

CHAPTER SIX



THE WITNESSES

It was noon, and Hogan was hungry. He dialed from his cell phone while he walked along Columbus Avenue.

“Good afternoon. Kelly, Lewis, and Reed. May I help you?”

“Kathy Russell, please. Matthew Hogan calling,” he announced, anticipating the customary screening questions. Moments later, he heard another voice. A familiar voice that brought his smile back .

“This is Kathy Russell.”

“Hi, Kathy. It’s Matt.”

“Where are you?”

“West 69th. Are you free for lunch?”

“You know, I could stand to get out of here. There’s a nice place on 57th between 8th and 9th. It’s called Jake’s. Do you want to meet there in about 20 minutes?”

Hogan continued to smile at the thought of seeing her again. “Sure. I’ll be there.”

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Thirty minutes later, they were sitting at a quiet table in the quiet restaurant.

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"How are you doing, Kathy?"

She looked at him, smiling, but still weakly. "I'm better, but it's still hard. I just feel so bad for Betsy and the kids. I wish there were something I could do."

For once, Hogan said the right thing at the right time. "There is, and you're doing it. By being her friend."

Kathy smiled, more genuinely this time, and clasped his hand on top of the table. "Thank you," she whispered.

Hogan nodded, then got down to business. "I just finished at Martel. Spent most of the morning there."

"Any luck?"

"Not much, and no surprises, either. Everything confirmed the general opinion that Ed was a great guy, and very few people did not like him."

"Very few. You found some?"

"One. But he wasn't in, so I'll talk to him on Monday. But it still wasn't a total waste. They're getting me a list of all the people who were laid off in the cutback a few months back. I should get the list Monday."

"How many people were laid off?"

"About a hundred, I think."

"That won't be easy, checking on all of them."

"It never is." Hogan took a bite of his sandwich, thinking for a moment. "I think I'll try to talk with the witnesses to the Durney death. Travis gave me the list."

"Why bother, Matt?"

"Even though the three deaths right now seem to be unrelated, they're all we've got. Maybe I'll learn something. Plus, there are only five of them. If I'm lucky, I should be able to talk with all of them today or tomorrow." He took another bite, with more thinking. "How about a trip tomorrow or Sunday?"

Kathy nodded with a full mouth.

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"I thought I'd go up to New City to talk with Betsy. After all, she is my client, and I need to keep her up to date."

She nodded again. "That sounds good. What time?"

"I'm not sure. Let's see what progress I make with the witnesses first. I'll call you."

"Do you want me to call her?"

"As soon as we know when, yes."

They spent the next 15 minutes in relative silence while they finished their meals. When they walked outside, Hogan asked hopefully, "Do you want me to walk you back?"

Kathy shook her head. "No. You've got things to do. And I really need to be alone."

He said dejectedly, "I understand," and turned to walk along 57th Street.

"Matt?" Kathy said softly. He stopped, turning to face her. She stepped to him, held his arms and kissed him lightly on the lips. "Thank you." Then she smiled and turned away.

Hogan just stood there, enjoying the moment.

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Thirty minutes later, he walked into his apartment. Noticing the blinking light on the answering machine, he went to it and pushed a button.

"Matt, it's Julie. Seeing you last night made me realize how much I missed you." There was a brief pause, then, "And how much I really like you. Can't we try it again, Matt? Please call me. Okay? Bye."

Shaking his head, he pressed the delete button and took the notepad from his jeans and opened it to the page where he had written the names of the witnesses to the Durney death.

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Steven Daniels - Fordham Road, Bronx
Julie Kingston - 10th Street, East Village
Andrew Thornton - West 207th Street
Barrett Owens - Riverdale Avenue, Bronx
Ruth Lutz - McLean Avenue, Yonkers

Hogan dialed the first number, getting no answer. Same with the second, but he connected on the last three, and arranged to visit Thornton at 2 o'clock, Lutz at 3:30, and Owens at 5. After those, he'd worry about the other two.

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Shortly before 2:00, he climbed the steps from the 207th Street subway station in upper Manhattan, then walked west until he found number 1193. He climbed the stone steps and rang the bell of the old three-story brownstone. Several moments later, the door was opened by a large black man wearing a beige turtleneck sweater, brown corduroy slacks, and brown slippers.

"Mr. Thornton?" The man nodded slowly, eyeing his visitor cautiously. "My name is Matthew Hogan," Hogan continued, showing his license to the man. "I called a little while ago about talking to you for a few minutes."

The man nodded again. "What do you want to know?" He continued to stare at Hogan. The look was somewhere between unfriendly and menacing; Hogan thought it leaned more toward the latter, and made his comments cautiously.

"Information about the young man who fell onto the subway tracks last week. His name was Kevin Durney."

"I didn't see anything unusual, just like I told the police," Thornton answered, still not inviting Hogan to come inside. Fortunately, the temperature outside was well into the fifties, typical of early spring in New York.

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"I appreciate your taking the time to talk to me. Do you take the subway often?"

"Twice every day."

"Then why are you home today?"

"I took the day off. That's not a crime, is it?"

"No, it isn't," Hogan responded, avoiding the cold stare from the other man. "Where do you work?"

"On Canal Street."

Thornton's answers were all very brief, so Hogan persisted with his open-ended questions. "How was the subway that day? Was it more crowded than usual?"

"About the same, I guess."

"How close to Durney were you?"

"Just a few feet."

"Did you see anyone get really close to him?"

The man shook his head. "I didn't even notice him until I heard the screams."

"Who screamed?"

"Several people."

"Several people?"

The big man finally nodded, but without a smile on his face. "One of them was a woman I think had been right next to him when he fell."

"What did she look like?"

"I don't remember. I think the police talked to her."

Hogan made note of this, and continued. "Is there anything else you remember about that day?" The man again shook his head. "Well, thank you again for your time, Mr. Thornton. If you remember anything else, please call me." Hogan handed him a card with his address and phone number and left, with the feeling that he had not been told everything.

Hogan walked back to the subway station and continued north on the Number 1 train to the station at Van Cortlandt Park. He came out

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of the station at 242nd Street and hailed a cab to take him to his hometown of Yonkers.

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The house at 427 McLean Avenue was very similar to the one he had just left, but the wood and brick construction dated it in the 1950s. A small sign under the small doorbell button read LUTZ. A few moments after he pressed the button, an attractive woman opened the door slowly. She was about five foot three and had long auburn hair that extended below her shoulders. Hogan guessed her to be in her mid thirties.

“Mr. Hogan?”

“Yes, I’m Matthew Hogan,” he responded, extending his right hand to grab hers. Her grip was very firm.

“Please come in.” She turned and walked toward the long, narrow stairway behind her. Hogan did as asked, closing the front door behind him and following her up the long staircase and into the living room. He sat on the end of the long sofa, leaving his coat on. “Would you like something to drink? Coffee? Soda? A cocktail?”

He shook his head, smiling and holding up his right hand. “Nothing for me, thanks. I won’t be here too long.”

“On the phone, you said you wanted to talk about that accident in the subway last week. What would you like to know?”

“Well, I know you’re probably tired of answering questions. I guess you’ve told a lot of people, including the police, your story already.” She nodded, and he smiled. “I’ll be brief, so please bear with me. I am working for a client who is anxious to get this over with.” Hogan noticed the large diamond on the ring finger of her left hand. No wedding band, just the diamond. “Do you take the subway often?” The standard opener.

“Usually Monday, Tuesday, and Thursday. Those are the days I work.”

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"Was the station more crowded than it usually is?"

She shook her head. "I've seen it a lot worse."

"How close were you to the victim?"

She shrugged her shoulders, shaking her head. "Not that close. Maybe ten to twelve feet to his left."

"Did you see anyone that was very close to him?"

"I do remember seeing him a few moments before he fell. He was very close to the edge, and several people were standing right behind him."

"Can you describe any of them?"

"I only remember a woman who was wearing a long gray coat with a scarf. But I didn't get a look at her face. And I don't remember what the other people looked like. But you know, being pushed and manhandled in the subway isn't unusual, Mr. Hogan. It's something that you just get used to, and it usually doesn't even cause a second look."

"Unfortunately, you're right. Did you yell or scream when you saw him fall?"

"No, but I didn't see him fall," she corrected. "I was thinking about something else, and didn't even look back until I heard some screams."

"Who screamed?"

"A few people. But the first, and definitely the loudest, was a woman."

Hogan recorded the fact. "Is there anything else you remember about that day, Mrs. Lutz..."

"Miss," she again corrected, beaming, "for another two months." She lifted her left hand to show him the ring. "And no, there is nothing else."

Hogan stood. "Thank you for letting me talk with you. If you do remember anything, please call me." He handed a card to the woman and returned to the front door, followed closely by her. "Good luck in your marriage," he said, walking down the front steps to the sidewalk. Feeling energetic, Hogan walked the short mile to Riverdale Avenue in the Bronx.

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His talk with Owens, the third witness, went about the same, with nothing new, nothing interesting. But, it was good to see Riverdale again. Taking full advantage of the location and of the time, Hogan stopped for dinner at an Italian restaurant on Broadway for a superb meal of fried mozzarella, lasagna, and the best garlic bread he had ever tasted.

7:00. Sitting back in his chair, he took out his cellular phone. It really annoyed him when people used cellular phones in restaurants and other public places; it was rude. He looked around him, and, not seeing anybody sitting at the neighboring tables, he called Steven Daniels. Getting an answer, he arranged to visit at 7:30. Then he called Julie Kingston again, with no luck again.

His trip to the Daniels home on West Fordham Road was equally frustrating, with that witness providing no new information. Another unanswered call to Julie Kingston made it worse. To change his luck with phone calls, he called Kathy, asking her if noon Saturday was okay for their visit. She agreed, telling him that she'd call Betsy.

On the train back to the city, Hogan reflected on the four conversations he had had that day. He had not discovered anything startling, but something was there. He didn't know what exactly, but he knew there was something. And he'd think of that something.

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It was 9:30 when Hogan settled onto the sofa in his apartment, newspaper in hand. Seconds after he got into the News Summary on the second page, the phone rang. He walked to the kitchen.

"Hogan."

"Hi, Matt. This is Julie. I finally caught you!"

"Hi, Julie." He hesitated, thinking of the best thing to say. "I got your message. Sorry I didn't call back, but today has been really hectic," he continued honestly. "I just got in."

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"That's a long day. You deserve a rest." She paused now, thinking of the best thing for her to say. "Can we do something together?"

Another pause and thinking. "Um...I'm really tired, Julie. I don't think I'd be too much fun tonight. Maybe another night, okay?"

"I'll say yes, but only if you call me. 555-5434."

"I will," Hogan lied, writing down the number but not paying any attention to it. "Talk to you soon." He let out a deep sigh as he replaced the receiver.

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At 9:30 Saturday morning, Hogan knocked on the front door of Kathy's apartment. After a quick hug, he began.

"Is Betsy okay to see us?"

"She said she's all right. In fact, she seems rather anxious to talk to you."

"I guess I can't blame her. I just wish I had more to say. But that time will come."

Kathy nodded. "I told her to expect us sometime between twelve and one."

"Perfect. I can take a look at the coroner's reports first."

"Reports? More than one?"

"I might as well make the most use of our time and look at all three. Maybe I'll find something, maybe not."

At 10:45, they climbed into a cab, emerging from the yellow car into the chilly air when they reached the building on 34th Street. The clerk on duty was, by Hogan's experience, uncharacteristically pleasant and cooperative. She quickly and willingly found the files relating to the three deaths, handing them to Hogan. Kathy stood with him at the counter, reading the reports. Hogan noted that the knife wounds in Allenson's body were not very deep – less than three inches – and that the report concluded that they could have been caused by something as

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small as a pocket knife or a steak knife. The wounds were cut cleanly, indicating a sharp instrument. The other reports contained no information to help him, and there were no common elements at all, at least from a medical point of view. Before thanking the clerk and leaving, Hogan made a note of the finding in his notepad. Less than one hour after entering the office, they began the relaxing and scenic drive to Rockland County, pulling into the Allenson driveway at 27 minutes after noon.

The widow was much calmer that the last time Hogan had seen her, but he was certain that she was still very much unsettled emotionally. She greeted them with a smile and led them to the dining room, where they sat in the high-backed chairs with brown corduroy cushions. The house seemed eerily quiet, especially for one with two small children.

As if able to read his mind, Betsy said, "The children are at their cousins' house." She shook her head slowly. "I don't think they realize yet what has happened, even though I've tried to be very open and honest about it." Tears reappeared in her pretty but reddened eyes. "I just hope it's not too traumatic for them when they do finally realize the significance to them." Kathy reached out and took the widow's hand in hers. Betsy nodded, closing her eyes and smiling her appreciation.

"Betsy," Hogan began softly, "there's nothing I can say now to make it better for you. Hopefully, very soon there will be a time when you can look back and remember the good things you had together." He inhaled deeply, but quietly. "I do need to get some information from you, and then I can fill you in on what I've got so far."

She nodded.

"When you last spoke with your husband, you heard something else over the phone. Is that right?"

She nodded again. "I distinctly heard a voice say, 'killer, killer.' Then a scream, I think from Ed. Then a loud noise, like a train." Her tears continued.

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Hogan waited several moments before continuing, taking his cue from Kathy, who was seated across from him. "Was the voice male or female?"

The widow furrowed her manicured eyebrows and rested her chin on her hand, elbows on the table. "I really couldn't tell. The voice was kind of raspy."

"If you had to guess?"

She thought for another moment, maintaining the pose. "I'd guess female," she concluded, looking first at Kathy, then at Hogan. "Does that help?"

"It could," Hogan stated, making a note on his pad. "Do you know anyone who really did not like your husband?" A puzzled look came across her face. "Enough to want to get rid of him?"

This prompted more tears, followed by an awkward silence of a couple of minutes. But Hogan was patient.

"I really don't know of anybody who disliked Ed that much. But, I suppose in his line of work, you could make some enemies."

"What was it about his line of work?"

"Well, it was usually a case of the good with the bad. Although much of what Ed had to do was positive and helped employees, there was also the negative side, like laying off and firing people. Anyone who loses their job could develop a hatred for the person who did it, even if it was not that person's decision."

"That could be the natural reaction."

Betsy nodded, continuing. The conversation seemed to almost relax her, and take her mind off the situation. "In fact, Ed had to lay off a lot of people a few months ago. The economy hit his company as badly as it hit everyone else."

"I heard about that. I'm getting a list of the people who were laid off. That may give us some more information to go on."

Betsy searched his eyes, moving the conversation to the next step. "What have you got so far?"

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Hogan was honest with her. "Not as much as I'd hoped I would. It seems that nobody saw the act, so it's going to be tough to uncover anything new. Basically, the only information I have right now is what you heard on the phone." The widow shook her head slowly. "But don't worry," he continued. "I'm very persistent and patient. I'll turn up something."

"I'm sure you will," she responded weakly, smiling wanly and looking at Kathy.

The two women spent the next twenty minutes in quiet conversation, none of which Hogan heard. His thoughts kept wandering over the details of the death – of all three deaths – which had so suddenly presented such a challenge to his intuitive and deductive abilities.

"Matt?" Hogan felt his shoulders being shaken gently. "Matt!" Kathy was standing behind him with both of her hands on his shoulders. He turned to look up at her, a sheepish grin on his face.

"Sorry. I was out for a while."

"We should go."

Hogan stood and looked at Betsy. "Are you okay?"

She again managed a smile, nodding her head. "I'm a little tired, but nothing a nap won't help." She looked around the quiet room. "Sometimes I think the silence is good for me. But sometimes I wonder if it lets me think too much about things."

At the front door, Hogan said, "I'd like to talk with one of your neighbors, Betsy."

"You don't need my permission, but thank you for telling me. I think Helen is home right now," she continued, nodding toward the house on her left.

Hogan and Kathy thanked her and walked toward the indicated house. The woman named Helen and her husband said they had known Ed for years, and described him as friendly but very quiet and reserved. He seemed to have worked long hours, often arriving home after 7:30. They had been at parties together, where he had seldom

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spoken of work or business matters. Recently, however, they said that Ed had spoken much about the layoffs. It really seemed to have been heavy on his mind.

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Two hours later, Hogan sat at his kitchen table with his list, making the latest entry under the facts he knew:

6. *Allenson died as a result of shallow (<3") knife wounds - 8 were counted. Weapon could have been a steak knife or a pocket knife (see #3)*
7. *Thornton acts very suspicious, as if he's trying to hide something.*

He reached for the phone, giving one more try to his last witness. His persistence was rewarded this time when a woman answered the phone.

"Hello?" Her voice sounded very familiar to him.

"May I speak to Julie Kingston, please?"

"Who's calling?" He knew the voice, but couldn't place it.

"Matthew Hogan."

There was a moment of silence, then a laugh. "You don't have to be so formal, Matt! What's up?"

It was Julie! His Julie! Hogan tried to gather his thoughts quickly, looking at the paper with the phone number he had just dialed. He looked at a paper on the refrigerator, on which he had written Julie's number the last time they spoke. They both had 555-5434. His thoughts collected, he continued without stammering.

"Just kidding, Julie. Wanted to see if you'd recognize me."

"Of course I would."

"How about a drink? And maybe some dinner?"

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Her cheerful voice turned even more cheerful. "Oh, I'd love to, Matt. Where? When?"

"How about right now? You name the place."

Julie gave him the address of a restaurant on 3rd Avenue, and they agreed to meet there in an hour.

As Hogan hung up the phone, shaking his head, he said, "What a coincidence! But at least I'll finally talk to the last one."

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When Hogan walked into the restaurant at 7:00, he was almost immediately greeted by Julie. She smiled and put her arms around his waist, holding him closely and kissing him. He really enjoyed it, and let it last for several moments.

Finally realizing they were in public, he broke away and took off his coat, while Julie removed her long gray coat and scarf. After handing them to the woman in the closet, he followed Julie to a cozy booth in the corner. When he sat, Julie sat very close to him, placing her hand on his leg. They immediately ordered drinks from the prompt waitress.

"I'm so glad you called, Matt. And so glad we're back together again." She squeezed his thigh and rested her head on his shoulder.

Hogan thought carefully about his approach. He wanted to get information from her while not encouraging her too much about their relationship, at the same time not destroying her completely. While he was thinking, Julie gave him the opportunity he needed.

"So what was that bit on the phone?" she asked, lifting her head and looking at him, smiling.

He decided to start honestly. "I really didn't know it was you." She looked quizzically at him. "You see, I'm investigating a death. Your name, and phone number, came up on a list of witnesses. I never made the connection, because I never knew your last name. And I really hadn't remembered your phone number, so that didn't look familiar."

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Julie moved a few inches away from him. "So that's why we're together now? To talk to a witness?"

Hogan shook his head. "Not completely," he said, with some level of honesty. "That's one of the reasons, of course. But I really did want to see you again." He smiled and leaned toward her, kissing her gently on the lips. Julie responded, kissing him back and returning to her position next to him.

"Okay," she whispered. "That's what I wanted to hear."

"So you did see the death? When that college student fell into the subway pit?"

She nodded her head slowly.

"Then I've got just a few questions."

Julie again nodded.

"What were you doing there?"

"I'd gone out to do some shopping. I don't have a car, so the subway or cabs are the best ways to get around. But cabs get pretty expensive."

"Yeah, they do. Was the station crowded?"

"It was, at least to me. I really don't like large crowds, so I was very uncomfortable."

"How often do you take the subway?"

Julie thought for a few moments, taking a drink of her cocktail. "More now, since my husband died. I'd say about four or five times a month."

"On the day Durney fell," Hogan continued, then stopped when he noticed the confused look on her face. "He was the college student." Julie nodded. "On the day he fell, how close were you standing to him?"

"I guess about five or six feet."

"Did you see anyone get really close to him?"

"Do you mean so close that they could have pushed him?" Hogan nodded. "There were a few people who may have been that close. Like I said, it was very crowded."

"I see. Can you describe any of the other people?"

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She shook her head slowly. "I don't remember what they looked like. I'm not very good at remembering faces. Except yours." She smiled and leaned toward Hogan, again kissing him.

"Did you see him fall?"

Julie nodded, finishing her drink and signaling the waitress. Hogan had barely touched his martini. "And I felt so helpless. What could I do?"

"That must have been frightening. Did you yell or scream?"

"Yes. That was my first reaction. And I'm afraid it was awfully loud, too. Several people looked at me."

"What were you wearing?"

Julie thought for a moment while enjoying her refreshed cocktail. "The coat I'm wearing tonight. The heavy gray one. I always wear it in the cold weather. Why?"

"One of the other witnesses said she saw a woman in a gray coat near the spot where Durney fell. It must have been you."

"It probably was." She took another drink and again grabbed Hogan's thigh, this time higher than before, and began gently rubbing his leg. "Do you want to eat dinner? Or just get out of here?" With the last question, she moved her hand even higher on his leg.

"I'm hungry," Hogan responded quickly, fighting the mounting urge. He motioned to the waitress, who quickly returned to their table and took their orders.

But that didn't stop Julie. She kept her hand on his leg, slowly moving it higher. When it couldn't go any higher, Hogan couldn't fight it any longer. He put his arm around her shoulder and pulled her to him, kissing her. She responded hungrily.

Hogan enjoyed it, but he really didn't want it. After several moments, he broke away, shifting his body so her hand fell from his lap. "Not here. Not now," he whispered.

"Hmmm," was the only response she made, as she leaned back in the booth, smiling and sighing. "Do we really have to eat?"

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An hour later, they stood on the sidewalk outside the restaurant. Julie, now with another drink and two glasses of wine in her, hugged Hogan, but was really using him for support. “Now can we go to bed?” she asked, again kissing him.

Hogan smiled and hailed a cab. In the yellow car, she kissed him and rubbed just about every part of his body. But the driver didn’t notice. He was busy moving his head and singing to the music from the radio.

When they got to Julie’s building, Hogan helped her out of the cab, then leaned back in to hand the driver a twenty, asking him to wait for him. Then he helped Julie up the stone steps and into the vestibule. She found her keys in her purse, then turned to Hogan.

“Please come inside, Matt. I need you.” She stepped toward him, hugging him closely and kissing him.

Hogan was in turmoil. Part of him – one part in particular – wanted desperately to stay with her, but the rest of him was being pulled away by thoughts of Kathy.

The thoughts won out. He gently pushed Julie away from him, taking the keys out of her hand and unlocking the door.

“Not tonight, Julie. You need to get some sleep. Maybe another time, okay?”

She just nodded in sad, silent agreement, closing the door behind her.