that?
12	A	Not usually.
13	Q	Just so that I don't misunderstand you,
14	were you using a quantity of heroin and opium on that	
15	dayFebruary 16ththat you previously described this	
16	morningabout six or seven intravenous injections?	
17	A	Yes, sir.
18	Q	Besides that, and the mescaline and the marihuana,
19	do you have	any recollection of any other drugs you used
20	that day?	
21	A	No, sir.
22	Q	Do you have any recollectionwhat is your
23	next recolle	ection after taking mescaline?
24	A	Returning to the house later that morning.
25	Q	Can you pinpoint in any way what time it



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or something.

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So, I don't remember the extent of the conversation, but it ended up by my telling him to tell his wife to keep her door locked.

May I ask, do you recall talking about the 0 MacDonald murders before this remark was made?

Your Honor, we would MR. BLACKBURN: OBJECT.

THE COURT:

SUSTAINED.

BY MR. SEGAL:

What was the subject matter that you were 0 talking about before you made this comment to Mr. Posey?

> I'm not sure. Α

Did you have some other conversation with Bill Posey between February of 1970 and say August of 1970?

> Several times. Α

Did the subject of the MacDonald murders 0



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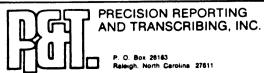
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Did you continue to know Mr. Beasley all



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THE COURT:

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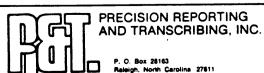
Yes; she said nothing in



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Her hat?

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MR. SEGAL: Three days ago, Your

Honor, I tendered a subpoena in which the Government said was unnecessary and they accepted from me a request that they produce certain exhibits from the Article 32 proceeding, in 1970, which had been in their possession.

I asked for that to be here in court yesterday. This is the moment when I precisely need those. They are not here, and I am just saying that, you know, I am going to go on to other questions; but I do think that we could do better in cooperation when things like that are agreed upon that we should have them available.

Now, I don't know what the delay is. I wanted to show this lady a picture, you know, of the hat precisely we are talking about at this time.

THE COURT: Picture of what hat?

MR. SEGAL: The hat which we believe is a replica of a hat she wore at that time. It depicts it exactly.

MR. MURTAGH: Your Honor, may I respond as to--Mr. Segal did offer a subpoena complete with a

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Case 3:75-cr-00026-F Document 130-3 Filed 03/30/2006 Page 36 of 50 check for all of the exhibits that were introduced in the Article 32.

> MR. SEGAL: We did not ask for all the exhibits.

MR. MURTAGH: By the exhibits I mean some notebooks or photographs and things like that that were part of the investigating officer's report.

I told Mr. Segal I was not going to give them to them. I would make them available. As you know, Your Honor, yesterday's schedule was sort of thrown into chaos.

Since that time no one has come--you know, I expected someone to come around and get something. They certainly haven't been hesitant in the past.

They are in the counsel room, but as to the photographs, Your Honor, we would object anyway; because what this is, is a photograph that apparently was taken at the direction of the Defense during the Article 32 investigation of a floppy hat.

Then it was introduced into their record during the Article 32 investigation. It is not wholly Ms. Stoeckley's hat. I think that's another one of these deals where the--it may appear that the witness is identifying a photograph of an exhibit which in fact is -- it is not an exhibit.



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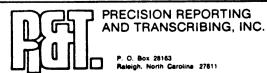
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the presence of the jury and alternates)

THE COURT: Because of our crowded condition this morning, those of you who cannot find seats or those of you who are seated, we are going to have to reinvoke the 15 minute rule. If you are going to want to go at any time before 15 minutes,

(The following proceedings were held in

If anyone is outside and wants to come in, the next entry will be 15 minutes. It will be 11:15. We will just do it on that schedule.

MR. BLACKBURN: Your Honor, I think we need to see you at the Bench.

THE COURT: Yes, come up. We can't start a session without a bench conference.

BENCH CONFERENCE

MR. MURTAGH: Your Honor, at the recess, Mr. Segal marked with the clerk the photograph of the floppy hat which we gave to him and also a new artist's conception drawing which we will anticipate that he is about to show to Ms. Stoeckley.



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please leave now.

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drawing that has been done in 1979. It is radically different from the artist's conception drawing in 1970. It was done after photographs of Ms. Stoeckley were published in the press, and it bears a striking resemblance to her.

I think without a proper foundation--
MR. SEGAL: May I answer that, Your

Honor? Before we get to that, Judge, I hate to be a

pain in the neck and I guess I am, but I am going to

say something about procedure. I don't understand.

Before I have offered any evidence, the first thing

the Court hears is the Government's argument about

why I can't even go to that.

Now, I would like an objection or offer of Proof request and I will answer and respond. I now have to respond to the garbage which is not part of this record. Now, what I propose to do is very simply: this lady has testified that she wore a floppy hat and a blond wig at that time.

I am going to show her--I am going to ask her whether there is any photograph extant that she knows of that shows her with a floppy hat and blond wig. I have reason to believe, based upon the interviews, that she will say no.



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Case 3:75-cr-00026-F Page 49 of 50 Document 130-3 Filed 03/30/2006 as he is on other things in this case--on facts. All right, ask your THE COURT: 2 We are taking too much time. questions. 3 (Bench conference terminated.) (Whereupon, 5 HELENA STOECKLEY 6 the witness on the stand at the time of recess, 7 resumed the stand, and testified further as follows:) 8 I will have to ask THE COURT: 9 the audience also because of complaints of 10 whispering and so forth that we will have to have 11 absolute quiet in the courtroom because this witness 12 talks in a rather low tone of voice, and she is 13 difficult to hear. So, if you are going to stay in 14 here, then you have got to be quiet. Proceed. 15 Thank you, Your Honor. MR. SEGAL: 16 EXAMINATION 11:07 a.m. DIRECT 17 (resumed) 18 THE COURT: Try to keep your voice 19 up so everybody can hear you. 20 BY MR. SEGAL: 21 Ms. Stoeckley, prior to our recess, I 22 had asked you about a hat that you had owned in 1970; 23 do you recall that? 24 Yes, sir. 25 Α



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