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A I'm not sure. I probably did.

Q Did have any occasion in mid-February--
after February 17, 1970--to show or give your floppy
hat to anyone else, including Detective Beasley?

A I didn't give it away; no.

Q Well, I didn't mean to give it away.

A Well, I wore it all the time.

Q Did you see Detective Beasley on or about
the early morning hours of February 18, 1970, at the
Hickory Trailer Court?

A Yes, sir.

Q What happened, if anything, at that time
involving yourself and Detective Beasley?

A There was a drug bust.

Q Were you taken into custody at that time?

A More or less.

Q Yes?

A Yes, sir.

Q Do you know whether or not you were
detained for the CID to meet with you on that date or
on a subsequent date?

A I was, but they never showed up so I was
released.

Q What date was that that we are talking
about--that you were held for the CID?

1 A It should have been about the 18th.

2 Q Now, you were picked up, you say, at the

3 Hickory Trailer Park; is that right?

4 A Yes, sir.

5 Q And that is located where?

6 A In Spring Lake.

7 Q Spring Lake is near Fayetteville; is that

8 right?

9 A Yes, sir.

10 Q Just a few miles outside of Fayetteville?

11 A Yes, sir.

12 Q You were taken down to the police station

13 in Fayetteville?

14 A Yes, sir.

15 Q Did Detective Beasley take custody of you

16 at some time there?

17 A Yes, sir.

18 Q Do you know why the CID was called in

19 connection with an arrest that had been made in

20 Spring Lake which was not on military property?

21 A It involved several Fort Bragg soldiers.

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BY MR. SEGAL:

Q Do you know whether or not at that time you were being held for investigation in connection with possible involvement in the MacDonald murders?

A Only what I assumed.

Q You only assumed that?

(Witness nods affirmatively.)

Q Let me ask you--how long did you continue to own the floppy hat after February 17th, 1970?

A Maybe six or seven months. And it was stolen and I got another one.

Q You say, six or seven months, and then it was stolen?

A I started to wear it less and less frequently.

Q You started to wear it less and less frequently after February 17th, 1970?

A Yes, sir.

Q And for what reason was that?

A Because of the connection that people were coming up to me and assuming that, since I wore the floppy hat, I was the girl in question. And I stopped wearing the hat.

Q What about your blond wig? Did you wear that very much after February 17, 1970?



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1 A Not at all; I got rid of it.

2 Q What's that?

3 A I got rid of the blond wig.

4 Q You got rid of the blond wig? What date did

5 you get rid of the blond wig?

6 A 19th or 20th--somewhere around there.

7 Q 19th or 20th of February, 1970; is that

8 right?

9 (Witness nods affirmatively.)

10 Q It is fair to say you got rid of it, again,

11 because it connected you possibly with the MacDonald

12 murders?

13 A Yes.

14 MR. BLACKBURN: OBJECTION.

15 MR. MURTAGH: OBJECTION.

16 THE COURT: SUSTAINED.

17 BY MR. SEGAL:

18 Q What was the reason you got rid of it?

19 A Because it connected me with the murder.

20 Q What about your boots? What happened to

21 them?

22 A The heel came off of one of them, and I just

23 got rid of them.

24 Q Got what?

25 A The heel came off and I got rid of the boots.

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Q Didn't bother to fix it; right?

A No.

Q What pair of boots did the heel come off?

A The white ones.

Q The white ones? Where did you get rid of them?

A I threw the boots in the trash can and I burned the wig.

Q Did that happen around the 18th or 19th of February that you got rid of them?

A Yes, sir.

Q Where is it that you broke the heel on those boots?

A I am not sure. I just put them on one morning and found out the heel was broken. I don't know where I broke it at.

Q This arrest that you were taken in custody for on the 18th of February--did any CID Agents show up to talk to you about that--whatever matter it was that you were being held in custody for?

MR. BLACKBURN: OBJECTION.

THE WITNESS: Not at that time.

BY MR. SEGAL:

Q Not at that time? At any time in February, 1970, did any CID Agent come up to you and talk to you

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about it?

A It was either February or March. I am not sure. I was in jail, and two came down to see me.

Q You are talking about the drug arrest, or some other matter?

A It was a drug arrest.

Q They did not talk to you anything about the MacDonald case, did they?

A That was what they came and talked to me about.

Q I am sorry; I misunderstood you. They came and talked to you about what, then?

A About the MacDonald murders.

Q Did you talk to them about that?

A Yes, sir.

Q Do you know what you told them at that time?

A No, sir.

Q Do you have any recollection at all about what you said at that time?

A No, sir. I just went through the same thing about not knowing where I was that night and that was all I could tell them.

Q Ms. Stoeckley, do you know what your blood type is?

A Not offhand.

1 Q Not offhand? I want to ask you one ques-
2 tion slightly out of order. I neglected to get to it
3 before, but you told us you went to Fort Bragg a number
4 of times because you went to Womack Army Hospital; is
5 that right?

6 A Yes, sir.

7 Q Did you also visit other areas at Fort Bragg?

8 A On occasion.

9 Q Do you know any shopping center at Fort
10 Bragg--any shopping area at Fort Bragg?

11 A Yes, sir.

12 Q Where is the shopping area located?

13 A I used to stop at one on my way to Womack
14 sometimes, or going back home.

15 Q Which one was that?

16 A Melony Village.

17 Q Melony Village? Do you know what the name
18 of the streets were where that intersected?

19 A One is Honeycutt.

20 Q Now, to your knowledge, is there a picture
21 that now exists that shows the way you looked in 1970
22 with the blond wig on, or with the blond wig and your
23 floppy hat on?

24 A I never had a picture taken with that wig
25 on.



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1 MR. SEGAL: At this time, I propose
 2 to show her an exhibit.
 3 MR. BLACKBURN: Your Honor, we would OBJECT
 4 to this.
 5 MR. SEGAL: That figures.
 6 MR. MURTAGH: We OBJECT to that comment,
 7 Your Honor.
 8 THE COURT: OVERRULED.
 9 BY MR. SEGAL:
 10 Q I want to show you an exhibit which is marked
 11 D-89 for identification.
 12 (Defendant Exhibit 89 was marked
 13 for identification.)
 14 I would like for you to take a look at this
 15 exhibit, which I think it is fair to describe to you as
 16 an artist's representation. Does this exhibit, first of
 17 all, appear to be a representation--a fair representa-
 18 tion, as an artist might view it--of the way you would
 19 look in February of 1970 or January, 1970, with your hat
 20 and wig on?
 21 A Not completely; no.
 22 Q All right; in what way would you think it was
 23 different--it would be different to more correctly re-
 24 flect the way you look?
 25 A The chin is not that square.

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Q You say the chin--your actual chin--is, you don't think, quite as square as the artist has shown it?

(Witness nods negatively.)

Q You have to say "yes" or "no," please.

A No, sir.

Q Anything else?

A The hat was square at the top, instead of rounded like this one.

Q A little squarer at the top? Would that be correct? Or a lot squarer? I don't mean to give you the value.

A Just a little bit.

Q A little squarer? Aside from those two items does that picture fairly represent the way you looked if you wore your floppy hat and wig at that time?

A Yes, sir.

MR. SEGAL: May it be published to the jury, Your Honor?

MR. ANDERSON: OBJECTION.

MR. BLACKBURN: OBJECTION.

THE COURT: Well, I suppose that it is objectionable, in that this witness says that if you are trying to show how she would have looked, I don't get the impression that this witness agrees that that is the way she would have looked. She says the hat is different and

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the chin is different.

MR. SEGAL: Well, Your Honor, the

statement about the hat as slightly squarer--we can correct that---

THE COURT: (Interposing) Well, now,

the word "slightly squarer" was your word.

MR. SEGAL: I asked her if that was her

words. Did she accept that, or was I wrong? Let me put it back to you.

THE COURT: Take a look at this photo-

graph (sic) and see whether or not you think that it looks like you would have looked with your hat on and your chin at that time?

THE WITNESS: My hat on and my chin?

THE COURT: Yeah; your hat on and your

chin. It is a fair representation of how you would have looked at that time? Just say "yes" or "no."

THE WITNESS: Yes, sir.

THE COURT: All right, now; I will let

you proceed.

MR. SEGAL: If Your Honor please, I

would like to publish it in fairness with the square hat, the original--the squared hat in the drawing here.

THE COURT: All right.

(Go to the next page.)

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received in evidence.)

(Exhibit passed among the jury.)

BY MR. SEGAL:

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Q After you were interviewed in Nashville, Tennessee, in 1971, when did you have occasion to leave there--what year or month, if you recall?

A I am not sure of the month. It was sometime I think in late '73 or early '74.

Q At that time was anyone contacting you or had anyone contacted you about the MacDonald case again?

A While I was in Nashville?

Q Yes.

A Yes, sir.

Q Who was that?

A Detective Beasley and Dick Mahon from the CID.

Q We know about an early contact, you know, in 1971. Are you talking about a second time he came to see you?

A No, sir.

Q Did your leaving Nashville at that time have anything to do with the fact that there was any investigation pending in the MacDonald case?

A No, sir.

Q Where have you lived? Just tell us the cities where you have lived since that time until you were brought here the other day?



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=14 p2

1 A Well, I went back to Fayetteville;
2 Cincinatti, Ohio; Daytona Beach; Deland, Florida;
3 Greenville, South Carolina; Columbia, South Carolina;
4 up to Wahalla, South Carolina. That's where I was
5 picked up.

6 Q And you told us before that you didn't have
7 any permanent address during that period of time after
8 you left Nashville?

9 A No, I never stayed in those places.

10 Q Did you know that anyone was trying to
11 locate you to interview you in connection with the
12 MacDonald case?

13 A Yes, sir.

14 Q And what if anything did you do when you
15 found out that they were looking to interview you?

16 A I just didn't want to be bothered so I
17 moved again.

18 Q How many times did you move to avoid being
19 interviewed?

20 A About three times.

21 Q Were you present in that house in Wahalla
22 last week, when a woman lawyer came to that house in
23 the evening?

24 A When a woman lawyer?

25 Q Yes, a black woman?

#14 p3

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A No, sir..

Q You were not, all right.

I want to show you some photographs that you may have seen yesterday also.

MR. SEGAL: They are marked for the record Government Exhibits 23, 24, and 75? These have been previously described in this case as being some of the photos taken of the MacDonald living room.

I ask you to look at all three of them first please.

(Witness complies.)

BY MR. SEGAL:

Q Have you done that, Ms. Stoeckley?

A Yes, sir.

Q I ask you to give particular attention, if you will, please, to the photograph which is marked G-75, which shows sofa, coffee table, and part of the hallway and some clothing in the MacDonald house. Would you look at that, please?

Do you have any reason to believe that you have seen that scene before prior to being shown the photographs yesterday and today?

A No, sir.

Q Do you have any reason to believe that you were ever standing in that place?

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A No, sir.

MR. SEGAL: May we approach the bench, Your Honor?

B E N C H C O N F E R E N C E

MR. SEGAL: At this time, Your Honor, I ask for leave of Court to take this witness as on cross, because she is a surprise and hostile witness.

I represent to the Court that during the interviews with me and with other persons present she stated that when she looked at the picture she had a recollection of standing over a body holding a candle, seeing a man's body on the floor.

I also may say, Your Honor, we are now down to the bottom five or six critical things that she revealed yesterday. I have a feeling, based upon her answer to this one now, that when and if I ask her in direct fashion, that I may get negative answers.

I had no anticipation of that, because yesterday throughout the time that she made these statements, we accepted them, did not expect contrary.

We have not had any different statements from her and we feel that we are entitled to the plea of surprise as well as the fact, I think, at this point-- the extent of her hostile relationship not in terms

1 of manner but the hostility of her interest to the
2 Defendant.

3 I am going to tell Your Honor the other
4 things that she has said. Would that be appropriate
5 now to expedite, or should we do it one at a time?

6 THE COURT: Well, if it will save
7 any trips up here maybe you should tell us now.

8 MR. SEGAL: She has already actually
9 said something, and I did not want to raise a surprise
10 question. I want to do it all at one time. The photo-
11 graph that I showed her of the bedroom of Kristen
12 MacDonald: during the interview yesterday, she stated
13 that she remembered riding the rocking horse when she
14 looked at that picture.

15 She also stated yesterday she remembered
16 standing at the end of the sofa holding a candle. She
17 also said when she saw the body of Kristen MacDonald--
18 the one when she was clothed, with the baby bottle--
19 that that picture looked familiar to her.

20 That scene looked familiar. She also said
21 when she was shown the photograph of Colette MacDonald--
22 the same one I showed her today--that she said that the
23 face in that picture looked familiar, except that the
24 chin was broken and made it a little hard.

25 She also stated--and I'm going to get to it--



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1 she's gotten to the point where she does not sound
2 like she is going to cooperate further--that she
3 was standing of the corner of Honeycutt across from
4 Melony Village.

5 She has a recollection of standing there
6 during the early morning hours of February 17th, 1970.
7 She further stated yesterday, and I intend to ask her
8 now, that she has a recollection of standing outside
9 the house looking at her hands and saying, "My God, the
10 blood; oh my God, the blood."

11 She said that took place February 17, 1970.
12 There are witnesses to each of these things. I must
13 say, Your Honor, there were persons present the entire
14 time this took place.

15 I intend to now ask her directly each of
16 these questions. If she refuses or denies her state-
17 ments I ask for leave to confront her:

18 "Did you not say that yesterday when you
19 were confronted with these photos?"

20 If she persists in denying it we will
21 of course impeach her as we have the right to impeach
22 her under the rules. Although we have called her as a
23 witness, there are rules that permit that to be done.

24 When I am done with that I intend to turn
25 her over for cross-examination.



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#14 p7

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MR. BLACKBURN: Of course, I was not

there when she talked with the Defense yesterday,
but in her interview with the Government none of those
statements were made. She specifically told us---

THE COURT: (Interposing) Did you
ask her any?

MR. BLACKBURN: Yes, sir. She specifi-
cally told us that she had been shown the photographs
and we asked her, "Did you recognize any of the scenes
in those photographs?"

The answer was no. I asked her, "Have you
ever been in that house?" She said no. I said, "Do
you know anything about that?" "No." "Who do you
think did it?" "Dr. MacDonald." You know, it just went one
right after the other.

I discussed--I told Mr. Smith last night
what she told us. I was under the impression to this
very moment that what she told us was essentially what
she told them.

It is difficult for me--you know--I am not
saying that they are not saying what she said. I just
don't know which way it is, because she has not indi-
cated anything to the Government.

MR. SMITH: Judge, here I think is
where we are. Generally, she said to us the same thing

=14 p8

1 and that is, "I don't remember." But in two or three
 2 or four instances--whatever the list would reveal--she
 3 says something which would give an interesting insight
 4 into her mind.

5 I would submit that we have a right to
 6 cross her on those; if she denies them then they have
 7 a right to impeach her on the statements or show that
 8 she did not say anything like that.

9 THE COURT: I am not going to cross
 10 the hostility thing until there is a reason shown to
 11 indicate it; but I am going to ask the witness a
 12 question myself.

13 (Bench conference terminated.)

14 THE COURT: Ms. Stoeckley, how long
 15 did you spend yesterday talking to Defense counsel in
 16 this case--Mr. Segal, Mr. Smith, and others?

17 THE WITNESS: About three and a half to
 18 four hours.

19 THE COURT: Did you thereafter talk
 20 to the Government's attorneys?

21 THE WITNESS: Yes, sir.

22 THE COURT: Had you ever seen them
 23 and talked to them before?

24 THE WITNESS: No, sir. One member I had
 25 before.

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THE COURT: Now, did you tell both sides the same story?

THE WITNESS: As far as I know, yes, sir.

THE COURT: All right, that was the question I was going to ask.

BENCH CONFERENCE

THE SEGAL: The point--each of the things that I am representing to the court were said in the presence of other witnesses. It is not a question of my saying it. It is not going to be counsel and the witness.

I intend to fully call those people.

THE COURT: I am confident of that. You would not stand here and tell me that she said one thing unless she said it.

MR. SEGAL: And not be able to back it up.

THE COURT: But I tell you what, if Blackburn tells me that she told him that, I am going to say that too. I don't know where you are going with this kind of testimony, but go on. I am not going to, on the 25th day of the trial-- I ain't going to stop now just because it don't make any sense to me.



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MR. BLACKBURN: Judge, does that mean

that he can ask as on cross?

THE COURT: No, I have not said that.

I said I would make that decision when we come to it.

(Bench conference terminated.)

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THE COURT: Any further questions of

this witness?

MR. SEGAL: Yes, Your Honor--a few

basic matters. We are getting to the end of this.

BY MR. SEGAL:

Q Ms. Stoeckley, I asked you before to take a look at some photographs of what we have had identified here at the trial as the body of Kristen MacDonald-- Government 60, 70, 59 and 84. Do you recall these photographs?

A Yes, sir.

Q When I asked you before whether they seemed familiar to you, do you recall saying that the scene did not seem familiar to you as your answer today in court?

A Yes, sir.

Q Do you not recall at this time that yesterday, as you were sitting in the room outside the courtroom, when you were shown---

MR. BLACKBURN: (Interposing) Your Honor, excuse me. We would OBJECT to this type of question.

THE COURT: Let me just ask the question. Were you asked that same question by this lawyer yesterday?

THE WITNESS: Yes, sir.

THE COURT: What did you say then?



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THE WITNESS: Well, I studied the pic-

ture for a while, and I don't know. I just don't recognize it.

THE COURT: Is that what you told him, or did you tell him something different?

THE WITNESS: Well, the younger girl just looked like--I don't know. She looked like a little girl I had seen before. That's all.

BY MR. SEGAL:

Q Do you recall talking, when I was not in the room, in the presence of Jane, about those pictures?

A I was just trying to see if I had ever seen any members of the family before.

Q I understand that, Ms. Stoeckley, but I am asking you, though---

A (Interposing) I said I could have seen Collette somewhere on Post.

Q Let's back up a second, though, please. We've got two subjects together and I need to do one at a time. Do you recall yesterday that when I was not asking you any questions, but you were talking with Jane Zillioux, the lady from Nashville--do you recall that when you sat there looking at that picture you said---

MR. BLACKBURN: Your Honor, we would OBJECT.

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THE COURT: Yes; I will SUSTAIN that.

MR. SEGAL: Your Honor, there is a plea of surprise in this matter in regard to the answer. I think we are entitled to present the question in this form---

THE COURT: (Interposing) Let me ask her one more time.

MR. SEGAL: Yes, Your Honor.

THE COURT: Have you told anybody else when this lawyer was not there any different story about whether or not you recognized these pictures or anybody in them?

THE WITNESS: What I just said about Collette and the youngest girl.

THE COURT: He wants to know, though, have you looked at these pictures and told somebody else that you did, in fact, recognize this scene, or that you had been there, or something of that nature?

THE WITNESS: Not that scene.

BY MR. SEGAL:

Q Let me hand the group of photos back to you again. Ms. Stoeckley, do you recall, just as you are now, sitting on the stand, looking at those photos--do you recall staring at those photos at some length when Jane Zillioux was sitting just about next to you in that

1 room in this building?

2 A I mentioned something about the rocking
3 horse.

4 Q Yes; all right, will you tell us about the
5 rocking horse--what you recall saying about it?

6 A I made some comment about it being broken or
7 something.

8 Q Does the picture show anything about a broken
9 rocking horse?

10 A I can't tell if it is broken or not. It
11 looks like it is.

12 Q Beg your pardon?

13 A It looks like it is broken.

14 Q It looks like it is broken? Let's take a
15 look, and if you can show us, perhaps--may I hold up this
16 photo, please--the photo that is marked G-59? As a mat-
17 ter of fact, we even have a larger one of this. May we
18 use that, please? Well, in this cornucopia of photos,
19 we are having a little trouble finding it. Mr. Murtagh,
20 do you know where it is?

21 MR. MURTAGH: No; I don't.

22 MR. SEGAL: You wouldn't know where it
23 is; all right.

24 (Pause.)

25 BY MR. SEGAL:

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Q Ms. Stoeckley, I am going to put here on

the easel, so that the members of the jury can also look with you the first of two photos. One is an enlargement marked G-982; then the other is marked G-145(a). Can I impose upon you, please, to perhaps step down here next to the witness stand, look at the photograph and tell me, how does it appear to be broken in any fashion?

A The part going to the spring.

Q That looks broken to you; is that right?

(Witness nods affirmatively.)

Q Now, let me show you the photograph that is marked 145(a). You also see in the lower left-hand corner the rocking horse; is that right?

A Yes, sir.

Q Does that look broken to you there also?

A No.

MR. SEGAL: You may go back to the stand, please.

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BY MR. SEGAL:

Q Now, do you recall what you first said when you first observed that photo yesterday in the book that I showed you--the black one?

MR. ANDERSON: OBJECTION.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Please, Ms. Stoeckley, what did you say about the rocking horse?

A That was the first thing I muttered is that it was broken, and when you asked me what I said, I just said nothing.

Q Beg your pardon?

A You asked me what I said, and I said nothing and shrugged it off.

Q Did you say anything at all about your having touched or used that rocking horse at the time?

MR. ANDERSON: OBJECTION.

THE COURT: OVERRULED.

THE WITNESS: Not at that time; no.

BY MR. SEGAL:

Q At what time?

A I don't even remember saying that yesterday at all.

Q At what time did you ever say anything

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about touching the broken rocking horse?

MR. BLACKBURN: Your Honor, we OBJECT.

THE COURT: I SUSTAIN that.

MR. SEGAL: I thought the witness
said, "Not at that time."

BY MR. SEGAL:

Q What did you mean, Ms. Stoeckley, when
you said "Not at that time"?

A Just that I didn't say it yesterday; no.

Q Did you ever say it?

A Not that I recall.

Q Ms. Stoeckley, do you have a recollection
of standing or of ever being outside of 544 Castle
Drive late at night?

MR. BLACKBURN: Your Honor, we OBJECT.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Do you have such a recollection?

A No, sir.

Q Do you have a recollection of weather
conditions in the vicinity of 544 Castle Drive on
February 17, 1970?

A No, sir.

MR. SEGAL: If Your Honor pleases,
I plead surprise for the reasons I have already stated.

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THE COURT: Ask your question.

BY MR. SEGAL:

Q Did you not say yesterday when you were sitting in the witness room that you recalled standing outside on February 17th in the early morning hours in the rain and looking at your hand?

MR. ANDERSON: OBJECTION.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Do you not recall saying that?

A No, sir.

Q Do you recall looking at your hands at any time time on February, the 17th, 1970, in the early morning hours?

A Not on that day; no.

Q Well, I am concerned about that early morning.

A No, sir.

Q Did you not say yesterday when you were in the witness room that you had a recollection of looking at your hands and seeing something on them? Do you recall that?

MR. ANDERSON: OBJECTION.

THE COURT: OVERRULED.

BY MR. SEGAL:

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1 Q What's your answer, Ms. Stoeckley?

2 A No, sir.

3 Q Are you saying you did not say that
4 yesterday?

5 A I don't remember saying it; no.

6 Q Do you recall saying it to Jané Zillioux?
7 Do you want me to bring her in?

8 MR. BLACKBURN: OBJECTION.

9 MR. MURTAGH: OBJECTION.

10 MR. SEGAL: It is a question of
11 recognition of who she was talking to. It ought to be
12 an issue here.

13 THE COURT: Well, I believe the
14 witness has indicated that she talked to somebody
15 named Jane. I don't know what that last name is. I
16 can't hear it. Did you talk to somebody named Jane
17 yesterday?

18 THE WITNESS: Yes, sir.

19 THE COURT: What did you tell her
20 about looking at your hands?

21 THE WITNESS: I don't remember saying
22 anything about my hands.

23 THE COURT: All right.

24 BY MR. SEGAL:

25 Q Did you say anything to Mr. Beasley about

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it?

A No, sir.

Q To Mr. Underhill yesterday?

A No, sir.

Q Were you on the corner of Honeycutt and Lucas near Melony Village on the morning of February 17, 1970?

A Not that I know of.

Q Do you recall being asked about that yesterday?

A Yes, sir.

Q Do you recall what you said about that yesterday?

A I said I had been on that corner before, but I couldn't have been there that morning.

Q How do you know that you couldn't have been there on that morning if you don't know where you were?

MR. BLACKBURN: OBJECTION.

THE COURT: I will SUSTAIN your objection. You can't argue with this witness.

BY MR. SEGAL:

Q All I want to know is: I thought you told us before that you did not know where you were between midnight and 4:35 on February 17; that was

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1 your testimony; wasn't it?

2 A That's true.

3 Q Can you say for certain that you were not
4 on the corner of Melony (sic) and Honeycutt that
5 morning?

6 A No; I can't.

7 Q Now, I asked you a few minutes ago to
8 look at the pictures--

9 MR. SEGAL: Your Honor, indulge me
10 for a second.

11 (Pause.)

12 BY MR. SEGAL:

13 Q Ms. Stoeckley, I asked you a few minutes
14 ago to look at those pictures of what we now know
15 to be the living room of the MacDonald house; do you
16 recall that?

17 A Yes, sir.

18 Q I particularly asked you to look at one
19 photograph which depicts both the sofa and the coffee
20 table--that would be G-75; do you recall that?

21 A Yes, sir.

22 Q Was that not one of the photographs that
23 I showed you yesterday in the books of photographs?

24 A Yes, sir.

25 Q Do you recall now what you said about

1 what knowledge or do you recall what you said
2 about having been there or not been there back on
3 February 17, 1970?

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4 A I said the sofa looked familiar, but I've
5 seen a lot of sofas that looked like that.

6 Q Do you recall saying something about
7 seeing a body there?

8 A I said there was nothing on there.

9 Q Do you recall yesterday saying in the
10 witness room you recalled seeing a body there on the
11 sofa or the floor when you were holding a candle;
12 do you recall making that statement?

13 A That was only like in a dream or
14 something like that.

15 Q Well, first of all, let's find out: do
16 you recall making that statement? We need to know
17 whether we are talking about the same thing.

18 MR. BLACKBURN: Your Honor, I think we
19 would OBJECT. I think she has answered that.

20 THE COURT: Yes, I will SUSTAIN the
21 objection. Ask her another question.

22 BY MR. SEGAL:

23 Q Do you recall the day that the MacDonald
24 family funerals were taking place at Fayetteville at
25 Fort Bragg, North Carolina?

1 A More or less; yeah.

2 Q What color clothing did you put on--
3 wait a minute. Before I get to that--had you heard
4 about the funeral on the radio or read in the
5 newspaper about the funeral that was taking place?

6 A I wasn't really paying attention to it;
7 no.

8 Q You were not. Did you know what was
9 happening, though--what was taking place at Fort
10 Bragg? Were you aware of that?

11 A No; I wasn't aware of it.

12 Q Well, let me ask you: the week after--
13 during the week of February 17th through February 21st
14 of 1970, did you have occasion to get a floral wreath
15 from a florist?

16 A Yes, sir; several of them.

17 Q Several of them. They were funeral
18 wreaths; were they not?

19 A Yes, sir.

20 Q Where did you set these funeral wreaths
21 up?

22 A Along a fence between mine and Mr. Posey's
23 house.

24 Q As a matter of fact, what color clothing
25 were you wearing on the day that you set up these

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1 funeral wreaths outside your house?

2 A Black.

3 Q Black. Funeral black?

4 A No; I always wore black or purple.

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5 Q As a matter of fact, what was your usual
6 color of clothes that you wore?

7 A Black or purple.

8 Q A purple vest, a purple skirt--was that
9 your usual clothing?

10 A (No response.)

11 Q How many funeral wreaths did you have
12 outside your house on that day?

13 A I don't know--five, six.

14 Q Why did you set up funeral wreaths during
15 that week after the MacDonald family murders?

16 A It wasn't just at that time. There was
17 a florist up the street from us, and they used to
18 throw them out all the time, and they were good
19 flowers and stuff, and we used to just pick them up
20 and take them home.

21 Q It was just a coincidence you are saying?

22 A Probably; yes.

23 Q Now, I would like to know something about
24 the people you were associating with in 1970; all
25 right?

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A Yes, sir.

Q Did you have a friend by the name of Allen?

A Allen?

Q Yes.

A I may have at that time.

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BY MR. SEGAL:

Q Well, let me put it to you this way: you had a number of acquaintances in the Haymont Community; is that right?

A Yes, sir.

Q Were there among your acquaintances' any persons that you believe, based upon your knowledge of them, who were capable of doing the kinds of things you knew happened to the MacDonald family?

MR. BLACKBURN: OBJECTION.

MR. ANDERSON: OBJECTION.

THE COURT: SUSTAINED.

MR. SEGAL: Just one second, Your Honor.

(Pause.)

BY MR. SEGAL:

Q Didn't you know Allen Mazzarole in 1970?

MR. BLACKBURN: OBJECTION, Your Honor.

THE COURT: OVERRULED.

BY MR. SEGAL:

Q Did you know him?

A Yes, sir.

Q How would you describe his appearance?

A Very clean-cut, well-dressed.

Q A nice-looking man?

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A Yes.

Q About approximately what age?

A About 24 or 25.

Q In what connection did you know Allen Mazza-
role?

A I used to deal for him.

Q You used to do what?

A I used to deal for him.

Q You mean, you worked for him in the selling
of drugs?

A Yes, sir.

Q Did you also have a personal relationship
with Allen Mazzarole?

A Yes, sir.

Q Was Allen Mazzarole a man--well, do you know
who Allen Mazzarole worked for?

A He was in the Army.

Q He was in the Army at the time?
(Witness nods affirmatively.)

Q What kind--what was his connection with the
drugs that you were dealing? Did he supply them to you?

A Yes, sir.

Q What kind of drugs were they?

A Usually LSD.

Q Was Mr. Mazzelrole engaged in transporting



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drugs?

A Yes, sir.

Q Transported them from where to where?

A I don't know from where, but I got them.

Q Got them off of Fort Bragg?

A (Witness nods negatively) No.

Q Was there any quantity of drugs you were handling at that time coming from soldiers who were arriving from Vietnam?

A Through him?

Q Not necessarily through him, but generally speaking at that time?

A Yes, sir.

Q Did Allen Mazzarole ever strike or do violence to you?

MR. BLACKBURN: OBJECTION, Your Honor.

MR. SEGAL: I think we have a right to show the nature of her acquaintances, given the context of this total case and the facts we have, Your Honor.

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

THE COURT: Yes; I don't what the purpose of this is.

MR. SEGAL: I will make an offer, Your Honor.

THE COURT: Come up.

BENCH CONFERENCE

MR. SEGAL: My offer of proof, Your Honor, in this final area of questioning--or next to the last area of questioning here--is not only do we believe--we are in the process of building a considerable amount of circumstantial evidence as to her involvement and potential involvement in this case, but it is to show that her associates--the people she was close with, lived with, dealt with--were capable of the kind of violence, as opposed to say, a bunch of flower children who would not lift a finger to hurt a fly.

It would be inconsistent with the Defendant's response to these accusations to show that her friends were peaceful and lovable. It would prove it is not likely that she had associates who were capable of the monstrous kind of beatings here. On the contrary, we have reason to believe, based upon our interviews with her--it is not speculation--that this Mazzarole and several others were people capable of considerable violence.

It is circumstantial evidence in response to the Government's accusations that there was no group and if they were her friends, they were not capable of this.

MR. BLACKBURN: Your Honor, we just don't

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1 think it is relevant to go into all the friends she
2 might have had. She doesn't know whether they were
3 capable of violence or not. She is not competent to
4 testify.

5 THE COURT: He just wants to show that
6 Mazzarole beat her up.

7 MR. BLACKBURN: I anticipate he is probably
8 going to go to some of the other friends after we get
9 through with Mazzarole.

10 MR. SEGAL: I will tell you what. I
11 can short-cut it, perhaps. Rather than going into a
12 myriad of names, to avoid that, I intend to ask her
13 whether she has suffered various injuries from '69 all
14 the way up to the present injury, and who inflicted these
15 injuries. We will not go into names of the friends, were
16 they related to drugs.

17 She has been hospitalized, beaten, broken--
18 she deals with a fairly heavy-handed, violent crowd.
19 That is all that I ask. I think that will probably save
20 the objections.

21 MR. BLACKBURN: We would OBJECT on the
22 grounds of relevance that she has been beaten up by her
23 friends, and still what he says is circumstantial evi-
24 dence. There is still no connection between her and this
25 crime, other than the fact she doesn't know where she



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was.

THE COURT: He wants to make an argument, for whatever it is worth, that she ran around with a bunch of people who were capable of brutality.

MR. SEGAL: We have other evidence. The Defense does not rest on this alone. Please understand that. On this subject matter---

THE COURT: (Interposing) Well, let's go.

(Bench Conference terminated.)

THE COURT: Did Mazzarole beat you up on some time?

THE WITNESS: Yes.

THE COURT: He would sometimes beat you up?

THE WITNESS: Yes, sir.

THE COURT: All right; do you want to ask her any more about that?

MR. SEGAL: Not Mazzarole, Your Honor. Bear with me one second.

THE COURT: All right.

(Pause.)

BY MR. SEGAL:

Q During 1969 and 1970, Ms. Stoeckley, were you ever beaten up by other members of the groups of people



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you dealt with and related with in Fayetteville?

A No, sir.

Q Have you suffered other injuries since that time from people that you have been dealing with and working with in drugs?

A Yes, sir.

Q Your present injury now--your arm injury-- is that a result of a beating someone gave you with a steel bar recently?

A Yes, sir.

Q Was that about drugs, too?

A Yes, sir.

MR. SEGAL: I have no further questions.

THE COURT: Any cross-examination?

MR. BLACKBURN: Yes, sir; I believe a few questions.

THE COURT: All right, sir.

CROSS - EXAMINATION 11:57 a.m.

BY MR. BLACKBURN:

Q Ms. Stoeckley, directing your attention to, I guess, the 16th or 17th of February, at 12:00 midnight, I believe you testified on direct examination you were standing in your driveway; is that correct?

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A Yes, sir.

Q Where was your house?

A Clark Street.

Q You were with Greg Mitchell?

A Yes, sir.

Q How long did you stand in the driveway with him? Do you recall?

A Not really.

Q I'm sorry?

A Not really; I don't know how long it was.

Q He gave you a hit of mescaline, which you took at that time?

A Yes, sir.

Q Now, how far is Clark Street from Fort Bragg, if you know?

A I don't know how many miles. I would say about 20 minutes away.

Q About 20 minutes away?

A Yes, sir.

Q Let me hand you Defendant Exhibit Number 80 and ask you to take a look at it?

(Witness complies.)

Q Have you had a chance to look at it?

A Yes, sir.

Q Would it be fair to say that at 12:00



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1 midnight on the 16th of February, 1970, you were not in
2 that location?

3 A Yes, sir.

4 Q You were on Clark Street in your driveway?

5 A Yes, sir.

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BY MR. BLACKBURN:

Q Now, you have testified that you had a blond wig; is that correct?

A Yes, sir.

Q Where did you usually keep the blond wig?

A In a closet in my apartment.

Q On Clark Street?

A Yes, sir.

Q Did you wear it very frequently?

A Infrequently.

Q You wore it sort of as a joke as I understand you?

A Yes, sir.

Q When you were talking with Greg Mitchell in the driveway, do you recall whether or not you had the blond wig on or off?

A I did not have it on. He did not like it.

Q He didn't like it? And, if you didn't have it on, it would be in the closet; is that correct?

A Yes, sir.

Q I believe you testified that you had two or three pairs of boots?

A Yes, sir.

Q You wore those frequently?

A When I wore shoes, that is what I wore--was

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the boots.

Q You don't recall which pair of boots you had on that night; do you?

A No, sir.

Q Now, the ankle boots that I think you said you had, what color were they?

A Black.

Q Black?

A Yes, sir.

Q Did they zip up or did they lace up or what?

A The black ones were just slip on and then they buckled around the ankle.

Q It is fair to say that you just don't know where you were between 12:00 o'clock midnight and about 4:30 or 5:00 o'clock the next morning; is that correct?

A Yes, sir.

Q Directing your attention to that photograph and assuming for a moment, if you will, that the MacDonald apartment is this one right here (indicating), to your own personal knowledge, Ms. Stoeckley, have you ever been inside the MacDonald apartment before?

A No, sir.

Q At any time?

A Not that type; no, sir.

Q I am sorry?

1 A Not that type of apartment; no, sir.

2 Q It is fair then to say that it is your
3 testimony that to your own personal knowledge, you have
4 never been in that particular apartment at any time?

5 A Yes, sir.

6 Q When was the first time you have seen Dr.
7 MacDonald?

8 A To my knowledge, this morning.

9 Q This morning?
10 (Witness nods affirmatively.)

11 Q It is the first time to your knowledge that
12 you have ever seen him; is that correct?

13 A Yes, sir.

14 Q Let me show you this picture of Kristen
15 MacDonald again. Do you need to look at it again?

16 A No. I have got one.

17 Q You have got one, okay. Besides seeing that
18 scene in those photographs, to your own knowledge, when
19 was the first time you have ever seen that scene?

20 A Yesterday.

21 Q And how did you see it?
22 A In the pictures.

23 Q You were shown a number of photographs
24 yesterday; were you not?
25 A Yes, sir.

1 Q And those photographs purported to be
2 the crime scene of the MacDonald apartment; is that
3 true?
4 A Yes, sir.
5 Q Do you recall ever seeing any of those
6 scenes prior to yesterday?
7 A Not these particular scenes; no, sir.
8 Q Now, you testified that the little girl in
9 that bed--you had seen a little girl like that; is that
10 your testimony?
11 A Yes, sir.
12 Q Where might you have seen such a little
13 girl?
14 A I worked a lot with children. I could have
15 seen one like that anywhere.
16 Q I believe you testified that you might have
17 seen Colette on post; is that correct?
18 A Yes, sir.
19 Q To your own knowledge, did you participate
20 in the killings of the MacDonald family?
21 A No, sir.
22 Q How do you feel towards children?
23 A I love children.
24 Q Of your own personal knowledge, did you
25 kill Colette MacDonald?

1 A No, sir.

2 Q How about Kristen?

3 A No, sir.

4 Q How about Kimberly?

5 A No, sir.

6 Q Did you try to kill Dr. MacDonald?

7 A No, sir.

8 Q Do you know who did?

9 A No, sir.

10 Q Do you recall ever being in the MacDonald

11 apartment carrying a candle?

12 A No, sir.

13 Q Now, I believe you testified on Direct that

14 you have been through Corregidor Courts before; is that

15 correct?

16 A I cut through there quite a bit.

17 Q That was sometimes on the way to Womack?

18 A Either Womack or over to the Officers'

19 Club or anything. I used to take Extension Courses at

20 the college over there, too, and cut through there.

21 Q That would have been prior to 1970; is that

22 correct?

23 A Yes, sir.

24 Q Did you ever have occasion that you can

25 specifically recall to go on Castle Drive by the



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