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A Yes, sir.

Q And after you testified at the proceedings, did anything happen to you or to your home?

A Yes, sir. About a day or two later, my house was broken into one night.

Q Did you make a complaint to the police about that?

A Yes, sir.

Q As a result of that, did you do anything else about your address or where you lived?

A Yes, sir. I moved out of state.

Q You moved out of state? Where did you move to?

A Back to Alabama.

Q Now, during the period of time that you knew Helena Stoeckley, did you ever have occasion to hear her talk about the subject of witchcraft?

A Yes, sir; quite a few times.

Q Did you ever have occasion to see her do anything which she said was related to witchcraft?

A Yes, sir. One time, she made a love potion for my sister-in-law and her boyfriend.

Q Did you see her engaged in any kind of ceremonies or procedures in regard to the use of a cat?

MR. BLACKBURN: Your Honor, we would OBJECT



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to this on relevancy.

THE COURT: Well, I will OVERRULE
the OBJECTION.

BY MR. SEGAL:

Q Yes, Mr. Posey, go ahead.

A They killed a cat one time when they were
having one of their seance-type things. They killed a
cat for sacrifice.

Q Who is the "they" you are referring to?
Is it Ms. Stoeckley?

A Yes, and her friends and Paul Bowman's
wife. Paul Bowman's wife was like the head of them.

Q The last thing I want to talk to you about
is this picture I asked you before to take a look at.
That man, you say, was a boyfriend or the boyfriend at
that time of Helena Stoeckley?

A Yes, sir.

Q Do you know what he did for a living or an
occupation?

A He was in the Army.

Q You say he was in the Army?

A Yes, sir.

Q How did you know that?

A Just from, you know, conversation with him.

Q Did you ever--now that I have brought it up



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again, have you thought of the name of that person?

Has it come to your attention again?

A He was parked in the alley the night---

THE COURT: (Interposing) He wants to know if you remember his name.

BY MR. SEGAL:

Q The name of that man?

A No.

Q Does the name "Allen" sound familiar to you?

A No.

Q I want to show you another picture. Oh, before I show you that, did you ever see a black man with Helena and her other friends visiting at the house next to you?

A Yes, sir; a couple of times.

Q Was that a young man, a middle-aged man, an older man?

A He was about 20, I guess, somewhere in there. He wasn't old.

Q I want to show you a drawing and ask whether this resembles anyone you have ever seen before.

(Defendant Exhibit 91 was marked for identification.)

BY MR. SEGAL:

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Q Let me show you for your own vision only
at this time an artist drawing marked Defendant Exhibit
91.

(Witness examines exhibit.)

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BY MR. SEGAL:

Q I will ask you to examine that and tell me whether that depicts a person that you may or may not have seen in 1970.

A You know--the only thing--I never looked at his face. I always looked at the way he was dressed because the way he was dressed was different, but I can't say that it looked like him in the face because I didn't really ever take--you know--note of his face that much.

Q What about the dress of this particular man? What did you notice about that?

A He wore a jacket--you know--it had stripes on it--you know--but it was like a Confederate type jacket. It was---

Q (Interposing) When you say a jacket, was it any particular type of jacket?

THE COURT: Were you through?

THE WITNESS: Yes, sir.

MR. SEGAL: I'm sorry.

THE COURT: I thought he was still answering the question.

MR. SEGAL: I beg your pardon.

THE WITNESS: I was through.

BY MR. SEGAL:

Q I wanted to ask you if you could tell us

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1 anything about what type of jacket it was.

2 A It was a military--you know--type jacket.

3 Q What color was it supposedly?

4 A It wasn't green. It was kind of--I don't
5 know what kind--the greyish type of color. But he
6 always dressed real neat, and then he put that jacket
7 on. That's why I noticed him.

8 Q Did the jacket have any insignia or markings
9 on it of any sort?

10 A Sergeant's stripes on the sleeves of it.

11 Q How many stripes were there; do you recall?

12 A No, sir; there were several I think.

13 Q How often did you see that particular--the
14 man you are talking about--the man who wore this
15 military type jacket with the stripes on it? How often
16 did you see him around the house where Ms. Stoeckley
17 lived?

18 A I only seen him a few times around.

19 Q Did you see Helena Stoeckley here last week?

20 A Yes, sir.

21 Q Did you have occasion to see her at that
22 time and talk to her?

23 A Yes, sir.

24 MR. SEGAL: All right, I have no
25 further questions at this time of this witness, Your

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Honor.

THE COURT: All right, will there be any cross-examination of this witness?

MR. BLACKBURN: Yes, sir.

THE COURT: We will take a recess then and we will come back at 4:15, members of the jury. Don't talk about the case. I know it is a little early for your recess, but it is a little late for the court reporter. So, we'll come back at 4:15. Don't talk about the case.

(The proceeding was recessed at 3:58 p.m., to reconvene at 4:15 p.m., this same day.)

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(The following proceedings were held in the presence of the jury and alternates.)

THE COURT: All right, any questions on cross-examination of this witness?

MR. BLACKBURN: Yes, sir, Your Honor.

(Whereupon,

WILLIAM EDWARD POSEY

the witness on the stand at the time of recess, resumed the stand, and testified further as follows:)

CROSS - EXAMINATION 4:16 p.m.

BY MR. BLACKBURN:

Q Mr. Posey, the night that you got up to go to the men's room--the restroom--you do this about every night; is this right?

A Yes, sir.

Q At between about 4:00 and 5:00 o'clock?

A Yes, sir; I have been doing it ever since before I can remember.

Q Now, this particular time, do you recall whether or not you looked at your clock or watch or anything?

A No; I didn't look at my clock--you know--I



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1 just know that I get up around that time between
 2 4:00 and 5:00--you know--and go to the bathroom. I mean
 3 people that has known me all my life--you know--I didn't
 4 sit there and specifically look, no, but see I had to
 5 be at work.

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6 THE COURT: That is what you set your
 7 watch by; isn't it? Ask him something else.

8 BY MR. BLACKBURN:

9 Q Do you recall when you saw Helena get out
 10 of the car?

11 A Yes, sir.

12 Q And do you recall some other individuals
 13 in the car?

14 A Yes, sir.

15 Q You said there were how many other people
 16 in the car besides Helena?

17 A I didn't say how many there was. I don't
 18 know.

19 Q More than one?

20 A More than one; yes, sir.

21 Q Do you recall seeing them very closely?

22 A No, sir.

23 Q Could you identify them if you saw them?

24 A No, sir; you know I know the guy who drove
 25 the Mustang all the time--you know--because I had seen

1 him over there before.

2 Q Did you see him that particular night?

3 A No, sir; I didn't. I didn't take note.

4 Q You just saw the blue Mustang?

5 A Yes, sir.

6 Q Were there men or women in the car 'or do
7 you know?

8 A It sounded like men's voices. It didn't
9 sound like women's voices at all.

10 Q Could you hear them talking?

11 A They were like giggling and stuff--laughing.

12 Q They laughed and giggled like men; is that
13 correct?

14 A Yes, sir; it was men's voices.

15 Q Where were you standing in your apartment
16 when you saw this?

17 A At my front door.

18 Q At your front door?

19 A Yes, sir.

20 Q And why had you gone to your front door?

21 A See, when I heard the car whip in, it kind
22 of like slid in--you know--and I had problems with them--
23 you know--like keeping us up at night and stuff like
24 this, and I had called the police a lot of times on them.
25 And like--my car--I parked right by the porch. Well,

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1 they would fill up their driveway. Then they would
2 start filling up my driveway and like they would fall
3 asleep or something over there, and I would get ready to
4 go to work and there might be two or three cars parked
5 behind mine.

6 I couldn't get out. That was the only way
7 out was to back out.

8 Q In other words, they had come in before and
9 woken you up; is that correct? Or gotten in your
10 driveway?

11 A They had not woke me up at that time of the
12 morning--you know--they used to party until about 12:00,
13 1:00, or 2:00 o'clock in the morning, and you couldn't
14 get to sleep because of them partying and stuff--you
15 know--loud noise and stuff.

16 Q Any number of cars would be in the driveway;
17 is that what you are saying?

18 A Yes, sir.

19 Q Now, when you saw Helena, did you see
20 anything on her head?

21 A No, sir.

22 Q You did not see a floppy hat on her head?

23 A No, sir.

24 Q You said she was carrying something in her
25 hand; is that correct?

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A Yes, sir.

Q She had on a purple blouse?

A That is the only thing that I took notice.

Q You don't know what she had on her feet?

A No, sir.

Q You didn't see any boots?

A No, sir; I'm not saying I didn't see any or I did because I didn't take notice of it.

Q You just don't know?

A No; what she had on her feet I couldn't tell you specifically; no.

Q Now, did she have any white bedsheet or anything with her?

A No, sir; you know--I don't know what she had in her hand.

Q She was carrying something?

A She was carrying an object in her hand.

Q Did she walk into her house or did she run in?

A No, sir; she did not bust into a run but it was at a fast pace--you know--walking at a fast pace.

Q Was it raining about this time or do you know?

A I know it was cold, but I can't remember if it was raining or if it was wet.



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BY MR. BLACKBURN:

Q Now, I believe you testified that she had dark hair but had a blond wig; is that right?

A Yes, sir. She had brunette hair.

Q And a floppy hat?

A Yes, sir.

Q Did you ever see more than one floppy hat or was it always the same one?

A The hat she wore was always the same one. It was a white floppy hat. The brim would flop around.

Q You never saw her wear a black floppy hat?

A No, sir.

Q Do you recall the color of her hair the night you saw her?

A No, sir.

Q You don't know whether or not she had her blond wig on or not?

A I just noticed it was her and that her roommates were in the apartment. See, it was a one-bedroom apartment there.

Q You were living at this time in the Haymont section which you described as the hippie section?

A Yes, sir.

Q Did you ever see anybody else in that section have floppy hats during this year or the year



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1 preceding?

2 A I never took notice of any; no. The way
3 she wore her hat was like a trademark of hers, you know.
4 She wore it all the time.

5 Q Did you ever know someone by the name of
6 Greg Mitchell?

7 A She showed me a picture--well, no, I did not
8 know them all by their full names and stuff.

9 Q Now, I believe you testified that after
10 the 17th of February, 1970, you never saw her wear
11 these particular items again; is that correct?

12 A No, sir; she never did.

13 Q To your knowledge, you did not see her wear
14 them on the 17th of February; did you?

15 A No, sir.

16 Q Now, how long after the 17th did someone
17 move from Clark Avenue--either you or she?

18 A She left right after the funeral, you know,
19 a day or so after that was the last time I seen her--
20 in fact, the day of the funeral, you know.

21 Q So, it was about a week or so later?

22 A Somewhere in that neighborhood.

23 Q Did there come a time when you also moved
24 from Clark Avenue?

25 A Yes, sir.



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Q How long afterwards from the 17th was

that?

A I think--I am not for sure, but it was within two or three weeks. It was when my rent ran out that month. My wife got scared and so we moved.

Q Now, you testified that it was not unusual for you to see a black man over there; is that correct?

A I had seen him only a few times over there, you know. No, it wasn't ordinary because there weren't there many blacks that came to her house--that came over there.

Q What I mean to say was that it was not unusual for you to see this particular black man over there?

A No, sir; I seen him a couple of times over there.

Q Now, during the time period that you observed what was going on next door, did you generally see--how many did you generally see there if you can recall or if you can take note? Was it about five or ten or what?

A Do you mean that stayed there regular?

Q Well, that would come off and on?

A Oh, there would be no telling how many.

Mr. Archibelle (phonetic), an older man that was retired



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1 and lived on the corner, him and I sat on the porch
2 one night and just counted the people. In about a
3 three-hour span, there was over 30 people coming in
4 there.

5 Q Did they have parties on a regular basis?

6 A Fairly regular.

7 Q And kept you up at night?

8 A Fairly regular.

9 Q Now, this black man that you said that you
10 weren't sure you observed his face or recognized his
11 face but you saw how he dressed; is that correct?

12 A Yes. It was funny the way that he dressed,
13 you know.

14 Q Tell us a little bit more if you will about
15 that?

16 A It was like a Confederate jacket with
17 stripes on it. I thought it was unusual for a black man
18 to be wearing something like that.

19 Q You noticed this gray jacket pretty closely;
20 I take it?

21 A The first time I ever seen him with it--
22 the first time I saw him.

23 Q Did you ever see the front of it?

24 A I didn't take no special note of it. It
25 wasn't like an Army jacket, you know. It was like a



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1 Confederate-type jacket.

2 Q What length was the jacket if you can
3 recall?

4 A It was about down to his waist--maybe a
5 couple of inches past his waist.

6 Q You don't know whether it buttoned up the
7 front or zipped up at the front I don't guess; do you?

8 A I can't remember, but I believe it
9 buttoned. I can't remember for sure, but I know he
10 wore nice clothes underneath it.

11 Q Now, you stated that on the day of the
12 MacDonald funeral, she had wreaths in her yard?

13 A Yes, sir.

14 Q Did you ever observe any other time that
15 she had flowers in her yard or anything?

16 A Before that, she never had wreaths, you know,
17 the grave-type, for a graveyard. She never had those
18 before.

19 Q But did she ever have flowers other than
20 wreaths?

21 A Not outside. She had them into her
22 apartment, you know, just flowers but not wreath-like.

23 Q There was a florist nearby where you all
24 lived; is that correct?

25 A Yes, right up in Haymont.



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BY MR. BLACKBURN:

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Q Now, I believe you stated that she wore black all that day; is that correct?

A Yes, sir, solid black.

Q Was it fairly common or was it uncommon for Helena to dress in the dark purple or black?

A She didn't dress in solid black like that before--not with no black veil and all that.

Q Just dark purple, I guess?

A She wore that dark purple quite a bit. But she didn't wear black like--no.

Q What did you do during the day of the MacDonald funeral?

A What did I do?

Q Yes, sir?

A I just carried on my regular day routine, you know.

Q Did you work and so forth?

A Yes, sir.

Q What were your hours at work, if you can recall?

A No.

Q I know that has been a long time ago.

A I know that my wife--the reason I noticed her, my wife and I were going somewhere that afternoon.

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1 And as we were coming out, you know, there she--you
2 know, there she was, sitting on a step and these
3 wreaths and the black dress and everything around
4 her.

5 See, I didn't even know that it was the day
6 of the funeral until that evening. We was watching
7 the news, and it told about the funeral.

8 Q Didn't you testify on direct examination
9 that Helena Stoeckley sat out in front of her house
10 all day long?

11 A When I said that--the way I said it, I seen
12 her, you know. Like, I don't know how to say it. I
13 seen her that afternoon. I can't swear that I seen
14 her from sun-up to sun-down. I didn't say that; no.

15 But I seen her, you know. It was said by
16 the other neighbors in the neighborhood that she was
17 there all day, you know. And I seen her from that
18 afternoon on up, you know, until it got late.

19 Q But to your own personal knowledge, you only
20 know she was there when you saw her, I guess; is that
21 correct?

22 A Yeah. When we returned, she was still there.
23 That was two or three hours.

24 Q But you of your own personal knowledge don't
25 know that she was sitting out front all day long; do

1 you?

2 A No. I couldn't swear that she was there from
3 sun-up to sun-down.

4 Q Now, I believe you testified at the Article
5 32 proceeding; is that correct?

6 A Yes, sir.

7 Q Is it correct that you testified essentially
8 to what you have said this afternoon, that you saw
9 Helena come in that night?

10 A Yes, sir.

11 Q When was the first time that you ever told
12 law enforcement officers or any law enforcement agency
13 what you have testified to?

14 A One afternoon at work, Mr. Thompson of the--
15 I believe that was his name--from the prosecutor, come
16 by and talked to me, you know. And I told him what I
17 seen. He was a tall man that the Army had.

18 Q Would that have been in August of 1970?

19 A Yes, sir, right before I testified at the
20 hearing.

21 Q Right before you testified?

22 A Yes, sir.

23 Q How did you decide to testify at the Article
24 32 proceeding? How did that come about?

25 A Well, they had--in the newspaper, they had



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1 a hotline, you know, where like if you had a problem
2 or something that was on your mind, you call and tell
3 what your problem was. They put the answer in the
4 paper.

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5 So, I had called the hotline and explained,
6 you know, what I saw and what I had discussed with
7 her and stuff, and you know, looked for an answer.
8 And I quit at Bass Air-Conditioning over the period
9 of time, and I went to work for a linen service. My
10 wife--my wife and I had discussed going forth and
11 telling it, you know. I just didn't want to get
12 involved in the thing.

13 And the more it went on, we discussed it over
14 and over. And so, we was delivering linen to the Heart
15 of Fayetteville Motel. And Mr. Segal and Mr. Eisman
16 was staying there. I just decided that I had held it
17 in long enough.

18 Q Who is Mr. Eisman?

19 A He is an attorney, I believe.

20 Q With Mr. Segal?

21 A Yes.

22 Q So, I take it you told them what you knew?

23 A Yes, sir.

24 Q Now, up until that time, had you told any
25 law enforcement agency?



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A No, sir, other than the hotline--other

than my wife and her immediate family, nobody.

Q Did there come a time in your discussions with Counsel for the Defense, Mr. Eisman in specifics, that any discussion of a financial reward was mentioned?

A They had printed in the newspaper that there was a reward. But the day I talked to Mr. Segal, I told him that I was not there for the reward.

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BY MR. BLACKBURN:

Q Do you recall how much the reward was?

A No, sir; not exactly. There was two or three, I believe, wasn't there? I don't know for sure how much it was.

Q Do you recall a \$5,000 reward?

A Yes, sir; an ad that had it in the newspaper had \$5,000.

Q Did you tell Mr. Segal or Mr. Eisman what you knew prior to or after you read about the reward?

A Well, I didn't even--no, I didn't--we didn't discuss reward or anything like that. I just told them what I know, you know.

Q That's not exactly what I asked. What I wanted to know was whether or not you spoke about what you knew to Dr. MacDonald's Defense attorneys prior to or after you read about the reward in the newspaper?

A Well, I knew about the reward, you know, before I talked to him; yes, sir.

Q Now, I believe you testified that there came a time when you left North Carolina rather quickly, is that correct?

A Yes, sir.

Q Is this after you testified at the Article 32 proceedings?

#32 p2

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A Yes, sir.

Q How long after?

A It was a day or two. It wasn't very long at all, just within a couple of days.

Q Did there come a time when you received \$150.00 to leave?

A Yes, sir; to help pay for the truck, you know, that I had--see, I had furniture. I had my whole house--I had furniture--and I helped--you know, they paid for the truck, to rent the truck, to move my furniture.

Q Do you recall who gave you the money?

A It was an Army--Army Captain or Lieutenant or something. It was a military man.

Q Do you recall whether or not he was connected with the Defense?

A I didn't know that, you know, that he was connected with Mr. MacDonald, no. But I know that he was in that hearing thing, yeah.

Q Do you recall receiving the \$150.00 from a Lieutenant Malley?

A Yes, sir; yes, sir.

Q Now, where was the \$150.00 that was given to you by Lieutenant Malley given to you, if you can recall?

32 p3

1 A It was out there where the hearing was.

2 Q Well, can you tell us a little bit--did you
3 ask for the money or was it volunteered to be given to
4 you?

5 A No; see, after they broke into my house, my
6 wife and I--we were scared, you know; and I didn't--I
7 had some money, you know, to pay it--but, like, the truck
8 rented for like \$100.00, you know, to move out.

9 And I called them and told them what had
10 happened and everything, and, you know, he said that--
11 come out there, you know, and I went out there; and he
12 gave me \$150.00.

13 Q It was shortly after that you left
14 Fayetteville?

15 A I left that same day; you know, we rented
16 a truck and moved right then.

17 MR. BLACKBURN: Your Honor, just a moment.

18 (Pause.)

19 BY MR. BLACKBURN:

20 Q With respect to the breaking in to your
21 house as opposed to an apartment---

22 A (Interposing) It was a house.

23 Q This was the house on Clark Avenue?

24 A No, sir.

25 Q This was another house?

#32 p4

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A The new house I moved into.

Q You didn't learn who broke into the house, did you?

A No; but see, what happened, we had locked our cat--we had a cat--and we had locked him up inside when we left to go to dinner with my father-in-law and mother-in-law; and when we come back the cat was outside wanting to come inside.

And I said to my wife that we had, you know, we realized then that something was wrong because there was no way the cat could get out.

And when we looked at the right side of the house, you could see where the screen was, you know, out; so we left right then. John took us to the police station. But her boyfriend that drove the Plymouth was right down in an alley about two blocks down, you know.

When we passed by he followed us to the police station.

Q Whose boyfriend, Helena Stoeckley's?

A Yes.

Q When you moved from your address on Clark Avenue, did you tell Helena Stoeckley where you were moving to?

A I told her a phony address. I wouldn't tell



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Q Did there come a time subsequent to 1970 when you were interviewed by Mr. Brisentine?

A Yes, sir.

Q Do you know who Mr. Brisentine is or was?

A Yeah; he is the man in there. I know. Yes.

Q Do you whom he was connected with?

A The Government.

Q Do you recall telling Mr. Brisentine that you could not remember the specific date of the night that you saw Helena get out of the car?

A No.

Q You did not say that to Mr. Brisentine?

A No, sir; I did not.



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BY MR. BLACKBURN:

Q Do you recall ever telling Mr. Brisentine that you might have had a dream about seeing Helena go to her house?

A No, sir.

MR. BLACKBURN: Your Honor, that concludes our cross-examination.

MR. SEGAL: I have just a very brief matter on redirect, Your Honor.

THE COURT: Yes, sir.

R E D I R E C T E X A M I N A T I O N 4:37 p.m.

BY MR. SEGAL:

Q Mr. Posey, when you came back to your house and found the cat was outside and you became concerned about the house, did you find anything inside the house that disturbed you?

A Yes, sir. In our bedroom at the window that they had went into, there was a butcher knife behind the door laying on the floor.

Q A butcher knife?

A Yes, sir. The policeman and them found it when they came in.

Q You called the Fayetteville Police?

A Yes, sir.

1 Q They came down and investigated?

2 A They sent a man and a car over; yes, sir.

3 Q Did that butcher knife belong to you or any
4 member of your family?

5 A It belonged to us. But it was kept in the
6 kitchen with the dishes.

7 Q That was the last time where you had seen it?

8 A Yes, sir.

9 Q It wasn't kept behind the bed; was it?

10 A No, sir. It was not.

11 Q As a result of that episode, did you and your
12 wife become frightened?

13 A Yes, sir, extremely.

14 Q And what did you do when the episode had
15 taken place? What did you do about deciding where you
16 were going to live?

17 A The only thing I could do, you know, is go
18 back to my home in Alabama. I wanted to get away from
19 there--get out of there. I felt like it wasn't safe
20 for me or my wife either one.

21 Q When did that all happen?

22 A Right after I testified at the Army hearing.

23 Q Had you had any problems with people breaking
24 into your place before then?

25 A No; never.

#33jb2



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1 Q Now, let's go back to the first time that
2 you ever met me or saw me. Do you recall where that
3 was?

4 A It was at the Heart of Fayetteville Motel
5 or hotel.

6 Q Do you recall when you came to see me? Was
7 anybody else there besides myself?

8 A There was that Mr. Eisman.

9 Q Did you ask for a reward at that time?

10 A No.

11 Q Did anybody mention reward to you at that
12 time?

13 A No; not at that time.

14 Q Did anyone ever connected with the Defense
15 ever offer you a reward to tell something that wasn't
16 so or to tell anything?

17 A No. When I left my home, you know, I left
18 a good job and we had a nice house and everything. And
19 you know, I had to get completely re-established, you
20 know, on my own.

21 Q That was because of that episode that
22 happened right after you testified; is that right?

23 A Yes, sir.

24 Q What did you say about a reward when you
25 talked to Mr. Eisman and myself?