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1 MR. FERGUSON: Do you think that there is anything
2 wrong with an all black church?

3 MR. ROOKS: No. Nothing wrong with that.

4 MR. FERGUSON: Do you think that there is anything
5 wrong with an all white church?

6 MR. ROOKS: No, sir.

7 ✓ MR. FERGUSON: All right, sir. Have you had any
8 associations with black persons in your life?

9 MR. ROOKS: Yes. I have some good friends that are
10 black. I work at Queensboro Steel. I am the only white person
11 that works at the warehouse as far as....(REPORTER ASKS TO
12 REPEAT). I say, I am the only white person that works at
13 Queensboro Steel on Highway 421 that loads and pulls trucks.
14 All the rest are black.

15 MR. FERGUSON: Are you doing the same job that black
16 persons are doing?

17 MR. ROOKS: I am.

18 ✓ MR. FERGUSON: Are you able to accept black persons as
19 equals to yourself and other white persons?

20 MR. ROOKS: Yes, sir.

21 ✓ MR. FERGUSON: You have no objections, then, to
22 black and white children attending school together and sitting
23 side-by-side in class?

24 MR. ROOKS: No, sir.

25 ✓ MR. FERGUSON: And you have no objections to voluntary

1 social relationships between persons of opposite races?

2 MR. ROOKS: No. That's up to them.

3 MR. FERGUSON: Do you find it personally objectionable?

4 MR. ROOKS: Well, no, I can't say that I do.

5 MR. FERGUSON: Now, do you have any objections to
6 black and white persons living in the same neighborhood?

7 MR. ROOKS: No. I think colored people should live
8 where they like.

9 MR. FERGUSON: You have no objections to their sharing
10 the same apartment houses?

11 MR. ROOKS: That would be up to them. That would be
12 up to the individual, as far as I'm concerned.

13 MR. FERGUSON: You would have no objection to a black
14 person moving next door to you or in the apartment next to
15 where you live?

16 MR. ROOKS: That would be up to them. I wouldn't just
17 take up and move.

18 MR. FERGUSON: You wouldn't move out if a black person
19 moved in?

20 MR. ROOKS: No, sir.

21 MR. FERGUSON: Now, Mr. Rooks, you met Mr. Stroud
22 when you were Youth Director and you were associated with him
23 rather closely at that time?

24 MR. ROOKS: Yes, sir.

25 MR. FERGUSON: He was rather active in the church?

1 MR. ROOKS: Yes, sir.

2 MR. FERGUSON: Did you meet or did you know any other
3 members of the solicitor's staff of this district? Do you know
4 Mr. Allen Cobb?

5 MR. ROOKS: No.

6 MR. FERGUSON: If the evidence in this case should
7 show that firearms were found - that firearms were found in a
8 church where some or any of the defendants had been associated,
9 would you tend to hold that fact against the defendants, that
10 fact alone?

11 MR. ROOKS: No, I wouldn't hold it against them.

12 MR. FERGUSON: If an allegation was made, if a claim
13 was made, if a charge was made, that a minister was associated
14 with firearms, would your religious views cause you to hold
15 that fact against that minister, just that fact alone?

16 MR. ROOKS: Well, now, you use firearms for hunting
17 and stuff like that, and I enjoy hunting myself, so it wouldn't
18 make any difference to me.

19 MR. FERGUSON: If a minister used firearms for his
20 own protection?

21 MR. ROOKS: As long as he was protecting himself, I
22 wouldn't mind.

23 MR. FERGUSON: Would the same thing hold true if he
24 was protecting a church where he happened to be?

25 MR. ROOKS: If he was protecting a church with firearms?

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MR. FERGUSON: With firearms, yes.

MR. ROOKS: I don't know exactly how to answer that. I have never had to protect a church with firearms.

MR. FERGUSON: I take it, then, you have never known of a church that has been attacked by firearms, is that correct?

MR. ROOKS: That's correct.

MR. FERGUSON: If one were attacked by firearms, do you think a minister would be justified to defend it with firearms?

MR. ROOKS: That would be up to him. I would leave myself.

MR. FERGUSON: If he didn't leave, would you hold that against him?

MR. ROOKS: If I didn't leave? Repeat the question.

MR. FERGUSON: If he didn't leave - a minister - didn't leave the church which was being attacked by firearms, but stayed there to protect himself, would you hold that against him?

MR. ROOKS: If he was protecting himself, I wouldn't hold it against him. We all have a right to protect ourselves.

MR. FERGUSON: All right. You recognize, then, the constitutional right of a citizen to bear firearms and for citizens to arm themselves for their own self-protection and for protection within the confines of law, is that correct?

MR. ROOKS: That's right.

1 MR. FERGUSON: Your views with reference to firearms
2 is not the same as those of Mr. Thompson, the first juror I
3 questioned?

4 MR. ROOKS: No, I can't say that it is.

5 MR. FERGUSON: Now, Mr. Rooks, have you heard of the
6 Southern Christian Leadership Conference?

7 MR. ROOKS: I have heard of it, but I don't know
8 anything about it.

9 MR. FERGUSON: You heard me explain to Mr. Thompson
10 that it was the organization founded by the late Dr. Martin
11 Luther King?

12 MR. ROOKS: Yes, sir.

13 MR. FERGUSON: And that one of its purposes is to
14 protest racial discrimination and racial injustice?

15 MR. ROOKS: Yes, sir.

16 MR. FERGUSON: And racial inequities in this country.
17 Mr. Kirby, Mr. George Kirby over here, is an organizer for the
18 Southern Leadership Conference (SIC) - Southern Christian Leader-
19 ship Conference. Would that fact that he is an organizer for
20 that organization influence your decision with regard to him
21 or any of the other defendants in this case, that fact alone?

22 MR. ROOKS: No. I'll base my decision on the evidence
23 presented.

24 MR. FERGUSON: The same thing, then, is true of
25 Reverend Chavis in his association with the North Carolina-Virgin

1 Commission for Racial Justice, is that correct?

2 MR. ROOKS: That's correct.

3 MR. FERGUSON: And the same is true for any of the
4 other defendants as to any such organizations they might belong
5 to?

6 MR. ROOKS: That's correct.

7 MR. FERGUSON: Does the fact that a large number of
8 defendants are on trial here cause you to feel that they must
9 have been associated in some unlawful enterprise?

10 MR. ROOKS: No.

11 ✓ MR. FERGUSON: If during the course of this trial all
12 of the defendants should exercise their right not to testify,
13 to remain silent, would you hold that fact against them if they
14 didn't take the witness stand or didn't put any witnesses on
15 the witness stand?

16 MR. ROOKS: No.

17 ✓ MR. FERGUSON: Do you presume them to be all innocent
18 right now?

19 MR. ROOKS: According to the law, yes. They are
20 innocent until proven guilty; that's the way I feel.

21 ✓ MR. FERGUSON: All right. Now, what about in your
22 own mind; you in your own mind? Do you presume they are innocent?

23 MR. ROOKS: I don't know what they have done, see. I
24 know the charges made, but I don't know whether they have done
25 it or not, so I couldn't say whether they are guilty or innocent.

1 ✓ MR. FERGUSON: You don't feel like the mere fact that
2 they have been charged is any evidence of any wrong-doing on
3 their part?

4 MR. ROOKS: That's correct.

5 MR. FERGUSON: Now, you have observed the defendants
6 coming in and out of the court room, have you not?

7 MR. ROOKS: Yes, sir.

8 MR. FERGUSON: You have seen sheriff's deputies some-
9 times coming in with them?

10 MR. ROOKS: Yes, sir.

11 MR. FERGUSON: You have seen deputies at the door
12 back there and deputies up here, have you not?

13 MR. ROOKS: Yes, sir.

14 MR. FERGUSON: You have seen highway patrolmen coming
15 in and out of the court room, have you not?

16 MR. ROOKS: Yes, sir.

17 MR. FERGUSON: Has all of that created any impression
18 in your mind about the defendants?

19 MR. ROOKS: No, sir.

20 MR. FERGUSON: Would you hold it against a man if a
21 bond is set on him and he is unable to make bond and therefore
22 has to remain in jail awaiting trial?

23 MR. ROOKS: No.

24 MR. FERGUSON: You realize, then, that some persons
25 who are charged with offenses are so poor that they can't make

1 a bond and because of their poverty can't get out, you under-
2 stand that?

3 MR. ROOKS: I don't know whether they are poor or not,
4 but I know if they can't pay their bond they have to stay in.

5 MR. FERGUSON: And you realize that is not any evidence
6 of any guilt or any wrong-doing on their part?

7 MR. ROOKS: Yes, sir.

8 MR. FERGUSON: Sir?

9 MR. ROOKS: Yes, sir.

10 MR. FERGUSON: Do you have any close friends who are
11 members of any law enforcement agency?

12 MR. ROOKS: No, I don't.

13 MR. FERGUSON: Do you have any close friends who are
14 officials of the state?

15 MR. ROOKS: No.

16 MR. FERGUSON: Would you say that Mr. Stroud here is
17 the closest associate you have in law enforcement work?

18 MR. ROOKS: The only one that I know of.

19 MR. FERGUSON: The only one. All right, sir. Do I
20 understand you have never formed any opinion about any of the
21 defendants in relation to this trial?

22 MR. ROOKS: The only one I have/heard mentioned was
23 Ben Chavis as far as I remember, and whether he is guilty or
24 not, I have no way of knowing.

25 MR. FERGUSON: Have you formed any opinion that might

1 in any wise be adverse to him?

2 MR. ROOKS: No, sir.

3 MR. FERGUSON: Have you formed one that might be
4 favorable to him?

5 MR. ROOKS: No, sir.

6 MR. FERGUSON: You have an open mind about that, is
7 that correct?

8 MR. ROOKS: Yes, sir.

9 MR. FERGUSON: You understand that the three charges
10 here are conspiring to burn, and burning, and conspiring to
11 assault emergency personnel?

12 MR. ROOKS: Yes, sir.

13 MR. FERGUSON: Is there anything about the nature of
14 those charges themselves which would cause you to more readily
15 convict someone who is charged with those things than someone,
16 say, charged with something else? Do you have any strong feel-
17 ings about those charges?

18 MR. ROOKS: No, I haven't.

19 MR. FERGUSON: Now, knowing what you do about Mr.
20 Stroud and having associated with him some there in the church,
21 do you have any feelings that Mr. Stroud wouldn't prosecute
22 anyone who wasn't innocent?

23 MR. ROOKS: Say that again, please?

24 MR. FERGUSON: Do you have a feeling that Mr. Stroud
25 would not prosecute anyone who was innocent?

1 MR. ROOKS: No, I don't.

2 MR. FERGUSON: You can conceive of circumstances where
3 he might bring a case into court and the person was innocent of
4 the charge that he prosecuted?

5 MR. ROOKS: Yes, sir.

6 MR. FERGUSON: And would you have any uneasy feeling
7 about a verdict which came in and said your friend, Mr. Stroud,
8 you brought in some innocent people here and tried them and we
9 found them not guilty; would you feel uneasy about that?

10 MR. ROOKS: No, I wouldn't.

11 MR. FERGUSON: You don't feel that would impair your
12 relationship at all, is that correct?

13 MR. ROOKS: No, I don't.

14 MR. FERGUSON: Is there any reason that you know of,
15 Mr. Rooks, which you may wish to express to me or not to express
16 to me why you feel you could not be completely fair, open-minded,
17 and impartial in the trial of this case?

18 MR. ROOKS: No.

19 MR. FERGUSON: Thank you. And I haven't offended you
20 by any questions that I have asked you, have I?

21 MR. ROOKS: No.

22 MR. STROUD: May I approach the bench, your Honor?

23 THE COURT: We are about to conclude. We will take
24 a brief recess at this time. Observe the admonitions I have
25 given you before.

1 (MORNING BREAK.)

2 (THE DEFENDANTS IN CUSTODY TAKE THEIR SEATS IN OPEN COURT.)

3 THE COURT: You may proceed, Mr. Ferguson.

4 MR. FERGUSON: Thank you, your Honor. Mr. Edens?

5 MR. EDENS: Yes, sir.

6 MR. FERGUSON: Do you belong to any clubs or organiza-
7 tions in the community?

8 MR. EDENS: At one time I was.

9 MR. FERGUSON: Can you tell us what they were?

10 MR. EDENS: K.K.K.

11 MR. FERGUSON: You are no longer a member of that
12 organization?

13 MR. EDENS: That's right.

14 MR. FERGUSON: When did you terminate your membership
15 in that organization?

16 MR. EDENS: It must have been a year or two ago.

17 MR. FERGUSON: Sir?

18 MR. EDENS: A year or two ago.

19 MR. FERGUSON: Have you belonged to any other organi-
20 zation which held similar views to that organization, Mr. Edens?

21 MR. EDENS: No, sir.

22 MR. FERGUSON: Did anything happen which caused you
23 to end your membership in that organization?

24 MR. EDENS: No, sir.

25 MR. FERGUSON: And how long did you belong to it?

MR. EDENS: About six months.

1 MR. FERGUSON: Just let me ask you this, Mr. Edens:
 2 Do you believe that you feel that by your past affiliation with
 3 the organization you might/be able to be completely fair and
 4 impartial in the trial of this case?

5 MR. EDENS: It's possible. I don't know.

6 MR. FERGUSON: Sir?

7 MR. EDENS: It's possible. I don't know.

8 MR. FERGUSON: I want to ask you some questions about
 9 it, Mr. Edens, and I want you to understand that I am asking
 10 these questions in order to help you and us to understand your
 11 ability to (SOMEONE COUGHED HERE) the facts in this case, and
 12 in doing so I want you to accept these questions that I ask in
 13 that spirit.

14 MR. EDENS: Okay.

15 MR. FERGUSON: Mr. Edens, it is -- I don't really know
 16 that much about the organization, but it is generally believed
 17 that it is an organization which is held to the belief of white
 18 supremacy; am I correct in that assumption?

19 MR. EDENS: Right.

20 MR. FERGUSON: Now, was it such a belief at that time
 21 that led you to join the organization?

22 MR. EDENS: Yes, sir.

23 MR. FERGUSON: And did you personally feel that way
 24 at the time you maintained membership in the organization?

25 MR. EDENS: Yes, sir.

1 MR. FERGUSON: Now, have you reconsidered that position 26
2 Mr. Edens?
3 MR. EDENS: Yes, sir.
4 MR. FERGUSON: Do you feel that you still have some
5 of those feelings that led you to take up membership in that
6 organization?
7 MR. EDENS: I still have some of them, yes, sir.
8 MR. FERGUSON: Do you feel that those feelings might
9 influence you in the trial of this case? You have ten black
10 persons on trial here. They are charged with conspiracy to
11 burn the store of a white man. This arose out of racial ten-
12 sions in the City of Wilmington in February, 1971. Do you feel
13 you might tend to be influenced by some feelings about that?
14 MR. EDENS: I could. I can't say.
15 MR. FERGUSON: You can't say right now, but you could
16 draw those feelings out of your mind?
17 MR. EDENS: That's right.
18 MR. FERGUSON: Mr. Edens, I appreciate your honesty
19 in answering those questions. If your Honor please, we challenge
20 the juror for cause.
21 THE COURT: All right. You may be excused.
22 CLERK: Roger Dale Tew (WHITE).
23 MR. FERGUSON: Mrs. Worrell?
24 MRS. WORRELL: Yes.
25 MR. FERGUSON: I just managed to misplace my notes

asked
 1 that I had taken when you were/questions before, and I may be
 2 repetitious in some of the things that I ask you, and I hope
 3 you will bear with me. Tell me again: What kind of work do
 4 you do?

5 MRS. WORRELL: I am a housewife.

6 MR. FERGUSON: A housewife. I believe you told me
 7 your husband was disabled, is that correct?

8 MRS. WORRELL: Yes, sir.

9 MR. FERGUSON: And you have five children?

10 MRS. WORRELL: Yes. They are all away from home but
 11 one.

12 MR. FERGUSON: Excuse me?

13 MRS. WORRELL: There is not but one at home.

14 MR. FERGUSON: Only one at home?

15 MRS. WORRELL: Yes, and he works, and my husband is
 16 disabled.

17 MR. FERGUSON: I see. What age is the one who is
 18 home?

19 MRS. WORRELL: Twenty-seven.

20 MR. FERGUSON: Where does he work?

21 MRS. WORRELL: Diamond Shamrock, at Castle Hayne.

22 MR. FERGUSON: Have you ever worked outside the home?

23 MRS. WORRELL: Yes, sir.

24 MR. FERGUSON: What kind of work did you do?

25 MRS. WORRELL: Sewing machine operator and telephone

1 operator.

2 MR. FERGUSON: May I ask how long ago that was that
3 you worked outside the home?

4 MRS. WORRELL: It has been about four years.

5 MR. FERGUSON: Do you have any relatives in Wilmington
6 or New Hanover County?

7 MRS. WORRELL: Yes, sir. I have some cousins that
8 live in Wilmington, and I have a brother that lives in Leland.

9 MR. FERGUSON: Do you visit with them very often?

10 MRS. WORRELL: Yes, sir; and I have a brother that
11 lives in Wilmington. I forgot about him.

12 MR. FERGUSON: You have a brother that lives in
13 Wilmington?

14 MRS. WORRELL: Yes, sir.

15 MR. FERGUSON: What section of the city does he live
16 in?

17 MRS. WORRELL: On 13th and Nun, I believe.

18 MR. FERGUSON: And do you visit with him from time
19 to time?

20 MRS. WORRELL: Yes, sir.

21 MR. FERGUSON: I believe you indicated that you had
22 heard and read about the situation in Wilmington in February,
23 of '71?

24 MRS. WORRELL: Yes, sir, on T.V. and in the newspaper.

25 MR. FERGUSON: Did you have occasion to discuss this

1 with your brother and friends or relatives who lived there in
2 Wilmington?

3 MRS. WORRELL: No, sir. We don't discuss such as
4 that. We have other things to talk about when we get together.

5 MR. FERGUSON: Ma'am?

6 MRS. WORRELL: We have better things to talk about
7 when we get together.

8 MR. FERGUSON: I see. So, you haven't discussed it
9 with them at all?

10 MRS. WORRELL: No.

11 MR. FERGUSON: Have you discussed it with any other
12 people?

13 MRS. WORRELL: No, sir.

14 MR. FERGUSON: What newspapers do you read?

15 MRS. WORRELL: The Wilmington Star News.

16 MR. FERGUSON: Star News. Do you read the Hanover
17 Sun?

18 MRS. WORRELL: No, sir.

19 MR. FERGUSON: In reading about this in the paper,
20 did you - do you recall reading the names of any of the defen-
21 dants in connection with the articles?

22 MRS. WORRELL: No, sir. Mr. Chavis and Mr. Kirby are
23 the only two names that I remember reading.

24 MR. FERGUSON: And have you read or heard something
25 about them since February, '71?

1 MRS. WORRELL: No, sir.

2 MR. FERGUSON: In connection with these trials here?

3 MRS. WORRELL: No, sir.

4 MR. FERGUSON: Do you recall what you read? Do you
5 recall the substance of what you read in the various articles
6 you may have seen?

7 MRS. WORRELL: No, sir.

8 MR. FERGUSON: Did you form any impression of any one
9 of these gentlemen at that time?

10 MRS. WORRELL: No, sir.

11 MR. FERGUSON: Have you since that time formed an
12 opinion of either one of these gentlemen or any of the other
13 defendants on trial?

14 MRS. WORRELL: No, sir.

15 MR. FERGUSON: What clubs or organizations are you
16 affiliated with, Mrs. Worrell?

17 MRS. WORRELL: Nothing but the church and the Home
18 Demonstration Club.

19 MR. FERGUSON: The church and the Home Demonstration
20 Club. What about your husband; is he affiliated with any organi-
21 zations or clubs that you know about?

22 MRS. WORRELL: The American Legion, and the Disabled
23 American Veterans, and the church.

24 MR. FERGUSON: And your son who lives there in the
25 home with you?

1 MRS. WORRELL: Nothing but the church, and the
2 American Legion.

3 MR. FERGUSON: Does either your husband or your son
4 hold an office in the American Legion?

5 MRS. WORRELL: No, sir. My husband isn't able to do
6 anything.

7 MR. FERGUSON: I see. Do any members of your immediate
8 family - by that I mean your husband, you, or your son - hold
9 any office in the church?

10 MRS. WORRELL: I do, in the Women's Circle.

11 MR. FERGUSON: All right. Now, tell me again what
12 church that is?

13 MRS. WORRELL: White Rocky Point Presbyterian Church,
14 at Rocky Point.

15 MR. FERGUSON: Do any black persons attend the church?

16 MRS. WORRELL: No, sir.

17 MR. FERGUSON: Have you ever belonged to any club or
18 organization that had black persons as members of it?

19 MRS. WORRELL: No, sir. Well, now, the Home Demon-
20 stration Club does.

21 MR. FERGUSON: The Home Demonstration Club does?

22 MRS. WORRELL: You know, it's the whole county; its
23 county-wide members it does.

24 MR. FERGUSON: Do you have occasions to be in meetings
25 from time to time with black persons?

1 MRS. WORRELL: Yes, sir, at council meetings.

2 MR. FERGUSON: Do you have black persons on the
3 council?

4 MRS. WORRELL: I don't know whether they are board
5 members or not, but I do know they are present at the meetings
6 we have.

7 MR. FERGUSON: Have you had occasion to have contact
8 with black persons in your everyday affairs?

9 MRS. WORRELL: Yes, sir. I work with them.

10 MR. FERGUSON: At the telephone company and at the
11 sewing place?

12 MRS. WORRELL: Yes, sir.

13 MR. FERGUSON: Have you ever had them visit with you
14 in your home on a social basis?

15 MRS. WORRELL: No, sir.

16 MR. FERGUSON: Or you in theirs?

17 MRS. WORRELL: No, sir.

18 MR. FERGUSON: Have you had occasion to visit black
19 persons in their home on social occasions?

20 MRS. WORRELL: No, sir.

21 MR. FERGUSON: Do you feel that black persons are
22 equal to white persons in every respect?

23 MRS. WORRELL: Yes, sir.

24 MR. FERGUSON: Do you have any feelings against black
25 children and white children attending school together, sitting

1 in the same class room together side-by-side and learning to-
2 gether?

3 MRS. WORRELL: No, sir.

4 MR. FERGUSON: Do you have any objections to social
5 relationships between persons of opposite races?

6 MRS. WORRELL: No, sir.

7 MR. FERGUSON: If during the trial of this case, Mrs.
8 Worrell, black persons and white persons are called to the
9 witness stand, would you tend to take the word of a white per-
10 son more quickly than you would that of a black person simply
11 because of the race of the person that was involved?

12 MRS. WORRELL: No, sir.

13 MR. FERGUSON: Do you have any close friends or rela-
14 tives who are police officers or law enforcement officers or
15 associated with law enforcement agencies?

16 MRS. WORRELL: No, sir.

17 MR. FERGUSON: If seated as a juror in this case, do
18 you feel that you would more readily believe what a police
19 officer said than what some other person said simply because
20 he was a police officer?

21 MRS. WORRELL: No, sir.

22 MR. FERGUSON: You would be able to listen to their
23 evidence and weigh it along with all the other evidence?

24 MRS. WORRELL: Yes, sir.

25 MR. FERGUSON: If any, some or all of the defendants,

1 decided to testify, would you tend to disbelieve what they said 27.
2 simply because they are the ones charged?

3 MRS. WORRELL: No, sir.

4 MR. FERGUSON: You could listen to what they had to
5 say and weigh it along with all the other evidence in this
6 case?

7 MRS. WORRELL: Yes, sir.

8 MR. FERGUSON: Suppose none of them testified in the
9 trial of the case, would you hold that against them; would you
10 feel they were hiding something from you because they did not
11 testify?

12 MRS. WORRELL: No, sir.

13 MR. FERGUSON: Mrs. Worrell, if after all the evidence
14 in this case has been presented, whatever it is, you were left
15 with the feeling that maybe these defendants - some of them or
16 all of them or any of them - did something wrong and probably
17 they are guilty of what they are charged with, but you weren't
18 convinced in your own mind they were in fact guilty beyond a
19 reasonable doubt, would you be able to find them not guilty
20 under those circumstances?

21 MRS. WORRELL: Yes, sir, if I had a doubt in my mind
22 they were not guilty.

23 MR. FERGUSON: You would be able to give them the
24 benefit of that doubt?

25 MRS. WORRELL: Yes, sir.

1 MR. FERGUSON: You don't conceive of your duty as a
2 juror to convict people who come into court, do you?

3 MRS. WORRELL: Not until they are proven to be guilty
4 or either innocent.

5 MR. FERGUSON: Well, let me just put it this way:
6 Do you understand that it is your duty to - that it is as much
7 your duty to acquit if you are not convinced of guilt beyond a
8 reasonable doubt as it is to convict if you are convinced
9 beyond a reasonable doubt?

10 MRS. WORRELL: Yes, sir.

11 MR. FERGUSON: You understand that, and you would be
12 able to follow that principle?

13 MRS. WORRELL: Yes, sir.

14 MR. FERGUSON: You've heard me ask one or two other
15 jurors about the the First Congregational Church of the Black
16 Messiah, in Wilmington, with which the defendants are associated
17 with?

18 MRS. WORRELL: Yes, sir.

19 MR. FERGUSON: Do you know anything at all about that
20 church; have you heard of it?

21 MRS. WORRELL: I've heard of it, but that's all.

22 MR. FERGUSON: Do you know where you heard about it?

23 MRS. WORRELL: On T.V.

24 MR. FERGUSON: Did you hear any of the names of any
25 of the defendants being associated with the church?

1 MRS. WORRELL: If I did, I didn't pay any attention
2 to it.

3 MR. FERGUSON: Does the concept of a black Messiah
4 bother you or give you an uneasy feeling?

5 MRS. WORRELL: No, sir.

6 ✓ MR. FERGUSON: If the defendants - any or all of them
7 belong to a church which espoused the view of a black Messiah,
8 would you hold that against them in the trial of this case in
9 determining their guilt or innocence?

10 MRS. WORRELL: No, sir.

11 MR. FERGUSON: You would not?

12 MRS. WORRELL: No, sir.

13 MR. FERGUSON: You believe that people are free to
14 worship and to follow their religion according to their own
15 conscience, is that correct?

16 MRS. WORRELL: Yes, sir.

17 MR. FERGUSON: And if someone's religious views hap-
18 pened to conflict with yours, you would not let that influence
19 your decision of guilt or innocence?

20 MRS. WORRELL: No, sir, because they have the right
21 to believe as they like to believe.

22 MR. FERGUSON: Yes, ma'am. Now, Mrs. Worrell, the -
23 one of the charges against all of the defendants is a conspiracy
24 to assault emergency personnel with firearms or a firearm. Is
25 there anything about the nature of that charge which causes you

1 to feel more strongly about that particular crime than you do
2 kinds of
3 about other/crimes?

4 MRS. WORRELL: No, sir. The only thing, I just don't
5 believe in people carrying firearms.

6 MR. FERGUSON: You don't believe in people carrying
7 firearms?

8 MRS. WORRELL: No, sir, I don't.

9 MR. FERGUSON: You don't believe in anybody carrying
10 firearms?

11 MRS. WORRELL: No, sir, I don't.

12 MR. FERGUSON: Well, I don't mean to be smart with
13 you, but do you believe the deputy back there at the door has
14 the right to carry.....

15 MRS. WORRELL: Well, now, law officers have authority
16 to; I believe in that, but I'm talking about the public in
17 general.

18 MR. FERGUSON: You say you believe it's all right
19 for police officers and law enforcement officers to carry guns?

20 MRS. WORRELL: Yes, sir, just not the public in
21 general.

22 MR. FERGUSON: I want to pursue that just a little
23 bit, Mrs. Worrell, because one of the charges is conspiracy to
24 assault with firearms, and I just want to ask you a few ques-
25 tions about your views on firearms. You understand, do you not,
that the Second Amendment - well, that the United States

1 Constitution provides that citizens shall have the right to
2 bear arms?

3 MRS. WORRELL: Yes, sir.

4 MR. FERGUSON: Now, of course, there are laws which
5 place certain restrictions on that right. For instance, persons
6 are not lawfully able to conceal - to carry concealed weapons
7 off of his own premises, and there are also certain other kinds
8 of restrictions; but outside of those restrictions the Constitu-
9 tion says that people can bear arms. Now, if a person was
10 bearing arms, was carrying firearms, in his own defense for his
11 own protection, would you hold that fact against him, the mere
12 fact that he had a firearm?

13 MRS. WORRELL: Not if he had it for his own protection,
14 no.

15 MR. FERGUSON: So that if a person were charged, let's
16 say, with an assault with a firearm and it appeared from the
17 circumstances that the person did have a firearm at the time
18 and the person put up a claim of self-defense, would you be
19 able to look at all of the circumstances and make a judgment
20 based on the evidence as to the guilt or innocence of that
21 person without holding it against that person that he had fire-
22 arms at the particular time just because he had it?

23 MRS. WORRELL: Yes, sir.

24 MR. FERGUSON: If a claim is made that firearms were
25 found in or near a church where some of the defendants had been,

1 would that fact alone affect your verdict as to guilt or inno-
2 cence of the offenses charged here?

3 MRS. WORRELL: No, sir, because anyone could go to a
4 place like that and not know that they were there.

5 MR. FERGUSON: If a person knew that they were there,
6 would that fact alone?

7 MRS. WORRELL: Well, that might would, if they knew
8 it.

9 MR. FERGUSON: Would you feel that a person had an
10 obligation to leave if they knew that firearms were there?

11 MRS. WORRELL: Well, that would be up to the indivi-
12 dual.

13 MR. FERGUSON: Well, would you hold it against him
14 if he didn't leave?

15 MRS. WORRELL: No, sir.

16 MR. FERGUSON: All right. Mrs. Worrell, you have
17 heard me say on several occasions there are eleven people on
18 trial here?

19 MRS. WORRELL: Yes, sir.

20 MR. FERGUSON: And they are all charged with a con-
21 spiracy - two conspiracies. Now, does the fact, the simple
22 fact, that there are a large number of defendants on trial,
23 eleven, cause you to believe now that there must have been some
24 kind of conspiracy between them?

25 MRS. WORRELL: No, sir.

1 MR. FERGUSON: I believe I asked you if you would
2 hold it against them if they didn't testify or present evidence
3 in this trial at all?

4 MRS. WORRELL: Yes, sir.

5 MR. FERGUSON: Pursuing that just a little further,
6 what if one or two of the defendants decided to take the stand
7 or to present evidence in their behalf and others did not,
8 others decided they would rely on the weakness of the state's
9 case rather than present evidence as they are entitled to do,
10 would you hold it against the ones who didn't present evidence?

11 MRS. WORRELL: No, sir.

12 MR. FERGUSON: You would be able to make an indivi-
13 dual judgment as to each one of these individuals on trial?

14 MRS. WORRELL: Yes, sir.

15 MR. FERGUSON: Do you feel now that the mere fact that
16 they are on trial, that they have been charged with these
17 offenses, means they must have been engaged in some wrongful
18 activity?

19 MRS. WORRELL: No, sir.

20 MR. FERGUSON: If the evidence should disclose or if
21 you knew that some or all of the defendants were engaged in a
22 racial protest movement in Wilmington during the time that these
23 offenses are alleged to have occurred, would that fact alone
24 prejudice your mind against the defendants? I don't mean
25 prejudice in a racial sense; I mean, would you hold that fact

1 against them?

2 MRS. WORRELL: No, sir.

3 MR. FERGUSON: You would be able to judge the evidence
4 independent of any racial movement or anything going on at that
5 time, is that correct?

6 MRS. WORRELL: Yes, sir.

7 MR. FERGUSON: You've also heard me mention, Mrs.
8 Worrell, that Reverend Chavis is associated with the North
9 Carolina-Virginia Commission for Racial Justice?

10 MRS. WORRELL: Yes, sir.

11 MR. FERGUSON: And that is an organization which has
12 as one of its purposes and tenets the eradication of racial
13 discrimination in America. You have also heard me say that
14 George Kirby, Mr. Kirby, is a Field Organizer for the Southern
15 Christian Leadership Conference, and that is an organization
16 which has as one of its tenets, purposes, eliminating racial
17 discrimination and formulating^a brotherhood among people of all
18 races. Does the fact that these gentlemen are associated with
19 those organizations cause you to have an feelings towards them
20 or feelings against them?

21 MRS. WORRELL: No, sir.

22 MR. FERGUSON: Now, Mrs. Worrell, is there any reason
23 that you know of - I'm not asking you to tell me what it is,
24 now - why you feel that you could not sit as a juror in this
25 case and be completely fair and impartial in weighing the

1 evidence and reaching a fair verdict?

2 MRS. WORRELL: Well, it is not connected with this,
3 no, but I mean with my affairs at home I don't feel like I
4 could.

5 MR. FERGUSON: You feel it would be a personal incon-
6 venience to you?

7 MRS. WORRELL: Yes, sir. My husband, he is not fit
8 to live by himself.

9 MR. FERGUSON: All right. Do you feel that that fact
10 would cause you to be unable to concentrate on the evidence?

11 MRS. WORRELL: I feel like I couldn't think about
12 that and this, too.

13 MR. FERGUSON: All right. So, you feel that you
14 might not be able to pay full attention to everything that is
15 being said on the stand?

16 MRS. WORRELL: Yes, sir. I wouldn't be able to give
17 it my full attention.

18 MR. FERGUSON: And you understand that this may be
19 a lengthy trial; you may be here for a good while, and it would
20 cause you some inconvenience?

21 MRS. WORRELL: Yes, sir.

22 MR. FERGUSON: And it would affect your ability to
23 listen to the evidence and hear it and weigh it, is that correct?

24 MRS. WORRELL: Yes, it would.

25 MR. FERGUSON: Your Honor, I submit that is cause,

1 and we would challenge the juror for cause.

2 THE COURT: Mrs. Worrell, of course, you understand
3 that there may be and doubtless are many who have personal
4 affairs at home which they feel very much that they would pre-
5 fer and that they are needed there, you understand that?

6 MRS. WORRELL: Yes, sir.

7 THE COURT: And that to some extent, at least while
8 they are here, they cannot avoid thinking about their personal
9 affairs at home, you understand that?

10 MRS. WORRELL: Yes, sir.

11 MR. STROUD: Your Honor, may we approach the bench
12 just a second?

13 THE COURT: Yes, sir.

14 (ALL COUNSEL CONFER WITH THE COURT AT THE BENCH.)

15 THE COURT: Mrs. Worrell, I do recall and I believe
16 you mentioned this special circumstance when I asked for excuses
17 Monday?

18 MRS. WORRELL: Yes, sir.

19 THE COURT: And I told you that I would defer. In
20 view of your statements now and feeling that your situation is
21 at least somewhat more acute than that of others, I will excuse
22 you. I certainly appreciate it.

23 MR. FERGUSON: Thank you, Mrs. Worrell.

24 CLERK: Cecil Rayvonne Bland (WHITE).

25 MR. FERGUSON: You are Mr. Herbert Murray, is that

1 correct, the gentleman on the end?

2 MR. MURRAY: Yes, sir.

3 MR. FERGUSON: You had a cousin on there before. I
4 was trying to get the name straight.

5 MR. MURRAY: Yes, sir.

6 MR. FERGUSON: Mr. Murray, I believe you stated in
7 response to the questions by Mr. Stroud that you believe each
8 one of these defendants deserves a fair trial?

9 MR. MURRAY: That is correct.

10 MR. FERGUSON: Do you still feel that way about it?

11 MR. MURRAY: Yes, sir.

12 MR. FERGUSON: You have been in the court room here
13 since Monday?

14 MR. MURRAY: Yes, sir.

15 MR. FERGUSON: Has anything occurred since that time
16 which you feel would affect your ability to give them a fair
17 trial?

18 MR. MURRAY: You mean, negatively?

19 MR. FERGUSON: Yes, sir.

20 MR. MURRAY: No, sir.

21 MR. FERGUSON: What clubs or organizations in the
22 community do you belong to, Mr. Murray?

23 MR. MURRAY: I belong to the Holly Missionary Baptist
24 Church; and I am an area or mostly an inactive member of the
25 Pender County Rescue Squad. When I say area member, that means

1 that I live too far from town to take a regular part or be
2 active in an area such as the ambulance service, but in the
3 case of a man search through or on land or a drowning, at
4 times I would be called in.

5 MR. FERGUSON: In your activities with the rescue
6 squad bring you in close contact with police officers from time
7 to time?

8 MR. MURRAY: No, sir. The ones I have been on, I
9 have not.

10 MR. FERGUSON: Yes, sir. Do you have very close
11 friends or relatives who are members of a law enforcement
12 agency?

13 MR. MURRAY: The only thing of that nature, I have
14 a son-in-law who is in the National Guard, in Wallace, North
15 Carolina.

16 MR. FERGUSON: National Guard in Washington?

17 MR. MURRAY: In Wallace.

18 MR. FERGUSON: In Wallace?

19 MR. MURRAY: Wallace, North Carolina.

20 MR. FERGUSON: I see. Was he called to Wilmington
21 during February, of '71?

22 MR. MURRAY: He was called to Wilmington once. I
23 don't remember whether it was in '71 or in a prior year to
24 that time.

25 MR. FERGUSON: Yes, sir.

1 MR. MURRAY: I know that he went. He came back. He
2 said nothing to me as to what his duties or his experiences
3 were. I did not ask him, and he did not tell me.

4 MR. FERGUSON: There was nothing about whatever his
5 experience was that might influence you in this case?

6 MR. MURRAY: No. There was nothing there, nothing
7 that he or I could do.

8 MR. FERGUSON: All right. You work at Castle Hayne
9 at the General Electric Company, is that right?

10 MR. MURRAY: Yes, sir.

11 MR. FERGUSON: And you just farm on your own?

12 MR. MURRAY: Yes, sir.

13 MR. FERGUSON: That keeps you pretty busy, doesn't
14 it?

15 MR. MURRAY: Well, that's the reason that I made the
16 statement there was nothing we could do about it; we have too
17 much work of our own to do to worry about it.

18 MR. FERGUSON: I see. You have your own farm?

19 MR. MURRAY: Yes, sir.

20 MR. FERGUSON: What size is your farm?

21 MR. MURRAY: Well, it's about 450 acres total, and
22 about 90 acres cleared land that we farm.

23 MR. FERGUSON: Yes, sir. Now, you have heard these
24 cases discussed from time to time, have you not?

25 MR. MURRAY: Yes, sir. When you say these case, I

1 have heard some of the incidents that were told of these cases;
2 I knew what they were. The first time I knew exactly what/was, ^{it}
3 was when the charges were made against them.

4 MR. FERGUSON: When you heard them here in the court
5 room?

6 MR. MURRAY: Yes, sir.

7 MR. FERGUSON: You hadn't formed any opinion, then,
8 about anything before coming to court?

9 MR. MURRAY: As to the defendants, no, sir.

10 MR. FERGUSON: Had you ever heard any of the defendants'
11 names mentioned in connection with what you recognize now as
12 the charges before them?

13 MR. MURRAY: Mr. Chavis', I believe.

14 MR. FERGUSON: And was that from just reading the
15 paper?

16 MR. MURRAY: Reading and conversations and hearing
17 other employees' conversations at work.

18 MR. FERGUSON: Despite anything you may have heard
19 or read, do you feel that you can be fair and impartial? Do
20 you believe you can be fair to Mr. Chavis in this trial?

21 MR. MURRAY: Yes, sir.

22 MR. FERGUSON: Do you believe you can be fair to the
23 ten other persons on trial here?

24 MR. MURRAY: Yes, sir.

25 MR. FERGUSON: You have never been involved in law

1 enforcement work yourself, have you, other than the rescue
2 squad?

3 MR. MURRAY: No, sir.

4 MR. FERGUSON: Mr. Murray, do you have any feelings
5 of racial prejudice that you are aware of?

6 MR. MURRAY: No, sir.

7 MR. FERGUSON: You have heard me ask about the Church
8 of the Black Messiah, the Congregation of the Black Messiah?

9 MR. MURRAY: Yes, sir.

10 MR. FERGUSON: The ten defendants we represent are
11 members of that church, and Reverend Chavis is the minister of
12 it. Had you heard anything at all about the church or any
13 church before today?

14 MR. MURRAY: Only that - the name, and I have a hazy
15 idea of perhaps where it's located, and that's all.

16 MR. FERGUSON: You knew or heard nothing about it to
17 cause you to form any impression about persons who might be
18 members of that church?

19 MR. MURRAY: No, sir.

20 MR. FERGUSON: You believe that persons are free to
21 follow their own conscience in matters of religion and to wor-
22 ship according to the dictates of their own conscience?

23 MR. MURRAY: Yes, sir.

24 MR. FERGUSON: And if a person's religious views
25 happen to conflict with yours, you would not let that influence

1 you in deciding the guilt or innocence of that person, would
2 you?

3 MR. MURRAY: No, sir. That would have nothing to do
with whether he is guilty of the crime or not.

4 MR. FERGUSON: It is known, Mr. Murray, that during
5 the weekend of February 5th and 6th in the preceeding week in
6 Wilmington there were certain racial tensions, there were cer-
7 tain racial protest movements taking place. Some of the defen-
8 dants have been identified with the racial protest movement
9 down there at that time. Would the fact that one or two or
10 all of the defendants may have been involved in that movement,
11 would that cause you to have any ill-feeling toward them?

12 MR. MURRAY: Ill-feeling?

13 MR. FERGUSON: Yes, sir.

14 MR. MURRAY: No, sir.

15 MR. FERGUSON: Do you still feel you could judge
16 this case by the facts presented here, is that correct?

17 MR. MURRAY: I think those things -- I would consider
18 those things as an explanation as to why the defendants are
19 charged.

20 MR. FERGUSON: All right, sir.

21 MR. MURRAY: And not as having any part of whether
22 they are guilty or not.

23 MR. FERGUSON: Yes, sir. Now, Mr. Murray, the trial
24 of a criminal case is a lot different from the trial of a civil
25 case. You are the only one up there that I know of now who sat

1 on a jury before. Was that a jury that heard civil cases?

2 MR. MURRAY: That was civil cases.

3 MR. FERGUSON: Where somebody might sue somebody for
4 walking across their property or bumping into their automobile
5 and hitting him; all right; in those kind of cases, civil cases,
6 one side or the other doesn't have to be proved beyond a rea-
7 sonable doubt, but in a criminal case the state is required to
8 prove its case beyond a reasonable doubt, otherwise, the defen-
9 dant is entitled to a verdict of not guilty, you understand that?

10 MR. MURRAY: Yes, sir.

11 MR. FERGUSON: Now, if after you have heard everything
12 there is to be presented from the witness stand, if you felt
13 that one or two or three or four or all of the defendants or
14 some of the defendants were probably guilty, that they might
15 have done something wrong, that they could have done something
16 wrong, but you had a lingering doubt in your mind which was
17 reasonable, which was a reasonable doubt based on the evidence,
18 as long as you had that reasonable doubt in your mind would
19 you be able to acquit the defendants?

20 MR. MURRAY: Yes, sir.

21 MR. FERGUSON: And I take it, then, you would require
22 the state to prove its case beyond a reasonable doubt before
23 you would convict anyone, is that correct?

24 MR. MURRAY: Yes, sir.

25 MR. FERGUSON: Now, you have heard me talk about the

1 rights of defendants charged with crimes not to testify. If
 2 you were charged with a crime, you would have a right not to
 3 testify if you chose to do that; and our Constitution says that
 4 is not to be held against you; that's your right; it's important
 5 enough to be in the Constitution. If any or some of the defendants
 6 in this case decide to exercise that right, decide to rely on
 7 the weakness of the state's case, would you in any wise hold
 8 that against those persons who did not testify?

9 MR. MURRAY: No, sir.

10 MR. FERGUSON: If some testified and others didn't,
 11 would that fact alone cause you to favor some and oppose others
 12 just because they testified, not - without regarding what they
 13 said, just the fact that they took the stand?

14 MR. MURRAY: No, sir.

15 MR. FERGUSON: And you subscribe to that principle
 16 of law, is that correct?

17 MR. MURRAY: I subscribe to the principle they must
 18 be guilty without a doubt.

19 MR. FERGUSON: There has been a lot of talk about
 20 these cases. You have heard people talk about it on the job;
 21 you have seen things about it on the newspapers - I mean, you
 22 have read about it in the newspapers and seen things on T.V..
 23 Would you have an uneasy feeling about the people you work with
 24 and associate with if you should find the defendants not guilty
 25 because you felt the evidence warranted that verdict; would you

1 be able to face the people you work with the next day without
2 feeling uneasy about it?

3 MR. MURRAY: No, I could fact them; and it doesn't
4 make any difference whether I'm uneasy or not if I have done what
5 was right here.

6 MR. FERGUSON: You would do what you felt was a
7 correct verdict in your own mind and not worry about what some-
8 body else may think about it, is that correct?

9 MR. MURRAY: What the other folks, or you might say
10 either side said or thinks, would make no difference with me.

11 MR. FERGUSON: I take it, then, Mr. Murray, you know
12 of no reason why you could not sit as a juror in this case and
13 be completely fair and impartial and open-minded about it, is
14 that correct?

15 MR. MURRAY: That's correct.

16 THE COURT: I believe we will recess at this time for
17 the noon-day period. As I said, when we recess the audience
18 will depart from the court room before the defendants. All
19 right. Take a recess until two o'clock, Mr. Sheriff.

20 (LUNCHEON RECESS.)
21 (THE DEFENDANTS IN CUSTODY TAKE THEIR SEATS IN OPEN COURT.)

22 THE COURT: All right. Mr. Ferguson, you may resume.

23 MR. FERGUSON: Thank you, your Honor. Mrs. Walker?

24 MRS. WALKER: Yes, sir.

25 MR. FERGUSON: I want to ask you some questions now.
I believe you told us at the present time you are a housewife?
is that correct?

1 MRS. WALKER: At the present I am.

2 MR. FERGUSON: Have you worked outside the home?

3 MRS. WALKER: Yes, I have.

4 MR. FERGUSON: Tell us if you will when was the last
5 time you worked outside the home?

6 MRS. WALKER: January the 15th.

7 MR. FERGUSON: January, of '58?

8 MRS. WALKER: January 15th.

9 MR. FERGUSON: January 15th, of this year?

10 MRS. WALKER: Yes.

11 MR. FERGUSON: I see. And I believe you have children?

12 MRS. WALKER: Yes, I do.

13 MR. FERGUSON: How many do you have?

14 MRS. WALKER: Three children.

15 MR. FERGUSON: And what are their ages?

16 MRS. WALKER: 25, 21, and 13.

17 MR. FERGUSON: Now, is the one 25 male or female?

18 MRS. WALKER: Beg your pardon?

19 MR. FERGUSON: Is the one 25 a man or a woman?

20 MRS. WALKER: Man.

21 MR. FERGUSON: And the one 21?

22 MRS. WALKER: Man.

23 MR. FERGUSON: And the 13?

24 MRS. WALKER: It's a girl.

25 MR. FERGUSON: You don't know any of the defendants

1 here, do you?

2 MRS. WALKER: No, sir.

3 MR. FERGUSON: Do you know Mr. Stroud?

4 MRS. WALKER: No, sir.

5 MR. FERGUSON: This is your first time being called
6 for jury service?

7 MRS. WALKER: Yes, sir.

8 MR. FERGUSON: Before you received the summons for
9 the service -- Before you received the summons from the sheriff
10 to come up here, did you know anything at all about these cases?

11 MRS. WALKER: No, I did not.

12 MR. FERGUSON: Had you heard or read anything at all
13 about any events taking place in Wilmington in February, of
14 1971?

15 MRS. WALKER: I read a sketch of it in the newspaper,
16 and that's all.

17 MR. FERGUSON: Now, was that in February, of 1971,
18 when you read the sketch of it in the paper or was it some time
19 later?

20 MRS. WALKER: It was in February.

21 MR. FERGUSON: Have you heard or read anything about
22 it since that time?

23 MRS. WALKER: No, I haven't.

24 MR. FERGUSON: At the time you read a sketch of it in
25 the newspaper in February, did you discuss it with anyone?

1 MRS. WALKER: No, I did not.

2 MR. FERGUSON: Did you hear anybody talk about it?

3 MRS. WALKER: No, sir.

4 MR. FERGUSON: Do you recall whether or not you read
5 the names of any of these persons on trial here in connection
6 with that sketch that you read?

7 MRS. WALKER: Only Mr. Chavis.

8 MR. FERGUSON: That's the only name that you recall
9 of the defendants in connection with that?

10 MRS. WALKER: That's right.

11 MR. FERGUSON: Did you form any opinion or impression
12 about Mr. Chavis at that time?

13 MRS. WALKER: I did not.

14 MR. FERGUSON: Have you formed any opinion or impres-
15 sion about him since that time?

16 MRS. WALKER: No, sir.

17 MR. FERGUSON: Now, Mrs. Walker, has any member of
18 your family ever been connected with a law enforcement agency,
19 that is, the police department, sheriff's department, or anything
20 of that sort?

21 MRS. WALKER: No, sir.

22 MR. FERGUSON: Do you have -- Strike that. What
23 newspaper, if any, do you take, do you read regularly?

24 MRS. WALKER: Wilmington Morning Star. I read it
25 sometimes.

1 MR. FERGUSON: You read the Raleigh News and Observer?

2 MRS. WALKER: No, I do not.

3 MR. FERGUSON: What about the New Hanover - the
4 Hanover Sun, do you read that?

5 MRS. WALKER: No, sir.

6 MR. FERGUSON: You don't read the Wilmington Star News
7 or do you read the Wilmington Star News?

8 MRS. WALKER: Sometimes I do.

9 MR. FERGUSON: I believe that's the same thing as the
10 Wilmington Morning Star, is that correct?

11 MRS. WALKER: It's the same thing.

12 MR. FERGUSON: You belong to any clubs or organiza-
13 tions in the community?

14 MRS. WALKER: Nothing but the church. I was a Girl
15 Scout Leader, too.

16 MR. FERGUSON: And what church do you belong to, Mrs.
17 Walker?

18 MRS. WALKER: Antioch Holiness Church.

19 MR. FERGUSON: Mrs. Walker, have you heard or read
20 anything at all about the First Congregational Church of the
21 Black Messiah, in Wilmington?

22 MRS. WALKER: Nothing but what I read in the paper.

23 MR. FERGUSON: Do you recall reading any of the names
24 of the defendants as being connected with that church?

25 MRS. WALKER: Nobody but Mr. Chavis.

1 MR. FERGUSON: Well, now, I'm going to tell you, Mrs.
 2 Walker, that the nine defendants that I represent in addition
 3 to Mr. Chavis are members of the First Congregational Church
 4 of the Black Messiah, in Wilmington, North Carolina. Do you
 5 have any feelings about their membership in that church based
 6 on what you may have heard or read about the church as you
 7 recall it, would you hold it against them in the trial of this
 8 case?

9 MRS. WALKER: No, sir.

10 MR. FERGUSON: Do you feel that you could be fair and
 11 impartial if you are seated as a juror in this case?

12 MRS. WALKER: Yes, sir.

13 MR. FERGUSON: Do you have any objections to black
 14 people participating in racial protest movements protesting
 15 against what they believe to be racial discrimination and in-
 16 justice and that kind of thing?

17 MRS. WALKER: No, sir.

18 MR. FERGUSON: You feel that people are justified in
 19 doing that if they choose to do that and feel that way, is that
 20 correct?

21 MRS. WALKER: If they chose to.

22 MR. FERGUSON: If the evidence in this case should
 23 reveal that one, some, or all of the defendants were engaged
 24 in some kind of racial protest movement in Wilmington at the
 25 time these charges arose, would that fact alone influence you

1 in your verdict, just that fact?

2 MRS. WALKER: No, sir.

3 MR. FERGUSON: Now, Mrs. Walker, you have heard me
4 state to some of the other jurors that each defendant has a
5 right protected by our Constitution to remain silent if he
6 chooses to and not to testify if he doesn't want to testify.
7 Now, if any one, two, three, four, or all of these defendants
8 should decide to exercise that right and not testify in this
9 case, not present any witnesses, would you hold that against
10 him?

11 MRS. WALKER: No, sir.

12 MR. FERGUSON: You would still be able to look at
13 whatever evidence the state presented and make a determination
14 based on that, whether or not the state had proved its case
15 beyond a reasonable doubt, is that correct?

16 MRS. WALKER: Yes, sir.

17 MR. FERGUSON: Now, it may be kind of difficult for
18 you to get a picture in your mind what a reasonable doubt is
19 all about. The Judge will explain it in his charge if you are
20 seated. But I do want to ask you this with respect to that:
21 If after hearing the evidence in this case you felt that on
22 the basis of what you heard and saw in the court room that some
23 of the defendants or all of the defendants, as the case may be,
24 were probably guilty of some offense and that they may have
25 committed some wrong or some offense and that they had the

1 opportunity to commit some wrong or some offense, but you were
2 not convinced, now, beyond a reasonable doubt that they in fact
3 committed that offense, would you be able to find them not
4 guilty in that instance if you had a reasonable doubt in your
5 mind about it?

6 MRS. WALKER: No, sir.

7 MR. FERGUSON: You think, then, that if you felt they
8 were probably guilty, whether the state had proven its case or
9 not, whether they had proven to you beyond a reasonable doubt
10 or not, you would convict them because of the probability of
11 guilt?

12 MRS. WALKER: I think they are innocent until they
13 are proven guilty.

14 MR. FERGUSON: You think they are innocent right now,
15 is that correct?

16 MRS. WALKER: Yes, sir, until they are proven guilty.

17 MR. FERGUSON: All right. Now, you understand that
18 in order to be proven guilty they have to be proven guilty
19 beyond a reasonable doubt, you understand that?

20 MRS. WALKER: Yes, sir.

21 MR. FERGUSON: Now, that's different from just a
22 probable guilt. I mean, a person - there can be circumstances
23 indicating that a person might have committed an offense with-
24 out really showing that he did it; are you following me?

25 MRS. WALKER: I think so.

1 MR. FERGUSON: All right. Now, I'm asking you - and
2 I know it may be a little confusing for you; if it is, just
3 tell me about it - but I'm asking you if the circumstances here
4 indicate that some of these defendants might have committed an
5 offense or they probably committed an offense, but you weren't
6 sure in your own mind that they did beyond a reasonable doubt,
7 would you be able to find them not guilty because of the rea-
8 sonable doubt; would you be able to give them the benefit of
9 the doubt in your mind is what I am asking you?

10 MRS. WALKER: Yes, sir.

11 MR. FERGUSON: You wouldn't convict them just because
12 you thought, well, they could have done it?

13 MRS. WALKER: No, sir.

14 MR. FERGUSON: Or that they might have done it?

15 MRS. WALKER: No, sir.

16 MR. FERGUSON: Now, of course, the defendants have
17 been here since Monday and you've been here since Monday?

18 MRS. WALKER: Yes, sir.

19 MR. FERGUSON: You have seen them going in and out
20 of the court room, and you have seen sheriff's deputies from
21 time to time walk in with them and walk out with them, and you
22 have seen deputies at this door and that door and that door
23 and whatever doors we have got. Has anything that has occurred
24 here in the court room since you have been here created in your
25 mind any feelings that might influence you against the defendants

1 in the trial of this case?

2 MRS. WALKER: No, sir.

3 MR. FERGUSON: You understand, then, that many, many
4 innocent people are unable to post bond sometimes before they
5 are tried, and if they are unable to post that bond, if they
6 don't have the money to do that, then they are in the custody
7 of the sheriff, you understand that?

8 MRS. WALKER: Yes, sir.

9 MR. FERGUSON: And that doesn't have anything to do
10 with any guilt at all, you understand that?

11 MRS. WALKER: Yes, sir.

12 MR. FERGUSON: Now, have any members of your family
13 or close friends ever appeared as a witness for the state in a
14 case before?

15 MRS. WALKER: No, sir.

16 MR. FERGUSON: And you have not appeared as a witness
17 for the state yourself, have you?

18 MRS. WALKER: No, sir.

19 MR. FERGUSON: Now, Mrs. Walker, the charges against
20 these defendants, of course, is - or one of the charges against
21 the defendants is a conspiracy to burn a man's place known as
22 Mike's Grocery, and a conspiracy to assault emergency personnel,
23 that's an assault on police officers and firemen and what-have-
24 you. Does the fact that eleven people are on trial here
25 together, does that indicate to you at this time or do you feel

1 at this time they must have done something together since they
2 are on trial here?

3 MRS. WALKER: No, sir.

4 MR. FERGUSON: You understand that each one of them
5 is being tried as an individual and that if seated as a juror
6 you would make individual judgments in these cases, you under-
7 stand that?

8 MRS. WALKER: Yes, sir.

9 MR. FERGUSON: And if the evidence warranted it, if
10 the evidence justified it, you would not have any hesitation
11 about rendering a verdict of not guilty; if you felt in your
12 mind that they were not guilty, would you have any hesitation
13 about finding them not guilty?

14 MRS. WALKER: No, I would not.

15 MR. FERGUSON: You wouldn't be concerned about what
16 somebody might say to you about that or what somebody might feel
17 about that if you/were right in your own mind?
felt you

18 MRS. WALKER: Yes, sir.

19 MR. FERGUSON: Do you feel like you could make up
20 your own mind about the evidence in this case?

21 MRS. WALKER: Yes, sir.

22 MR. FERGUSON: Do you -- Is there a reason known to
23 yourself which you may wish to say something about or may not
24 say something about why you feel you could not sit as a juror
25 and be completely fair and impartial and open-minded in the

1 trial of this case?

2 MRS. WALKER: I didn't understand you.

3 MR. FERGUSON: I'm sorry. Do you know of any reason
4 right now which you want to tell me about or don't want to tell
5 me about - it doesn't matter; I'm not asking you what the reason
6 is - why you could not sit as a juror and be completely fair
7 and impartial and open-minded in this case?

8 MRS. WALKER: I do not.

9 MR. FERGUSON: Mr. Moore, I believe it is?

10 MR. MOORE: Yes, sir.

11 MR. FERGUSON: Pardon me one moment, sir. I believe
12 you told me you were 26 years old, married, and one child, is
13 that correct?

14 MR. MOORE: Yes, sir. I'll be 26 this month.

15 MR. FERGUSON: Twenty-six this month. Are you a
16 native of Pender County?

17 MR. MOORE: Yes, sir.

18 MR. FERGUSON: What about your wife; is she a native
19 of Pender County, too?

20 MR. MOORE: Yes, sir.

21 MR. FERGUSON: What kind of work do you do, Mr. Moore?

22 MR. MOORE: I'm a chemical operator for Diamond
23 Shamrock Corporation.

24 MR. FERGUSON: A chemical operator?

25 MR. MOORE: Yes, sir.