

Q Pardon me?

A In fact, I don't quite recall at that time what was said.

Q You see, in this day and age of radio and television, we have all been exposed to principles of law, and if all the jurors applied their own principles of law, we would have twelve different ideas as to what the law is, and you understand then that you are to forget about any ideas you might have as to what the law is, and take the law that only Judge Talty gives to you, you understand that?

A I understand that.

THE COURT: Counselor, it is apparent there will be further questions of Mr. Freireich?

MR. SPELLACY: Yes.

THE COURT: May I see Mr. Reed for a moment, please, before recessing?

Ladies and gentlemen of the prospective panel, we are going to have our morning recess at this time, and while you are away on your morning recess, you shall bear in mind the instructions given you on each occasion when you leave the room; one, you shall not discuss this case even amongst yourselves or what little you know of it or heard of it, and you shall not permit anyone

else to discuss it with you. You shall not permit yourselves to overhear anything that relates to this case by any means of communication.

We will have our morning recess.

(Thereupon a recess was had.)

(Thereupon the following proceedings were had in the Court's Chambers:)

THE COURT: Let the record show, Mr. Romito, that we are here in chambers, all Counselors being present, and that the Court has advised all Counselors at recess that Mr. Tenerovich, prospective juror number nine, expressed to Mr. Reed, Howard Reed of our Clerk's Office who has been assisting in the handling of the prospective members of this panel, that he, Mr. Tenerovich, would like to speak to Judge Talty alone in chambers.

Mr. Bailey, do you wish to speak to that request of Mr. Tenerovich, which I have advised you?

MR. BAILEY: Yes. I would move that the request be granted, and that he be permitted to talk to the Court alone.

THE COURT: Counselor Corrigan?

MR. CORRIGAN: I join in the motion.

THE COURT: The motion is granted.

Gentlemen, I will have Mr. Tenerovich brought down immediately, and after I have talked to him, he will be brought back in here and advised accordingly.

Thank you, gentlemen.

(Thereupon a recess was had.)

(Thereupon the following proceedings were had in the Court's chambers:)

THE COURT: Let's go on the record, if you will, please, gentlemen.

I have conferred for the last two or three minutes with Mr. Tenerovich, and the only thing that he wanted to call to my attention, was the fact that he has what he characterizes as a dairy products allergy, and he wanted to know whether or not if he were to serve as a juror in this cause -- and he felt that he could serve as a fair and impartial juror -- but he wanted to know if it required eating meals away from home, if this possibility were to come into the picture, whether or not the Court would be able to arrange for him the general type of food that his wife serves him, which is the

absence of dairy products, and I assured him that if his service here and duty in connection with this case were to require that he take meals away from home, that he would be given the diet to which he is accustomed at home.

Do any of you have any comments to make with respect to that?

MR. BAILEY: No.

MR. CORRIGAN: No.

THE COURT: Are we ready, then, gentlemen to go forward?

MR. CORRIGAN: The State is, your Honor.

MR. BAILEY: The Defense is as well.

THE COURT: Thank you, gentlemen, for your cooperation. I appreciate it.

(Thereupon proceedings were resumed in open court, as follows:)

THE BAILIFF: Be seated, please.

THE COURT: Counselor, you may proceed with Mr. Freireich.

MR. SPELLACY: Yes, if it please the Court.