

1 John Wallace, sworn

2 Direct Examination by Ms. Gertner

3 Q Good morning.

4 A Good morning, Nancy.

5 Q State your name, please.

6 A My name is Jack Wallace.

7 Q And where do you live, Sr., sir?

8 A I reside at 7 White Lawn Avenue, in Milton.

9 Q How long are you lived there?

10 A Since 1962.

11 Q Have you been present in this courtroom, sir?

12 A Yes, I have.

13 Q And over the course of this four-week trial, how many
14 days have you been here?

15 A I would say five or six.

16 Q And what is your occupation, sir?

17 A I'm a real estate broker.

18 Q Do you work out of your house or somewhere else?

19 A Well, there is an office in Milton, but when you are not
20 on deck at the office you can, more or less, work out of your
21 house.

22 Q How often, would you say, in the summer and fall of 1991,
23 did you work out of your home?

24 How frequently were you home during that period of
25 time?

1 A Well, I can't say I was home for any ---- I'm either at
2 the office or showing homes; or if I'm not doing that, then
3 I'm usually around the house. I'm in and out of the house
4 frequently. Many times I have lunch at the house.

5 Q Can you give an estimate, if you can, can you give an
6 estimate of how often you were home rather than at the office,
7 or were home, rather than at the office during the summer of
8 '91?

9 A I would say 60 percent office, 40 percent home.

10 Q And you are married, are you not?

11 A Yes, I am.

12 Q And to whom are you married?

13 A Josephine Wallace.

14 Q How long have you been married, sir?

15 A Since 1961.

16 Q And do you know Alfred Trenkler?

17 A Yes, I do.

18 Q And who is Alfred Trenkler?

19 A He's my step son.

20 Q And to your knowledge, does -- during the summer of 1991
21 and the fall of 1991, did Alfred ever stay overnight at
22 7 While Lawn Avenue?

23 A I cannot recall that he has. He comes around frequently,
24 but I can't recall that he has spent the night there.

25 Q And he has -- there's a garage in which he has a shop; is

1 that right?

2 A Yes, we have two-car garage. And Alfred has taken over
3 the right-hand side, and my son David has taken over the
4 left-hand side. Our cars are outside.

5 Q What part of it is for you?

6 A We have a driveway.

7 Q I see.

8 During the summer and fall of 1991, did you, did you
9 ever have occasion to meet any -- did Alfred come home with
10 anybody or introduce you to anybody?

11 A On several occasions, I know Richard Brown used to come
12 around quite a bit, who was his partner in AARCOM. And there
13 might have been a few others, but not a lot. Mainly when he'd
14 come there was to visit, or with Richard Brown who he was
15 doing a project with. There were a few others, and I don't
16 remember their names.

17 Q Well, I direct your attention to Thomas Shay, Jr., have
18 you ever met the defendant Thomas Shay, Jr.? Did you ever
19 meet him in the spring -- summer 1991 or the fall of 1991?

20 A No, I did not.

21 Q Were you away during any period of time during the summer
22 of 1991 or the fall of 1991, that is to say, overnight, away
23 overnight?

24 A I think Jo calculated that we had gone to Maine for one
25 weekend in June, I believe it was.

1 Q The summer is a fairly active season for real estate?

2 A Yes -- yes and no. The spring and the fall are probably
3 better months. But we, we were -- we just don't travel a
4 lot, let's put it tht way.

5 Q It's fair to say you spend the evenings together?

6 A Jo and myself?

7 Q Yes.

8 A Yes.

9 MS. GERTNER: I have no further questions.

10 THE COURT: Any questions, Mr. Libby?

11 Cross-examination by Mr. Libby

12 Q When did your stepson leave your residence at 7 White
13 Lawn?

14 A When did he life in our house?

15 Q Yes?

16 A I'm guessing, a guess, in the early '80s. It's strictly
17 a guess.

18 Q Your best recollection.

19 A Seems like that would be about the time.

20 Q Between that time to the summer, summertime of 1991, he
21 lived in various other places around the Boston-Quincy area?

22 A That is correct.

23 Q How many different places, sir?

24 A I would say three, to my knowledge.

25 Q Have you visited him at any of those places?

1 A I did not.

2 Q But you don't know, one way or the other, as to whom your
3 stepson may have been living with, if anyone, at those places;
4 is that right?

5 A Well, I have -- I can't say I knew them. But I have a
6 feeling that I knew who he was with, yes. I think I knew
7 that, but not that I specifically.

8 Q You never personally visited any of these places and saw
9 for yourself whether your stepson was living with another
10 person, true?

11 A That is correct. I wouldn't know.

12 Q Did -- during the time and throughout these years, did
13 your stepson have a key to access to 7 White Lawn? Did he
14 have his own?

15 A Oh, sure.

16 Q He could come and go as he pleased?

17 A Yes.

18 Q In fact, he could come for periods of time, a day or two,
19 and leave while you were gone, and you wouldn't likely know
20 that he had been there; isn't that true?

21 A We probably would know. We have a son David who is
22 around the house frequently, if we weren't there. As a matter
23 of fact, when we're not there, David does look after our
24 house, for our dog. Me and my wife have a garden. They are
25 around the house if we are not there.

1 Q Mr. Wallace, pardon the personal nature of the question,
2 you love your stepson?

3 A Absolutely.

4 Q Very much; is that right?

5 A Absolutely.

6 Q You would not want to say or doing anything which would
7 adversely impact with your stepson, true?

8 A Absolutely.

9 MR. LIBBY: Nobody further, your Honor.

10 THE COURT: Anything else?

11 MS. GERTNER: No, your Honor.

12 THE COURT: Thank you, Mr. Wallace, you are excused.

13 THE WITNESS: Thank you.

14 THE COURT: Who is next?

15 MS. GERTNER: Mr. Cates, your Honor.

16 MR. LIBBY: If I may, your Honor, retrieve my note
17 that's on the witness stand.

18 THE COURT: Mr. Cates, we swore you at your prior
19 appearance. You understand that you are still under oath,,
20 even though we will not again go through the formality, do
21 you?

22 THE WITNESS: Yes.

23 THE COURT: You may proceed, Ms. Gertner.

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