

Thereupon the State, further to maintain the issues on its part, called as a witness JULIAN WILSON, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF JULIAN WILSON:

BY MR. DANACEAU:

Q What is your name?

A Julian Wilson.

Q Where do you live?

A I live in Chesterland, Ohio.

Q And for whom do you work?

A The Associated Press.

Q What is the nature of your work?

A I am a photographer.

Q And have you been in and about this courthouse and courtroom during the trial of Sam Sheppard?

A I have.

Q And your work was to take pictures, I take it?

A That's right, sir.

Q Now, did you take any pictures in this courtroom while the court was in session?

A No, sir, I did not.

Q Now, while the court was not in session, during recess or after adjournment, did you take pictures in this courtroom and

around this building?

A Many times.

Q Did you take pictures of Mr. Corrigan?

A Yes, sir.

Q About how many times?

A Roughly -- it would run considerably over a hundred negatives.

Q About a hundred negatives. And of Dr. Sam Sheppard?

A I made many pictures of him.

Q And Mr. Garmone?

A He, too, I have made many pictures of.

Q Now, did Mr. Corrigan ever object to your taking of any of these pictures?

A A few times he has objected.

Q When was that?

A About the middle of the trial or towards the end of it, Mr. Corrigan -- we were instructed that Mr. Corrigan didn't want any pictures made of himself, the defense, or the defendant.

Q How many pictures had you taken without his objection before you received those instructions?

A Oh, many.

Q More than 50?

A I'd think so.

Q And after you received the instructions, did you stop taking pictures?

A Yes, sir.

Q And how long did that continue?

A About a week and a half, two weeks.

Q Then what occurred?

A We asked Mr. Corrigan's permission.

Q And did you get it?

A Yes, sir.

Q And then resumed taking pictures?

A Yes.

Q How many pictures did you resume taking -- did you take after you resumed taking those pictures?

A I'd say not as many as before because we didn't need as many pictures.

Q More than 20 or 25?

A About that.

Q Now, with respect to the defendant, Dr. Sam Sheppard, is the number of pictures that you took before the objection by Mr. Corrigan about the same as what you took of Mr. Corrigan?

A About, yes.

Q You took about 50 before. Then there was this period when you didn't take any pictures because of the objection, is that correct?

A That's true, sir.

Q And then did you later resume?

A Yes, sir.

Q With whose permission?

A Well, when we got Mr. Corrigan's permission, we resumed taking pictures.

Q And about how many did you take after you got permission?

A Somewhere around 15, 20, 25.

Q Were you in this courtroom, sir, during the deliberations of the jury?

A Yes, sir.

Q Did you see card playing in the courtroom?

A Yes, sir.

Q Did you see Dr. Stephen Sheppard participate in playing cards?

A Why -- in this courtroom?

Q In this courtroom, in this court building.

A I can't say that I did. I may have. I couldn't swear that I did.

Q Did you see any of counsel participate in playing cards?

A I couldn't actually say.

Q Did you ever take a picture of either Dr. Sam Sheppard or any of his counsel over their objection?

A No, sir.

MR. DANACEAU:

That is all.

THE COURT:

May I have just one question? Were you present at the conference which the Court had with photographers prior to the opening of the case?

THE WITNESS: Yes, sir, I was.

THE COURT: And at which the Court stated what the rule would be as to taking pictures during the trial?

THE WITNESS: I was.

THE COURT: Do you recall what that was as to taking pictures within the courtroom and of the defendant and his counsel?

THE WITNESS: Yes, I do recall.

THE COURT: All right. State it.

THE WITNESS: Your ruling, sir, was that no pictures would be made at any time when the Court was in session, and you also requested that we make no pictures of the defendant or the defense or anyone without their permission. I believe that is the gist of the thing.

THE COURT: That's correct.]

Anything further, gentlemen?

MR. CORRIGAN: Yes.

CROSS EXAMINATION OF JULIAN WILSON:

BY MR. CORRIGAN:

Q What is your name?

A Julian Wilson.

Q Where do you live, Mr. Wilson?

A In Chesterland, Ohio.

Q And you are with the Associated Press?

A That is true, sir.

Q Were there any other photographers here beside yourself during the trial?

A Yes, sir. Many of them.

Q What are their names?

A There is Clayton Knipper, Jerry Horton.

Q Will you give me what they are connected with as you go along?

A Yes, sir, I will. Clayton Knipper, Cleveland Press. Glenn Zahn, the Cleveland Press. Jerry Horton, Cleveland News. Perry Craig, Cleveland News. Frank Kuchirchuk, International News. Frank Wasny of International News. Joe Dunn of United Press. Frank Reed of United Press. Dudley Brumbaugh of the Plain Dealer. Carl Raskab of the Plain Dealer. Ray Matjasic of the Plain Dealer. Marvin Greene of the Plain Dealer.

This is at one time or the other. This is not all at one time, but at one time or another.

Q Were there some television cameras here, also?

A Yes, sir, there was.

Q And who were they?

A If I can remember the names, Ted Coleman, who shoots for NBC-TV. The Koza brothers, who shoot for television.

There was a number of others, but I didn't happen to remember their name.

Q Now, there was somebody here from Life, also. Do you remember that?

A Yes, sir. There was a photographer here one day for **Life**.

Q Did you remain here all during the trial?

A The entire time.

Q During the trial the photographers accumulated in the hall outside the courtroom, did they not?

A That's right, sir.

Q And they also were on the steps of the Courthouse in the morning?

A Yes, sir.

Q Took photographs of the jury as they left and came individually and collectively?

A That is true.

Q During the entire time of the trial?

A Well, no, not during the entire time. I mean whenever there was anything, new development, or something, or that the story wanted --

Q There was also erected out in the corridor here television lights?

A That's right, sir.

Q You saw those, didn't you?

A They were portable hand lights that one of the newsreel

cameramen used. Most of them did not use lights at all.

Q What's that?

A Most of the television -- the newsreel cameramen did not use lights.

Q Yes, but there were at times these glaring lights erected in the corridors of the courtroom just outside the courtroom door?

A That's right, sir.

Q And as these witnesses appeared, they were photographed. You remember that, don't you?

A Yes, sir.

Q And during the voir dire examination, every prospective juror was photographed?

A That's true.

Q And their pictures were spread through the Associated Press, throughout the United States, as well as the Cleveland papers. You know that, don't you?

A Absolutely, and the world.

Q Gus Liederbach was a prospective juror; his picture was spread all over the world?

A Yes, sir.

THE COURT: The Court saw your picture, Mr. Corrigan, in a magazine from Berlin, sir.

MR. CORRIGAN: I got a picture from Chili the other day.

THE WITNESS:

I undoubtedly made it,

your Honor.

Q Now, there was live television on the sidewalk, wasn't there?

A Yes, sir. There was one program.

Q And when the jury would -- when we would have a recess -- withdraw that.

In the morning before Court started, Sam Sheppard was photographed many times, wasn't he?

A Yes, sir, he was.

Q The photographers that you named and others would come into this courtroom and take his picture?

A That is true.

Q You didn't ask his consent, did you?

A I didn't ask Dr. Sam, no.

Q Now then, during recess, you would come in here and take pictures?

A Yes.

Q And after court, you would come in here and take pictures?

A Yes, sir.

Q And you would take pictures on the outside of the courtroom many times?

A Yes, sir.

Q Now, you say that you have a hundred negatives?

A That is a generalization.

Q Of me?

A Probably.

Q That I consented that you should take those 100 pictures of me?

A Yes, sir.

Q Will you bring them to Court? Develop them and bring them to Court, sir?

MR. DANACEAU: We object to that.

A No, sir.

Q Oh, you won't. Well, I demand that they be brought in to me, since you made the statement. You took pictures of me putting on my rubbers; you took pictures of me drinking water; you took pictures of me walking down the hall, didn't you?

A Yes, sir.

Q You mean to say that I was giving my consent to those pictures?

A You did give your consent many times.

Q You know that I protested to those, don't you?

MR. DANACEAU: We object to this argument.

MR. CORRIGAN: I want the pictures taken brought to Court.

THE COURT: The witness says you gave consent.

MR. CORRIGAN: I say I want the

pictures brought to Court so we can determine what kind of pictures they are.

MR. DANACEAU: Well, we object to that.

MR. CORRIGAN: If a person poses for a picture, he poses for a picture.

THE COURT: He says the pictures were taken, Mr. Corrigan. Doesn't that satisfy your record?

MR. CORRIGAN: That wouldn't satisfy me, your Honor. I ask the pictures be brought to Court.

MR. DANACEAU: We object to it.

THE COURT: Objection sustained.

MR. CORRIGAN: We except.

That is all -- wait a minute.

BY MR. CORRIGAN:

Q Did you take a picture of me this morning?

A Yes, sir, I did.

Q Where did you take it?

A In the hall outside.

Q How did you happen to get it?

A You were there talking to Mayor Houk.

Q And was it televised, also?

A I couldn't say to that, sir.

Q Was there bright lights going on when I was talking to

Mayor Houk?

A I don't remember at that moment whether there was or not.

Q Did you ask me anything about taking the picture?

A No, sir, I did not.

Q Did you hear me tell those people to turn those lights off from us?

A I didn't hear that, no.

Q You didn't hear it, all right.

MR. CORRIGAN: That is all, sir.

MR. DANACEAU: That is all.

(Witness excused.)

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THE COURT: The Court wants to look over this matter now as to the motion for a new trial and will rule upon it at the earliest possible moment.

The other matter will be heard on Saturday morning, January the 8th, if that is the date, at 9:15 in the morning. Without formality, we will be adjourned.

MR. CORRIGAN: If the Court please, may I say this to the Court: If the Court rules adversely to our motion, may we be informed so that we can ask for a stay of execution until the matter is filed in the Court of Appeals? We will file it immediately.

THE COURT: All your rights in that regard will be protected, Mr. Corrigan.

MR. CORRIGAN: All right. Thank you, your Honor.

THE COURT: There will be no disposition on the part of the Court to just permit any snap movement of any kind.

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