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was shooting. There was small kids at that church that could have got killed.

MR. FERGUSON: Move to strike.

THE COURT: Motion denied. (*Exception No. —*)

MR. FERGUSON: Motion for mistrial.

THE COURT: Motion for mistrial is denied. (*Exception No. —*)

Q ~~Mr. Hall,~~ at the time that ~~you~~ wrote this letter ~~you~~ had already been sentenced. ~~You~~ had already received active time. ~~Isn't that correct?~~

A ~~Yes, sir.~~

Q Tell me how Ann Shephard could help you.

A Well like I told you, Mr. Hunevol, I just thought maybe she'd at least decent enough to tell the truth what happened at the church,

Q I ask you the question once again. In light of the fact that you had already pled guilty or were found guilty of the criminal offenses for which you were serving active time, in light of that fact, Mr. Hall, how could Ann Shephard by anything she said or did, help you?

A Well she couldn't have helped like she can't help me in my time whatsoever. Like I know from the beginning I got 12 years. Nobody can't help me with that, Nobody but myself that 12 years, by myself.

What I am talking about, Mr. Hunevol, at least it would help me to make my mind clear that there was somebody else at the church that cared about what happened, about those kids being there and about what could happen afterwards; could try to help me put a stop to the same things occurred again.

~~THE COURT: Proceed.~~

Q Now you are telling this Court and this jury that you weren't interested in help at all?

SOL. JOHNSON: Objection.

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

Q You weren't even there. You weren't even married. You were 17 years old and you didn't have a wife.

A No, sir.

Q Why did you say in that letter your wife was going to run her out of town; do her in?

SOL. STROUD: Objection.

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

Q Why did you make those statement, Mr. Hall?

SOL. STROUD: Objection.

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

Q Why did you state in your letter that you had a wife?

SOL. STROUD: Objection.

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

Q Did you have a wife at the time you wrote that letter?

SOL. STROUD: Objection.

THE COURT: Overruled.

A No, sir.

Q So that no wfie of yours could ever help you out of your fix.

SOL. JOHNSON: Objection.

THE COURT: Sustained. (*Exception No. 1*)

Q I'll back up to my original statement, original question, Mr. Hall, and ask you again would you please point out for the jury any place in that letter where you used the word "truth"?

SOL. STROUD: Objection.

THE COURT: Sustained. (*Exception No. 2*)

Q Mr. Hall, has anyone with the Department of Corrections; has Mr. Stroud; has Mr. Johnson or any other person promised you a commutation of sentence?

A No, sir.

SOL. JOHNSON: Objection.

THE COURT: Overruled.

Q Mr. Hall, has anyone with the Department of Corrections; Mr. Stroud, Mr. Johnson or any other law enforcement personnel promised that you would receive

a full or partial pardon for your testimony in this trial?

A. I haven't been promised anything.

Q. ~~You~~ have been promised no leniency of any kind whatsoever for <sup>my</sup> your testimony in this trial?

A. ~~No, sir;~~ I have never been promised anything because I am testifying on my own.

Q. I see. From February of 1971 up to and including this very second, what point in time along that continuing did you cease attempting to beat the rap that you presently have?

A. Well -

SOL. STROUD: Objection.

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

Q. Have you ever, Mr. Hall, in light of your earlier testimony as to your attempting to beat the rap under which you were faced, what point in time did you say to yourself that "That is it. I'll no longer try to get out of jail. I'll no longer hope for an early release. I'll no longer pray for a full pardon or a partial pardon."

SOL. STROUD: Object to the form of the question, your Honor.

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

Q Mr. Hall, have you ever stopped attempting to beat the time under which you were assigned to the Department of Corrections?

A No, sir.

Q So you are still -

SOL. JOHNSON: Your Honor, may the witness answer the question?

THE COURT: Go ahead.

A Like that I just tried to make my time easier, like by reading , writing, you know, doing things around the camp, you know, like stay out of trouble; don't get in no kind of trouble until camp whatsoever so I can get my parole; but that is all. And all the inmates, the ones that try to, you know -

Q Isn't it true, Mr. Hall, that the reason why you contacted Ann Shephard, the reason why you threatened to have her killed, the reason why you threatened to run her out of town -

SOL. STROUD: We object to the recitation of the evidence.

Q The reason why you threatened to go to her employer, the reason why you threatened to go to her mother and tell her mother you were having sexual relations with her, the reason why you were going to tell her

mother that you were not only going to tell her personally that you were going to have other people tell her that you were having sexual relations with Ann Shephard, the reason why you did all of these things, Mr. Hall, all of these threats, was to get someone to bolster your testimony in court today, in court at the Preliminary Hearing because you were afraid that no one would believe that you were a credible human being.

SOL. JOHNSON: Objection.

THE COURT: Mr. Hunevol, you will not recite the evidence anymore. *(Exemption No. 1)*

Q Mr. Hall, Mr. Jerome Mitchell was up there in Cherry Hospital in 1972. Jerome Mitchell was up there trying to beat a murder rap, wasn't he?

SOL. STROUD: Objection.

THE COURT: Sustained. *(Exemption No. 1)*

Q Did you have any conversation with Jerome Mitchell up there in Cherry Hospital?

A We talked.

Q You both gave your statements in the same room at the same time; both had them notarized and sworn to the same day. Isn't that correct?

A Well like I had talked to him, you know. I had

talked to them when Jerome Mitchell wasn't present, and he had talked to them whenever I wasn't present because that was the first time that me and Jerome had been in the same room and talked to them in front of one another.

~~Q~~ Did you not say on cross examination several days that you had known Jerome Mitchell for a period of 16 years?

~~A~~ Yes, sir.

~~Q~~ Did you not say on cross examination that Jerome Mitchell was physically in the room when you gave your statement?

~~A~~ Yes, sir.

Q I ask you this question. Were you physically in that same room when Jerome Mitchell on that very same day gave his statement supporting your testimony?

A Well he was in there whenever he gave his statement, and when I gave mine, but I wouldn't say supporting my testimony because, like I said, what I am telling is the truth, and like they say, if I couldn't tell the truth about it I wouldn't even be up here no how because the thing is about the truth will stand. When a lie won't, Mr. Kunevol;



and the thing is about it there have been a whole lot of wrong that have been done in Wilmington; and I owe society something, and I think that everyone of us that was out there owes society something, and there was a lot of things that were taken -

MR. FERGUSON: I object to all this tirade, and I move to strike it.

THE COURT: Motion sustained; motion to strike allowed as to the defendant Chavis. You will consider this evidence against the defendant Chavis. You will only consider this testimony as to the defendant Ann Shephard.

MR. HUNEVOL: Your Honor, will you instruct the witness not to deviate from the questions.

THE COURT: All right. Proceed.

Q Mr. Hall, I will direct your attention in the first two written statements that you gave, one on May 30, the other on February 18, and I would like for you to point out on any day as far as any reference to February 5 and February 6 is concerned, 1971, would you please read to me and the jury and the Court any references whatsoever to the name Jerome Mitchell?

SOL. STROUD: Object.

THE COURT: Objection sustained. (Exception. No. ---)

Q Mr. Hall, as far as February 5 and February 6 of 1971 in both of your written statements you have never ever mentioned the name of Jerome Mitchell as being anywhere near the church. Isn't that correct?

A No, sir.

Q Please go to those two statements and tell me where on February 5 and February 6 Jerome Mitchell is mentioned.

SOL. STROUD: Objection.

THE COURT: Overruled.

A On page 7.

Q I am referring, Mr. Hall, to February 5 and February 6 of 1971.

A You asked me did I mention Jerome Mitchell in the statement, Mr. Hunevol.

MR. HUNEVOL: Your Honor, I am referring and I would like the witness to know that I am referring in my original question. I would like the Reporter to read it back.

THE COURT: What are you asking?

MR. HUNEVOL: My original question was on February 5 and February 6 of 1971 where in the two written statements given by Mr. Allen Hall on

February 18 of 1972 where in either of those two statements was the name Jerome Mitchell ever used as to those two dates?

THE COURT: All right. Will you answer that question?

AJ Jerome Mitchell's name was used, but Jerome Mitchell is not on this statement, but I told Mr. Stroud that it was left out, and Mr. Stroud put it in, but Jerome Mitchell's name is used in the statement.

Q I ask you again whether on that statement, Defendant's Exhibit number "3" the name Jerome Mitchell is ever used by you on those two dates?

SOL. JOHNSON: Objection. *(Exemption No. 1)*

THE COURT: Objection sustained. He's answered your question, Mr. Hunevol.

Q So what you are saying is that this is another example of Mr. Strou'd incompetency in not taking -

SOL. JOHNSON: Objection.

THE COURT: Objection sustained. *(Exemption No. 1)*

Q Mr. Hall, I would like to refer you to Saturday evening, September 6, 1971, and ask you how many people were at the church to the best of your present recollection.

Q I couldn't say because I wasn't around there on September 6, 1971.

Q I'm sorry. Mr. Hall, on February 6, 1971, Saturday night, I'd like you to tell us how many people were in that church, approximately to the best of your present recollection.

A Maybe a hundred or more or less.

Q I refer you, Mr. Hall, to the transcript of the Preliminary Hearing and ask you whether in the Preliminary Hearing you stated on Saturday the 6th of February of 1971, you did not state that there were approximately 45 people in that church. I refer you to Page 40 and also 41 of the Preliminary Hearing.

*He*  
The question was approximately how many people were there in the church. I couldn't really say. I would maybe say around 45 or more because some was in the house and some was at the church. And I said I left Friday and that was it.

Q The next question down was the question I am talking about. "How many people were in the church?" Your answer was what?

A "I would say around 45."

Q I'll ask you, Mr. Hall, how many times would you

have to multiply 45 times by in order to get approximately 100?

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exception No. —)

Q I'll ask you, Mr. Hall, what multiple, what approximate multiple of 45 is a hundred?

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exception No. —)

Q Can you think of any reason, Mr. Hall, why from March the 30th of 1972 to and including the times that you mentioned there were a hundred people or approximately a hundred people in the church, what made you change your mind as to the number that were there?

SOL. STROUD: Object.

THE COURT: Overruled.

A I never said exactly how many people was in the church. If you could see right here it says "I would say around 45." And, as I recall, I could not really say. I would say maybe around 45 or more.

Q So you don't see any apparent inconsistency in those two statements?

A No, sir.

Q They are the same statement?

A There is not a definite number in either one.

Q Can you multiply two times 45, Mr. Hall?

SOL. JOHNSON: Objection.

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

Q Mr. Hall, on February 6, 1971, Saturday evening, I would like for you to recite word for word verbatim the words that you allege Rev. Chavis used - allegation Rev. Chavis used in front of the pulpit.

SOL. JOHNSON: Objection.

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

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

THE COURT: Yes.

*(Conference at the bench.)*

THE COURT: Objection overruled. Go ahead.

Q I will temporarily withdraw that question. I would like to ask you, Mr. Hall on that evening, February 6, 1971, what were the exact words used - Strike that. Allegedly used by my client, Mrs. Ann Shephard in the church after Chavis and Kirby purportedly addressed the audience.

A Ann Shephard got up there and said, "I think it is

right on what y'all are doing. It's good that y'all shwoing them crackers that y'all mean business."

Q Could you please go a little slower, Mr. Hall, and repeat that again? I am trying to get this down.

A She got up there and she said she think it is right in what we are doing. She thinks it is good that we show these crackers in Wilmington that we mean business.

Q What you are stating at this particular time is that Mrs. Shephard supposedly said the following. "I think is ir right in what we is doing." And she said she thinks it is good we show these crackers we mean business. Is that what you said?

A I said that she got up there and she said, "I think it is right - "

Q O K. "I think it is right - " What is the next sentence?

A And "What we are doing and for y'all to show these crackers that y'all mean business."

~~Q Could you slow down some, and what?~~

~~A "To show them crackers that y'all mean business."~~

Q "That y'all mean business"? So if I understand you correctly what you are stating that Mrs. Shep-

hard said at this time is the following. "I think it is right in what we are doing and to show these crackers that y'all mean business."

A Yes, sir.

Q Now I ask you again, Mr. Hall, going back to my original question, what was it that Ben Chavis purportedly said up there in front of the pulpit before Ann Shephard allegedly made these remarks?

SOL. JOHNSON: Objection.

MR. FERGUSON: Objection.

THE COURT: Objection sustained.

MR. HUNEVOL: Your Honor, may I get that answer for the record, please?

THE COURT: Yes, sir.

MR. JOHNSON: (to Mr. Hunevol.) Just keep your seat.

A (Whispered) "Burn Mike's Grocery and kill those white people."

MR. HUNEVOL: May I approach the Court Reporter?

(Court Reporter whispered witness's answer to Mr. Hunevol.)

Q And there is no question in your mind at this time but that you felt as though Rev. Chavis made those statements at that time?



SOL. STROUD: Objection.

THE COURT: Overruled.

A He wouldn't proclaiming to be a Reverend then,  
Ben Chavis.

Q ~~O.K.~~ Ben Chavis, according to your present testi-  
mony, made that exact quotation that you just this  
instant gave to the Court Reporter?

A ~~Yes, sir.~~

Q And now at this time immediately after Rev. Chavis  
purportedly made that statement where did Marvin  
Patrick go?

SOL. JOHNSON: Objection.

THE COURT: Overruled.

A Whenever the statement was made that is whenever we  
were going to burn Mike's Grocery. All of us left  
out and went behind the church.

Q So after Chavis made that statement -

THE COURT: I think we'd better take a recess.

(to witness) Will you step down please?

Members of the jury, we will take about a 10  
minute recess.

(The jury retired from the courtroom.)

THE COURT: All right. We'll all take out.

(The Court recessed from 3:20 until 3:37 P M.)

ALLEN HALL, witness for the State, already duly sworn, returned to the witness stand, testified as follows:

CROSS EXAMINATION BY MR. HUNEVOL Continues:

Q Mr. Hall, approximately how much time lapsed from the time that Rev. Chavis purportedly made the statement that we are talking about to the time that Mike's Grocery was burned?

A Until after George Kirby got up there and says something. Then Ann Shephard got up there and said, you know, told us what to do. We was right in what we were doing, that we should show those crackers we mean business. Then myself and Chavis then walked up to 6th Street; looked down 6th Street at Nun And came back, and that is whenever Chavis said that he will watch out for me if I watch out for him.

MR. HUNEVOL: Your Honor, I asked a very simple question.

THE COURT: What was the question?

Q How much time, Mr. Hall, lapsed between the time that Rev. Chavis purportedly made the statement that we were talking about to the time that Mike's was set afire?

MR. FERGUSON: Your Honor I want the record

show that I object very strenuously to him deliberately and consciously injecting my client, Chavis's, name into everything he said.

A I couldn't say.

THE COURT: Overruled. *(Exception No. 1)*

A I couldn't say what time it was.

Q Was it three days?

SOL. JOHNSON: Object.

THE COURT: Sustained. *(Exception No. 2)*

Q Was it one hour?

SOL. JOHNSON: Object.

THE COURT: Sustained. *(Exception No. 3)*

Q Was it two hours?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Exception No. 4)*

Q Was it 2 minutes?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Exception No. 5)*

Q Was it approximately one hour, Mr. Hall?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Exception No. 6)*

~~Q Immediately after Rev. Chavis purportedly made this statement they were talking about where were all of~~

~~the other defendants?~~

~~A~~ Whenever Ben Chavis made the statement all of them was standing in the church listening to him, and then whenever Ann Shephard and George Kirby made their statement the defendants, all of them, was also in there.

Q How much time lapsed between the time that Rev. Chavis purportedly made his statement to the time when George Kirby purportedly made his statement, to the best of your present recollection?

A Like I said, whenever Chavis got through, then Kirby and Ann Shephard.

~~Q~~ ~~So~~ It's almost simultaneously that the three of them made this address?

~~A~~ Yes, I would say so, not for sure.

Q You say that all of the defendants were present in the church when all three of these people allegedly made these statements?

~~A~~ Yes, sir, whenever they made the statement.

Q There is no question in your mind about that?

SOL. JOHNSON: Object.

THE COURT: Sustained. *(Exception Overruled)*

Q Mr. Hall, to the best of your present recollection was Mike's Grocery store burned at about 10 o'clock

that evening?

A. Maybe around 10 o'clock or 10:30. I am not sure, Mr. Hunevol.

Q. To the best of your present recollection were these statements purportedly made within one hour of the time that Mike's was burned?

A. I can't say right offhand.

~~Q. Can you recall - can you give us to the best of your present recollection the approximate time that you set out to go to the Annex earlier that afternoon?~~

~~A. Go where?~~

~~Q. Strike that question. I will withdraw that question. To the best of your present recollection, Mr. Hall, was it Saturday morning when you all set out to go over to the Community Center?~~

A. No, sir.

~~Q. To the best of your present recollection approximately <sup>my</sup> ~~by what time~~ <sup>if you recall</sup> did you set out to go to the Community Center?~~

~~A. It was in the evening.~~

~~Q. It was in the evening?~~

~~A. Yes, sir.~~

Q. In February of 1971 darkness would come at 5 o'clock, would it not?

SOL. JOHNSON: Objection.

THE COURT: Sustained. *(Disruption No.)*

~~Q~~ Was <sup>it</sup> ~~it~~ dark when <sup>we</sup> you all set out to go to the Annex on February 6 of 1971?

~~A~~ No, sir.

~~Q~~ Was <sup>it</sup> ~~it~~ dark when <sup>we</sup> you all set out to go to the Community Center and to the hospital?

~~A~~ No, sir.

~~Q~~ Was <sup>it</sup> ~~it~~ <sup>with</sup> ~~early~~ afternoon when <sup>we</sup> you all set out to go to the hospital and to the Community Center?

~~A~~ ~~It was in the evening.~~

~~Q~~ Could you give for, us, if you will, your definition of what the evening time would mean to you and what it meant to you in February of 1971?

~~A~~ Well, evening comes after 12 o'clock afternoon, some in the evening.

~~Q~~ So <sup>it</sup> ~~it~~ would be sometime after 12 o'clock that you set out for the Community Center and for the hospital. ~~Is that correct?~~

~~A~~ Yes, sir.

~~Q~~ Would it be before 2 o'clock that you set out to go there?

SOL. JOHNSON: Objection.

THE COURT: Overruled.

~~A~~ I don't know.

Q Could it have been before 2 o'clock that you set out to go?

SOL. JOHNSON: Objection. *(obj. turn No. -)*

THE COURT: Sustained. He said he didn't know.

Q I believe in some of your written statements, did you not, Mr. Hall, say under cross examination that you returned to either the church, Rev. Templeton's or the Annex at approximately 4:30 in the afternoon on a Saturday 6 February 1971?

A No, sir; I said at 7 o'clock.

~~Q~~ You said what?

A I said I came back to the church at 7 o'clock.

~~Q~~ After returning from the Community Center and the hospital?

~~A~~ Yes, sir.

~~Q~~ Did you go immediately to the church directly from the Community Hospital?

~~A~~ No, sir.

Q How many hours before to the best of your present recollection before you got back to the church at approximately 7 o'clock that evening? How many hours before that time was it that you left the Community Hospital?

A It could have been an hour or less than that.

Q So you are stating now that you left the Community Hospital at approximately 6 o'clock? Is that what you are saying?

A No, sir; I said it could have been an hour or it could have been less than an hour.

~~Q Could it have been more than an hour?~~

~~A I could have been an hour. . It could have been less than an hour.~~

Q It could have been more than an hour?

A Like I said, Mr. Hunevol, it could have been an hour. It could have been less than an hour.

Q I refer you to /Defendant's Exhibit number "3" - or number "2", the second written statement, Mr. Hall, and would like you to look at the fourth paragraph and ask you whether it says in that paragraph, page 4 "I left the church and messed around until about 5:30 P M and then went back to the church." Does it say that, Mr. Hall?

A No, sir; not on page 4 in the fourth paragraph. It says me and this dude -

Q I am referring to the next paragraph. I think I said the fifth paragraph.

A No, you said the fourth paragraph.

Q If I did, please excuse me, Mr. Hall. I refer



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you to the fifth paragraph and whether or not it said "I left the church, messed around until about 5:30 P M and went back to the church."

A "I left the church, messed around until about 5:30 P M and went back to the church and listened to some records and jived with some other dudes until about 7 o'clock. I saw Ben Chavis and some other dudes come over to the church."

Q You said in that statement that you got back to the church at 5:30 and not 7 o'clock.

~~Q~~ Is this <sup>is</sup> another one of the alterations or another one of the amendments that you later corrected when ~~you~~ talked to Mr. Stroud?

~~A~~ Yes, sir.

Q O K. Thank you.

A Yes, sir; see -

SOL. JOHNSON: Your Honor, let the witness finish answering his questions.

THE COURT: Are you finished?

A No, sir. I messed up in this one like in the statement some of it Friday night was with the -

MR. HUNEVOL: Your Honor, I will stipulate his address to the Court. Your Honor, I withdraw that stipulation.

THE COURT: All right. Proceed.

Q You were explaining something, Mr. Hall?

A That in the statement that on some of the papers like what happened on a Friday night you could find some went on a Saturday page and like - and the time like here was on a Friday I remember telling Mr. Stroud that I came to the church around 5 o'clock or 5:30 at the beginning of the church, and that is where this 5:30 got put in right here.

Q I see. So Mr. Stroud made another mistake with his notes. Is that correct?

A Yes, sir.

Q Did he straighten that mistake out with that later statement that he purportedly made? - that your purportedly made?

A The one that I thought you were referring to, Mr. Hunevol, was right here on the 5th paragraph.

Q Is that correct? Did you straighten that out?

A It was 5:30; yes, sir.

Q You straightened that out, and that is in the other statement that is in existence that Mr. Stroud has, and we don't have, and we have never seen it.

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

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

Q Under cross examination, Mr. Hall, you defined messing around as going to the Annex with all the guns, going down with your entourage to the Community Center and going over and breaking into the Community Hospital.

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exception No. —)

Q Define messing around for us now.

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exception No. —)

Q Did you make an alteration as far as messing around is concerned in the latter supplemental statement given sometime after March? Did you define that?

SOL. STROUD: Object.

THE COURT: Made no statement since February 18.

Q ~~So now are you denying and telling this jury and this Judge that the February 18 statement was -~~  
~~Strike that.~~ Are you saying at this time that you never did make all those statements and all those additions and corrections to Mr. Stroud in March 1972?

A You told me - you said a statement -

Q All right.

A You said statement -

Q Yes, sir?

A Which I did not make no statement. I just told them what I had left out, what I had told them. He put that in there, but didn't make no statement.

Q Did you ever see that statement that Mr. Stroud prepared?

A He haven't prepared no statement to my knowledge. He just filled in. Whenever I talked to him he just wrote it on his statement where I had in February 18, but I haven't seen none of the statement.

~~Q Did he ever show that to you, Mr. Hall?~~

~~A I saw the statement whenever we was together, whenever he was filling it in.~~

Q So you have seen the statement that Mr. Stroud - that you say Mr. Stroud has after he made all the additions and correction to it?

A It is the same statement. It is not narry new statement. It is the same statement, but it is the one he put the additions onto.

~~Q Right. And you remember that?~~

~~A Yes, sir.~~

~~Q You remember seeing that?~~

~~A I remember seeing the statement where he had of mine where he put the addition on where I had gave~~

him February 18, 1972.

Q ~~And~~ That statement is <sup>my</sup> your final statement as to all events that took place?

A ~~Yes, sir.~~

Q ~~And~~ that is <sup>my</sup> your statement just like that first statement is <sup>my</sup> your statement?

A ~~Yes, sir.~~

Q And that second statement is also your statement?

A Yes, sir.

SOL. STROUD: Objection, your Honor.

Q And you have adopted all the handwritten notations Mr. Stroud put in that statement you gave him on February 18, 1972?

SOL. STROUD: Objection.

THE COURT: Sustained. (Exception No. —)

Q Is there anything in that second statement as amended that is not a product of your mind?

SOL. JOHNSON: Objection.

THE COURT: Sustained. (Exception No. —)

Q ~~Is there anything — I withdraw that question.~~ Are there any notations on that second statement put on there by Mr. Stroud that you did not tell him to put on there?

A No, sir; there isn't anything on the statement that

I didn't say put on there what Mr. Stroud put on the statement was my addition to the statement was mine, and he did not add nothing to the statement.

Q And every single thing that is on that statement that you saw as amended and as supplemented is your statement?

A Yes, sir.

SOL. STROUD: Object.

MR. HUNEVOL: Your Honor, I move again for the State of North Carolina to produce Allen Hall's statement.

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

MR. FERGUSON: I join that motion, your Honor.  
(Conference at the bench.)

THE COURT: Motion denied. (*Exception No. 1*)

Q Mr. Hall, on that statement that was amended by Mr. Stroud everything on that statement is something that you told him to put down. Isn't that correct?

SOL. JOHNSON: Objection; been over it.

THE COURT: Overruled. Go ahead.

A Whenever Mr. Stroud come - came rather, he brought

his statement with him. I told him what was left out of the statement, and I told him about some of the things that was misplaced in wrong parts in the statement, and so he wrote them down on his statement on the sides of his statement.

~~Q~~ <sup>W</sup> And what he wrote down is what <sup>l</sup> you told him to write down. ~~Isn't that right?~~

~~A~~ Yes, sir.

~~Q~~ <sup>l</sup> Can you <sup>not</sup> tell <sup>you</sup> us approximately how long you stayed at the Community Center and the hospital, Mr. Nail?

~~A~~ No, sir.

Q Would you say it was more than a half an hour?

SOL. JOHNSON: Objection.

THE COURT: Sustained. <sup>(Excepted Mr. --)</sup> He said he didn't know how long it was, Mr. Hunevol.

MR. HUNEVOL: Your Honor, I am through with any cross examination at this time.

MR. FERGUSON: If your Honor please -

THE COURT: Step down. (to witness)

MR. FERGUSON: If your Honor please, I have a motion to make.

THE COURT: All right. I'll hear your motion.

SOL. SEROUD: State calls Jerome Mitchell.

MR. FERGUSON: Your Honor, I would like to make