Murder in St. Augustine: The Mysterious Death of Athalia Ponsell Lindsley

Dedication: for my father Robert Harry Barkan and, of course, for Athalia and Frances

Epigraph: “From pacifist to terrorist, each person condemns violence - and then adds one cherished case in which it may be justified.”-Gloria Steinem

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Preface: Why I Wrote This Book

Around 10 p.m. on February 24, 1975, in Winter Park, Florida, a shotgun blast shattered the calm of a Monday evening. If the surrounding suburban residents in Winter Park Pines heard anything, they kept it to themselves. The following morning, when a carpet cleaning truck rolled into the driveway of 2911 Montfichet Lane, the result of the ominous noise from the night before was discovered.

It was discovered by a crew of workers who came early to pick up invoices from Robert Harry Barkan, a self employed man who ran his business from the ranch style house built in the early 1960s. An early riser, Barkan usually greeted the small fleet of trucks and the men spilling out of them, but that morning the front door remained closed and locked. The carpet cleaning crew heard dogs barking. Something was wrong with the front window, the kitchen window that faced the driveway. The men looked inside. They tried to break down the door. Then they called the police.

The police couldn't get through the front door either, so they went through the window. There they found a gruesome sight. Barkan had been shot in the face through the kitchen window, and he lay dead on his back on the linoleum floor. Beyond him, in the family room, the TV was still on, and a glass of soda, its carbonated bubbles flat, sat beside the recliner.

That moment- a quiet evening at home interrupted, a bloody corpse lying on the floor of a suburban home- became frozen in time, became, unfortunately, the moment that defined the man. Robert Barkan was a father, a grandfather, a man who served on a navy gunboat during World War II. He saw the invasion of Leyte in the Philippines at the age of 17. Yet, to the people who lived after him, Barkan's ignominious death shadowed every memory of his life, every picture ever taken of him, his beginning, his end, and everything in between. Murder has a way of doing that.

Robert Barkan was my father and when people ask me how he died, I usually say it was an accident. The facts are too complicated to explain. No one was ever charged with his death, and his cold case is still under investigation with the Orange County Sheriff's department in Orlando, Florida.

I've opened his case from time to time in the ensuing 40 years. Once I hired a private detective. The police are pretty sure they know who killed him, but they have no proof. They have no proof, because in those days there were no crime scene units in cities like Winter Park, no DNA testing or fiber analysis. In the case of my father's murder, police destroyed forensic evidence when they climbed through the kitchen window. The neighbors heard nothing, or so they said. At any rate, no one was talking.

Aside from the shock of losing a parent to such violence, I was stunned by the incongruous nature of the crime. My father lived in a nice house in a nice neighborhood. He was careful to lock up day or night and he was especially wary at the time of his death because of an attempted robbery in his home, two weeks before.

Because of my frustration with the immobility of evidence and the futility of ever bringing anyone to justice in the crime committed against my father, I became interested in the history of similar homicides. My grandfather, Robert Harry Barkan Sr., had been the Dean of City Police Reporters for the *New York Daily Mirror* in the 30s and 40s, and he freelanced writing up murder cases for detective magazines. It seemed I shared a similar aptitude.

I wrote a cover story for an alternative newspaper about local houses where murders had occurred, including 2911 Montfichet Lane. Then I covered the trial of the X-Box Murders in Deland for the same newspaper and had several interviews with Troy Victorino the accused ringleader of the crime.

If I couldn't find the criminal who killed my father, I wanted very much to know how a murderer thinks.

What I found out is that a murderer doesn't think differently from anyone else. A murderer is, more likely than not, as sane as you and me. David M. Buss, author of *The Murderer Next Door* theorizes that murder is an evolutionary adaptation employed most often in matters of pride, greed, or lust. What I found out is that murderers and potential murderers swim through society, largely unrecognized. What I found out is that almost everyone has the potential to kill, and labeling this primal urge as "mental illness" misses the point. Perhaps a person who refrains from violence or who seeks alternatives to deadly conflict is the one who is different. I do not believe that people who place little value on human life are unusual or that they can be changed. When they reveal themselves, they can only be caught and put away so they can no longer harm others.

Revenge was not the force that drove me. I don't believe in capital punishment although I don't judge people who do. However, it seems to me, that if I condemn the act of murder, capital punishment is just a ritualized form of the same violence. When people who disagree, say to me, "Oh, just put yourself in the victim's place," or "You'd feel differently if it was someone you knew," all I can say is, "I know. I know."

In 2012, I was in northeast Florida a lot, researching a book about ghostlore and southern history. In a tourist shop on King Street, I picked up a copy of a paperback book. On the front cover. a picture of a young woman, obviously a model from the 1950s, a woman with her head tilted back, smiled at some long forgotten camera. The ominous backdrop of the ancient city glowered in the distance.

The title was *Bloody Sunset in St. Augustine*.

Bloody Sunset is a book based on the true story of Athalia Ponsell Lindsley's murder, written and published by people in the newspaper trade. Since they lived in St. Augustine, the authors had access to information that couldn't exactly be proven, but definitely added an interesting perspective to the crime. There was no index or bibliography, no personal interviews, or documented quotes. But the book did give an insider's account of the atmosphere of St. Augustine, the gist of the case, and the lives of the people involved.

Many people who head for the sunshine state are unaware that murder is not unusual in Florida. It is a fact that murder rates in the South are higher than in any other region of the United States. Florida, in particular, has many cold case homicides.

There were similarities between Athalia's gruesome end and my own father's murder. Athalia's death occurred one year, one month, and one day before my own father's demise. Both victims were murdered in a suburban neighborhood, toward the front of the house closest to the street. The houses in each neighborhood were close in proximity yet most neighbors heard nothing. Both murders were disorderly and risky crimes of passion executed in the throes of uncontrollable rage. In both cases, local Florida police with no experience in crime scenes handled the initial discovery. And although police were certain they knew who was responsible, no one was ever convicted of either crime. Committed in the heat of passion, these crimes are "cold cases" relegated to obscure case files, or their evidence lost, thrown out, or scattered.

I do not mean to imply that the same person committed both crimes. Of course, there is no question that my father's murder and Athalia's murder were carried out by different people in different cities. Yet the similarity in the time frame, the circumstances, the crime scene, and the outcome speaks of a certain pattern. I began to believe that I might gain insight about murder by investigating the crime against Athalia Ponsell Lindsley. In addition, an unknown assailant murdered Frances Bemis, Athalia's neighbor, in November of 1974. Her case was unsolved as well. Were the crimes related?

I wrote a chapter in my book, *Haunted St. Augustine and St. Johns County*, about Athalia. During my book talks at libraries in St. Johns County, the most animated discussions occurred when the image of her house on Marine Street displayed on the screen. Everyone knew about the murder and wanted to speculate about it.

Athalia's death had evolved from a private tragedy into public history. Public history is real-life drama.

Her death held the interest of the public. The story was provocative. Plenty of St. Augustine residents remembered the murder of Athalia Ponsell Lindsley. It received full news coverage from the *St. Augustine Record* and Jacksonville's *Florida Times-Union* newspapers. On the internet, there were still message boards, a Facebook site, and numerous articles and blogs in Athalia's memory. Even a local television show, *City Confidential*, featured a program about the crime in 2000 called "The Politician and The Socialite." That was the politest title of most of the headlines written about her death, which included this gem in *The St. Augustine Record*: "Obnoxious Victim had no Shortage of Possible Killers."

It is clear that an indifferent or a negative public perception of the murder victim has a great deal to do with apprehending and convicting the murderer.

In Athalia's murder there was a clear element of misogyny in the crime itself.

American justice for murder victims, and for women in particular, is problematic then and now. In Athalia's case, the main suspect was a respected and well-liked member of the community, a city manager and her next –door neighbor. Athalia, on the other hand, was considered a "Yankee" in St. Augustine even though she'd lived in Jacksonville for two decades. She was also a forthright, opinionated and outspoken woman in an era where such qualities were mainly the province of men.

Justice is largely a matter of control and influence. Serving justice often depends on the perceived character and the social status of the victim. Penalties, charges, testimonies, and trial procedures hinge on cultural protocol, gender and racial stereotypes, and media slant. When a woman attempts to apply equitable social standards to her daily actions, as Athalia did, she may be punished. J.C Campbell in her 2003 paper for the American Journal of Public Health stated, "Femicide, the homicide of women, is ….the seventh leading cause of premature death among women overall." In the 1970s, when Athalia was murdered and traditional expectations of women were much more prevalent, such statistics were not even measured.

Last, when I read *Bloody Sunset*, I was struck by the epilogue. Authors Mast and Powell wrote:

The story of the grisly hacking death of Athalia Lindsley remains unfinished because those who know the truth have remained silent all these years. One purpose of this book has been to present all the known pieces to the puzzle in a fashion that would simulate interest in helping to find the missing parts.

The missing parts. When someone is murdered, the bonds between remaining family members are rendered, splintered, and often the familial relationship can never be put back together. Memories are tainted by horror.

Athalia had no surviving children, her family was scattered, and she had yet to reach her professional prime, despite the way the media characterized her as a washed up showgirl. Didn't Athalia deserve to be remembered as the woman she really was?

A personal tragedy shaped my own life. It occurred to me that a fact-based book written about Athalia's death, would be of benefit in understanding how murder-how all murders- evolve from a seemingly senseless pattern of prior events. So, over a period of several months I read through over 1,000 pages of depositions, police reports and evidence. I traveled to St.Augustine, Florida, Charleston, South Carolina, and Northhampton, Massachusetts to pursue evidence, interviews, and background. And I believe I came to understand how Athalia's murder happened, why it happened, and what happened at around six p.m. on January 23 1974 on the front steps of 124 Marine Street.

For me, and for others like me, understanding is the only road to peace.

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As always, thanks to my loving husband Bob and to my daughter and granddaughter Courtney and Cassidy.

Introduction: A Brief History of St. Augustine

The nature of history is to synthesize. Told from a variety of perspectives, it is the historian's job to nail down facts and to provide context. Athalia Ponsell Lindsley's murder did not occur randomly nor did it occupy a figurative vacuum in time. For this reason, perspective and a brief history of the city of St. Augustine is warranted, not only as a record of human behavior, but to quantify, if such a thing is possible, human nature.

One common characteristic that all human beings share are their stories. Stories we tell ourselves and stories we tell about each other. Narratives are how people understand their environments. Joseph Campbell, author of *The Hero of a Thousand Faces,* wrote, "Myths are public dreams, dreams are private myths." Like many prominent cities, the history of St. Augustine begins with a myth. Students learn that Juan Ponce de Leon landed in 1513 on the coast of St. Augustine, and bequeathed the name La Florida to his veritable land of flowers. In truth, Ponce De Leon's famous discovery of Florida probably did not occur in St. Augustine. It is more likely that the diminutive explorer, lauded in a statue near the Bridge of Lions, landed nearer to Melbourne, Florida. His search for the Fountain of Youth was a myth as well. Yet, even without Ponce de Leon's presence, St. Augustine does enjoy status as America's oldest continuously occupied European settlement. It had been around for 20 years when the English colonists of Roanoke settled in Virginia. It was there 42 years before Jamestown and 55 years before the Pilgrims landed in Plymouth.

The true origins of the city began with an order by King Phillip II to secure the coastal property he had already claimed from the heathen French Huguenots. Pedro Menéndez de Avilés, the Spanish king's admiral, first sighted land on August 28, 1565, the feast day of St. Augustine. He named the city after his saintly mentor and dispatched the French Huguenots near the Matanzas River, (the Spanish word for slaughter is "matanzas") in a bloody execution after they were shipwrecked during a hurricane. Tourists can see the approximate spot of the Huguenot massacre from the nature trail at Fort Matanzas National Park. There's a stone marker, which says, all in caps: *Massacre by Menendez of Ribault and his men, September 1565.* Near that date, the admiral also attended a holy mass near what is now the shrine of La Leche. Since 1965, St. Augustine celebrates this event every fifty years with fireworks, entertainment, foreign dignitaries and tourist currency flowing into city coffers.

In keeping with its bloody origin, St. Augustine's history, like most American settlements, was marked by disease, conflict, and peril. It was little more than a fortress for many years and used as a base for far-flung Catholic missions. It burned to the ground more than once. The sovereign flag of St. Augustine switched back and forth between Spain and England and back again to Spain before the United States hoisted the stars and stripes in 1821. That year St. Augustine suffered the worst outbreak of yellow fever in its history. A "public" cemetery was opened to accommodate all the victims. According to Florence S. Mitchell's book *A History of the Huguenot Cemetery*, 13 to 14 people, including soldiers, were dying by the day."

Its territorial standing under the United States in the 1830s did not prevent bitter rancor between Indians and non-native Americans in St. Augustine during the Seminole Indian Wars. The half-breed Chief Osceola was a prisoner in the dungeon of the Castillo de San Marcos before being transferred to Fort Moultrie in South Carolina where he died. Ghost tours declare that Chief Osceola's suffering face is still visible on the outer wall of the fort above the dry moat.

And by the time the Civil War rolled around, Union and Confederate sympathies were deeply divided. Even though the city fell to Union troops, culturally, St. Augustine remains a deeply southern town. A number of English residents who lived there for generations, were accustomed to the insular privileges of aristocracy. Outsiders included Yankees, blacks, Indians and just about anyone whose family hadn't been born generations ago in cities like St. Augustine or Atlanta, Memphis, Richmond, Savannah, or Charleston. A former resident of the oldest city declared, "The caste system in St. Augustine was more rigid than India's. If you're not an insider, you're locked out. There was no New Guard. The Old Guard reproduced."

By the turn of the 20th century, Jim Crow laws also characterized the city. Thus, during the Civil Rights movement in the 1960s, the established and privileged citizens of St. Augustine believed that society functioned best when everything-and everyone- was in his place. They believed there were no racial issues in St. Augustine. They saw themselves as rational about change, which they saw no need to accelerate. The problems that ensued resulted not only from the fact that they were wrong-anyone can be wrong- but that they gave implicit support to aggression supporting their erroneous beliefs.

Anyone who challenged the status quo was labeled a problem. Organizations such as the National Association of Colored People (NAACP) and the Southern Christian Leadership Conference (SCLC) were labeled a problem. Martin Luther King Jr., who famously visited the city to rally Civil Rights supporters in 1964, was labeled a problem. He was arrested, and spent the night in the St. Augustine jail along with countless other foot soldiers of the civil rights movement.

But that wasn't the worst of it. When a federal district judge, Bryon Simpson (an old chum of prominent Jacksonville defense lawyer Walter Arnold who is portrayed in this book), demanded that city leaders abandon an imposed curfew and allow civil rights demonstrations to continue as their first amendment rights dictated, city leaders howled that federal courts had taken over their jurisdiction. *The St. Augustine Record* published their comments.

In fact, it is well documented that during the Civil Rights movement, St. Johns County city leadership-in the form of the religious leaders, the business guild, the mayor, the governor, the sheriff, the chief of police, and the commissioners- distinguished themselves by abandoning law and order to notorious white supremacists. At the height of the turmoil, the leader of the local integrationists, a dentist named Robert Hayling, was viciously beaten and almost killed during a Klan meeting in 1963. Dr. Hayling was consequently hospitalized and charged with assault.

Yet even after the passage of the Civil Rights Act in 1964, many businesses, educational institutions, religious facilities, and municipal organizations in St. Augustine had to be forced to enact equitable access and support the civil rights of their black citizens. And many of these city leaders and decision makers during the racial turmoil of St. Augustine in the 1960s were still around ten years later in one role or another in the aftermath of the Athalia Ponsell Lindsley murder.

In fact, these men-the elite, the city leaders- knew each other very well. Perhaps it is only natural that their communal association in the Episcopalian Church, the Chamber of Commerce, the St. Augustine Historical Society, the Country Club, Rotary Club, Toastmasters, the Elks, the Kiwanis, and the Knights of Pythias, supplemented the already entwined nature of their interactions. Their main objectives were the status quo, fraternity, and the protection of their business and their political interests. And into this paternalistic stew, where everyone knew their place, dropped Athalia Ponsell in 1971.

Athalia was no integrationist. But she was still an outsider. She presented a different perspective and a different persona than the typical middle-aged dowager. And in spite of her work history as a Powers model, she was not the type of woman to sit down, shut up, and smile.

Athalia was, quite definitely, a problem.

Chapter 1: Death before Dusk-

"I kissed her and said, 'I'll see you in an hour.'"-James "Jinx" Lindsley

Note: The reader will note that the times recorded for events are inconsistent, but these are based on the original documentation.

On January 23, 1974, it was a Wednesday, under the astrological sign of Aquarius. Richard Nixon was president and he moved to enhance oil production in the U.S. by giving tax breaks to American oil companies and by scaling back clean air laws. The national headlines were full of news about Watergate, the energy crisis, the Kissinger negotiated Israeli troop pullback from Cairo, and space exploration vis a vis Apollo 14. A new movie with Robert Redford, *The Sting,* was out and the top two songs in the USA were Streisand's "The Way We Were" and Miller's "The Joker.

On January 23, 1974, news in *The St. Augustine Record* (Masthead motto: Serving St. Johns county and the nation's oldest city since 1894) focused on continuing efforts of Flagler College to receive accreditation and on the formation of the Historic Architectural Review Board to oversee new construction governing historic districts. Local news focused on the recent county commission meeting. Frank Upchurch Jr., a lawyer, was honored by the Kiwanis. Two high school students-Hunter Barnett and James McAdams- were honored by the Elks Lodge. In a letter to the editor titled "A Certain Spirit of Care," Merri Vale Ormond wrote, "What a wonderful town St. Augustine is."

On January 23, 1974 in St. Augustine, Florida, the barometric pressure was 30.18 with a relative humidity of 70%. It was foggy that morning, and cool, but by 6:00 p.m., the temperature was a perfect 72 degrees. The sun wouldn't set until 6:55 p.m. since Florida skipped daylight savings time that year, and full dark would not descend until 8:17 p.m.. Fog was likely.

The view from the house on 124 Marine Street faced the Matanzas bay but it did not provide a full sunset because it did not face the west. However, the woman lying sprawled on the front steps of her white mansion was beyond caring. Her head, attached by a single sinewy thread to the rest of her body, rested on the bottom step of the front porch. She stared at nothing with wide-open eyes and an almost benign expression, which belied the sprawled broken doll appearance of the rest of her body. And the blood. Blood pooled everywhere, as it must when the carotid artery is severed. Blood also splattered all over the east wall of the home.

The woman's blue and white dress was hiked up and she'd lost a shoe. Her pearls were scattered on the sidewalk. Some of her fingers were severed and there were defensive wounds on her arms. For the moment, she was alone, but heads were starting to turn in her direction, just the way they always had throughout her life. Athalia Ponsell Lindsley was not a woman to ignore. And now, for one last time, she was the complete center of attention.

Marine Street was near Flagler Hospital and it was a busy road even on its best days. At 5:59 p.m.[documented time], Mr. Quentin Odell was on his way to Flagler Hospital to pick up his daughter. He passed a yellow car on Marine Street coming the other way, driving slowly past the Lindsley home, driving the way people do when there's been an accident; as though the people in the car were looking at something.

The Meirs, a local couple, drove right by the house and then doubled back, when they realized what they'd seen. What they didn't see was anyone else walking down the street.

But Mr.B.O. Brunson of 101 Marine street reported sitting on the front steps of his house at 5:50 p.m. [documented time] when a man drove up in a white Volkswagen.

"Call an ambulance and the police department," the man said. "A woman has fallen out of a window, there's blood all over the place."

A few minutes earlier, Patti Stanford of 126 Marine Street was at the sink rinsing dishes. She looked out the window and then hustled her daughter Patricia into the hall of the home and handed her the baby of the family, three-year old Annette.

Patti said, "You take the baby and do something with her." At that moment, they both heard their neighbor Rosemary McCormick screaming, "Alan, Patti, come here quick."

Neighbors to the north and south of 124 Marine Street, Rosemary Mc Cormick and Patti Stanford, met briefly at the wrought iron link fence on the edge of the lawn of 124 Marine Street, holding their hands to their mouths. "I wish I hadn't looked," Patti said.

By 6:08 [documented time], Rosemary's son, Locke, called the police and an ambulance.

Approximately 30 seconds later, an ambulance drove by heading towards the accident/crime scene.

A few minutes later, Patti Stanford's daughter, Patricia, stood in her upstairs bedroom, staring out her window. She had a view into the Mc Cormick's yard and into the part of the National Guard Cemetery where children played hide and seek among the tombstones on sunny winter days like that one. She could see the front stoop of the Lindsley house. She saw "Mrs. Lindsley laying on the front steps." Mrs. Lindsley was covered with blood. Patricia's baby sister Annette, played at her feet.

Athalia's husband, James Lindsley, arrived at his home on Lew Street a few minutes before six p.m.. He and Athalia were still newlyweds and they'd had trouble selling her house on Marine Street. As they were both seasoned real estate agents, they'd taken it off the market for a while and planned to try again in the spring. In the meantime, Athalia's pets still lived there, and she spent time there too, tending to them and guarding 30 years of possessions.

So at 5:30 p.m., James kissed Athalia outside of his real estate office on St. George Street and said, "I'll see you in an hour." When he arrived home, he took the groceries inside, groceries he and Athalia had picked up during their leisurely day together in Jacksonville. James and Athalia were celebrating the Chinese New Year that night, and the groceries were snow peas and water chestnuts and bamboo shoots, items unavailable in St. Augustine grocery stores and items James would be eating alone in the days to come.

Earlier that day, during lunch, Athalia warned her husband, whose nickname was "Jinx," that according to an old Chinese custom it was bad luck to use knives on the Chinese New Year. She cut her fish with her fork.

After he unpacked the groceries, James "got some clothes off" changed into jeans, took off his shirt, and called Athalia's number on the phone. She'd said she'd be right over after she unpacked her half of the groceries and took care of the pets. His newspaper hadn't come that day so he wanted her to bring one so he could check on any news about Athalia's appearance the day before at a commission meeting. He called again and received no answer. He wasn't alarmed. "I thought she was out in the yard," he said.

James went outside to change the position of his sprinkler. When he came in, about 6:30 p.m., the phone was ringing. It was Esther Stucky from Riberia Street. She said, "Jim, get over to Athalia's, something awful has happened. There are police all around the house."

"What is it?" asked James.

"Just get over there." Mrs. Stucky rang off.

James changed his pants, put his shirt on and started out the door. The phone rang again. It was Jean Troemel, a local artist, and one of Athalia's neighbors. She said, "Jim, you better get over there, there is a big crowd around Athalia's. I don't know what happened but it must be something bad." James never admitted that he made one phone call before he left home. Yet his lawyer, Robbie Andreu, was there by the time James arrived at the Marine Street house.

Over on Chapel Street, Sergeant Dominic Nicklo, a detective for the City of St. Augustine had just gotten off work and walked into his home at 6:35 p.m.[documented time]. The telephone began ringing. It was the police station dispatcher summoning him to the crime scene.

And so one by one, in groups, in pairs, on foot and in vehicles, St. Augustine residents, ambulance attendants, police, and detectives gathered to stare, to gawk, to investigate, to surmise, to speculate, and, for some, to grieve. Athalia's dull eyes, her broken body, her life's blood lay under the drifting clouds of a blue sky. Chief of Police Virgil Stuart declared that Athalia's murder was "a crime of just pure hate."

"She was dead when we got there," he said. "She had been badly butchered. Her head was almost cut off."

Forty years later, a study by Cardiff University in Wales, determined that January 23rd , for one reason and another, is the saddest day of the year.

Chapter 2: The Crime Scene

"My wife had no enemies-except one."-James "Jinx" Lindsley

It was reported as a "domestic going on."

Officers Larrow and Janson were the first police representatives on the scene at 124 Marine Street. Associated Ambulance attendants James Rousseau and Ron Nabors met them on the front steps. Athalia Ponsell Lindsley's body was still on the sidewalk covered with a reddening sheet. It was reported that death was "probably caused by a sharp instrument, which struck the victim a number of times about the head, face, arms, and hands. " No murder weapon was found.

Officer O'Loughlin arrived and he and Officer Larrow walked into the house, where they left at least one bloody footprint. No one was in the house and nothing seemed to be disturbed. They found Athalia's bag of groceries, upright and unspilled, on the kitchen floor. The back door, which led through the kitchen, was closed, but Athalia's keys still dangled from the lock. Her niece, Patricia Tilson from Virginia, would say later that her aunt, "was very precise in keeping her doors and windows locked. She would not have gone outside to talk to a stranger."

The men went back outside. Rousseau and Nabors said they hadn't seen anyone in the area when they arrived. Officer Larrow decided to go next door to interview Locke McCormick, who'd called the police and the ambulance. Locke, Athalia's 18-year-old next door neighbor, was home from his Daytona Beach college to help with a local high school play.

Locke grew up in St. Augustine, on Marine Street. His grandmother, Mrs. Claude Smith, lived across the street and, before Athalia's mother bought the house, Locke's best friend lived right next door. He was a happy kid who rode his bike all summer long, who liked to play poker, who took advanced classes at St. Augustine High School. Locke was a quintessential local boy whom former classmates described as "the nicest kid ever." He was, as it turned out, the only eyewitness to come forward regarding Athalia's murder.

Locke told the officers that around 6:10 p.m.[documented time] his mother was in the kitchen and he was sitting on the couch in the den of his house, watching TV when he heard "loud snapping sounds" like "hands clapping." He got up and looked out the window, which faced the Lindsley home. He saw a white man wearing a white dress shirt and dark pants standing with his back to the McCormick home in front of the steps of the Lindsley home. The man's hair was brown, gray, and closely trimmed. Locke yelled something to his mother and ran outside.

Approximately eight to ten feet from the doorstep, he saw the man's shoulder moving up and down as though he were "swinging an object out of Locke's view." The clapping sounds stopped. Then the man began walking slowly south from the Lindsley home and "angle off" in a southwesterly direction out of his sight. Locke took a few steps forward. He saw Athalia's body. He ran into his house and yelled, "Call the police! No! Call an ambulance first!"

The police asked him if the man held anything in his hands.

Locke said, "I didn't notice."

That may have been because he was still distracted. Locke didn't mention the initial screams, but Patti Stanford standing at her sink, rinsing supper dishes heard them. At first she thought, 'Somebody got run over. We have such a busy street; the cars go so fast out there.' Her 18-year-old daughter Patricia thought the screams were "little kids down the street that are always screaming." They were both wrong.

Athalia died "almost instantly" according to the autopsy performed later by coroner Dr. Albert Schwartz in Daytona Beach. So after her death throes, the consequent screams were from her neighbors, Rosemary McCormick and from Patti Stanford. Patti remained "hysterical" then and for far into the evening according to a neighbor Mrs. Genie Dodds from Charlotte Street.

Meanwhile at least six other police officers arrived, including Sergeant Nicklo who traced a trail of blood "going from the body over to the wall separating the Lindsley house from the Stanford house."

The *St. Augustine Record*'s chief photographer, Philip Whitley, "got the call" and was taking pictures.

"People were walking through the yard and climbing over hedges," he said. "The whole thing was a screwed up mess from beginning to end. They were destroying the crime scene." He too saw blood in the grass, "leading all around the south side of the house. " At one point, he said, one of the police officers ordered the ambulance attendants to hose down the blood "where it was concentrated to the left of the front door and at the bottom of the steps."

There was gossip later that washing away some of the blood evidence was deliberate and it was done to protect James Lindsley who was immediately one of the main suspects. James was a good ole boy, a former mayor and a county commissioner, born and bred in St. Augustine. Dudley Garrett, whom James supported in a successful run for sheriff, was called although the city police were already there.

Meanwhile, Whitley went over to the Mc Cormack's to see his good friend, assistant state attorney Richard O. Watson, who would later work for the prosecution of the murder case. Colonel McCormick was away in Mexico on a hunting trip so Watson was talking to Rosemary and Locke and just generally seething.

"Watson," Whitley said, "was a smart man, fair as he could be and a good person. But he was having a fit about how the police were handling the case. But they'd never had anything like that. Just shootings, stabbings in bars. "

Sergeant Nicklo independently concurred.

"Law enforcement then," he said, "is not what it is today. There is so much forensic evidence now. Then we didn't even have our own crime scene unit. You had to call Jacksonville FDLE-which is what the sheriff did- to bring their crime scene unit down."

Around seven p.m.,Mr. Alan G. Stanford Jr. , Athalia's next door neighbor on the south side, pulled up into the driveway of his home. He was in a 1970 Chevy Impala, a county car with a county seal, a perk he was entitled to as County Manager of St. Johns County. His office was in a huge corrugated tin structure called the Road and Bridge building off county road 16. When St. Augustine city police told him his neighbor was dead, Stanford asked, "Was she shot or was she cut?"

Left out of the police report was what Locke screamed to his mother as he witnessed Athalia's death. Later, he told Hoopie Tebault, editor of *The St. Augustine Record,* the same thing.

"Mr. Stanford," Locke said, "was hitting Mrs. Ponsell."

Chapter 3:The Unusual and the Usual Suspects

"The trail is cold. I doubt we'll ever catch the killer." St. Augustine Police Chief Virgil Stuart

It is likely that no one felt safe in St. Augustine after the events of January 23, 1974. However, St. Johns county citizens kept up a brave front. Frances Bemis, a resident on Marine Street and an acquaintance of Athalia's, quoted in the *Record,* said;

"I think St. Augustine is the safest place I've ever lived in. The people here are wonderful. I go out walking at night and will continue to do so. I went out walking the same night the murder took place. I see people walking their dogs every night."

This laissez-faire attitude did not extend to local law enforcement. One of the complaints of Walter Arnold, Esquire, the attorney in charge of defense in the consequent murder trial, was that the police settled on one suspect and did not look hard enough for the true culprit. He complained, "We received nothing as to any other investigation other than as it reflects directly on my client." However, extensive police records, which exist to this day, prove that Arnold's accusation was incorrect, that there was plenty of follow up, plenty of documentation, and that it was no secret.

The police made many mistakes in pursing Athalia's murderer: at the crime scene, with the search warrant, during the collection of evidence, and in providing pivotal law enforcement officials to testify at the trial. But they also did many things right in spite of their inexperience with capital murder offenses. There are close to 1,000 pages of interviews, depositions, evidence, and notes regarding their keen pursuit of justice in Athalia's murder case-justice they were under no community pressure to provide.

In life, Athalia could be intimidating, aggressive, and single minded; qualities that were abhorred in women especially in southern society in the 1970s. Many citizens of the city though she was "a troublemaker" and were not sorry that she was permanently gone. Francis O'Loughlin, one of the first officers on the scene, said, "I will always remember the remarks made by some that the woman had earned her own death."

Sally Boyles, the widow of former state attorney Steven Boyles, said:

"Not that St. Augustine citizens went around killing people they didn't like. But Athalia was not on a level playing field. Nobody liked her, so there was not a big hue and cry when she was killed."

Regardless, law enforcement in St. Johns County rallied to the task of finding Athalia's killer. Although the St. Augustine PD were the first officers on the scene, the St. Johns County Sheriff's Office became involved the evening of the murder when Sheriff Garret showed up at 8:00 p.m.[documented time]. Two of his officers- Lieutenant Lightsey and Captain Williams- were in Orlando attending-ironically- a seminar on forensic evidence in homicide. But they were back before noon the next day and both assumed leadership roles in assembling evidence and in interviewing potential witnesses.

"It started out the city would work the case," said Sergeant Nicklo, "but it became a dual investigation with the city and the sheriff's office. The Sheriff had the most authority, but we just kind of melded together. And, at the Sheriff's request, FDLE brought Special Agent Dallas Herring in too."

Sheriff Dudley W. Garrett Jr. deserves the most credit for his leadership in the thoroughness of the murder investigation. He launched "a street by street sweep" of the city. A team of deputies and police officers interviewed hundreds of people and documented it even if the report said the interviewee "did not hear or see anything unusual." He corresponded with local and with distant agencies probing similarities in recent crimes. Garrett did not believe "the slaying could have happened without arousing some suspicion by neighbors, passersby, or others." The sheriff worked systematically, eliminating information in order to allow real clues and real suspects to emerge.

For example, the St. Johns County Sheriff's office determined quickly that the murder weapon was a machete "because of the depths of the cuts." According to Captain Williams in his June 20th deposition, "They were real clean cuts as they went in…just as clean like you had taken a razor. And long. "

The outer focus of Garrett's investigation included anyone arrested with a machete in his possession. This, actually, allowed for a wide range of suspects. As Walter Arnold stated in his autobiography, *Not Guilty*, "nearly all the residents of St. Johns County owned one or two machetes for trimming palm fronds and cutting vines and bushes."

Nevertheless, Garrett was making sure. There was a Daytona Beach man, Gary Powell, held in the Duval County jail, on charges of robbery and possession of a controlled substance. He was arrested with a "meat cleaver-type cutting instrument in his automobile." Garrett sent Special Agent Herring to Jacksonville to interview Powell.

Sheriff Garrett, Officer Nicklo and Officer Davis traveled to the Daytona Beach Police Department to meet with Detective J.H. Jenkins to investigate another white male, Thad Rutkowski, who was found with a "machete-type knife" on him after being charged with the robbery of a hotel.

In another scenario, a neighbor, Elizabeth Williams, relayed a story Athalia told her about a "businessman in Cuba who garroted his secretary" and the report was duly documented by Lieutenant Lightsey. There is even correspondence from Sheriff Garrett, and from Police Chief Virgil Stuart, that indicated the murder investigation extended to Los Angeles, California.

Even rumors were investigated. Spotted by an unknown witness, an article in the *Florida Times-Union* by Dick Hagood on February 1, 1974 mentioned a "bushy-haired Oriental" leaving the scene of the Marine Street crime.

By far, the most time spent on a dead end occurred with 20 year old Adelle Mc Loughlin who, as she rode her bicycle down Marine Street, claimed to have seen a "white man in his late 50s opening the gate to the driveway" of Athalia's house about 4:30 p.m. on the day of the murder..

None of these suspects panned out. Powell knew no one in St. Augustine. Rutkowski was mentally ill and had no transportation. The mysterious Cuban never materialized. There were no viable leads from California. No one ever admitted seeing the Oriental with the wild hair. Adelle McLoughlin turned out to be the daughter of a man who worked for Alan Stanford, a man with a stake in establishing alternate suspects. She may have seen someone near Athalia's house, but Marine Street was a busy thoroughfare for traffic and pedestrians and it could have been anyone.

As James Lindsley said, "This town has been hip deep in rumors with every kind of crazy goddamn story you can think of. Hell, I've been under suspicion and I don't know who else hasn't." This was true. But right from the start, as Captain Williams admitted in his deposition, there were two main suspects.

The first was, in fact, Athalia's husband, James "Jinx" Lindsley. In spite of James being a St. Augustine insider, a former mayor and a commissioner, he was described as a chain smoker who drank too much by those who knew him and as "abrasive" by everyone else. And he wasn't nicknamed "Jinx" for nothing. He'd been married twice before to the same woman, a dance instructor named Lillian They had a son, Danny, who died in a motorcycle accident in 1966. Lillian died on New Year's Day 1971 in the early morning hours in a car crash near the Duval County line with James at the wheel. At the age of 60, her neck was broken from the impact of the crash. No breathalyzer test was taken of either party in the accident.

Much was made of the fact that James and Athalia married after dating only a few months in 1973. Then they maintained separate residences. Certainly, she stayed at the house on 124 Marine Street to safeguard her possessions. Yet, it soon emerged that there were indeed marital difficulties between the newlyweds.

Athalia confided in a letter to her sister, Geraldine Horton of Honolulu, that James was "a leech" and "a liar." Once, when Athalia asked James to mail a letter with a $50 check inside, James removed the check and cashed it. Athalia told her sister that she, Geraldine, and Geraldine's daughter, Patricia, were the beneficiaries of her will and that James should receive nothing. She made it clear that James did not even have a key to her house on Marine Street.

As bad as that sounds, it does not take into account how difficult it is to pool resources and life styles in a mature marriage. Athalia was 56 when she and James were wed, on September 10, 1973, and he was 64 years old. Athalia's mother died in April after a lengthy illness and Athalia was her caretaker. James had just lost an election to the county commission, his first election defeat in over a decade. They both had recent traumatic life-changing events in common.

A further difficulty entailed their profession. Athalia hadn't worked full time in years, and James had lost a reliable source of income from the city. It made sense to consolidate their assets.

They were both realtors-in fact, that was how they met- but the 1970s was a bad time for real estate. Mortgage interest rates spiked at 9% and they would peak as high as 22% by the early 80s. It was hard to sell Athalia's big expensive house.

In addition, Athalia was naturally protective of her mother's valuable possessions in the Marine Street home. She kept her dogs there, a crippled bird, and at one time, according to records, a goat. Athalia was a divorced woman unaccustomed to sharing time or resources. Athalia had not entirely coordinated her routines or her habits with James in spite of their recent marriage. But she was trying.

At least one neighbor, Frances Bemis, wrote Sheriff Garrett about the "great affection" the pair exhibited when they were together and that she was sure they had "a good relationship." Even Athalia's sister, Geraldine, asserted that Athalia did not talk much about "any difficulty she was having with James Lindsley." And James Lindsley was unmistakably besotted with Athalia. "I loved her so, "he said later. "We were together almost every hour of the day except at night when she went home to her house." But James was used to that. He and his first wife, Lillian, always owned two homes, sometimes stayed together, and sometimes stayed in separate residences.

Athalia accompanied James to his real estate office at 214 St. George Street almost every day. It was an historic building, one of the oldest in St. Augustine, and rumored to be haunted. On January 23rd, as they did at least once a week, Athalia and James skipped work, and spent a companionable day together taking a shopping trip to Jacksonville. They drove to Jacksonville in James's newish green Pinto wagon because he felt it was more reliable than Athalia's 1957 Cadillac sedan. James gave Athalia twenty dollars and dropped her off at Levy-Wolf's, a department store, while he went to a brokerage office across the street. Athalia bought James a shirt, some underwear and socks, looked at some shoes, and picked up a repaired necklace from Wells Jewelers. They met in front of Morrison's restaurant across from Hemming Park at 3:30 when the stock market closed. Then they shopped for their groceries for their Chinese dinner and headed home.

Athalia was seen leaving James's real estate office on 214 St. George Street at around 5:35 p.m. [documented time]. She was going home to feed her dogs and to allow her crippled pet blue jay, Clementine, some exercise on her front lawn as she customarily did. Then she planned to pick up the mail and the paper, close the blinds, turn on a light and the radio to make it look as though someone were home, lock up tight, and head over to James's house at 955 Lew Boulevard on Anastasia Island on the other side of the Bridge of Lions.

After Athalia left for home, James walked back to his office to see if he had any messages on his "recorder." He locked up the office and got back into his car. A Mrs. Fagen saw him leave. So did Mrs. Ruth Parker, a manager of a dress shop on King Street, who was walking to her car.

From there, he went through the parking lot to Cordova Street and parked in front of Mc Cartney's Drugstore on King Street. Before he entered, he ran into the Upchurch brothers, Hamilton and Frank Jr. and he spoke with them for a few minutes. Then he talked to a friend from his real estate business, Charles Benninger, before he went into the drugstore to buy some cough drops. A Mr. Robert Osbourne stated that he saw the Lindsley car in front of the drugstore at around 5:30 p.m.. [documented time].

After James left, he drove over the Bridge of Lions and onto Anastasia Boulevard where he stopped by Skinner's Dairy to get some milk. When he arrived home, about 6:05 p.m.[documented time], he saw his neighbor Mr. Best about 50 feet away. The two men did not speak, but Mr. Ronald Best confirmed later to Sergeant Dominic Nicklo that he saw James arrive in the Lindsley car port near the front door between 6 :00 p.m. and 6:30 p.m. [documented time].

Special Agent Dallas Herring was concerned that "there was a time lapse of approximately 15 to 25 minutes which were unaccounted for in Lindsley's alibi." Presumably, this lapse occurred during his drive home from Mc Cartney's, although it is a stretch to presume he could have made it to Marine Street, hacked his wife to death, and returned to his home on Lew Street by 6:05 p.m.. On February 5th, SA Dallas Herring arranged for James Lindsley to take a lie detector test administered by a polygraph examiner, Special Agent Joe Townsend also of the FDLE, Tallahassee field office. Lindsley passed the polygraph test and Townsend declared that James Lindsley "was truthful about his knowledge of events surrounding the death of his wife."

Lindsley said:

" It's a terrible, terrible thing not only to have such a grievous loss, but also to have those invisible fingers of suspicion pointing at you. At least this has taken some of the weight off my mind, although it doesn't take any of the sorrow away."

Clearly, James's account of his whereabouts on January 23rd was solid. For one thing, it never varied. For another, it is impossible that so many unrelated people who saw James Lindsley in town and at his home around the approximate time of his wife's murder could have conspired together to provide him with an alibi. In fact, Frank Upchurch Jr. was hired within a month to provide a defense for another, much more viable suspect.

This particular suspect was someone with whom Athalia had an ongoing feud. This suspect allegedly threatened her life. This suspect 's alibi time line changed continually and his home was where the trail of blood leading from Athalia's house ended. This suspect borrowed a machete from the county and never returned it. This suspect was initially identified as the killer by Locke McCormick who was the only eyewitness who came forward.

He was the most logical suspect and he was also the county manager, a vestryman at Trinity Episcopal Church, a husband, a father, and Athalia's next door neighbor.

He was Alan Griffith Stanford Jr..

Chapter 4:The Dispute

"Your wife was meddling in my business with the dogs last fall."-Athalia Ponsell Lindsley

Marine Street was not a neighborhood prone to friendly garage sales or block parties or potluck suppers. Frances Bemis, Athalia's neighbor on Marine Street, created and chaired a committee in the late 1950s " to create a warmer, friendlier and more hospitable atmosphere in our lovely community…too many people go elsewhere after trying us out…we must bring newcomers and older residents together." Frances held meetings at the mayor's house, obtained lists of new residents from real estate agents, and planned social events. Unfortunately, when she resigned as chairwoman, no one took up the mantle. By the 1970s, Frances's efforts to welcome new homeowners had been over for 16 years.

It seems no one welcomed Athalia Ponsell Lindsley and her mother Margherita Fetter when they established residency at the Marine Street house. Since neighborly contact was at a minimum, it was difficult to determine how the dispute between Athalia and her neighbors on both sides of her house began. There are many missing pieces to the narrative, most notably, Athalia's voice. History only reveals her reaction, and not the entire story of what motivated it.

It began with Athalia's barking dogs.

The houses on Marine Street were close together and the basic St. Augustine yard was devoid of lush landscapes. There were chain link fences enclosing the front yards and crabgrass, palmettos and banana trees in the rear. There were no bushes in between the houses. Proximity was not always kind, and Athalia was the subject of gossip and speculation right from the start. Mrs. Smith, Mrs. McCormick and Mrs. Stanton joked together about the pink wraparound that Athalia wore in her yard some mornings when she gardened. Clearly, they commiserated about Athalia's seven dogs who "barked, fought and howled" at all hours of the day and night. The McCormicks and Patti Stanford even went so far as to file a public complaint against Athalia in October of 1972, shortly after she moved in with her mother.

Athalia and her mother moved to St. Augustine from Jacksonville where they lived together in an "old mansion" on Riverside Avenue. Athalia's mother, Margherita Fetter, bought the house on Marine Street from a Mrs. Winnifred McCarter Shipman. However, it is likely that Athalia handled the transaction in lieu of her mother. Mrs. Fetter, a retired schoolteacher from Duval County and a widow since 1937, was an invalid. Geraldine Horton, Athalia's sister, mentioned flying home from Honolulu for her mother's "heart attacks." Athalia was her mother's caretaker for many years.

It is hard to understand why Athalia picked St. Augustine as the place she wanted to live. She and her mother were comfortable in Jacksonville. The Duval County Republican Women's club president, Elinor Van Dyke, said, "Most of us knew Athalia well for a long period and loved her dearly. "Perhaps, Athalia wanted a fresh start in a city where she had fond girlhood memories; she and her sister, Geraldine had attended the local St. Joseph Academy. Perhaps she thought St. Johns County was a smaller more suitable venue in which to exercise her budding political ambition. Perhaps the upkeep of the mansion on Riverside was too expensive. Whatever the reason, Athalia was probably shocked by her reception in the St. Augustine community.

There were no covered casseroles or home baked cookies to welcome her to the neighborhood. Frances Bemis's committee to greet newcomers was long gone. Instead, the complaint about Athalia's barking dogs "on one of the best streets" in St. Augustine began.

It's not as though all was peace and quiet before she came. Marine Street was a busy thoroughfare in those days and there was always the sound of traffic. The hospital was at one end and the sound of ambulance sirens, and people driving back and forth, kept up a steady stream of traffic noise. It is a mystery how the barking from Athalia's dogs was so disruptive to her neighbors and yet not disruptive to her or to the invalid in her own house. At least one of the dogs, Zsa Zsa, was quite old and had been Margherita's beloved pet for years.

As her mother's caretaker, Athalia was home all the time, because her mother could not even go to the bathroom by herself. Clearly, Margherita Fetter, whose heart was bad, needed a lot of rest. At one point Mrs. Fetter fell and broke her hip. If Athalia was at home, tending to the dogs and 24 hour a day caretaking of her mother, how could the noise be that bad?

Yet why did Athalia took such umbrage when her neighbors complained about the noise? Reasonable people try to work things out. Athalia's sister, Geraldine, described Athalia as "a wonderful person taking care of people…she always helped." Nor was she uncooperative. One of Athalia's neighbors, Elizabeth Williams, complained about the "outside lights in the backyard" of 124 Marine Street "shining in her window" at night. Shortly before Athalia was killed, Elizabeth knocked on Athalia's door after 10:00 p.m.,and asked her to turn the flood lights off . Athalia politely did so, but Mrs. Williams observed that Athalia "appeared scared."

Geraldine noted during one of her visits to Athalia's house that the McCormicks "said something" when the dogs were in the yard, and Athalia responded in a temperate way, "Leave the dogs alone, please."

Unfortunately, only the McCormick's and the Stanford's view of the dog dispute were documented, and they portrayed Athalia as a crazed vigilante. She was convicted of disturbing the peace and fined 50 dollars. Athalia did not show up in court probably because she was taking care of her mother.

Consequently, she boarded all but three of her dogs, but her neighbors were still dissatisfied and reportedly disturbed by the barking. Rosemary McCormick initiated a warrant for Athalia's arrest on April 23, 1973, which was also three days before Mrs. Fetter died. Patti Stanford stayed out of it at that point preferring to write a long letter full of grievances against Athalia to Judge Mathis and to note, "I feel like I'm in the middle of a nightmare." Neither woman mentioned the death of her next-door neighbor or offered condolences to Athalia.

As the dispute escalated, Athalia sought to discredit Colonel Mc Cormick and Alan Stanford, but not their wives, Rosemary and Patti. This is curious. After all, the women were home more than the men, and the complaint about the barking dogs originated with them. Clearly, the origin of Athalia's vendetta against the McCormicks and against Alan Stanford, in particular, has more behind it than history allows us to know.

It is also likely that Athalia was unwell. She was her mother's sole caretaker for years, a strenuous and a heart-breaking task. Her sister, Geraldine, mentioned several times in her deposition that Athalia was "rundown." Many of her friends and acquaintances remarked at how thin she was and in pictures, she looked gaunt. Frances Bemis remarked that Athalia seemed "distraught and nervous, but I was told that she was always like that."

The day of her death, James mentioned that Athalia "had to go to the bathroom" on the ride home from Jacksonville. Indeed, she was in such a hurry to make it to the bathroom, that when she arrived home, she left her keys in the back door and put the groceries on the floor. After Athalia's death, Geraldine found "a bloody mass" and a tampon in a paper bag in the bathroom trash. At 56, Athalia had surely been through menopause and her sister Geraldine confirmed this in her deposition. If Athalia was experiencing postmenopausal "break-through bleeding," she may very well have been quite ill. Gynecologists consider such symptoms serious and as possible evidence of uterine or cervical cancer.

Athalia endured many life-changing events in a matter of two years. She made a major move to another city. Her mother died. She had gotten married. And it was likely she was ill. Any one of those experiences creates a tremendous amount of stress.

One can surmise that Athalia, liberated from her mother's bedside for the first time in years and emboldened by her marriage to James Lindsley, was finally free to express her frustration with her neighbors. Going after Patti and Rosemary was not enough to appease her. She wanted to hit them all where it hurt.

But she was the one who got hurt. Ironically, on the day that Athalia was brutally murdered there was not a peep from the dogs locked in the garage. None of the detectives even noticed they were there. Zsa Zsa, Margherita's old and beloved pet, walked through the house looking for Athalia.

The St. Augustine humane society picked them all up the next day.

Chapter 5: What Athalia Knew

"I'm not going to quit until I run him out of town." Athalia Ponsell Lindsley

In Spanish, the meaning of the name Athalia is "Guard tower." In Hebrew, its meaning is "God is great." Supposedly, people with this name have a deep inner desire to create and to express themselves, often in public speaking, acting, writing or singing. They yearn to have beauty around them in their homes and in their work environments. Their analysis of people and world events may make them seem aloof, and sometimes even melancholy.

She was born Athalia Anne Fetter. Her birthplace is listed as Toledo, Ohio, but if that is true, her mother, Margherita, flew from their home in Cuba to give birth in the states. Perhaps she wished to avoid future citizenship issues for young Athalia. America never relinquished Guantanamo to the Cubans, but it did surrender the satellite island that the Fetters called home in the early part of the 20th century.

The Isle of Pines, known today as the Isla de la Juventud (Isle of Youth), is an island in Cuba previously owned by America and previously controlled by wealthy Americans. Columbus presumably landed there in the 15th century. In the early 20th century, anyone could go there by catching a flight from Miami.

That is what the young Ohioan, Margherita Gardner, did on a vacation when she met Charles Franklin Fetter. She was an intelligent and adventurous woman, well educated, with an interest in writing. Charles was from Kansas, trained as a pharmacist, and he was 10 years older than she was. He was also a pioneer, a colonist, and "the owner of a chain of stores he established in 1905." He "pulled the switch" on December 25, 1916, giving the Isle of Pines "its first electric lights." He financed a telephone line on the island. Margherita married him on July 5, 1916. Athalia was born 13 months later.

Athalia lived near the Caribbean Sea on the balmy island known for its forests of pine trees until she was nine years old. Her sister, Geraldine, two years younger, was born during that time as well. It must have been an idyllic environment, tropical, with the sound of the surf crashing near the cape. But it was not long-term.

The Fetters, and other Americans, lived in Cuba by virtue of the Platt Amendment , introduced to Congress in 1901. The Platt Amendment controlled Cuban foreign policy and it declared that the Isle of Pines was not part of Cuba, that it was part of America just like Guantanamo Bay. Cuba could not claim either territory unless the US agreed.

The Cubans hated the amendment, and they wanted the Isle of Pines back. Sensing trouble, as early as 1924, Margherita and her friend Harriet Wheeler began lobbying Washington D.C. to keep the Isle of Pines as part of the United States, and to ignore a growing national fervor, among the Cubans, to take the island back.

By 1926, things took a turn for the worse for the Fetter family. In spite of his altruistic and friendly relations with the natives, anti-American sentiment had taken root. Charles was convicted of "sedition" and then pardoned and released. Shortly thereafter, the Fetter family relocated to the Riverside mansion in Jacksonville Florida. By 1936, President Roosevelt ratified the Platt Amendment as part of a conciliatory "good neighbor" policy. Cuba hoisted its own flag over the Isle of Pines, ensuring that Americans could not return there to live.

The Fetter family did not return to their island in the Caribbean. Athalia and Geraldine graduated from high school in Jacksonville, Florida. Athalia married a man named Dick Hyman when she was only 18. The marriage lasted two years. By the time her father, Charles, died in 1937 "after an illness of several weeks" Athalia and Geraldine were living in New York City.

In New York City, Athalia and her sister lived together in an apartment surrounded by people of every nationality and background. Both young women listed their occupations as "modeling and advertising." It was around this time that Athalia and Geraldine adopted the surname "Ponselle" presumably as a stage name. Athalia, in particular, showed great promise for success and fame in the big city.

As a Powers model, she was featured in numerous ads. She was a "Chevy girl, "and she promoted Listerine toothpaste. She was in a 1945 ad in *Life* magazine for Kreml shampoo:

Miss Athalia Ponselle another divinely beautiful Powers girl who has discovered the remarkable beautifying action of Kreml shampoo. Teen age girls glamour bathe your hair like gorgeous Powers models.

Athalia sang in the ensemble as the Senorita in the musical comedy *Viva O'Brien,* which ran on Broadway at the Majestic Theatre for a few weeks in 1941. She was a regular on the TV game show *Winner Takes All.* Puff pieces planted in newspapers by agents, described Athalia as the "face and figure gal. "

Tall, blonde, and willowy with high cheekbones and a slender figure, Athalia's love life made the gossip columns. She dated Joseph Kennedy Jr., and an engagement was rumored. After he died, she dated many men and some of her liaisons made it into the papers. In 1942, Walter Winchell mentioned that "the Lieutenant F. Baeler-Athalia Ponsell (by then she'd dropped the "e" on her surname) wedding set for yesterday is off for good." In 1945, gossip columnist Dorothy Kilgallen linked Athalia to the famous stage manager of the Sea Island Club, Ken MacSarin, an eccentric who subsisted solely on an egg diet.

In those days, a woman's career as a model waned when she hit the age of 30. By 1947, Athalia was back in Jacksonville, living in the Riverside mansion. Somewhere, in the ensuing years, she married an insurance and real estate agent, Charles. H. Blume. She had stepsons, but after she was divorced in 1962 there was no record of any consequent contact with the Blume family. By then, Geraldine had married, started a family, and lived in Hawaii, running an art gallery. Margherita's health was failing and Athalia was the caretaker for her mother. When she worked, she sold real estate, but somewhere along the line, her license lapsed. She took courses at college, but she never got a degree.

However, she was far from idle. In Jacksonville, Athalia dabbled in politics, ran for public office, and took up some of her mother's club memberships, which included League of American Pen Women, Daughters of the American Revolution, and Descendants of the Knights of the Garter, Magna Carter Dames, and Americans of Royal Descent. In her spare time, Athalia liked guns, owned several, and she was "quite a wonderful shot," attending target practice with the Jacksonville police. She wrote a book about gardening and patented a household device.

And so the years passed, pleasantly, perhaps uneventfully. Athalia, a vibrant woman, passionate about causes, and keenly intelligent, may have been bored. The neighborhood around Riverside was changing. So she decided to move to a place where she had pleasant school girl memories, settling on the white Spanish-style mansion on Marine Street with the big yard and the sunny rooms. Unfortunately, it was a fateful transition where she found herself embroiled in a verifiable feud.

After the McCormicks and the Stanfords ensured she was fined for disturbing the peace, and she got rid of most of her dogs, Athalia hired J. E. Manning, a tree surgeon, to cut back a pecan tree and a Canford tree to the property line between her house and the Stanford's house. This action incensed the Stanfords. Then, according to Patti Stanford, Athalia planted "10 foot high" bamboo across the city easement at the corner of the Stanford driveway. Patti got the city to remove it as "a visual obstruction."

Thwarted again, Athalia wrote a letter to the commanding officer of the National Guard in reference to Colonel Mc Cormick. The letter has not survived so no one knows what she said. However, it is safe to presume that it was not complimentary information. Nothing came of the letter and Athalia abandoned the Colonel and turned to Alan Stanford. And Alan Stanford was much more vulnerable to her retaliatory efforts.

Athalia showed up at the news office of the *St. Augustine Record* to do some research on him. Anne Heymen, now a retired reporter, recalls that Athalia was tall, gorgeous, and "intimidating." According to managing editor, Patrick Lynn, Athalia "requested that a staff member be assigned to help her dig up information on Alan Stanford." In Lynn's words, when he "politely declined," Athalia "walked out of the office in a huff."

She must have been back, however, because she was a thorough woman. She found plenty of information. She fueled rumors that Alan was receiving county materials at his home for his own projects. Ironically, assistant state attorney Richard Watson, who was part of the prosecuting team at Athalia's murder trial, cleared Alan of this charge claiming it came from a "disgruntled employee." There were plenty of disgruntled employees.

Documented in St. Johns County city commission minutes in 1972 and 1973 are scores of road and bridge employees who came and who went. Stanford tried to fire his interim predecessor, Peter Hardeman. Stanford fired Eddie Lightsey's son; Lightsey was a highly ranked St. Johns county deputy. Stanford fired Clyde Woolever an employee who showed up to criticize the paving job on Joe Ashton Road. Heads rolled at every commission meeting.

Then Commissioner Green ordered an investigation into "certain purchases made by Stanford" and the high employee turnover (155%), which was highlighted at a December 11th meeting in 1973 when a "delegation from the Road and Bridge department" showed up to complain about working seven days a week without overtime pay." Stanford was not interested in their grievances. He asked the men if they had "permission from their supervisor" to attend a county meeting, as though public meetings weren't open to, well, the public.

Athalia showed up often at commission meetings blatantly and publically challenging Stanford's competence, complaining about his high salary, and criticizing him for signing documents as the county engineer when he lacked the credentials to do so. A condition of Alan's employment required him to take the test to qualify as a professional engineer. He failed the test once in March 1973 and if he took it again it is not mentioned in the ensuing commission minutes.

Whatever her reasons, it is unfair to paint Athalia solely as a vigilante for going after Stanford. James Lindsley formally introduced Athalia to the city commissioners as his wife and echoed her concerns about the condition of St. Johns county roads. At least one letter to the editor in the *St. Augustine Record* was titled "Hooray for Mrs. Lindsley" and there were plenty of complaints about Stanford's job performance as documented by local citizens. Another letter complaining about the drainage of Roscoe Boulevard and the appropriation for the road being used elsewhere was titled, "Watergate in St. Johns County." But such criticisms are not unusual for anyone in a public position. What is unusual is how Stanford fought back. In public, he was composed and polite. Privately, he was vengeful.

Shortly after her mother died, Athalia entertained a group of friends from Jacksonville. As they were leaving, she stood in the front of her house waving them off. Alan Stanford pulled up in his county car and motioned Athalia over.

"You're a vicious evil woman," he said, "and one day I'm going to fix you."

Athalia did not take Stanford's threat lightly. She told James about it and also their mutual friend, a contractor named Gavin Laurie Jr.. When Geraldine came to visit, she told her, "That man over there that Alan Stanford is going to kill me."

James said afterward that Athalia repeated Stanford's threat at a public commission meeting, but there is no record of it in the official minutes. The threat is documented in a private addendum to the minutes provided by Ira Inman a deputy clerk to Sheriff Garrett in early February 1974. The meeting was a particularly contentious one in October of 1973.

First, James Lindsley complained that he and some friends drove out to Joe Ashton Road and they encountered a sign that said, "Drive at your own risk, road under water." Alan said the sign was just meant to slow down traffic. Then Athalia addressed the commission members.

"You are pouring taxpayer money down a rathole," she complained, referring to Alan Stanford's $20,000 salary and his lack of credentials. Athalia asked the commissioners why Alan got a raise higher than the 11% everyone else got.

Herbie Wiles, Stanford's loyal friend and the board chairman said, "We feel like, I personally, Mrs. Lindsley, feel like he's worth it." Wiles denied that it was necessary for a civil engineer to do Stanford's job, even though obtaining that credential had been a condition of his employment.

Athalia said, "You just stated a while ago everybody got an 11% increase on their little ole salary so how come he gets more? Now, you as an individual, because you believe he should have more, then you want to dish it out. Well, how come you can justify that?"

What Athalia said was true. Not one employee in the county was making within $12,000 of Alan's salary even if he'd been there 15, 20, 25 years. And Alan had only served for two years.

Herbie said, "Well, Mrs. Lindsley, I feel that I am elected by the people and trying to represent them the best way possible and in this particular-"

Athalia cut him off. "You're only one. They're others."

Herbie Wiles said, "I want to remind you that I am aware that you are a neighbor of the Stanfords and that y'all have had neighbor problems and I feel you are bringing yourself-"

Athalia was speaking at the same time. She said, "I sure am. That's true. My life has been threatened too, I'll tell you. You mention personal things, he threatened my life."

Alan was recognized by Commissioner Green. He said, "I'd like to state, Mr. Chairman, that that's a lie that is not true.

Everyone began speaking at once. This was not uncommon at commission meetings where Athalia presided. Even routine agendas were rarely dull.

Athalia also complained publically at a commission meeting that Alan put sugar in the gas tank of her Cadillac while she was out of town with James attending a wedding. James Lindsley was also suspicious of Alan, and he confronted him about the incident at the Stanford home. James had a reputation for a temper and for swinging with his fists first and for asking questions later. Stanford denied it, but he was conveniently working on his roof at that moment and was out of James's reach.

It probably seemed to Athalia that Alan was going to get away with what she perceived as his dishonesty, his slyness, his cowardly chicanery. Then her vendetta began to bear some fruit. She had taken matters into her own hands and finally landed Alan Stanford in the hot water she felt he deserved.

On a Wednesday afternoon, at 4:15 p.m., [documented time] January 23, 1974, and on the day of Athalia's murder, Stanford received two visitors in his county office from the Florida Department of Professional and Occupational Regulations. Thomas J. Murphy Jr. and Elmer Emrich were investigators for the Florida State Board. They were there at Athalia's request.

Athalia handwrote a letter to the executive director on December 4, 1973, using the royal pronoun "we" to convey solidarity among St. Augustine citizens:

"We feel it our duty to inform of the apparent malpractice of a man who appears to be passing himself off as a certified engineer. He signs county legal documents as the County Engineer, when as far as we can ascertain he has no engineering degree in any field.

This seeming chicanery casts a shadow on the Professional Engineering Society of the State of Florida, comparable to a "Quack" practicing medicine.

By bringing this to your attention, we hope it can be investigated and rectified."

The executive director, J.Y. Read, wrote back confirming that Stanford was planning to retake the engineering examination in April. In mid-January, Athalia's lawyer, George Stallings, wrote to Elmer Emrich informing him of Alan's lack of credentials. But Emrich had already heard from the executive director, and he wrote Athalia that:

"The content of your communication has been carefully reviewed, and you may be assured that this Board will afford this matter appropriate review."

The "review" included an investigation to determine whether Alan violated Florida Statutes or the Rules of Professional Conduct. Although Stanford later testified, "the matter was cleared up" during the meeting, that was not

the case. In a February 1st interview with SA Dallas Herring, Murphy conceded that he mentioned to Stanford that "he was in possible violation of two Florida State Statutes, 471 and 472. "

Afterward, Murphy and Emrich both confirmed to SA Dallas Herring that Stanford was cool and collected during the January 23rd meeting in his office. Mr. Emrich stated that Stanford acted as anyone would have expected and did not show anymore than normal concern about the situation. He added, "Mr. Stanford did not give any indication that would lead me to believe that he [Stanford] would go out and kill Mrs. Lindsley."

Stanford spent some time explaining to Emrich and Murphy the problems Mrs. Lindsley caused in the neighborhood after the court ordered her to get rid of her dogs. She was trying to get him fired, Stanford averred, as if that explained everything.

Yet Murphy added to Herring that "If I [Murphy] had been approached in a similar situation, I would have been upset and quite angered by such an interview, and I felt that Stanford was 'too cool' for the situation."

Patti Stanford had already complained to Judge Mathis that Athalia "endangered her husband's employment" with her public ridicule and harassment. Now, it seemed Athalia had a foothold in finally realizing her stated goal of "running him [Stanford] out of town."

The meeting lasted around an hour and the pair left at 5:15 p.m. Emrich and Murphy took a drive down Marine Street around 5:30 p.m.[documented time] on January 23rd to verify the location of Athalia's home. They planned to call on her the following day and interview her. Both men reported that the street was quiet and there was no one in view. They went back to their motel room in the Holiday Inn near Interstate 95 and State Road 16. There, they passed a quiet evening.

They mentioned Athalia's letters to Alan, but did not let him see them.

Of course, their interview with Athalia, which they may have mentioned to Stanford, never occurred.

The 'next day' was too late.

Athalia was a Leo and her horoscope for January 23rd read:

You may not be able to accomplish ALL that you schedule but with an optimistic attitude and sincere endeavor you can, nevertheless, give a distinguished performance.

Or, as her widower, James, said afterward, "She simply had more courage than discretion."

Chapter Six-What Alan Knew

"I'm going to send her back where she came from."-Alan Griffith Stanford, Jr.

Athalia Ponsell Lindsley and Alan Stanford had nothing in common, and that included their upbringing. Athalia was born on a balmy island in the Caribbean and Alan was born to a big house in the suburbs of Atlanta. Athalia had a working and a well-educated mother who questioned authority, to the point of lobbying the U.S. government in Washington D.C.. Alan's mother was a housewife. Athalia and her family were adventurous, living and traveling to many points in the world. Alan lived in the same house from the age of five until he went off to college.

Athalia followed her own interests in modeling, marketing, and research and, although influenced by Margherita's independence and sense of adventure, she did not become an academic and an educator like her mother. Instead, she forged her own path in New York City as a minor celebrity who knew how to market her looks and her talent. Alan was named after his father and, for a year, went to Clemson, his father's alma mater. He followed the same career path as his father to become a civil engineer. Only Alan Jr. never quite made it.

Certainly, that was a disappointment, because civil engineering was his original major, according to his first draft card. His eventual lack of that coveted degree, which Athalia harped on, could have easily led to his dismissal as County Manager. No one knows to what extent Alan's inability to live up to his father's accomplishments dehabilitated him or if he exhibited signs of mental illness prior to January 23, 1974.

Where Athalia was described as a hot head, a rabble-rouser, newspaper articles and private testimony repeatedly depicted Alan as "quiet" "soft spoken" "calm" and "cool." But other accounts of an out of control temper are recounted as well. There is a story that he flew into a rage and destroyed the sensor on a compressor at the county office after tiring of his clerks bickering about the office temperature. Certainly, Patti Stanford's testimony in her deposition can only be described as incoherent and fearful [see Chapter Seven]. Alan himself testified, "The trouble over the dogs affected her [Patti's] nervous system." Perhaps she had other reasons for her bad nerves.

Yet, on the surface, Alan led the charmed life of the privileged white southern male. The house he grew up in stands today on a big lot in a nice Fulton County suburb. Built in 1930, it has three bedrooms, two and a half baths, a fireplace, a finished basement and almost 3,000 square feet of living space.

Alan was named after his father .His sister Lydia, two years older, was named after her mother. Alan Sr. grew up in South Carolina and graduated from Clemson with a degree in civil engineering. Lydia Sr. a stay-at-home mom, and a Yankee from New York, was two years older than her husband.

Alan's sister, Lydia, didn't go to college, but straight out of high school, Alan Jr. dutifully attended one year of Clemson, which, at the time, was an all white, all male, military college in South Carolina and the alma mater of its senator, segregationist Strom Thurmond. When America entered World War II, Alan transferred to the United States Merchant Marine Academy in Kings Port, New York. He held a "B" average, joined the reserves and, according to his resume, received a degree in marine engineering. He obtained another bachelor's degree in business administration, marketing and finance from Emory University in Atlanta.

By 1948, Alan was living in Atlanta and married to Patricia Angela Mullen. They were the perfect young American couple of the mid 20th century: white, middle class, southern, traditional. A former frat boy (Phi Delta Theta), Alan belonged to the Kiwanis and he was a vestryman in the Episcopal Church they both attended. Patti was a Georgia girl, 21 years old, a pretty brunette, and willing to travel where her husband needed to go to obtain work.

Alan's first professional job was in Atlanta as a Southern Mills sales representative for industrial textiles. In 1956, the young couple moved to Dallas, Texas where Alan worked as a General Sales Manager for Ling-Temco-Vought (LTV) selling industrial and commercial component parts in the aerospace industry. By then, the pair had two daughters, Sherry and Patricia. In 1963, the couple moved to Hagerstown, Maryland where Alan held yet another

account and management position for Fairchild Hiller Corporation. Within the next five years, he changed jobs three times –twice with Fairchild Hiller- and worked within the realm of marketing and management for heavy equipment companies.

Eventually, the Maryland manufacturing company transferred Alan to St. Augustine where he sold aircraft parts. By then, his youngest daughter Annette was born. In 1971, he caught wind of the St. Johns county manager position-probably from his friend Commissioner Herbie Wiles- and he formally applied for it in December. Since the job required a civil engineering degree, Alan listed "engineering functions included during the past 16 years of experience." These included "research and development"; "construction equipment design and fabrication";"aircraft equipment invention."

Of the six applicants, Alan was unanimously chosen for the job by the county commissioners with the understanding that he obtain his civil engineering certification sooner rather than later. They promised him a raise when he got it although his staring salary of $17,500 was good by 1972 standards. He was on the job by January 17th.

By then he was already in Athalia's radar.

Alan later testified that Athalia's public attacks on his competence and on his lack of credentials were taken "in a light vein" and that he and fellow commissioners just though she was "nutty." He described having virtually no communication with her and said he was "not particularly" bothered by living next door to someone who hated him.

Documented facts show a different story. Nancy Powell, longtime St. Augustine resident, Athalia's friend, and consequent co-author of *Bloody Sunset,* later testified during his trial that a week before the murder, Alan called her up in 1973 asking if she had any "dirt" on Athalia and how many times Athalia was married. Nancy was the managing bureau editor for the *Florida Times-Union*, but whatever she knew about her friend, she kept to herself. Then Alan told her that if Athalia didn't lay off the public attacks, he would "send her back where she came from."

Sheriff Garrett testified during his deposition that he received a call from Alan around this time asking him to check into Athalia's background. The sheriff said:

"Well, I told him I couldn't, I dealt mostly in hard crime cases; I didn't have time to go into a thorough background on things like that. I said I would check the files of Duval County and that's about all I did."

The January 22nd commission meeting was the last of a series of humiliating debacles for Alan Stanford at the hands of Athalia Ponsell Lindsley. Athalia had been busy interviewing Stanford's fired employees who were naturally, critical of Stanford, as were several other St. Augustine residents. They were critical of Stanford's treatment of county roads, which often flooded and pocked with potholes**.** They were critical of an "experimental project on Cabbage Road that was falling apart after only two months." It was falling apart because the road was only an inch thick and trucks hauled garbage into the neighborhood and dumped it to enrich the soil for pine trees, a "project" devised by the commissioners. Residents said the smell was "nauseating" and there were flies everywhere. They'd already notified the Department of Pollution Control, who described the commissioner's "solid waste pilot project" as a "landfill." Herbie Wiles explained, "It was a means of handling the mounting garbage problem."

A delegation of these citizens, living next to "the project" and a county employee, Clyde Woolever, appeared with Athalia at the Tuesday, January 22nd meeting. Athalia said the road at Cabbage Hammock was "deplorable" and Joe Ashton was "ripply." She asked Alan what degree he held and what his experience in building roads was. Clyde Woolever, complained about the disintegrating paving job Alan authorized on Joe Ashton Road. He said the road was only an inch thick instead of the six to eight inch standard used by engineers. Alan Stanford countered that the road was four inches thick, although at a commission meeting in November 1973, he "advised" only two inches of

compacted asphalt for that particular job. Apparently, Athalia's concerns about Alan's engineering credentials were founded in more than malice.

Woolever was fired from his county job the next day, January 23rd, for "shabby" work. Alan contended at a February 12th commission meeting that Woolever's "attendance at the January 22nd meeting had nothing to do with it [termination of employment]."

And, after signing the papers terminating Clyde Woolever's employment on the afternoon of January 23rd , Alan learned from two representatives of the Florida board that he was violating the law by misrepresenting his public position. Clearly, eliminating Woolever was not enough. His job was in jeopardy because of Athalia Ponsell Lindsley.

Alan's mother and his wife were homemakers. He was a southern man and unaccustomed to women such as Athalia. Alan was not stupid, but it is clear that he was no mental giant either. In terms of ingenuity and intellect, Athalia far surpassed him. She openly collected evidence to dispose of him and aired it in a public forum. He poured sugar into the gas tank of her car when she was out of town, called around to find damaging gossip, and privately threatened her.

The pressures of his job were enormous. Bad news was coming at him from every side. Although his friend Herbie Wiles still defended him, the rest of the commissioners were getting tired of the ruckus Athalia caused at commission meetings. And now he was being investigated by the Florida Board of Engineers for breaking the law.

On his drive home from the office, Alan must have been literally steaming. He owned a big expensive house on the nicest street in St. Augustine. He was the sole support of his wife and two of his daughters. What would he do if he were turned away from his job in disgrace? Emrich and Murphy planned an interview with Athalia the following day. Was there any way he could stop the interview from occurring?

Alan parked near Charlotte Street at the rear of the house. There is no doubt that he was in an agitated frame of mind as he approached his home. He headed right for the kitchen sink and quickly, by his own admission, downed two drinks. He opened up the newspaper. Athalia pulled up in her driveway.

What happened next is hard to decipher. In fiction, there is such a thing as "an unreliable narrator." The term refers to a character whose credibility is seriously compromised. If the murder of Athalia Ponsell Lindsley were a fictional drama instead of non fiction, and Alan and Patti and Patricia Stanford were telling her story, they would be the unreliable narrators.

In real life, it was factually clear that in relaying the events that resulted in the near decapitation of their neighbor on January 23rd, the Stanfords were all figuratively lying their own heads off.