

WHITMORE ARREST DESCRIBED TO JURY

Alleged Confession Put Into Evidence at Robles Trial

By THEODORE JONES

Defense lawyers for Richard Robles succeeded yesterday in placing into evidence the alleged confession of George Whitmore Jr., the man first indicted and later absolved of the slaying of Janice Wylie and Emily Hoffert.

Robles is being tried for the murder of the two girls, who were found dead in their East Side apartment on Aug. 28, 1963.

The Whitmore statement, repudiated by him on April 25, 1964, the same day he was alleged to have made it, was introduced during the defense questioning of a retired detective, Edward Bulger. Mr. Bulger is the Brooklyn police officer who first interrogated Whitmore in the Wylie-Hoffert case.

Mr. Bulger, a member of the police force for 27 years, insisted that Whitmore had voluntarily admitted the double murder and had not been fed answers by him or by other detectives.

Incorrect Information

However, under a three-and-a-half-hour cross-examination by Assistant District Attorney John F. Keenan, Mr. Bulger admitted that he had given incorrect information to a Manhattan assistant district attorney and that he had indicated to Whitmore during the questioning on April 24 that the two girls were still alive.

At one point Mr. Keenan asked the witness if, during his questioning of Whitmore, he had noticed Whitmore's "stomach moving up and down?"

"I'm sorry, I don't know what you mean," Mr. Bulger said softly. He crossed his legs and leaned back in his chair.

"Didn't you tell Mr. Glass and Mr. Koste [Assistant District Attorneys Melvin Glass and Peter Koste] on July 30, 1964, in the Manhattan District Attorney's office that you could always tell when a Negro was lying because his stomach moved up and down?" Mr. Keenan shouted at the witness.

"I don't recall," Mr. Bulgar said slowly.

"Are you saying that you did not?" Mr. Keenan said, again

raising his voice and glancing back at his desk and Mr. Glass, who is assisting him in the trial.

"I'm not saying that," the witness said softly. Then he added, "Yes, I might have said that."

The alleged Whitmore statement and handwritten notes and a diagram made by Mr. Bulger were admitted as evidence after Judge Irwin D. Davidson directed the jury to consider them for the "determination of Whitmore's credibility" and not for the "truth of the substance contained in these exhibits"

Police Officers' Testimony

Whitmore, a 21-year-old Brooklyn laborer, testified earlier in the trial that he had not made any admissions in the Wylie-Hoffert case. Eight police officers who followed him to the stand testified that he had, but they were not allowed to say he had specifically confessed to the 1963 murders of the two women.

Five other police officers, who appeared as witnesses for the prosecution, have testified that Robles had admitted to them in an East Side station house on Jan. 26, 1965, that he had stabbed the two women to death in their third-floor apartment at 57 East 88th Street.

Yesterday, Jack S. Hoffinger, one of Robles's two court-appointed lawyers, was permitted for the first time to ask a witness if Whitmore had answered the questions in the 61-page statement.

Reading several questions from the document, he asked Mr. Bulger if he had been present in the Brooklyn station house when Whitmore had answered them.

"Yes, I was there," Mr. Bulger replied.

"And were there any threats made to George Whitmore?" Mr. Hoffinger continued.

"No, sir," the witness answered.

In his cross-examination, Mr. Keenan drew an admission from Mr. Bulger that Manhattan detectives had not questioned Whitmore on April 24 and 25, although they were more familiar with the Wylie-Hoffert case.

Mr. Bulger, who retired from the force on Oct. 8, at first denied that he had told Whitmore in the station house that Janice Wylie and Emily Hoffert had survived the stabbing. Later, however, he conceded that he "might have" told Whitmore that the girls were alive and "not mad at him."