

Tape 13, Track B

0:00:01.709,0:00:07.370

it's a little hard to read those letters now
they're probably too loud

0:00:07.370,0:00:12.531

there's a little mark there that I think your

0:00:12.531,0:00:24.199

friends put that's where I have it now so
that should be correct

0:00:24.199,0:00:32.421

we go okay--well how did you uh how did you
hear about the uh Supreme Court ruling this week

0:00:32.421,0:00:41.460

that they would hear the case give me a little uh--
we uh decided that we would have a uh a phone

0:00:41.460,0:00:46.954

unlisted phone number as you know and I think
you're the first one that we gave the number to--

0:00:46.954,0:00:49.678

and we had it just in time too

0:00:49.678,0:01:00.269

yes we had just in time not to get all calls
and be kept up all night again and

0:01:00.269,0:01:09.460

that sort of thing which we which experience
we've had in the past

0:01:09.460,0:01:21.240

so we hadn't had a chance to give
Dr. Richard the number yet um or Dr. Steve

0:01:21.240,0:01:25.590

and because we had to we felt that we should
do it by mail or go to their homes and didn't have

0:01:25.590,0:01:34.950

a chance anyway Dr. Richard came over and
he rung he rang the back doorbell

0:01:34.950,0:01:41.450

and as I went to the door I saw a very serious
look on his face and

0:01:41.450,0:01:49.760

I opened the door quickly and he said 'it's
all right Sam it's all right'

0:01:49.760,0:01:57.740

uh you're gonna you're gonna make it to the
Supreme Court so I uh

0:01:57.740,0:02:06.580

said well thanks and shook hands with him
and we and he said I think that you've got to win

0:02:06.580,0:02:14.760

because these people are really going to hear you and so I dashed upstairs and told Ariane

0:02:14.760,0:02:21.010

oh were you sitting right here--[Ariane speaks indistinctly]--

0:02:21.010,0:02:31.460

yes but I well that's a good uh that shows you how the memory of uh

0:02:31.460,0:02:38.400

minor things uh eludes you well I mean whether I went upstairs or it shows how

0:02:38.400,0:02:46.880

big things take over when uh something like that happens I didn't recall whether I had

0:02:46.880,0:02:51.870

I thought I dashed upstairs and told Ariane and she came down and we talked with Richard

0:02:51.870,0:03:03.226

but as she recalls she was right here anyway I are you sure Ariane--yes we all went upstairs afterwards to call [?]

0:03:03.226,0:03:10.000

that was it and we told Richard to come up come right on upstairs with us--and you wanted

0:03:10.000,0:03:19.240

to get dressed--and Richard had never been in our bedroom before as I remember well that's it just

0:03:19.240,0:03:27.328

happened that way you know all right but he he laughed about it and sat down on the bed and we

0:03:27.328,0:03:36.700

has he all right well he's been in the bedroom several times well we want you to barge in--

0:03:36.700,0:03:46.840

so uh you called uh how did you feel uh when he told you--well I felt uh stimulated to say the very least

0:03:46.840,0:03:58.420

and very very encouraged very uh hopeful for all of us especially my selfish outlook but for

0:03:58.420,0:04:12.120

your children and I felt almost like maybe we were going to attain some really big thing some

0:04:12.120,0:04:23.530

something for the good of humanity sort of like after doing a brain surgery and removing uh

0:04:23.530,0:04:30.650

a glioma multiforme which is the malignant most malignant type of brain tumor

0:04:30.650,0:04:37.699

and uh attaining a successful result or at least after surgery uh having a

0:04:37.699,0:04:45.597

successful case and not losing the patient because of the radical dissection and having a

0:04:46.879,0:04:52.860

a feeling in the back of my mind I got it all we're gonna and this patient is going to live

0:04:52.860,0:05:02.656

which is not well it's a rare thing to be able to do because this is such a highly malignant tumor

0:05:03.460,0:05:13.193

there is no no classification of carcinoma or what we say cancer of the brain but it's

0:05:13.193,0:05:22.120

just as malignant in it probably more so and that's about the way I felt it a uh I was happy that

0:05:22.120,0:05:31.223

I was able to do it and maybe a little selfishly uh involved but it was more than that it was a something for

0:05:31.223,0:05:40.960

somebody else and and that maybe this would protect a lot of people in a lot of places--

0:05:40.960,0:05:46.729

uh Mondays have been have been kind of tense for you haven't they with the Supreme uh--very definitely

0:05:46.729,0:05:55.840

Mondays Sunday nights of course and uh we thought that even Wednesdays were possible

0:05:55.840,0:06:05.376

sometimes things come out on Wednesdays but usually these uh I guess I don't really know but

0:06:05.749,0:06:11.009

down in uh prison they used to uh I used to notice that Wednesdays

0:06:11.009,0:06:23.370

um occasionally brought forth--yeah but we never relaxed until Friday until Friday night--

0:06:23.370,0:06:29.719

we never relaxed till Friday nights then we figured we at least have a weekend and uh--

0:06:29.719,0:06:40.075

did you usually sleep on Sunday nights or uh--usually not I was usually--we always stay up--

0:06:40.075,0:06:48.654

well all day Sunday we'd usually go somewhere possibly church and visit the folks' cemetery

0:06:48.654,0:06:55.939

and visit friends maybe just locally or stay home and play records or something

0:06:55.939,0:07:07.979

in the afternoon but I would be up all night almost invariably Sunday night this last

0:07:07.979,0:07:19.210

week has been the most restful though I've had a little uh influenza I think I've gotten more sleep

0:07:19.210,0:07:27.419

in the last two or three days and then I can remember well since Monday this is Saturday so

0:07:27.419,0:07:36.639

in the last five days in the last uh three days I've had

0:07:36.639,0:07:43.189

almost well I just woke up and I went to sleep at 10 last night or

0:07:43.189,0:07:53.449

no it was after was about midnight and that's rare for me I hadn't done that in months and uh

0:07:53.449,0:08:04.338

so it's had a definite change in my personality-- how would you describe the uh this waiting

0:08:04.338,0:08:11.084

you know for the Supreme Court what you know what kind of a feeling is it annoying or uh what--

0:08:11.084,0:08:19.919

well it's almost a continuous uh feeling

0:08:19.919,0:08:32.199

that I had before a football game against say uh well uh in high school uh when we'd played Shaw

0:08:32.199,0:08:39.910

High School for instance which was our biggest rival uh friendly rival but biggest rival um

0:08:39.910,0:08:49.158

you know or in college before a football game especially uh I played as a freshman uh varsity

0:08:49.158,0:08:58.301

uh football and I well was uh especially anxious to maintain my first team position it was

0:08:58.301,0:09:05.520

the first year they permitted varsity uh to accept freshmen this was during the second World War of course

0:09:05.520,0:09:12.307

it was the year Paul Brown had such a great team at Ohio State with 16- and 17-year-old boys

0:09:12.307,0:09:22.580
and and 8--'42--that was '42 right and that
almost a continuous feeling of being in that locker room

0:09:22.580,0:09:32.200
waiting to run out on that field or just before
the guns fired uh on the track or basketball

0:09:32.200,0:09:33.200
yeah Ariane--

0:09:33.200,0:09:40.633
don't you think that that is comparison don't
you think it's better it's worse than that

0:09:40.633,0:09:46.282
isn't there a certain eagerness a certain
joy in the locker room--well uh--didn't you say that

0:09:46.282,0:09:51.994
it's sort of like you were waiting for the jury to finish
the deliberation or something like that--

0:09:51.994,0:09:57.180
well possibly--and that was the old memory [?]
of how you were sitting there--

0:09:57.180,0:10:01.688
that true because it uh we've talked about
that I talked about that with Ariane--

0:10:01.688,0:10:06.559
I mean no matter how tense you were it's still
something joyful in the end effect you know--

0:10:06.559,0:10:11.879
yeah but we're talking now about the feeling
before I mean how--I know the feeling before

0:10:11.879,0:10:18.030
I don't think it should be compared with anything
that has something [?]-well I think Ariane's right

0:10:18.030,0:10:21.140
there is not the ominous uh

0:10:21.140,0:10:32.700
uh feeling with uh sport although in a way there is--
yeah--uh but you're not--for people to because [?]-

0:10:32.700,0:10:38.148
well yeah that's true a lot of people can't
it couldn't understand how a kid could feel like

0:10:38.148,0:10:44.390
the world has fallen in on him if they lose or
if he should lose his position on the team

0:10:44.390,0:10:51.480
though they a young boy does uh it's hard for
anyone to understand who hasn't played

0:10:51.480,0:11:00.327

how crushing this can be but that it Ariane
and I had talked about this before and we had said

0:11:00.327,0:11:07.075

it's sort of like it sort of like just sitting
upstairs in jail although this is a beautiful jail

0:11:07.075,0:11:16.930

and I'd certainly rather be here than in jail
uh I don't mean to refer to the house as a jail but

0:11:16.930,0:11:27.480

awaiting the verdict and the longer it uh
went the more ominous the more

0:11:27.480,0:11:35.980

worrisome and the more thoughtful and though
some people felt that a longer

0:11:35.980,0:11:47.490

uh wait and the fact that the court didn't
um just summarily uh dismiss it as

0:11:47.490,0:11:55.340

they weeded out the first cases when they
convened in October

0:11:55.340,0:11:58.370

it became more and more tense and

0:11:58.370,0:12:05.740

I know that I've been a hard guy to live with
because of this and uh

0:12:05.740,0:12:11.970

I haven't been running around snapping at
people but I've been sleepless and

0:12:11.970,0:12:23.930

nervous and maybe I'd not eat properly because
especially on Sunday nights and all day Monday

0:12:23.930,0:12:33.610

and uh some of our friends couldn't uh understand
it I have been hesitant to even go visit the

0:12:33.610,0:12:38.790

hospital and visit some of the uh old friends
over there--we hardly visited with anybody

0:12:38.790,0:12:45.000

because we just didn't feel like talking about it all
the time--right--everybody has some kind of a

0:12:45.040,0:12:52.811

question and we just couldn't take it--every
time we go to uh a gathering or just to a

0:12:52.811,0:13:00.437

restaurant uh--always with some kind of a question
on the people who are too modest or too

0:13:00.437,0:13:04.450

polite or to understanding to ask they have
that certain searching look in their eyes--they

0:13:04.450,0:13:12.560

they are so they were over-solicitous people were
over-solicitous and they they'd go out of their way

0:13:12.560,0:13:19.290

not to say something about it and just remind
us of it or they would be crudely questioning

0:13:19.532,0:13:28.280

well what about this and what about that and uh
who's who's Dr. Paul Kirk and uh yes they

0:13:28.280,0:13:32.050

meant well--yes but even the well-meaners
it's just too much--

0:13:32.050,0:13:38.970

we went over to eat at the Pier W one night
for instance just to have dinner

0:13:38.970,0:13:45.566

and get out and have a little air have dinner
well we met uh Doc Mr. uh--

0:13:45.566,0:13:55.369

no names--well it was just Mr. Schuman from
Schuman Jones--do you want him in the book--

0:13:55.369,0:14:04.827

no that'll be out but uh he was uh he was real nice
and asked us--drunk but he was real nice--

0:14:04.827,0:14:06.240

well he'd had a few drinks

0:14:06.240,0:14:15.000

but uh he invited us to the his apartment
which is right in the uh west what is it--Winton Place--

0:14:15.000,0:14:22.920

Winton Place uh towers or whatever they call it
Winton Place uh apartments

0:14:22.920,0:14:29.690

and uh to have a drink before we went home
he wanted us to to see his

0:14:29.690,0:14:37.852

new place and meet a few people so we just
stopped and uh Ariane told me you know these people

0:14:37.852,0:14:43.730

will uh wanna talk about the case and everything
and I said well we'll just

0:14:43.730,0:14:51.670

go you know well it wound up we were there
five hours and we went over the whole thing

0:14:51.670,0:14:57.120

and but I think we accomplished a great deal
with some of these people because--yeah but

0:14:57.120,0:14:59.200

we were more exhausted than we were before--

0:14:59.200,0:15:05.660

yeah that's the point we went out to get a
little restful dinner and when we got home

0:15:05.660,0:15:09.910

we were utterly exhausted we'd been examined
and cross-examined--I was so upset that we

0:15:09.910,0:15:18.222

couldn't sleep all night because I had that big encounter
with that man--and Ariane uh something was said uh

0:15:18.222,0:15:24.160

by one of the men well now you if you had been
in Nazi Germany you wouldn't even have had a hearing

0:15:24.160,0:15:30.470

Ariane--he said it different he said you should
actually be grateful because after all um

0:15:30.470,0:15:36.951

you had it a lot better than than the people in in
Nazi Germany or something--yeah--somehow you

0:15:36.951,0:15:43.070

should be grateful or something--yeah so Ariane
said first 'oh yes you should be happy for those

0:15:43.070,0:15:44.230

10 years in prison

0:15:44.230,0:15:51.620

Sam you should thank uh everybody for keeping
you there for 10 years and having a passive outlook'

0:15:51.620,0:15:56.030

and she looked at this guy and said 'you should
be ashamed to be yourself for not concerning

0:15:56.030,0:16:02.510

yourself with this man's plight before
you're the American here you're the one that has children

0:16:02.510,0:16:09.630

that's going to have to--I said he should be ashamed
of comparing your country with Nazi Germany'--

0:16:09.630,0:16:14.010

that's how you followed it up--insulting everybody--and
then he said she said 'how can

0:16:14.010,0:16:22.800

you lower yourselves how can you possibly
lower yourself to compare this wonderful land

0:16:22.800,0:16:38.050

and this uh terrific uh setup and the fair and well
an atmosphere of freedom to Nazi Germany which

0:16:38.050,0:16:47.950

was a totalitarian mess how can you lower
how can you even begin to bring down the American

0:16:47.950,0:16:54.000

civilized outlook to Nazi Germany' she said
it's 'the most ridiculous thing I ever heard'

0:16:54.000,0:17:03.307

well of course it stirred her up and me too but the
the men the people there kept it on a high plain

0:17:03.660,0:17:11.159

and there was no uh loss of temper you know
rolling up your sleeves and all that stuff

0:17:11.159,0:17:16.641

but this made this guy this guy backed up
and said 'I'm sorry I beg your pardon' and she said

0:17:16.641,0:17:24.280

'don't beg my pardon beg the pardon of your of your
country because you're slapping your country in the face

0:17:24.280,0:17:37.301

when you do that' but naturally it made Ariane
disgusted that people can be so nearsighted--

0:17:37.301,0:17:41.586

but we had a wild discussion it was not [?] but
it was a wild discussion--

0:17:41.586,0:17:46.792

it was a wild discussion--for an hour straight--but
it was--and we had already been exhausted because

0:17:46.792,0:17:53.958

before we ever went to the [?]-that's right but but
these people had their eyes opened

0:17:54.541,0:17:59.570

and they said what can they do I said well
think about your children

0:17:59.570,0:18:04.850

think about what you want in the future for
your own children do you want them to be

0:18:04.850,0:18:14.490

picked up and put in jail incognito with no
uh or not incognito and what do they call it

0:18:14.490,0:18:19.360

well incommunicado without--think of the children--
well in the

0:18:19.360,0:18:24.960

future baby I mean--yeah but what about the
grownup people--well but I

0:18:24.960,0:18:30.360

I'm trying to strike at their very soul this
when I say that I this is what most people

0:18:30.360,0:18:36.429

are supposed to think about when they're thinking
about the future what's going to

0:18:36.429,0:18:44.029

happen when their children become adults and
one of them is put in jail incommunicado has no

0:18:44.029,0:18:52.440

attorney has not permitted an attorney and is convicted
by newspaper headlines of some heinous crime

0:18:52.440,0:19:01.529

before he or she ever hits court now that's
what I told them what to do about think it over

0:19:01.529,0:19:06.269

then they'd if they don't know what
to do from there if they decide that

0:19:06.269,0:19:14.269

is the wrong thing for their children then
god help him--so this was the uh type of thing

0:19:14.269,0:19:22.945

you ran into when you went out--this was just
a typical example we went we'd go over to a local restaurant

0:19:23.350,0:19:32.519

and uh a lot mo- practically all the people
are well-meaning and and wish us luck and

0:19:32.519,0:19:39.353

congratulate us but most of them want to know you what
was it like in the hole--and just pick up that glass

0:19:39.353,0:19:44.161

and stand at our table now what are you supposed
to do you have to be polite and ask them to sit down--

0:19:44.161,0:19:51.438

yeah--and then you have them there--and uh
we are still on our honeymoon you know we--[?]

0:19:51.438,0:19:57.729

and we read a letter from--a lot of people--translating it
to you or something they don't care they just intrude--

0:19:57.729,0:20:08.181

yeah Ariane reads uh--it's just too much--
all of her letters from home to me and uh again--

0:20:08.181,0:20:12.911

but I have to translate them so it takes about
half an hour for one letter--

0:20:12.911,0:20:18.750

sure it's tough to translate read then translate
but and oftentimes in a restaurant well we'll

0:20:18.750,0:20:31.837

maybe have a short cocktail or something or await our food she'll take that time to to read the letter and

0:20:32.970,0:20:39.850

well quite often we're interrupted in uh some well

0:20:39.850,0:20:51.312

pretty uh some of the statements are pretty stupid a good example is uh some of the uh

0:20:51.312,0:21:00.250

questions that were asked me in prison I used to work out on weights with a large negro fellow

0:21:00.250,0:21:08.399

he worked in the uh penitentiary firehouse so we called him Fire Chief

0:21:08.399,0:21:20.542

and uh I have his picture in my album here and uh he signed it

0:21:20.542,0:21:31.990

he uh finally got so sick of having other uh convicts come up and or inmates

0:21:31.990,0:21:42.889

come up and ask questions either about the case uh or about medicine uh

0:21:42.889,0:21:48.269

while we're on our recreation and our recreation was very limited you know

0:21:48.269,0:21:52.840

that he started to tell him now the next guy that walks up

0:21:52.840,0:21:57.679

is going to have to pay a pack of cigarettes and he was kidding but he acted like he was

0:21:57.679,0:22:02.379

real serious and he's a big rough boy tough looking he looks about like

0:22:02.379,0:22:11.188

Sonny Liston only a little wider shouldered and real muscular because we were lifting those weights

0:22:11.921,0:22:21.149

these fellas on the yard started to give us a little break but I was always willing to talk with them because

0:22:21.149,0:22:26.627

I wanted to help any of 'em I could though I wouldn't give them any medic direct medical advice

0:22:26.627,0:22:32.720

I'd tell 'em what doctor to go to or explain to them that I was not the Dr. Sheppard the skin doctor

0:22:32.720,0:22:40.590

that his name was spelled the same way and he was a skin specialist that was down there

0:22:40.590,0:22:48.740

but also the problem was that as as the case grew I was considered a legal eagle I was

0:22:48.740,0:22:57.399

supposed to be a jail house lawyer and of course I wasn't I read up all I could and I would send home case references

0:22:57.399,0:23:07.299

most of which Mr. Bailey had of course but this was part of Ariane's and my method of

0:23:07.299,0:23:12.679

just letting one another know and especially my letting her know that I was okay and

0:23:12.679,0:23:19.509

not in the hole or something--let's see if we're getting somewhere else--

0:23:19.509,0:23:27.549

so anyway our immediate reaction has been one of uh you might say elation

0:23:27.549,0:23:37.149

because uh we now have a fighting chance well whereas before we we just couldn't understand

0:23:37.909,0:23:49.930

how any court could reverse Judge Weinman's decision uh on all points maybe one point I think as I

0:23:49.930,0:24:00.000

we talked before I don't know if we did or not but we uh could imagine that uh the court in

0:24:00.000,0:24:12.330

Cincinnati could come to the conclusion that Judge Weinman's opinion on one of our points

0:24:12.330,0:24:22.419

would be a controversial issue but this would not reverse the case because there were

0:24:22.419,0:24:33.264

six solid points separate from one another each one the basis of which was uh to grant my writ

0:24:34.369,0:24:45.000

and uh so this was uh a discouraging uh thing to think that that could happen and we knew too

0:24:45.570,0:24:53.379

another part of our depression was the knowledge that the court in Washington takes only the cases

0:24:53.379,0:25:03.169

that they feel that must be heard to uh shape the law or direct the law they don't hear

0:25:03.169,0:25:07.919
every case they can't they couldn't hear every case
that's submitted to them they

0:25:07.919,0:25:15.780
they could be well they could work day and
night and never hear all the cases they have

0:25:15.780,0:25:22.739
to hear representative ones--so you call Lee
Bailey what did he say uh--well his wife answered

0:25:22.739,0:25:33.269
and uh she screamed 'eeeeee' and 'aren't you happy'
and we said 'yes we are happy and grateful to your husband'

0:25:33.677,0:25:44.508
and uh and the Supreme Court and thank god
for the federal court system in general in toto

0:25:44.508,0:25:53.230
and uh of course uh then we talked to Lee
and Lee said 'well we're in the last lap

0:25:53.230,0:26:03.739
uh Sam and stay with it and keep your head
above water'

0:26:03.739,0:26:10.269
and I discussed something about uh going to work
some type of work

0:26:10.269,0:26:18.029
other than doing this book and he said 'well
if you're working on that book it's probably a

0:26:18.029,0:26:29.222
pretty uh full-time job' and I said
'yes but I might want to do

0:26:29.222,0:26:37.649
something' and then I kidded him I said 'now
do you need a good medical legal advisor for your cases

0:26:37.649,0:26:44.809
that involve some medical aspect' he said
'hell no after you're doing your case I don't need one'

0:26:44.809,0:26:52.999
anyway we kidded back and forth that way and
uh everything was light he said that uh

0:26:52.999,0:27:02.786
well he just gave the statement that he had
no idea when we would be heard he said that he

0:27:05.023,0:27:13.279
uh didn't agree with the press statement that
there would be a 90-day period he said he had

0:27:13.279,0:27:21.250
not been notified as of our conversation by
the Supreme Court in Washington

0:27:21.250,0:27:31.580

but from what uh previous cases uh are setup
he had 30 days only to get a

0:27:31.580,0:27:40.169

a magnified brief in other words a brief that
was beyond the entry brief and he said because

0:27:40.169,0:27:50.406

of the magnitude of the record and they would probably
want the entire record at their disposal he uh

0:27:52.210,0:27:58.492

he said that he would ask for some extension
or hopefully an extension of time at least to get

0:27:58.492,0:28:05.889

that record printed and he said and then that
made him stop and think and said in view of

0:28:05.889,0:28:12.850

that it might not be ideal if you do go to
work because it's going to be a tremendous expense

0:28:12.850,0:28:23.779

but he said I'll pay it because we're going
to have that thing ready for them and in good shape

0:28:23.779,0:28:28.960

he said if need be I'll pay it you know he didn't

0:28:28.960,0:28:39.509

naturally it's a little tough on a lawyer
like that to be the ideal attorney when he has uh

0:28:39.509,0:28:47.169

as many expenses involved and we've tried
to do our best to hold up our end

0:28:47.169,0:28:55.849

but he was that magnanimous he was that happy
and more or less sure

0:28:57.649,0:29:00.859

because he knows damn well you're
going to be repaid

0:29:00.859,0:29:08.100

and that it's just as soon as I'm productive
in fact he knows that Ariane isn't going to

0:29:08.100,0:29:22.070

let him go without being paid but but uh I like to carry
the load if I can so that was about it he said

0:29:24.518,0:29:29.320

that uh go ahead and talk to the people just
like you always have you've always been able

0:29:29.320,0:29:34.450

to handle yourself and just tell them like
it is yeah that's about it--

0:29:34.450,0:29:39.757

and you got some it's more sleep than you got in a long time--

0:29:39.757,0:29:44.239

oh definitely yeah I'm still sleepy right--

0:29:44.239,0:29:57.659

uh why don't you shut that off for a second we'll get reorganized here though all right

0:29:57.659,0:30:06.394

[?] in in the last installment of the serial last week we were talking about uh

0:30:06.394,0:30:11.774

the death of both your parents and then when we got done we were going to start talking about Dr. Kirk

0:30:11.774,0:30:20.509

how did he come into the case uh--well Dr. Kirk was the man or is the man who

0:30:20.509,0:30:34.359

wrote the book on ex- on more or less expert investigative work

0:30:34.359,0:30:43.049

or perhaps I should say he's the expert that wrote the the most famous and most accepted

0:30:43.049,0:30:54.363

book on criminal investigation including uh scientific and laboratory evaluation

0:30:54.363,0:31:03.058

such as detection of blood and the use of

0:31:03.929,0:31:16.110

blood groupings that's our thing and uh Dr. Kirk his book incidentally was in the library of the

0:31:17.340,0:31:27.142

Cleveland police station which I guess is limited to just a few books on a criminal investigation

0:31:29.220,0:31:38.539

and Dr. Kirk was to be called in just as soon as we could get possession of our home

0:31:38.539,0:31:51.004

this was Mr. Corrigan's decision and a good one and he of course tried to gain possession of the home uh

0:31:51.004,0:32:04.080

following the police investigation when they had completed all their botching up and stomping around and uh

0:32:04.080,0:32:16.129

pilfering things like Marilyn's cigarette case that I gave her that was a platinum case and uh

0:32:18.320,0:32:33.550

anyway when they got through Dr. Mr. Corrigan
uh demanded the home well this was not uh permitted

0:32:35.200,0:32:43.729

so when we got into court he made an attempt
and Judge Blythin didn't permit it at that time

0:32:44.950,0:32:54.649

this was in chambers it wasn't a part of the
record until the prosecution had completed

0:32:54.649,0:33:00.893

their case and that's when you heard I think
Mr. Corr- you were there probably when Mr. Corrigan

0:33:00.893,0:33:09.616

demanded the keys to the home they had uh
rested the prosecution had rested and Mr. Corrigan

0:33:12.328,0:33:24.233

requested possession of the home then my my
home and uh he had in mind all the time to call Dr. Kirk

0:33:24.233,0:33:35.460

just as soon as he gained possession so that an
adequate evaluation an examination could be done

0:33:36.056,0:33:46.419

and uh Judge Blythin said and I believe it's in the record
'no the home belongs to the either police or prosecutor'

0:33:46.419,0:33:54.749

I'm not sure which he said I think he said
the home belongs to the police uh

0:33:54.749,0:33:59.659

on second thought I think he said it belongs
to the prosecutor but it doesn't make that

0:33:59.659,0:34:16.059

much difference so Mr. Corrigan uh raised
all kinds of hell I think he should have perhaps

0:34:16.059,0:34:26.049

made a put in a petition or a writ at that time
in regard to the home itself I don't know just how it's

0:34:26.049,0:34:37.845

uh done but uh he did make a formal demand in
court and this should have been adequate I would think

0:34:38.309,0:34:44.621

so as soon as the keys were turned over
to him at the end of the trial he called uh

0:34:44.621,0:34:53.159

Dr. Kirk and Dr. Kirk got on a plane making
it very very clear that he was he was a man

0:34:53.159,0:35:06.393

that would not be limited in his investigation
and that he would find uh

0:35:06.393,0:35:15.230

whatever he found and if he found evidence of guilt he would disclose it and he demanded his

0:35:15.230,0:35:27.969

ethical right to reveal whatever was found that he would not be submitted to any limitation of

0:35:28.650,0:35:32.740

of revealing what he found and of course this is what we wanted but

0:35:32.740,0:35:39.640

he's been on other cases and he knows that some people would like to uh

0:35:39.640,0:35:47.940

get an investigator to to prove innocence not to find facts and he isn't that type of person

0:35:47.940,0:35:56.170

of course being being the head of the department of criminal investigation

0:35:56.170,0:36:05.161

or teaching criminal investigation at the University of California and uh

0:36:05.161,0:36:13.129

having been a member of the California state investigative group and

0:36:13.129,0:36:21.509

formulating societies out there the man was about ready to retire which I think he has

0:36:21.509,0:36:30.630

done in a summer- semi-way now uh he didn't uh he couldn't and wouldn't uh

0:36:30.630,0:36:36.540

compromise himself of course--now Corrigan said to you before Kirk came as I recall you

0:36:36.540,0:36:41.009

were mentioning to me 'if you've got anything to hide you better tell me now' is that it or you know--

0:36:41.009,0:36:48.732

oh well that was before the trial--when you called Kirk in uh--because he said that man is an expert--

0:36:48.732,0:36:55.410

that's right he said before he called Kirk as soon as we got the keys that day er

0:36:55.410,0:37:05.789

Corrigan had the keys to the house in his pocket and uh he came up and he said 'now I know you're innocent

0:37:05.789,0:37:18.520

but there might be some things that this man would find that would make it harder on you'

0:37:20.329,0:37:32.220

and he said 'I know that this case is inconsistent with your guilt or I wouldn't even suggest

0:37:32.220,0:37:39.059

Dr. Kirk but if you have anything to hide if there's anything you haven't told me

0:37:39.059,0:37:46.500

search your mind because this guy will find out everything that is physically

0:37:46.500,0:37:57.950

uh available in that home and he doesn't mess around he really finds the stuff the business'

0:37:57.950,0:38:10.705

and uh I said 'no I I'm ready let's go call him' so he called him that night and Dr. Kirk was on his way

0:38:12.390,0:38:16.660

so that was about it you have his report don't you--I don't have a copy of his report--

0:38:16.660,0:38:24.170

well I have a copy here I'll give you it's uh not uh it doesn't contain all the pictures and all--

0:38:24.170,0:38:33.569

but I'd like to have a--but the running account that's one reason I prepared uh this packet

0:38:33.569,0:38:39.487

with uh so a lot of it is pictures but a lot of it is not--

0:38:41.702,0:38:49.400

well what is your I mean what is your feeling uh if Dr. Kirk had been able to go through the house

0:38:49.400,0:38:55.275

uh originally it would have made a tremendous difference in your defense wouldn't it--

0:38:55.275,0:39:01.420

oh tremendous yes I don't believe I'd ever have been convicted I don't see how I could have been--

0:39:01.420,0:39:09.513

you couldn't have been--the the just even jurors that--the driving thing is that Dr. Kirk has found

0:39:09.513,0:39:18.096

all these points were after over half a year now what would he do and that is so [?] and what could've

0:39:18.096,0:39:24.490

he found right after the crime after the--that's that's yes--well why don't you expound on this thing a little bit then--

0:39:24.490,0:39:36.903

well as Ariane mentions well I I've said this before but uh--not in your book--but this is true if

0:39:36.903,0:39:54.299

if Dr. Kirk found all that he did which is an amazing amount of new fact after uh well over six months

0:39:54.299,0:40:03.599

just think what he might have found and obviously would have found in addition to what he

0:40:03.599,0:40:18.869

established as fact upon his investigation it it's appalling to me to think of the things that I even know of

0:40:18.869,0:40:26.690

that were passed up for instance the cigarette butt in the toilet upstairs that we know was there

0:40:26.690,0:40:35.289

and suppose Dr. Kirk had had this at his disposal uh the footprints around the home that

0:40:35.289,0:40:43.869

one was found in the garden there were a number along the beach suppose he had been called in

0:40:43.869,0:40:53.480

the area roped off--he also would have examined the metal clasp on your medical bag--uh well the medical bag

0:40:53.480,0:41:00.130

and if he'd had an opportunity to be there for the autopsy of course this would have been

0:41:00.130,0:41:06.700

really a uh revealing thing because there would have been uh examination

0:41:06.700,0:41:13.129

of the wounds for foreign body of a microscopic nature of course uh

0:41:13.129,0:41:20.630

there might have been tiny iron bits or uh pieces bits of tiny splinters of wood

0:41:20.630,0:41:33.190

there that or some something that would give an idea of the weapon I Dr. Kirk felt uh

0:41:33.190,0:41:47.448

that the wounds were consistent with a flashlight battery and uh he is suspicious that the uh

0:41:47.448,0:41:59.650

nail polish appearing fleck of uh paint or nail polish on the floor by uh the murder bed

0:41:59.650,0:42:13.035

was more most likely a a painted flashlight chip where they paint the handle sometimes with uh

0:42:13.035,0:42:22.190

reddish paint but we just have wondered how fantastic how extensive the list of things would be

0:42:22.190,0:42:37.333

if Dr. Kirk had been uh on the scene like Dr. Moritz was
and not Dr. Moritz yeah was it Dr. Moritz of--

0:42:37.333,0:42:50.224

Western Reserve--yeah uh and he was supposed to be the local crime doctor
well all he did was suggest a truth serum

0:42:50.224,0:43:00.378

as done by him well I didn't know him and
now that I do know him uh I know that

0:43:00.378,0:43:11.209

he's a colleague of uh the local coroner and these people
cooperate with the Cleveland Police and I wouldn't have him

0:43:11.209,0:43:18.079

do a truth serum on me on a bet because I
could make you say you did it because

0:43:18.079,0:43:25.109

truth serum is brainwashing that's all that
it is if a person wants to use it that way--

0:43:26.275,0:43:32.261

did uh did you talk to Dr. Kirk yourself did
he come in and question you in the jail--momentarily yes

0:43:32.261,0:43:43.630

he came in for about five minutes uh as
he was in the midst of his investigation

0:43:43.630,0:43:57.620

and asked if there were any phases of the case
that I felt bore a closer investigation than he might

0:43:57.620,0:44:12.141

uh give it or if there was any uh physical area
around the home that I thought should be given very

0:44:12.141,0:44:19.020

very special consideration such as the clubhouse up in
the garage I think he was thinking of some

0:44:19.020,0:44:29.680

some one of the larger children or young boys
that uh had used to use our garage as a clubhouse

0:44:29.680,0:44:37.216

uh such as the tea house that we had used
to store a lot of our uh

0:44:37.216,0:44:50.215

uh implements for garden implements things of
that sort and well I mentioned the uh

0:44:53.868,0:45:07.390

about all that I could mention were the tools in the garage
I had wrenches and some end wrenches and oh

0:45:07.390,0:45:15.967

sort of a short automotive car set to work
on my sports car with I never got into any heavy

0:45:15.967,0:45:23.980

uh re-[?] jobs or anything but I like to change the tires and I had a few extra

0:45:23.980,0:45:31.520

wrenches around that I just wondered about especially these uh

0:45:31.520,0:45:40.170

socket wrenches that have a that have a a knee a bend on them so that you can bend

0:45:40.170,0:45:47.319

them one way or the other and work a socket like a spark plug or something like that

0:45:47.319,0:45:54.599

and so he did well he said he had already gone into that which was pretty

0:45:54.599,0:46:04.800

a good example again of his thinking but he said it was a certainly a good thought and

0:46:04.800,0:46:10.839

how how these things weren't evaluated by the Cleveland Police he'd never know he hadn't

0:46:10.839,0:46:17.810

found anything of particular interest in as far as blood or anything as yet but he was still

0:46:18.819,0:46:26.239

going to uh follow that up--so as part of your uh appeal uh the findings of the

0:46:26.239,0:46:32.760

evidence report were put in the in the appeal to the Cuyahoga County Court of Appeals as new evidence--

0:46:32.760,0:46:40.200

yes yes first yes part of the appeal was that Judge Blythin denied

0:46:40.200,0:46:47.680

us permission to submit new evidence-- after the conviction--

0:46:47.680,0:47:02.038

yes we made a special uh hearing request which came in the spring and we were summarily denied

0:47:02.836,0:47:17.430

so part of the appeal then became the denial of permission to use new evidence uh Judge Blythin made the

0:47:17.430,0:47:28.029

claim that this was not new evidence that it was available at the time of the trial uh

0:47:28.029,0:47:33.250

well the physical material was available at the time of the trial but they wouldn't let us

0:47:33.250,0:47:42.910

examine the home of course the prosecutor
claims that they would let us examine the home

0:47:42.910,0:47:54.407

with a police officer to present well this doesn't
constitute an investigator going in there and

0:47:54.407,0:48:10.140

doing a complete job and Mr. Corrigan wasn't about to
have uh our investigator or any investigator I mean subjected

0:48:10.140,0:48:18.560

to uh a police officer tromping around and
having the opportunity to perhaps destroy something

0:48:18.560,0:48:25.559

that was being developed--they had told you uh
or Corrigan prior to that during the trial that uh

0:48:26.559,0:48:33.938

that he could have somebody go in there if
the police were present--yes yes--

0:48:41.014,0:48:50.220

and he turned that down--well uh I beg your
pardon they didn't they didn't say that an investigator

0:48:50.220,0:48:58.996

could have been could have been permitted in
there they merely permitted the family to go in

0:48:59.519,0:49:08.791

to get clothes for young Sam and things of
that sort uh there was no uh

0:49:08.791,0:49:20.853

in fact several times Mr. Corrigan and Mr. Garmone
were denied permission to investigate themselves so uh

0:49:20.853,0:49:27.470

it was pretty obvious they weren't permitting
any investigator in there um

0:49:27.470,0:49:40.390

I don't think Mr. Corrigan posed I don't really
know because I was in jail by then but I uh

0:49:41.529,0:49:50.417

I just wish that that Dr. Kirk could have been called
and could have gone into that home

0:49:51.233,0:50:03.010

within well if not moments uh certainly a
few days of the tragedy because there are

0:50:03.010,0:50:14.551

so many things that I believe could have been
uh disclosed and there are so many things that I

0:50:15.260,0:50:25.878

have a strong belief are being withheld and
suppressed right now by certain investigating groups

0:50:25.878,0:50:37.274

of an official nature we know that the handprint
on Marilyn's desk did not belong to young Sam

0:50:38.740,0:50:45.170

we know that it was not identified

0:50:45.170,0:50:54.720

and therefore was testified to at the trial
as belonging to young Sam we know this

0:50:54.720,0:51:03.092

now what how many other things this this they had to
explain because it was known to exist

0:51:04.024,0:51:08.440

but how many things have they suppressed this
is the amazing thing--

0:51:08.440,0:51:20.188

uh and then the uh now uh Corrigan uh took
your appeal to the Cuyahoga County Court of Appeals

0:51:20.188,0:51:24.710

you were in as I recall you you sat
in on those oral hearings didn't you--no--

0:51:24.710,0:51:32.010

at the Court of Appeals--no I didn't I sat
in on the hearing for new trial

0:51:32.010,0:51:39.910

uh on the basis of new evidence but that is
the only hearing I sat in on

0:51:39.910,0:51:54.942

until this uh circuit court in Cincinnati
when Ariane young Sam and I went down there--

0:51:54.942,0:52:02.257

well you uh and you so I think we have most of
the material on you know some of your notes on this the

0:52:02.257,0:52:08.950

time between the end of the trial and the
Court of Appeals uh handing down a ruling--

0:52:08.950,0:52:15.000

yes and I have uh some more jail notes on
that I believe here somewhere--just shut that off

0:52:15.000,0:52:18.512

when you get those let me take a look at those--
I'm not sure they're right here I don't think

0:52:18.512,0:52:31.193

they are but--uh were you uh during
the time of the uh appeal to the uh

0:52:31.193,0:52:38.341

Cuyahoga County Court of Appeals and when we uh
what was your frame of mind were you uh hopeful uh--

0:52:38.924,0:52:52.848

oh I was very hopeful because Mr. Corbin was very hopeful he said the uh the record was very uh full of errors

0:52:52.848,0:53:15.250

and so I felt that uh well I just felt that as long as the he felt that the record was full of errors and uh

0:53:15.611,0:53:26.704

that there was a great deal of evidence of my innocence even in the record as I thought back of the proof of

0:53:26.704,0:53:33.839

no blood stains on my trousers and

0:53:33.839,0:53:46.880

the evidence of a person in the room plus this tremendous evidence that uh Mr. Dr. Kirk had

0:53:46.880,0:53:55.339

found I felt that the Court of Appeals might well I thought they would give this some consideration

0:53:55.339,0:54:01.080

uh that Judge Blythin didn't because it was quite obvious to me

0:54:01.080,0:54:07.039

that uh by that time certainly that Judge Blythin was uh prejudiced

0:54:07.039,0:54:14.439

and I had well I had the knowledge that it's possible for the judge to be

0:54:14.439,0:54:22.170

prejudiced his son was on the Cleveland Police Department uh that sort of thing but this

0:54:22.170,0:54:28.866

shouldn't happen with all judges or certainly not appellate judges so I was hopeful--

0:54:30.000,0:54:39.250

well how did the how did the uh how did the uh refusal of the Court of Appeals to order a new trial or upset the verdict

0:54:39.250,0:54:48.130

how did it hit you--well it was very depressing depressing but by that time I lost my parents

0:54:51.053,0:55:06.782

uh both in a very tragic way I uh was a a bit um I was numb in a way uh I really couldn't believe what was

0:55:06.782,0:55:18.964

happening to me but I did insist on going to the penitentiary while we appealed the case to the Supreme Court of Ohio

0:55:20.930,0:55:28.230

because uh I had heard enough about the penitentiary to learn that they at least get out

0:55:28.230,0:55:36.220

in the sun once in a while and uh they give you
a piece of meat and maybe a bite of ice cream and

0:55:36.220,0:55:44.226

this place is set up for at least existence
which the jail was not and

0:55:44.459,0:55:54.859

I was eaten up with bed bugs I had bed bug
bites all over me my eyes were were swollen I

0:55:54.859,0:56:06.230

couldn't stand uh a bright light I hadn't been in
a bright light for some time and I knew that if I

0:56:06.230,0:56:11.230

continued in that dungeon-like fourth floor

0:56:11.230,0:56:16.920

much longer I was going to damage my eyes
permanently I still have some photophobia

0:56:16.920,0:56:22.460

though I've overcome it or I should say the
eyes have readjusted or recovered some

0:56:22.460,0:56:30.200

or I should say quite a bit but I still have
trouble in the bright sunlight I wear sunglasses

0:56:30.200,0:56:35.210

for instance we go to Halle's or Higbee's
with their over here at the

0:56:35.210,0:56:42.240

Westgate that have such bright neon lights
everywhere and I have to wear sunglasses there

0:56:42.240,0:56:47.910

I hate to have Ariane escorted by a guy that
looks like he's a hoodlum or something

0:56:47.910,0:56:55.890

which of course seems to be the current vogue--
or film stars film stars do that too--well

0:56:55.890,0:57:06.210

the point is I don't like to do it I don't like
to appear affected but yeah they're needed

0:57:06.210,0:57:15.650

when I drive it's essential and I even have to
sometimes wear uh dark glasses or polaroid glasses

0:57:15.650,0:57:23.841

while night driving because the bright oncoming
lights really bother me and give me a headache

0:57:23.841,0:57:30.000

something terrible and I it isn't that I can't see
I just must squint and it gives me a terrible headache--

0:57:30.000,0:57:38.809

this was a result of the dim surroundings
at the uh--almost dark for over a year and uh

0:57:38.809,0:57:46.170

I should not it was slightly under a year
I was arrested the end of July

0:57:46.170,0:57:56.020

and it was uh around July 15th or so that
I went down to the penitentiary I believe

0:57:56.020,0:58:01.710

around mid-July anyway I don't remember the
dates--so you decided at that time to go right away

0:58:01.710,0:58:10.517

so you could get some exercise and get out of that--
I insisted yes--uh then you left uh

0:58:10.517,0:58:26.014

do you want to cover the departure uh--yes uh
the papers were signed to transport me to the penitentiary

0:58:26.396,0:58:36.872

on the evening that I insisted on this by my attorney
or I should say the attorneys had the judges

0:58:36.872,0:58:50.150

sign the papers of commitment the following morning
a van left for the penitentiary the regular

0:58:50.150,0:59:00.410

gray goose as they call it that is a big armed
van that they lock all the guys into

0:59:00.410,0:59:09.359

to carry them to the penitentiary but I was
not on this gray goose because it leaves

0:59:09.359,0:59:18.038

before uh light in the morning it leaves at uh
oh four or five o'clock in the morning uh

0:59:18.038,0:59:27.771

possibly not that early but usually before light and
at that time we were on Daylight Savings Time I believe

0:59:27.771,0:59:36.657

and so of course it got light later anyway I was
delayed obviously

0:59:36.657,0:59:45.000

uh for the benefit of the news people so that
they could get their pictures and interviews and

0:59:45.000,1:00:01.317

uh the mob could collect and so forth and the same day
of course I had sent word to my family

1:00:01.317,1:00:14.617

and Marilyn's aunt and uncle uh the Guilford Browns
Mary and Bud Brown as we call them came down to the jail

1:00:17.369,1:00:23.599

very early early enough to catch me as I went
to the gray goose I I suppose knowing

1:00:23.599,1:00:33.599

that this would probably be the way I would
go as it was uh announced almost daily that

1:00:33.599,1:00:40.099

I was being treated like everyone else which
is a goddamn lie and has been a goddamn lie

1:00:40.099,1:00:50.210

ever since the inception of the whole situation
in the penitentiary in

1:00:50.210,1:01:00.740

jail as well but those two people stood out
there and waited and finally uh

1:01:00.740,1:01:09.250

were there as I left the jail door and got
into the county car

1:01:09.250,1:01:19.535

and I did get a chance to shake Bud's hand
and give Mary a kiss on the cheek uh it was tough

1:01:19.535,1:01:27.900

because they were both crying and but they
both said they'd they'd live to see the day that I

1:01:27.900,1:01:35.230

got out and--were you handcuffed--yes I was
I was handcuffed also for both of my parents'

1:01:35.230,1:01:43.676

funerals--we have that--uh they uh incidentally
have lived to see the day and

1:01:43.676,1:01:49.998

we met them in Cincinnati they have since
moved to Tennessee and we met them in Cincinnati and

1:01:50.730,1:02:00.770

they attended the hearing down there--
uh who who'd you go down with in this county car--uh

1:02:00.770,1:02:11.130

Yetra Grove (?) uh who was then a sheriff's
deputy and uh

1:02:11.130,1:02:21.773

um Uccello Mike Uccello the assistant jailer
rode next to him and I was handcuffed to a uh

1:02:24.104,1:02:29.480

a murderer who had been who had done a life
sentence who had done over 20 years

1:02:29.480,1:02:37.279

and had obtained a commutation gotten out
and had been uh involved in a uh robbery and

1:02:39.190,1:02:49.869

one of his uh rap partners as they call him uh or as
a known in the vernacular had been killed

1:02:49.869,1:02:56.516

I think there had been three involved I'm not sure
of this but at least two and the the one man was killed

1:02:56.516,1:03:04.788

which of course uh technically
means that he was then guilty of murder again

1:03:04.788,1:03:14.560

because he took part in a act where someone was killed
and I was uh handcuffed to him his name is Jocko

1:03:15.639,1:03:28.393

and uh on the way down he commented a little bit
on what to expect as far as the isolation ward and

1:03:28.393,1:03:37.060

not to the isolation ward is in the hospital
and is uh fairly on the clean side

1:03:37.060,1:03:45.980

and uh it's a large dormitory where men can
sit around play cards and checkers and

1:03:45.980,1:03:52.780

get a shower or shave and there's a barber
there a convict barber of course

1:03:53.130,1:04:01.009

but he said 'don't be deluded by this' because
I would soon be sent to the cell block which is a

1:04:01.009,1:04:15.293

nasty dirty filthy place where you have to live with
four men in a in an 8x10 cell 8x10 isn't about right

1:04:16.478,1:04:29.399

uh it's a little longer it's about 14 feet long
but it's about uh seven feet high and seven feet wide--

1:04:29.700,1:04:37.320

uh was there any conversation at all on the way down
from Yetra and uh Uccello or--yes Uccello uh

1:04:37.320,1:04:45.705

was obviously trying to bring me out trying
to pump me trying to get me to say something um

1:04:47.359,1:04:57.380

and even with dark glasses the sun almost
blinded me I I could hardly see

1:04:57.380,1:05:09.111

I noticed this Tom Brady uh reporter isn't his name
isn't isn't it Tom Brady uh he zoomed ahead

1:05:09.111,1:05:21.650

there were it was almost an entourage uh of
about 11 or 12 cars around ahead and behind

1:05:21.650,1:05:28.891

and I and they were snapping pictures through the window and Mike Uccello said

1:05:28.891,1:05:34.029

'wouldn't you like to have the window open' well of course he wanted open so his

1:05:34.029,1:05:41.559

so uh well he definitely made an arrangement somebody probably slipped him a fin and said now

1:05:41.559,1:05:49.990

get uh what you can out of him and try to get the windows open so we can get some pictures

1:05:49.990,1:05:58.420

and uh Jocko didn't want the window open on his side so I said sure go ahead open the window and

1:05:58.420,1:06:05.885

so Uccello was uh very accommodating he opened the window so I just turned toward Jocko

1:06:05.885,1:06:13.600

we were chained together but we had a little slack so I could throw my right shoulder

1:06:13.600,1:06:34.978

I was on the right side and we were both handcuffed and then we had a belt-type chain I think I recall a belt-like chain

1:06:34.978,1:06:44.980

but I even then I wasn't chained with the leg chains and the way they transported me from Marion after

1:06:44.980,1:06:56.028

I had the audacity to fall in love with a woman again after 10 years and this woman happened to be

1:06:56.028,1:07:06.615

fighting for my freedom which of course the major problem but uh even then when uh

1:07:06.615,1:07:13.660

oh they figure usually I think penologists figure a man is most desperate when he's being

1:07:13.660,1:07:20.170

put in a penitentiary after knowing freedom and I think the chain

1:07:20.170,1:07:26.920

deal wasn't for me even then it was for this fellow that knew that he had would never see

1:07:26.920,1:07:32.890

daylight again he pulled one life sentence he had another one staring him in the face

1:07:32.890,1:07:47.200

plus a parole violation so quite honestly I I feel that Mr. Uccello had just used the uh

1:07:47.200,1:07:52.978

the waist chain because of uh Jocko because
this guy had a right to be desperate he

1:07:52.978,1:08:00.671

he'll never make it that he just couldn't possibly
even if they did want to let him go on this charge

1:08:00.671,1:08:15.318

uh he has the violation and what a violation on his
old murder case so he's he uh had to he had to know

1:08:15.318,1:08:28.097

that he was going to go and it might have even been uh
quite honestly I don't know but I still believe I was held

1:08:28.097,1:08:35.481

till later in the day so the pictures could be taken--it was
kind of frantic then on the way down a lot of cars and um--

1:08:35.481,1:08:41.679

yeah and I Tom Brady I remember zooming ahead
and picking up a girl on the one of the

1:08:41.679,1:08:48.710

corners uh as we went evidently it was a girlfriend
and he thought he might as well

1:08:48.710,1:08:54.190

make a day you know I thought yeah here's
a guy who's making a picnic out of this you know

1:08:54.190,1:09:02.500

she had a little parcel under her arm and
they were having a ball out of it they were really

1:09:02.500,1:09:12.015

laughing and joking and making a date you
know a social date out of it and this uh

1:09:12.015,1:09:22.540

well this seemed ludicrous to me here I was heading for
the penitentiary which is a pretty uh horrifying thought

1:09:22.839,1:09:31.140

to especially a person in our station of life
where we've been brought up uh with no thought

1:09:31.140,1:09:40.580

of a penitentiary in our future for god's sake
to think as a child of something like this was

1:09:40.580,1:09:47.580

absolutely out of the question other than maybe
being interested in some movie or something

1:09:47.580,1:09:54.780

and then we never ever associate we never think
of ourselves in that situation when we see a movie

1:09:54.780,1:10:05.730

or we didn't I do now I have to think back
when when I see a picture with a penitentiary and

1:10:05.730,1:10:10.760

and I do do it actively and I even talk sometimes to Ariane about it because I think

1:10:10.760,1:10:18.250

if I try to suppress this it's going to have a more scar effect than if I uh use a little

1:10:18.250,1:10:24.739

oral diarrhea but anyway uh it just seemed very uh ludicrous very inconsistent--you were

1:10:24.739,1:10:30.050

concerned that as I recall in a trip down about the custody battle that was going on

1:10:30.050,1:10:36.131

for your son--well I wasn't too much aware that

1:10:37.122,1:10:52.440

uh there was any uh major effort that was going to come up I was concerned about

1:10:52.440,1:11:04.060

my one brother Steve being courteous enough even though he might feel that some members of the

1:11:04.060,1:11:13.610

of the Reese family were not and the Weigles were not at all uh nice and the one Weigle had

1:11:13.610,1:11:21.978

testified against me actually of course uh as I tried to point out to Steve

1:11:21.978,1:11:31.820

uh Keith Weigle was a suspect and a very real one and Dr. Harold Strait uh felt that this was

1:11:31.820,1:11:40.015

something that should have been investigated further and uh though this was not my idea

1:11:40.015,1:11:50.807

or even my suggestion evidently the Weigles which are part of the Reese family felt that they must uh

1:11:51.040,1:11:59.570

work hard and cooperate with uh getting me convicted to thereby clear uh Keith Weigle

1:11:59.570,1:12:08.790

who was a known uh psychotic uh at least psychoneurotic I shouldn't say he was never violent that I know of--

1:12:09.605,1:12:16.659

well weren't the uh the Munns trying to get custody of Chip--well uh I wasn't aware that

1:12:16.659,1:12:24.960

there was an active custody thing going on until I got to the penitentiary and had gotten these

1:12:24.960,1:12:34.299

ill-fitting clothes on that were scratchy
and had been traumatized with the original gate

1:12:34.299,1:12:40.880

clanking and that sort of thing and I then
heard over the radio that the Munns had

1:12:40.880,1:12:51.645

submitted a petition to gain custody uh on
the basis that my brother and his wife were unfit

1:12:52.461,1:13:01.739

since his brother was convicted of the murder
or was the murderer is the way they put it

1:13:01.739,1:13:18.220

as I recall of the boy's mother well this uh I was--
do you have to go into this [?]-well I think so it tore me up--

1:13:18.220,1:13:22.816

I just think that they have been knocked enough
you're not writing about--I don't think they've been

1:13:22.816,1:13:28.070

knocked enough I don't think we can knock 'em enough
those dirty bastards--well I just think you're not

1:13:28.070,1:13:33.307

writing about disagreements you had with Steve--
well I'll tell you what don't worry about that I'll uh make--

1:13:33.307,1:13:42.454

well we I don't wish to do that because th-
this is uh everybody has little uh--

1:13:42.454,1:13:48.986

I have disagreements--family disagreements but this uh
this is a basic thing these people

1:13:48.986,1:13:55.360

uh had their son in the first place make a
statement that uh Marilyn said I was a Jekyll

1:13:55.360,1:14:03.389

and a Hyde and this had to be a lie because
he didn't testify to it now this this Jekyll

1:14:03.389,1:14:13.730

and Hyde headline is the very essence of
of uh telling the public that here's a doctor

1:14:13.730,1:14:19.178

since it was a Dr. Jekyll of course--also
the fact that they said he is going to testify

1:14:19.178,1:14:27.112

but he never said he didn't--yeah yes they said that he
is going to testify to this now this was never retracted

1:14:27.112,1:14:34.610

never changed you see and the jurors couldn't
help but have this headline in the back

1:14:34.610,1:14:44.283

in their subconscious even though they may not have known it themselves then to add insult to injury

1:14:44.283,1:15:00.000

they uh try to take the one thing that I'm going to live for not the one thing but the big thing that

1:15:00.000,1:15:09.460

that I must think about in living and living for away essentially away because I knew that the way

1:15:09.460,1:15:17.369

after the way they had acted during the trial they would bring this they would poison this boy's mind

1:15:17.369,1:15:25.030

to the effect to make him believe that his father killed his mother and uh

1:15:25.030,1:15:32.627

apart from me and being crushed to think that anyone would think this of me let alone my son

1:15:33.320,1:15:43.730

to do this to a little boy is a terrible terrible terrible thing and I it was very depre- it was

1:15:43.730,1:15:50.365

well it it just uh sort of knocked the--you heard about this on the prison radio on the radio and--

1:15:50.365,1:15:55.250

yes one of the--the day the day you got there--the evening the very evening I got there

1:15:55.250,1:16:03.240

I heard it on the barber's radio the barber had a private radio and for uh a certain hour

1:16:03.240,1:16:12.840

between 8 and 9 or 7 and 8 I forget which in the evening these radio any any radio in the

1:16:12.840,1:16:18.869

penitentiary in the joint as they call it is placed on speaker if a man wants it

1:16:18.869,1:16:26.549

well the barber having the only radio in this uh receiving ward because all the men were new there

1:16:26.820,1:16:37.889

would turn it on for the benefit of the other men he's a good guy as convicts go

1:16:37.889,1:16:45.418

so I heard this on the news and Jesus Christ on a crutch I'll tell you I was

1:16:45.942,1:16:54.380

we probably shouldn't use that term but I was really knocked this really

1:16:54.380,1:17:00.760

what spunk I had you know what fight
and determination it just wow

1:17:00.760,1:17:08.330

I was ready to hang it up I was and then I
uh lay down on my on my bunk

1:17:08.330,1:17:13.900

or the bunk that temp- temporarily they're
gonna assign me and I started to think 'well

1:17:13.900,1:17:22.139

now what are you gonna do lie down and let
this happen are you going to what would happen if if

1:17:22.139,1:17:26.200

you kill yourself' well then everybody would
say 'well see we told you he did it and he

1:17:26.200,1:17:32.151

couldn't stand himself' and all that which
would be the farthest thing from the truth

1:17:32.617,1:17:40.040

uh it's the guy that does something like that
that that won't kill himself because he's being

1:17:40.040,1:17:50.118

punished or uh put away because he did something
bad and there's a cause-effect thing that a human being

1:17:50.118,1:18:09.050

can understand uh so I decided what would my father
do in a similar situation and the answer was there

1:18:09.431,1:18:21.830

because I I knew exactly what my father
would have done and that was to hang in there

1:18:21.830,1:18:33.931

fight but not in a vicious way be uh refined
about it encourage my family to do the right thing

1:18:34.456,1:18:41.760

but fight and fight and fight and fight
and never give up if they

1:18:42.751,1:18:49.510

hang me by my thumbs or put me in an electric
chair the last word would be I'm innocent and

1:18:53.159,1:19:00.474

of course by putting me in the electric chair I'm
referring to if I should get a new trial and it would be rigged

1:19:01.058,1:19:07.427

uh which I don't think is possible
now because of the extent to which this has gone

1:19:07.949,1:19:15.340

but I think it could have been affected maybe
at that time if if the officials were

1:19:15.340,1:19:22.550

were well I didn't know what happened to me
was rigged in in my opinion in a way you see

1:19:22.550,1:19:33.184

but I was willing to face any chance to uh come out
on the on the top then more for young Sam than for

1:19:33.184,1:19:42.710

myself but because by then life was hell
and I didn't want to live it uh and I didn't want

1:19:42.710,1:19:52.880

to face it but I decided it would be a cowardly
thing on my part to have taken my own life

1:19:52.880,1:20:01.140

and this would be the weak thing to do and I knew exactly
that's the way my father would have looked at it--

1:20:01.140,1:20:12.174

what uh what then happened with
the custody case--well it was uh thrown out of court

1:20:12.174,1:20:24.670

because you see Marilyn in her will and and
I because of her decision

1:20:24.670,1:20:31.989

had made up her mind that she if anything
should happen to both of us

1:20:31.989,1:20:41.219

which of course we we had no provision for
any such eventuality as it happened but

1:20:41.219,1:20:48.239

we were worried we were flying around quite
a bit I was giving

1:20:48.239,1:20:57.159

lectures on neurosurgery in Denver and in
Columbus and so forth and

1:20:57.159,1:21:05.590

we felt that a will should be made to provide
for young Sam and of course I had the uh

1:21:05.590,1:21:19.064

I had already gotten the insurance \$100,000 for Marilyn
and for Sam providing for a college education so

1:21:20.812,1:21:30.630

Marilyn the essence of the thing is that Marilyn
herself but under I mean above her own signature

1:21:30.630,1:21:37.570

uh had named Steve and his wife to care for
young Sam if and when something should happen

1:21:37.570,1:21:47.439

to both of us to incapacitate both both of us and of course
in essence that's what had happened uh and uh

1:21:50.070,1:22:00.790

so the judge made the rather obvious ruling that uh
unless uh Dr. Stephen Sheppard and his wife were

1:22:00.790,1:22:13.409

judged incompetent on other grounds uh and
that they were not able to provide financially

1:22:13.409,1:22:24.127

for the boy uh they had no case and that was the end
of it he just he threw it out or discharged it he uh

1:22:24.127,1:22:36.216

said that they had no basis of course this was uh
the first step that made me encouraged in

1:22:37.260,1:22:49.011

my mind that Dad had been right R.A. Sheppard had
given me the right answer you know what I mean

1:22:49.011,1:22:59.089

it gave me this increased drive to think any time
even in the penitentiary when some guy might come up

1:22:59.089,1:23:09.354

and try and pick a fight it always gave me the answer
or when for instance when the uh

1:23:09.354,1:23:19.070

assistant warden tried to get me to uh uh
tell stories or fink uh in a in the vernacular again

1:23:20.550,1:23:30.840

uh on some other fellow or uh do something
like set up a fella put something in his possession

1:23:30.840,1:23:38.840

so that the guards could come find it and say it
belonged to him I wouldn't think of such a thing myself but

1:23:38.840,1:23:46.820

this was consistent with my father
my father's outlook in the pick-a-fight business

1:23:46.820,1:23:52.989

he gave me the answer I uh I wouldn't fight
on the yard because uh

1:23:52.989,1:23:59.969

unless it was absolutely necessary
which happened time or two

1:23:59.969,1:24:09.568

but usually I would invite the man to the
gym and there were periods when we could

1:24:09.568,1:24:13.969

men who weren't under solitary confinement
or something like that

1:24:13.969,1:24:21.142

could get to the gym and get in the ring and
put on a pair of boxing gloves or wrestle and

1:24:21.530,1:24:31.239

I settled many a difference in in that ring
and of course the guards and the officials know that

1:24:31.239,1:24:39.590

this happens and they try and prevent injuries
uh in the ring and it's it has to be done carefully

1:24:39.590,1:24:46.320

and without losing one's temper but I always
invited the person to ring and that's what

1:24:46.320,1:24:51.340

Dad Sheppard would do a man wanted to pick
a fight with me down in Halle's

1:24:51.340,1:24:58.127

uh last Christmas shopping period and again
I used the same principle I said 'well my wife's

1:24:58.127,1:25:04.953

right downstairs with an automobile and I'm
a life member in the YMCA and it's right near

1:25:04.953,1:25:11.515

here now let's get in the car and go over
and I'll give you a lesson if you want to fight'

1:25:13.980,1:25:21.030

and he decided that he didn't want to go but
rather than have a big brawl in Halle Brothers

1:25:21.030,1:25:28.590

which would be one of the worst things I could
do uh at Christmas time Christmas

1:25:28.590,1:25:40.219

shopping time well it if I had used my initial--impulse--
yes impulse I uh it would have happened because

1:25:40.219,1:25:51.728

he was calling me the the convict Santa Claus and--
it was nasty--it was real nasty and he I you know he uh

1:25:52.770,1:26:07.320

even went so far as to make some uh reference
to my family by by inference and I uh I just can't permit this

1:26:07.320,1:26:16.880

and walk away but the I met the challenge or if you
could call it a challenge in in in an aggressive way

1:26:18.380,1:26:26.900

and he didn't want to fight he just knew that
he recognized me he knew he was

1:26:26.900,1:26:32.949

knew who I was of course and asked if I was
taking all these things down to Columbus to give to

1:26:33.716,1:26:39.020

to the convicts down there and I said
'well would there be anything wrong with that if

1:26:39.020,1:26:46.650

I was as a matter of fact I am now do you want to make something of it' and so forth

1:26:48.282,1:26:55.880

but uh this is again representative of how I've used my father's good sense to uh

1:26:55.880,1:27:03.366

help me when restraint was necessary and uh it's been a tremendous thing

1:27:03.366,1:27:10.760

it's been a tremendous experience to actually feel it--well had just discussed it we had just--

1:27:10.760,1:27:18.175

well Ariane extracted a promise from me not to uh beg pardon--just talked about the

1:27:18.175,1:27:29.610

possibility that such things may occur--right we recognized that this could happen and uh

1:27:29.610,1:27:34.530

had more or less made up our minds that we must be careful

1:27:34.530,1:27:42.260

but I hadn't thought of this YMCA thing until it happened the the thing was there

1:27:42.260,1:27:50.619

uh that he had made these cracks on the escalator and he had another fella with him

1:27:50.619,1:27:57.897

and I guess I guess he thought the fella would help him you know and if it had happened in the store

1:27:57.897,1:28:08.620

perhaps he would have--it was on the escalator--it was on the escalator going down and when I said

1:28:08.620,1:28:18.429

let's we'll go over you know and put on the gloves or wrestle or do what both if you wish

1:28:18.429,1:28:29.071

and I'll just give you a little lesson and I was ready boy I was ready and he said

1:28:29.071,1:28:37.863

he was a little bit on the tipsy side which is probably but he wasn't drunk he was just a little

1:28:37.863,1:28:45.000

had had a little too much he said 'I think it'll be some other time maybe'--let's get back to

1:28:45.000,1:28:50.371

your arrival at the penitentiary what did you when you when you got there what happened yeah--

1:28:50.750,1:28:58.960

well for uh--you know get me in the in the gate
there you drove in the gate--oh well when I arrived at the pen

1:28:58.960,1:29:09.869

there was a huge number of people uh both inside
and outside all the convicts with it were able to be

1:29:10.300,1:29:19.400

walking around the honor men were all out
watching there was a mass of newspaper people

1:29:19.750,1:29:31.790

but uh mainly curiosity seekers I suppose uh all around
the place but but at a distance more or less

1:29:31.790,1:29:39.968

it was nothing it was a spit in the ocean compared
to when I came out which was

1:29:40.900,1:29:52.090

a throng that was massive it was so big when
I came out that I could hardly get through

1:29:52.090,1:30:00.099

all of them cheering for me thank god but
uh then I went through the

1:30:00.099,1:30:11.190

what they call the front gate then there's
a guard room and this is where uh the control uh

1:30:11.190,1:30:24.554

region is a a guard sits back in a in a caged
area where he controls these entry and exit gates

1:30:24.840,1:30:32.790

and where the guards punch their time clocks
and their entries into the psycho ward and entry

1:30:32.790,1:30:39.739

on one side the right side and on the other
side an entry into the one of the dormitories

1:30:39.739,1:30:46.062

I was then I then went through another gate
into the what they call bullpen--

1:30:48.393,1:30:55.869

yeah that puts Ohio State out in front uh 9 to 7--
he bounced the pole didn't he it looked like it hit the

1:30:55.869,1:31:04.641

or did that hit the seats and bounce back
looked to me like it hit the the one uh

1:31:05.630,1:31:13.349

post and fell inside I mean fell properly
well anyway then I was in the bullpen and

1:31:13.349,1:31:20.542

most people know what a bullpen is why don't you sit over
here in this chair--that's fine--sit in this chair relax

1:31:22.489,1:31:34.020

and uh I uh I had to wait there because there they were just marching to supper to and back

1:31:34.020,1:31:41.350

from supper the what they call the uh the working companies the men that work in the

1:31:41.350,1:31:50.199

woolen mill the cotton mill and the print shop and those areas were marching to and from

1:31:50.199,1:32:02.220

their supper or dinner supper might be a little better word but I noticed this off-beat band

1:32:02.220,1:32:12.150

or should I say a band playing with poorly tuned instruments uh and they were playing band music

1:32:12.150,1:32:20.040

marching music and I was surprised to see actually in a modern penitentiary this uh

1:32:20.040,1:32:30.000

company stomp stomp bump stomp march uh close sort of close-order drill marching and most of them looked

1:32:30.641,1:32:39.040

like they kept step pretty well the next thing that that shocked me uh just as a

1:32:39.040,1:32:49.060

sort of observer was to see that all the negroes were at the end of each line

1:32:49.060,1:32:59.739

the then I saw some of the lines even marching up outside of the big of the big block houses

1:32:59.739,1:33:09.610

or I should say ranges because the blocks the blocks of cells are within this uh

1:33:09.956,1:33:18.940

huge double and triple wall that surrounds the penitentiary but as they lined up

1:33:18.940,1:33:26.219

and got ready to start all the negro men had to get to the back of the line and the

1:33:26.219,1:33:37.431

white men in front uh I didn't know that well I just didn't know that this would be permitted in a

1:33:37.431,1:33:46.797

especially a state institution because I know it doesn't happen in federal institutions

1:33:46.797,1:34:00.000

what I mean is I perhaps it might happen in a private uh oh say say if a private factory has uh

1:34:00.000,1:34:10.050
has to make a line to go to a cafeteria or something
I can understand some private enterprise being prejudiced

1:34:10.050,1:34:19.228
but not a state or federal institution
that's paid for by tax money so

1:34:20.330,1:34:32.310
in jail of course there's no uh apparent prejudice
uh the negro men are mixed with the white and uh

1:34:32.552,1:34:41.521
there's uh well there's just nothing said
about any difference so then I was taken to the

1:34:43.453,1:34:47.489
receiving order of the hospital and
this is across the

1:34:47.489,1:34:55.699
the uh so-called formal yard of the penitentiary
I was impressed by the beautiful roses

1:34:55.699,1:35:05.770
that were in Dr. Eckstorm's uh garden there
Dr. Eckstorm was a doctor that uh

1:35:06.353,1:35:11.301
well I I don't know if he's still alive but he is
about 90--he was a football coach at Ohio State in uh--

1:35:11.301,1:35:17.750
that's right long ago I don't know
how many years but he was Ohio State's

1:35:17.750,1:35:26.010
football coach and he became a physician and he may
have been a physician when he was coach but he

1:35:26.010,1:35:32.170
he was a penitentiary doctor for years and
he had been a very kind and wonderful man

1:35:32.170,1:35:43.082
to to the men when he was active and and he
his wife had died and he dedicated a garden of roses

1:35:43.082,1:35:48.797
and brought in some beautiful roses and
for a while he tended them himself and then

1:35:48.797,1:36:01.500
since then the men the convicts that are on
the yard detail or what they call greenhouse uh

1:36:01.500,1:36:09.020
detail have kept them in beautifully so and
then there's a display of ribbons

1:36:09.020,1:36:18.969
in a glass display area that uh are ribbons
he won or his roses won in

1:36:18.969,1:36:29.610

in behalf of his wife the grass was very green
and there were a few trees around

1:36:29.610,1:36:41.731

which uh was a little surprising and on the
on the nicer surprise side we passed a newer building

1:36:43.421,1:36:49.810

that uh was the deputy's office I learned later

1:36:49.810,1:36:57.349

and was one building in under construction
which was the Catholic church

1:36:57.349,1:37:01.150

uh the Catholic church had been burned during
the riot the Halloween riot

1:37:01.150,1:37:09.980

the year so before and so they were rebuilding
the Catholic church or chapel as it's called

1:37:09.980,1:37:19.026

this newer building was then being passed
and I was told to go in there it was there that I uh

1:37:19.920,1:37:30.506

was shaken down and--[Ariane giggles]--
the uh my suit was taken away

1:37:32.857,1:37:47.670

and I was given prison clothes and I was allowed
to keep only a comb and handkerchief and

1:37:47.670,1:37:52.530

no money of course uh my wallet
without anything in it

1:37:52.530,1:38:01.630

my watch was taken away my wedding ring was
taken away and uh

1:38:01.630,1:38:10.000

I was given a slip and I was told I would
be able to send these things home later

1:38:10.000,1:38:24.050

I think one of the most drastic things about
entering the prison is a combination of

1:38:24.050,1:38:35.623

putting on those ill-fitting clothes and uh
the clang of the door behind your

1:38:36.746,1:38:46.661

behind your tail as you go in it's uh no wonder
that some men do actually go stir-simple

1:38:48.357,1:38:54.929

uh we uh talk about men stir-simple it's sort
of like and we say just

1:38:54.929,1:39:00.719

sometimes we don't say use that term or I should say they I think Ariane gave me

1:39:00.719,1:39:09.139

a look I I don't want to you say that 'we' anymore because goddamn I'm not one of 'em--

1:39:09.139,1:39:21.058

that was just [?]-oh anyway the way it's put in prison that a man is a little stir-crazy is uh by saying

1:39:21.058,1:39:26.971

well that fella has had too many doors slammed behind him no too many doors slammed on his ass

1:39:26.971,1:39:37.079

that's the way it's put uh because of this traumatic feeling and it doesn't get any less

1:39:37.079,1:39:44.940

it's just as bad 10 after 10 years as it was well maybe not the first time but after the

1:39:44.940,1:39:52.540

maybe the second time because it's uh it's a reminder and the clanging of those huge keys

1:39:52.540,1:40:02.219

well then I was taken to the receiving ward and almost immediately uh escorted by a uh

1:40:02.219,1:40:07.623

what they call a runner it's another convict but he's been around there a while and he's been

1:40:07.623,1:40:13.520

trusted he's not trusted enough to go to an honor dormitory or an honor farm

1:40:13.520,1:40:21.719

but he's given permission or a pass as they call it permanent pass and he wears a red

1:40:21.719,1:40:30.560

cap and a red band on his arm and he escorted me to the dining hall to get uh evening meal

1:40:30.560,1:40:44.060

uh after I said I had had nothing to eat to give you an idea of the idiocy uh not idiocy but rather

1:40:44.060,1:40:52.074

low education and intelligence of some of the guards it was known that I had to be driven down

1:40:52.074,1:41:01.963

from Cleveland to Columbus and I was brought in and uh as they say dressed out

1:41:03.699,1:41:10.119

I walked into the receiving ward and the guard said 'have you eaten have you eaten supper'

1:41:10.119,1:41:21.109

well how could I I couldn't have eaten supper but
anyway I said no I went over and had uh

1:41:21.109,1:41:26.848

some kind of uh oh they had fried eggs bacon

1:41:27.722,1:41:39.058

Jello and some uh coleslaw and ice cream well
I hadn't had an egg I hadn't had an egg

1:41:39.058,1:41:48.349

except at Easter time hard-boiled but I hadn't
had a scramble or fried egg or bacon for over

1:41:48.349,1:41:54.980

a year of course and I hadn't had ice cream
for over a year and naturally this tasted like

1:41:57.750,1:42:04.040

the Waldorf Astoria as far as I was concerned
compared to this slop I'd been eating and

1:42:04.040,1:42:12.440

or trying to gag down well I hadn't been eating
the slop is what that was a thing at the jail

1:42:12.440,1:42:20.099

I'd been eating the nuts and fruit that I
described before almost entirely with really

1:42:20.099,1:42:30.000

too much candy uh so it tasted very good
I came back and started to write some letters

1:42:30.000,1:42:38.540

and tried to make them encouraging
they let me write

1:42:38.540,1:42:46.250

just as soon as I got there though which is
not always a habit in all penitentiaries

1:42:46.250,1:42:53.119

but uh they want the men to write and encourage
their relatives although they don't let any visit

1:42:54.440,1:43:01.440

for the first month because you're supposed
to be in quarantine now here's another example

1:43:01.440,1:43:11.520

of the complete lack of any rudiment of intelligence
in the setup of the prison

1:43:11.520,1:43:20.619

here a man a bunch of men brought in to be
placed on quarantine or isolation for a period

1:43:20.619,1:43:32.340

of a month so that any communicable disease
can be identified and treated and further isolated

1:43:32.340,1:43:41.929

if necessary where do they have it on the first floor of the hospital where cross-contamination

1:43:41.929,1:43:49.209

is the easiest thing in the world the same sheets for instance that come in to that receiving ward

1:43:49.840,1:43:57.200

go in to the laundry at the end of the week and then they come back and go up to some patient

1:43:57.200,1:44:06.159

that just went through lung surgery and maybe the person is a carrier maybe he has tuberculosis or

1:44:06.159,1:44:12.159

could be a typhoid fever carrier there's a lot of syphilis and gonorrhea of course syphilis

1:44:12.159,1:44:23.920

and gonorrhea is usually uh handled by laundry but uh there tuberculosis is not unless the

1:44:23.920,1:44:33.983

sheets and everything are absolutely sterilized in an autoclave and they don't have that type of equipment

1:44:33.983,1:44:50.522

at the penitentiary plus the fact there is direct contact uh the uh men when they're examined for instance

1:44:53.436,1:44:59.728

I mean the new men are taken out instead of even left in that area they're taken out

1:45:00.000,1:45:08.530

to the outpatient department and minor surgery of the hospital to be examined

1:45:08.530,1:45:20.720

and they're fill the whole room now at the time they're being examined by a junior student usually

1:45:20.720,1:45:31.848

at Ohio State University who might be a good student but isn't obviously qualified as yet

1:45:35.986,1:45:42.930

while the new men are being examined they have access to the toilet that is

1:45:42.930,1:45:50.660

used by the outpatients in other words the guys that are sick over the place that don't have to be

1:45:50.660,1:45:59.329

in bed or might have to be they come in they're sick maybe they maybe they contact uh a man

1:45:59.329,1:46:07.349

a new man say Jocko that came in well he looked like he had tuberculosis syphilis and probably

1:46:07.349,1:46:16.699

uh leprosy at the same time I mean he looked terrible you know now suppose Jocko had uh

1:46:16.699,1:46:27.139

brought in uh meningitis for instance and it's been known around here in recent times and it's

1:46:27.139,1:46:38.170

this is carried by airborne this is carried by air droplet so Jocko cough and might give this man that came in and

1:46:38.170,1:46:46.440

says he has a bellyache both with tuberculosis and meningitis then they decide this man

1:46:46.440,1:46:53.234

has to go upstairs to have his appendix taken out so they take him directly up to surgery which

1:46:53.234,1:46:56.909

is supposed to be the cleanest place in the hospital

1:46:57.819,1:47:04.739

well I was appalled by this because I among other things in medical school we learn public health

1:47:04.739,1:47:10.590

we learn about trying to prevent cross-contamination trying to eliminate

1:47:10.590,1:47:18.222

any new group of of uh people especi- especially uh people that have been in the slums and gutters

1:47:18.222,1:47:28.944

and so forth because just lice lice have been body lice have been transmitted from that ward and

1:47:28.944,1:47:39.638

I've known it to happen and it's happened at well at least 30 times that I know of from that ward

1:47:41.849,1:47:48.906

to other men in the place and then they wonder how it happened--yeah--

1:47:48.906,1:47:57.790

so it it well it's the god damnedest thing I ever saw the tuberculosis ward of the hospital

1:47:57.790,1:48:05.849

is on the same floor as the surgery and post-surgical ward

1:48:05.849,1:48:12.739

I don't know how the health state health officials can permit the building

1:48:12.739,1:48:21.780

let alone which is falling down which is well it would be it was condemned years ago

1:48:21.780,1:48:31.389

but uh how how they can stand that let alone
these blatant they're just flagrant

1:48:31.389,1:48:37.760

uh errors in uh public health--what uh you
know while you were in this uh isolation

1:48:37.760,1:48:44.633

was it 30 days--yes--what was kind of the
routine there did they interview yeah what--yes uh

1:48:44.633,1:48:54.050

but we were usually taken out for our interviews
there again we were supposed to be in isolation

1:48:54.050,1:49:04.896

so the idiocy of this is that they take us over to
the department of uh the deputy's office that deals with

1:49:04.896,1:49:16.150

classification and take us right in with other inmates that
have been supposedly kept away from any uh communicable

1:49:16.150,1:49:23.650

disease again the toilet there has to be used
during the examination period and lecture periods

1:49:24.650,1:49:37.000

and orientation is uh affected but uh say a man
had syphilis or gonorrhea or both and he uses the

1:49:37.000,1:49:45.000

toilet and here's some poor guy who's a typist
and maybe been there ten years and ready to go home

1:49:45.000,1:49:53.420

and has a parole and sits on the toilet and
it can happen off the toilet it's not common but

1:49:55.030,1:50:06.880

maybe there's a homosexual act that goes on there that
will be uh a direct contact uh which is where they try to

1:50:06.880,1:50:11.150

do it in the toilets of course because in
some of those areas the toilets can

1:50:11.150,1:50:19.719

can be locked this is a terrible thing to
talk about but it does happen anyway

1:50:19.719,1:50:27.050

the mixture is occurs so why have the iso
a quarantine word it's a gesture it's nothing

1:50:27.050,1:50:34.130

there is no quarantine affected here it's
merely something that they know

1:50:34.130,1:50:44.849

should be done and they can put it on paper
that it's done and affected uh we

1:50:44.849,1:50:50.719

during that period uh are even given a tour
of the institution and walk all over the

1:50:50.719,1:50:58.510

institution to see the different places so
that when a man's called to go to the

1:50:58.510,1:51:05.050

chaplain's office or the warden's office or
to see the dietitian about possibly getting

1:51:05.050,1:51:14.670

a job or something he'll know where to go
uh all all through the woolen mill and

1:51:14.670,1:51:20.679

planing mill the whole place--did you during
your first month there did you talk to the warden uh

1:51:20.679,1:51:28.370

did he call you in at all--uh I talked
to the deputy warden uh first as a routine

1:51:29.069,1:51:37.239

uh interview which he tries to uh either the
warden or deputy warden is supposed to talk to

1:51:37.239,1:51:43.699

each man for a short time or for as long as
necessary--what how did that conversation go--

1:51:46.099,1:51:50.461

well uh Mr. Maxwell was deputy warden
at that time and he

1:51:50.461,1:51:56.810

uh said that I was going to be treated like
anybody else and then he said how

1:51:56.810,1:52:03.820

old am I and I told him 31 he said well 41
you won't be too old when you get out of here

1:52:03.820,1:52:14.040

I said well who knows I'll get parole and he said
'well you keep your nose clean son and you should

1:52:14.040,1:52:20.880

make it uh if you don't have too many people
complaining from the outside' and I said

1:52:20.880,1:52:28.203

'well Mr. Maxwell it's pretty obvious that just
a bunch of cranks will be complaining if if no one else'

1:52:29.510,1:52:38.969

uh of course I was uh hyper critical of the
situation and he said 'well don't don't uh

1:52:38.969,1:52:47.980

worry about that son' he called me son uh I think
because uh his his own son was a a medical student

1:52:48.980,1:52:56.091
and ready to well he I think had just graduated
or was about to from Ohio State incidentally I think

1:52:56.091,1:53:07.699
but he sort of uh helped me out in my
thinking on that he said the crank letters and

1:53:07.699,1:53:13.920
people that try to criticize with no basis
usually don't affect the parole board

1:53:13.920,1:53:20.830
he said but you can keep your nose clean don't
get in any fights or don't get into

1:53:20.830,1:53:28.300
any long division and he said stay away from
these these uh characters around here and I said

1:53:28.300,1:53:37.671
'what do you mean by that' and he said 'well the obvious
bad troublemakers and he said 'they'll be apparent to you but

1:53:37.671,1:53:46.004
try and try and stay to yourself until you find out
who's who and I think you'll do all right'

1:53:46.799,1:53:58.880
and he said 'well we're gonna have to put you
in some kind of a a mill or a some sort of

1:53:58.880,1:54:07.909
job where you'll be in a four-man cell for
at least six months' because that's the usual uh

1:54:08.909,1:54:17.550
habit or usual it's not a rule but that's
what's usually done and after that we'll

1:54:17.550,1:54:24.023
get you in the hospital if you want to I said
'well I don't want to I don't want to work

1:54:24.023,1:54:31.041
in the hospital' he said 'well now I hope that's
not on the basis of a bad attitude' and I said

1:54:31.041,1:54:37.730
'no I just feel that it might be a little
tough on me to be around surgery

1:54:37.730,1:54:45.540
and so forth which is my life's work and yet
not be able to perform surgery as as I should

1:54:45.540,1:54:52.250
be doing' and he said 'oh I see well you've
got a point there he said it might be any tougher

1:54:52.250,1:54:59.170
than to just be away from it all together'
and he said 'well you ought to think about teaching'

1:54:59.170,1:55:06.719

so that was about it he said 'let me know
if there's any trouble' uh I would say

1:55:06.719,1:55:16.087

about two or three weeks later the warden did call me in
and the warden uh that was this was Warden Alvis and

1:55:17.420,1:55:26.639

he uh went over the same ground but in a little
more detailed and more well I'll say friendly way

1:55:28.216,1:55:37.046

he uh he's the only official that ever shook my
hand for instance or offered his hand for shaking

1:55:37.966,1:55:53.236

uh before I was ready or did go out the front door
at uh this last uh a year ago July uh Warden Alvis uh

1:55:55.820,1:56:08.359

ran a tough ship but he was honest square
and he had a humility or has he's down at Lebanon now

1:56:08.999,1:56:17.538

at the new prison down there and this was
of course his request but because of Warden Alvis

1:56:18.883,1:56:28.271

there was a lot of prejudice by some of the
more ignorant guards that was prevented or at least

1:56:29.446,1:56:42.171

effective which he prevented and this man
was to all convicts that were straight with him

1:56:42.171,1:56:50.377

he was straight with them and a guy in prison
can't ask for anything more than that in fact he can't ask

1:56:50.377,1:57:00.887

for anything more than that--uh is there anything else
in that early days there that you recall--

1:57:00.887,1:57:09.198

well just that I was assigned to the vocational school
I think there's some of that material that I gave you--

1:57:09.830,1:57:16.891

wouldn't you excuse me Sam for interrupting uh
did you tell Bill the incident that you experienced

1:57:16.891,1:57:26.429

when you were in jail uh with the guy who was
raped by a few other guys would you would you write about

1:57:26.429,1:57:32.624

that or no--well it was just a disgusting experience
uh young--can one write that in the book or--

1:57:32.624,1:57:40.504

we might be able to get it let's get it down on tape--
there was a young boy while I was in in jail that uh

1:57:42.280,1:57:49.575

was up on the floor above the fourth floor
this was the fifth floor and he was a young boy

1:57:49.575,1:57:57.530

he wasn't really a boy he was 20 almost 21
at the time but he was in a four-man cell

1:57:57.530,1:58:07.520

up there I believe I'm not sure just how they're
set up up there but they have multiple cells

1:58:07.520,1:58:16.780

but one night I heard a terrible screaming
going on and the other men in the cell

1:58:16.780,1:58:26.090

were upset because this man wouldn't submit
to uh homosexual activity and he was raped

1:58:26.090,1:58:35.400

and by the three other men and he was torn
and had to be taken to

1:58:35.400,1:58:44.679

city hospital and have several stitches and
have his rectum packed and it was a terrible thing

1:58:46.949,1:58:54.929

of course uh I I saw that I saw rape go on
again at the penitentiary and I went through

1:58:54.929,1:59:04.701

one experience that I think I may have told
you or maybe it was Wally about uh while in

1:59:04.701,1:59:10.943

the penitentiary of where there was a big fellow who--
that was a garrison--yeah--yeah we have that down

1:59:10.943,1:59:19.527

on tape on it--oh yeah I taped it for later well
that that was an attempt or something uh but uh

1:59:21.770,1:59:30.699

this young guy that was torn up that was a
pretty terrible thing and uh it uh certainly uh

1:59:30.699,1:59:40.219

well it impressed me mentally
with the gruesomeness of of jail and made

1:59:40.219,1:59:49.040

prison more ominous until I talked to some
other men and then got there and saw that really prison

1:59:49.040,1:59:57.790

is bad but not not as horrible as jail with
when they're the control is so poor uh and

1:59:57.790,2:00:06.857

the supervision is so poor the prison has some
pretty bad uh maybe things in principle like this

2:00:08.090,2:00:13.780

situation at the hospital but uh that occurs
uh that's the medical director's

2:00:13.780,2:00:23.350

fault in my opinion and the warden isn't supposed
to know about uh uh well the medical uh

2:00:23.350,2:00:32.179

aspects of uh public health and cross-contamination
and some of those things I was assigned

2:00:32.179,2:00:42.059

to the vocational school and taught I taught
auto mechanics after completing the course

2:00:42.059,2:00:51.219

myself it took me about a week to read the
books and answer all the questions and uh

2:00:51.219,2:01:06.800

Mr. R.R. Jones who ran and still is in charge
of the vocational school is another man who

2:01:06.800,2:01:20.301

treats all of his uh convict workmen or students alike
and wants to help them and does help them he has helped

2:01:20.614,2:01:33.300

more men than I can uh count almost certainly more men
than I than I can enumerate by name because he

2:01:33.300,2:01:38.210

helps them choose a vocation in the first
place and he tries to do it in an intelligent

2:01:38.210,2:01:49.180

way he does it in an intelligent way and he for instance
sought me out not because he wanted uh

2:01:49.510,2:01:58.440

well most I was more or less shunned by the
officialdom because none of them wanted to

2:01:59.320,2:02:03.719

get involved or get their names in the paper
or something

2:02:03.719,2:02:08.780

what I mean is heads of departments heads
of of activities Capital School for instance

2:02:08.780,2:02:15.969

the the school that teaches regular high school and
so forth I wasn't even asked to

2:02:15.969,2:02:23.880

come up there because the principal was afraid
but Mr. Jones called me over and

2:02:23.880,2:02:32.737

just implored me to come there to work because
I had an education and he wanted educational people there

2:02:32.737,2:02:45.550

to teach his men and he made it possible
for me to start my teaching work quickly and uh

2:02:45.550,2:02:51.280

as soon as I was assigned as a as an assistant teacher

2:02:51.280,2:03:00.610

and then a full teacher I was given a regular
Sunday shirt to wear I could wear with my

2:03:00.610,2:03:08.676

Sunday shirt I was given an extra Sunday shirt and
uh this I wore instead of the hickory shirt or the

2:03:08.676,2:03:16.010

the real rough striped type shirt it's a
fine stripe but

2:03:17.525,2:03:26.322

uh it was uh the way they told the teachers
from from the students actually it was something that

2:03:26.322,2:03:33.449

helped the guards and officials to make this
differentiation but it uh there again was

2:03:33.449,2:03:44.205

a little step in the right direction and it was then
that I started getting good time uh to reduce my

2:03:44.205,2:03:49.143

time to go to the parole board--that was from
the right right off the bat then from when you

2:03:49.143,2:03:59.719

started as an assistant teacher--yeah an assistant teacher
gets uh three months a year no yes for every

2:04:01.759,2:04:09.440

uh four months that I taught as an as an assistant
teacher I would receive

2:04:09.440,2:04:18.849

a month subtracted from the time I go to the
parole board for every three months taught as a uh

2:04:19.260,2:04:26.530

full teacher I would get a month subtracted
so in essence the assistant teacher gets

2:04:26.530,2:04:35.263

uh three months a year off or subtracted and
the full teacher gets four and uh

2:04:36.429,2:04:50.392

just about the time I was assigned as a full
teacher I was well I I was drafted to go

2:04:50.392,2:05:04.122

to the hospital because the man that the convict
that was doing intratracheal anesthesia left

2:05:04.122,2:05:14.518

and went to an honor situation and uh well
he hadn't quite gone yet but he was on his way to go

2:05:14.518,2:05:21.809

uh and they needed someone that could do endotracheal
anesthesia and Dr. Swenson evidently

2:05:21.809,2:05:28.171

wanted someone to assist him in surgery that
knew what they were doing too they lost two or three

2:05:28.530,2:05:35.639

uh cases that shouldn't have been lost postoperatively
one was a thyroid

2:05:35.639,2:05:43.312

post thyroidectomy and the uh student uh I
should I mean the convict nurses didn't know

2:05:43.312,2:05:49.849

what to do didn't know how to check the man
even though they've been instructed

2:05:49.849,2:05:57.230

after all the doctors can't give them a medical
school course in half a half an hour but anyway

2:05:57.230,2:06:06.980

this man had bled under the incision and collapsed
the trachea and had strangled to death

2:06:06.980,2:06:12.469

and Dr. Swenson I think thought he had had
about enough of that

2:06:12.469,2:06:17.974

plus this endotracheal thing--how many college
men were there in the prison do you recall--

2:06:17.974,2:06:27.869

the uh oh there were about five or ten when
I got there when I left there were

2:06:27.869,2:06:39.420

three or four probably this uh Dr. [Gene] Stees
was there who uh killed his wife downstate somewhere

2:06:40.420,2:06:47.679

put her in a barrel and sunk the barrel in
the lake and then uh I think Ohio University uh

2:06:49.099,2:07:00.090

uh was where it was and he finally couldn't
live with it and he turned himself in

2:07:00.090,2:07:05.469

and he is uh well we can't talk about him
too much but he's a story within

2:07:05.469,2:07:10.619

within himself--looks like the end of that
little tape there--yeah