

Thereupon EDMOND L. VERLINGER, being first
duly sworn, was examined and testified as follows:

EXAMINATION OF PROSP. JUROR EDMOND L. VERLINGER:

BY THE COURT:

Q Is your name Edmond L. Verlinger? ✓

A Yes, sir, it is.

Q V-e-r-l-i-n-g-e-r?

A That's right.

Q And you live at 2305 Lewis Drive, Cleveland Heights?

A No. It's 18305 Lewis Drive, Maple Heights.

Q 18305?

A That's right.

MR. CORRIGAN: 3618 East 120th I have.

PROSP. JUROR VERLINGER: That was the old address.

Q That's in Maple Heights?

A Yes, sir, Maple Heights.

Q And you used to live at 3618 East 120th Street?

A That's right.

Q That would be in the City of Cleveland?

A That's right, sir.

Q How long have you lived in Maple Heights?

A About two years now, sir.

Q How long did you live, roughly, on 120th Street?

A About six years.

Q And are you married?

A I am.

Q Do you have a family?

A Yes, sir, I do.

Q And what does your family consist of?

A I have two boys.

Q How old are they?

A One is five and the other is three.

Q And what is your occupation?

A I am a manager of a hardware store.

Q Manager of a what?

A Hardware store.

Q Oh, yes, manager of a hardware store.

Are you a part owner, or do you manage the store for another owner?

A I manage it for another owner.

Q And who is the owner and where is the hardware store?

A The owner is W. W. Haringshaw, and the store is located at 2169 Noble Road, in East Cleveland.

MR. MAHON: What is that number again?

PROSP. JUROR VERLINGER: 2169 Noble Road.

THE COURT: 2169 Noble Road, in East Cleveland.

Q And how long have you managed that hardware store?

A About seven years now.

Q Do you know the County Prosecuting Attorney, Mr. Frank T. Cullitan, or any member of his staff?

A No, sir, I don't.

Q Do you know the sheriff or any member of his staff?

A No, sir, I don't.

Q Have you any members of your immediate family who are members of a Police Department or any law-enforcing agency of any kind?

A No, sir, I don't.

Q Have you heard of this case before?

A Yes, sir, I have.

Q And have you read newspapers about it?

A Yes, I have.

Q And heard radio comments?

A That's right.

Q And as a result of what you have heard, have you formed any opinion as to the guilt or innocence of Sam Sheppard?

A Nothing definite, no, sir.

Q All right. In any event, whatever may be your feelings, could you in your judgment listen to evidence and the instructions on the law, the instructions of the Court as to the law applicable to such matters, and be guided entirely by those?

A I think I can.

Q Well, did I understand you to say you think you can?

A Yes, sir.

Q Can you?

A Yes, sir, I can.

Q You understand that what the Court stated to the panel as a whole, that we are trying here to find a jury that will be wholly fair and impartial, you understand that, don't you?

A Yes, sir, I do.

Q Have you ever served on a Grand Jury or a Petit Jury before?

A No, sir, I haven't.

Q Have you at any time received any communication at all, by mail, by radio, messenger or any other means, about this matter or having some relation to it?

A Yes, sir, I did.

Q What was the nature of that? I mean, was it by mail?

A It was by mail, yes, sir.

Q And when did you receive that?

A I believe it was last Friday morning.

Q And you received it in the mail?

A Yes, sir.

Q And does that constitute all that you have heard?

A Yes, sir, that does.

Q From sources such as I mentioned now?

A Yes, sir.

Q Have you got yours with you?

A Yes, sir, I do.

MR. CORRIGAN: Leave it in the envelope.

PROSP. JUROR VERLINGER: Do you want the envelope, too?

MR. CORRIGAN: Yes.

THE COURT: They are exactly the same. If you consent, we will use this. They are exactly the same.

MR. CORRIGAN: I would want the communication that is addressed to this juror marked as an exhibit, also.

THE COURT: All right. I take it these will be marked Court's Exhibits A-3 and A-4.

That is what you have received?

PROSP. JUROR VERLINGER: That's right, sir.

MR. CORRIGAN: Can we mark the envelope, also, your Honor?

THE COURT: Yes. The envelope will be A-5. They will be received for this inquiry.

✓ (Court's Exhibits A-3, A-4 and A-5 were marked for identification and received in evidence, the same being a letter consisting of two pages and an envelope.)

Q I will ask if, as a result of this communication, you would be affected at all in your judgment and in your way of judging

the testimony produced here?

A No, sir, I wouldn't. Truthfully, I looked at the picture and that's all. I didn't read it at all.

Q I will ask you if you have any religious or conscientious objection to capital punishment? ✓

MR. GARMONE: Objection to the form of the question.

THE COURT: Overruled.

MR. GARMONE: Exception.

A Will you repeat that again?

Q Do you have any religious or conscientious or other objections to capital punishment? ✓

MR. CORRIGAN: Object.

THE COURT: Overruled.

A No, sir, I don't.

Q Do you feel that you could, if selected as a juror here, be patient, listen to the evidence as it comes from this witness stand and the instructions of the Court as to the law, and be guided entirely by those in your judgment and decision in this case?

A Yes, I believe so, yes, sir.

Q You do not know any of the Sheppard family?

A No, sir, I do not.

Q And do you have any notion at all or belief that the Sheppard family or anybody connected with them had anything

whatever to do with the distribution of that circular which you received?

A No, sir, I don't.

Q All right. Well, for your information, the Court will say to you that not anybody here has any notion whatever that there is any connection between the Dr. Sheppard family or friends with that communication.

THE COURT:

Mr. Mahon.

BY MR. MAHON:

Q Mr. Verlinger, I believe you stated that you have never served on a jury before?

A That's right, sir.

Q Have you ever been a witness in a case?

A No, sir.

Q You have been manager of this hardware store for approximately seven years?

A That's right, sir.

Q At the same location?

A Same location.

Q And what did you do before that?

A I was in the Army for three years prior to that.

Q And you have three children?

A I have two boys.

Q Two children?

A That's right.

Q Pardon me. You stated that you have read some newspaper articles concerning this matter?

A That's right.

Q And did you read one article or many articles?

A I read a few, I read a few, but I haven't followed it that closely.

Q And can you tell us about when it was that you read the first article?

A I believe the first day it came out, on the 5th of July.

Q That would be about the 4th or 5th of July?

A That's right.

Q And since that time you have read articles in the paper concerning this matter?

A Occasionally, yes, sir.

Q And you have, I believe you said, heard some broadcasts from radio stations?

A That's right.

Q Did you see anything on the television stations?

A No, I don't recall that I have.

Q From what you read, following that did you have any discussion with anyone concerning what you had read about this matter?

A No, sir, I haven't. Oh, a few odd words were said now and then but I never paid too much attention to them.

Q With people that work with you?

A Well, customers that come into the store and that.

Q You have heard some comments on it?

A That's right. ✓

Q And have you ever expressed any opinions on it?

A No, I haven't.

Q Well, from what you have read and what you have heard by way of radio, whatever comments that have been made in your presence by others, have you formed or expressed any opinion at all concerning the guilt or innocence of this defendant?

A Well, in my opinion --

Q No. Just answer that yes or no.

THE COURT: The question is whether
as a result of those things you have formed some
opinion? ✓

A Oh, no; no, sir, no.

Q You have not?

A No, sir.

Q Have you a definite opinion at this moment as to the guilt or innocence of this defendant?

A No, sir, I don't. ✓

Q Now, you received this circular in the mail?

A That's right.

Q Was that last week?

A I believe it was last Friday.

Q Did you read that?

A I glanced at the picture and that's all.

Q Did you read the printing there?

A No, sir, I didn't.

Q Well, did that influence your mind in any respect?

A None whatever.

Q Concerning this matter?

A No, sir, it hasn't.

Q Or concerning the guilt or innocence of this defendant?

A No, sir.

Q Is it fair to say that at this particular time you have an open mind on this subject?

A Yes, I believe it would be.

Q And you feel that you can be guided in any decision that you arrive at in this case solely and only from the evidence that is produced in this courtroom and absolutely nothing else?

A Yes, sir.

Q You think you can do that?

A I am sure I can.

Q You saw or heard the names of all the people that were identified here yesterday?

A Yes, sir.

Q By Judge Blythin, when all the jurors were in the room?

A That's right.

Q Did you know any of them at all?

A Not a one, sir.

Q In a case of this kind, you might say it can be divided into two parts, that part which deals with the law and that part which deals with the facts in the case. It is the function of the jury to determine what the facts are. Do you understand that?

A Yes, sir.

Q And the jury determines what the facts are from the evidence that they get from that witness stand; do you understand that?

A Yes, sir, I do.

Q And no one can interfere with the jury in determining what the facts are. That is the sole function of the jury. The Judge and the lawyers or no one can interfere with the jury in determining the facts.

On the other hand in respect to the law, the Judge presiding at the trial determines what the law is that applies in the particular case that is on trial, and in this instance his Honor, Judge Blythin, will instruct the jury on the rules of law that apply in this particular case, and it is the duty of the jury to follow the Judge's instructions right to the letter.

Now, do you feel that you can do that?

A Yes, sir.

A That's right.

Q I take it, then, that in a proper case properly proven you could join in a verdict in which the penalty would be death?

A That's right.

Q And I take it that you realize the seriousness and importance of a matter of this kind?

A I do, sir.

Q And realize that as a juror you might be called upon to render a verdict which will take a human life?

A That's right.

Q And as a juror, are you willing to assume that responsibility?

A Yes, sir.

Q Well, I might ask you many questions and all in an endeavor to satisfy my own mind as to whether there is anything that might disqualify you as a juror because of some feeling that you might have on some particular subject, but let me ask you this broad question:

Searching your own mind and heart now and realizing the seriousness of the case that we are now trying, can you think of any reason at all why you could not sit here and listen to the evidence in this case, the instructions of the law that his Honor, Judge Blythin, will give you, and base your decision entirely upon that so that you might be fair and just and impartial as a juror? Can you think of any reason at all why you couldn't be that kind of a juror?

A Not that I know of, sir.

MR. MAHON: Thank you, sir. We
will pass for cause.

BY MR. CORRIGAN:

Q Mr. Verlinger, I want to introduce myself. I am William J. Corrigan, attorney for Dr. Sheppard. These other people were introduced to you yesterday?

A Yes, sir.

Q You recognize them?

A Yes, sir.

Q This is Dr. Sheppard. Do you know him?

A From pictures, yes, sir.

Q You have seen his picture?

A Yes, sir.

Q Now, were you born in Cleveland?

A I was born in Cleveland, yes, sir.

Q Educated in Cleveland?

A Educated in Cleveland.

Q Where did you go to school?

A I graduated from John Addams High School.

Q John Addams High School?

A Yes, sir.

Q Then you went into the hardware business?

A Then I went in the Army.

Q And you have been in that business ever since.

I suppose you know, Mr. Verlinger, that this case has received a tremendous amount of publicity?

A That's right, I do.

Q Both in the newspapers, radio, television, and so on, you know that, don't you?

A Yes, sir.

Q And did you hear the broadcast last night on WHK?

A No, sir, I didn't.

Q You did not. Did you come in contact with anybody that heard that broadcast?

A No, sir. I went home last night and I went to bed.

Q Pardon?

A I went home and I went to bed.

Q Well, in the course of your business on Noble Road -- is that up near Monticello Boulevard?

A That's right, sir.

Q -- you come in contact daily with a lot of people?

A That's right.

Q Various clients?

A That's right.

Q In those contacts, did you hear this matter discussed?

A Now and then, yes, occasionally.

Q People talked about it?

A That's right.

Q Naturally. Did you hear it discussed anywhere else outside of

the store, when you were in any gatherings of any kind?

A No, sir, not that I can recall, anyway.

Q Any social gatherings?

A No, sir.

Q Was it discussed at home?

A Very little.

Q It was mentioned in a normal way, is that what you mean to say?

A That's right.

Q Now, did you read the newspapers yesterday?

A Just glanced at them. I didn't read through everything.

Q There were headlines about this case, as you remember?

A That's right.

Q Did you read those through to see what they had to say?

A No, sir.

Q Out of curiosity or anything else?

A No. I read the headlines and that's all.

Q Now, going back on July 4th, when this thing first happened, down until you come now into the jury box, will you go over ^{own} in your/mind the situation in regard to this case and tell me, have you formed any opinion about this man's guilt or innocence?

A No, sir, I haven't; no definite opinion, no, sir.

Q You understand that a man is entitled to a jury that is fair and impartial?

A That's right.

Q And that a jury will receive their impressions and determine their verdict entirely and solely upon what they hear here in this courtroom?

A That's right.

Q That is the duty of a juror, not to be influenced by anything outside or by what newspapers say.

Now, there are a great many newspapers represented here. Do they have any influence on your judgment in any way whatsoever?

A No, sir.

Q Or will they?

A No, sir.

Q Now, Marilyn Reese, this man's wife, or Marilyn Sheppard, this man's wife -- her name was Marilyn Reese and she was born in East Cleveland, and her father is Thomas Reese, and she went to Heights High School and to some of the East Cleveland schools.

How old are you?

A I'm 29.

Q 29?

A That's right.

Q Well, she was 30 -- 31, and she lived for a great many years in East Cleveland and in that particular section of the city. Did you, by chance, know her?

A No, sir, I did not.

Q Did you know her father?

A No, sir, I didn't.

Q Do you know any of her relatives or aunts?

A None at all.

Q What?

A No, sir.

Q Mr. Reese, her father, is president of the DiNoc Company, which is on London Road, and that company makes impressions on steel that resemble wood that go onto station wagons and televisions, things of that kind. Are you familiar with that company?

A No, sir, I am not.

Q Do you do any business with them, that you know of?

A The store might have at some time prior to my being there, but --

Q What?

A The store might have. We've got quite a few of the industrial places throughout East Cleveland there, but not to my knowledge.

Q Well, I think this industry sells to the distributors rather than -- to the assemblers rather than the distributors. Well, you don't know anything about them?

A No, sir, I don't.

Q You don't know the family?

A No, sir, I don't.

Q You don't know the Sheppard family?

A No.

Q Did you ever have any connection with Bay View Hospital?

A No, sir, never.

Q Did you ever hear it discussed?

A No, sir.

Q Did you ever hear any stories about it? There were a lot of stories that went around town about the hospital, about these people and about Sam Sheppard, Dr. Sam Sheppard. Did you hear any of them?

A None about the hospital or very little about Dr. Sheppard himself.

Q Did you hear some stories about him? ✓

A Yes. ✓

Q And who did they come from?

A Just the average customer that came in the store, that he heard it from somebody else, but that never phased me one bit. ✓

Q There was no statement by anybody that knew Dr. Sam Sheppard?

A No, no.

Q What?

A No.

Q It was somebody repeating something that they heard from somebody else? ✓

A That's right.

Q And you have enough intelligence to disregard that kind of stuff, don't you?

A That's right.

Q Now, there will be police officers testify in this case. Would you give more weight to what a police officer said about an event than you would to the testimony of a lay person about the same event, just because he was a police officer?

A No, sir, I wouldn't.

Q You would weigh that?

A That's right.

Q And the same is true about officials of the County, like the Coroner, deputy sheriffs and officials of that kind that may testify here? The fact that the coroner occupies the office of a coroner, would you give any more weight to his testimony simply because he was a coroner than you would to any other doctor on the same subject?

A No, sir, I don't believe I would.

Q You say you don't believe you would?

A No, sir.

Q Are you sure of that?

A Yes, sir.

Q Now, I want to mention some names here and see if you know them. Dr. George Green, he is a police doctor, do you know him?

A No, sir, I don't.

Q Dr. Spencer Braden?

A No, I don't.

Q He is connected, I think, with the Cleveland Clinic.

A No, sir, I don't.

Q You do not know him?

A No, sir.

Q Dr. Harry Slade?

A No, sir.

Q Dr. Alvin W. Tramer?

A No, sir.

Q You don't know any of those men, had no business with them?

A No.

Q Dr. Sheppard is known as a Doctor of Osteopathy as distinguished from a Doctor of Medicine. Under the laws of the State of Ohio, a Doctor of Osteopathy has the same rights as a Doctor of Medicine. They take the same examination.

Do you have any opinions of bias or prejudice against a Doctor of Osteopathy as distinguished from a Doctor of Medicine?

A No, sir, I don't.

Q Was the matter ever discussed with you?

A No, sir.

Q Did you ever give it any thought?

A No, sir, I never did.

Q Do you know the distinguishment between the two schools of medicine?

A No, sir, I don't.

Q Now, do you have any connection with the Police Department, either of this city or any other city?

A None whatsoever, no, sir.

Q Do you know any members of the Police Department? ✓

A No, I don't.

Q Do you know if any of them are customers of the store?

A Well, there are a few East Cleveland police or Cleveland Heights police.

Q Cleveland police or East Cleveland police?

A That's right.

Q The fact that they are customers of the store and this is a police case, would it affect your verdict in any way?

A No, sir, it wouldn't.

Q Now, were you ever a witness in a criminal case?

A No, sir, I wasn't.

Q By the way, you have read the newspapers. Have you read any magazines that have set forth the account of this murder? ✓

A No, sir, I haven't.

Q There have been some on the stands, I know. You haven't seen any of them?

A No, sir, I haven't.

Q Now, did you participate in any political campaigns for Judge or for Coroner?

A No, sir.

Q Do you have any connection with any political campaigns?

A No, sir.

Q At this time or any time?

A No, sir.

Q Now, on July 23rd, 22nd, 23rd and 26th there was an inquest held in Bay Village by Coroner Gerber in the Normandy School. Do you know anybody or did you talk to anybody that attended that inquest?

A No, sir.

Q Do you remember it?

A I don't recall it, no.

Q I see. There have been a great many people drive out past the home of Dr. Sheppard -- his home is on the lake -- and also sailed past the home and stopped and gawked. Did you talk to any people who drove out there and looked at his home?

A No. I rode by going to Cedar Point on my vacation.

Q When was that?

A The first week in August, I believe.

Q Did you stop and look at the home?

A No, sir, we didn't.

Q Did you look at the home?

- A I looked at the home, yes, when we rode by. ✓
- Q How did you determine that was the particular home of Dr. Sheppard?
- A We noticed the ropes around the house. ✓
- Q There were ropes around the house?
- A That's right.
- Q And where did you get the information that there were ropes around the house so that you were able to distinguish it as you drove by?
- A I wasn't driving. The fellow that was driving said that we were right close by, and he told me when we rode by.
- Q The man that was with you?
- A That's right.
- Q And were there other people in the car with you at the time?
- A Just the four of us, both of our wives.
- Q And was there any discussion about the place?
- A No, there wasn't.
- Q Were there any remarks made?
- A There were a few remarks. He said that, "There is the ✓ Sheppard home," and that's all.
- I was reading the sport page at the time, and I let it go at that.
- Q You were what?
- A I was reading the sports page at the time, so I just let it go

at that.

Q You and I both. I find that the sport page is fairly reliable.

Now, there was nothing about the discussion and the view that you took of the home on that day that affects your judgment now?

A No, sir, there isn't.

Q What?

A No, sir.

Q It is the law, Mr. Verlinger, in a criminal case under our law of the State of Ohio and the United States, that the indictment by a Grand Jury raises on presumption of a man's guilt, that it is merely the formal way provided by law to bring a man to the bar of justice to answer to a charge that is made against him, but it raises no presumption as to his guilt and is not to be considered so.

Now, you know this, that Samuel Sheppard has been indicted for first degree murder, the murder of his wife, Marilyn. Now, does the fact that he sits here now in court under indictment raise any presumption in your mind that he is guilty of that crime?

A No, sir, it doesn't.

Q It is further the law that before a person can be convicted of a crime evidence must be produced that convinces the jury of the guilt of the person by evidence beyond a reasonable

doubt, and that the burden of proving a person guilty is upon the prosecution. Do you believe in that law?

A Yes.

Q Do you believe, keeping that in mind, what I have said, do you believe that Dr. Sam Sheppard in this case has any duty or obligation to prove himself innocent?

A Would you mind repeating that question again, sir?

Q Do you think or do you believe -- you are now sitting here in Court as a prospective juror, with Dr. Sheppard sitting here under indictment. That is the situation that confronts you, you understand?

A That's right.

Q Do you believe that this man, Dr. Sheppard, has any obligation to prove himself innocent of this charge?

A No, sir, I don't think so.

Q When you say you don't think so, I take that as an affirmative answer?

A That's right.

Q Now, he is charged in this indictment that has been returned by the Grand Jury, which is in --

THE COURT: Mr. Corrigan, could you stop there before you start a further line of questioning?

MR. CORRIGAN: Yes.

THE COURT: We will adjourn until

1:15 this afternoon, without any formality at all.
Will you please not discuss this matter at all?

(Thereupon an adjournment was taken at
12:00 o'clock until 1:15 o'clock, p.m., of the
same day, at which time the following proceedings
were had:)

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