

THE COURT: The first peremptory
is with the defense, that is, the second peremptory.

MR. PETERSILGE: The defense will
excuse Mr. Smith.

THE COURT: You will excuse him?

MR. PETERSILGE: Yes, sir.

THE COURT: Mr. Smith, you are
excused. Thank you very much, sir.

Ladies and gentlemen of the jury, now that you
have been sworn as jurors for the trial of this
case and you are about to leave this courtroom, the
Court is going to do what the law of this state
calls for and requires that he shall do. I have
already stated to you what the law prescribes, and
I will state it again in order that there be no
misunderstanding whatever about it.

You are not to talk to anyone about this case
or any matter in connection with it at any time during
the progress of this trial. You are not to permit
others to talk to you about it. You are not to remain
anywhere where other people are talking about it among
themselves, whether they have an interest in the case
or not. You are not to discuss it among yourselves,
either in your jury room or elsewhere.

It is the duty of a person who has been selected

as a juror to sit here patiently and wait until all the evidence has been received and the instructions of the Court have been received and you are in your jury room for deliberation and decision before you discuss the matter in any manner, and in the meantime, you are individually to keep your own counsel and not to form any opinion or judgment whatever until the final step when you are in your jury room for deliberation and decision of this case.

Will you be good enough to observe that caution during the progress of the trial? And I would suggest to you, as I have already done so -- I don't know whether you were all here at that time or not -- that you do not read the newspapers and you do not now listen to comments over the radio or by any other means until this case has been disposed of. Have somebody preserve those things for you until some future day when you will have lots of time to look them over.

Now, without any formality at all, we will be adjourned until 9:15 tomorrow morning.

(Thereupon an adjournment was taken at 4:00 o'clock p.m. to 9:15 o'clock a.m., Friday, October 29, 1954, at which time the following proceedings were had:)

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