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Monday Morning Session, November 1, 1954.  
9:30 o'clock a.m.

THE COURT: Ladies and gentlemen of the panel, here we try cases that are considered within the criminal division of this court. In such cases the State of Ohio is always the plaintiff, and we have here for trial the case of the State of Ohio against Sam H. Sheppard, who is charged here with murder in the first degree by reason of an indictment issued by the Grand Jury of this County.

I ought to say to you now, perhaps, at the very outset, that the fact that Sam H. Sheppard is here, and the fact that he is here under an indictment of the Grand Jury of this County raises no presumption whatever of his guilt of anything, and he is here at the outset presumed to be innocent, and this is the first inquiry that is to be made as to whether he is innocent or guilty.

The State of Ohio is always represented in this court in these cases by the office of the County prosecuting attorney, the law so provides. The County prosecuting attorney of this County is Mr. Frank T. Cullitan. His office is represented here by gentlemen who are now at the trial table. The

first gentleman to my left is Mr. John J. Mahon, an assistant County prosecuting attorney; the second gentleman to my left, back of Mr. Mahon, is Mr. Saul Danaceau, also an assistant County prosecuting attorney. Back of Mr. Danaceau is Mr. Thomas J. Parrino, also an assistant County prosecuting attorney and a member of that office.

Back of Mr. Parrino is Inspector James McArthur, Inspector of Detectives in the Cleveland Police Department.

There will come to the vacant chair to the left of Inspector McArthur another member of the Cleveland Police Department, Sergeant Lockwood.

The defense in this case is represented by the gentlemen to my right. The first gentleman is Mr. William J. Corrigan; speaking to Mr. Corrigan at the moment is Mr. Fred Garmone; to Mr. Garmone's right is Mr. Petersilge, and the last gentleman at the trial table is Mr. William H. Corrigan, the son of William J. The other gentleman is Sam H. Sheppard, the defendant in this action.

All those counsel whom I have named to you, other than Sam H. Sheppard, are members of the Bar of this County.

You will be asked specific questions, some by

the Court, some by counsel for the State and some by counsel for the defense. I hope you will be careful, and I warn you to be careful to answer those questions correctly and truthfully, and I now assure you that they are not being asked by anybody to pry into your private affairs at all, but for the sole purpose of determining whether or not there exists any reason why any one of you shall not serve here as a perfectly fair and an impartial juror.

A fair and an impartial juror is a juror who can sit here patiently and who can listen to all of the evidence that is produced in a case and to the instructions of the Court as to the law applicable to the particular case, and who can honestly close out the rest of the world for the moment and bring a curtain down on all information he may have about the matter from other sources, and be guided entirely by the evidence and the instructions of the Court as to the law applicable to the particular case.

I want to assure you, too, that there is no one around this table seeking any favors. The State seeks no favors, the defense seeks no favors. They are all asking one thing, and one only, and that is an

absolutely fair and an impartial jury and a fair trial of the issues, whatever those issues may develop to be.

Will you all stand now, please? Raise your right hand.

Do you and each of you solemnly swear that you will well and truly answer all questions put to you, whether put by counsel or by the Court; that your answers shall be the truth, the whole truth, and nothing but the truth as you shall answer to God?

Do you all swear to that? Thank you.

Now, Mr. Clerk, will you be kind enough to call the roll here?

THE CLERK: As I call your name answer "Here" or "Present."

(Thereupon Anthony Centrachio, Jack N. Hansen, Anna P. Hanson, Charles N. Marin and Charles H. Hohmeier all answered "Present".)

THE CLERK: Robert James Carr was not found by the Sheriff, your Honor.

(Thereupon Ann Marie Nunn and Betty J. Richter answered "Present".)

THE CLERK: Mary F. Goldsboro not found by the Sheriff.

(Thereupon Lois H. Mancini, Lulu M. Keiffer, John F. Crysler, Dorothy Ann Dzek, Theresa L. Lascala, Godfrey A. Garson, Frank M. White, Trevor E. Powell, Rowland E. Gerbrand, all answered "Present".)

THE CLERK: Robert Joseph Holzman and Ross K. Smart not found by the Sheriff, your Honor.

(Thereupon Frank W. Barr, John William Spear answered "Present".)

THE CLERK: Martha A. Gordon not found by the Sheriff.

(Thereupon Polly Prescott answered "Present".)

THE CLERK: Catherine Hanna absent, your Honor.

THE COURT: Will you ladies and gentlemen be kind enough now to retire to the jury room with the exception of the first two names that were called? They will remain here under the instructions of the Bailiff.

I think perhaps before you leave I ought to caution you as if you had been selected as jurors in this case. You are not to talk about this case to anyone, nor are you to permit anyone to talk about it to you. You are not to remain anywhere where other

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people are talking about it among themselves, whether they have any interest in the case or not. You are not to talk about it among yourselves either in your jury room, in this Courthouse, or outside of this Courthouse. It is your duty now to keep your own individual counsel and to have no thoughts whatever about the matter until we see whether you are accepted as jurors in this case. If any of you are, then you will have final instructions at this time.

I wish to say to counsel that a telephone call came in here from the home of Catherine L. Hanna, No. 25, stating that -- I think she was bedridden at the moment -- that she is not well, and her telephone is Evergreen 1-7907. That is the only person who didn't respond who has been served.

Is Mr. Hansen here? Will you be kind enough to just step outside that door?

Now, sir, Mr. Centrachio, will you be good enough to take the stand?

MR. GARMONE: If the Court please, before you --

MR. CORRIGAN: Where is the jury?

MR. GARMONE: Before you embark on your

examination of this prospective juror, are the instructions that you gave the panel, as a whole, on the basis that we are now progressing with the examination to determine the qualifications of the two alternates?

THE COURT: Well, that is where we are.

MR. CORRIGAN: Well, where is the jury, your Honor?

THE COURT: All right. We will call the jury. The prosecutor thought perhaps that for the examination of these people the presence of the jury would not be essential.

All right, we will have them down.

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(Thereupon the following proceedings were had in the presence of the jury):