

the stenographer only.

THE COURT:                Mrs. Grodzinski,  
will you please come into my Chamber, and Mr.  
Reporter, will you come into my Chamber?

Ladies and gentlemen, be at ease until  
Mrs. Grodzinski and the reporter and myself return.  
You may visit among yourselves, but please remain  
in your seats.

(Thereupon the following proceedings were had in  
the Court's Chambers:)

THE COURT:                It is about the same  
as we had this morning, only it is -- we are on the  
record -- Mrs. Grodzinski, gentlemen, wanted to  
tell me that she has high blood pressure for which  
she takes medication, and once in a while she says  
she perspires a little bit, and she wanted to know  
whether or not she -- she wanted to know whether I  
thought that this, because she has high blood  
pressure, and because she perspires a little bit,  
and gets to feel a little warm at times, whether or  
not since she knows that, whether I thought this  
may disqualify her as a juror, and that is what  
she wanted to call to my attention.

Do either of you gentlemen or any of  
you gentlemen have anything to speak to the record

on that account?

MR. BAILEY: Judge, the jurors have never even hinted that they may be sequestered, and I can see where someone were having to take medicine, that this may be a real problem, if you should decide this. I was going to point out, your Honor, in every lockup I have seen, the Court always puts a question, "If the Court decides it is necessary to keep you apart for the duration of the trial, is there any reason of health that you can't?"

THE COURT: Does any other Counselor wish to speak to the question of --

MR. BAILEY: I see no reason why that should disqualify Mrs. Grodzinski.

MR. SPELLACY: I see no reason why it should disqualify her.

MR. CORRIGAN: Again, the Court I believe would have to be the judge as to the seriousness of the condition, as to whether or not as she expressed it to him. If the Court feels it is a basis for disqualification --

THE COURT: My feeling, gentlemen, is that it is not. I think she was being very circumspect and cautious. She is a grandmother,

a great grandmother, I guess.

MR. BAILEY: Great, great.

MR. SPELLACY: No, just one.

THE COURT: She is seventy years of age. I asked her if she was having any difficulty in hearing or following what was going on in the courtroom, and she said no, she had no difficulty hearing or following.

But I think she has reached a point in life, gentlemen, where she wants to be sure that -- she takes her obligations seriously. In this case, thanks be to God, she wants us to know that she has this high blood pressure and she wants us to know that she takes medicine for it.

And I asked her whether or not if taking her meals away from home, or taking her medicine away from home, would impair her ability to sit here as a juror, and she said certainly not, whether she takes her meals away from home or whether she took her medicine away from home, that she did not think it would disturb her or impair her ability to sit.

MR. BAILEY: Well, our position would be, your Honor, that unless you find some reason in your judgment that requires you to excuse

this juror, we would like to keep Mrs. Grodzinski, from the defense point of view.

THE COURT: Well, frankly, gentlemen, at this time I find no reason in my judgment why Mrs. Grodzinski should be excused as a juror at this time, predicated upon what she has told me.

MR. CORRIGAN: The State has no quarrel with that, Judge.

THE COURT: Let the record show, and the record does show, that this conference is being held in Chambers, outside the hearing of anyone except Counselors. Let the record show that the Court believes that Mrs. Grodzinski can physically or has the physical capacity to sit as a juror, in this cause, and the Court is going to permit her to sit and swear her as a member of this petit jury this afternoon.

(Thereupon proceedings were resumed in the courtroom, in the presence and hearing of the jury panel, as follows:)

THE COURT: Ladies and gentlemen of the panel, will each of you stand and raise your right arm.

(Thereupon the jury was duly sworn by the Court.)