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are we?

MR. JOHNSTON: I think we ought to be able to at least ask the question -- a leading question on cross examination.

Do we want me to have him come in?

THE COURT: All right.

Let me ask him to come in here.

(Whereupon, the witness Bob Powers (came into the Court's Chambers, (and the following proceedings were (had out of the presence and hearing (of the jury, to-wit:

THE COURT: Just go ahead and have a seat. They have a question they want to ask you outside the presence and hearing of the jury.

THE WITNESS: Okay.

MR. FEAZELL: Just to get the testimony in the record, Mr. Powers.

BY MR. FEAZELL:

Q When you and I talked Monday, I asked you if you were aware that he had worshipped Satan, and you told me, "Yes," isn't that true?

A Yes. I --

Q Go ahead.

A Well, I just -- you know -- we had discussed that several -- you know -- when he got saved, he had mentioned

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that he had worshipped in another church before.

Q And one of them was the Satan Church?

A Right.

MR. FEAZELL: That's all I wanted to get out, Judge.

THE COURT: All right.

You can just have a seat back in the witness chair, if you would, Mr. Powers.

Thank you, sir.

(Whereupon, the witness Bob Powers (was excused from the Court's Chambers, and the following proceedings were had in the Court's Chambers out of the presence and hearing of the jury, to-wit:

MR. REAVES: Judge, he is testifying to his character contact since he has known him. I just -- even if that may be probative to impeach him and impeach his character, I don't think it could do anything but unduly prejudice the jury. I don't see what probative value it could have that would outweigh the prejudice that would attach to his testimony, bringing that out.

MR. FEAZELL: You're the one that put the man on the stand to say --

MR. REAVES: Well --

MR. FEAZELL: Let me finish.

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2 You're the one that put him on the stand to
3 testify that he is a follower of Jesus. And the man's
4 doctrine in his church is not "once saved always saved".
5 If he worshipped Satan before and fell away, it's rele-
6 vant.

7 MR. REAVES: Well, I put him on the stand to
8 show his acquaintance with him and his opinion of his
9 character since he has known him.

10 MR. JOHNSTON: (Mumbling.)


11 THE REPORTER: I'm sorry, I didn't hear you.

12 MR. JOHNSTON: I'm sorry.

13 I said, I think all of that religion is at
14 issue.

15 MR. FEAZELL: And we're not bringing out any
16 bad acts. I'm not going to bring out what they did in
17 the Satan Church, just the religion.

18 THE COURT: All right.

19 Well, I'm going to allow the question, you
20 know. 

21 MR. FEAZELL: I'm not going to go into any-
22 thing more, Judge.

23 THE COURT: Okay.

24 MR. FEAZELL: I know it's close.

25 THE COURT: All right.

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2 MR. FEAZELL: Thank you, Your Honor.

3 (Whereupon, all parties returned to
4 (the courtroom, and the trial con-
5 (tinued in the presence and hearing
6 (of the jury, as follows, to-wit:

7 BY MR. FEAZELL:

8 Q Mr. Powers, you stated earlier that, in your church, you
9 do not believe in the doctrine of "once saved always
10 save"?

11 A That is correct.

12 Q That a person can fall away from Christ and go back to
13 their prior behavior?

14 A That is correct.

15 Q Okay. Prior to Mr. Spence's salvation experience in
16 June at your church, he had also -- and you are aware
17 of this through his telling you -- that he had worshipped
18 in the Church of Satan?

19 A That's correct.

20 Q Okay. And he related this to you?

21 A Yes. In our particular church, we believe -- you know
22 -- we've all fallen short of the grace of God, and what
23 we did before, when we asked Christ to forgive us, he
24 has forgiven us of those things, okay?

25 Q Exactly.

A So, you know, what you did in the past, you can't do