

SAMUEL KOSHKIN, 82-40 Austin Street, Kew Gardens, Queens, New York, called as a witness in behalf of the People, and after being duly sworn, testified as follows:

Direct examination by Mr. Cacciatore:

Q. Mr. Koshkin, on the early morning of March the 13th of 1964, did you hear anything? A. Yes. I heard a woman screaming.

Q. And what did you do then, sir? A. I looked out the window facing Austin Street.

Q. Now when you say facing Austin Street, I show you People's—

The Court: You are on the opposite side of the street from where these other witnesses lived!

The Witness: That's right.

The Court: You live on the same side of the street where the book store is!

The Witness: That's right.

The Court: Let's go on.

Q. Further down past the parking lot, though? A. Yes. This side of the parking lot.

Q. Past the parking lot? A. Yes.

Q. Your apartment is on what floor? A. Sixth.

Q. And you have windows facing Austin Street, is that so? A. That's right.

Q. You have a window facing the parking lot? A. That's right.

Q. And you have a window facing the railroad? A. Railroad.

Q. So there's three sides really? A. Yes.

Q. What window did you look out of? A. The Austin Street window, the bus stop.

Q. And there's a bus stop? A. Underneath.

Q. Immediately below? A. That's right.

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Q. Tell us what you saw, sir? A. I looked out the window and I saw a man hurrying to his car, a little car parked under my window.

Q. Can you tell us what kind of a car it was? A. It was a compact, light-colored compact.

Q. And did you see him get in? A. Yes, I did.

Q. What else did you see him do? A. Well, I thought he would pull out—

Q. Not what you thought. Tell us what you saw him do? A. He backed into 82nd Road.

Q. He backed on Austin— A. On Austin into 82nd Road.

Q. Into 82nd Road? A. Yes.

Q. Is 82nd Road one-way or two-way street? A. I think it's a one-way street.

The Court: Did you see the car then after he backed into 82nd Road?

The Witness: No.

The Court: You lost sight of him?

The Witness: Yes.

The Court: When he backed into 82nd Road the way he was facing, would he have to go across to the other side or did he back, which would be to his left?

The Witness: Well, when he reached the corner, I lost sight of him.

The Court: I see.

Q. I show you People's Exhibit 1 so that we can— People's Exhibit 1 shows the bus stop, is that so? Where is your window with relation to 82-40 where you lived, the window that looks on to Austin Street? A. This is upside down.

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The Court: Why don't we do this: Why don't you take the picture instead of the diagram? I think it will show it better.

Mr. Cacciatore: I want to show the direction.

Q. Does it show the bus stop here? Do you see it?  
A. Yes.

Q. This is 82-40? A. Yes.

Q. You are up on the sixth floor? A. That's right.

Q. All right. Is this the protruding part of that building?  
A. That's right.

Q. In which you live? A. Yes.

Q. You have a window on Austin, the window at the parking lot and the window at the railroad; right?  
A. Yes.

Q. You looked out of this window indicated here?  
A. Directly under my window.

Q. The car backed up Austin? A. Yes.

Q. Will you take a pencil, please, now. Where was he parked? Indicate.

The Court: Put a P.

Q. Put a P. This is the bus stop? A. Yes. Right underneath my window.

Q. That's a P. All right. With a line— A. Yes.

Q. The direction in which he backed on Austin, and do you see 82nd Road? A. Yes.

Q. Just with a line. A. He went this way, around this way, and then I lost sight of him at the corner.

The Court: All right. Put an arrow there. That's right.

Q. Right? A. Right.

The Court: Hold that up a minute so the jury can see it.

(Held up in front of jury.)

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The Court: The witness has indicated that the automobile was in what is marked the bus stop on that diagram and that when he backed his car, he backed it toward 82nd Road where the arrow points and backed into 82nd Road where he lost sight of the car.

Next question.

Q. All right now, did you continue watching from that window? A. I did.

Q. Will you tell us, please, did you observe anything else after you lost sight of the car? A. The man came back again, about five minutes later I'd say, and was looking—

Q. Did he appear to be the same person? A. Yes, he did.

Q. Can you describe him, please. A. Well, he was youngish, slim, about five foot eight, I'd say about twenty-five or twenty-six years of age.

Q. Can you describe the clothing as you saw it? A. He wore a three-quarter-length coat. When he came back he wore a fedora.

Q. What did he have on the first time? A. The first time he had on a knitted cap when he got into the car.

Q. And then he was wearing a fedora? A. A fedora when he came back.

Q. What did you see him do, sir? A. He was looking around the area.

Q. When you say looking around, just where did he look? A. He looked in the doorway near the drugstore. And then he went to the railroad station and looked in there. Then he went—

Q. I show you, so that we have it in continuity, I show you this photograph, sir. Does this fairly show the railroad station and the parking lot as of that early morning of March the 13th of 1964? A. Yes.

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Q. Does it show part of your building? A. Yes. This is the building right here.

Q. On the right? A. That's right.

Q. And this is the building where you said the drugstore was? A. Yes.

Q. And this shows the railroad station? A. Yes, sir.

Q. Is that so? A. Yes, sir.

Mr. Cacciatore: I offer it as People's Exhibit 6.

Mr. Sparrow: May I see it a moment, please.

The Court: Show it to counsel.

Mr. Sparrow: There's no objection.

The Court: Mark it People's 6.

(The exhibit was marked by the Reporter as People's Exhibit 6 in Evidence.)

The Court: All right, proceed.

Q. Now, you said that you saw him near the drugstore and you saw him go where then after that? A. Towards the back of the building.

Q. Towards the back of the building. The corner of that is the coffee shop, is that right? A. Yes.

Q. What do they call that, a beatnik— A. An espresso house.

Q. Espresso house. Then you said you lost sight of him? A. When he went behind the building.

Q. Now before that, did you see him do anything with his hands? A. When he came back, he had his hand in his mouth I think.

Q. Hmm? A. He had his fingers in his mouth, two or three fingers in his mouth.

Q. When you say he came back, before he went to the drugstore? A. After.

Q. After? A. After.

Q. Now on the early morning of March the 19th, were

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you at the location of Austin Street and the parking lot?  
A. I was.

Q. And did you see anyone there at that time— A.  
The police had a man there——

Q. What? A. —handcuffed and they were looking  
around the area.

Mr. Sparrow: I didn't hear that.

The Court: The police had a man there hand-  
cuffed and looking around the area. What time  
was that?

The Witness: 4:30 I'd say.

The Court: Same morning?

Mr. Cacciatore: This is March 19th.

The Witness: A week later.

The Court: A week later, March 19th.

Mr. Cacciatore: Six days later.

The Witness: Six days later.

Q. Tell us, please, what you saw? A. I saw the same  
man, I thought, looking around, pointing out different  
places and so forth.

Mr. Cacciatore: You may inquire.

Mr. Sparrow: No questions.

The Court: Step down.

Mr. Cacciatore: Mr. Edward Feisler, please.