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Q Did he have a weapon?

MR. FERGUSON: Objection.

THE COURT: Overruled. (*Exemption No. —*)

A Not that I know of, sir.

Q ~~NOW you say~~ ^{I said} that the people you saw with weapons came from the outside of the church. ~~Is that right?~~

A ~~Yes.~~

Q And you said earlier that the church was being sniped at and that you all were staying there to protect the church. Is that right?

A Yes, because there had been bomb threats made on the church and the life of Mr. and Mrs. Templeton.

Q ~~And so~~ ^T the people were standing outside with guns outside of the church. ~~Is that right?~~

A ~~Yes,~~ ^T they were protecting it so that people couldn't come up in that area.

Q There were snipers going all through the neighborhood according to what you say.

A That is what we understood.

Q You say you don't know of your own personal knowledge?

A I didn't look out at them.

Q ~~Did you ever~~ call the police?

A ~~I did, yes.~~ I understood they had been called.

~~Q~~ ^{not} Did you ever call the police?

~~A~~ I did not, no.

~~Q~~ ^d And you stayed at the church knowing they had been threatened?

~~A~~ ~~That is right.~~ They were handled through the State Human Relations Counsel is what I understood.

Q Does it make sense that if the church had been threatened that you would stay there?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A Yes, sir.

~~Q~~ ~~How does that make sense?~~

~~A~~ Because people were there. Logically someone is not coming up there and do something like that with the police in the area. So they could keep an eye out, vigil where people couldn't come up there and do such as that.

Q If no people were in the church or parsonage, you wouldn't have to worry about it.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A Yes, because the edifice is still there.

~~Q~~ ~~That would still be there?~~

~~A~~ Yes.

Q It would be worth lives of people in order to save a brick building is that what you are saying?

MR. FERGUSON: Object.

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

A But at the time, as I say, this is what they felt was the best thing to do.

Q You didn't feel that way?

MR. FERGUSON: Object. *(Exception No. —)*

A Yes, but if there are people in there with police guarding the area so no one could come up in there, no one is going to come up in there.

Q You felt it was the best thing to do to protect the church, the brick building?

A And the parsonage and Mr. and Mrs. Templeton were there.

Q Mr. and Mrs. Templeton didn't have to stay there if they were threatened.

MR. BALANCE: Object to what they had to do.

THE COURT: Sustained.

~~Q Mrs. Shephard, didn't you say that you had seen police all around this area?~~

~~A Yes~~

Q Are you saying that the police were firing at the church and the parsonage?

A No, I never said that, Mr. STroud. I had no idea

that they would.

Q Were police continually patrolling the area you still say there were snipers?

A That is what we understood.

Q Understood that from whom?

A I didn't say whom.

Q Do you recall who told you about it?

MR. FERGUSON: Object.

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

A That was what was reported and Rev. Templeton said the same thing, and I had no reason to disbelieve him.

Q During this time - Strike that. And so during the daytime there would be several hundred people there at the church. Is that what you testified to?

MR. BALLANCE: Objection. (*Exception No. —*)

A Yes, sir.

Q And a lot of these people would be small children?

~~A Would you define small children, please?~~

~~Q Did you say that some of them were small children?~~

A I said there were young children there.

Q You define young children, please.

A Junior High School.

MR. BALLANCE: Objection.

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

A There were some possibly Junior High School. That is 11 and 12 year olds.

Q And this was during the time after you claim that it was stated that the church had been threatened. Is that right?

A In the daytime is when the young people were over there.

Q Wasn't this during the time after you stated that you heard that the church had been threatened?

A I heard about it on Thursday afternoon.

~~Q~~ Were there young people there during the day on Friday?

~~A~~ Yes, there were.

~~Q~~ Several hundred. Is that right?

~~A~~ Yes, sir.

Q And it made sense to you that several hundred young people should stay at the church after the church had been threatened. Is that right?

MR. FERGUSON: Object to the form of the question.

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

A Because we had police protection.

~~Q~~ You had police protection?

~~A~~ Yes, police were all in the area.

Q Yet you still claim they were sniping?

A That is what we were told, sir.

Q Mrs. Shephard, do you recall - let me show you this photograph, Mrs. Shephard. Can you tell me what those objects are in the photograph?

MR. FERGUSON: Object. *(Exemption No. -)*

A Yes, they are from the playground at Gregory Church.

Q What are the objects?

MR. FERGUSON: Object. *(Exemption No. -)*

A I didn't know what they were until I was told later what they are.

MR. FERGUSON: Object. We'd like to see it, your Honor.

THE COURT: Let's start over again.

MR. FERGUSON: I don't know what he is asking about.

THE COURT: Show the photograph to them.

SOL. STROUD: I am asking her what it is, your Honor.

A They are things that children crawl through to play in the playground with.

Q ~~Are those concrete pipes?~~ *T are*

A ~~Yes.~~

Q ~~And, Mrs. Shephard, didn't you see those concrete pipes at the intersection of 6th and Nun and 7th and Nun during the time that you were there?~~ *I was*

A ~~Yes, sir.~~

Q And they were put there to keep police and cars from coming in that area. Isn't that right?

MR. HUNEVOL: Objection.

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

A That I don't know, sir. They didn't tell me they put them there to keep people from coming down in that area.

Q ~~And you saw~~ ^{*I did see*} people standing guard at those barricades there that were from the church, ~~did you not?~~

A ~~AT NIGHT, YES.~~

Q Mrs. Shephard, did it ever dawn on you the gunfiring was from people who were standing guard around the barricades supposedly?

MR. FERGUSON: Objection.

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

A No, it didn't.

Q That didn't dawn on you?

MR. HUNEVOL: Objection to the form of the question.

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

A No.

Q ~~Now, Mrs. Shephard, you say that you were there and~~ ^{*I said I was*} the group was there for the protection of the church. Is that right?

A ~~Yes, sir.~~

Q Do you consider that firebombing Mike's Grocery store and shooting at police officers and firemen at that store as a method of protecting the church?

MR. FERGUSON: Objection; hypothetical question.

MR. HUNEVOL: Objection.

THE COURT: Objection sustained as to the question.

MR. FERGUSON: We move to strike the question from the record.

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

Q Mrs. Shephard, at the time that you determined that Mike's Grocery Store had been burned did you consider at that time that the burning of Mike's Grocery store was a method of protecting the Gregory Congregational Church?

MR. FERGUSON: Objection.

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

A Mr. Stroud, I didn't know how that building burned.

Q You were aware that it had burned?

A On Sunday morning I was told of it, yes.

Q It was talked about at the church while you were there?

A On Sunday morning.

MR. FERGUSON: Objection. *(Exception No. —)*

A. On Sunday morning I was told.

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection. *(Exemption No. —)*

Q. You knew on Sunday morning that the store was just around the corner from the church?

MR. FERGUSON: Objection.

THE COURT: Overruled. *(Exemption No. —)*

A. Yes, I knew that it was in the area.

Q. Mrs. Shephard, at any of the time you were at the church did you hear anyone come into the church and say that they had got them a pig?

MR. FERGUSON: Objection.

THE COURT: Sustained.

Q. Did you hear the defendant Willie Earl Vereen come into the church during the time that you were there and say that he had gotten a pig, Mrs. Shephard?

MR. FERGUSON: Objection.

THE COURT: Overruled. *(Exemption No. —)*

A. No, I didn't, sir.

Q. Mrs. Shephard, did you ever have occasion to go upstairs in the parsonage during the time that you were there in February?

A. That is where the bathroom was.

~~Q.~~ So you did have occasion to go up there?

~~A.~~ Yes.

~~Q~~ ^Q Did you have occasion to see the defendant Chavis upstairs during any of the time that ~~you were~~ ^{James} up there?

~~A~~ ^A Yes, ~~he~~ ^{it} was standing there.

~~Q~~ ^Q ~~Don't you~~ ^{did} know that he had a bedroom in the house at the time?

~~A~~ ^A Yes, he was staying there.

Q Didn't you at this time have occasion to see James Earl Grant upstairs with a rifle with a scope on it in the front bedroom or the front room facing Nun Street?

MR. FERGUSON: Objection.

THE COURT: Overruled. (*Exemption No. —*)

A There is no front bedroom there.

Q There is a front room?

A That is Rev. Templeton's study.

Q Did you see James Earl Grant in that front room with a rifle?

MR. FERGUSON: Object.

THE COURT: Overruled. (*Exemption No. —*)

A No, I didn't.

Q During the time that you were in the church and also at the parsonage did you see people that were there in the church drinking wine and drinking beer and

playing record players and talking over P A systems?

MR. FERGUSON: Objection.

THE COURT: Overruled. (Exception No. 1)

A There was no drinking in the church. That was one of the things that we were looking out for so there would be no drinking and that we were allowed to use the record player the young people were allowed to play the record player in the church.

Q ~~You didn't~~ see any wine bottles or beer cans in the church?

A ~~I personally didn't, Mr. Stroud.~~

Q But you heard Mr. Butler testify about that, didn't you?

MR. FERGUSON: Object. (Exception No. 2)

A He did say they were in the church.

THE COURT: Objection sustained as to what Mr. Butler said.

Q Mrs. Shephard, were you at the church early Saturday morning when the defendant Chavis came into the front door of the church with two grown men, two adult men?

A I -

MR. FERGUSON: Objection.

~~THE COURT: Sir?~~

MR. FERGUSON: Objection.

MR. HUNEVOL: I'll object, too.

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

A I don't recall Mr. Chavis with two adult men as you say. It doesn't stand out in my mind.

Q Did you have occasion to observe police officers at the intersection of 6th and Nun Street that early Saturday morning?

A When I left the church I don't recall seeing a policeman in the area right in the immediate area.

~~Q~~ During the time that you ^{I was} were at the church there, ~~Mrs. Shephard, you say you never saw any firebombs?~~

~~A No, I had never seen any firebombs, Mr. Stroud.~~

Q Did you hear the defendant Chavis or any other defendants talk about making firebombs?

MR. FERGUSON: Objection.

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

A No, Mr. Stroud, I personally didn't.

Q Do you recall on Saturday morning seeing any of the defendants with weapons, Mrs. Shephard?

MR. FERGUSON: Objection.

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

A Not on Saturday morning, Mrs. Stroud.

Q When did you see them with weapons, Mrs. Shephard?

MR. FERGUSON: Objection. *(Exception No. —)*

A I saw some people on Friday night and I said I wasn't sure who they were that had them, that I wasn't interested in knowing who had way, Mr. Stroud, and there was no evidence when I started home on Saturday morning.

Q ^{*not*} Did you see people standing guard outside on Saturday morning?

~~A Not on Saturday morning.~~

~~Q How about on Sunday, Mrs. Shephard?~~

A When we came down on Sunday morning there were some young people, yes, they were on both ends of the street.

Q Among that group at each end of the street did you see any of the defendants on Sunday morning, Mrs. Shephard?

MR. FERGUSON: Objection.

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

A No, I am sorry. I don't remember who was standing there. I got out and quickly up to the church and the door was open and I went in.

Q Did you see any of the defendants on Sunday at the church, Mrs. Shephard?

MR. FERGUSON: Objecton.

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

A It had been cleaned up and they had asked not to be in the church. Rev. Chavis and them had cleaned it up from Rev. Templeton's services.

Q Don't you know there were no services were held there?

A They were cancelled and changed later. They were to be at 11 or 11:15.

Q ~~Did~~ ^{not} you see any of the defendants at the church on Sunday Morning?

A ~~Not in the church.~~

Q Did you see any of them at Rev. Templeton's house on Sunday morning?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

A I don't recall seeing them in the house on Sunday morning, no, Mr. Stroud.

Q Do you recall seeing them outside of the church on Sunday morning?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

A As I say, when I got out I didn't notice who was there. I don't recall and I quickly went down there and went up to the church and went in and I didn't look down. There were young people down at the other

end down there, but I didn't take note of who they were.

Q You didn't see the defendant Chavis Sunday morning?

MR. FERGUSON: We object.

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

A Not when I got there.

Q ~~You were in the parsonage and he had a bedroom in the parsonage.~~

A ~~I was not in the parsonage on Sunday morning.~~

Q You didn't go to the parsonage at all?

A I went up to the church. I beg your pardon. Then I went over to the house and asked what could I do. I could see that the church had been cleaned up and Rev. Templeton asked me if I'd seen that the young people didn't come in so as to not get it dirtied for services.

Q Would you answer my question, please, Ma'am?

A I am sorry. Repeat yourself.

Q Did you see the defendant Chavis at the parsonage on Sunday morning?

A No, I didn't see him Sunday morning.

Q ~~But you were at the parsonage?~~

A Just briefly.

Q ~~And he had a bedroom in the parsonage?~~

A ~~Yes.~~

Q Did you see any of the defendants at all on Sunday, Mrs. Shephard?

MR. FERGUSON: Objection.

A On Sunday?

THE COURT: Overruled. (Exception No. —)

A Yes.

Q Which ones?

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

THE COURT: Objecton overruled. (Exception No. —)

MR. HUNEVOL: I'd like to approach the bench, too.

THE COURT: Objection overruled. (Exception No. —)

A On Sunday morning when I went back over Rev. Chavis came downstairs into the kitchen and some of the young people were there. There were some people there that I remember that are not here, and it seems to me Connie was there,

~~Q Who?~~

~~A Connie Tyndal. Inside, you know. Inside.~~

~~Q Inside where?~~

~~A Inside the parsonage.~~

~~Q Sunday morning?~~

~~A Yes, I believe so.~~

~~Q~~ Who else?

~~A~~ And then later on while I was making sandwiches Chili came in and got some sandwiches and I think Joe came in after church.

~~Q~~ Chili is Marvin Patrick?

~~A~~ I am sorry. Yes, Marvin Patrick.

~~Q~~ ^{OK} And Joe is Joe Wright?

A Yes.

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

Q Who else?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

A As I say, I don't recall. There were so many people in and out of there that when you are looking at a whole group of people you are not signalling out certain people. You are not seeing certain people.

Q When you say you saw all of these defendants on that Sunday morning?

MR. FERGUSON: Objection.

THE COURT: Overruled. (Exception No. —)

A No, that isn't what I said.

~~Q~~ What did you say?

~~A~~ I said I specifically remember several young people being there.

Q Let me ask this question. The defendants that you have just pointed out as having been at the church on Sunday did you say you saw them there on Sunday morning?

MR. FERGUSON: Object.

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

A It must have been about Sunday noontime because I was cleaning up and making sandwiches and things.

Q Didn't you say that you saw the defendant Chavis over at the parsonage that Sunday morning?

MR. FERGUSON: Object. (*Exception No. —*)

A Yes, she was there at the parsonage later.

Q Do you recall telling me about 5 minutes ago that you didn't see any of the defendants at the parsonage on Sunday morning?

MR. HUNEVOL: Object to that question.

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

A I don't remember seeing any of the defendants. I think you said were they outside there, and I said I didn't know who was outside.

Q You don't recall my asking you if you saw any of the defendants in the church or in the parsonage or outside of the church and parsonage on that Sunday morning and you replied, no, you didn't?

A I beg your pardon. I though you said in the church.
I am sorry, Mr. Stroud.

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

MR. HUNEVOL: I'd like to approach the bench,
too.

(Conference at the bench.)

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

(The Court recessed from 3:25 until 3:47 P M.)

(The jury returned to the jurybox.)

ANN SHEPHARD, returned to the witness stand, having been
duly sworn, testified as follows:

CROSS EXAMINATION BY SOL. STROUD Continues:

~~Q Mrs. Shephard,~~ do you recall being at the church
early
Saturday morning?

~~A Early Saturday morning.~~

Q Do you recall seeing any of the defendants on that
morning?

A I just got up and left. That was all. I didn't pay
attention to who was there. I am sorry.

Q Were there several people at the church Saturday
morning when you got up, Mrs. Shephard?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

A Yes, some of the girls were still in the back where I was, but there weren't any of the defendants I left and went downstairs. I was talking to someone and I saw Allen Hall.

~~Q Who were you talking with?~~

~~A I believe it was Chris Spicer.~~ *I was talking to*

~~Q~~ *I* Did you go over to the parsonage Saturday morning?

~~A No, I didn't.~~

Q You weren't over there when the defendant Chavis was talking about getting money to buy some food for the people of the church?

MR. HUNEVOL: Object. She answered that question.

THE COURT: Overruled. (Exception No. —)

A No, I just got up and started to Castle Street to get a way to get home.

~~Q~~ *I* Did you ever contribute any money to the defendant Chavis?

~~A No, not to Mr. Chavis, no.~~

Q Who did you contribute money to?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

A I didn't contribute money to anyone.

~~Q Now you say you left the church on Saturday,~~ *morning,* ~~is~~

~~that right?~~

~~A. Yes, Saturday morning.~~

~~Q. You don't recall going with a group to the annex after they moved out of the church?~~

~~A. No, Mr. Stroud, I was not with them.~~

~~Q. You weren't at the church when Mr. Butler came there to get the defendant and the people of the church to leave the church?~~

~~A. That is right. I was not there, Mr. Stroud.~~

~~Q. Why did you spend the night at the church Friday night?~~

~~A. Because I was specifically asked by Mr. Houston to do it that night.~~

~~Q. For what purpose?~~

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

~~A. To have adults there with the young people.~~

~~Q. And your daughters again weren't with you on Friday night. Is that right?~~

~~A. No, not at the church, sir. They were with friends.~~

~~Q. This is after you say that the church was threatened?~~

~~A. Yes, sir.~~

~~MR. HUNEVOL: Your Honor, I wasn't able to hear the Solicitor's question.~~

~~Q. This was after you say the church was threatened?~~

~~A. Yes, sir.~~

~~Q~~ ^I You don't recall returning to the church on Saturday evening?

A. ~~No, I did not, sir.~~

~~Q~~ ^{I don't} You don't recall asking Jerome Mitchell on Saturday evening what happened at 7th and Nun Street when the car was shot at?

A. ~~No, Mr. Stroud, I didn't do that.~~

Q. You don't recall being in the church with Patricia Walker after the defendants left to go firebomb Mike's Grocery store?

MR. FERGUSON: Objection.

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

A. No, Mr. Stroud.

Q. Mrs. Shephard, do you recall after that weekend having spent the night with Allen Hall at the home of his aunt and uncle, Charles and Celestine Graham at 14th and Castle Street?

MR. HUNEVOL: Objection.

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

A. Yes, they were nice enough to have me stay there that night.

Q. Why did you stay at their house?

MR. HUNEVOL: Objection.

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

A. Because the man that we got a ride with was just

going that far that he had to go somewhere before the curfew come on and I was not able to get all the way to my home and Hall was there and he said, "We'll go to my aunt's house."

Q So you spent the night over at his aunt's house and he was there. Is that right?

A Yes, he was there. ,

MR. HUNEVOL: Objection.

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

A And his aunt and uncle were there.

MR. HUNEVOL: Objection.

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

A Yes.

Q ~~Where were your children?~~

A ~~They were at home.~~

Q ~~Were home?~~

A ~~Sir, they were at home.~~

Q ~~With whom?~~

A I don't know whom they were with. I assume they were with friends. That is what I found out later.

Q ~~What night was that, Mrs. Shephard?~~

A *That was*
Sunday night.

Q ~~That was after you left the church?~~

A ~~That is right.~~

Q You all left the church because the curfew was

called and you knew the National Guard was coming in. Is that right?

A. That is right.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

MR. FERGUSON: Object.

THE COURT: Overruled. (Exception No. —)

Q. Now, Mrs. Shephard, how far is your home from 14th and Castle Street?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. I'd say about 12 blocks; 15 blocks.

Q. You can drive that in a car in a matter of 5 to 7 minutes. Is that right?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. I don't have a car, Mr. Stroud.

Q. I am just asking you. You can drive that distance in a matter of 5 to 7 minutes. Is that right?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. I don't know.

~~Q. You don't know?~~

~~A. I don't know how fast you could drive it, Mr. Stroud.~~

Q Do you feel like you could drive it in a car in 5 to 7 minutes?

MR. BALLANCE: Objection.

MR. HUNEVOL: Objection.

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

~~A Do I feel that I could?~~

~~A Yes.~~

A Possibly.

Q And you left the church in a car?

~~A No, sir.~~

~~Q Didn't you just testify?~~

~~A~~ No, I didn't say that we left in a car. We left walking, Mr. Stroud. You didn't ask me. I just said we had gotten a ride with this man, and we went as far as Castle Street.

~~Q Ma'am?~~

~~A That he went as far as Castle Street.~~

Q Who did?

A This man.

MR. HUNEVOL: Objection.

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

A The man that Hall asked could we have a ride, and he said that he was going up to Castle Street.

Q Do you road with him up to Castle?

MR. HUNEVOL: Objection.

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

A. That is right.

Q. So you didn't walk. You road up to Castle Street.

MR. HUNEVOL: Objection.

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

A. I didn't say we walked. We got a ride.

Q. So you couldn't get the man to ride another 5 to 7 minutes to be with your daughters?

MR. HUNEVOL: Object.

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

A. The man said he had a specific place he had to get to before the curfew came on. He could take us that far. Where he went afterwards I don't know, Mr. Stroud. He was on his way out at the time that Mr. Hall asked could we ride with him if he was going in that direction.

Q. When you got to Charles and Celestine Graham's house at 14 and Castle, were they there?

MR. HUNEVOL: Objection.

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

A. The aunt was there.

Q. Was there not a car there, Mrs. Shephard?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A I don't know, Mr. Stroud, if there was a car there or not. I didn't notice. I am sorry. His uncle was gone and I guess he had the car with him.

Q But you don't know.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A No, I don't remember.

Q How did you get home the next morning, Mrs. Shephard?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A His Uncle took us.

Q Took you and Hall?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A He was with us, took me - I got out and went to attend to the children.

Q Hall didn't go in to the apartment with you on that day?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A I don't recall him going in with me.

MR. BALLANCE: Your Honor, we object to this Monday and Tuesday. (Exception No. —)

Q And you say on Saturday you went to bed?

A Yes, Saturday morning after I got home; yes, sir.

~~Q You went home and went to bed?~~

~~A Yes, sir.~~

Q What else did you do on Saturday, Mrs. Shephard?

MR. FERGUSON: Object.

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

~~A Exactly what did I do all day?~~

~~Q Yes.~~

A I bathed. I ate. I talked to people.

~~Q Where?~~

~~A~~ There at the house, and I went next door to see the people next door.

~~Q Who were they *there*?~~

~~A~~ The Harris's; and I had called over and talked to Rev. Templeton and he said the young people had left the church; and he also said there was sniping in the area at that time. So I asked some of the young people to go out into the community and tell them not to go over there.

~~Q Mrs. Shephard, *I am* you are positive in *my* your mind now~~

~~that you did not go back to the church on Saturday~~

~~afternoon. *on Saturday evening.* Is that right? Or Saturday evening?~~

~~A That is right, Mr. Stroud. I know that I was not there.~~

Q Q Is that as much the truth as anything else you have told here today, Mrs. Shephard?

A That is the truth, Mr. Stroud.

Q Mrs. Shephard, do you recall at anytime a young boy there at the church getting his finger smashed in a door and you treating him?

A No, I don't recall treating anyone's finger, Mrs. Stroud. You know, I just didn't.

Q *I* Do you ^{not} recall a young man getting his finger smashed in a door and you took him over to Rev. Templeton's house?

A ~~No, I am sorry. I don't.~~

Q *I am* ~~And you are sure of that?~~

A ~~Yes, I am positive, Mr. Stroud.~~

Q ~~Now you say you had known Jerome Mitchell for some time. Is that right?~~

A ~~Yes, about a year.~~

Q ~~And that ^{He} came to your ^{my} house on many, many occasions?~~

A ~~Quite a few occasions.~~

Q ~~And wasn't ^{I was not any} this true of some of the other defendants, too, Mrs. Shephard?~~

A ~~No, that is not true. None of them came to my house except Joe had been there one time.~~

Q And you say you don't recall his having been at

your house on Saturday afternoon?

A. Who?

Q. Jerome Mitchell.

A. Jerome, I said that to the best of my knowledge

I don't recall him coming by there. He might have.

Q. You said he had been there so many times you couldn't recall if he had been there that Saturday afternoon.

Q. It would only be honest for me to say he had been because he put me there, but I just don't recall if he had come by that afternoon or not, Mr. Stroud.

Q. Now, Mrs. Shephard, in the letter you say that Allen Hall wrote you in which he has testified about in this letter you say nowhere in there does he say anything about telling the truth.

A. The word "truth" is not used.

Q. But in the letter he says, "Now when the man comes to see you tell him what you know." Is that right?

A. Yes.

Q. And didn't that imply to you that you should tell the truth, Mrs. Shephard?

MR. FERGUSON: Object.

MR. HUNEVOL: Object.

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

A. He didn't say what I knew about what.

Q. Well he wouldn't have written you unless he had

known that you had been at the church there with the defendant Chavis, would he?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection to why he wrote.

THE COURT: Objection sustained.

~~Q~~ But that is the statement that he used in the letter.

~~Is that correct?~~

~~A~~ Yes, that is what he said in the letter.

~~Q~~ Mrs. Shephard, don't you know that nothing you did or said or could do would prevent Allen Hall from serving 12 years in prison?

~~MR. BALLANCE: Objection.~~

~~MR. HUNEVOL: Objection.~~

~~THE COURT: Overruled. (Suggestion No. 1)~~

~~A~~ Would you repeat that, please?

~~Q~~ Don't you know that there is nothing you could do or say under any circumstances that would prevent Allen Hall from serving 12 years in prison?

~~MR. HUNEVOL: Objection.~~

~~THE COURT: Overruled. (Suggestion No. 1)~~

~~A~~ That anything I did or said would prevent him?

~~Q~~ Right.

~~A~~ No, he had already been sentenced.

~~Q~~ Now, Mrs. Shephard, on the occasion when you were outside at the church on that Friday and Saturday

and also Sunday, did you have occasion to see various spent ammunition shells, .22 caliber and also shot-gun shells out there in front of the church in front of the parsonage?

MR. FERGUSON: Objection.

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

A I'd have to be looking down, specifically looking for them I feel.

I not
Q ~~All I am asking you is~~ did you see any?

~~A No, sir.~~

Q Now on Friday night, Mrs. Shephard, do you recall any groups leaving or coming into the church with guns or any people leaving or coming into the church with guns?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A Most of the young men were out around. No, I don't, sir, except the time that I had specifically said, you know, coming in at that time excited about this situation that happened.

Leave question & answer
Q ~~Don't you know that on Friday night, Mrs. Shepard,~~ *I not*
there was an attempt to burn Mike's Grocery store just around the corner?

~~A No, Mr. Stroud, I don't know that.~~

MR. FERGUSON: Objection.

THE COURT: Overruled. (Exemption No. —)

Q And that police officers and firemen were shot at on that Friday night just around the corner from the church where you were?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exemption No. —)

A I wasn't out there. I didn't see them, sir.

Q Did you hear gunfire, Mrs. Shephard?

A ~~Yes, we heard gunfire.~~

Q You saw no people leaving or coming into the church with guns?

A Not into the church proper, sir.

Q During this time, Mrs. Shephard, you had occasion, did you not, to hear the defendant Chavis and other people standing up in front of the sanctuary at the church talking about various things?

MR. FERGUSON: Object.

THE COURT: Overruled. (Exemption No. —)

A If they were standing in front of the church, of the church itself, I did not hear what they were saying, Mr. Stroud, if they were having conversations among themselves.

Q Did you ever hear ^{some} anyone ~~or~~ talking over a P A system in the church ^{during the daytime.}

A During the daytime?

~~Q On a P A System in the church.~~

~~A Yes, during the daytime.~~

Q Who would that have been?

MR. FERGUSON: Object.

THE COURT: Overruled. *(Exception No. 7)*

Q That was on Friday. Isn't that right?

MR. FERGUSON: Object.

THE COURT: Overruled. *(Exception No. 7)*

A No, I believe that was on Thursday.

Q How about on Saturday or Sunday?

A No, because that was very early in the morning. No one was in the church itself Sunday.

Q Who was talking - Strike that. Mrs. Shephard, don't you know that during this time that you and a group were at the church; that the defendant Chavis had taken over the church and that Rev. Templeton had lost control of the situation there at the church?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

THE COURT: Sustained.

Q Mrs. Shephard, don't you know that during this time that the defendant Chavis was in the church teaching revolution?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. No.

THE COURT: Objection sustained.

Q. Mrs. Shephard, did you see Allen Hall with the defendant Chavis during the three days that you were there?

MR. BALLANCE: Object.

THE COURT: Overruled. (Exception No. —)

A. No, I don't recall seeing them together. You know, they might have come in together or something, but not any big conversation or anything that I saw.

Q. Mrs. Shephard, after February, 1971, did you continue your relationship with any of these defendants?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. That I would see some of the young people in the community.

Q. I am talking about these defendants, Mrs. Shephard.

A. These defendants?

MR. HUNEVOL: Objection.

THE COURT: Overruled. (Exception No. —)

A. I would see them in passing.

Q. Mrs. Shephard, do you recall marching with a group

leaving from Gregory Congregational Church on Wednesday before Mike's was burned on Saturday going to Hemingway Hall?

MR. HUNEVOL: Objection.

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

A No, I didn't march down there, sir.

Q Do you recall on Friday before Mike's was burned on Saturday marching to City Hall with a group from Gregory Congregational Church?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection. (*Exception No. —*)

A No, sir.

THE COURT: Overruled.

A I didn't go down to City Hall when they went to Hemingway Hall. I got a ride down there and then came back.

~~Q Did you get a ride to City Hall?~~

~~A No, sir, I didn't go to City Hall.~~

Q Mrs. Shephard, let me show this. It has been admitted into evidence as State's Exhibit number "15".

It's a shotgun. Do you recognize this?

A I am sorry. I don't recognize it as such.

not
~~Q~~ Do you recall seeing anyone poking a stick down the barrel of a shotgun during any of the time that you *l* were there at the church?
was

~~A~~ ~~No, sir.~~

Q And you don't recall having seen this shotgun at all?

A No, not in itself.

MR. FERGUSON: Your Honor, we object to clicking of the shotgun here.

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

(Solicitor had unbolted the shotgun, clicked it back and put it in the case.)

~~Q~~ ~~Mrs. Shephard~~, did you ever have occasion to go over to the annex, the Sunday School building, that was part of Gregory Congregational Church?

~~A~~ Yes, I had worked with a cultural enrichment program over there.

~~Q~~ How about (during that week in February that ^{you} we are talking about,) ~~Mrs. Shephard~~?

~~A~~ I don't recall being over there, ~~no, I am sorry.~~

~~Q~~ ~~Mrs. Shephard~~, did you ^{not} ever see any bottles like this around or outside of the church, wine bottles?

~~A~~ No, sir; not around the church.

Q Now, Mrs. Shephard, you testified that on that Tuesday night that firebombs were made at your house.

MR. HUNEVOL: Objection; move to strike the question.

MR. BALLANCE: Objection; move to strike.

(Exception No. —)

THE COURT: Objection overruled. Members of the jury, you will not consider this testimony as to any occurrences on Tuesday night as evidence for any purpose against the defendants Chavis, Patrick, Tyndall, Jacobs, Vereen, McKoy, Epps, Moore and Wright.

Q How did you know -

MR. HUNEVOL: Excuse me, your Honor. May I have a second to confer with co-counsel?

THE COURT: Yes, sir.

Q How did you know they were firebombs, Mrs. Shephard?

MR. HUNEVOL: Objection.

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

A Because Allen Hall said so.

Q Had you ever seen a firebomb before?

MR. HUNEVOL: Objection.

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

A No.

Q Now, Mrs. Shephard, did you go by and see the three burned buildings there on Ann Street - Pardon me. On 6th Street after they were burned that Saturday evening?

MR. HUNEVOL: Object.

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

A No.

Q You never had an occasion to go by there and see those buildings burned down?

A Do you mean anytime since then?

Q Yes.

A Yes, I am sure I have been down Ann Street since then.

Q Mrs. Shephard, don't know you know that on Friday night that there were people on the porch of the church shooting at police officers putting out police barricades up at 5th and Nun Street?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A I don't know it, sir. I wasn't out there.

Q In other words, Mrs. Shephard, what you are saying is you don't recall anything of any violent nature occurring at the church during any of the time that you were there. Is that right?

MR. HUNEVOL: Objection; move to strike that.

MR. BALLANCE: Objection to the summary. *(Exception No. —)*

THE COURT: Objection overruled; motion denied. *(Exception No. —)*

A You asked me had I been out on the porch with people shooting. I said no, I hadn't.

Q Taking into consideration all of your testimony

today are you now saying that during the time you were at the church on Thursday, Friday and Sunday that nothing occurred there of a violent nature?

MR. BALLANCE: Objection.

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

A Yes, it did occur.

Q Something did occur of a violent nature?

A Yes.

Q What was that, Mrs. Shephard?

MR. FERGUSON: Objection.

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

A A young man getting shot and the man on Sunday.

MR. BALLANCE: Object; move to strike.

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

Q Were you there when the young man got shot?

MR. HUNEVOL: Objection.

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

A When Chili got shot on Friday night, Mrs. Stroud. I am not talking about when the boy got killed on Saturday night.

Q I didn't mean to imply that. Excuse me. Was there anything else that occurred of a violent nature while you were at the church?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A Not that I saw, Mr. Stroud.

Q And you didn't see at anytime any of these defendants during that 3 day period with any weapons. Is that what you are saying?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A Mr. Stroud, I told you that when Chili came in I wasn't making notes of who had these weapons. I am sorry.

Q Yes, Ma'am, you said that several times. I am just asking you, Mrs. Shephard, if at anytime during that 3 day period if you saw any of these defendants with guns.

MR. BALLANCE: Objection.

MR. HUNEVOL: Objection.

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

MR. HUNEVOL: Your Honor, she answered that question many times.

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

A I couldn't say on the outside, Mr. Stroud, when it was so dark which one of the young people that I was seeing and in the church they did not have them except for the time that they came in there.

Q Mrs. Shephard, it is very simple. I am asking you if over a 3 day period did you recall seeing any of these defendants with any weapons?

MR. FERGUSON: Object to the question; been asked.

MR. HUNEVOL: Objection.

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

A That late Sunday morning I recall seeing Marvin Patrick with a gun in his hand that he was holding it near the parsonage.

MR. FERGUSON: Move to strike. *(Exception No. —)*

A That is the only time I recall anyone specifically that I can think of. I have thought very carefully about this, Mr. Stroud.

THE COURT: Members of the jury, you will not consider the testimony as to what Marvin Patrick did on Sunday morning as against the defendants Chavis, Tyndall, Jacobs, Vereen, McKoy, Epps, Moore and Wright. *(Exception No. —)*

Q Now, Mrs. Shephard, is there anyone else that you can identify as having been a person there at the church with a gun during that 3 day period?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A Allen Hall had one.

Q Anyone else?

A That was on Sunday morning.

Q Anyone else?

A There were some few of them there with several guns, and there were large groups of young people, and there were 2 or 3 that I saw, but, as I say, who had them specifically I am sorry, Mr. Stroud, I just did not notice who they were.

Q How many different people over that 3 day period did you see with guns?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection.

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

A I couldn't say how many different because, as I say, I didn't note who they were each time. It could have been the same people each time?

Q And you say some of these people with guns were young people?

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection. *(Exception No. —)*

A You know, teens, what I call young people.

MR. FERGUSON: We tried to get an objection in.

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

SOL. STROUD: State has no further questions of this witness, your Honor.

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

PENDER COUNTY

STATE OF NORTH CAROLINA)

-vs-

BENJAMIN FRANKLIN CHAVIS)
MARVIN PATRICK)
CONNIE TYNDALL)
JERRY JACOBS)
WILLIE EARL VEREEN)
JAMES HCKOY)
REGINALD EPPS)
WAYNE MOORE)
JOE WRIGHT)
ANN SHEPHARD)

TRANSCRIPT OF TESTIMONY

Burgaw, North Carolina

September 11, 1972.

Before: Robert M. Martin, Judge Presiding,
and a jury.

Appearances:

JAMES T. STROUD, Assistant Solicitor and DALE JOHNSON,
Assistant Attorney General, representing the
State of North Carolina.

JAMES FERGUSON and CHARLES BECTON, Esqs., of Charlotte,
N. C.; FRANK BALLANCE, Esq., of Warranton, N. C.;
JOHN HARMON, Esq., of New Bern, N. C., of counsel,
attorneys at law, representing the defendants
Chavis, Patrick, Tyndall, Jacobs, Vereen, Hckoy,
Epps, Moore and Wright.

MATHIAS P. HUNEVOL, Esq., of counsel, attorney at law,
representing the defendant Shephard.

Josephine L. Seila,
Official Court Reporter,
P O Box 718
Selma, North Carolina 27576.

THE COURT: Anything further, Mr. Hunevol?
No, Your Honor, I don't have anything further
of Mrs. Shephard. I'd like to call Mr. Ben-
jamin Wonce.

THE COURT: Yes, sir.

BENJAMIN EDWARD WONCE, called as a witness on behalf
of the defendant Shephard, being duly sworn, testi-
fied as follows:

DIRECT EXAMINATION (BY MR. HUNEVOL:)

~~Q Mr. Wonce, would you please state your full name~~ *My*
~~to the Court?~~

~~A Benjamin Edward Wonce.~~

~~Q Where do you live?~~

~~A 807 North 6th Street, Wilmington, North Carolina.~~

~~Q How long have you been living in Wilmington?~~

~~A All of my life.~~

~~Q How old are you?~~

~~A~~ *I am* 19 years old.

~~Q Where are you going to school?~~

~~A South Moore at Shaw University, Raleigh, North
Carolina.~~

~~Q Have you ever been convicted of any crimes before,~~

~~Mr. Wonce?~~
~~A~~ *I was convicted on* December 28, District Court, *at* disorderly conduct.

~~Q How old were you then?~~

~~A~~ *I was* 18 years old *then*.

~~Q~~ ^{I was} ~~Were you at the Gregory Congregational Church on Thursday, February 4?~~

~~A~~ ~~I was.~~

~~Q~~ ~~Had you been there earlier in the week?~~

~~A~~ ~~Yes, I was there earlier in the week.~~

~~Q~~ ^{I was} ~~Were you there at the church Friday 4th?~~

~~A~~ ~~Yes, sir.~~

~~Q~~ ^{I was} ~~Were you there on the 5th and 7th?~~

~~A~~ ~~I was there.~~

~~Q~~ ~~On the 7th?~~

~~A~~ ~~I was there on the 7th.~~

~~Q~~ ^Q ~~Did you see Ann Shephard there on Thursday, February 4th?~~

~~A~~ ~~She was there.~~

~~Q~~ ~~Friday, she was there, too. Is that correct?~~

~~A~~ ~~Friday I just don't remember her being there. She might have, but Friday and during the daytime there was a very massive crowd.~~

~~Q~~ ~~Do you recall what time you got there on Friday the 5th?~~

~~JUROR 1: Your Honor, I am having trouble hearing the witness.~~

~~THE COURT: Move up and speak up louder.~~

~~Q~~ ~~Mr. Wonce, do you recall what time you got there~~

(^{on} Friday 5th of February, 1971?)

A I was there all day.

~~Q Did you stay all night?~~

A I stayed there all night.

~~Q Were you there on this Saturday?~~

A ~~No,~~ I left Saturday about - I would say between 10 and maybe 11 A.M.

~~Q Did you come back?~~

A I returned about between 3 and 4 o'clock that afternoon.

~~Q Did you remain, how long did you remain in the church after 3 or 4 o'clock?~~

A I stayed Saturday night *at the church.*

~~Q Stay until Sunday morning?~~

A On Sunday morning I stayed.

Q Did you ever during the period you were at the church Saturday, February 6, 1971, see my client, Ann Shephard, in that church?

A I did not see Ann Shephard on Saturday.

~~Q Did you say Saturday?~~

~~A Saturday, February 6.~~

MR. HUNEVOL: I have no further questions.

THE COURT: Mr. Ferguson;

MR. HERGUSON: We have no questions at this time.

We reserve the right to call him back.

CROSS EXAMINATION BY SOL. STROUD:

Q Mr. Wonce, you say on Saturday night, February 5, -

A February the what? Saturday night didn't come on the 5th. It come on the 6th. No, I said the 6th.

Q If you will allow me to finish my question. Then you can answer. Didn't you say Saturday night, February 5th?

A No, sir.

~~Q What did you say?~~

~~A I said Saturday night, February 6th.~~

~~Q So you were at the church every day that week?~~

~~A From February 2nd.~~

~~Q February 2nd through when?~~

~~A February 7th.~~

~~Q And how many of those nights did you spend at the church, Mr. Wonce?~~

~~A I stayed every night at the church from 7 to 7.~~

Q And on each of these nights were there several people that stayed there at the church, Mr. Wonce?

A Yes, there were several people.

Q And how is it that you recall Saturday night that Ann Shephard was not at the church?

A Well Saturday night we had a very, very thin crowd,

and you just couldn't miss her. If she was there you would have seen her.

~~Q A very, very thin crowd?~~

~~A Saturday night.~~

~~Q Saturday night?~~

~~A Yes.~~

~~Q Did you leave the church Saturday night, Mr. Wonce?~~

~~A Saturday night I did not leave the church.~~

Q Did you see any of these defendants at the church Saturday night?

A Well I don't recall any but one and that was after 12 o'clock I saw one,

~~Q Who?~~

~~A Connie Tyndall.~~

~~Q How about between 5 and one?~~

~~A I just don't recall seeing any of the others, no.~~

~~Q At the church?~~

~~A Not at the church. I said I don't recall seeing any of the others at the church.~~

Q And you were in the church the whole time?

A Back and forth from the parsonage to the church.

~~Q Did you see any of them in the parsonage on that Saturday night?~~

~~A No, I don't recall seeing any of them there.~~

~~Q Do you know Allen Wall?~~

~~A~~ I know Allen Hall.

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

~~A~~ I don't know Jerome Mitchell personally, but I have met him.

~~Q~~ ~~Did you see them at the church Saturday night?~~

~~A~~ I have never seen Jerome Mitchell to the church at all, but I did on one occasion spot Allen Hall.

~~Q~~ Did you see him there on Saturday night?

~~A~~ Saturday night, February 6.

~~Q~~ You didn't see the defendant Chavis on Saturday night, Mr. Wonce?

~~A~~ Saturday night? Yes, I saw him.

~~Q~~ Where did you see him?

~~A~~ He was at the church.

Q I thought you just finished saying that you only saw one of the defendants at the church on Saturday night.

A You asked me about the daytime. You said between 4 and 5.

Q I asked you between 5 and 1.

A I made a mistake. I saw him.

~~Q~~ ~~Where did you see him?~~

~~A~~ I just said he was at the church, inside the church.

Q Let's see if you made any other mistakes.

MR. FERGUSON: Objection.

MR. HUNEVOL: Objection to the form of the question.

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

Q ~~Q~~ Did ^{*not*} you see Joe Wright at the church?

~~A~~ No.

~~Q~~ You know Joe Wright?

~~A~~ I know all the defendants.

~~Q~~ How long have you known Joe Wright? *Q*

~~A~~ We were high school students together.

~~Q~~ You are pretty close friends?

~~A~~ What do you call close friends? I don't see him that much now. I didn't hang around with him back then in February.

~~Q~~ You knew Joe Wright?

~~A~~ I said I knew Joe Wright.

Q ~~Q~~ Did ^{*not*} you see him anytime on Saturday at the church, Mr. Wonce?

~~A~~ No, I didn't see Joe Wright.

~~Q~~ Now how about the defendant Jerry Jacobs?

~~A~~ I did not see the defendant Jerry Jacobs at the church on Saturday.

~~Q~~ At all?

~~A~~ At all. *↙*

~~Q~~ How long have you known Jerry Jacobs? *I were*

~~A~~ High school students together.

~~Q Do you know him fairly well?~~

~~A Yes, I know him fairly well.~~

~~Q How about the defendant Reginald Epps? Did you see him at the church on Saturday?~~

~~A I did not see Reginald Epps at the church on Saturday night.~~

~~Q How about (Saturday during the day?)~~

~~A I don't recall seeing him [↑] there. Mr. Strout -~~

~~Q Yes, sir.~~

~~A Maybe if you let me qualify for this I could tell you what was going on at the time during the daytime.~~

~~Q Just let me ask you questions, and then you answer the questions. O K?~~

MR. FERGUSON: Your Honor, we ask that the witness be instructed he can answer the question and give any explanation.

THE COURT: O K. Proceed.

Q How long have you known Reginald Epps?

A High school students.

~~Q Do you know him fairly well?~~

~~A Fairly well.~~

~~Q How about the defendant James McKoy? Did you see him at the church on Saturday?~~
the defendant James McKoy ^{Not}

~~A I did not see James McKoy.~~

Q How long have you known James McKoy?

A High school students.

~~Q Are you fairly close friends?~~

~~A I know him fairly well.~~

~~Q How about the defendant Connie Tyndall? You saw him after 1 o'clock?~~

~~A Late after 12 o'clock sometime.~~

~~Q Had you seen him anytime earlier in the evening at the church?~~

~~A No, I did not.~~

Q How long have you known Connie Tyndall?

A High School students.

~~Q Again, close friends?~~

~~A Know him fairly well.~~

~~Q When was the last time you saw Connie Tyndall before today?~~

~~A Before today?~~

~~Q Yes.~~

~~A Last Wednesday when I was in court. I mean last Thursday when I came to court.~~

Q Have you seen any of them socially lately; any of the defendants?

A Socially?

Q Yes, at a club or on the street?

A I have talked to them after the court session; no clubs.

I did not see the
~~Q How about the defendant Willie Earl Vereen? Did you see him at the church on Saturday?~~

~~A No, I did not see Willie Earl Vereen.~~

Q How long have you known Willie Earl Vereen?

A High school.

~~Q Again, pretty close?~~

I know him
~~A Again, fairly well.~~

~~Q Did you ever play in a band with a Willie Earl?~~

I
~~A No, I don't play an instrument.~~

I did not see
~~Q How about the defendant Marvin Patrick? Did you see him at the church on Saturday night?~~

~~A I didn't see Marvin.~~

Q How long have you known Marvin?

A We wasn't in high school together, but I met him playing sandlot football.

Q Pretty close friends?

A We don't hand together, no.

I did not see
~~Q How about the defendant Wayne Moore? Did you see him at the church on Saturday?~~

~~A I did not see him at the church.~~

~~Q How long have you known Wayne Moore?~~

~~A We were in high school together.~~

~~Q~~ Again, close friends?

A Know him fairly well.

Q Now how did you know the defendant Chavis before February of '71?

A I think I had occasion to glance at him some office on Fourth Street at the Neighborhood Youth Center. I didn't know him by name, no.

~~Q~~ And in February 1971 you were a high school student?

A ⁱⁿ February '71, ~~yes~~, I was ⁱⁿ high school.

~~Q~~ What school did you attend?

A That year I was ^{at} New Hanover High School.

Q Do you know John Robinson if February of 1971?

A I didn't know John Robinson at all.

~~Q~~ Did you ~~ever~~ ^{not} see a white van at the Gregory Congregational Church?

A ~~I don't recall a white van at Gregory.~~

Q Do you recall on a Thursday evening more specifically - you were there Thursday evening?

A I was definitely there Thursday evening.

~~Q~~ On that Thursday evening ^I do you ^{not} recall a white van being pulled up next to the side at the playground and items being moved out of the van back and forth between the church and the van?

A ~~No, I don't recall that.~~