

Thereupon LUELLA WILLIAMS, being first duly sworn, was examined and testified as follows:

EXAMINATION OF PROS. JUROR LUELLA WILLIAMS

By the Court:

Q Do I understand that your name is -- is your name Luella Williams?

A Yes, sir.

Q And you live at 2209 East 71st Street?

A Yes.

Q Is it Mrs. Williams or Miss Williams?

A Mrs. Williams. I am divorced.

Q You are divorced?

A Yes.

Q All right. How long have you lived where you now live?

A About 22 years.

Q And how long have you been divorced, roughly?

A About 10 years, or better.

Q And what was your husband's name?

A George Williams.

Q And do you have any family?

A Four children.

Q How old are they?

A From about 28 to 32.

Q 28 to 32?

A That's right.

Q And are they men or women?

A Three men, one woman.

Q Do they live with you, any of them?

A My daughter and her husband lives with me.

Q And are your three sons living in Cleveland?

A Two lives in Cleveland, one is in the hospital, Chillicothe Hospital.

Q What hospital?

A Chillicothe.

Q What do your two sons who are employed here do?

A One works at Tapco, Thompson Products, and the other one works the the CTS.

Q With whom?

A Cleveland Transit.

Q Oh, yes. Cleveland Transit System. You were here, I take it, on Monday morning when these good people around this trial table were introduced. Do you know any of them?

A No.

Q Do you know the County prosecuting attorney or anyone on his staff?

A No.

Q Or the Sheriff or anyone on his staff?

A No, I don't.

Q Or the Coroner, Dr. Gerber, or anyone of his staff?

A No, I don't.

Q Have you ever been a juror before?

A No.

Q Or a witness in a case other than perhaps your divorce case?

A That's all.

Q That is the only case?

80 A Yes.

Q And have you ever had any violence visited on you by anybody?

A No.

Q And you heard, I take it, of this Sheppard case? L

A Yes.

Q By what means? Do you read the papers?

A Well, I have had occasion to look at the headlines. ✓

Q And have you heard comments on the radio about it, television, one or both?

A Very little. ✓

Q Have you discussed it with other people or other people discussed it with you?

A No.

Q Have you at any time on the basis of anything that you heard or read or discussed, if you have, formed any opinion as to the guilt or innocence of Sam Sheppard? <

A No, sir.

Q Do you believe in capital punishment? <

A Yes, sir.

MR. CORRIGAN: Object. ✓

THE COURT: Overruled.

Q Do you believe that you could sit here and listen to the evidence as it comes from that witness stand where you are sitting, and to the instructions of the Court as to the law and be guided entirely by those?

A Yes, sir.

Q Since the 4th of July of this year, have you received any communication by mail, by telegram or telephone, or any other way, that could possibly have reference to this matter?

A Last week I received a letter.

Q In the mail?

A Yes. That was more like a bulletin, or something. It didn't look exactly like a letter. ✓

Q And have you got it with you?

A No, I haven't.

Q Well, I show you Exhibit A-12 and A-13. Will you just look at both of those and see if you believe that what you received is the same as those?

A Yes.

Q Do you know who sent it to you?

A No, I don't.

Q What did you do with it?

A Threw it out with the waste in the trash.

Q And do you have any notion at all that Dr. Sheppard or his family or his friends had anything to do with sending it to you?

A No.

Q I want to say to you that we know who sent it, and it had no connection whatever with the Sheppard family or any of their friends, so we can forget it, but did the receipt of that have any influence at all upon you, and would it in any manner influence your judgment if you are selected as a juror in this case?

A No, sir.

Q Do you believe that you could sit here and listen to the testimony and the instructions as to the law, beguiled entirely by those, and be absolutely fair to the State on this side, and to Dr. Sheppard on the other?

A Yes, sir.

THE COURT: This gentleman is Mr. Parrino of the County prosecuting attorney's office. He has a few questions he would like to put to you.

EXAMINATION OF PROS. JUROR LUELLA WILLIAMS

By Mr. Parrino:

Q Mrs. Williams, when the Judge says to you that we have a few questions to ask you, I believe that is probably the

understatement of the day. You will be subjected to a substantial number of questions, as you have been here by Judge Blythin, as you will be by myself, and very soon by defense counsel, all with the singular purpose of attempting to get from you information to see if you have certain fixed qualifications established by law to assist us in this case by serving as a juror. You understand that, of course?

A Yes.

Q Now, I believe you told us, Mrs. Williams, that your former husband's name was George Williams, was it?

A That's right.

Q And what was the nature of his work during the time you were married to him? What type of work was he engaged in?

A He worked -- what kind of work?

Q Yes.

A He worked at the foundry.

Q Are you working at the present time?

A No, I am not.

Q Have you ever been employed in recent years?

A Yes. I worked at Thompson Products during the war.

Q And for how many years did you work there, please?

A About three years.

Q What kind of work did you do there?

A I was inspector.

Q Now, I think you have stated that you have never appeared as

a juror before, is that correct?

A No, I have never been.

Q And this, then, is your first experience in a courtroom?

A That's correct.

Q Now, in a trial of this kind, Mrs. Williams, you will come to understand and to appreciate very shortly after you are selected as a juror that you, as a juror, have specific duties to perform, and that duty will be to listen carefully to the testimony of all of the witnesses in an effort to determine what the facts are or what the evidence is. I am sure you will do that, will you not?

A Yes.

Q Now, a person much wiser than I has stated at one time or another that in a courtroom a trial of this character is a search for the truth. You understand that, of course?

A Yes.

Q And it is the jury, consisting of yourself and these other people that will sit in this jury box with you, who will listen to the evidence in an effort to determine exactly wherein lies the truth in the case of the State of Ohio versus Sam Sheppard. Will you do that, please?

A Yes.

Q Listen to all of the evidence?

A Yes, sir.

Q Carefully, and determine exactly what the facts are in this

case?

A Yes.

Q Now, you appreciate, of course, that in any lawsuit there must be some central person who presides over the case. In this case we have the good fortune of having Judge Blythin, a man of experience, as the Trial Judge here in this trial.

Now, he, of course, has certain fixed duties, also.

31 Primarily it will be to see to it that these proceedings are carried on in a fair manner to both sides, to the prosecution, which is our side of the table, and, of course, to the defendant, who is charged with the crime of first degree murder. That is one of the primary functions of Judge Blythin.

Now, another function of Judge Blythin will be to state for you what the law is that you must, as a juror, apply in this case. You understand, of course, that you folks are not lawyers and not acquainted with some of the rather involved matters of law that will be with us in this case, so that you will take your law, after all of the evidence is in, from Judge Blythin?

A Yes.

Q And will you take and accept without any reservations whatsoever everything that he tells you is the law and apply that to the facts in this case? Will you do that?

A Yes.

Q Now, after all of the witnesses have testified, and after Judge Blythin gives you the law, then you twelve people will go into your jury room for your deliberations, consider all of the evidence that you have heard, associate that evidence with the law as the Judge has given it to you, and then on the basis of the evidence as you hear it and the law as Judge Blythin gives it to you, you will, of course, arrive at what is, in your best sound judgment, a fair and impartial verdict to both the defendant and to the State or the people of this community? Will you do that?

A Yes.

Q Now, of course, there are many principles of law that will be involved in this case, but I review one or two of them very briefly for you, if I may, please at this time.

Now, Judge Blythin will state to you that in a criminal case, whatever the criminal case might be, whether it is murder or robbery or assault and battery, anything at all, that a defendant is clothed with what we call the presumption of innocence. In other words, as you look at the defendant now, any defendant in the courtroom before the trial, the law says he is innocent, he is presumed to be. You understand that, of course?

A Yes.

Q And when the Judge tells you that law, you will apply that law to the facts in this case?

A Yes.

Q And the Court will also say to you that this thing that we call the presumption of innocence follows and carries to the defendant throughout the trial until the time arrives, should such time arrive during the course of the trial, until you feel that he has been proved to be guilty beyond a reasonable doubt. Will you follow that?

A Yes.

Q Now, Mrs. Williams, you have stated, of course, quite fairly and frankly, that although you have read something about this case, that it is possible for you to set aside whatever you have read, to come into this courtroom today, and should you be selected as a juror, to decide this case not upon anything you have read.

Now, as a I have stated, as a juror, it is important for you here and now to set aside whatever you may have read about this case, take the evidence as you hear it in this courtroom and decide this case on that basis. Will you do that, please?

A Yes.

Q Now, I am sure that you have come to know that in the State of Ohio this is the law:

That in a criminal case, where a defendant is charged with murder in the first degree, as the defendant is in this case, where a jury hears the case, finds the defendant guilty

of first degree murder and does not recommend mercy, that in that event punishment shall be death in the electric chair.

A Yes.

Q Do you have any opinions --

A No, I don't.

Q -- or any religious beliefs that would prevent you from entering into a verdict which might take a human life?

82 A No, I don't.

Q Then you, with these other eleven persons that sit in the box, feel this way, I take it:

That where you have a proper case, properly proven, that you could enter into such a verdict? You feel that way, Mrs. Williams?

A Yes.

Q Now, you will realize, of course, that there will be many people testifying in this case from various walks of life. We will have some doctors. There will be some police officers, and probably eminent men from various fields, and the Court will state to you that in judging what a witness states or the weight that you will give to a particular witness, you will judge their testimony, not by any title that they might have, but will judge it on the basis of what you hear and how you evaluate what they say in this courtroom. Will you do that, please?

A Yes.

Q So that, for instance, you would not give more weight or credit to the testimony of a police officer just because he is a police officer, would you?

A No, sir.

Q Nor would you give him less credit, is that correct?

A No.

Q You would not give more credit to a person because he is a doctor merely because he is a doctor, would you?

A No.

Q Nor would you give it less credit, would you?

A No.

Q Now, in other words, it is said that as a jury you folks are the judges of the facts and you will decide the facts, and one of the important jobs that you will have as the judges of the facts will be the credibility or the truthfulness of a witness. You understand that, do you?

A Yes.

Q And by that we mean this: Persons will testify. You people will be sitting here in this box, Judge Blythin will state to you in his charge that in determining the credibility of any witness you, as a jury, may take into account the forthright manner in which that witness speaks to you from the witness stand, or the lack of a forthright manner in which he speaks to you from that witness stand. In other words, a person sitting in that witness stand may appear to you to

be honest and sincere and forthright, or he may not be, and you may take that into account. Will you do that, please?

A Yes.

Q As a witness has testified, is telling their story to what they know about this case, as you hear that testimony, as a juror you have this right:

You may say, "Well, what this person is saying to me now certainly sounds reasonable, so I will believe it."

Will you do that, please?

A Yes.

Q But, on the other hand, if what a witness is saying to you -- withdraw that.

But, on the other hand, as a witness testifies, you have the right to say to yourself, "Well, what this person is saying to me now certainly does not sound reasonable. It sounds fantastic."

So that you may give less credit to that than you would to some other witness. You have that right. Would you do that, please?

A Yes.

Q Now, you may also say to yourself as a person testifies that this is probable or this is not probable. That is your right. You understand that, of course?

A Yes.

Q And similarly, in judging the testimony of any witness,

whoever he may be, that comes into this courtroom to testify, you may say to yourselves, "As I listen to the testimony of this witness, does this person have any interest in this case? If so, how would that affect his testimony?"

You may say to yourself, "Does this person not have any interest in this case, and would that in any way affect his testimony?"

Would you take that position, please?

A Yes.

Q So that on the basis of probabilities, improbabilities, reasonableness, interest in the case, lack of interest in the case, you, as a juror, can pretty well, shall we say, size up a witness as he testifies in this courtroom. Will you do that, please?

A Yes.

Q Now, that applies, as I say, to any witness that testifies in the case, Mrs. Williams, and when I say that to you, those standards by which you will judge the credibility of witnesses also apply to the defendant, Sam Sheppard, should he take the witness stand in this case. You understand that, don't you?

A Yes.

Q And will you give to the defendant's testimony, should he testify, those same rules and apply the same rules of credence as you would for other witnesses during the course

of the trial? Will you do that, please?

A Yes.

Q Now, you have stated that you have read something about this case, have you not?

A That's correct.

Q And from time to time, Mrs. Williams, have you seen the photograph of the defendant, Sam Sheppard, in any of the newspapers?

A Yes, I have seen them.

Q Now, would the fact that you have seen his photograph in the papers from time to time affect or influence your judgment in any way in this case?

A No.

Q One way or the other?

A No.

Q Now, while you will be seated here in this jury box, Mrs. Williams, it is quite possible that you will see certain members of the Sheppard family with the defendant during a recess, for instance, which they have a right to do, of course, or in the halls, which they have a right to be. I do not mean to imply otherwise, but if you see them with the defendant during the recesses, if you see either Dr. Steve or Dr. Richard or their wives or any of the family of Dr. Sheppard in and around the halls or out-of-doors, places surrounding this building, do you feel that that

might in some way affect your judgment or opinion in this case either one way or the other?

A No.

Q Now, if you should see -- withdraw that.

As I have stated to you, you are the judges, you as a juror are the judges of the facts in the case.

Now, evidence in a criminal trial may be either direct evidence or circumstantial evidence. Now, I take it you have a rather vague understanding of what we mean by direct or circumstantial evidence, do you, Mrs. Williams, in a general way?

A I think so.

83 Q Now, the Court will state to you that in a criminal case, both direct evidence is proper and circumstantial evidence is proper.

Now, let me give you what I think to be a rather brief example of both direct and circumstantial evidence.

Let us assume for a moment that the police are investigating an accident on a highway in which a pedestrian has been killed on some remote highway, and that going to the scene of the death of this pedestrian, there is the victim who lies on the street, there is the driver of the motor vehicle, and there is one witness there who saw the whole thing.

The driver of the motor vehicle states to the police

that at the time of the accident he was going only 25 miles per hour, but this witness who saw the whole thing states that the driver was going 60 miles per hour.

Now, that witness could go into the courtroom, since he saw the whole thing, and testify as to what he saw and give his opinions as to what he saw to a jury. That would be direct evidence.

A Yes.

Q I make myself clear, do I?

A Yes.

Q Now, on the other hand, the same incident, there is no witness. We have the victim who is dead, we have the automobile, but no witnesses, and the driver of the automobile states that he was going 25 miles per hour at the time of the accident, but the police, in examining the motor vehicle, see that as his vehicle rests upon the highway, the four wheels are fixed on that highway, and for some 60 or 70 feet directly behind that automobile there are solid skid marks that lead right up to where the automobile stopped, and that the front of the car is severely damaged.

Now, although the driver of that motor vehicle may state that he was going but 20 or 25 miles per hour, the circumstances of those skid marks and the damage to that automobile might serve as some proof of circumstantial evidence that

that person was going in excess of the speed at which he says he was traveling. Do you understand that, Mrs. Williams?

A Yes.

Q Now, that is, in a general way, what we call direct and circumstantial evidence, and I will ask you this question:

Will you take and follow Judge Blythin's instructions as to the manner in which you, as jurors, shall deal with both direct and circumstantial evidence? Will you do that, please?

A Yes.

MR. GARMONE: I don't want to interrupt you, Tom. Was the last answer an answer as to the Court's instructions and an answer to the question that you had put to her?

MR. PARRINO: Oh, no. I asked her will she follow the Court's instructions as to what manner they shall consider direct and circumstantial evidence.

Q Now, you understand, Mrs. Williams, that it is important that you judge a case of this kind solely on the law and on the facts without any feelings of prejudice or bias or sympathy for or against the defendant, isn't that correct?

A Yes.

Q Or for or against the State, isn't that correct?

A That's right.

Q So that from time to time, as I have previously stated to you, should you see the defendant in the presence of members of his family, should you be selected as a juror, do you feel that that might in some way create sympathy in your mind which might influence your verdict either way in this case?

A No.

Q This is your position, then: That you, as a juror, will come into this courtroom, listen to all of the evidence and take the Court's charge as to the law and arrive at what is, in your best, honest and sound judgment, a fair verdict, fair to the defendant, Sam Sheppard, and fair to the people of Ohio? Will you do that, please?

A Yes.

Q Now, merely because the defendant, Sam Sheppard, in this case bears the title of Dr. Sam Sheppard, would that in any way affect your judgment or opinion in this case?

A No.

Q You would judge this case as you would any other defendant, whether he be a doctor or a layman, whoever that person might be; is that your position?

A Yes.

Q Do you take this position, Mrs. Williams: That all persons, whoever they may be, regardless of race, color or creed, regardless of their station in life or lack of it, come into

this courtroom on an equal basis? Do you take that position?

A Yes.

Q And that you will judge and determine their guilt or innocence by the facts and by law?

A Right.

Q So that as a juror, you will, then, in the exercise of your honest, sound judgment, arrive at a verdict which you think will do justice to both parties in this case?

A Yes.

MR. PARRINO: Thank you very much.

Pass for cause.

EXAMINATION OF PROS. JUROR LUELLA WILLIAMS

By Mr. Corrigan:

THE COURT: This is Mr. Corrigan,

Mrs. Williams.

Q I am one of the attorneys that represent Dr. Sheppard.

A Yes.

Q And you see Dr. Sheppard in the courtroom, do you?

A Yes.

Q You recognize him from the pictures, and so forth?

A Yes.

Q And this is Mr. Petersilge. He is one of Dr. Sheppard's attorneys, and Fred Garmone is in the back there, and my son

is over here at the side, my son William.

One boy works for the Transit Company?

A Yes.

Q And one boy works for Tapco?

A Yes.

Q And one boy is in the hospital?

A That's right.

Q And your daughter lives with you?

A Yes.

Q What is her name, Mrs. Williams?

A Joyce Jefferson.

Q Is she married?

A Yes.

Q What does her husband do?

A He works for the Transit.

Q For Tapco?

A No. For the Transit.

Q City Transit?

A Yes.

Q He is an operator?

A Yes.

Q How long have you lived in Cleveland, Mrs. Williams?

A Since '25.

Q Since 1925?

A Yes.

Q You raised your family here, then?

A Yes.

84 Q You had conversations about the case?

A Well, not particularly.

Q Well, you know, Mrs. Williams, that there has been a terrific amount of publicity in the newspapers about Dr. Sheppard. You know that, don't you?

A Well, I have heard.

Q Almost every day there would be a story in big headlines about Dr. Sheppard, and in reading about the case, did you learn that he was accused of having murdered his wife in her bed? Did you learn that?

A Beg pardon?

Q In reading the articles in the newspaper did you learn that this Dr. Sheppard that sits here is accused of having murdered his wife in her bed?

A Well, as I say, I didn't follow the story.

Q Well, did you learn --

A I have seen the headlines and sometimes looked at the front page, but I really didn't follow it in detail.

Q Did you learn that the type of murder that he is accused of committing was one in which his wife died from a number of wounds that were visited -- struck on her head? You learned that?

A Yes.

Q Now, Mrs. Williams, he has been indicted by the Grand Jury of this County, and that Grand Jury charged him with having killed his wife, and he is now on trial, he is sitting in this courtroom. You know the type of a crime this is?

A Yes.

Q You are being asked to come in here as a juror to decide this case, to be the judge of this man. Does the fact that he has been indicted and he is sitting here in court charged with that terrible crime arouse any bias or prejudice in your mind at this time?

A No, it doesn't. ✓

Q It does not?

A No. ✓

Q The law of the State of Ohio is that a man who is charged with a crime he is presumed to be innocent; that the indictment, the fact that he is arrested and he is put in the prisoner's dock does not raise any presumption of his guilt, but he is presumed to be innocent until such time as the prosecution proves to the jury by all the evidence that he is guilty beyond a reasonable doubt. Do you believe in that law?

A Yes.

Q And if you are selected as a juror in this case, the evidence first will be produced by the prosecution, and you will hear that first, and then we will have an opportunity of producing

our evidence for Dr. Sheppard, and it is the law that you shall not make up your mind on part of the evidence, but you must consider the entire evidence together with the rules of law that Judge Blythin gives you at the end of the trial to guide you, defines things to you; he tells you what murder in the first degree is, what the law is, he defines the weight that you are to give to the testimony of the people and certain rules of law that guide you in analyzing and weighing the evidence, the testimony, what the witnesses say.

Now, if you are accepted as a juror in this case will you keep your mind free and open until the very end of the case, until you go to your jury room, before you arrive at a decision in this matter?

A Yes.

Q You will. Now, you have no connection with the police department?

A No.

Q None of your relatives on the police department?

A No.

Q There will be policemen come here and testify, there will be doctors who are connected with the Coroner's office come here and testify, and we will have testimony that may be in contradiction to what some of the doctors say that represent the Coroner's office or to what some of the

policemen say.

Now, the normal attitude is to give considerable weight and effect to the police officer or to an official, a public official, but the rule of law is that their testimony is not to be considered of any greater weight than the testimony of anybody else.

Now, if you are accepted as a juror in this case, will you give the testimony of a police officer or an official any greater weight than you would the testimony of an ordinary citizen merely because he is a police officer, a public official?

A No, sir.

Q You would not. Now, did you ever talk to anybody that drove out to the Bay Village house where Dr. Sheppard lived with his wife when she was alive?

A No.

Q You did not. Did you ever hear any talk about Bay View Hospital?

A No.

Q In the conversation that went on?

A No.

Q Did you ever talk to anybody that worked out there?

A No.

Q Or that had any direct connection with that hospital?

A No.

Q Do you make any distinction--there are two kinds of medical doctors that will testify in this case. One school of medicine gives a degree of M.D., and another school of medicine gives a degree of O.D., and the M.D. is for medical doctor and the O.D. stands for doctor of osteopathy, and they have some little different philosophy about how they treat the sick.

Did you ever have any discussion about those different schools of medicine, or --

A No.

Q -- or know anything about them?

A No.

Q You would give a doctor of osteopathy, providing he was a regular licensed physician by the State of Ohio, the same consideration in weighing his testimony as you would give a doctor who was a medical doctor licensed by the State of Ohio?

A Yes.

Q Is that correct?

A Yes.

Q Now, do you think, after having been told these things about the presumption of innocence, that Dr. Sheppard has any obligation in this case to show his innocence?

A I don't understand.

Q You don't quite understand?

A No.

Q Well, I will preface it by saying this: That the burden -- under the law the burden of proving a man guilty when he is charged with a crime is on the State, on the prosecution, and there is no burden on the defendant in a case to prove himself innocent. The State of Ohio has got to prove him guilty, but sometimes people have different ideas.

Now, I want to know if you have any different ideas.

Do you think this man has to prove his innocence in this case?

85 A No.

Q You think the State has to prove him guilty?

A That's right.

Q Now, there is a charge of first degree murder in this indictment, and in that he is charged with having unlawfully, purposely and of deliberate and premeditated malice with having killed his wife.

Now, if the Court charges you that it is incumbent upon the State to prove every one of those elements, not one or two or part of one or two, but every one of those elements by testimony and evidence that convinces you beyond a reasonable doubt, is that the way you will apply the evidence in this case?

A That's right.

Q Now, in this indictment, although it just recites one crime, first degree murder, there are included in that indictment

second degree murder, manslaughter, assault and battery and assault, and each one of those crimes has a certain definition in the statutes of the State of Ohio which Judge Blythin will tell you. You are not supposed to know them, but he will tell you what they are, and he can read them and define them to you.

Now, will you require the State of Ohio in every instance of every crime that is charged in this indictment -- to require the State of Ohio to prove every element of every crime charged in that indictment by evidence that convinces you beyond a reasonable doubt?

A On that I feel I'd follow what the Judge instructed me.

Q Yes, but I want you to know that there were these different elements of crime here. If you are accepted as a juror in the case will you make up your own mind about the facts, about the evidence, and what you hear? Will you make up your own mind?

A According to the instructions, according to law.

Q Well, the law is this: That the jury are the judges of the facts, the Judge is the judge of the law.

Now, when I say the jury is the judge of the facts, let me illustrate that for you for a moment so that you will understand what facts are.

If someone comes here on the witness stand and says, "I saw John Brown walking across the street at East 9th and

Euclid," and another person comes and says, "I was there at the same time and I saw John Brown and he wasn't walking across the street, he was walking down 9th Street."

Now, those are facts that people are testifying to. On those things the jury would say who they want to believe and who they would determine they would believe. See, that is a fact. And on those kind of things the jury is the entire judge. Nobody can interfere with them.

For instance, if there is testimony here that -- the Coroner might say, "Mrs. Marilyn Sheppard had 27 wounds on her forehead," and somebody else might come in and testify as to a different fact, that she had 15, 10 or 9 wounds on her forehead, those are facts which you will judge.

Now, do you understand?

A Yes.

Q Now, the definition of murder in the first degree, and the rules by which you shall be guided -- will be guided in applying those facts, will be given to you by Judge Blythin, so that when I say to you, will you make up your own mind about the facts in this case, what do you say?

A Yes.

Q You will not let anybody make it up for you?

A No.

Q Is that correct?

A That's right.

Q And when you have arrived at a conclusion about the facts in this case, will you allow anybody to change your conclusion?

MR. DANACEAU: Object to that, without completing --

THE COURT: Yes. You ought to have some qualification.

MR. CORRIGAN: I am coming to that.

MR. DANACEAU: Well, I insist that it be qualified with the question.

THE COURT: Yes.

MR. CORRIGAN: Well, I will qualify it.

Q As a juror, when you have concluded hearing the testimony, you will make up your mind about the facts, you will be charged by the law that you will listen to the other jurors and see what they have to say about it and discuss it like a reasonable person. Sometimes in listening to a long case you may be mistaken about the facts.

For instance, you might think that the testimony shows that on the night in question the lake was calm while other testimony showed the lake had waves, and if a number of other people say it was calm, there were no waves, and so forth, you would discuss that back and forth and you would arrive at a conclusion.

Now, after you have discussed this matter with your

fellow-jurors and arrived at a conclusion, your own conclusion, reasonable conclusion, would you allow anybody to change you?

MR. DANACEAU: Object to that. There is no limitation to the time in which --

MR. CORRIGAN: I am not talking about time.

MR. DANACEAU: Why, certainly it amounts to the same thing. There is no limitation of time. A juror can change his mind any time by reason of the discussions and the arguments had with other jurors.

THE COURT: He is asking after the complete discussion --

Q After a complete discussion, and you have arrived at your conclusion --

MR. DANACEAU: Object -- excuse me.

Q -- will you allow any force to make you make a different conclusion than what you have arrived at in your own mind on these facts? Do you understand?

86 A I understand.

THE COURT: Perhaps I can try to simplify it a little bit now.

When you go into your jury room with eleven other jurors, you will discuss this case, and you may

have your own opinion then, but after talking to all of the jurors and you hear all the jurors talking about it, and discuss it fairly in an effort to arrive at the truth, Mr. Corrigan wants to know if, after you have done all that, you have still arrived at an opinion, whether it be the same opinion as you went in with, or an opinion that has been changed somewhat by that discussion, will you, after that has all been done, will you arrive at your own final conclusion and stay with it?

Is that your question?

MR. CORRIGAN: Yes. I want to know if she would allow anybody else --

Q After you have arrived at your conclusion would you allow any force, other than the facts in this case, to change your opinion?

A No.

Q You would make up your own mind, is that correct?

A Yes.

Q And when you have made up your own mind you would stick to it?

MR. DANACEAU: Object to that.

MR. CORRIGAN: We anticipate all these other things --

MR. DANACEAU: No, we don't anticipate

anything at all.

MR. CORRIGAN: Well, when a person arrives --

Q When you arrive at your conclusion in the jury room, will you allow anybody to change it?

MR. DANACEAU: We object to that without qualification.

THE COURT: Yes. I think that is objectionable.

Q I will have to qualify it again. After discussing this matter and after giving it all the proper weight that an intelligent person should give it, and after discussing it freely and frankly with your fellow-jurors, when you have arrived at a conclusion as to the guilt or innocence of Sam Sheppard, Dr. Sam Sheppard, in this case, will you allow anybody, any force to change your opinion?

Now, do you understand that?

A Yes, I understand you.

THE COURT: We can't hear you.

A I told him I understood. If this means that when you are --

Q Now, you have been very frank and free about it. All these other people, they had to go through the same questioning that you did, so don't be timid about it. Just speak right out. Do you understand the question now?

A I understand.

Q What do you say?

A I don't know just how to answer, because --

THE COURT: Those people can't hear.

A I don't know just how to put it, but --

Q Put it the best way you can.

A I think after I talked with the other jurors and everything, I think I'd know in the end -- I know then what my answer would be.

Q Well, you make up your own mind; you don't let anybody make it up for you?

A No. No one would make it up for me.

Q You are supposed to make up your own mind on what you hear. You understand that, don't you?

A Yes.

Q And you are not to permit anybody either outside this courtroom or inside this courtroom to make up your own mind for you. You understand that, don't you?

A Yes, I understand that.

Q And that is the way you would handle the situation?

A I'd try to handle it the best I know how.

Q Yes. Well, do you think you can?

A Yes.

Q All right. Now, you noticed around here that there was a lot of reporters and photographers, and so forth?

A Yes.

Q Everybody is getting their picture in the paper, and every time you move the photographers snap your picture, and there has been a lot in the newspaper and will be a lot in the newspaper from now on.

THE COURT: You haven't answered.

You don't answer. You shake your head. He can't put the shaking of the head down.

Q I said there will be a lot in the newspaper from now on.

A Yes.

Q Now, undoubtedly, if your picture is in the paper your neighbors will know about it, the place where you go to church will know about it, the people there will know about it.

A Yes.

Q I suppose you belong to some women's clubs, do you?

A Well, not particularly.

Q Some women's societies, or something of that kind. They will know about it, and the normal attitude of people is to talk to you about it, discuss the fact you are on the Sheppard jury, so much publicity. "Mrs. Williams, you are on the Sheppard jury," and they may express opinions to you.

Now, Mrs. Williams, you are going to hear more about this case than anybody in the world. You are going to know more about it. All the rest of these jurors, they will know more about it than anybody. Will you say to me, if you are accepted as a juror in this case, that you will not pay any

attention to talk by other people?

A No.

Q Or by ~~what~~ appears in the newspaper?

A No.

Q What appears in the newspaper will be just a resume, a partial resume of what we are doing in this courtroom. They won't have it all in the paper. And you will not allow anybody to discuss the matter with you?

A No.

Q That you will not make up any impressions or any verdict on anything else but what you hear from that witness stand?

A No.

Q Is that correct?

A That's right.

Q That you won't discuss it at home?

A No.

Q With your sons or daughters?

A No.

Q They may want to talk to you about it. That would be normal. They are grown people, aren't they? And if anybody makes any improper approaches to you in this matter, will you tell me that you will notify Judge Blythin?

A Yes.

Q Now, a lot of questions have been asked you, and probably it is something that is new to you and rather a trying

87 situation to sit up there and answer all these questions,
but basically, all they are for is to determine if you will
be fair, impartial and unbiased in the case of this young
man who is here on trial for his life.

A Yes.

Q Will you?

A Yes.

Q And you know of no reason now --

A No.

Q -- that has occurred to you that would prevent you from
doing so?

A No.

Q And if any reasons should occur to you that would prevent
you from doing so, or any other members of the jury, if any
reason occurs to you between now and Monday morning that
would prevent you from being a fair and impartial juror in
this case, will you kindly be frank enough to stand up and
tell me and let me know?

A Yes.

MR. CORRIGAN: I pass for cause.

THE COURT: Gentlemen, will you please
wait one moment? It only takes just a moment. I
do think we ought to maintain order throughout
every session of this court.

Ladies and gentlemen of the panel, we will

now be adjourned, as far as this matter is concerned, until 9:30 on Monday morning, and will you all, including you, Mrs. Williams, if you will bear with us, be very careful not to discuss this case with anyone, nor to permit anyone to discuss it with you, not even members of your family. Do not have any communication about it with anyone over the telephone or otherwise. Don't remain anywhere where other people are talking about it among yourselves and themselves, whether you are a part of it or not, and don't discuss it with these ladies and gentlemen at all among yourselves. Just leave it right here now and come back here at 9:30 on Monday morning.

We will now without any formality be adjourned until 9:30 Monday morning.

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(Thereupon an adjournment was taken to 9:30 o'clock a.m., Monday, October 25, 1954, at which time the following proceedings were had):