

Thereupon the defendant, further to maintain the issues on his part to be maintained, called as a witness THOMAS DOZIER, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

By Mr. Corrigan:

Q Will you state your name to the jury?

A Dr. Thomas Dozier.

Q And where do you live at the present time, Dr. Dozier?

A Fifth floor, Bay View Hospital.

Q Are you connected with Bay View Hospital at the present time?

A Yes. I am on the fellowship program there, specializing in surgery.

Q And when did you come to Cleveland, or to Cuyahoga County, rather?

A Approximately two years ago.

Q And where did you come from?

A I'm from Texas, a suburb of Dallas, Cedarville, where I was in general practice there for about two and a half years.

Q Where is your home?

A Atlanta, Georgia.

Q And what is your background educationally?

A Well, I graduated from high school in Atlanta, Georgia.

I got my Bachelor's degree from the Atlanta division of the

University of Georgia. I graduated and received my Doctor of Osteopathy degree from Des Moines College of Osteopathy and surgery; had a year's internship at Muskegon Osteopathic Hospital, and a little over two years' training in surgery.

Q And then you practiced medicine in the vicinity of Dallas before coming here?

A In a suburb, Cedarville. It's about 20 miles out.

Q And then you came from that section to further your education here?

A Yes, to work with the Sheppards in surgery.

Q Now, then, calling your attention to the 4th day of July of this year when Marilyn Sheppard was murdered, do you recall that morning?

A I do.

Q Do you recall of ever having been at the Sheppard home prior to the 4th of July?

A I do not believe I was in the house, but I was on the premises. I went about probably a year previous, and went for a boat ride with Dr. Richard Sheppard at the home in the back yard of Dr. Sam Sheppard's house.

Q Would you say that you were associated with Dr. Sam Sheppard and Marilyn Sheppard socially?

A Well, I didn't see them very much socially. I saw Marilyn Sheppard, oh, maybe a dozen times, but I had never been to their home socially except for that one occasion. I had

been invited, but never did get there.

Q Did you say you were^{there} for three years?

A What's that?

Q Did you say you have been at Bay View Hospital for the past three years?

A No, sir. About two years, approximately. January, '53.

Q And did you work with Dr. Sam Sheppard during that two years?

A Yes, I did. I worked with him and his brothers and his father.

Q I am just interested in Dr. Sam at the present time.

A Yes, I worked with him.

Q Did you assist him in surgery?

A Oh, approximately half of his cases.

Q Did you form an opinion about what type of a person he was as to being even-tempered?

A Yes. I think he was very even-tempered. I don't believe I ever saw him lose his temper. He had good surgical judgment, and I enjoyed working with him, and of all the brothers, I think he probably was the most even-tempered.

MR. PARRINO: Object to this.

MR. MAHON: Object to this.

THE COURT: The jury will disregard

that statement. We are talking about Dr. Sam.

Q But that was your observation of him as an even-tempered

individual?

A Yes.

Q Now, there was to be, on the 4th of July, as we have learned in this case, a gathering at the Sheppard home for interns. Were you invited to that, Doctor?

A Yes, I was.

Q And who invited you to that gathering that was to take place on the 4th of July?

A Dr. Sam invited me on the 3rd. Oh, it was sometime in the afternoon, probably around 6.

Q Now, were you in the hospital on Saturday afternoon -- not Saturday afternoon -- but on Saturday, when a little boy was brought in who was very badly injured?

A Yes. It was on the 3rd. I don't remember whether it was Saturday or not. I think it was. There was a fracture of the femur, and I was checking the patient, and we had Dr. Sam come in, and that is when he invited me at that particular time.

Q I couldn't hear that.

A I say at that particular time Dr. Sam invited me to the picnic that was to be held the next day.

Q That was when?

A That was July the 3rd.

Q That was when both of you were working on this little boy's --

A Broken leg.

Q -- broken leg. The femur, you say?

A Yes. That is the upper --

Q That is the large bone from the knee to the thigh?

A Yes, sir.

S
AG
15
Q Now, do you recall on that day an accident that Dr. Sheppard worked on that involved the head of a little boy?

A Well, I don't remember it on the day before, but I think shortly before. It may have been two or three days. I don't remember that.

Q I see. All right. Now, then, on the morning of July 4th did you go to the Sheppard home?

A Yes. I received a call at approximately six o'clock. I was in the hospital and I got dressed as quickly as I could and dashed out in my car.

Q And how did you go -- did you go by yourself or did you accompany somebody on the journey to the Sheppard home?

A Dr. Carver, who was then an intern, went along with me.

Q And when you arrived at that house, will you tell the jury just what you observed about the scene that presented itself to you on your arrival?

A There were several cars parked out in front, and there were a number of people there. I believe that Mrs. Betty Sheppard was there, and Dr. Steve, Dr. Richard, members of the Bay Fire and Police Department were there and a number of other people. Some of them I didn't know.

Q What door did you enter?

A Well, I believe it was a door on the south side.

Q That would be the door towards the road?

A Toward the road. I had my doctor's bag with me and I went

in, and I think there was a den on the right. And Dr. Carver, the intern, went in, and Dr. Steve was there. Dr. Sam was lying on the floor on one side. They were checking him.

Q Where did you go?

A I stood in the doorway and watched, since I thought too many doctors might get in the way. So I just stood there waiting to see if I could be of any service.

Q Did you see anything that -- after you made that observation, did you see Sam, Dr. Sam, taken from the house?

A Yes. Dr. Steve said -- mentioned something about, "You have a concussion," and he, Dr. Steve and Dr. Carver helped Dr. Sam up and then they went on out front. I did not go out.

Q Where did you go?

A Well, I stood there for a few moments wondering just what was going on because I -- when I received the call, I didn't know just what was the score. So I saw Dr. Richard there and I asked him, "What's going on?"

And he said, "She's dead."

I said, "Who is dead?"

He said, "Marilyn."

Then he walked on out. So I questioned one of the Bay Fire or Policemen, I don't know which it was, they weren't all completely dressed in uniform, and I found

that by questioning the police officer that she was upstairs. Since I had been called by the Bay Fire or Police Department, I felt that I should go further and find out what had happened. So I said, "I would like to have one of you policemen go upstairs with me so that I may check the patient."

I felt that possibly maybe being a relative, one of the brothers might have neglected to pick up the pulse rate, and I wanted to be sure she was dead. So we went upstairs, the policeman and --

Q Who went up with you, do you recall, Doctor?

A I believe it was a Bay policeman or fireman. I can't say which, and I don't know his name, but I am pretty sure he will know mine, and he went upstairs with me and we saw a door at the head of the stairs that was closed. I peeked in another room and didn't see anybody there.

I observed a few specks of what appeared to be blood on the door at the head of the stairs. I didn't want to open it. I figured something was wrong, so I asked him if maybe we hadn't better use a handkerchief to open the door, and I stood there and he said, "Well, we better check with somebody."

So he dashed downstairs and asked one of the other policemen if it was all right to go in, and he came back

up within a minute, I would say. At that time I took a handkerchief and opened the door.

We went in, and a light was on. I don't know where the light came from, but I think it was the ceiling light, if I remember correctly. I observed on the bed, which was on my left as I entered the room, that a body was there. It appeared to be Marilyn. I was certain of that.

The forehead had been -- appeared that it had been hit with something, there were a lot of gashes across the forehead, a good deal of blood. I reached out my hand and felt for a pulse on her right hand, which was hanging off the right-hand side of the bed. I could detect no pulse.

Q How was it lying off the right-hand side of the bed, Doctor?

A Well, I can't tell you the exact angle, but I would say approximately 45 degrees, roughly.

Q Could you illustrate?

A I would say it was something like this. (Indicating). Her head was slightly nearer the left side of the bed. Like this was the left side of the bed, I would say it was something like this, and I reached over and felt the pulse.

Q And was the hand beyond the mattress?

A As I remember it, it was, yes.

Q Did you notice at that time where the left hand was?

A I'm not positive. That's been about five months ago, and I was more concerned with whether she was alive than just the position. I remember the right one due to the fact that I felt for her pulse.

Then I took my stethoscope out from my physician's bag and placed it over the heart to see if I could pick up a heart beat. I didn't hear any sound.

I thought we should make a very hurried inspection of the place, so I observed that she was lying there with very little on. Across her pelvis there was a sheet thrown. Her breasts were uncovered. There appeared to be some sort of a little blouse, I don't know whether it was a pajama blouse or other type, but it was pulled quite wide apart and above her breasts. They were exposed.

I did not observe any lesions or damage on any other part of the body that I saw other than the head. I looked under the sheet which covered her pelvis to see if there was any gross evidence of damage and I saw none, and placed the sheet back as nearly as possible. I was very careful not to move the body in any way.

Q Now, then, after you had determined she was dead, where did you go, where was the next place you went?

A Well, I told the gentleman --

Q Never mind what you told, please.

A Well. I went downstairs.

Q And did you depart from the house then?

A Yes.

Q And where did you go?

A I went to Bay View Hospital.

Q And when you arrived at Bay View Hospital, where did you go there?

A I went down to Dr. Sam's room.

Q Did you observe him?

A I made a rather superficial examination. Dr. Steve and Dr. Carver had already been over him pretty carefully, as I had been told, and I took an ophthalmoscope and looked at his eye grounds and asked him where he hurt. He said that his neck was hurting him. I observed a slight puffiness on the right side of his face.

Q Now, during that particular time when you went in there, did Sam show any evidence of pain to you?

A Well, he groaned occasionally and mentioned that his neck was bothering him considerably. So I prepared a little roll of felt to go under his head to help support it.

Q Then was it you that arranged for him to go to the X-ray department?

A Well, Dr. Steve had mentioned that he wanted some X-rays. So we saw that he got up to the X-ray, and I was along. I told the X-ray technician that we should be sure to

get a skull series, cervical series and X-rays of the entire skeletal system.

Q Was he ever a patient of yours, Doctor? Could you classify him as your patient?

A No.

Q He was not?

A No. I was merely trying to help get things rolling.

Q You were really giving him first aid?

A Well, just seeing that Dr. Steve's orders were carried out, really.

Q I see. And then did you notice during some time in that day that a policeman was placed in front of his door?

A Yes, there was.

Q And did you notice about what time that policeman was stationed there?

A I don't remember the exact time, but--

Q Was it on the first day?

A It was on the first day.

Q Did he remain there during the entire time that Dr. Sheppard was in the hospital?

A Yes, he did.

MR. CORRIGAN:

You may cross-examine.

- - -

CROSS-EXAMINATION OF THOMAS DOZIER

By Mr. Danaceau:

Q You say you come from where?

A Well, my home is originally Atlanta, Georgia. I think I have spent most of my life there.

Q And have you been licensed to work in Ohio?

A I am licensed to practice medicine and surgery in the State of Ohio, yes.

Q And when did you receive that license?

A January, 1953.

Q And you have been at Bay View Hospital ever since?

A I have.

Q You have been closely associated with all three Sheppard brothers and their father, Dr. Sheppard?

A I have.

Q You are really studying under them, are you not?

A You might say so.

Q Well, I am asking you, sir.

A Yes.

Q You say you received a call on July 4th, in the morning?

A Yes.

Q From whom did you receive the call?

A Well, I was told that it was from the Bay Fire or Police Department. I was asleep on the fifth floor. One of the

interns answered the telephone, and the intern is the one that told me. It was either Dr. Brill or Dr. Carver. I think it was Dr. Brill.

Q What was the nature of the call?

A They wanted me to go out to Dr. Sam's house and bring an intern with me. We didn't know what was up.

ke 16
m

Q And you then drove out there?

A We did.

Q In what car?

A In my car.

Q What kind of a car is it?

A A 1953 Nash.

Q It is your personal car?

A It is my car, yes.

Q It is not equipped as an ambulance or anything like that, is it?

A No, it isn't.

Q At what time did you get to the Sheppard home, the Sam Sheppard home?

A Well, I assume approximately 15 minutes, which would be roughly around 6:15.

Q Where did you park your car?

A In the front yard on the grass, I believe.

Q Did you notice any other cars there?

A Yes. There were several others there.

Q What type of cars did you notice there?

A I believe Dr. Steve Sheppard's station wagon was there. I observed Dr. Sam's cars were there, and there were several others. I believe the Bay ambulance was there.

Q The Bay ambulance and several Bay police cars, is that right?

A That is correct, yes.

Q Then you, I take it, both went into the house?

A Dr. Carver went in and I went in carrying my physician's bag. He didn't carry one.

Q Now, when you got inside did you see Dr. Steve Sheppard?

A Yes, I did.

Q Did you see Dr. Richard Sheppard?

A Yes, I did.

Q Did you see them both together?

A Well, they were in the same room.

Q What room was that?

A I believe it was in the hallway, to be specific. Dr. Steve was going into the den and Dr. Richard was just standing there.

Q Standing where? At the doorway to the den?

A Well, it was either in the hall or a little further down in the room at the end of the hall.

Q Did you talk to Dr. Steve Richard?

A No, I didn't say a word to him.

Q Did you talk to Dr. Richard Sheppard?

A Not at that time.

Q When did you talk to him?

A After Dr. Steve and Dr. Carver had taken Dr. Sam out of the house.

Q Now, did you talk to anybody at all before then?

A Well, I believe I said hello to one of the police department, and they kind of waved me in or motioned me in. I don't think there were many words spoken.

Q When you came in the house after they waved you in, and you saw Dr. Steve Sheppard there and Dr. Richard Sheppard there, do you mean to tell this jury and the Court that you didn't have any conversation with either one of those doctors at that time?

MR. CORRIGAN: Object to it as
to its form. "Do you mean to tell?"

Q Do I understand you correctly to say that you had no conversation with either Dr. Richard Sheppard or Dr. Steve Sheppard at that time?

A I believe that's correct.

Q You didn't ask them what happened, or what is going on, or anything of that kind?

A Well, I asked one of the policemen, as I said. I said, "What goes" --

Q Well, you said you saw a policeman later on?

A I said they waved me in.

Q Yes. I am asking you when you came in, after they waved you in, do you mean to tell this jury that you had no conversation at all with either Dr. Richard Sheppard or Dr. Steve Sheppard at the moment you got in the house?

MR. CORRIGAN: Objection.

A That is my recollection, yes, sir.

MR. CORRIGAN: Wait a minute.

Object to the question. "Do you mean to tell?"

THE COURT: He says that it is
his recollection.

Q All right. What did you do while Dr. Steve Sheppard and
Dr. Richard Sheppard were in the house?

A I stood there and observed. I felt that too many cooks
could spoil the broth, and I just stood and waited.

Q You just stood there?

A Yes, sir.

Q And you didn't talk to either one until you later talked to
Dr. Richard Sheppard?

A That's correct. I just --

Q Did you see Dr. Steve Sheppard go upstairs?

A I did not.

Q Did you see Dr. Richard Sheppard go upstairs?

A No, I didn't.

Q Did you see Dr. Sam Sheppard there at all?

A Yes, I did.

Q Where did you see him?

A He was in the little room, I believe it is referred to as
a den, on the right, which would be the east side of the
house. He was lying on the floor on the side.

Q Who was in the room at the time you saw him?

A Dr. Carver and Dr. Steve Sheppard.

Q And what were they doing?

A Well, they both knelt down, as I remember, and were attempting to determine what was wrong with Dr. Sam and the extent of his injury.

Q Did they have any conversation with Dr. Sam at that time?

A I really can't answer that question. I was standing a little ways off, and I was just watching, and I heard him say that, "You have had a concussion."

Q You heard whom say that?

A Dr. Steve Sheppard said that.

Q To whom?

A To Dr. Sam.

Q He told Dr. Sam he had a concussion?

A He was asking him some questions, as I recollect, but I can't tell you what was going on --

Q What were the questions that he asked him and what were the answers?

A I couldn't tell you.

Q You can't tell what the questions were or what the answers were?

A I couldn't hear. As I said before, I was a little ways off, and I could not understand what was being said.

Q How far were you standing in the hallway at the door entrance to where Dr. Sam was on the floor?

A I would guess six or eight feet.

Q Well, was Dr. Stephen whispering to Sam?

A Sometimes Dr. Steve speaks in an indistinct tone. I'm from the South, and I don't always understand the lingo.

Q You know a whisper when you hear one, don't you?

A I wouldn't call it a whisper, no.

Q Was it ordinary conversation? Was it an ordinary conversational tone?

A I think so.

Q About six feet from where you were?

A That is true.

Q And you can't tell us what the questions were and what the answers were?

A Frequently standing across from him in surgery at two feet away, I can't hear what he says.

Q Did either Dr. Richard Sheppard or Dr. Carver put any blankets or any warm clothing on the body of Dr. Sam Sheppard in your presence?

A I didn't see ~~them~~. I did not see ~~them~~.

Q Did you see them do anything at all?

A They were examining him.

Q But you did hear him say, Dr. Steve say to Sam, "You have a concussion"?

A "You have had a concussion."

Q Did you observe them when they took Dr. Sam Sheppard out of the house?

A Yes, I did.

Q Did you help them at all?

A I did not.

Q Did Dr. Sam get up from the floor?

A As I recollect, they, one on each side, helped him get to his feet.

Q And then they took him out of the den?

A That's correct.

Q And then toward the door?

A That's correct, out into the hallway, as I remember.

Q And then out the Lake Road door?

A That is my recollection.

Q Did you help at all?

A I stood there and watched.

Q They didn't need your help, did they?

A They didn't say so.

Q Well, you didn't think they did, or you would have helped, wouldn't you?

A Yes, I would.

Q He was naked from the waist up, that is, Dr. Sam, isn't that correct?

A That is my recollection, yes.

Q Was he covered up by anyone, did anyone give him any covering?

A Well, I didn't see them do it while he was in the house.

Q You were in the hallway right there, weren't you?

A That's correct.

Q And you didn't see anybody give him a coat or anything else?

A That's correct.

Q And then they left the house?

A Yes.

Q Did you follow them out?

A Probably two, three feet, maybe.

Q Was he taken to the car?

A I didn't follow him all the way out, as I just said.

Q Did you see him put in the car?

A I think so, but I would hesitate -- I don't remember the details of that.

Q Well, you didn't see him being put in the car, did you?

A I don't remember it.

Q Now, as he was going out of the hallway, he was walking between these two gentlemen, Dr. Steve Sheppard and Dr. Carver, is that correct?

A I didn't observe just too closely how he went out, except that I believe his arms were both around -- one around Dr. Steve, one around Dr. Carver. I believe they also each had an arm around him.

Q Did they have to drag him out or did he walk?

A Well, I don't remember exactly, but I think he was doing some walking, and I think they were helping him. He was conscious, if that is what you want to know.

Q Was he talking?

A I didn't hear him.

Q Was he moaning?

A What's that?

Q Was he moaning?

A He moaned several times, yes.

Q Was he crying?

A I didn't hear him.

Q Did you see him cry other than hearing him?

A I did not.

Q Did you see him cry when he was on the floor in the den or hear when he was on the floor in the den?

A He was groaning. I would hesitate to call it a cry. Complaining of pain.

Q Now, after Dr. Sam left the house with Dr. Steve and Dr. Carver, then you remained in the house?

A That's correct.

Q Where was Dr. Richard while Dr. Sam was being removed from the house?

A I can't answer that question, but as I recollect, he was either in the house further down the hall, which means further north of the hallway, I believe, and he may or may not have

followed them out. I can't remember positively, but I think he did. I think he followed them out to the car.

Q Now, we don't want your guessing, sir. Will you tell us just where he was when Dr. Sam Sheppard was being removed from the house?

A I don't remember.

Q You don't know, then?

A You are correct.

Q How long did you remain in the hallway after Dr. Sam Sheppard left the house?

A A few minutes, and then Dr. Richard walked by, which direction, I can't say.

Q Just a minute. You have answered my question. You said a few minutes, is that correct?

A I said minutes. I don't know. It may have been seconds, it may have been actual minutes.

Q You just stood there for that period of time until you say you saw Dr. Richard Sheppard come down the hallway, is that correct?

A That's correct.

Q Where did he come from?

A That's what I just said. I don't know. He either came from -- he probably went out with Dr. Steve and Dr. Carver.

Q Well, now, did you see him go out?

A I don't remember.

Q Do you know whether he went out with Dr. Steve and Dr. Carver?

A I don't know.

Q Why do you say, then, that he probably went out with Dr. Steve and Dr. Carver and Dr. Sam?

A Well, that's been about five months ago, and certain things don't remain with you if you don't pay especially close attention.

Q Well, you say a thing is probable on the basis of not knowing anything about it?

A Well, if I am not certain, I am certainly not going --

Q Didn't you say that he probably went out with Dr. Steve and Dr. Carver and Dr. Sam?

A I did.

Q On what basis do you make the statement that he probably went out?

A Well, Dr. Sam apparently had been injured, and I would think that the normal thing for a brother to do, who is a physician, is to see if he could help, and that is what I would have done had it been my brother.

Q I don't question that, sir, but you don't know whether he went out or not? You have no knowledge at all on the subject, isn't that correct?

A I say vaguely, I think that I saw him, but I would not say

positively.

Q You think you saw Dr. Richard go out at the same time that Dr. Sam Sheppard went out, is that correct?

A Maybe a few steps before or maybe after. As I told you, I don't remember that particular point.

Q All right. Did you see Chip there that morning?

A I did not know Chip very well.

Q Did you see a little boy there?

A I don't remember seeing him.

Q Didn't you see Dr. Richard leave with a little boy?

A I don't remember seeing it.

Q Didn't you see Dr. Richard --

A I was told --

Q Just a minute. I am not asking you what you were told. I am asking what you, yourself, saw. Did you see Dr. Richard Sheppard, Mrs. Houk and a little boy leave the house together?

A I have never been introduced to Mrs. Houk.

Q Didn't you see Dr. Richard Sheppard and a lady and a little boy leave the house together?

A I was not paying any attention to that particular --

Q Didn't you see Dr. Richard Sheppard, and a lady and a little boy leave the house together?

A I don't remember it. I saw many people there. As I stand on a street corner, I don't pay much attention to them unless I have some reason to do so.

Q Well, unless you know of your own observation, you cannot testify whether a person was there or was not there, isn't that correct?

A I'm positive Dr. Richard was in the house when I arrived.

Q All right. Did Dr. Richard Sheppard or Dr. Steve Sheppard ever instruct you to examine the body of Marilyn Sheppard?

A No, they didn't.

Q All right. Did anyone ever instruct you to examine the body of Marilyn Sheppard?

A I was told by an intern that the switchboard operator had told them that the Bay police or Bay fire department had requested that I come out, and I assumed that they wanted me to examine the patient.

Q You had already seen both Dr. Richard Sheppard and Dr. Steve Sheppard at the premises?

A I had.

Q You knew that Marilyn Sheppard was their sister-in-law, and that Dr. Sam Sheppard was their brother, isn't that correct?

A True.

Q Did you ever report to the police department that you had examined Marilyn Sheppard that morning?

A Yes, orally.

Q Orally? When was that?

A At the time I examined her there was a police officer with me --

I don't know his name -- but I will bet you he knows mine.

Q Did you say he might have been a fireman?

A It's entirely possible.

Q Then why do you now say he was a policeman?

A What's that?

Q And why do you now say he was a policeman?

A I stated I believe, if you heard correctly, that it was either a policeman or a fireman. As I recollect, they did not have on their uniform. They had on pants and, I believe, a T-shirt. It is difficult to determine.

Q You never made any statement in writing to any authorities, Cleveland, Bay Village, or anywhere else, of this examination that you made of Marilyn Sheppard, did you?

A Yes. I was questioned by the Cleveland Police Department.

Q When was that?

A I can't tell you the exact date, but I would say within a week to 10 days, probably about 10 days after the event occurred.

Q And you signed a statement?

A I believe that is correct.

Q And in that statement you state that you examined the body of Marilyn Sheppard?

A That is true.

Q Now, when you went upstairs to examine -- withdraw that.

Did you go upstairs for the purpose of examining

the body?

A I had -- as I stated before, I didn't know what was going on. I was not aware that she was dead. I didn't know who was injured, or what, when I went out there. As I testified a few moments ago, I asked Dr. Richard what has happened, and he said, "She's dead," and I asked him who, and he said Marilyn, and that was the first I knew of it.

Q Dr. Richard told you that Marilyn was dead?

A He did.

Q You know Dr. Richard Sheppard, don't you?

A I do.

Q When he told you that Marilyn was dead, didn't you believe him?

A I believe that frequently a relative may make a mistake. Sometimes a pulse rate can be very weak, and it is quite an emotional strain to examine a relative that has recently died, especially in a violent way. I didn't know that it was a violent way at the time, but I felt that I should examine the patient because he might have missed a pulse rate.

Q You went up there, then, and examined -- you went upstairs and went into the room?

A That is true.

Q When you took one look, was there any doubt in your mind that Marilyn Sheppard was dead?

A Yes.

Q Without examining the pulse?

A Yes.

Q You found it necessary to examine the pulse?

A Yes.

MR. DANACEAU: That is all.

REDIRECT EXAMINATION OF THOMAS DOZIER

By Mr. Corrigan:

Q Were you called by these gentlemen to be a witness before the Grand Jury of this County?

A I don't remember having been called. I was called by Patrolman Nichols to be interviewed by members of the Cleveland Police Department.

Q But you were never called down to this Courthouse before the Grand Jury?

A I didn't even know where it was.

MR. CORRIGAN: That is all.

RECROSS EXAMINATION OF THOMAS DOZIER

By Mr. Danaceau:

Q There is one question I forgot to ask that I would like to ask you. I believe you testified that you were the one that put this felt collar around the neck of Dr. Sam Sheppard?

A No, I did not do it.

Q Did you prepare it?

A I did not. Would you like to know what I did prepare?
Maybe I better tell you that.

Q Maybe I misunderstood.

MR. PARRINO: I didn't understand
the witness. What did you say you did?

THE WITNESS: I said I did not
prepare the felt collar. I stated that I
prepared a felt roll to go under Dr. Sam's neck.
He said his neck hurt. He was going to have
X-rays, and this just went under there to help
support his neck.

Q I see.

A He did have a Schanz collar of a felt type prepared later.
I think Dr. Brill or Dr. Carver prepared it. I can't
answer it.

Q There was a stocking-type of collar put around his neck.
Do you know anything about that, or who prepared it?

A I just stated that a Schanz collar -- that is the type
that you have seen pictures of him in the paper --

Q That is not the one I have reference to. That came later.
But on the morning of July 4th he had a stocking collar
around his neck?

A He had a felt collar around his neck.

Q A felt collar?

A I would call it felt. It probably wasn't made of rabbit, but, it was to support it. It was a thick, felt pad going all the way around. I did not prepare that.

Q Is there a salve or an ointment that is put on the neck when that type of collar is put on?

A I didn't put any on there. Not necessarily.

Q I didn't ask you whether you put it on or not. I say, when such a collar is put on, is there a salve or an ointment that is put on to protect the neck?

A Not necessarily.

Q Do you know whether it was in this particular instance?

A I don't know.

Q Well, weren't you in there to examine Dr. Sam Sheppard that morning?

A I said I made a superficial examination. Dr. Carver and Dr. Steve Sheppard --

Q Well, he had complained of his neck, didn't he?

A Yes.

Q Didn't you examine the neck?

A Only superficially, very superficially.

Q Well, in examining the neck, with the collar, wouldn't you have to lift the collar a bit?

A He had no collar on when I examined him.

Q He had no collar at all?

A No collar at all.

Q What time of the day was it that you examined him, sir?

A Well, somewhere between 6:15 and 7 o'clock, I would judge.

IS
IAC Q Between 6:15 and 7:00 o'clock. Where did you make the examination?

A At Bay View Hospital.

Q What time did you get back to Bay View Hospital?

A That is what I don't know. I just estimate that it must have taken me -- it must have been anywhere from 20 to 30 minutes, I would say, after I arrived at the house, because I didn't stay out there over 10 minutes, I'm sure.

MR. DANACEAU: That is all.

MR. CORRIGAN: That is all.

Thank you, Doctor.

(Witness excused.)

MR. CORRIGAN: May I check and see what witnesses I have here, your Honor?

THE COURT: Surely.

MR. GARMONE: Do you want to have the afternoon recess now while he is checking, Judge?

THE COURT: Oh, it's a little early.

MR. GARMONE: All right.

- - -