

Thereupon CHARLES H. HOHMEIER, being first
duly sworn, was examined and testified as follows:

EXAMINATION OF PROSPECTIVE JUROR CHARLES H. HOHMEIER:

BY THE COURT: ✓

Q Is your name Charles H. Hohmeier?

A That's right, sir.

Q Is that how you pronounce it?

A Hohmeier.

Q And you spell it H-o-h-m-e-i-e-r?

78 A That's correct.

Q And you live at 3126 West 33rd Street?

A No, sir. That address is now different.

Q You have moved?

A I moved, yes, sir.

Q And where do you live now?

A 5140 West Eighth, in Brooklyn Heights.

Q 5140 West Eighth?

A Eighth.

MR. MAHON: 80th?

PROSP. JUROR HOHMEIER: Eighth.

Q And that is in Brooklyn Heights Village?

A That's right.

Q How long have you lived where you now live?

A 13 months.

Q And how long did you live where you lived before, on West 33rd, was it?

A That's right. Seven years.

Q So the two of them together make almost nine years?

A Eight years, almost nine years.

Q Have you a family, sir?

A Yes, sir.

Q What does your family consist of?

A My wife and three children, three little girls.

Q Are they boys or girls?

A All girls.

Q All girls?

A That's right.

Q The girls are in the majority here this morning.

And how old are they?

A The oldest will be eight, the middle one will be six and the youngest will be three very shortly.

Q Is the entire household composed of yourself, your wife and the three girls?

A That's right.

Q No one else?

A No one else.

Q And what is your occupation?

A I am a postal clerk for the Post Office Department.

Q And how long have you been a postal clerk?

A About 17½ years.

Q And you work indoors?

A Yes, in the main Post Office.

Q You work indoors in the main Post Office?

A Yes.

Q Have you ever served as a juror before?

A No, sir, I haven't.

Q Have you ever been a witness in any case in any court?

A No, sir, except in a military court.

Q Except in what?

A A military court.

Q And how long has that been, sir?

A Oh, that was while I was serving in the Army, from '42 until '45, and various intervals in there I was on the Court Martial Board, and at various intervals I was involved.

Q Did they court martial you?

A No, sir. I was on the Board.

Q Involving the court martial of a lad who was in the Army, is that right?

A That's right.

Q Do I understand that -- was your participation confined to making a statement or giving testimony?

A No, sir. I served as a member of the Board. I was defense counsel for a period of time.

Q You participated in an official capacity?

A In the official Board.

Q I see. All right. Have you discussed, read about or heard about this Sheppard case before?

A Oh, yes, sir.

Q And as a result of what you have read and heard, discussed with other people, have you formed any opinion of your own as to the guilt or innocence of Dr. Sheppard?

A No definite opinion, no, I wouldn't say so.

Q And have you expressed any opinion at any time to anyone about it?

A No, no opinion. Possibly a desire, but no opinion.

Q You have no definite opinion now, I understand?

A No, sir.

Q Do you understand, Mr. Hohmeier, that the function of a jury in a case of this kind is to decide the guilt or innocence of a person charged with crime?

A Yes, sir.

Q And that the jury is the only body that can decide the guilt or innocence of a person charged with crime?

A Yes, sir.

Q That the jury do so on the basis of consideration of the evidence in this case and on nothing else beyond the instructions of the Court as to the provisions of law which are applicable?

A Yes, sir.

Q Do you understand that?

A Yes, sir.

Q And do you understand that it is the function of courts and juries to weigh evidence of witnesses all on the same basis, without regard to whether the witness is a professional man or a public official or just a common laborer, it makes no difference, that their testimony is to be weighed on the same basis exactly and only one test put to it, and that is what is true and what isn't true; do you understand that to be so?

A Yes, sir.

Q And you understand, too, that a person who is charged with crime is presumed to be innocent until a jury is satisfied on the basis of all of the evidence and the law as it is presented to them --

A Yes, sir.

Q -- that he is guilty beyond a reasonable doubt?

A Yes, sir.

Q Have you any objection in a proper case to capital punishment?

MR. CORRIGAN: Object. ✓

THE COURT: Overruled.

A Just what do you mean, sir, by a proper case?

Q Are you against capital punishment?

MR. CORRIGAN: Object.

Q You may answer.

A Yes, sir. I stated when I was examined previously two years ago that I would not want to be involved in a case with capital punishment.

MR. MAHON: Challenge for cause, ✓
your Honor.

THE COURT: You will be excused,
Mr. Hohmeier. Thank you very much, sir.

- - -