

1 REPORTER'S NOTE: Court in session Friday,
2 November 5, 1982 at 9:27 a.m. in the Main Courtroom of the
3 Wayne County Court House. At this time, the jury is
4 present, the Defendant is present as well as counsel for
5 the Commonwealth and for the Defendant.

6 THE COURT: Mr. Smith?

7 DENNIS LITTLE CALLED AND SWORN

8 DIRECT EXAMINATION

9 BY MR. SMITH:

10 Q What is your name please?

11 A Dennis Little.

12 Q What is your address?

13 A York.

14 Q On February 18, 1982, sometime around 4:30 in the
15 afternoon, do you recall being at or about a fire hall?

16 A Yes, I do.

17 Q Do you recall seeing anyone there or talking to
18 anyone there?

19 A Yes.

20 Q Who was the person who was there with you, if you
21 know?

22 A When I first arrived, I didn't know who it was,
23 but I did later find out it was Mr. Hake.

24 Q Larry Hake?

25 A Larry Hake.

1 Q Did you say anything to him?

2 A Well, there was some discussion going on while
3 we were waiting the Police arrival.

4 Q Who else was there?

5 A Just my ten year old daughter and myself.

6 Q Did he make any statements to you of any sort?

7 A Well, when he first arrived, I had asked him what
8 he had needed or if he needed help, in which he stated he
9 needed an ambulance. I therefore informed him that our
10 fire company does not have an ambulance but, "I can get one
11 for you in a short time." I then left him in the fire hall,
12 and at that time I asked him what the address was, and he
13 told me 2254 Pine Road. At this time, I informed him that
14 ambulance and the A.L.S. unit are practically on the scene,
15 and that's when he informed me that the child was beaten.

16 Q Tell me, what was he like when he was talking
17 with you?

18 A It seemed like he was in a state of disbelief.

19 Q What do you mean?

20 A In other words, walking around in a daze.

21 Q Do you recall the exact statement that he made
22 at that time?

23 A I had asked him if he knew who assaulted the
24 child or beat the child, and he put his head down and said,
25 "Yes, and I know who did it." He muttered something like,

1 "I think I killed her."

2 Q I have no further questions.

3 CROSS-EXAMINATION

4 BY MR. NESS:

5 Q Mr. Little --

6 A Yes.

7 Q -- it was Mr. Hake then who took the initiative
8 apparently to summon an ambulance?

9 A Well, in earlier testimony, he did go for an
10 ambulance, in which this is the time I saw him at our fire
11 hall.

12 Q His first statement to you was simply that the
13 child was beaten?

14 A Yes.

15 Q And he couldn't believe it -- disbelief.

16 A It just seemed like he was in a daze, like, you
17 know, "What's happening?" I had asked him to move the car
18 that he had off the ramp of the fire company, and at that
19 time I figured, well, if he's going to run for it, he's
20 going to go now. He went out and moved the car around to
21 the side --

22 Q And he didn't try to take off?

23 A He didn't try to take off at all. Seemed very,
24 at the moment, submissive.

25 Q Mr. Hake didn't strike you as being a very intel-

1 ligent person, did he?

2 A As far as his I.Q., I wouldn't know.

3 Q I understand that. I don't know it either, but
4 he seemed like kind of a submissive kind of a dull person?

5 A I hate to make a judgment on a person just by
6 looks without really knowing him.

7 Q That's all I have.

8 MR. SMITH: You may step down.

9 BEVERLY MACKERETH CALLED AND SWORN

10 DIRECT EXAMINATION

11 BY MR. SMITH:

12 Q Your full name please?

13 A Beverly Mackereth.

14 Q And by whom are you employed, Ma'am?

15 A York County Children and Youth Services.

16 Q How long have you been employed in that capacity?

17 A Over two years.

18 Q In that capacity, did you, on January 12, 1982,
19 come to the home of Jo Ellen Bailey?

20 A Yes, I did.

21 Q And who was with you at that time?

22 A Detective Garber.

23 Q That's the gentleman seated here?

24 A Yes.

25 Q And, at that time did you see Mrs. Bailey?