

1 is answering their questions makes it appear that
2 we are idiots for asking these questions of the
3 witness.

4 I think we have a right to explore these
5 things, and you know, we are not getting to do it.
6 The objections---

7 THE COURT: (Interposing) I am
8 absolutely amazed that you would make this statement,
9 Wade. They made an objection, and I just overruled it,
10 and then Mr. Segal just comes along and wants to give a
11 lecture. You know that I do not permit that.

12 MR. SMITH: I know.

13 THE COURT: And I also try to
14 handle it in a way that will not reflect on him or
15 your client.

16 MR. SMITH: I know.

17 THE COURT: I have tried repeatedly
18 to do that. I don't see what the problem is.

19 MR. SMITH: We appreciate that, but
20 I wanted Your Honor to know---

21 THE COURT: (Interposing) I can't
22 keep them from objecting and, if they do, then the
23 duty devolves on me to rule.

24 MR. SMITH: All right, we will
25 proceed. Thank you, sir.

#5
ks
5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

#5
cks
6

THE COURT: Well, go ahead.

(Bench conference terminated.)

THE COURT: Any further questions of this witness?

MR. SEGAL: Yes, Your Honor.

THE COURT: Go ahead.

BY MR. SEGAL:

Q Now, you say you recall standing in your driveway about midnight either at the end of February 16th or the beginning of February 17th; is that right--1970?

A Yes, sir.

Q Where did you live? What was your address at that time?

A I'm not sure of the number, but it was on Clark Street.

Q Did you have a neighbor by the name of Bill Posey--William Posey--at that time?

A Yes, sir.

Q And did you know Mr. Posey--who he was?

A Yes, sir.

Q Was this a whole house or an apartment that you were living in?

A It was a house made into several different apartments.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Was there anything that was--well, what you would call--unusual going on that night inside the apartment?

A Not inside my apartment; no, sir.

Q All right, inside the house? Was there any painting going on at that time?

A Not at that time.

Q At some later time?

A Yes, sir.

Q When was that?

A When I returned to the house.

Q When you returned--I see. Now, how long did this conversation that you were having with this man in your driveway take place?

A I don't know how long it took, but I know when he left.

Q When did he leave?

A At exactly midnight. He had to get back to Fort Bragg for guard duty or something.

Q Do you know who that man was with at that time?

A He was with the 82nd Airborne Division.

Q And was he in uniform or out of uniform at that time?

A He was out of uniform.



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28183
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH 832 9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1 Q Now, I ask you: after he left, what did
2 you do?

3 A I'm not sure what I did after he left. I
4 went back in the house and I don't remember what I
5 did.

6 Q Had you had any drugs during the day of
7 February 16, 1970?

8 A Yes, sir.

9 Q Would you tell us, to the best of your
10 recollection, Ms. Stoeckley, what you had taken--what
11 type of drugs you had taken that day?

12 A Well, I had taken for sure the opium and
13 the heroin. I had smoked grass all day, and then,
14 when Greg left, he left me with a hit of mescaline
15 which I swallowed there at the car before he backed
16 out.

17 Q Right before he left you say you received
18 some mescaline or took some mescaline?

19 A Yes, sir.

20 Q Again, your voice is quiet and soft so it
21 is a little hard for me to hear the details. I did
22 not hear how you got that. Was it from him?

23 A He gave it to me and I swallowed it while
24 he was still standing there.

25

#6 pl

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. SEGAL:

Q What form did you take that mescaline in?

A Tablet.

Q Do you remember how many you took?

A One.

Q How soon thereafter did you start feeling any of the effects of the mescaline?

A It was good mescaline; I guess pretty soon afterwards. I am not sure about the time.

Q Is it hard to judge time when you are using a drug like that?

A Not usually.

Q Just so that I don't misunderstand you, were you using a quantity of heroin and opium on that day--February 16th--that you previously described this morning--about six or seven intravenous injections?

A Yes, sir.

Q Besides that, and the mescaline and the marijuana, do you have any recollection of any other drugs you used that day?

A No, sir.

Q Do you have any recollection--what is your next recollection after taking mescaline?

A Returning to the house later that morning.

Q Can you pinpoint in any way what time it

#6 p2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

was that you came back to the house?

A About 4:30 or 5:00 o'clock.

Q In the morning?

A Yes, sir.

Q How did you--when you say you came back--
I guess it is fair to assume you were awake. How did
you come back. What form of transportation did you
use?

A In a car.

Q You have a recollection of coming back to
that address around 4:30 or 5:00 in the morning?

A Yes, sir.

Q Were you a passenger in the car or were you
driving the car?

A I was a passenger.

Q Do you offhand know what kind of car it
was?

A Not what kind--it was a blue car. That's
all I know.

Q It was a blue car. The make or model you
have no knowledge of?

A It was a smaller-type car. I don't know
what kind.

Q Do you know whether or not it was a Mustang,
Ford Mustang?



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#6 p3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BLACKBURN: OBJECTION, Your Honor.

THE WITNESS: Not for sure, no, sir.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Who else was in the car, Ms. Stoeckley, when this recollection comes back to you?

A I can't remember their names. Just some soldiers from Fort Bragg.

Q How many were there?

A Two or three--I don't know.

Q Do you know what race these other men were?

A Not for sure, no.

Q When you say "not for sure," that means you would be guessing if you were to try to identify the race of each and every one of the three men in that car?

A Yes, sir.

Q Is there any explanation you can give us as to why you can recall coming back--or how you are able to recall coming back in the car, but cannot recall who the persons were who were in the car with you?

A 'Cause they just dropped me off and I got out and went in the house.

Q Do you have a specific recollection of where you were between midnight or shortly after midnight and 4:35 in the morning?

#6 p4

1 A No, sir.

2 Q Do you have a specific recollection as to

3 what you did at that time, between midnight and a little

4 bit after 4:35 in the morning?

5 A No, sir.

6 Q Do you remember in the months after

7 February 17th, the first few days after February 17th,

8 having some conversation with your neighbor, Bill

9 Posey?

10 A Yes, sir.

11 Q Do you recall talking with him about the

12 subject of the MacDonald murders at Fort Bragg?

13 A The subject came up but I don't remember

14 what was said.

15 Q Let me break the question, if I can, into

16 two parts. Do you or don't you recall at least talking

17 about the MacDonald murders with Bill Posey within the

18 week after February 17th, 1970?

19 A Yes, sir.

20 Q Do you have a recollection of anything that

21 you said to him at that time about the MacDonald family

22 and murders that had taken place?

23 A Only one conversation that I do remember

24 having.

25 Q Okay, can you tell us about that

#6 p5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

conversation? First of all, do you remember approximately when after February 17th, 1970, that that conversation took place?

A It was about a week and a half later I would say. He was up on Haymont Hill, and I ran into him up there; and I was just fooling around. I knew-- you know, he seemed to be trying to put me on the spot or something.

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.

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

MR. BLACKBURN: Your Honor, we would OBJECT.

THE COURT: SUSTAINED.

BY MR. SEGAL:

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

A I'm not sure.

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

A Several times.

Q Did the subject of the MacDonald murders



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28163 Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

6 p6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

come up in those conversations?

A Usually.

MR. BLACKBURN: I would OBJECT to this line of questioning.

THE COURT: Well, I cannot rule on an objection to a line of questioning . If there is a question I will try to rule on that.

MR. SEGAL: I'm sorry; I could not hear Your Honor's ruling.

MR. BLACKBURN: I WITHDRAW the objection.

THE COURT: That one is over. I will tell you though, he apparently wanted to object to a line of questioning and it is a little bit difficult for the Court to make a ruling on that kind of an objection; but I said if you made a specific question and there was a specific objection to that question, I would undertake to rule on that. That is what I told him.

MR. SEGAL: Thank you. I gather the Government has withdrawn the objection?

THE COURT: They did.

BY MR. SEGAL:

Q What I was asking, Ms. Stoeckley, was, you did tell us of having some conversations with Bill Posey, other than the one you mentioned between then

6 p7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

and August of 1970, right?

A Yes, sir.

Q I would ask you, did any of those conversations involve the subject of the MacDonald murders?

A Yes, sir.

Q Did any of those conversations involve where you were and what you had done between midnight and 5:00 a.m. on February 17th?

MR. BLACKBURN: Your Honor, we would OBJECT to leading in the questioning of the witness.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Did they involve that subject matter?

A Yes, sir.

Q Do you remember now what you said to Mr. Posey about those matters?

A Not specifically, no.

Q Do you recall anything that you told him during that period of time as to where you were between midnight and 5:00 a.m. on February 17, 1970?

MR. BLACKBURN: OBJECTION.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Do you recall what you said to him?

A I just told him I did not know where I was.



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28183
Raleigh, North Carolina 27611

MAIN OFFICE: RALEIGH 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#6 p8

1 Q Did you tell him anything else that you
2 now remember saying about where you were between
3 midnight and 5:00 a.m.?

4 A No, sir.

5 Q Later on in 1970, you moved to Nashville,
6 Tennessee, didn't you?

7 A Yes, sir.

8 Q Did the MacDonald murders have anything to
9 do with your decision to move to Nashville?

10 A To some extent, yes.

11 Q What was the extent. Tell us about that,
12 please?

13 A The police harrassment and things like
14 that, and involvement of the family name. I just thought
15 it would be best to move away.

16 Q And when you were in Nashville, where did
17 you live?

18 A When I first moved there I lived in a
19 dormitory. Then I moved out into an apartment.

20 Q Do you know what street that apartment was
21 located on?

22 A Portland Avenue.

23 Q Portland Avenue?

24 A Yes, sir.

25 Q Did you have a neighbor when you lived on



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28183
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#6 p9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Portland Avenue by the name of Jane Zillioux? Did you know a lady by that name?

A She was Jane McCampbell, yes, sir.

Q Jane---

A (Interposing) McCampbell.

Q Jane McCampbell, but you now know her by her married name of Zillioux?

A Yes, sir.

Q Do you recall having a conversation in the latter part of 1970 with Jane McCampbell Zillioux about the MacDonald murders?

A Yes, sir.

ml

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. SEGAL:

Q Do you remember approximately when that took place?

A No; I was real sick that day when she came over to check on me. She was sort of afraid of me, anyway. She was not used to being around drug addicts and things like that. She was not sure what was wrong with me, so she was sort of in a hurry to leave.

Q Is that the latter of part of 1970, though?

A Yes, sir.

Q You say you were "sick." What were you suffering from at that time?

A Hepatitis.

Q Have you suffered from chronic hepatitis for some years?

A Nine years now; yes, sir.

Q When did you first become a victim of hepatitis?

A 1969.

Q Do you recall Mrs. Zillioux talking to you about your condition at that time--about the way you were feeling, the sickness you were having?

A Yes, sir.

Q Is that clear in your mind?

A Not real clear; no.



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Do you recall the subject of the MacDonald murders coming up at that time when you were talking to Mrs. Zillioux?

A No; I don't.

Q Are you saying you don't recall it being talked about, or you don't recall what was said, if it was talked about?

A I don't recall what was said.

Q Again, I am going to break the question into two parts. First of all, I just want to know if you can recall the subject matter coming up? I don't ask you to say yet whether you remember what was said; all right?

A Yes, sir.

Q Do you recall, Ms. Stoeckley, that the subject of the MacDonald murders came up on that visit when Mrs. Zillioux came over to your apartment?

A Yes, sir.

Q Do you recall what you said to her at that time?

A No, sir.

Q Did you also know in Nashville in 1970 a man by the name of Red Underhill?

A Yes, sir.

Q Who is Red?

A He was a friend of Jane's and Bonnie Hudgins,

km3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

another friend of mine in Nashville.

Q Would it be fair to say that you, Jane, Bonnie and Red all lived, first of all, very close together, did you not?

A We did not live close together. Bonnie had a store on the corner and Jane lived across the street from me, and Red was just a frequent visitor in the area.

Q Do you recall in late 1970 Red Underhill coming to your apartment? Do you remember such a visit by him?

A I remember him knocking on the door; yeah.

Q Do you recall talking with him at that time? I am not asking whether you recall the contents again, but I only want to ask you whether you recall talking to Red Underhill at that time?

A All I recall is when I finally answered the door to him and seeing who it was, and then I went back in and sat down.

Q Do you remember Red Underhill coming in?
(Witness nods affirmatively.)

Q Again, I have to ask you to say "yes" or "no."

A Yes, sir.

Q Do you have any recollection at all--well, first of all, do you recall the subject of the MacDonald murders coming up at that time when Red Underhill came

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

there?

A No, sir.

Q Do you recall Red Underhill leaving your apartment, though?

A Yes, sir.

Q Am I correct in understanding that you do not have any recollection of what was said, though?

A No; because when Red came to the apartment I was sort of upset, which was one of the reasons he left.

Q I am sorry?

A That was one of the reasons he left so quick, because he wanted to go get Bonnie to see what was wrong with me.

Q He wanted to get Bonnie Hudgins to help you?
(Witness nods affirmatively.)

Q Yes?

A Yes, sir.

Q Just to finish that discussion--do you remember that during the time that Red was there and came to your apartment, the subject of the murders at Fort Bragg--do you remember that subject coming up?

MR. ANDERSON: OBJECTION.

THE COURT: SUSTAINED. She answered that.

MR. SEGAL: I thought it was not clear,



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28183
Raleigh, North Carolina 27611

MAIN OFFICE RALEIGH. 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Your Honor; I am sorry.

BY MR. SEGAL:

Q Do you recall in 1970 and '71, while you were in Nashville--do you remember meeting a man by the name of Jim Gaddis?

A Yes, sir.

Q Who is or who was Jim Gaddis?

A He was a Metro patrolman at that time when I met him.

Q When you say "Metro," you mean Metropolitan Nashville Police Department?

A Yes, sir.

Q Was he a uniformed patrolmen, or was he on some sort of special assignment?

A He was on special assignment with Internal Affairs.

Q He was on special assignment with what?

A With Internal Affairs.

Q How long did you know Jim Gaddis?

A About a year and a half, I guess.

Q Do you recall at some time during the period when you were an acquaintance of Jim Gaddis the subject of the MacDonald murders at Fort Bragg coming up?

A Several times.

Q Several times? Do you recall what you said,



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the words you said about where you were and what you did on February 17, 1970, when you spoke to Jim Gaddis?

A Not specifically.

Q Did I ask you when I talked to you yesterday to try and think of the words that you said at those times you spoke to Mr. Gaddis?

MR. BLACKBURN: OBJECTION.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Did I ask you to try and think of those?

A You asked me, but I can't remember anything that was said.

Q That was the next question. Did I ask you to think about it? Have you tried?

A I have tried, but I don't remember what was said.

Q Do you recall talking to a CID Agent in 1970 and '71?

A I talked to several CID Agents.

Q Do you remember one particular CID Agent by the name of Mr. Brisentine? Does that name at all sound familiar to you?

A The name does; yes, sir.

Q Do you remember the name of any other CID Agent?



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 26163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

km7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A Mahon.

Q Mr. Mahon? Is it your recollection that Mr. Mahon and Mr. Brisentine saw you at the same time?

A Yes, sir.

Q If I were to suggest to you that this was about April 24th of 1971, would you have any reason to disagree with that?

A No, sir.

Q Was that discussion about--or in that discussion, did the subject of the MacDonald murders come up when you were asked questions about that?

A That was the topic of conversation.

Q If you recall the conversation right, do you remember what you told Mr. Brisentine at that time?

A No, sir.

Q And that includes--I will go into the whole question. Do you recall what you told Mr. Brisentine, if anything, about what you may have done on the early morning hours of February 17, 1970?

A All I told the CID whenever I talked to them was I didn't know where I was at that time.

Q The conversation with Mr. Brisentine--did it last more than about 30 seconds?

A Yes, sir.

Q About how long did it last, would you say?



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE RALEIGH 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A Approximately an hour, I would say.

Q Do you recall anything else that you said to Mr. Brisentine on April 24, 1971, about the MacDonald murders?

A No, sir.

Q Did you know a policeman--actually, a detective--in Fayetteville in 1969-1970, by the name of P. E. Beasley?

A Yes, sir.

Q How old a man was Mr. Beasley at that time?

A About 50 years old.

Q About 50 years old? And what was Mr. Beasley's work in the police department at Fayetteville at that time, if you know?

A He was with the Inter-Agency Bureau of Narcotics and Dangerous Drugs.

1 BY MR. SEGAL:

2 Q When you say the Inter-Agency Bureau of
3 Narcotics and Drugs, do you know what that was? What
4 is the Inter-Agency Bureau?

5 A It was made up of CID and city police and
6 different agencies.

7 Q When did you first meet Mr. Beasley?

8 A I guess the first time he busted me.

9 Q That was your introduction; right?

10 A Yes, sir.

11 Q Well, when did that first contact with
12 Beasley take place?

13 A Late 1969.

14 Q Was that an arrest for a narcotics law
15 violation against you?

16 A Not the first one; no, sir. Not the first
17 time he busted me; no, sir.

18 Q What was it for?

19 A I think it was for trespassing.

20 Q Did you and Mr. Beasley have other similar
21 contacts afterwards?

22 A Only in narcotics.

23 Q Did he bust you again?

24 A Yes, sir.

25 Q Did you continue to know Mr. Beasley all

#8
ks
1



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE RALEIGH 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1 the time that you remained living in Fayetteville?

2 A Yes, sir.

3 Q What was your relationship with him? Was
4 he an enemy, a stranger to you? Just describe in your
5 own words.

6 A I considered him a very good friend.

7 Q Was Mr. Beasley somebody you trusted?

8 A Yes, sir.

9 Q Did Mr. Beasley express some trust in you?

10 A Yes, sir.

11 Q Did you ever know Mr. Beasley ever to do
12 anything as far as you were concerned that you couldn't
13 depend upon or rely upon in your own experiences with
14 him?

15 A Never.

16 Q Do you consider Mr. Beasley today, here--
17 August 1979--to still be a friend of yours?

18 A Yes, sir.

19 Q Did you stay in contact with Mr. Beasley
20 after you left Fayetteville?

21 A Yes, sir.

22 Q How did you do that, Ms. Stoeckley?

23 A Well, if I was visiting Fayetteville, I
24 would call him at the station. One time he was in
25 the hospital. I went to see him when he was at home.



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1 Q Did you ever have occasion to write

2 Mr. Beasley?

3 A I think I did; yes, sir.

4 Q You talked to him over the years; is that
5 right?

6 A Well, he came to Nashville too.

7 Q He came to Nashville too. Do you recall
8 when he came to Nashville?

9 A Sure do.

10 Q About when?

11 A About 1972. He came up there with a CID
12 agent, Dick Mahon.

13 Q And at that time did the subject of the
14 MacDonald murders come up?

15 A That was his reason for being there; yes,
16 sir.

17 Q If I were to suggest to you that that was
18 probably more like between February 27th of 1971, and
19 March the 1st of 1971, would you have any reason to
20 think otherwise as far as the dates?

21 A No, sir.

22 Q Did you not talk to Mr. Beasley on several
23 occasions between those three dates--the 27th through
24 the 1st of March? Did you have more than one
25 conversation with him during that period of time?

#8
cks
3



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A Yes, sir.

Q And were the conversations about the MacDonald killing at Fort Bragg in February of 1970?

A Yes, sir.

Q You recall exactly the subject matter of those conversations; is that right?

A Yes, sir.

Q Do you have a recollection--a clear recollection in mind--of what you said at that time?

A No; I just asked him to see where I stood, if I was in any trouble or what.

Q Do you have any other recollection of what you said to him about the events of February 17, 1970?

A Not specifically.

Q Now, did you have occasion to talk with Mr. Beasley anytime recently?

A Recently?

Q Yes.

A Well, yesterday.

Q Yesterday. Now, I guess we ought to make it clear. Was yesterday the first time that you and I had ever met and talked to each other?

A Yes, sir.

Q When I talked to you, was Mr. Smith, my

#8
ks
4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

colleague over here--was he present when we talked
yesterday?

A Yes, sir.

Q When I told you that Mr. Beasley was also
around, what did you say?

MR. BLACKBURN: Your Honor, we would
OBJECT.

THE COURT: Well, yes, I think you
better ask her a more specific question.

MR. SEGAL: All right, Your Honor.

BY MR. SEGAL:

Q Would you describe where you and Mr.
Smith and I first met? Was it in a room here in the
courthouse?

A Yes, sir.

Q And was there anybody else who was in that
room when you and I and Mr. Smith met the first time?

A Well, Beasley came in and you also asked
me if I wanted someone there to take notes.

Q Yes.

A And I said, "Yes," and you had someone
come in. You also gave me permission to re-read the
notes when we were done.

Q All right, let me ask you this: Mr.
Beasley came in right after you and I met?



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 26163
Raleigh, North Carolina 27611

MAIN OFFICE: RALEIGH 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#8
ks

1 A Yes, sir.

2 Q Was that with your approval or disapproval
3 that Mr. Beasley was there?

4 A A little bit of both.

5 Q A little bit of both. Did you not want
6 him there?

7 MR. BLACKBURN: Your Honor, we would
8 OBJECT to this.

9 THE COURT: Well, OVERRULED.

10 THE WITNESS: Well, I had been given
11 some misguided information on him and I was sort of---

12 BY MR. SEGAL:

13 Q (Interposing) Did you and he talk it over?

14 A We cleared it up and then I was happy to
15 see him.

16 Q As far as you were concerned, was Mr.
17 Beasley present as a friend yesterday?

18 A Yes, sir.

19 Q Did you also see Jane McCampbell Zillioux
20 yesterday?

21 A Yes, sir.

22 Q Did she come in and talk with you?

23 A Yes, sir.

24 Q Did you see Red Underhill yesterday?

25 A Yes, sir.

cks
6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Did he also talk with you?

A Yes, sir.

Q Did Bill Posey also talk with you yesterday?

A Yes, sir.

Q By the way, was there anybody else who you knew who was a friend of yours present at any of these times?

A My fiance was allowed to come in and sit down.

Q What is his name?

A Ernest Davis.

Q He was sitting right next to you?

A Yes, sir.

Q All right, now, did each of those people I have mentioned to you--Jane and Red and Bill Posey--each tell you what they remembered of their conversations of the various dates that I have been talking about this morning?

A Yes, sir.

Q And, after they told you what they remembered, did it in any way revive or bring back a memory of what you have said?

A Only pieces of the conversation.

Q Did it revive your memory fully as to



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28163 Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

8
cks
7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

what you said to those persons about the MacDonald
murders?

A No, sir.

Q Now, at that time when we were meeting
yesterday and talking, do you recall me showing some
photographs to you?

A Yes, sir.

Q In fact, we looked at quite a few
photographs; didn't we?

A Yes, sir.

Q I want to show you these photos, please,
to see whether we are talking about the same photos.
They have previously been identified in the record
as Government Exhibits G-775, 776, 773, 771.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. SEGAL:

Q Do you recall me showing you a group of photographs, of which the four I am about to show you now were part of them? Please take a look those, if you will, Ms. Stoeckley?

A Yes, sir.

MR. SEGAL: For the record, may it be indicated that the photographs I have exhibited to the witness are autopsy photographs, three of them of Kristen MacDonald and one of Colette MacDonald?

BY MR. SEGAL:

Q Now, when you looked at those three photographs of Kristen MacDonald, do you recall what, if anything, you said as far as any recognition of the person depicted there?

A No.

MR. ANDERSON: I could not hear her answer, Your Honor.

THE COURT: I understood her to say "no." Is there another question?

MR. SEGAL: Yes.

BY MR. SEGAL:

Q You are still examining those pictures, Ms. Stoeckley?

A No, sir.

1 Q Will you look at the picture that is marked
2 G-771 of Mrs. Colette MacDonald? Do you recall what, if
3 anything, you said when you saw that photograph yester-
4 day?

5 MR. ANDERSON: OBJECTION.

6 THE COURT: SUSTAINED.

7 MR. SEGAL: May I have the basis of the
8 objection, Your Honor, for the ruling?

9 THE COURT: Yes; you may ask this wit-
10 ness today if she recognizes it. It is not a question
11 of what she told you during some private conference with
12 her.

13 MR. SEGAL: It is only preliminary
14 foundation, Your Honor.

15 BY MR. SEGAL:

16 Q Do you recognize---

17 THE COURT: (Interposing) What do you
18 say about that picture today?

19 THE WITNESS: I don't recognize her.

20 BY MR. SEGAL:

21 Q All right; let me show you some other pic-
22 tures. Do you recall looking through several large books
23 of photographs yesterday, such as the one I am holding
24 in my hand?

25 A Yes, sir.



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

m3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q I want to show you a series of five photographs from one of those books.

MR. SEGAL: For the record, let me indicate I am showing to the witness photographs taken from the crime scene at the MacDonald house prior to removal of the bodies, identified heretofore as Government 59, Government 70, Defendant Exhibit 22, Defendant Exhibit 84, Government Exhibit 145--these photographs having been identified as taken in the bedroom of Kristen MacDonald.

BY MR. SEGAL:

Q Ms. Stoeckley, will you please take a look at these photographs and first of all tell me if they seem familiar as among those you saw yesterday?

A I saw these yesterday.

Q Beg your pardon?

A I did see these yesterday.

Q Does anything in that last group of photos I have just showed you seem familiar to you?

A No, sir.

Q Does the picture of the person in the bed in any way seem familiar to you?

MR. BLACKBURN: Your Honor, we would OBJECT She has answered the question.

THE COURT: Yes; she said nothing in

cm4

1 any of the photos--was that your answer?

2 THE WITNESS: Yes, sir.

3 THE COURT: Nothing seems familiar to
4 you?

5 (Witness nods affirmatively.)

6 MR. SEGAL: I need to ask one specific
7 matter that I want her to look at and ask her whether
8 that refreshes any recollection, or has any recollection.

9 MR. ANDERSON: We OBJECT.

10 THE COURT: I will let him ask her.

11 THE WITNESS: No, sir.

12 BY MR. SEGAL:

13 Q Let me just ask you about an item in the
14 photos that are marked G-59 and G-145. I want to hold
15 them up, please, if I may, and ask you if you see first
16 of all an item in the foreground here, in the left corner
17 of both of these photographs? Can you see that, Ms.
18 Stoeckley?

19 A A hobby horse.

20 Q Beg your pardon?

21 A A hobby horse.

22 Q Does that item seem familiar to you in any
23 way?

24 A No.

25 Q It does not?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Witness nods negatively.)

Q Sometime after February 17, 1970, did you stop using LSD?

A Yes, sir.

Q Was there a specific reason why you did that?

A Only the reason I explained earlier.

Q Was there a reason that had anything to do with the MacDonald murders?

MR. BLACKBURN: OBJECTION.

THE WITNESS: No, sir.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q In February of 1970, did you own a hat of any sort?

A Yes, sir.

Q How would you describe that hat?

A Just an old, floppy hat.

MR. SEGAL: Your Honor, indulge me for a moment.

(Counsel confer.)

MR. SEGAL: May we ask how long it would take to get this matter?

MR. BLACKBURN: Your Honor, may we approach the Bench?

#10p-1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BENCH CONFERENCE

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?
Her 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

1 check for all of the exhibits that were introduced
2 in the Article 32.

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

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

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

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

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

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



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL .933-3754
PITTSBORO 542-3374

#10 p3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

There is no---

THE COURT: (Interposing) Well, I don't know where we would go, but I noticed on the shelf in the closet of the master bedroom at Fort Bragg yesterday that there was a floppy hat there.

I suppose if you showed her that that she would say, "Yeah, mine was like that one too."

I will let her describe the hat.

MR. SEGAL: Your Honor, there is a specific need, really, for the Defense. Now, I think it is cooperation in the spirit---

THE COURT: (Interposing) You got a picture of the hat?

MR. MURTAGH: Yes, sir.

THE COURT: Let him have the picture of the hat.

MR. SEGAL: I want the other exhibits that we subpoenaed and you said you would give them. You would bring them to the courtroom. Why can't we have them? Why do we have to fool around with this trial; why can't we get on it with it?

MR. MURTAGH: Why didn't you ask for them this morning?

Well, anyway, Judge, let me ask this as to the hat: where we are going with the hat is then the



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 26163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#10 p3

1 artist's drawing of a girl wearing a floppy hat, and
2 we would most violently object to that photograph being
3 shown to the witness without a proper foundation.

4 MR. SEGAL: Why don't you find out
5 whether I---

6 THE COURT: (Interposing) Wait a
7 minute--listen. We are not up here for you to argue
8 with him in my presence. You just present whatever
9 you've got here to the Court, and if it involves a
10 ruling I will make it.

11 MR. SEGAL: I do think, Your Honor---

12 THE COURT: (Interposing) I told him
13 to get the picture of the hat---

14 MR. MURTAGH: (Interposing) I will
15 get the whole thing.

16 MR. SEGAL: But, Mr. Murtagh, my
17 objection---

18 THE COURT: (Interposing) He said
19 he would get the whole thing.

20 MR. SEGAL: My objection is two-fold
21 --if we can take 30 seconds maybe it would go more
22 smoothly; you know, somehow the Defendant never does
23 anything right in this case. He issued a subpoena---

24 THE COURT: (Interposing) Listen,
25 listen, we can't try that. We can't try that. I have

#10 p5

1 been trying to avoid it for five weeks now, and I'm
2 not going to resurrect it here.

3 You said you'd get the exhibits: get them.
4 (Bench conference terminated.)

5 MR. SEGAL: While we are waiting for
6 a matter to brought in, I can proceed with certain
7 other questions.

8 THE COURT: Please do.

9 MR. SEGAL: Thank you, Your Honor.

10 BY MR. SEGAL:

11 Q In 1970, Ms. Stoeckley, was your hair
12 similar to the way it looks today?

13 A Yes, sir.

14 Q Was it always the color that it is now?

15 A Yes, sir.

16 Q It has been that way for some years?

17 A Yes, sir.

18 Q Again, you've got a very quiet voice. I
19 have to ask you to keep it up a little.

20 Did you ever wear anything over your hair
21 in 1970?

22 A Only as a joke sometimes.

23 Q Well, whether it was serious or a joke,
24 did you wear anything over your head?

25 A Yes, sir.

#10 p6

1 Q What was that?

2 A A blond wig.

3 Q And what was the length of the hair on the

4 blond wig?

5 A Just a little bit longer than my own hair.

6 Q I'm sorry?

7 A A little bit longer than my own hair.

8 Q Does that mean about shoulder length?

9 A Yes, sir.

10 Q How long had you owned the blond wig?

11 A About three months, I guess.

12 Q Did you in the--January, February, 1970, own

13 any boots?

14 A Several pairs.

15 Q Did you have both short and long ones?

16 A Yes, sir.

17 Q Well, now, when you say "short boot," I

18 guess we should get our definitions right. How far up

19 on the leg did you consider a boot to go before it was

20 short?

21 A Ankle-high.

22 Q Did you have any boots at that time that

23 were higher than that?

24 A Two other pairs. Two other pairs.

25 Q And how far up your leg did they go?

1 A One went up the calf and one went all

2 the way up to the knee.

3 Q Were each of those boots the kind with the
4 zipper on the side--you could slide into them?

5 A Both of them had zippers on the inside.

6 Q What color were each of those boots?

7 A The ones that went to the thigh were white,
8 and the ones that went to the knee were brown.

9 Q Do you recall how tall you were in 1970?

10 A About 5'5".

11 Q Did you weigh about what you weigh today?

12 A No.

13 Q Were you heavier or lighter than that?

14 A Lighter.

15 Q What was your weight in 1970, approximately?

16 A About 115.

17 Q 115 pounds?

18 A Uh-huh (yes).

19 Q I don't mean to pry, but I need to ask you,
20 about what do you weigh now?

21 A About 138, 140.

22 (Defendant Exhibit No. 86 was
23 marked for identification.)

24 BY MR. SEGAL:

25 Q Let me show you , Ms. Stoeckley, a

#10 p8

1 photograph marked D-86 for identification, and ask
2 if you recognize this picture?
3 A Yes, sir.
4 Q What does this picture show--you've got to
5 keep your voice up, please?
6 A It is just my picture.
7 Q Is that a picture of yourself?
8 A Yes, sir.
9 Q Do you know when that picture was taken
10 approximately?
11 A Yes, sir.
12 Q When was that?
13 A 1970.
14 Q Would that be about August of 1970?
15 Does that sound about right?
16 A Yes, sir.
17 Q Is there anything unusual about your
18 condition in this photograph when it was taken, or any-
19 think about your condition?
20 A Physical condition, you mean?
21 Q Well, physical or emotional condition?
22 A Well, I was definitely on drugs at that
23 time it was taken.
24 Q I'm sorry. Go ahead--keep your voice up.
25 Let me stand back a little bit. So you were definitely

P&T. PRECISION REPORTING
AND TRANSCRIBING, INC.
P. O. Box 26163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#10 p9

1 on drugs at the time that picture was taken?

2 A Yes, sir.

3 Q Do you know what drugs you were on at the
4 time that picture was taken?

5 MR. BLACKBURN: Your Honor, we would
6 OBJECT. She has testified that she was on drugs during
7 this time and which drugs it was.

8 THE COURT: OVERRULED.

9 THE WITNESS: Judging from my eyes I'd
10 say some kind of--well, the usual heroin and probably
11 some barbiturates.

12 BY MR. SEGAL:

13 Q Who took that photograph if you know?

14 A Police department.

15 Q And what police department took that
16 photograph?

17 A Fayetteville.

18 Q Fayetteville. Is that connected with an
19 arrest at that time?

20 A Yes, sir.

21 MR. SEGAL: May the photograph be
22 published to the jury, Your Honor.

23 THE COURT: Yes, sir.

24 (Defendant Exhibit No. 86 was
25 received in evidence.)

#10 p10

#11 pl

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Exhibit passed among the jury.)

MR. SEGAL: . Your Honor, indulge us for one moment while we look at some of the material the Government produced a few minutes ago for us.

THE COURT: All right, sir.

(Pause.)

THE COURT: If you think it will take very long, we could take our recess now.

MR. SEGAL: That would be appropriate now since the material was just delivered a few minutes ago. I would appreciate the opportunity.

THE COURT: All right, suppose we take our morning recess and come back at 11:00 o'clock. Members of the jury, don't talk about the case.

(The proceeding was recessed at 10:42 a.m., to reconvene at 11:00 a.m., this same day.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

2
CXS
1

(The following proceedings were held in 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, please leave now.

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.

Now, this is the artist's conception

#12

4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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.

I propose to show you an artist's

conception and ask whether you feel this is a fair representation of the way you looked when you wore a floppy hat and blond wig, and I cannot find anything that could be wrong with asking this witness, and I have reason to believe, based on my interview, that she will say it is a fair representation.

Now, since there is no photo extant from it--the Government never tried to do it--there is nothing wrong with the Defendant trying to do it. To the contrary, there are plenty of instances where defendants have been made to stand up, put on clothing and wear things -- artists' drawings made of how the defendant looks if he wore such a thing so that people can say, "Does that resemble or not resemble a certain matter?"

THE COURT: Have you got the artist present?

MR. SEGAL: No, sir; I don't need the artist present to lay a foundation for it.

THE COURT: But for cross-examination purposes---

MR. SEGAL: (Interposing) He can be produced if necessary; certainly, Your Honor.

But the point is: it is just like they laid a

12
cks
3



PRECISION REPORTING AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE, RALEIGH, 832-9085

DURHAM 471-3528

CHAPEL HILL 933-3754

PITTSBORO 542-3374

"12
KS
4

1 foundation. They never brought a single
 2 photographer in. They never brought a single
 3 photographer in. All we have to say is: "I want to
 4 show you a visual exhibit. Does this exhibit"---

5 THE COURT: (Interposing) What you
 6 are proposing to do is to show the jury an artist's
 7 conception which is strikingly like the witness herself
 8 and he is suggesting, in all probability made after looking
 9 at her or a photograph of her--is that what you want
 10 to do?

11 MR. SEGAL: What's wrong with that
 12 if it is the purpose--the purpose which I am offering
 13 at this time is to say, "Is this the way you looked?"
 14 In other ways, nobody bothered to show the way she
 15 looked in 1970. As a matter of fact, I will go
 16 further in my Offer of Proof.

17 THE COURT: Ask your question.

18 MR. MURTAGH: It appears that Mr.
 19 Segal is conceding that the artist's conception
 20 drawing was made while looking at a photograph of
 21 Ms. Stoeckley. This is the same artist's conception
 22 drawing that has run in the paper.

23 MR. SEGAL: He is wrong.

24 MR. MURTAGH: Oh, come on.

25 MR. SEGAL: Once again, he is as wrong

1 as he is on other things in this case--on facts.

2 THE COURT: All right, ask your
3 questions. We are taking too much time.

4 (Bench conference terminated.)

5 (Whereupon,

6 HELENA STOECKLEY

7 the witness on the stand at the time of recess,
8 resumed the stand, and testified further as follows:)

9 THE COURT: I will have to ask
10 the audience also because of complaints of
11 whispering and so forth that we will have to have
12 absolute quiet in the courtroom because this witness
13 talks in a rather low tone of voice, and she is
14 difficult to hear. So, if you are going to stay in
15 here, then you have got to be quiet. Proceed.

16 MR. SEGAL: Thank you, Your Honor.

17 D I R E C T E X A M I N A T I O N 11:07 a.m.
18 (resumed)

19 THE COURT: Try to keep your voice
20 up so everybody can hear you.

21 BY MR. SEGAL:

22 Q Ms. Stoeckley, prior to our recess, I
23 had asked you about a hat that you had owned in 1970;
24 do you recall that?

25 A Yes, sir.



PRECISION REPORTING
AND TRANSCRIBING, INC.

P. O. Box 28163
Raleigh, North Carolina 27611

MAIN OFFICE. RALEIGH 832-9085
DURHAM 471-3528
CHAPEL HILL 933-3754
PITTSBORO 542-3374

#12
.S
5

1 Q And can you try to give us a little bit
2 better verbal description of the way it looked?

3 A It was just an old, floppy, brimless (sic)
4 hat.

5 Q Let me show you a photograph that has been
6 marked as Defendant Exhibit 87 for identification and
7 ask whether the hat that is depicted in that photo-
8 graph in some way resembles the hat that you owned
9 in 1970?

10 A Yes, sir.
11 (Government Exhibit No. 87 was marked for
12 identification and received in evidence.)

13 Q It does?

14 A Yes, sir.

15 MR. SEGAL: May that be published
16 to the jury, Your Honor?

17 THE COURT: Yes, sir.

18 (Exhibit passed among the jury.)

19 BY MR. SEGAL:

20 Q Now, on February the 18th of 1970--I want
21 to direct your attention to that date--did you have
22 occasion to give your floppy hat to anyone?

23 A No, sir.

24 Q Did you see Detective Beasley on that
25 date--February the 18th, 1970?

12
CKS
6