

COUNTY COURT
LAW DIVISION ORIGINAL
INDICTMENT NO. 167-66

STATE OF NEW JERSEY :
vs : Paterson, New Jersey
RUBIN CARTER AND : May 10, 1967
JOHN ARTIS, :
DEFENDANTS :
----- :

B E F O R E:

HON. SAMUEL A. LARNER, J.S.C.

A P P E A R A N C E S:

VINCENT E. HULL, JR.
Attorney for the State

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Certified Shorthand Reporter

*[NOTE: Page references in this re-typed transcript match the original,
but line references do not.]*

P A T R I C I A G R A H A M V A L E N T I N E ,

being first duly sworn, testifies as follows:

DIRECT EXAMINATION

BY MR. HULL:

Q. Mrs. Valentine, where do you live?

A. 168 Lyons Street.

Q. Please keep your voice up.

MR. STEIN: It is very difficult. I know from the past.

THE COURT: Very well. Keep your voice up, so that everybody can hear you.

That is all we can do.

BY MR. HULL:

Q. And how long have you lived on Lyons Street?

A. Since September.

Q. A little louder?

A. Since September.

Q. 1966?

A. Yes.

Q. Where were you living on June 17th of 1966?

A. 428 East 18th Street.

Q. And who were you living with at that address?

A. My son's father.

Q. And your son?

A. Yes.

Q. Now, were you at home on the morning of June 17, 1966?

A. Yes.

Q. And this was at 428 East 18th Street?

A. Yes.

Q. Please keep your voice up.

A. Yes.

Q. And what floor did you live on?

A. Second.

Q. Who was with you at that particular time around 2:30 on that morning?

A. No one, just my son. My son was at home.

Q. How old is he?

A. Two.

Q. Now, what were you doing at around 2:30 on that morning?

A. I had been watching television. I was lying on my couch. I had fallen asleep.

Q. Please, you will have to keep your voice up. Speak loud.

A. I was lying on my couch.

I had fallen asleep watching television.

Q. Which room?

A. The living room.

Q. And which street does your living room face?

A. It is right on the corner of East 18th and Lafayette.

Q. What happened at around 2:30 that morning?

A. Well, I had — I was awoken by —

Q. You are going to have to speak much louder.

THE COURT: The Attorneys out there have to hear you. Every juror there has to hear you. You will have to try and to do better in normal by getting your voice out. Will you do that?

THE WITNESS: I was awakened by a loud noise.

BY MR. HULL:

Q. And what were you on at that time?

A. My couch.

Q. And can you describe this loud noise?

A. Well, it sounded like a big bang.

Q. And what did you do after you heard that noise?

A. Well, I got off the couch and I went to my front window.

Q. And did anything happen while you were there?

A. Yes. I heard two more noises.

Q. Where were these noises coming from?

A. It sounded like the tavern doors slamming. I thought Jim was closing.

MR. BROWN: I object to that and ask that

it be stricken.

THE COURT: She is stating what she thought it was.

MR. BROWN: I ask that it be stricken.

THE COURT: It will stand.

BY MR. HULL:

Q. What did you do?

A. I looked out my front window to see if the neon lights were on.

Q. Which neon lights?

A. The tavern lights outside my window.

Q. What did you see?

A. It was still on so I knew Jim was —

MR. BROWN: I object. It is exactly what I think she will do.

THE COURT: I am not interested in what you think she will do. What is your objection?

MR. BROWN: I am objecting to her saying it was on and that is how I —

THE COURT: The rest of it will be stricken. The answer will remain that the neon light was on.

BY MR. HULL:

Q. Mrs. Valentine, I show you S-22 in Evidence. Are you familiar with the contents of that photograph?

A. Yes.

Q. And does that photograph depict the Lafayette Grill

and the exterior of the apartment which you resided in on June 17, 1966?

A. Yes.

Q. Does that photograph reflect the window that you looked out of from your living room?

A. Yes, it does.

Q. Would you mark that window?

THE COURT: Use the pen.

(The witness complies.)

BY MR. HULL:

Q. What did you see when you looked out of that window?

A. I saw the neon sign was still lit.

Q. Now, I show you S-26 for Identification. Are you familiar with the contents of that photograph?

A. Yes. That is the neon sign.

Q. And what else does it depict in addition to the neon sign?

A. That is looking out my window. What I could see of it.

Q. So, S-26 for Identification is a view from the window which you have marked here with an X?

A. Yes.

MR. HULL: I will offer S-26 for Identification in Evidence, your Honor.

THE COURT: Does that represent what it looks like at that time?

THE WITNESS: Yes.

MR. HULL: The State does not contend that it represents the lighting conditions.

THE COURT: I understand, the physical

characteristics.

MR. BROWN: As it was.

THE COURT: It will be marked S-26 in Evidence.

MR. BROWN: With the limitation that both, your Honor and Mr. Hull indicated. It merely shows the physical conditions. It doesn't show the lighting conditions.

THE COURT: The jury will understand it is not intended to show the lighting conditions on June 17th, at 2:30, nor the piece of an automobile which appears in the photograph.

MR. BROWN: It was taken on June 17th.

(The above referred to photograph previously marked S-26 for Identification is received in Evidence.)

MR. HULL: May I show these photographs to the jury, your Honor?

THE COURT: Yes. Before you do, for clarification, will you tell us which way your window faced? Whether it was Lafayette Street or East 18th Street?

THE WITNESS: East 18th.

THE COURT: That window you looked out of?

THE WITNESS: Yes.

MR. BROWN: That would be S-26, Judge, when we are looking at East 18th Street.

THE COURT: S-22 has the neon sign.

MR. BROWN: Thank you.

THE COURT: All right. Both of those represent East 18th Street window?

THE WITNESS: Yes.

(The Exhibits are shown to the jury.)

THE COURT: All right, Mr. Hull. I guess we are ready.

BY MR. HULL:

Q. Mrs. Valentine, what did you do after you looked out of the window here, which faces East 18th Street?

A. After I looked out the window I heard a voice say, "Oh no." An excited voice.

Q. Can you say what kind of a voice it was?

A. It sounded like a woman's voice.

Q. And were you able to tell, from where the voice was coming?

MR. BROWN: I object, if your Honor please and ask that the answer be stricken.

THE COURT: She hasn't answered that question yet.

MR. BROWN: I'm talking about the previous answer.

THE COURT: You are talking about the previous

answer?

MR. BROWN: Yes. She testified it was something like a woman. I am subject to error, because I can't always hear her. It is either a woman or a man.

THE COURT: That is her method of describing it.

MR. BROWN: Your Honor, may we ask that she try to keep her voice up?

THE COURT: I would appreciate it if you can bring your chair up a little bit.

MR. BROWN: Thank you.

BY MR. HULL:

Q. Now, were you able to tell where that voice was coming from?

A. Yes. It was coming from the tavern, it sounded.

MR. BROWN: Was the full answer from the tavern it sounded?

THE COURT: It sounded.

BY MR. HULL:

Q. What room were you in when you heard that?

A. In the living room.

Q. What did you do after you heard that?

A. After I heard that I went into my bedroom.

Q. Now, where is your bedroom with relation to the living room?

A. It is the room right in back of it which is on Lafayette.

Q. Now, I will show you S-28 in Evidence. This is a photograph of the Lafayette Street side of the building. Can you show the Court and jury where the bedroom was that you went to?

A. Right here.

Q. Will you point that out to the jury?

A. Right here.

THE COURT: That is the bedroom window you are referring to?

THE WITNESS: Yes.

THE COURT: Why don't you have her mark it.

BY MR. HULL:

Q. You went to a particular window?

A. Yes.

Q. Will you mark it with an X?

THE COURT: Mark it BR. We will know it is bedroom.

MR. HULL: Put a BR. under the X.

(The witness complies.)

BY MR. HULL:

Q. Now, what did you observe or see when you got to your bedroom window?

A. When I got to the bedroom window I saw two colored men running under the

window out towards the curb.

MR. BROWN: She drops her voice, Judge.

THE COURT: At the end was towards the curb.

MR. BROWN: Towards the curb.

THE WITNESS: There was a car like double parked in the middle of the street and one man got in the passenger side and one on the driver's side.

BY MR. HULL:

Q. Now, again with respect to this photograph, this is S-28 in Evidence. You were looking out this window which you have marked with the X?

A. Yes.

Q. And you saw two colored men?

A. Right.

Q. Now, where were they when you first saw them?

A. They were like under the window running to the car.

THE COURT: Which window was that?

THE WITNESS: They were under the bedroom window running to the car.

BY MR. HULL:

Q. Now, where was the car?

A. I would say right about here.

Q. Will you mark that with an X?

MR. STEIN: May I suggest you mark it with a C.

THE COURT: If you make a box and put C in

it, we would have a better idea.

(The witness complies.)

THE COURT: All right.

BY MR. HULL:

Q. Now, where was this car with relation to the curb on Lafayette Street?

A. Well, it was parked like double parked. There could have been another car parked next to the curb.

THE COURT: Was there another car or not?

THE WITNESS: No.

THE COURT: There wasn't?

THE WITNESS: No.

BY MR. HULL:

Q. About how many feet would you say this car was from the curb?

A. Another car length side ways.

Q. I'm sorry, that last answer was car length, side ways? Do you mean the width of the car?

THE WITNESS: Yes.

BY MR. HULL:

Q. Now, I show you S-27 for Identification. Are you familiar with the contents of that photograph?

A. Yes.

Q. And what does this photograph show?

A. This is looking out my bedroom window at the street.

Q. Please keep your voice up.

A. It is looking out the bedroom window at the street.

Q. When you say your bedroom window, do you mean your bedroom window which you marked with an X?

A. Yes.

Q. And what does it show, looking out your window?

A. It shows about where the car was parked.

Q. Now, can you mark on that photograph with a C then, for car, where you observed that?

THE COURT: And a box. Which exhibit is this?

MR. HULL: This is S-27, for Identification.

(The witness complies.)

MR. HULL: I will offer it for Evidence, your Honor.

THE COURT: All right. Any objection?

MR. BROWN: I don't know what it is. Probably not. That is a shot from the second floor, of course, here again —

MR. HULL: We don't represent that it reflects the lighting conditions or that vehicle in that picture was there.

THE COURT: That is correct. The jury will understand it only reflects

the view down to the street from the bedroom window. The car in the photograph has nothing to do with this case and the lighting conditions do not represent what existed at that time.

MR. STEIN: May I ask if this indicates from where on the windows?

THE COURT: The bedroom window of this young lady's apartment.

MR. STEIN: I understand that.

MR. BROWN: It was out of a second story window.

THE COURT: All right, S-27 will be marked in Evidence. (S-27 being previously marked for Identification is received in Evidence.)

BY MR. HULL:

Q. Now, will you please in the box denote with a C where you saw the car?

(The witness complies.)

BY MR. HULL:

Q. Now, in which direction was that car facing?

A. It was facing Graham Avenue.

THE COURT: Facing which?

THE WITNESS: Graham Avenue.

THE COURT: Do you know that direction at all,

north, south?

THE WITNESS: That way.

THE COURT: That way. All right. That doesn't help. Go ahead.

BY MR. HULL:

Q. Now, I will show you S-13 in Evidence. Are you familiar with the contents of that photograph?

A. Yes.

Q. Now, this would be East 18th Street, is that correct?

THE COURT: This being the street in front of the photograph.

BY MR. HULL:

Q. Now, where would Graham Avenue be with relationship to East 18th Street?

A. Down there.

Q. It would be down in the other direction?

MR. BROWN: That is not helpful to the jury.

THE COURT: Why don't you get that one Exhibit you have. That would indicate which Graham Avenue is.

MR. BROWN: They are as much in the dark as I am. It has never been mentioned before.

THE COURT: That shows it, does it not? No, it doesn't show it. I am sorry. All right.

MR. BROWN: The other one will show it.

THE COURT: That is too small. Do you want to try it, go ahead.

MR. HULL: Mrs. Valentine, will you please sit down.

(The witness complies.)

BY MR. HULL:

Q. This circle that I am showing you with the X on the top left is the intersection of Lafayette and East 18th Street. You have East 16th Street further on down. Here is Graham Avenue, are you familiar with that?

A. Yes.

Q. Now, looking at this as best you can from which direction was that vehicle facing?

A. It was facing this way towards Graham Avenue.

A. Facing Graham Avenue.

Q. Going towards Graham Avenue?

THE COURT: It would be west as indicated by the diagram, generally.

MR. HULL: All right. You may resume the Stand.

(The witness resumes the witness Stand.)

THE COURT: Now, to describe it a little further, Mrs. Valentine, your bedroom window is on — that is, it faces Lafayette somewhat in from 18, is that correct?

THE WITNESS: Yes.

THE COURT: All right. Was the vehicle facing towards 18th or away from 18th?

THE WITNESS: Away from 18th.

THE COURT: And on which side of Lafayette Street as you are facing away from 18th?

THE WITNESS: On the right hand side.

THE COURT: Right hand side. All right.

BY MR. HULL:

Q. Now, I show you S-17 in Evidence and this looks down Lafayette Street. Can you mark on that photograph in the sidewalk area where you first observed the two colored men?

A. Right about here.

THE COURT: Well, make it an X so we will be able to identify it. All right. There is a red X on S-17.

BY MR. HULL:

Q. Now, what did these two colored men do after you observed them at that spot on that photograph?

A. Well, at that spot they were running. They ran to a parked car, a white car.

Q. And you say a white car. And you have indicated that the car in a block with a C in photograph S-27 in Evidence

is that correct?

A. Yes.

MR. HULL: May I show this to the jury?

THE COURT: Yes.

(The above referred photograph is shown to the jury.)

THE COURT: All right. We are ready, Mr. Hull.

BY MR. HULL:

Q. Now, Mrs. Valentine, what did you observe next?

A. Well, they got into the car. I could see that they were wearing sport jackets. The man that got into the passenger —

Q. Please keep your voice up.

A. The man that got into the passenger side had a hat. When they got in the car they took off.

Q. And the car was facing towards Graham Avenue?

A. Yes.

Q. The car going in that direction?

A. Yes.

Q. How far were you able to observe the car?

A. There is a tree towards the end of the property by the curb.

Q. Please?

A. There is a tree toward the end of the property by the curb, and after it got past there I couldn't see it any longer.

Q. I show you S-21 in Evidence. Is that the tree you

have just referred to reflected in that photograph?

A. Yes.

Q. Can you mark that? I guess on top of the tree put an X over the tree.

(The witness complies.)

BY MR. HULL:

Q. And at that point you were not able to observe the car any further?

A. No.

Q. Now, Could you come down to the diagram, S-3 in evidence.

(The witness complies.)

BY MR. HULL:

Q. This is East 18th Street. Lafayette Street. This is the 3-story building and the tavern. This is the building which you were in, is it not?

A. Yes.

Q. And I believe here there is a little area that jets out over the sidewalk. Is that where your bedroom was?

A. Yes.

Q. Now, there are trees noted on this further west on Lafayette Street, are those the trees you are referring to?

A. Yes.

Q. Which tree were you referring to?

A. The first one.

Q. The first tree. And that was in front of 257 Lafayette Street, is that correct?

A. Yes.

MR. HULL: May I show this photograph to the jury, your Honor? It is S-21 in Evidence.

THE COURT: Is that necessary at this moment? I don't think that is important. Continue with the questioning and then you can show it a little later.

BY MR. HULL:

Q. Now, Mrs. Valentine, can you describe the car which you saw?

A. It was a white car and the tail lights were like triangles. They were wider at the outside.

Q. Please keep your voice up.

A. And I tried to see the License Plate Number and the only thing I could detect was that it was a dark blue plate with yellow and gold lettering.

Q. You didn't get the License Plate?

A. No.

Q. I show you S-29 for Identification and ask if you have ever seen the contents of that photograph before?

A. Yes. A car just like that.

Q. Just like that?

A. The color, the tail lights.

Q. And when you say a car just like that, what do you mean?

MR. BROWN: I object. She said it is a car just like that. I object to the leading question.

THE COURT: The question is, when or where did you see a car just like that. That is a proper question.

MR. BROWN: I object to the question.

THE COURT: Well, that objection is sustained. Now, we have my question.

MR. BROWN: Yes, sir.

THE COURT: Answer that.

THE WITNESS: It was right outside my window. The car that I had seen.

MR. STEIN: I am sorry, sir. I didn't hear that.

THE WITNESS: The car that I had seen right outside my window.

BY MR. HULL:

Q. On this particular occasion, June 17th?

A. Yes.

THE COURT: May I have that Exhibit Number again?

MR. HULL S-29 for Identification. I will offer this in Evidence, your Honor.

MR. BROWN: No objection.

THE COURT: All right, S-29 for Identification.

MR. BROWN: Providing it is conditioned on the statement of the young lady that this is not the car but a car just like that.

THE COURT: She didn't say it is not the car. She didn't say it was the car. She just didn't say either. She said that is like the car.

MR. BROWN: Then I must object because it does not justify anything which is provitive, or which in any way concerns my client, if your Honor please.

THE COURT: The objection is overruled.

(The above referred Exhibit previously marked S-29 for Identification is received in Evidence.)

MR. HULL: Now, your Honor, may I show these two photographs to the jury?

MR. BROWN: Which ones are they, sir?

MR. HULL: S-21 which has the X over the tree and S-29 which is a picture of the vehicle.

MR. BROWN: Thank you.

(The two photographs are shown to the jury.)

BY MR. HULL:

Q. Mrs. Valentine, what did you do, then?

A. When I saw the car pull away —

Q. Keep your voice up.

A. When I saw the car pull away I went in my Son's room to get a raincoat. I threw my raincoat over my pajamas and I went downstairs.

Q. Where did you go when you went downstairs?

A. When I went downstairs I went in the side door of the tavern.

Q. Now, I show you S-28 in Evidence. When you came downstairs you came out a door, is that correct?

A. Yes.

Q. That door in the photograph?

A. Yes, right here.

Q. And when you went into the tavern through a door, is that located in that photograph?

A. Yes.

Q. Would you show the Judge and Jury?

A. I came out here and I went in here.

THE COURT: You came out the door shown on the left of the photograph and went in the right door?

THE WITNESS: I came out here and went in here.

THE COURT: And the right door is the door leading into the tavern, is that correct?

THE WITNESS: Yes.

BY MR. HULL:

Q. What did you observe or see when you went into the

tavern?

A. Well, I went in — there was a fellow standing by the front door and he told me to stay by the door.

Q. I show you S-14 in Evidence. You saw a fellow by the front door?

A. Yes.

Q. Is the front door located in that photograph?

A. Yes, right here.

Q. What was the position of that door when you observed the fellow there?

A. He was like holding it open.

Q. The front door?

A. Yes.

Q. And what else did you observe?

A. Well, I saw Willie standing by the pole holding on to the pole.

MR. BROWN: If your Honor pleases, I object unless the person —

THE COURT: Let us find out who Willie is.

THE WITNESS: William Marins.

THE COURT: Marins?

THE WITNESS: Marins.

BY MR. HULL:

Q. He was doing what?

A. He was standing with his left hand holding on to the pole.

Q. Now, I show you S-9 in Evidence. Can you mark on that photograph where you saw Mr. Marins holding on to the pole?

A. Right here.

Q. Show that to the Judge and Jury.

THE COURT: The white pole showing in the photograph.

MR. HULL: Could everyone on the jury see that?

THE COURT: Hold it up for a minute.

MR. HULL: There is an X here on the pole.

MR. BROWN: Did she say standing by the pole?

THE COURT: Standing at the pole holding on to the pole.

MR. BROWN: Holding on to it.

BY MR. HULL:

Q. What did you do after you saw that?

A. Well, after I saw him I started to walk towards him. When I got just past the pool table I looked the other way towards the air-conditioner and I saw Hazel, Mrs. Tanis.

Q. Where was she?

A. She was lying right here on the floor.

Q. Would you mark that area with an H.T.?

(The witness complies.)

Q. And you will show that to the Judge and Jury?

(The witness complies.)

MR. BROWN: May I see it, too?

THE COURT: Mr. Brown, you are welcome to see everything that goes on here.

MR. BROWN: I thought I was being overlooked,

your Honor.

THE COURT: Not at all. You too, Mr. Stein.

MR. BROWN: We feel rejected.

MR. HULL: This is what we are talking about.

BY MR. HULL:

Q. Now, would you show that to the jury where you placed the H.T?

A. Right there.

Q. Now, in which position was she in?

A. Her head was by the piano and her feet were towards the door laying on her back.

Q. Did you observe anything more of her at that time?

A. She had a black uniform and it was covered with blood.

Q. Now, had you ever seen her before in a black uniform?

A. Yes.

Q. Did you know where she worked?

A. Yes.

Q. Where was that?

A. Westmount Country Club.

Q. In what capacity?

A. She was a waitress.

Q. Now, Mrs. Valentine, if you will step down.

(The witness complies.)

BY MR. HULL:

Q. I am now referring to S-1 in Evidence. This is a diagram of the interior of the tavern, East 18th Street,

Lafayette Street, front door and side door. Here is the pool table; piano; air-conditioner; bar; bar stools. Back here is the Men's Room. The Women's Room and telephone. Now, you point out on this diagram which door you came in?

A. I came in here.

Q. And what did you do when you came in the door?

A. When I came in here I walked here to go by Willie.

Q. And is that the column where he was with his arm around it?

A. Yes. And when I got just about here I turned around and I saw Hazel lying here.

Q. In front of the air-conditioner?

MR. BROWN: She said the pool table.

THE COURT: No, she was near the pool table.

MR. BROWN: I can't hear, so I guess you must forgive me.

THE COURT: All right.

BY MR. HULL:

Q. Please keep your voice up. Now, you also observed someone else, is that correct?

A. Yes. Bob was sitting at the bar stool.

THE COURT: What was that? I am sorry.

THE WITNESS: Bob was sitting on the bar stool, here.

BY MR. HULL:

Q. And you mentioned someone in the doorway, is that correct?

A. Yes.

Q. A guy was at the front door?

A. Yes.

Q. Now, how far into the tavern did you get?

A. Just about here.

Q. Did anyone say anything to you?

A. Well, when I first walked in the door Mr. Bello was standing by the door holding it open and he told me to stay by the door.

THE COURT: That was who?

THE WITNESS: Bello.

BY MR. HULL:

Q. And what did you do after he said that to you?

A. I kept on coming in. I went to go in because I seen Willie and I wanted to go to him because I had seen blood on his forehead.

Q. And show us how far into the tavern you got?

A. Just about here.

Q. And was it from there that you made these observations?

A. I looked down here at Hazel.

Q. And you also observed who?

A. Bob.

Q. An individual known to you by the name of Bob?

A. Yes.

Q. Do you know him by any other name?

A. Cedar Grove Bob. That is all I know.

Q. And what did you do then?

A. When I say

I saw Hazel and I saw the blood I turned around and I screamed and I ran back out again.

Q. Now, through which way?

A. This way. I just turned and ran out.

Q. Where was Mr. Bello when you went out the door?

A. When I was turning he was running down this way and around. He was here. He was about here when I got to the door.

THE COURT: Pointing to where, the bar?

THE WITNESS: Yes. The far end of the bar.

MR. HULL: Would you mark that with a B, where Bello was when you were on your way out of the bar?

(The witness complies.)

MR. HULL: You may resume the witness Stand.

(The witness resumes the witness Stand.)

BY MR. HULL:

Q. I show you S-10 in Evidence and ask if you have ever seen that before?

A. Yes.

Q. Where and when did you see that?

A. Well —

THE COURT: You mean the photograph?

MR. HULL: The contents of the photograph.

THE WITNESS: When I walked in the tavern I had seen Willie standing here and Hazel laying on the floor and Bob was sitting in that position.

MR. BROWN: I object. That photograph speaks for itself. There is nobody in that picture but one person.

THE COURT: She is adding what she saw.

MR. BROWN: I know [words missing] is not the question.

THE COURT: That is her answer and it will stand. Next question.

BY MR. HULL:

Q. I show you S-18 in Evidence and ask if you have ever seen what is in that photograph?

A. That is Bob.

Q. And was he in that position when you entered the tavern and looked at him?

A. Yes.

Q. And this is the individual to whom you have referred as Cedar Grove Bob?

A. Yes.

MR. HULL: May I show these photographs to the jury?

MR. BROWN: What are they?

MR. HULL: S-10 and S-8, both in evidence. These photos were taken on the morning of the 17th.

MR. BROWN: No objection.

THE COURT: All right.

(The exhibits are shown to the jury.)

MR. HULL: Your Honor, I anticipate to be

a little longer on Direct.

THE COURT: Well, all right. Why didn't you state the real thing on your mind, that you are hungry. We will take a recess until 2 O'Clock, Ladies and gentlemen.

(A luncheon recess is taken.)

THE COURT: Mrs. Valentine, what did you do after you left the tavern from the side door?

THE WITNESS: I went upstairs to call the police.

BY MR. HULL:

Q. Keep your voice up.

A. I went upstairs to call the police.

Q. You went upstairs where?

A. To my apartment.

Q. And you called the Police Department?

A. Yes.

Q. Which Police Department?

A. Paterson Police Department.

Q. And what did you do after that?

A. After I did that I went back downstairs. I went back downstairs.

Q. Did you do anything before you went back downstairs?

A. No.

Q. Now, what were you wearing when you came back downstairs?

A. My pajama with the raincoat over it.

- Q. What did you do when you came downstairs?
- A. When I came downstairs I went to Hazel.
- Q. You came to the door on the Lafayette Street side?
- A. Yes.
- Q. Did you go out of the building?
- A. Right.
- Q. And then what did you do?
- A. I went into the tavern on Lafayette Street side and I went to Hazel.
- Q. When you say the Lafayette side, you mean you went back in the same side door?
- A. Yes.
- Q. And what did you do when you went to Hazel?
- A. I went to Hazel and I knelt down along side of her and she asked me to call Bob.
- Q. Who was Bob?
- A. Her boyfriend.
- Q. Now, where was Hazel when you knelt down beside her?
- A. In front of the air-conditioner.
- Q. And you were kneeling over her?
- A. Yes.
- Q. How did she say that to you?
- A. She was short-winded, very faint.
- Q. And can you describe what she looked like?
- A. She had a black uniform on and the whole top of her uniform was like a rust color.
- Q. Did you see anything else?
- A. No.
- Q. Did you have any other conversation with her?
- A. No.
- Q. When you say rust color, what do you mean?

- A. Blood. Like blood on black uniform was like a rust color.
- Q. Was she still on her back at that time?
- A. Yes.
- Q. And what did you do after you had this conversation with her?
- A. Well, I asked her for Bob's number and she gave it to me and I went back upstairs to my apartment.
- Q. Did you do anything else in the tavern at that time?
- A. No.
- Q. Now, did you see Mr. Marins at that time?
- A. No.
- Q. And was anyone else there in the tavern do you knowledge at that time?
- A. No.
- Q. Well, where was Bob?
- A. Bob was still sitting on the bar stool.
- Q. Now, what did you do then?
- A. Well, I turned and I went upstairs.
- Q. Which door did you go out?
- A. Lafayette Street side.
- Q. Out the side?
- A. Yes.
- Q. And back up to your apartment?
- A. Yes.
- Q. And what did you do there?
- A. I called Bob.
- Q. And what did you do after that?
- A. After I made my call I went into my bedroom and I put on slacks and a blouse and my shoes and I came downstairs.
- Q. How long did that take?
- A. A couple of minutes.

Q. And you came downstairs?

A. Yes.

Q. And then what did you do?

A. Well, there was Policemen outside the door on Lafayette Street, by the tavern and I told him I had to tell the lady on the floor something because he wasn't going to let me in. So he said, are you the girl that called me? I said yes. And then he let me go in and I went over to Hazel and I told her that I had called Bob and that he was coming.

Q. Keep your voice up.

A. So she said thank you and that is all she said to me.

Q. Where was she when you had this conversation?

A. Still laying there on the floor.

Q. Then what did you do?

A. I then went to the end of the bar.

Q. Which end of the bar?

A. By the front door, in this area.

Q. Will you step down, please?

(The witness complies.)

BY MR. HULL:

Q. Where did you go?

A. Over here. I looked behind the bar and I saw Jim.

THE COURT: You will have to speak up so those people can hear you.

THE WITNESS: I went to the end of the bar here and I looked down and I saw Jim on the floor.

BY MR. HULL:

Q. Where was he?

A. He was laying here.

MR. HULL: You may resume the Stand.

(The witness resumes the witness Stand.)

THE COURT: You are talking about Jim. Is that Jim Oliver?

THE WITNESS: Yes.

BY MR. HULL:

Q. I show you S-5 in Evidence. Did you ever see what is contained in that picture before?

A. That is how Jim looked when I looked down over at the bar at him.

Q. Now, there are other things in that photograph, in that area. Was that the same when you looked over and saw Jim?

A. Yes.

Q. Was there money on the floor? Was that there?

A. Yes.

Q. The cash register was out the same?

A. Yes.

Q. What is here on the bar, was that there when you looked over?

A. I saw Bob. I didn't see the beer glass or anything. I was too excited.

Q. Now, I show you S-7 in Evidence and ask you if you have ever seen that before?

A. Yes.

Q. Where did you see that?

A. In the Lafayette Tavern.

Q. And is that Jim?

A. Yes.

Q. Was he in that position when you looked over the bar?

A. Yes.

MR. HULL: Your Honor, may I show these photographs to the jury?

THE COURT: All right. They are in Evidence.

MR. HULL: S-5 and S-7 in evidence.

(The above referred to photographs are shown to the jury.)

BY MR. HULL:

Q. Mrs. Valentine, I show you S-7 in Evidence. Have you ever seen what is depicted in that photograph before?

A. Yes. When I came downstairs the last time when the Police were there, they had told me to go sit by the table on a chair. I walked passed there I had stepped in the grass. [glass]

Q. Now, this piece of furniture in the top of the photograph, was what?

A. Pool table.

Q. And these objects lying on about the pool table, in front of there as it appears in this picture was what?

A. A broken bottle.

MR. STEIN: I couldn't hear that.

THE WITNESS: A broken bottle.

MR. HULL: May I show this photograph to the jury, your Honor?

THE COURT: All right.

MR. HULL: That is S-7 in Evidence.

(The Exhibit is shown to the jury.)

BY MR. HULL:

Q. Now, Mrs. Valentine, will you step down again to the diagram and point out for the benefit of the Court and jury where that glass was that you saw with relation to the pool table?

A. Right here.

THE COURT: You better stand aside so we can both see it.

THE WITNESS: It is in this area, here.

THE COURT: Indicating the air-conditioner between the pool table and the easterly side of the building, is that correct?

MR. HULL: That would be correct, your Honor.

MR. BROWN: Can we have her just write glass wherever it is she says it was?

THE COURT: All right. That is a very good idea.

(The witness complies.)

BY MR. HULL:

Q. Now, Mrs. Valentine, you stated that when you were on your way out of the tavern the first time before you called the Police, you saw Mr. Bello up in this area where you marked B. When, if ever, did you see him the next time?

A. I think it was after the police were there. Oh, no. When

I was coming down the stairs at one time he was running down Lafayette Street towards the tavern.

Q. Now, when you were on your way downstairs —

A. Yes.

Q. Do you know which time that was?

A. That was after I had called the Police.

Q. You [had been] in the tavern?

A. Right.

Q. You went upstairs to call the Police?

A. Yes.

Q. And you were on your way down the second time?

A. Right.

Q. Now, as you left the first time Bello was over here?

A. Right.

Q. Now, you made your phone call to the Police, and you came down again?

A. Right.

Q. And you came out that side door?

A. The side door on Lafayette.

Q. Now, where was Mr. Bello when you came out that side door?

A. He was towards the back of the building running towards the tavern.

Q. Now, I show you S-28 in Evidence. This is again the picture of the Lafayette Street side of the building. Can you mark on there where you were and where Mr. Bello was when you saw him your second time?

A. I was coming out this door, here. He was about here.

Q. Can you make that a little heavier?

(The witness complies.)

THE COURT: Put a B next to it, so we will know what it represents.

MR. HULL: It is hard to see.

(The witness complies.)

BY MR. HULL:

Q. Now, in which direction was Mr. Bello going?

A. He was coming towards the tavern.

Q. Towards East 18th Street?

A. Right.

Q. And how was he moving at that time?

A. He was running.

MR. HULL: May I show that to the jury, your Honor?

THE COURT: All right.

(The Exhibit is shown to the jury.)

BY MR. HULL:

Q. Mrs. Valentine, what did you do after you looked over the bar from this point?

A. When I looked over the bar I saw Jim come away and I come around towards Bob. When I went to go near Bob, the Policeman stopped me and told me to sit by the table.

Q. And did you go sit at the table?

A. Yes.

Q. And which table was that?

A. That little table.

Q. This one?

A. Yes.

Q. And what did you do there?

A. Well, I was

sitting there for a while. I was crying and an Officer Greenaugh asked me if I wanted to go upstairs. I told him, yes. He took me up to my apartment and sitting, here, talking, and that is when I gave him the description of the tail lights and the color of the car.

Q. Now, Officer Greenaugh, was he a member of the Paterson Police Department?

A. Yes.

Q. Was he in uniform?

A. Yes.

Q. So you left the table and went upstairs with him?

A. Yes.

Q. And you gave him information?

A. Yes.

Q. Concerning what?

A. The car, the color of the car, the License Plate, and tail lights.

Q. And what else did you do?

A. Well, then we went downstairs to give the other officer the description.

MR. BROWN: I object. He went downstairs.

THE COURT: Well, he went downstairs. That is all.

BY MR. HULL:

Q. Did you draw anything at that time?

A. Yes. I drew two little tail lights on his scratch pad.

Q. Tail lights of what?

A. Of the car that I had seen pull away.

Q. And what happened after that?

A. Well, he went downstairs. I called my son's father to come home and

then I went back downstairs.

Q. Your son was upstairs?

A. Yes.

Q. And you went back downstairs. Where did you go?

A. I was standing on the sidewalk.

Q. Whereabouts?

A. [may be missing word] Towards the door. The side door of the house.

Q. On Lafayette Street?

A. Yes.

Q. On which side?

A. That side, but by my door coming out of the apartment.

Q. And that door is to the left?

A. Yes.

Q. And what happened then?

A. Well, I was standing there when I saw a Police Truck pull up and it had a white car behind it and another Police Car, behind that. The Police Car pulled up on Lafayette Side and the white car behind it and the other Police Car blocked it off.

Q. Now, would you step down again Mrs. Valentine?

(The witness stepped down).

Q. I am referring now to S-3 in Evidence. Again we have East 18th and Lafayette Street. Now, will (you) show us on the diagram what you saw as you stood near the doorway?

A. I was about here and the Police car came up this way. The first one pulled around. The white car pulled behind it and the Police Car came this way.

THE COURT: All right, indicating that it was coming up East 18th Street in a northerly

direction. It turned left into Lafayette and came to a stop?

THE WITNESS: Yes.

BY MR. HULL:

Q. And the Police car was facing on Lafayette Street going towards East 16th?

A. Yes.

Q. The white car that came in was facing the same direction?

A. Same direction. And the other car was facing up East 18th.

Q. What did you do after that?

A. Well, Officer Greenaugh came over and asked me to go look at the tail lights on the car.

Q. And what did you do after talking with Officer Greenaugh?

A. Well, I walked around to the back of the white car and I looked at the tail lights and those were the ones I had seen from the window. So, I walked in front of the tavern.

Q. I am going to show you S-29 in Evidence.

A. Those are the tail lights that I had seen on the car when Officer Greenaugh told me to go identify them, if those were the ones that I had seen at the window, and when I walked behind it I identified it and went to the front of the tavern. I was crying.

Q. Is this similar to the car that pulled up there?

A. Yes.

Q. And where did you go after looking at the rear of the car?

A. Well, I went in the tavern and I sat down by the table. They asked me if those were the tail lights that I had seen from the window and I said, yes.

Q. What happened after that?

A. Then the Detective took me down to the Paterson Police Headquarters.

Q. Paterson Police Headquarters?

A. Yes.

A. How did you get down to the Police Headquarters?

A. I went in Detective LaConte's Car.

Q. And what happened after that?

A. Well, when I walked in the Police Station, they took me into the Police Garage and he says to me, Do you see any cars here that you recognize. There was that same car in the garage.

Q. In the Paterson Police Garage?

A. Yes. Then I noticed the dark blue plates with the yellow and gold lettering.

Q. And where did you go?

A. I went up to the Detective Bureau.

Q. And you were questioned in the Detective Bureau?

A. Yes.

Q. And you gave a statement to the Police?

A. Yes.

Q. Was this on the morning of June 17th?

A. Yes.

MR. HULL: I have no further questions of this witness.

THE COURT: All right.

Mr. Brown.

CROSS EXAMINATION

BY MR. BROWN

Q. You have testified that what you saw on that night when you first looked out of your window was a car that looked like that, is that right?

A. Yes.

Q. That is what you still say, isn't it?

A. Yes.

Q. The car that looked like that?

A. Yes.

Q. Not that is the car or not the car, but one that looked like it?

A. Exactly like it.

Q. And you could tell by the License Plate, of course, is that right?

A. I don't understand.

THE COURT: Tell what?

BY MR. BROWN

Q. You could tell that it was similar in part by the License Plate?

A. No, by the tail lights.

Q. So that the License Plate didn't help you at all?

A. No.

Q. So that all you knew, if we were to look at this picture, is that those tail lights are similar to those you saw on the car?

A. Yes.

THE COURT: What about the color of the car?

THE WITNESS: The color was white.

BY MR. BROWN

Q. Well you have stated heretofore you can't tell

because this picture isn't in color, is that right?

A. Yes.

Q. So that since this picture is not in color, what we are limited to are the tail lights, is that correct?

A. Yes.

Q. So that the jury will understand that. In spite of your Honor's question and what I was asked, you have identified this because of the similarity of the tail lights?

THE COURT: You are talking about identifying the photograph?

MR. BROWN: Yes.

BY MR. BROWN:

Q. And that is all?

A. Yes.

Q. Now, it is a fact, is it not, that when you testified that it was a dark blue License Plate in answer to Mr. Hull's question this morning, you at the time didn't know whether or not the License Plate was dark blue, isn't that correct?

A. I told Officer Greenaugh in the house that it was a dark blue plate with yellow and gold lettering.

Q. You did. Do you remember talking with Lieutenant De Simone at the Paterson Detective's Bureau on the morning of Friday, June 19th? Do you remember saying to Lieutenant De Simone that there were no lights on the plate, that the plate was dark? Is that right?

A. Yes.

Q. So the fact is that when you looked out that window there was no light on the License Plate and it was dark, is that right?

A. No. The street was quite light.

Q. The street?

A. It is a very light section at night.

Q. But you told Lieutenant De Simone that all you know it was a dark plate because there was no light on it, isn't that what you told him?

A. I told him it was a dark blue plate, yellow and gold lettering.

Q. Yellow and gold letters, or did you tell him that there was no light on it, but you think there were gold letters?

A. Yellow or gold.

Q. I show you a record made by Lieutenant De Simone, sitting 12 feet from you, and asked you if does not note, and you can tell me whether this is correct, that you did or did not say it, since you have not signed it - -

MR: HULL: Objection.

THE COURT: Objection sustained.

BY MR. BROWN:

Q. Well, did you tell Lieutenant De Simone that you looked for the License Plate but there were no lights on the plate, that the plate was dark and looked like gold letters? Did you tell him that?

A. Yes.

Q. Well, you didn't tell him they were yellow and gold, did you?

THE COURT: She never said yellow and gold. She said yellow or gold.

MR: BROWN: Thank you, your Honor.

BY MR. BROWN:

Q. You never did tell him yellow or gold, did you, is that right? Is that correct?

A. I guess so.

THE COURT: Not guess. Do you know whether you told him or don't you know?

THE WITNESS: Well, I was very excited that morning.

MR. BROWN: Of course, you were.

THE COURT: So, can you tell us whether you stated to him what the color of the letters were?

THE WITNESS: Yellow or gold.

THE COURT: As far as you know?

THE WITNESS: Yes.

BY MR. BROWN:

Q. But you are certain there was no light on the plate from the automobile?

A. As far as I can remember, no.

Q. And there was no light in the parking lights or tail lights or whatever they are that you described, is that

correct?

A. Tail lights were on.

Q. They were lit and there was no light on the license plate?

A. Not that I can remember.

Q. Now, you have also told us how you looked out of the window and saw the car, is that right?

A. Yes.

MR. BROWN: May I mark this, your Honor, for Identification? It is not in Evidence.

THE COURT: Is this a similar picture that we have already or is it different?

MR. BROWN: It is similar, but it is on a different prospective.

(Two photographs are received and marked D-3 and D-4 for Identification.)

BY MR. BROWN:

Q. Now, you stated you could see the plates, although there was no light on it from the car, because this area is well lighted, is that correct?

A. Yes, sir.

Q. Now, as I understand it, this frame building, this 3-story frame building is the building which you live, am I correct?

A. Yes.

Q. And with respect to that building, was the car on the side of the building as you say heading towards Graham, which I take to be the west, right?

A. Yes.

Q. So that these lights as indicated on this chart were all focused right in that area, is that right?

A. It lit up the area pretty well.

Q. Very well lit. Could you tell us what the man looked like that you say you saw?

A. They were colored. That's all I could say.

Q. Just colored?

A. Yes.

Q. Now, you were looking right down on these people, weren't you? As a matter of fact, I show you S-35 in Evidence. There is a window on that photograph which shows the one that you were in, isn't it?

A. Yes.

Q. Take the red crayon, would you please put a big circle around that window?
(The witness complies.)

BY MR. BROWN:

Q. Would you put a big X down in the street where you say you saw the men?

A. Where I saw the men or the car?

Q. Where you saw the men going towards the car?

A. They were about here on the sidewalk.

Q. On the sidewalk where you put that X? That is right on the tail of the station wagon, is that right?

A. Towards the end.

THE COURT: Was that when you first saw them?

THE WITNESS: They came from under my window.

BY MR. BROWN:

Q. So that red X on the tail of that station wagon is

where you saw them and the circle is the window you were looking out?

A. Yes.

Q. Would you estimate that about 20 or 25 feet at a distance between the circle and the X in real life?

THE COURT: What do you mean, in lateral distance? In height or what?

MR. BROWN: Well, in height. What would it be in height?

THE COURT: That is what we are talking about, height.

BY MR. BROWN:

Q. You are looking down as I understand?

A. Yes.

Q. You are looking down right under your window, practically on them, because that X means they are on the sidewalk?

A. Right.

Q. So you are looking right down on these people?

A. Yes.

Q. In a well lighted area?

A. Yes.

Q. Now, to borrow his Honor's phrase, looking downward, what would the distance be, 10 feet, 12 feet, 15 feet?

A. I don't know.

Q. Would it be as far as from you to Mr. Hull?

A. From the second floor to the sidewalk.

Q. I beg your pardon?

A. From the second floor to the sidewalk.

Q. That would be about from you to where Mr. Hull is?

THE COURT: She didn't say that.

THE WITNESS: I don't know how high it is.

BY MR. BROWN:

Q. Would you say about [the distance] from your window to the sidewalk would be approximately from you to Mr. Hull?

THE COURT: She didn't say.

THE WITNESS: I don't know.

THE COURT: She just said the distance is from the second floor to the sidewalk. She can't measure it. Not at all.

BY MR. BROWN:

Q. Let us look around this room. Would it be from that light to the floor?

A. I don't know.

Q. A very short distance, wasn't it?

A. Mr. Brown, it was from the second floor to the sidewalk.

Q. I heard you madam, and my question is —

THE COURT: All right. That is the best she can answer. That is the difference.

BY MR. BROWN:

Q. Well, what did you see of these men, just the back of their necks?

A. Yes.

Q. That is all?

A. Yes.

Q. Well, one didn't have a hat, did he?

A. No.

- Q. Then you could see the top of his head, couldn't you?
- A. Right.
- Q. And the back of his neck?
- A. Yes.
- Q. And you could see their hand very clearly, couldn't you?
- A. No.
- Q. Well, M'am you even saw them open the door of the car?
- A. I saw the one get in the passenger side and put his hand on the doorknob and open it. That is it.
- Q. You saw them running from right under your window as you have described it, here?
- A. Yes.
- Q. They had to go at least a car's distance to get to their car in the street, a car's width?
- A. Yes.
- Q. It was pretty lighted?
- A. Yes.
- Q. And you couldn't tell whether these men had anything in their hands or not?
- A. I wasn't looking at their hands.
- Q. Have you ever seen a shotgun?
- A. No.
- Q. You never seen a rifle?
- A. A toy.
- Q. Well, you know what a shotgun looks like. You have seen them on T.V.?
- A. Yes.
- Q. So you know what one looks like?
- A. Yes.
- Q. You didn't see either of these men with a shotgun, did you?
- A. No.
- Q. Now, S-24, Madam, is in Evidence. You are familiar

with that scene, aren't you?

A. Yes.

Q. That shows the end of your — if you excuse me, may I ask you to turn it this way so I may show the jury at the same time. This shows the end of your house and the street going up towards Graham Avenue, right?

A. Yes.

Q. Now, you say there was a tree that obscured your vision as that car moved away, is that right?

A. Yes.

Q. And that, Madam, that tree is in front of the next house which is almost 100 feet away from the window, isn't it?

A. Yes.

Q. So that as the car went down the street as you were looking out of the window — excuse me. I show you D-3 for Identification and ask you if it isn't a fact that as you look at this photograph your window is behind that pole or down here?

A. Right here.

Q. So that you looked clearly up that street from this prospective without any interference from that tree, didn't you?

A. No, Mr. Brown. I can't see past that tree.

Q. This is your window?

A. That is right, Mr. Brown.

Q. Put a circle around your window, please.

(The witness complies.)

MR. BROWN: Your honor, this picture was given to me by the State. I wonder if they have

any objection of it going into Evidence.

MR. HULL: I have no objection.

THE COURT: All right. Just a minute. One thing at a time. Do you want it marked in Evidence?

(A photograph is received and marked S-39 in Evidence.)

BY MR. BROWN:

Q. If you look at these photographs S-39 to S-34, if you were going down the street you would go from S-39 to S-24, is that right? Because you would be going down the street towards Graham Avenue, is that right?

A. Yes.

Q. Now, if the car were as far as the next building, which is some distance from the window you marked, you still would be able to see that car?

A. No, Mr. Brown.

MR. BROWN: Your Honor, may I show these pictures to the jury and let them judge?

THE COURT: What?

MR. BROWN: And let them judge?

THE COURT: Please leave the remarks off. Just act as an Attorney without the remarks.

MR. BROWN: Are you suggesting that I am not acting as an Attorney?

THE COURT: I am suggesting that your remark, let them judge, be stricken.

MR. BROWN: I (object) to your Honor's remarks and ask for a mistrial.

THE COURT: Your application is denied. You are not to (comment while) handing out photographs to the jury.

MR. BROWN: Do they not judge, your Honor?

THE COURT: Don't argue with me. I have ruled on it.

MR. BROWN: I have heard you, sir, and I shall not argue with you.

(The photographs are shown to the jury.)

THE COURT: All right, Mr. Brown.

MR. BROWN: Thank you, sir.

BY MR. BROWN:

Q. Do you recall however, that these people were about equal height, is that right? The people you saw running towards the car in the street whom you identified as colored?

THE COURT: Are you asking her?

MR. BROWN: I am asking her.

BY MR. BROWN:

Q. If you do recall that these people were about the same height?

A. I don't know.

THE COURT: What is your answer?

THE WITNESS: I don't know.

THE COURT: You don't know. Please speak up. It is difficult and you will have to do it.

BY MR. BROWN:

Q. Well, you couldn't tell us whether one was shorter than the other or not?

A. No.

Q. Do you recall whether either one of them touched the car in any way to open the door or for any purpose?

A. They both opened the door.

Q. And did you see them open the door?

A. Yes.

Q. Well, was there one on the side of the car near you who opened the door?

A. Yes, he opened the door.

Q. Could you see him as he touched the door?

A. I could see him reach his arm over in front of him to open the door.

Q. You could see him reach his arm over?

A. He had nothing in his hand.

Q. And this was his right hand that he reached over with?

A. Yes.

Q. And S-18 in Evidence also shows the area we are talking about when you say you saw them going to the car, is that right?

A. Yes.

Q. Would you put a circle along your window in that photograph, please, and an X where you saw the other man in the street when he opened the door.

(The witness complies.)

BY MR. BROWN:

Q. That would be just to the right of the door which you used to go into your apartment, is that correct?

A. Yes.

Q. Is that right, Madam?

A. Yes.

Q. Now, after you saw the man open the door you saw another going to the driver's side, I take it, is that right?

A. Yes.

Q. Did he go around the front of the car or the rear of the car?

A. The rear of the car.

Q. And therefore as he ran around the rear of the car, as you have marked it in this photograph, he ran parallel to the car and right under your window, isn't that right?

A. Yes.

Q. Because he ran to the rear of the car, he had to go back towards 18th Street?

A. He ran this way around the back of the car.

Q. He ran around the back of the car. And you have testified that you saw them coming from right under your window, is that right?

A. Right.

Q. And they ran out to the street so the man who ran

around the rear of the car then was directly in line with your window, since you say the car was a bit up towards Graham Avenue?

A. They were both under my window.

Q. Both under your window and both in clear view?

A. Yes.

Q. When did you first see Mr. Alfred Bello?

A. When I entered the tavern.

Q. When you entered the tavern? And where did you see him as you entered the tavern?

A. He was standing by the front door.

Q. He was standing by the front door?

A. By the front door.

Q. Do you remember giving a statement on October 20, 1966, to Lieutenant De Simone? I show you a signature and ask you if you recognize it?

A. Yes.

Q. Do you recall telling Lieutenant De Simone over your signature under oath, "As I entered the door of the tavern I saw a fellow named Bello, coming in the front door of the tavern from East 18th Street side?"

A. Yes.

Q. Now, is it correct that as you went in you saw him coming in or that he was already in?

A. When I opened the door, the front door was opened and he was standing at it also.

Q. So he was not coming in but was standing there, is

that correct?

A. Yes.

Q. So in effect he was there before you?

A. Yes.

Q. And when he told you that you said he had to shout across that tavern, didn't you?

A. Yes.

Q. Because you indicated that he was already in the tavern and standing by this door when you got there and he yelled at you to stay by the door?

THE COURT: That is by the other door.

BY MR. BROWN:

Q. By the other door which you had come in?

A. Yes.

Q. The Lafayette Street side is over here, is that correct?

A. Yes.

Q. Now, as he yelled at you to stay over by the Lafayette Street door you were ahead of him, I take it? How did he yell at you?

A. He said, "Stay there."

Q. Was this a command to stay there?

A. Yes.

Q. And you came in here, Bello was already inside and you heard the voice of command, "Stay there," is that right?

A. Yes.

Q. Now, you didn't obey that command, but proceeded in?

A. Yes.

Q. How far in did you go?

A. Just the end of

the pool table.

Q. To the end of the pool table?

A. No, the other end.

Q. This one?

A. Yes.

Q. I am indicating the end of the pool table closest to the bar on the Lafayette Street side, I guess we can call it. You got here?

A. A little past there.

Q. And that is when you saw Mr. Bello?

A. No, I saw Willie as I came in the door.

Q. As you came in you saw him where?

A. Standing by the pole.

Q. And in one of your statements did you say he was hanging onto the pole?

A. Holding on the pole.

Q. And did you have any conversation with William Marins?

A. No.

Q. Now, as you came in and after this man had told you to stay there what was he doing, if anything?

A. He was looking down.

Q. You are talking about William Marins?

A. No, I am talking about Bello.

Q. Bello was looking down?

A. Down.

Q. Do you know what he was looking at? I am not sure if you could know. What did he then do if anything?

A. Well, when I got past the pool table I saw Hazel.

- Q. Yes.
- A. And he was coming towards me like walking along the bar.
- Q. You were coming this way?
- A. No. I didn't move after I saw her. I got to the end of the pool table and I stayed there.
- Q. You saw her somewhere near the air-conditioner?
- A. Yes.
- Q. Was she laying parallel? I think you said her head was near the piano?
- A. Yes.
- Q. And her feet were in that direction?
- A. Right.
- Q. You would not say she was wedged or alongside the door?
- A. No.
- Q. That is not correct?
- A. No.
- Q. So now you didn't move from this position?
- A. I just- - I saw her, I screamed and I turned around.
- Q. And what did Bello do, move along the bar?
- A. He was running along the bar and he was going behind the bar.
- Q. He had to run past Mrs. Tanis?
- A. Yes.
- Q. He had to run by William Marins?
- A. Yes.
- Q. He had to run by the body of Mr. Nauyaks, who was here?
- A. Yes.
- Q. And he just went right on by and around here, is right?
- A. Yes.
- Q. How was Bello dressed?
- A. I don't remember.

Q. You don't remember?

A. No.

Q. Did he have a T-shirt, a business shirt, a coat, a jacket?

A. I think he had on a sports shirt.

Q. You think he had a sports shirt on. You knew this man, didn't you?

A. Yes.

Q. As a matter of fact, the man said he knew you rather well and he used to visit you, didn't he say that?

A. He never visited me.

THE COURT: We are not interested with what was said. Just ask her what she knows about him. Ask her what she knows. Don't ask her what Bello said.

BY MR. BROWN:

Q. I call your attention to your testimony before the Grand Jury, Mrs. Valentine.

MR. HULL: What page?

MR. BROWN: 79. Do you recall this question and this answer.?

“Question: Did you know his associate and boyfriend, Bradley or Kellogg?” That is the question, isn't it?

THE WITNESS: Yes.

BY MR. BROWN:

Q. And was this your answer that you gave?

“Answer: No. He told the Detective that he came to my house. I told him the only contact I have with him is the fact that I have seen him downtown. For him to be saying he was coming to my house. We didn’t even know I lived there or where I lived. He had never been in my house.” Is that your answer?

A. That is right.

Q. So that in effect this is your testimony before the Grand Jury?

A. That is right.

Q. Now, where in fact had you known Mr. Bello, if you knew him at all?

A. I have seen him in the M & R Restaurant.

Q. The M & R Restaurant. That is a place in Paterson?

A. Yes it is.

Q. And how often had you seen him there?

A. A few times.

Q. And that is how you recognized him, when you came in and saw him, is that right?

A. That is right.

Q. Now, after you had seen him running behind this bar or running to the end of the bar and turning towards the enclosure, is that correct? You then left and went upstairs again?

A. That is right.

Q. And this time when you went upstairs, what did you do?

A. I called the Police.

Q. And after you had a conversation with the Police,

what did you do then?

A. I came back downstairs.

Q. Still in your bare feet?

A. Yes.

Q. Still wearing a raincoat over your pajamas?

A. Yes.

Q. And when you got downstairs you saw Mr. Bello again, didn't you?

A. Yes.

Q. And when you got downstairs, I mean downstairs just outside the entrance to your home?

A. Yes.

Q. Which is this 3-story frame building, right?

A. Yes.

Q. Where did you see Bello that time?

A. He was running down Lafayette towards the tavern.

Q. Downn this street towards the tavern?

A. Yes.

Q. And I think you indicated that when you saw him he was about at the corner of the building?

A. Yes.

Q. And what did he do then, if you know? Did he go in the tavern with you?

A. No. He didn't go in with me.

Q. You went into the tavern?

A. I went into the tavern and I went to Hazel.

Q. You went directly to Hazel. You went to Hazel over near the air-conditioner?

A. Yes.

Q. Now, did this fellow come in, as far as you know? I don't remember.

Q. Well, you were right at this door?

A. Yes.

Q. So you would have seen him had he come from there?

A. I was talking to Hazel. She asked me to call Bob and I turned around and left the tavern. I didn't see nobody.

Q. You left by the same door.

A. Yes.

Q. You had to go all the way across the tavern?

A. No.

Q. Now, is it a fact, isn't it, that as you turned and went across the tavern you could see whoever was in your path, couldn't you? You were going to that door?

A. My mind wasn't on anybody else except the phone call that I had to make for Hazel. I was too excited to notice anyone else.

Q. To know what?

A. To notice anyone in that tavern.

Q. That is not my question. My question is, as you went in your path, here, you didn't see anybody?

A. I didn't notice anyone, Mr. Brown.

Q. I'm not asking you that, Madam. I am asking if in your path as you proceeded from the air-conditioner between the bar and the pool table- -

A. I didn't go around the bar. I went in front of the bar, and the polo.

Q. You went in front of the pole?

A. That is right.

- Q. You mean this section from the air-conditioner between the pole and the pool table and then to the door, and then out?
- A. Yes.
- Q. Now, as you went out did you see anyone?
- A. No.
- Q. Now, after you made your second trip upstairs you changed your clothes?
- A. Yes.
- Q. Now, as you went out did you see anyone?
- A. No.
- Q. Now, after you made your second trip upstairs you changed your clothes?
- A. Yes.
- Q. From the first time that you came into the tavern to the time you changed your clothing, this make this your third trip, is that right?
- A. I didn't answer.
- Q. You went up to change your clothes and came down another time, is that correct?
- A. Yes.
- Q. How much time would you say elapsed between your first trip in and the time you went upstairs the last time to change your clothes?
- A. Maybe 5 minutes.
- Q. Five or ten minutes?
- A. About 5 minutes.
- Q. And all this time there was no one around but Bello, and you don't know whether he was in or out that second trip? Now, from what you first heard, Mrs. Valentine, you thought there were doors slamming downstairs, is that correct?
- A. Right.
- Q. Pardon?
- A. Yes.
- Q. And the fact is that before you heard the doors slam you were sound asleep?
- A. Yes.
- Q. You had been watching the T.V.?
- A. Yes.

Q. And fell asleep.

A. Yes.

Q. Do you know what time it was when you heard this slamming of the doors, or what you took to be slamming of doors?

A. About 2:30.

Q. How did you gage that time?

A. Because when I woke up there was no more (picture)? on my television.

Q. And that is the only reason you say that it was 2:30?

A. Yes.

Q. Seriously, do you say that the reason you say it is 2:30 was because there was no picture?

A. The picture that I had been watching was off and there was nothing left on.

Q. So the fact is that all you know is that you had a blank television screen?

A. Yes.

Q. Now, you didn't check the time at all?

A. No.

Q. Could it have been 2, 2:45 as far as you know?

A. Yes.

Q. So when you set the time at 2:30 by the blank screen, you admit that it could have been 2:15 or 2:45 as far as you know?

A. Right.

Q. Now, therefore when you went to the front window to look out you saw the neon light on, and then you came back and looked out your bedroom window, is that correct?

A. Yes.

Q. Did you lean out of that window that is shown in these- - excuse me. Did you lean out that window in S-23?

A. No.

Q. You didn't. You stayed back inside?

A. Yes.

Q. Was the window open?

A. I don't remember.

Q. Were there curtains at that window at that time? It is your bedroom?

A. Nylon curtains.

Q. So what you did was look through the nylon curtains?

A. Yes.

Q. Now, as you sit back from that window looking out, looking through the nylon curtains, you saw people on the sidewalk, right?

A. Well, I put my hand on the window still at that time.

Q. You were right at the window sill? You were still looking through the curtains?

A. The curtains weren't together. They were just hanging at the side of the window.

Q. My only question is, were you or were you not looking through them? You can tell us?

A. No, I wasn't.

Q. You don't know?

A. I wasn't looking through them.

Q. All right, so, you were looking clearly at the man below?

A. Yes.

Q. Now, do you recall your testimony that the first time you actually saw them they were actually stepping off the curb?

A. A stop or two before.

Q. A step or two before that. Now, did you see Mr. Bello outside that window?

A. No.

Q. At that time?

A. No.

Q. You had a clear view of the sidewalk?

A. Yes.

Q. And you looked to your right. That is up towards Graham Avenue at the car as it moved out?

A. Yes.

Q. And of course you tried to follow it with your eyes?

A. Yes.

Q. Is that correct?

A. Yes.

Q. So you could see this entire stretch of sidewalk, isn't that correct?

A. Yes.

Q. And may I include that in the photograph which has been marked D-4 by consent, so that actually as you looked up you could see right up the street past the end of your house?

A. Yes.

Q. You did not see anyone?

A. I wasn't looking at the sidewalk.

Q. Well, you followed the car as it went up the street?

A. Right.

Q. So you were looking in the same direction as the sidewalk?

A. Yes.

Q. And you saw no one?

A. No.

Q. Now, how long a time elapsed after you saw the car move away, did you come right down those stairs that you indicated, to your apartment next to the tavern door?

A. A couple of minutes.

Q. A couple of minutes. Was it that long?

A. I would say that.

Q. So from the first time you saw the car pull away was a couple of minutes and then until the time you made your last trip you would say is something around 5 minutes? Something like that, is that what you said before?

A. Yes. About 5 minutes.

Q. It would be more than 5 minutes. You had to change your clothes?

A. My clothes were laying right on my dresser.

Q. You took off your pajamas, I take it, and put on your slacks and left your raincoat there?

A. Yes.

Q. Now, when you had described the car you had described it as being somewhat to the right and so you indicated?

A. Yes.

Q. When that car returned again you saw it was a similar

to the car that you said you saw, is that right?

A. Yes.

Q. But you couldn't say it was, and you couldn't say it wasn't?

A. Right.

Q. Did you see the men in the car when the car returned? You described how they pulled up. You told Mr. Hull how one car preceeded and one car followed and they turned in?

A. Right.

Q. Could you see the men in that car?

A. I didn't look at the men.

Q. You did not look at the men?

A. No

Q. But the men got out of the car?

A. I don't know.

Q. Well, as I understand your testimony you became upset. You cried and he again escorted you to your apartment, as I understand it? Is that correct?

A. No. He only took me upstairs once.

Q. Did you go upstairs after viewing the car?

A. No, I did not.

Q. You stayed downstairs?

A. Yes, I did.

Q. So you saw what transpired thereafter, is that right?

A. No. I went in the tavern.

THE COURT: You went in the tavern.

BY MR. BROWN:

Q. You went in the tavern?

A. Yes.

Q. Was Mr. Bello in the tavern?

A. Yes.

Q. He was in the tavern at the time the car came back, is that right?

A. I don't know if he was there outside when the car came back or not.

Q. What was he doing in the tavern when you went in?

A. We were all standing around.

Q. He was standing in the tavern? Was anyone else there other than you two?

A. Detectives, Police.

Q. They were all in the tavern?

A. Yes.

Q. When you talked to Mr. Greenaugh about the lights on the back of the car, was Mr. Bello anywhere near you?

A. I didn't see him.

Q. You didn't see him?

A. No.

Q. You don't know what happened in the meantime?

A. No.

Q. So the fact is you were shown Mr. Carter and Mr. Artis and you said you couldn't identify these men, is that right?

A. At the Police Station.

Q. You said that you could not identify these men, isn't that right?

A. That is right.

Q. And you were shown these men within a short time after they were returned to the tavernsite and taken to the

Police Station, isn't that right?

A. Yes.

Q. Was that a matter of hours, two or three hours, wasn't it?

A. Yes.

Q. You saw them from the front, from the rear and from the side?

A. No. They just came into the room and I got up and left.

Q. But you were told who they were?

A. No, I wasn't told at that particular time.

Q. Were you later told who they were?

A. Yes.

Q. And you told the Police you could not identify them?

A. I don't know who they are.

Q. When they walked in that room within hours after you had told the Police and had been involved in all this, you had a good look at them, didn't you, the way you are looking at me?

MR. HULL: Objection.

THE WITNESS: I did not- -

THE COURT: Objection sustained.

BY MR. BROWN:

Q. Well, were they walking up to you as though I am in the same room? Did they come in this fashion just the way I am?

A. Yes.

Q. So that if I walk up to you, this approximately what happened, isn't it?

A. They didn't walk to me.

Q. How far away were they from you? Were they as far as I am now, walking by me?

A. They walked past me and I got up and left.

THE COURT: What is the difference? You had an opportunity and you couldn't identify them?

THE WITNESS: No.

BY MR. BROWN:

Q. Is that correct?

A. No.

Q. And you can't identify them today?

A. No, I can't.

Q. Now, Mr. Bello told you why he came into that tavern, didn't he?

THE COURT: Don't answer the question.

BY MR. BROWN:

Q. Well, let us read your Grand Jury testimony.

THE COURT: It doesn't

THE COURT: It doesn't matter what the Grand Jury testimony is, Mr. Brown. The evidence is inadmissible as to what a third party told her.

MR. BROWN: The question was whether or not he told her, your Honor, and in order to contradict her, I submit--

THE COURT: It is improper and I so ruled. Next question.

BY MR. BROWN:

Q. Madam, you say you were living upstairs. I take it with the father of your child. You were not married at that time, I understand, but you say you are now married since?

A. Yes.

Q. That is why I called you Mrs. Valentine?

A. Yes.

Q. You still live in the same place?

A. No.

Q. Now, in terms of this building that we are talking about, when you went to the window at 18th Street side, this is Lafayette Street, correct?

A. Yes.

Q. Now, when you went to the window on the 18th Street side- - bear with me.

THE COURT: While you are looking, I would like to tell the jury that this fact of whether this young lady was married at the time or not, is of no consequence and is not to be used by you in any manner in valuating her testimony. It doesn't belong in the case.

BY MR. BROWN:

Q. I am now using S-26 which is the picture of a neon sign taken on the 24th of June and which you identified as overhanging the tavern from your living room window?

A. Yes.

Q. Was it while you were in that window you

heard someone say, "Oh no"?

A. Yes.

Q. And you said you think it was a woman's voice?

A. It was a woman's voice.

Q. You know Hazel Tanis?

A. Yes.

Q. Did you identify it as her voice.?

A. I wouldn't say it was, definitely her voice.

Q. You not only knew Hazel, but you knew everybody?

A. Yes.

Q. Cedar Grove Bob, Mr. Nauyaks and you knew Willie Marins?

A. Yes.

Q. And you knew Mr. Oliver?

A. Yes.

Q. As a matter of fact, he lived on the third and you lived on the second floor?

A. Yes.

Q. But you could not identify that voice as being the voice of Mrs. Tanis?

A. No.

Q. Now, the fact is, is it not, that there were other automobiles parked outside this tavern at the time you came down?

A. One.

Q. Well, there was Bob's car, was there not?

A. Right at the corner.

Q. Was that a Corvair or was someone else's car the Corvair?

A. There wasn't a Corvair.

Q. It was not a Corvair. And this Bob that we are talking about, I take it, Cedar Grove Bob, not the Bob you were calling for Mrs. Tanis?

A. No.

MR. BROWN: Your Honor, would you bear with me just a moment? I want to get the document that bears out my question. Your Honor please, I know it is early to ask for a break- -

THE COURT: We will take one sooner or later. We will take a short recess.

(A recess is taken.)

MR. BROWN: Your Honor, at this time I defer to Mr. Stein.

CROSS-EXAMINATION

BY MR. STEIN:

Q. Mrs. Valentine, I am going to stand right here so you can project out to me. If you reach me with your voice everybody will be able to hear you. Now, just to recapitulate very briefly without going too much over certain aspects of identification, what you saw at the window was a white car with a certain distinguishable type of tail light which you described?

A. Yes.

Q. And also you described the type of plates, is that correct?

A. Yes.

Q. Now, when this car was brought back you told us you went and looked at the car, is that correct?

A. Yes.

- Q. And you told Officer Greenaugh, you looked at the car that was brought back and you told him that this was the car?
- A. That this was the tail lights that I had seen.
- Q. So what you meant, what you did say to him was it was a similar type of car, is that right?
- A. The same kind of tail lights.
- Q. You were not specifically identifying the car that was brought to Lafayette and East 18th Street as the car which you had seen from your window?
- A. No.
- Q. No?
- A. No.
- Q. You did not know, for instance, whether or not the car you had seen from the window was a two-door or a four-door vehicle, did you?
- A. No.
- Q. And when you did have an opportunity to make certain observations, from your window, as to the race of the two gentlemen that you saw preceeding towards the car, you just came to a conclusion yourself that they were members of of the negro race, is that right?
- A. No. I saw two negro men.
- Q. Now, this was based, if I am correct, upon observations of the backs of their necks, is that right?
- A. Yes.
- Q. And also upon observing a hand of one of the men

who got into the passenger side?

A. Right.

Q. Nothing else?

A. No.

Q. From the observations of the back of the necks of these two men and from the [words missing] of his hand, could you tell whether these [word missing] you depict as negroes were dark skinned or light skinned?

A. No.

Q. You don't know one way or the other?

A. No.

Q. Is that right?

A. No.

Q. Now, I think I should add to that that you recall that one man had a hat on?

A. Yes.

Q. So you were able to repeat again in a different context the fact that one gentleman reached with his right hand toward the passenger door?

A. Yes.

Q. And you saw nothing in his hand at all?

A. No.

Q. Now, when you saw Mr. Bello in the tavern the first time you came downstairs you knew that this was Mr. Bello, didn't you? You didn't just think that was a person you never saw before?

A. No. I vaguely remembered the face. I didn't really know the name until after.

Q. But you knew who he was?

A. Yes.

Q. At least from having seen him before?

A. Yes.

Q. And where you saw him, was at the East 18th or main entrance to this place, is that right?

A. Yes.

Q. You say, I believe, that you observed the sign which you looked out of the living room, is that right?

A. Yes.

Q. It was still on?

A. Yes.

Q. That was when you woke up?

A. Yes.

Q. And can you tell me about the sign? Is it a color? Are the neon lights colored?

A. Yes, they are red.

Q. And they are blinking, or do they just stay on?

A. They just stay on.

Q. They just stay lit without any intermittent flashing or anything like that?

A. Right.

Q. And now when you looked out of that window did you look to the right at the sign?

A. When you look out the window that is what you see, the sign.

Q. It is a rather bright sign?

A. Yes.

Q. Was it bright enough to perhaps even momentarily have had some effect upon your ability to observe things as well as you could if you didn't look at the sign?

A. No.

Q. It is not. Now, you don't actually know what door the two men you saw come out of the tavern, or if they came out of the tavern at all, do you?

A. No.

Q. And as a matter of fact you don't know whether they ran along the side of the building or how they came

towards that car, do you?

A. No.

Q. And the first time that you actually laid eyes upon these two men headed towards the car was about two steps from the time they would go from the curb out onto the street, is that right?

A. Yes.

Q. Now, do you recall when you looked out the window whether you made any observations at all as to whether or not there were any cars parked on the Lafayette Street side, on your side of the street as you looked out of the window in front of the house?

A. There were no cars parked in my view.

Q. There were no cars?

A. No.

Q. Now do you recall testifying before the Grand Jury in this particular matter and being asked the specific questions about whether or not there were any cars parked along the curb and your answer at that time was Bob's car was parked at the corner by the fire hydrant? And that there was also —

MR. HULL: What Page are you referring to?

MR. STEIN: 72. And that there was also a Corvair parked way up the street towards the end of the building. That would be in your view, would it not?

THE WITNESS: `Yes. The Corvair would, yes.

BY MR. STEIN:

Q. And how about when you say Bob, who do you mean,

the fellow from Cedar Grove?

A. Yes.

Q. Where would that be?

A. That was to my left hand side.

Q. In other words, looking at this building which was — by the way, from here, looking at this building — thank you. Where could we fix the Corvair? Just tell me where to move the pointer?

A. The yard of that building.

Q. Which would be about here?

A. Yes.

Q. That was in your view, wasn't it?

A. Just about.

Q. So there was a car parked that you could see?

A. Yes.

Q. Now, where would the other car be?

A. Bob's car was parked by the fire hydrant on the corner.

Q. Which would be over here someplace?

A. Yes.

Q. And you could see out your window down to the corner?

A. I could not see Bob's car.

Q. So that when you told the Grand Jury there had been another car parked out there you were making reference and an observation of this at some different time other than when you looked out that window?

A. Yes. When I went downstairs by the house.

Q. Now, you went downstairs three times, didn't you?

A. Yes.

Q. And during these three trips, which of the trips did you observe the car parked on the corner?

A. Bob's car?

Q. Do you remember the three trips?

A. I think it was the last time when I was standing outside the building. Just before they brought the car back.

Q. Now, you say that you recall that the tail lights were lit, is that right?

A. Yes.

Q. But you don't recall at all whether the motor on this vehicle was running?

A. No.

MR. STEIN: I have nothing further

MR. BROWN: I just have one or two, very brief.

BY MR. BROWN:

Q. Do you know a family named Van Blocken, one of whom is Joseph Van Blocken?

A. Yes.

Q. Did you have a conversation with them about this case after it occurred?

A. That is my husband's ex-wife's family.

Q. My question was, did you have conversations with them about this case?

A. We talked.

Q. When did you talk about the case? That is all I want to know?

A. Yes.

Q. You did?

A. Yes.

Q. All right. Now, would you help me to make one thing certain. Is it a fact that as you stated to Lieutenant Lawless

on June 17, 1966 that as you opened the side door of Lafayette Street, Mr. Bello walked in the door?

A. He was standing at the door with the door open.

Q. Now, let me show you Madam, — you say that is not so. That as you opened the Lafayette door he walked in, is that right?

A. Yes.

Q. Now, I show you this report given to Lieutenant De Simone in writing, purportedly there is a notation, “As I entered the side door Bello was coming in the front”, that is not correct?

A. No.

Q. I show you a statement over your signature under oath on June 17, 1966 and ask you in fact if it is not so stated here that you said under oath, “I entered the side door and Alfred Bello walked in the front door.” That is not correct?

A. I was very excited on that morning. He could have been walking at the same time as me, or he could have been standing there with the door open. I don’t know.

Q. I show you the testimony before the Grand Jury in October of 1966. Under oath,

“Question: How long were you in the bar before Mr. Bello came in?”

“Answer: We both walked in the same time. We both did.” Isn’t that correct?

A. Yes.

Q. “Question: You came in the side door and he came in the front door?” And your answer is, “Yes.”

Now, do you deny all these statements as being true in that you walked in the side door on the Lafayette Street side while he walked in the front door at the same time you walked in the Lafayette Street side? You deny all these things?

A. Mr. Brown, I don't know whether he walked in or he was just standing there.

Q. I am only asking you one question.

THE COURT: She has answered the question to the best of her ability.

MR. BROWN: If your Honor pleases, may I pursue that?

THE COURT: All right, but don't ask any conclusions. Let us get all the facts.

BY MR BROWN:

Q. It is true that before the Grand Jury you said that as you walked in the side door, he walked in the front?

A. Yes.

Q. It is true that you told Lieutenant De Simone that as you walked in the Lafayette side he walked in the 18th Street side?

A. Yes.

Q. It is true that you told Lieutenant Lawless that as you walked in the Lafayette Street side, he walked in the East 18th Street side?

A. Yes.

Q. And is it true that you told the fourth Officer that as you walked in here he walked in the front door, those four

occasions, is that correct?

A. Yes.

Q. And these were given at different times, not the same? They varied from June 17 to October 20, in the instance of the statement to Lieutenant De Simone, one on the 17th and one on October 20, and then to the Grand Jury on October 26, 1966?

A. Yes.

Q. And that was sometime after the excitement of June 17th obviously?

A. Yes.

Q. Now did you tell the Van Blocken family and Joseph Van Blocken that you saw those Defendants and could not identify them as the men at the scene?

A. I told them I couldn't identify them.

Q. You told them that. And that is exactly what you said, is that right?

A. Yes.

MR. BROWN: I have no further questions, your Honor.

THE COURT: Anything further?

MR. HULL: Yes, your Honor.

REDIRECT-EXAMINATION

BY MR. HULL:

Q. Mrs. Valentine, when you walked in the side door, the first time you came down from your apartment, where was Mr. Bello?

A. Standing at the front holding it open.

Q. Standing near the front door doing what?

A. Holding it open.

Q. Holding the front door open. Where was Mrs. Tanis at that time?

A. Laying right on the floor in front of the air-conditioner.

Q. How close was Mr. Bello by Mrs. Tanis?

A. At her feet.

MR. HULL: That is all

RE-CROSS-EXAMINATION

BY MR. BROWN:

Q. Did he at one time or anytime help Mrs. Tanis, help Cedar Grove Bob, or help Mr. Marins?

MR. HULL: Objection.

THE COURT: In your presence?

BY MR. BROWN:

Q. Instead, did he rush by them down this far and towards the end?

A. He was standing there for a while by Mrs. Tanis.

Q. What did he do for her?

A. Nothing.

Q. Nothing?

A. Neither did I.

Q. You didn't do anything for her?

A. All I did was make a phone call. I didn't touch her.

Q. You didn't go and talk to her?

A. Yes.

Q. You didn't go where she was moaning to give her whatever help you could.

A. Yes.

Q. Did he hesitate one minute for any one of these

injured people?

A. He hesitated by Hazel.

Q. And what did he do?

A. He was lifting her head.

Q. And then what did he do?

A. I don't know.

Q. Didn't you describe him as rushing around the corner of this bar?

A. As I ran away.

Q. But he didn't run away. He ran behind that bar?

A. I don't know what he did.

Q. Did you see Jim Oliver?

A. Later. Not until after the Police came.

Q. When you came back you saw Jim. What did you see when you looked in back of the bar?

A. I saw him lying on the floor.

Q. With what around him?

A. Money.

MR. BROWN: No further questions.

MR. HULL: Nothing further.

THE COURT: All right.

Ladies and Gentlemen, I am afraid we will have to recess now until 9:30 tomorrow morning. You are excused.

(Whereupon the hearing is adjourned.)
