

Thursday Morning Session, 9:15 a.m., November 10, 1966

DEFENSE

THE COURT: Good morning, ladies
and gentlemen.

THE JURY: Good morning.

THE COURT: Counselor Bailey?

MR. BAILEY: Call Mr. Krakan,
please, Mr. Bailiff.

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THEREUPON, the defendant, to maintain the issues on his part to be maintained, called as a witness JACK KRAKAN, who having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF JACK KRAKAN

By Mr. Bailey:

Q Will you state your name, please?

A Jack Krakan.

Q Keep your voice up so that all the jurors can hear you.

A Excuse me. Jack Krakan.

Q Is that your full name?

A Yes, sir.

Q Where do you live, Mr. Krakan?

A Byer, Ohio.

Q Please keep your voice up.

THE COURT: Counselor, will

you have the witness spell his name?

A K-r-a-k-a-n.

Q How long have you lived at Eyer, Ohio?

A Three months.

Q Calling your attention to the latter part of 1953 and the early part of 1954, were you employed in the Cleveland vicinity somewhere?

A Well, Lorain County.

Q By whom were you then employed?

A Spang Baking Company.

Q Please keep your voice up.

A Spang Baking Company.

Q What kind of work did you do for the Spang Baking Company?

A Driver-salesman.

Q What route did you cover?

A Bay Village.

Q Now, did you ever deliver bread to the home of a Doctor Sam Sheppard in Bay Village?

A Yes, sir.

Q Did you know Marilyn Sheppard?

A Yes, sir.

Q Did you meet her? Did you ever meet the defendant Doctor Sam Sheppard when you made deliveries that you can

A No, sir.

Q How frequently would you go in the course of a week to the Sheppard home with your deliveries?

A Once.

Q Was the Sheppard home part of your regular route?

A No, sir.

Q How did you happen to go there, would you tell us?

A I had a customer across the street. Lake Road was divided between the other Spang driver and myself. That was the tail end of the route, and when I was across the street delivering Marilyn came out and asked me if I had any Aunt Mary's bread.

Q What was Aunt Mary's bread?

A It was a home-style loaf, home-made.

Q Did you make deliveries of Aunt Mary's bread from time to time to the Sheppards?

A Yes.

Q Did you ever deliver any other bakery goods as part of your business?

A Yes, sir.

Q Now, calling your attention to the vicinity of Christmas time, 1953, whether or not you had occasion to be inside the Sheppard home?

A Yes, sir.

Q Can you tell us what your procedure was or your custom

was as to making deliveries to the Sheppard home, what would you do?

A Well, after the first time she told me to just knock on the door and come in.

Q Did you do that?

A Yes, sir.

Q And when you came in what would you do?

A Usually I would leave the bread in the hallway on the floor and pick up my money.

Q Now, I will ask you whether or not on one occasion when you made deliveries to the Sheppard home you noticed something unusual?

A Yes, sir.

Q Where was that, where did you make this observation?

A On coming into the hallway.

Q This was after you had opened the door?

A Yes, sir.

Q Tell the jury which door to the home it was that you used to come into?

A Lake Road.

Q And did you notice someone in the hallway?

A Yes, sir.

Q Who did you see there?

A Well, at the time I thought it was Doctor Sheppard.

Q How many people did you see, first?

A Pardon?

Q How many people did you see in the hall?

A Two.

THE COURT: Fix the time,
Counselor. Fix an approximate time.

Q Tell us as closely as you can when this incident occurred, your best memory?

A You mean the date?

Q Yes, as best you can pin it down?

A Well, all I can say, sir, it was between December 1st and the 20th. I don't know exactly.

Q Now, you noticed two people in the hallway?

A Yes, sir.

Q Did you know the identity of either of them?

A Yes, sir.

Q Whom did you recognize?

A Mrs. Sheppard.

Q Mrs. Sheppard?

A Yes.

Q Was the other person that you saw a man or a woman?

A A man.

Q And did you at the time know who that was?

A No.

Q Have you subsequently found out who it was?

A Yes.

Q Now, did you observe something happening?

A Yes, sir.

Q Now, was there a second occasion when you came to the Sheppard home and noticed the same individual?

A Yes, sir.

Q How long after the first occasion did this happen?

A About a week.

Q Tell us what happened on this occasion?

A Well, I knocked --

Q Keep your voice up, please.

A I knocked on the door and said, "Spang Baker," and walked in.

Q When you say walked in, where did you walk into?

A Toward the kitchen.

Q You went into the Sheppard kitchen?

A Yes.

Q When you got inside the kitchen did you see someone there?

A Yes, sir.

Q Who was present?

A The same gentleman and Mrs. Sheppard.

Q About what time of day would you arrive at the Sheppard home with your deliveries?

A Anywhere between nine and noon.

Q What were Mrs. Sheppard and this gentleman doing in the

kitchen when you first arrived?

A Having coffee.

Q Now, did you leave some goods or bread or something?

A Yes, sir.

Q And did you leave the house?

A Well, I forgot the doughnuts. I went back out to the truck to get them.

Q And then what happened?

A When I came back in Mrs. Sheppard was giving this object to this gentleman at the table.

Q Did you see an object?

A Yes.

Q Where was it when you first saw it?

A When I first saw it she slid it across the table.

Q Did you hear any conversation?

A Yes.

Q As the object was being passed?

A Yes.

Q What was the object?

A "Don't let Sam see this."

Q No, what was the object?

A A key.

Q A key?

A Yes, sir.

Q What kind of key was it?

A A house key.

Q You say you heard conversation; who made a statement?

A Marilyn.

Q And what did she say?

A She said, "Don't let Sam see this."

Q Now, at that time did you know who the gentleman was that was receiving the key?

A No, I didn't.

Q Did you see anything done with the key after it was passed across the table?

A Yes, sir.

Q What was done?

A He put it in his jacket pocket.

Q And you still did not know his identity?

A No, sir.

Q Now, at some time did you hear that Marilyn Sheppard had been murdered?

A Oh, yes, sir.

Q Did you read about it in the papers or something?

A Yes, sir.

Q At the time of the -- first of all, at the time of your deliveries to the Sheppard home, did you know a woman named Kathryn Post?

A No, sir.

Q At the time of the murder did you know such a woman?

A No, sir.

Q Following the murder did you meet such a woman?

A Yes, sir.

Q Can you tell us where and when?

A Well, I went to Cleveland to visit my grandmother at the May Company, and on the way home my car broke down.

Q Keep your voice up.

A My car broke down right by the Rocky River bridge. So I parked the car in back of what used to be Kohler's Restaurant, and I walked across the bridge and I was hitch-hiking, and Miss Post picked me up.

Q Now, prior to the time that Miss Post picked you up in Rocky River, had you seen, again, the gentleman that you saw in the Sheppard home on these two occasions, or seen any pictures?

A No, sir.

Q When Miss Post picked you up did you go for a ride somewhere, did she take you somewhere?

A She took me home.

Q Now, did you have a conversation, without telling us what it was, just whether or not you had some talk with her?

A Yes, sir.

Q And did you subsequently have any other conversations with her?

A Yes, sir.

Q And whether or not some pictures were shown to you?

A Yes, sir.

Q By whom?

A Miss Post.

Q How many pictures?

A Five.

Q Among those pictures did you see any that reflected the identity of the person who had received the key in the Sheppard home?

A Yes, sir.

Q Subsequently did you have some conversation with additional people about this same subject matter?

A Yes, sir.

Q Did you confer at any time with any representatives of the State of Ohio?

A Yes, sir.

Q Who interviewed you?

A Mr. Rossbach and Mr. Danaceau.

Q Was Mr. Rossbach wearing a uniform of any kind?

A No, sir.

Q Without telling us the conversation, did you learn what organization he was connected with?

A Yes, sir.

Q And what about Mr. Danaceau, did he represent to you that he was connected with some official state or organization?

A Yes, sir.

Q Did you talk with anyone connected with the defense side of the Sheppard case?

A Yes, sir.

Q Who did you talk to?

A Mr. Corrigan.

Q Now, when Mrs. Post showed you these pictures, did you make an identification there and then of any of the pictures?

A Yes, sir.

Q How many of them?

A One.

Q And is there any question in your mind but that the gentleman you saw in that picture was the same gentleman in the Sheppard house who received the key?

A No, sir.

MR. BAILEY: That is all.

May I approach the bench?

THE COURT: Yes, you may,
Counselors.

(Thereupon counsel and the Court conferred at the Court's bench out of the hearing of the jury.)

MR. BAILEY: You may cross
examine.

CROSS EXAMINATION OF JACK KRAKAN

By Mr. Corrigan:

Q Sir, you indicated you talked to a Mr. Corrigan; do you know his first name?

A No, sir.

Q This Mr. Corrigan was a counsel representing the defendant, did you learn that?

A Yes.

Q Where are you presently employed?

A I am not, sir.

Q Beg pardon?

A I am not.

Q And how long have you been unemployed?

A A number of years.

Q How many years?

A Seven.

THE COURT: Counselor, I cannot

hear him.

A Seven.

Q Seven years?

A Yes.

Q Where do you live?

A Byer, Ohio.

Q With whom do you live in Byer, Ohio?

A My two children.

Q What are the ages of your children?

A Twelve and fifteen.

Q Being unemployed for the past seven years, will you tell the Court and jury how you sustain yourself and your two children?

A Yes, sir. I am on State compensation.

Q I take it from that, sir, you have a disability of some sort?

A Right.

Q And how long have you had this disability?

A Most of my life.

Q Will you tell the Court and jury what that disability is?

A Sugar diabetes.

Q Seven years ago where were you employed?

A I worked at the Crystal Beach.

Q Crystal Beach is located where?

A Well, Crystal Beach is no longer. It has been torn down. But it was in Vermillion.

Q What did you do in working at Crystal Beach?

A I was a concessionaire.

Q You were a concessioner?

A Yes.

Q As a concessioner how many months out of the year would you work at Crystal Beach?

A Six.

Q Six months?

A Yes, sir.

Q And what did you do the other six months of the year?

A Took odd jobs.

Q What type of odd jobs did you take?

A Painting, carpentry.

Q Painting, carpentry, and the like?

A Yes.

Q And how long did you work at Crystal Beach?

A Well, on and off about twelve years.

Q What were the six months out of the year that you would work at Crystal Beach?

A Well, usually we started in May, and it wasn't all work at the Beach, it was repairing the stands, too.

Q Keep your voice up, please.

A It wasn't all work for the public. It was work repairing the place, too.

Q I see. In what year did you first go to work at Crystal Beach?

A I don't remember, sir.

Q Now, you had indicated you have been unemployed for the past seven years; is that right?

A Yes.

Q That carries us back to 1959?

A Yes, sir.

Q Then you indicated you had worked at Crystal Beach for approximately 12 years, is that right?

A Yes, sir.

Q So that would carry you back to 1947, approximately?

A No, sir. That was part-time job, I mean, I had other work along with that.

Q I see; and what were the other jobs that you had along with that?

A Well, I worked for a dairy. I worked for the Bakery. I worked for the Journal.

Q What dairy did you work for?

A Home Dairy.

Q How long did you work for the Home Dairy?

A About four months.

Q What bakery did you work for?

A Spang's.

Q And how long did you work for Spang Bakery?

A Seven months.

Q In what year did you work for Spang Bakery?

A '53 and part of '54.

Q '53 and part of '54; you had indicated there was some other employment?

A Yes, sir.

Q What was the other employment?

A Night watchman, route manager --

THE COURT: Counselor, I cannot hear him and I don't think the jury can, I am sure the jury can't.

A I am sorry. Night watchman and route manager.

Q Where were you a night watchman and route manager?

A At the Lorain Journal.

Q At the Lorain Journal; what is the Lorain Journal?

A A newspaper in Lorain.

Q You mentioned the name of Mrs. Post?

A Yes, sir.

Q Mrs. Post was also employed by the Lorain Journal, was she not?

A Yes, sir.

Q And at the time that she picked you up in Rocky River, did you know her?

A No, sir.

Q Were you then employed by the Lorain Journal?

A No, sir.

Q Had you been employed by the Lorain Journal prior to her picking you up?

A No, sir.

Q You had indicated you saw somebody in the Sheppard home; will you describe for the Court and jury the appearance

of this male that you saw in the Sheppard home?

A Just average height man.

Q Keep your voice up, please.

A He was just average height man, elderly, and very distinguished looking.

Q I see. Now, when you say average height, what do you mean by average height?

A Five-six, five-seven.

Q Five-six, five-seven. And when you say he was elderly what do you mean by the term elderly?

A Fifty to sixty.

Q Fifty to sixty. And when you say distinguished looking, will you tell us what you mean by distinguished looking?

A Well dressed.

Q Well dressed. Now, did the man wear glasses?

A Yes, he did.

Q Did the man -- will you describe the attire that the man had on, how well dressed was he?

MR. BAILEY: On which occasion,
please.

THE COURT: Please fix the time,
Counselor.

Q On the first occasion that you saw this man, how was he dressed?

A He had on a dark gray suit.

Q A dark gray suit?

A Yes, sir.

Q And what else?

A Well, he had on a sport jacket.

Q A sport jacket?

A Yes, sir.

Q And what else?

A That's all.

Q Did he have on a shirt?

A Oh yes, sir.

Q Did he have on a tie?

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

Q You didn't see a tie?

A I didn't notice.

Q You didn't notice. Did he have on a hat?

A No.

Q Did he have on a topcoat?

A No.

Q Did he have on an overcoat?

A No.

Q Now, on the second occasion that you saw him how was he dressed?

A Almost the same.

Q Almost the same. Now, you say almost; how was he dressed differently than on the first occasion?

A Well, the only thing I noticed was he just looked more relaxed. I don't know.

Q He looked more relaxed. How was he dressed differently? You said he was dressed almost the same.

A Different coat on.

Q Different coat on. What kind of a coat?

A I don't know, sir.

Q But you do know that it was different from the coat that you saw on the first occasion?

A Yes, sir.

Q When did you see Mrs. Post?

A When I was hitch-hiking.

THE COURT: Keep your voice up.

A The day I was hitch-hiking.

Q When was that, fix the day or a date, as nearly as you possibly can?

A I am sorry, sir, I can't.

Q Was it in the summer months, the fall months, or the winter months?

A It was in the summer.

Q It was in the summer months?

A Yes.

Q The beginning of the summer, the middle of the summer, or the end of the summer?

A The end of the summer.

Q The incident that you talked about at the Sheppard home was in December of 1953, is that correct?

A That's right.

Q And then in the summer you saw a Mrs. Post, is that correct?

A That's correct.

Q And then you looked at some photos?

A Yes, sir.

Q And then you made an identification?

A Right.

Q And the man that you saw in December was an elderly man, between fifty and sixty?

A He looked that to me, yes, sir.

Q I see.

MR. CORRIGAN: No further questions
of this witness. Thank you, Mr. Krakan.

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(Defendant's Exhibits O through Z, and AA through SS,
were marked for identification by the reporter.)