

Thereupon HOWARD L. BARRISH resumed the stand and testified further as follows:

FURTHER EXAMINATION OF PROSPECTIVE JUROR HOWARD L. BARRISH:

BY THE COURT:

Q Mr. Barrish, will you tell the Court what you have on this little note, and tell the Court and counsel what you have on this note and what is bothering you?

MR. GARMONE: I was going to recall this juror.

THE COURT: You were what?

MR. GARMONE: Going to recall Mr. Barrish.

THE COURT: Well, he is here.

MR. GARMONE: May I interrogate him?

THE COURT: No. Let's have Mr. Mahon first. We are going to inquire about this first.

MR. GARMONE: All right.

THE COURT: What is this about, will you tell us, please?

PROSP. JUROR BARRISH: Well, Monday when I was being questioned I didn't know the correct address of where my brother was employed. Now, he is working for a Dr. Bell at 12803 Woodland Avenue. My brother

is a dentist, and he is working in this office with him. And -- well, that's the first thing.

Now, the second item is that I know the other gentleman who is taking the -- the recorder. I recall him from high school. I don't know his name, I just know him from seeing him around and that's all.

MR. GARMONE: Those are the only two facts that you want to report?

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

THE COURT: Now, Mr. Mahon, have you any question on this matter?

MR. MAHON: No, we have no questions.

THE COURT: Now Mr. Garmone.

FURTHER EXAMINATION OF PROSPECTIVE JUROR HOWARD L. BARRISH:

BY MR. GARMONE:

Q Mr. Barrish, you had seen your brother, had you not, after you had been summoned or your name had been publicized in the paper as a prospective juror in this matter?

A Yes, sir.

Q And about how many days after your name had been publicized or you received your official summons had you seen your brother, Dr. Barrish?

A I saw him, I think it was about three weeks after I received

my summons. It was on a Tuesday afternoon over at my mother's house. I was there in the afternoon, and he stopped by to pick up some drapes which my mother was fixing for him.

Q And did you see him some time after that at the 12803 address on Woodland Avenue?

A I don't believe I was up there since I received my summons. I was up there before.

Q About how --

A I saw him over at his house. We had a little get together for our immediate -- for some of our immediate family.

Q Was that before or after you had received your notice?

A That was after.

Q After?

A That's right, sir.

Q And after you had had this little get together, did you drive down to the address where his office is located?

A No, sir.

Q Well, when was the last time you were at the 12803 Woodland address prior to the receiving of your summons as a prospective juror in this matter?

A I don't recall I was there after I received that summons.

Q But were you there prior?

A Yes, sir.

Q About what period prior to the time you received the summons?

A Oh, I guess it was about two weeks or three weeks.

Q Two weeks?

A That's right, sir.

Q Now, when I asked you where your brother's office was located, you told me it was at 129th and Buckeye, is that right?

A That's right.

Q Is that right?

A I wasn't sure if it was Buckeye or Woodland because one -- I guess it's about one block away, one main thoroughfare away.

Q But in your original answer to the question you said it was 129th and Buckeye?

A That's right, sir.

Q Now, in that office is a J. M. Bell, is that right?

A That's right.

Q He is also a dentist?

A That's right.

Q And in that office, also, is a medical doctor by the name of Belhobek, is that right?

A Gee, I don't know.

Q Well, if you don't know his name, am I **right** in stating that there is a medical doctor --

A That's connected in there?

Q Connected in that suite?

A There could be.

Q Now, did you know that there is a drugstore operated underneath the suite that is occupied by Dr. Bell, Dr. Barrish and Dr. Belhobek, is that right?

A I know there is a drugstore downstairs.

Q You have been in that drugstore, haven't you?

A Yes, sir.

Q How many times?

A Once.

Q Did you know that that drugstore was operated by Mr. Danaceau's brother?

A No, sir. I didn't even know Mr. Danaceau had a brother.

Q You didn't know that?

A No, sir.

Q Well, would the fact that the drugstore directly underneath Dr. Barrish's office is owned and operated by Mr. Danaceau's brother have any influence as far as this case is concerned?

A None whatsoever, sir.

Q Now, you were one of the first jurors that was tentatively seated in this case.

A That's right.

Q You had the experience of having been questioned by both sides and you had the privilege of witnessing and observing --

A Taking in everything.

Q -- the examination that was conducted with all the other

prospective jurors.

A Yes, sir, I did.

Q I come back to a question that I asked you at the outset of this examination. I believe I examined you, did I not?

A Yes, sir.

Q Are you still of the opinion that you would give a police officer greater consideration as to his testimony than you would an ordinary layman because of the fact that he is a police officer?

A No, sir.

Q You now understand the question?

A That's right, sir. The way it was expressed to me in technical lawyers' terms, I didn't --

Q You didn't understand it?

A I didn't understand it fully.

Q But you understand my question now?

A Yes, sir.

Q And you feel fully satisfied that a layman is entitled to the same consideration if he is testifying on the same subject matter that a police officer should receive, and that you shouldn't give the officer any greater weight?

A Yes, sir.

Q Would your answer be any different as to doctors who are connected with Dr. Gerber's office as against --

A Any other doctor?

Q -- any other doctor?

A It would be the same.

Q The same?

A Same thing.

Q And what is your answer now as to Doctors of Medicine as against Doctors of Osteopathy?

A It would be the same. I would give them both the same --

Q You wouldn't draw any distinction between them?

A I wouldn't give no preference to one or the other. They would both be equal.

Q Now, after this short examination and after the examination that you were subject to at the outset and all the observations that you had made during the period that all these other ladies and gentlemen were examined, do you know of any reason at this time why you couldn't be fair and impartial to Sam Sheppard?

A No, sir.

Q You would follow all the necessary rules of law that Judge Blythin will tell you are applicable to this case?

A Yes, sir.

MR. GARMONE: Judge, I have no further questions of Mr. Barrish. I have nothing further to examine Mr. Barrish on.

THE COURT: All right. Thank you,
Mr. Barrish.

MR. GARMONE: I would like at this time to request the Court to inquire whether or not any of the other jurors have received any communications, either by letter or telephone call or personal visits from anyone.

THE COURT: The Court is going to do that now. That is the next order of business, Mr. Garmone. ✓

I would like to know, ladies and gentlemen, directing my question to each and every one of you individually and collectively, if I may, have any of you received any communications whatever since one week ago today that could possibly have any relation or could have originated because of this case, other than those that we have heard about?

PROSP. JUROR ADAMS: I have.

THE COURT: Juror No. 9. Would you just come up here, please?