

MR. CORRIGAN: I would like, your Honor, to renew my motions made heretofore in this case from the very beginning, and I desire to introduce --

(Defendant's Exhibit 68, in connection with the motion, was marked for identification.)

MR. CORRIGAN: I desire to introduce in evidence the newspaper coverage of this case since we started the trial as part of my motion.

(Defendant's Exhibits 69 to 77, being photographs, were marked for identification.)

MR. CORRIGAN: I also desire to introduce Exhibits 69, 70, 71, 72 --

THE COURT: These are on the motions?

MR. CORRIGAN: Yes, these are on the motions.

-- 73, 74, 75, 76 and 77, which are pictures of the court room scene during this trial.

MR. MAHON: We are objecting to those exhibits, your Honor.

THE COURT: Sir?

MR. MAHON: We are objecting
to those exhibits.

THE COURT: The objection will
be sustained. They may be proffered.

MR. CORRIGAN: I am offering them.
I will now call --

MR. MAHON: Did you mark this
other exhibit?

MR. CORRIGAN: Yes.

MR. MAHON: That we object to
also, if your Honor please.

THE COURT: I have not looked
at any other exhibit.

MR. MAHON: That is a bundle
of clips here.

MR. WILLIAM H. CORRIGAN: It is a scrap book
of newspaper clippings.

MR. MAHON: Newspaper clippings.

THE COURT: The objection will
be sustained.

MR. CORRIGAN: We note an exception.
They are offered for the record.

THE COURT: Yes. Show those
offered.

Before we have the jury come down,

gentlemen, the Court wishes to make a statement about what happened on last Saturday morning. As counsel well know, we have a person here from somewhere in the neighborhood of Cincinnati. He is now under subpoena by the defense, apparently to appear in this court as a witness in this case, and as a matter of ultra precaution, the Court on last Saturday ordered him held here unless he furnished bail in the sum of \$1,000. He is here and he has not been used by the State, and the Court is not going to be willing to permit any bail hanging over him to keep him here any indefinite length of time. If he is to be used, he ought to be used promptly so that he may be released.

I don't know what the wishes of counsel are. They need not necessarily be stated now, but within the next two or three days I would like to dispose of that gentleman one way or the other, as far as I am concerned. I am not saying that he may not be called at any time.

MR. MAHON: If your Honor please, the State hasn't used him; the State never subpoenaed him.

THE COURT: I understand that.
The State has not used him, they could have used him, of course, but they didn't do so, and that is all right. The State did not subpoena him.

MR. MAHON: He is not under subpoena by the State.

THE COURT: That's right.

MR. MAHON: He is under subpoena by the defense.

THE COURT: The taxpayers of this county have to keep him here, and there is no point to it, in any event. All right. We do not need dispose of that matter now, but the Court will say that unless he is used between now and, say, Monday, the Court will release the bail part of it and let him go and do as he pleases.

Let's have the jury, please.

Show the motion last made overruled and exceptions noted.