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~~Q~~ <sup>T a</sup> Now is there any reason that you did not tell the police that <sup>you</sup> threw three firebombs at Mike's Grocery and poured a can of gas on Mike's Grocery on May 30 at the time you gave this statement here?

~~A~~ May 30?

~~Q~~ Yes.

~~A~~ At that time - well, at that time I just didn't have, you know, like I just didn't have myself together because of so much had happened and really all that what had happened at the church, like it was a new experience to me, you know, because I had never seen so much shooting and burning and stuff in all my life.

Q So you are saying the reason that you didn't say you threw three firebombs and poured gas on a man's porch and shot police and firemen you were so confused you didn't know what you were doing?

A At that time whenever I was first arrested I was promised a lawyer.

~~Q~~ Who <sup>me</sup> promised you a lawyer?

~~A~~ Ben Chavis and Golden Frinks.

~~Q~~ They promised you a lawyer?

~~A~~ Yes, sir.

~~Q~~ <sup>me</sup> Did you get the lawyer?

~~A~~ No, sir.

Q What happened to the lawyer?

A Well I guess the intention was for me to go ahead on and leave 'em like always.

~~Q So you didn't like it when you didn't get a lawyer. Isn't that right?~~

~~A No, sir.~~

Q You were mad then, weren't you?

A I wouldn't say mad.

~~Q You wouldn't say mad after you didn't get a lawyer?~~

~~Q~~ Did you have a lawyer at the time you made this statement here?

~~A No, sir.~~

Q So because you didn't have a lawyer you decided you would make a statement. Is that right?

~~A No, sir.~~

~~Q~~ Did you know Willie Vereen on May 30, 1971?

~~A Yes, sir.~~

~~Q~~ Did you know Connie Tyndall on May 30, 1971?

~~A Yes, sir.~~

~~Q~~ Did you know Jerry Jacobs at that time?

~~A Only as Scarface.~~

~~Q~~ Did you know James McKoy at that time?

~~A Only as Bun.~~

~~Q~~ Did you know Joe Wright at that time?

~~A Yes, sir.~~

*I didn't know*  
Q ~~Did you know~~ Reginald Epps?

A ~~I didn't know him by name.~~

Q *I* Did you know Ann Shepard?

A ~~Yes, sir.~~

Q *I* Did you know Wayne Moore?

A ~~Yes, sir.~~

Q ~~Now~~ *I* when you made the statement on May 30, 1971,  
*I* did you name the four other boys that you said threw  
firebombs at the church - at the grocery store?

A ~~No, sir.~~

Q *I* You did not name them?

A ~~No, sir.~~

*I did know*  
Q ~~You knew Ben Chavis at that time, didn't you?~~

A ~~Yes, sir.~~

Q *I* You knew Marvin Patrick at that time?

A ~~Yes, sir.~~

Q *I* You named two of them, didn't you?

A ~~Yes, sir.~~

Q *I* But you didn't name anybody else at that time?

A ~~Yes, sir.~~

Q You didn't know who they were?

A All I know them by nicknames.

Q *I* Did you give them any nicknames at that time?

A ~~Not that I recall.~~

Q You didn't give them any names at all. Is that correct?

A Ben Chavis and Marvin Patrick.

Q Ben Chavis and Marvin Patrick were the only names you gave at that time. Is that correct? Did someone suggest to you at that time that they wanted to get something on Ben Chavis and Marvin Patrick?

A No, sir.

Q I see. You decided those were the only two names you could recall at that time. Is that correct?

A No, sir.

Q ~~Did you say that you had met Connie Tyndall a year before February 5, 1971?~~

~~A Yes, sir.~~

~~Q You said that on yesterday, didn't you?~~

~~A Yes, sir.~~

~~Q Did you know him a year before February 5, 1971?~~

~~A I said I had saw him, but I didn't know his name.~~

~~Q And you said that you had met Chavis before February 5, 1971, didn't you?~~

~~A Yes, sir.~~

~~Q You say you had met him sometime in December 1970. Is that correct?~~

~~A Yes, sir.~~

~~Q~~ Now you have testified under oath regarding these matters before, ~~have you not?~~

~~A~~ Yes, sir.

Q Now I show you -

THE COURT: Do you not have another transcript?  
SOL. STROUD: Your Honor, we have one with writing on it. Mr. Ferguson can use it if he can let him have that one. We don't have one without writing on it. I thought we did.

(Mr. Ferguson hands transcript to witness.)

Q Referring now to page 75 of the transcript of the preliminary hearing which I have given you -

A Yes, sir.

Q Would you look down at the middle of the page?

~~A~~ Yes, sir.

~~Q~~ And beginning with the words "Mr. Ferguson", I'll ask you if the following doesn't appear. That is when I was questioning you as to February 6, 1971.

"Question: How long have you know Rev. Chavis?  
What was your answer?"

A "I have met him on a Friday."

~~Q~~ <sup>I was</sup> You were testifying under oath at that time, were you not?

~~A~~ Yes, sir.

Q So you had only known him the day before.

A Well I had only really met him, like had a conversation with him between just me and him on that Friday, but as far as seeing him at Molly Hicks house or whatsoever, I had never talked to him or asked him any questions or he never talked to me personally. So I wouldn't say that I met him, no. I just saw him. To meet, he was just as much as Molly Hicks because really all I can say I met him was on Friday at the church because that is whenever I talk to him and he talk to me and me and him hold a conversation.

~~Q~~ So before that you had never talked to him and he had never talked to you<sup>Mr. 2.</sup>?

~~A~~ No, sir.

Q Now you signed another statement on February 18, 1972, didn't you, this year?

~~A~~ Yes, sir.

Q I show you a copy of that statement.

SOL. STROUD: If your Honor please, I'd like to have the preliminary hearing transcript marked as Defendants Exhibit "2".

(Defendant's Exhibits "2" and "3" marked for identification.)

Q I show you what has been marked as Defendant's Ex-

hibit number "3" and ask you if you have seen that before.

A No, sir; because there is some writing in this statement.

Q ~~There is some writing in that statement?~~

A ~~Yes, sir, in your own handwriting.~~

Q ~~Where do you see my handwriting?~~

A ~~Since you gave it to me I prefer - I say that it is your statement.~~

Q Without the handwriting what is it? You can't answer my question without looking over at the Solicitor's table?

A Yes, sir. Well I prefer not to say that this is my statement because your handwriting is in it, and you have some instructions marked in here.

Q ~~And you are sure that is my handwriting?~~

A ~~Since you have my statement I presume it is yours.~~

Q Has it ever occurred to you that it might be Mr. Stroud's handwriting and I got it from him? Do you know Mr. Stroud's handwriting?

A Yes, sir; I know his handwriting.

Q Why are you so worried about the handwriting?

What is the typewritten portion of that statement?

A It says "The statement of Allen Hall."



~~Q That is what it says. Now what is it?~~

~~A It is the statement, a statement where I have made.~~

Q Now referring to the typewritten portion of the first paragraph, would you read that?

A "Before the bombing or shooting on February 19, '71, I attended several meetings at Molly Hicks and Tom Houston and Ann Shepard where Ben Chavis told us how to get set up ambushes, how to pick out targets to firebomb and how to get weapons. I can't recall the exact date of any of these meetings."

~~Q~~ Now you still say the first time Chavis ever said anything to <sup>me</sup> you and the first time you ever said anything to him was Friday, February 5?

~~A Yes, sir.~~

~~Q~~ But you don't know when these meetings were but they were before February?

~~A Yes, sir.~~

~~Q~~ You were sitting there. He never said anything to <sup>me</sup> you and you never said anything to him?

~~A Yes, sir.~~

Q Going back for a minute to your statement of May 30, 1971, you said that you were afraid for your family at the time you made that statement. Is

that correct?

A Yes, sir.

~~Q Who were you afraid of?~~

~~A~~ I was afraid that Chavis might have them killed or something.

~~Q You were?~~

~~A Yes, sir.~~

~~Q~~ So you didn't really want to say anything about Chavis at that time. Is that correct?

~~A Yes, sir.~~

~~Q That is correct?~~

~~A Yes, sir.~~

Q Didn't you tell the police that Chavis and Chili burned down the place and those were the only two names that you mentioned?

A Not after I had talked to my mother.

~~Q What do you mean "not after you talked to your mother"?~~

~~A~~ I was concerned about my family and also my mother came to see me when I was in jail, and she told me not to worry about the family. Just go ahead and tell the truth.

Q That is not what I am asking you. I am asking you on May 30, 1971, when you say you were afraid and couldn't think what happened, did you call the

name of Ben Chavis to the police?

A No, sir.

Q You did not on May 30?

A After I had talked to my mother -

Q I asked you did you call Ben Chavis's name on the statement on May 30?

A Yes, sir.

Q So you weren't afraid at that time?

A After I had talked to my mother.

*I was not*  
~~Q Were you~~ afraid of the other boys?

~~A No, sir.~~

*I*  
~~Q You~~ could have mentioned their names; just didn't mention them at that time. ~~Is that correct?~~

~~A Yes, sir.~~

*I did not*  
~~Q Now you~~ also testified under oath on yesterday that you had known Connie Tyndall for about a year before February 5, ~~Isn't that correct?~~

~~A No, sir;~~ I said I have seen him but I didn't know his name.

Q Did you not respond to the Solicitor's question "How long have you know Connie Tyndall?" by saying "I had known him a year." Do you deny that?

SOL. STROUD: Your Honor, may we approach the bench?

MR. FERGUSON: Your Honor, I object to approaching the bench at this point.

(Conference at the bench.)

~~Q~~ Now did you or did you not on yesterday say that you had known Connie Tyndall for a year before February 5, 1971?

~~A~~ No, sir; I said I had saw him.

~~Q~~ So you are saying now you didn't know him before that time. Is that correct?

~~A~~ I said yesterday whenever Mr. Stroud asked me had I ever known Connie Tyndall, I said I had saw him on Castle and Dawson Street before, but I didn't know his name, and he aske me how long and I said a year, but I did not know his name.

~~Q~~ So you knew him for a year without knowing his name?

~~A~~ I didn't know him. I had seen him.

~~Q~~ You had seen him?

~~A~~ Yes, sir.

~~Q~~ But you didn't know his name?

~~A~~ No, sir.

~~Q~~ When did you first learn his name?

~~A~~ At the church.

~~Q~~ When?

~~A~~ On a Saturday.

Q ~~Well~~ had you seen him there before Saturday?

A ~~Yes, sir.~~

Q ~~Didn't~~ know who he was then?

A ~~No, sir.~~

Q Now you testified under oath before and I refer you to page 122 of the preliminary hearing transcript. And I'll ask you if in response to my question the following doesn't appear. "Question: How long had you known Connie Tyndall?" What was your answer? You have page 122?

A Yes, sir.

Q ~~Would you refer to the third question. The third line marked with a Q there?~~

A ~~I just wanted to make sure that you asked the question.~~

Q ~~Are you sure now? Do you want to go back and make sure? Go ahead.~~

Q Yes, sir, I see where you asked me "How long had you known Connie Tyndall?" "I just know him at this occasion."

Q At this incident?

A Yes, sir.

Q Now did you say anything at all about having known him on Castle Street or having seen him a year

before on Castle Street?

A No, sir; that was Willie Earl Vereen?

Q I am asking you about Connie Tyndall. Did you say anything about knowing Connie Tyndall on Castle Street before that?

A I couldn't say I know him. Al I say I just saw him.

~~Q~~ <sup>not</sup> Did you say anything about having seen him on Castle Street?

~~A~~ No, sir; because you didn't ask me that question.

Q I asked you how long had you known him, didn't I?

A Yes, sir.

Q Your complete answer was " I just knew Connie Tyndall at this incident." Isn't that correct?

A Yes, sir.

~~Q~~ Now you said that you had known Joe Wright for 10 years. Isn't that correct?

~~A~~ Yes, sir.

~~Q~~ But you didn't bother to make any mention of his name on May 30, 1971?

~~A~~ No sir.

~~Q~~ You said you had known Willie Vereen for about 6 years since 1966, didn't you?

~~A~~ I said '66 or '67.

~~Q~~ Right. So you knew him well?

~~A~~ Yes, I knew him by name, face.

~~Q~~ Didn't have any occasion to mention his name on May 30, 1971?

~~A~~ No, sir.

~~Q~~ Now you said you had known Reginald Epps since '69, didn't you?

~~A~~ No, sir; I didn't say I knew him. I said I saw him before because I didn't know his name.

~~Q~~ When did you learn his name?

~~A~~ I learn his name at the church.

~~Q~~ Well you knew his name on May 30, 1971, didn't you?

~~A~~ Yes, sir.

~~Q~~ Didn't mention that?

~~A~~ No, sir.

~~Q~~ Wayne Moore; <sup>I did</sup> didn't you say Wayne Moore and his mother used to visit at <sup>my</sup> your mother's house?

~~A~~ Yes, sir.

~~Q~~ You didn't bother to mention his name on May 30, 1971?

~~A~~ No, sir.

~~Q~~ You <sup>I said</sup> say you knew McKoy for a year?

~~A~~ Yes, sir.

~~Q~~ Didn't bother to mention his name?

~~A~~ No, sir.

*I was not*  
Q ~~Were you really trying to cover up something that~~  
*I was*  
~~you were doing?~~

A ~~No, sir.~~

Q Now you said that you signed another statement showing what you did out there. Have you seen that statement since the time you signed it?

A I signed the statement that I confessed to which was what I pleaded guilty to saying what I had did at the church; not what anyone else had did.

Q That is the one I am talking about. Do you know where that statement is?

SOL. STROUD: Objection. He has already said  
~~h~~ he didn't.

THE COURT: Overruled.

A No, sir.

*I said I*  
Q ~~Now you say that you signed two statements?~~

~~A Yes, sir.~~

*I ed*  
Q ~~When did you sign the second statement?~~

A In February.

Q ~~What year?~~

A Of '72.

Q ~~Where were you (when you signed it?)~~

A I was at Cherry Hospital.

Q ~~Cherry Hospital?~~

A ~~Yes, sir.~~



Q What is Cherry Hospital?

SOL. STROUD: Objection.

THE COURT: Overruled.

A You go to get an examination or either you can go there to be hold for custody.

~~Q Go there to get what kind of examination?~~

~~A Go there to get what kind of examination?~~

~~A You can go there for sickness.~~

~~Q Were you sick in February?~~

~~A No, sir.~~

~~Q What kind of examination do you get there?~~

~~A None whatsoever.~~

Q Didn't you just say you could go there for examinations? I said go there for what kind of examinations. You don't want to tell the jury you can go there for mental examinations?

A No, sir; before I could finish answering you asked me what kind of examination I was there for in February. I said none whatsoever. I was there to see Mr. Stroud and them.

~~Q Saw Mr. Stroud in Goldsboro?~~

~~A Yes, sir.~~

~~Q What was he doing up there?~~

~~A I met Jerome Mitchell.~~

Q you met Merome Mitchell in Goldsboro at Cherry

Hospital? What was Jerome Mitchell doing at Cherry Hospital?

SOL. STROUD: Objection.

THE COURT: Overruled.

~~Q~~ At any rate Jerome Mitchell was there when you got there. Is that correct?

~~A~~ Yes, sir.

Q Where did you come from when you got there?

A I came from Prison.

SOL. STROUD: Objection.

THE COURT: Overruled.

A I was at Lumberton Prison Camp.

~~Q~~ They brought you <sup>Mr.</sup> from Lumberton to Goldsboro to meet Steve Mitchell. Is that correct?

~~A~~ Yes, sir.

~~Q~~ Where is Jerome Mitchell? Who is Jerome Mitchell?

~~A~~ Jerome Mitchell is sitting behind Mr. Johnson.

Q The young man that is over there shaking his head at me now?

A Yes, sir.

SOL. STROUD: Objection to comments, your Honor.

THE COURT: Objection sustained. (Objection No-)

~~Q~~ Point out what he has on:

~~A~~ He has on a purple and white knit shirt and a pair

of blue double knits.

~~Q~~ And <sup>H</sup> he is the other gentleman who is supposed to testify for the State in this matter. Is that ~~right?~~

~~A~~ Yes, sir.

~~Q~~ <sup>I</sup> Now had you talked to Jerome Mitchell before February?

~~A~~ No, sir.

~~Q~~ <sup>I</sup> Did you talk to him then?

~~A~~ Yes, sir.

~~Q~~ You made a statement in February. Is that correct?

~~A~~ Yes, sir.

~~Q~~ <sup>B</sup> Now between May 30, 1971, and February 18, 1972,

<sup>I</sup> had you made any other written statements regarding what happened at the church?

~~A~~ No, sir.

~~Q~~ <sup>I</sup> Had you been questioned between May 30 and February 18, 1972?

~~A~~ Yes, sir.

~~Q~~ <sup>I</sup> Had you been asked to make any statement before then?

~~A~~ No, sir; there was only notes taken.

~~Q~~ There were only notes taken?

~~A~~ Yes, sir.

~~Q~~ Who took the notes?

~~A~~ Detective Monroe *took the notes.*

Q Detective Monroe just made notes all while you were gone?

A Not all while I was talking. Sometimes he would make notes at certain questions. He would make notes and at certain questions he wouldn't take any notes.

~~Q~~ *I* Well had you told him before what you told him in February?

~~A~~ Yes, sir.

Q *did* Did Mitchell make a statement there in February, too?

~~A~~ Yes, sir.

~~Q~~ *I* Did you see his statement?

~~A~~ No, sir.

~~Q~~ When did you sign this statement?

~~A~~ I signed my statement in February.

~~Q~~ *I* Did you sign it right there while you were in Eoldsboro?

~~A~~ No, sir; not right then.

~~Q~~ Where did you sign it?

~~A~~ The next day.

Q Now the statement in the case that you made on February 18, 1972, if you want to look at it you can. Are you saying you signed it on February 19?

A Yes, sir.

Q Now look at the last page. When did you sign it?

A Second day of March 1972.

Q *I* Did you <sup>not</sup> need some time to make sure <sup>I was</sup> you were saying the same thing?

~~A No, sir.~~

~~Q You didn't sign the next day?~~

~~A No, sir.~~

Q *I* Signed it in march about two weeks later. ~~Is that~~ right?

A Yes, sir.

~~Q Who all was present at the time you made your statement? Second statement I am talking about.~~

~~A Mr. Brown, Detective Monroe, Mr. Bill Walden and Mr. Stroud,~~ *were present at the time I made my second statement!*

~~Q Is that all?~~

~~A And a man at Cherry Hospital.~~

~~Q And who?~~

~~A A man at Cherry Hospital.~~

~~Q What man at Cherry Hospital?~~

~~A I don't know his name.~~

~~Q And Jerome Mitchell? And Jerome Mitchell?~~

~~A Yes, sir.~~

~~Q You didn't mention him. He was there? Now was~~

*Someone was asking me*  
~~anyone asking you questions at that session?~~

~~A Yes, sir.~~

~~Q Who was asking you questions?~~

~~A Well asked questions by all of them.~~

~~Q (What did Mr. Stroud ask you? *ed. 1/13.*)~~

~~A I can't say right offhand.~~

~~Q (What did Mr. Brown ask you? *ed. 1/12.*)~~

~~A I still couldn't say right offhand.~~

~~Q (What did Mr. Walden ask you? *ed. 1/12.*)~~

~~A I couldn't say right offhand.~~

Q You can say right offhand everything that Ben Chavis said in February of 1971.

A I couldn't say right offhand with them because there was so many questions asked and like you had been asked one question this time and this one asked you another one and then this one asked you another question and, you know, I couldn't really say who asked which you know.

~~Q Can't get them straight in *my* your mind, can you?~~

~~A No, sir, couldn't.~~

~~Q Now *before* before you signed the statement on March 2, 1971, did you read it?~~

~~A Yes, sir.~~

~~Q And after reading it you signed it?~~

~~A Yes, sir.~~

~~Q~~ Is that right?

~~A~~ Yes, sir.

~~Q~~ <sup>I was</sup> Were you given an opportunity to make any corrections that you wanted to make?

~~A~~ Yes, sir.

~~Q~~ Now at that time <sup>1</sup> did you tell them everything you wanted them to know about what had happened at the church?

~~A~~ Yes, sir.

~~Q~~ Did you tell them at that time why you had decided to make the statement in June or May?

~~A~~ Repeat your question.

~~Q~~ Did you tell them about the assault charges against you?

~~A~~ Assault charges?

~~Q~~ Yes, sir.

~~A~~ Well they knew about my assault charges.

~~Q~~ They new about the assault charges?

~~A~~ Yes, sir.

~~Q~~ <sup>1</sup> Did you tell them where you went in March 1971?

~~A~~ Yes, sir.

~~Q~~ <sup>1</sup> Did you tell them how you got the money to go where you went in 1971?

~~A~~ Yes, sir.

~~Q~~ <sup>Q</sup> Did you tell them that Ben Chavis gave <sup>me</sup> you the money to go?

~~A~~ Yes, sir.

~~Q~~ <sup>Q</sup> Did you tell them who all went with you?

~~A~~ Yes, sir.

~~Q~~ <sup>Q</sup> Now did you check the statement when you got it back to see if that included everything that you had told them correctly?

~~A~~ Yes, sir.

Q Was that in there?

A No, sir. I was going to tell them about it, and we was talking and I told them what happened, but I guess they forgot to put it in.

~~Q~~ <sup>Q</sup> Well you read it over to see if that was the statement you made, didn't you?

~~A~~ Yes, sir.

~~Q~~ <sup>Q</sup> You didn't see that in there?

~~A~~ No, sir.

~~Q~~ <sup>Q</sup> Did you check with any of them to see why it wasn't in there? before you signed it?

~~A~~ Sir?

~~Q~~ <sup>Q</sup> Did you check with any of them to see why it was not included before you sign it?

~~A~~ No, sir.



Q ~~You~~ <sup>You</sup> just went ahead and signed whatever they gave you. Is that correct?

A No, sir; I read it first.

Q ~~Did you~~ <sup>not</sup> make any corrections at all?

A ~~No, sir.~~

Q ~~You~~ just signed what they had?

A After I read it.

Q So what they had was to ~~your~~ <sup>my</sup> mind the statement that ~~you~~ <sup>I</sup> made on February 18, 1971. Is ~~that correct?~~

A ~~Yes, sir.~~

Q Now when you went to New York in March, is that when you went to New York?

A Yes, sir.

Q ~~Where did you stay?~~

A I stayed with my cousin.

Q ~~What cousin?~~

A ~~No~~ cousin in New York.

Q ~~Where did your~~ <sup>my</sup> cousin live in New York?

A ~~Great Neck.~~

Q ~~Great Neck, New York?~~

A ~~Yes, sir.~~

Q ~~Did you~~ <sup>not</sup> stay with your ~~cousin~~ <sup>my</sup> the whole month and a half ~~you were~~ <sup>I was</sup> in New York?

A ~~NO, sir.~~

~~Q Who else did you stay with?~~

~~A My aunt.~~

~~Q You stayed with your aunt or cousin. Where did she live?~~

~~A She, <sup>she, living in</sup> Manhattan.~~

~~Q Did you work while you were there?~~

~~A No, sir.~~

~~Q Did you have any income?~~

~~A No, sir.~~

~~Q Did you get money to live on?~~

~~A Yes, sir; I had money to live.~~

~~Q Now when you came back from New York, how did you get back?~~

~~A I came back on the buss.~~

~~Q Where did you get your bus fare?~~

~~A I had it.~~

~~Q You had it?~~

~~A Yes, sir.~~

~~Q Where did you get it from?~~

~~A From my aunt and I carried enough, and I got it from my aunt and I had sent home for some money.~~

~~Q You sent home for some money?~~

~~A Yes, sir.~~

~~Q And your mother sent you some money?~~

~~A Yes, sir.~~

~~Q~~ How much did she send you?

~~A~~ She sent me \$75.00.

~~Q~~ (How much did <sup>my</sup> your aunt give <sup>me</sup> you?)

~~A~~ I can't say right offhand.

~~Q~~ So your mother knew exactly where you were. Your mother knew where you were?

~~A~~ <sup>My mother</sup> She knew I was in New York.

~~Q~~ Did she know where you were staying?

~~A~~ Well she presumed that I was still staying with my aunt.

~~Q~~ She presumed and <sup>I</sup> you had told her <sup>I was</sup> you were staying with <sup>my</sup> your aunt?

~~A~~ Yes, sir.

~~Q~~ Now other than at <sup>my</sup> your cousins in Great Neck and your <sup>my</sup> aunt in Manhattan, and ~~did you stay anywhere else?~~ <sup>I stayed with</sup>

~~A~~ With Caroline Rigsley.

~~Q~~ Who is that?

~~A~~ It is the girl staying in New York.

~~Q~~ Is she <sup>is not my</sup> your sousing?

~~A~~ No, sir.

~~Q~~ Sister?

~~A~~ No, sir.

~~Q~~ Girlfriend?

~~A~~ No, sir.

~~Q You were just staying with her?~~

A At that time we was going together.

~~Q At that time you were going together?~~

~~A Yes, sir.~~

~~Q So she was <sup>my</sup> your girlfriend at that time, ~~won't~~  
~~she?~~~~

~~A Yes, sir.~~

~~Q Why did you come back from New York? <sup>because</sup>~~

~~A My girlfriend got sick.~~

~~Q Caroline Rigly, <sup>did not get</sup> got sick?~~

~~A No, sir. My girlfriend staying in Wilmington.~~

Q What was her name?

A (No answer.)

SOL. STROUD: Objection; that is not relevant,  
your Honor.

Q Were you looking at Mr. Stroud to wait for him to  
object for you?

THE COURT: Objection sustained. *(Exemption)*

Q What was her name?

A Sandra.

Q Sandra what?

SOL. STROUD: Objection.

THE COURT: Overruled.

SOL. STROUD: Your Honor, may we approach  
the bench?

MR. FERGUSON: I object to approaching the bench before the witness answers the question.

(Conference at the bench.)

THE COURT: Answer the question.

A. Her name is Sandra.

~~Q. That is <sup>not</sup> all you know about her name?~~

~~A. No, sir.~~

~~Q. Didn't you hear <sup>I did</sup> me just ask you what was her last name?~~

~~A. Yes, sir.~~

~~Q. But you don't want to answer that, do you?~~

~~A. To me I don't see where she have anything to do with it, and I have a feeling that if her name is brought up that she will hear from the defense.~~

MR. FERGUSON: Move to strike that.

THE COURT: Motion to strike allowed. (Exception No. \_\_\_\_\_)

Q. The Court directed you to answer the question.

Do you intend to answer it?

A. Sandra Marshall.

~~Q. And you <sup>I said</sup> say she was in the hospital in March when you came back?~~

~~A. Yes, sir.~~

~~Q. What hospital?~~

~~A. New Hanover.~~

~~Q Is she still living in Wilmington?~~

~~A Sir?~~

~~Q Is she still living in Wilmington now to your knowledge?~~

A I don't know where she living in Wilmington now or not.

Q Now how long had you been going with Sandra Marshall?

SOL. JOHNSON: Objection.

THE COURT: Objection sustained. *(Sustained)*

Q How long had you known Sandra Marshall?

SOL. JOHNSON: Objection.

THE COURT: Objection sustained. *(Sustained)*

MR. FERGUSON: Your Honor, may I approach the bench?

(Conference at the bench.)

Q When is the last time you saw Sandra Marshall?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Sustained)*

MR. FERGUSON: Your Honor, I'd like to have his answer in the record.

THE COURT: Step down and whisper the answer.

A (Whispered) Three weeks ago.

Q How did you get word that she was in the hospital?

SOL. JOHNSON: Object.

THE COURT: The last question you asked was when was the last time he had seen her. I'll let him answer that. When was the last time you have seen her. Go ahead and answer it.

A Three weeks ago.

~~Q Where was that?~~

~~A I saw her in a car whenever I was coming to court.~~

~~Q When you were coming to court you saw her in a car? Was that in Wilmington?~~

~~A Yes, sir.~~

Q Was she driving the car?

SOL. STROUD: Objection?

THE COURT: Sustained. (Exemption No. ---)

Q Were you in the car with her?

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exemption No. ---)

Q Was anyone in the car with her?

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exemption No. ---)

~~Q How did you get word that she was sick?~~

~~A from Friends.~~

Q What friends?

A Just Friends.

Q ~~What friends?~~

A ~~Some of me and her friends.~~

Q ~~What friends?~~

SOL. STROUD: Objection.

THE COURT: Overruled.

Q ~~You don't~~ know who notified <sup>me</sup> you that she was sick?

A ~~Yes, sir.~~

Q ~~Who~~ <sup>friends</sup> notified you she was sick? <sup>me</sup>

A ~~Friends.~~

Q ~~What friends?~~

A ~~Me and her friends.~~

Q ~~You don't~~ know the names?

A ~~Yes, sir.~~

Q ~~What friends notified you that she was sick?~~

THE COURT: Go ahead and answer the question.

A ~~Lonnie Cox and Alton Williams.~~

Q ~~Had you told these people where you were?~~

SOL. STROUD: Objection.

THE COURT: Sustained. (Exception No. ---)

Q ~~How did they know to notify you?~~

SOL. JOHNSON: Object.

THE COURT: Sustained. (Exception No. ---)

Q ~~Didn't~~ <sup>I did</sup> you say you had left the State because you <sup>I</sup>

knew the police were looking for you on some assault <sup>me</sup>



charges?

~~A Yes, sir.~~

~~Q But you notified all your friends where you were going. Is that correct?~~ *I did not* *I was*

~~A No, sir.~~

~~Q Now were you living with your girlfriend in New York at the time you were notified about that?~~ *I was* *my*

~~A Yes, sir.~~

~~Q Did Sandra Marshall know you were living with your girlfriend in New York?~~

SOL. STROUD: Objection.

THE COURT: Sustained. *(Exception No. —)*

~~Q Had you given Sandra Marshall that address?~~

SOL. STROUD: Objection.

THE COURT: Sustained. *(Exception No. —)*

~~Q Did you give Sandra Marshall that address to notify you there?~~

SOL. STROUD: Objection.

THE COURT: Sustained. *(Exception No. —)*

MR. FERGUSON: May we approach the bench, your Honor?

THE COURT: Yes, sir.

(Conference at the bench.)

THE COURT: (to witness) Will you step down, please?

(Witness steps down.)

THE COURT: Members of the jury, we'll have a 10 minute recess.

(The Court recessed from 3:45 until 4:05.P M.)

ALLEN HALL, returned to the witness stand, having already been duly sworn, and testified as follows:

CROSS EXAMINATION BY MR. FERGUSON Continues:

Q Now what did you do to assist Sandra Marshall when you got back from New York?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Objection No. —)*

MR. FERGUSON: Like to have the answer placed in the record.

A (Whispered) I just come back to see how she was doing.

MR. FERGUSON: Your Honor, he might stay there for the next 2 or 3 questions. They will be along the same line.

SOL. STROUD: Objection.

THE COURT: Objection sustained. Give your answer to the Reporter. *(Ex/pt. No. —)*

A (Whispered) No, Ma'am, just I brought her home.

Q Did you determine the nature of her illness?

SOL. JOHNSON: Objection. *(Exception No. —)*

THE COURT: Sustained. *(Exception No. —)* Whisper your answer to the Reporter.

A (Whispered) She was having a bleeding which she couldn't stop.

Q What was it?

SOL. JOHNSON: Objection. *(Exception No. —)*

THE COURT: Objection sustained. *(Exception No. —)* Whisper your answer to the Reporter.

A (Whispered) She was hemorrhaging.

Q Do you know who her doctor was?

SOL. JOHNSON: Objection. *(Exception No. —)*

THE COURT: Sustained. *(Exception No. —)* give you answer to the Reporter.

A (Whispered) No.

Q If you know, who was it?

SOL. JOHNSON: Objection. *(Exception No. —)*

THE COURT: Objection sustained. *(Exception No. —)* Whisper your answer.

A (Whispered) No.

Q How long did she stay in the hospital?

SOL. JOHNSON: Objection. *(Exception No. —)*

THE COURT: Sustained. *(Exception No. —)* Whisper your answer to the Reporter.

A I don't know for sure.

~~Q~~ Now, Mr. Hall, what was the occasion for your going to Cherry Hospital in October, '71?

~~A~~ Sir?

~~Q~~ What was the occasion for your going to the hospital in October of '71?

~~A~~ Well the reason I went, me and my attorney thought maybe by just going there that it would help me to beat my case.

~~Q~~ You were trying to beat your case at that time?

~~A~~ Yes, sir.

~~Q~~ Now how did you feel that going to the mental hospital would help you beat your case?

~~A~~ A dude that was in jail had been there and he was there for a fire to someone's house, and he got out on probation.

~~Q~~ So at that time you were looking for some way to beat going to jail. Isn't that correct?

~~A~~ I was looking for some way to help my case,

~~Q~~ To beat your case, to keep from going to jail. Isn't that right?

~~A~~ Yes, sir.

~~Q~~ You didn't want to go to jail.

~~A~~ Yes, sir.

~~Q~~ And you went to the mental hospital because they'd

*I was*  
say you ~~were~~ crazy and you wouldn't have to go.

~~Isn't that correct?~~

~~A. No, sir.~~

Q You felt that the mental hospital people were going to tell you you ought not to go to jail?

A. No, sir.

Q You thought they were going to say you ought to be put on a parole or probation?

A. No, sir.

~~Q How did going to the mental hospital help you beat~~  
*did not*  
*me*  
~~your case?~~

~~A. No, sir.~~

~~Q~~ Now during the time that you ~~were~~ *I was* in the mental hospital in Goldsboro, Cherry Hospital, ~~do you recall~~ *I did not* making the statement that you did not participate in the burning of Mike's Grocery?

~~A. Before then?~~

~~Q While you were there did you make the statement that you did not participate in the burning of Mike's Grocery?~~

~~A. No, sir.~~

Q You deny ever making that statement to anyone. Is that correct?

SOL. STROUD: Objection.

THE COURT: Overruled.

Q Do you deny ever making that statement to anyone?

A ~~Yes, sir.~~

Q All right, sir. How long did you stay there?

A 50 days.

THE COURT: I believe that question has already been asked and answered.

MR. FERGUSON: It may have, your Honor.

Q Now were you back in Cherry Hospital in February? How long did you stay there? When you went back to Cherry Hospital back in February, how long did you stay there?

A Just a day.)

Q The day you made the statement?

A ~~Yes, sir.~~

Q Now at the time you went to the mental hospital you were confined in jail, were you not?

A ~~Yes, sir.~~

Q ~~And you had been since when?~~

A I had been there since May.

A ~~Since May?~~

A ~~Yes, sir.~~

Q And since May, had you been trying to figure out some way to beat the charges against you?

A ~~Yes, sir;~~ in some ways I was.