

Jeanne Helm. - Captain Francis Ross.

A. I don't know, it was, if it was a week day he would have called me probably sometime after school, or if it was a weekend he could have called me any time.

Q. How late at night?

A. They were never real late at night.

Q. No further questions.

By Mr. Fierro:

No questions.

(Excused from witness stand.).

CAPTAIN FRANCIS ROSS, being duly sworn according to law testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name?

A. Captain Francis X. Ross.

Q. Are you a Policeman in South Williamsport?

A. Yes.

Q. Were you subpoenaed here originally by the defense?

A. Yes.

Q. Captain Ross.....

By Mr. Fierro:

I move that statement be stricken from the record as being wholly irrelevant to this issue.

By Mr. Ertel:

I will move to strike it.

By The Court:

Strike it from the record.

By Mr. Ertel:

Q. Captain Ross, did you have the occasion to investigate the accident involving Kim Hubbard's car?

A. Yes.

Q. When was the accident?

A. The 12th of October.

Q. Captain Ross, did you have the occasion to go to the Hubbard home on October 19th?

A. Yes.

Q. Can you tell us how many times you were there?

A. Approximately three or four times.

I can't recall definitely how many times.

Q. Would you describe the conversation you had when you were there?

By Mr. Fierro:

I object, this is not rebuttal.

By The Court:

May I see Counsel at Side Bar, and Mr. Feese.

(AT SIDE BAR.).

By Mr. Ertel:

The Defendant, Kim Hubbard, said he came and related very suspicious circumstances about a guy, this is to explain the circumstances.

By The Court:

What is he going to say?

By Mr. Ertel:

He is going to say he came there a couple of times,

he just got the description of the clothing Jennifer was wearing to be able to track her down. The one time he talked about, this was a Mr. Hill, he was an old man, he cut himself with a razor blade, he mentioned he knew the Hubbards, he went up to the Hubbards and told them this man cut himself badly with a razor, could they go back and look at him. He went down, there was blood in the sink and blood on the razor.

By Mr. Fierro:

Most of this is not rebuttal. Kim Hubbard's only testimony was that this man came and told them about a man who had a bloody face. Now, that part he can rebut, if he is going to say he did not mention about a man with a bloody face, otherwise that is not rebuttal and the rest of it is part of his investigation, which is not rebuttal.

By The Court:

The objection to the first part of the investigation, about picking up clothes, that objection is sustained. As far as a conversation about the man, the objection is over ruled because it did leave a question in the Jury's mind, but only a conversation about the man.

By Mr. Ertel:

I think he can say what he saw. These people said they went down there and used another name, they were looking for the guy, they didn't use his name, and knocking on the door and making up the name of Hamilton.

By Mr. Fierro:

He is not rebutting that.

Captain Francis Ross.

By Mr. Ertel:

If he told the whole circumstances, he certainly is, if he saw the blood in the basin.

By The Court:

He can tell what he told them.

By Mr. Fierro:

But he can't rebut what these people did when they went down to the house.

By Mr. Ertel:

He can end the suspicion about this man when he says he saw the blood in the basin and razor there.

By The Court:

As far as the conversation, I will permit that.

By Mr. Fierro:

And only that?

By The Court:

Correct.

(END OF SIDE BAR.).

By Mr. Ertel:

Q. Captain Ross, just turning to the conversation about the individual, can you relate those, or that, please?

A. Yes.

By Mr. Fierro:

Conversation with whom?

By Mr. Ertel:

Q. With whom did you talk?

A. About 9:00, I went ~~to~~, back to the Hubbard house in relation to an incident that occurred at approximately 8:55,

Captain Francis Ross.

a man by the name of Frank Hill down on....

By Mr. Fierro:

I object to this, the question concerns the conversation with Kim and that was the Side Bar offer, and if I understand that is the Side Bar order.

By Tye Court:

That is correct.

Q. The question is with whom did you talk at the Hubbard home?

A. With Mrs. Hubbard, and Kim and Colleen Whitenight.

By Mr. Ertel:

Q. Continue, please?

A. I don't know where you want me to start.

Q. Tell us what you told him?

A. I asked them if they knew a man by the name of Frank Hill who lived on Front Street?", and they said they didn't and asked me, you know, why I had asked them that, and I said this Hill had wandered into a house on Front street, and in the ensuing conversation trying to find out he was, he mentioned he knew the Hubbards on Central Avenue.....

By Mr. Fierro:

*This is a lie  
Ross went to the  
Bricker home then came back*  
I object to this, this is hearsay.

By The Court:

The objection is over ruled.

By Mr. Ertel:

Q. What else, what else did you tell them, if anything?

A. As far as I am able to remember, that is all.

Captain Francis Ross.

By The Court:

Mr. Fierro?

CROSS EXAMINATION

By Mr. Fierro:

Q. Well, in your conversation with Kim, Colleen and Mrs. Hubbard, you said you were talking to all three of these people?

A. Not at one time, I think Mrs. Hubbard came to the door first, then Kim, and Colleen sort of joined in the conversation later.

Q. When you were, when you spoke the words you just testified about, did you address yourself to a particular person, or were you speaking to all three of them in general?

A. All three.

Q. All three in general?

A. Not to a particular person, no.

Q. And in speaking to all three in general, you mentioned something about this man's bloody face, didn't you?

A. Yes.

Q. You had been to the Hubbard house earlier that evening, hadn't you?

A. Yes.

Q. What, around 6:00 or 6:30?

A. Approximately that time, yes.

Q. You saw Kim at that time, didn't you?

A. Yes.

Q. Can you tie that time down with a little bit more,

Captain Francis Ross.

like 6:00, quarter after six?

A. The only way I can tie it down, I stopped at the Hubbard's house briefly before I checked the buses leaving at the high school at night for the football game.

Q. What time?

A. I have no idea what time they left, it would be around 7:00.

Q. But you stopped at the Hubbard house before?

A. Just briefly.

Q. When you stopped at that time, who did you see besides Kim?

A. Mrs. Hubbard and Ruth.

Q. How close, did you speak to Kim at that time?

A. Yes.

Q. And you also spoke to him on the second occasion, which might have been what, 9:00 at night?

A. Approximately.

Q. You observed him, didn't you?

A. Yes.

By Mr. Ertel:

I object to this, this is not proper cross examination.

By The Court:

The objection is sustained.

By Mr. Fierro:

Q. You observed his behaviour?

By Mr. Ertel: The same objection.

Captain Francis Ross.

By The Court:

Sustained.

By Mr. Fierro:

No further questions.

RE-DIRECT EXAMINATION

By Mr. Ertel:

Q. Did you, what did you tell them about the man's bloody face?

A. The man told me that he cut himself with a razor.....

By Mr. Fierro:

I object to the conversation what the man told.

By The Court:

This conversation you are being asked.....

A. That is what I told Hubbard's.

By Mr. Ertel:

Q. That he cut himself with a razor? *A Lie. Caption*

A. Yes. *Ross said*

Q. Did you also tell them what his condition was?

By Mr. Fierro:

I object to his leading.

By The Court:

Sustained.

By The Court:

Reword your question.

By Mr. Ertel:

Q. Did you tell them anything else that you can recall?

A. Not that I can recall.



Captain Francis Ross.

Q. No further questions.

RE-CROSS EXAMINATION

By Mr. Fierro:

Q. Was there any connection in telling these people about the Hills, I mean with the Hubbards, excuse me, you said the man's name was what, Hill?

A. Hill.

Q. No relationship to the Jack Hill family?

A. Not that I know of.

Q. In speaking to the Hubbards about this man, Hill, with a bloody face, was there any relationship, blood or marriage, between the Hubbards and this Hill with a bloody face?

A. They didn't say there was, no.

Q. Well, I mean you went there to tell the Hubbards' about him?

A. Yes, because that is, a man told me he knew them.

Q. For that reason alone?

A. Yes.

Q. That is all.

(Excused from witness stand.)

CORPORAL RONALD K. BARTO, previously sworn,  
recalled and testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. Officer Barto, did you have the occasion to speak to Mike Grimes and interview him?

A. Yes, Sir, I did.