

Thereupon NORA K. O'CONNOR, being first
duly sworn, was examined and testified as follows:

EXAMINATION OF PROS. JUROR NORA K. O'CONNOR

By the Court:

Q Is your name Nora K. O'Connor?

A Yes, it is.

Q And you live at 27111 Wolf Road in the City of Bay Village?

A Yes, I do.

Q How long have you lived there, Mrs. O'Connor?

A Approximately between six and seven years.

Q Where is that -- do you know where the Sheppard home is?

A Yes, I do.

Q Where is it from where you live?

A Do you mean how far, or --

Q Yes. Roughly, how far?

A About approximately a mile.

Q And do you know the Sheppard family?

A Not personally.

Q Not what?

A Not personally.

Q Is it Mrs. O'Connor?

A Miss.

Q Who do you live with, Miss O'Connor?

A My parents.

Q Is your father living?

A Yes, sir.

Q And what is your father's name, please?

A Joseph.

Q What is his business or occupation?

A He is an estates trust officer with the National City Bank.

Q Are you employed?

A Yes, sir.

Q And the nature of your employment?

A I am a bookkeeper.

Q Who are you employed by?

A Carmen Lee Aprons.

Q How long have you been so employed?

A Since January of '54.

Q Were you employed prior to that time?

A Yes, sir, I was.

Q And by whom, please?

A My brother.

Q In a similar capacity?

A No. We own a florist shop in Bay Village.

Q Do you know any of the parties around this trial table who were introduced on a week ago yesterday morning?

A No, sir.

Q Do you know the County prosecuting attorney, or any member of his staff?

A No, sir.

Q Do you know the Sheriff or any member of his staff?

A No, sir.

Q Or the Coroner, Dr. Gerber?

A No, sir.

Q Are there any members of your family or household who are members of a police department or a law-enforcing agency anywhere?

A No, sir.

Q Have your people, if you know, at any time been the subject of violence at the hands of another?

A No, sir.

Q Have you ever been a juror before?

A No, sir.

Q Or a witness in a case?

A No.

Q This is your first experience in a court?

A Yes, sir.

Q I will ask you, Miss O'Connor, if, in a proper case, as the case will be defined to the jury, if you object to capital punishment?

A No, sir.

MR. CORRIGAN: I object.

THE COURT: Overruled.

MR. CORRIGAN: Exception.

Q You understand that it is the function of a jury to listen to all the evidence without regard to who produces it, whether it be a doctor, lawyer, police officer, or any other public office holder, or an ordinary layman, and to weigh all of the evidence on the same basis precisely. There is no evidence more sacred than another as it first comes from the mouths of the witnesses, but it is to be weighed so that the jury determine what is to be believed and what is not to be believed without regard to who gives the testimony, and it is the duty of the jury, also, to listen to the instructions of the Court is as to what the law is that is applicable to such a case and to be governed entirely by the evidence and by those instructions.

Could you sit here and weigh the evidence on that basis and follow those instructions of law?

A Yes, sir.

Q I take it that you heard of the Sheppard case before?

A Yes, sir.

Q To what extent and by what means?

A By "what extent," do you mean through newspapers?

Q You read newspapers?

A Yes, sir.

Q Have you heard radio comments?

A Yes, sir.

Q Television comment?

A Yes, sir. ✓

Q And you discussed it with other people, or other people have discussed it with you?

A Yes, sir. ✓

Q Extensively, or otherwise?

A Prior to being summoned -- I will clarify that.

In July extensively. Prior to being summoned, it's died down. After being summoned I have not discussed it ✓ with anybody.

Q And as a result of your information, whatever it may be, from newspapers or other sources of information, or discussions with others, at any time have you formed any opinion as to the guilt or innocence of Sam Sheppard?

A No positive opinion, no.

Q Will you tell us what you mean by "no positive opinion"?

A I haven't formed an opinion.

Q Could you now, in spite of everything that you have heard and all discussions that you have had, sit right here and right now presume Dr. Sheppard to be innocent, even though he is indicted and charged with a capital offense?

A Yes, sir.

Q And make it necessary for the State to introduce evidence that convinces you beyond a reasonable doubt before you will find him guilty of anything?

A Yes, sir.

Q I would like to know if you have received at any time since July the 4th of this year any communication of any kind by mail or telegram or telephone, or otherwise, about this that could have some bearing upon this matter?

A Yes, sir, I have.

Q What did you receive?

110 A An anti-religious letter in connection with this case, signed All-A-Yodhevaue of Cleveland, Ohio, something like that. ✓

Q Have you got that with you?

A No, sir, I have destroyed it.

Q When did you receive it, roughly?

A Upon receiving the letter, I noticed "50 years in the Church of Rome," and I thought it was a missionary soliciting funds, so I threw it away. The next morning in the paper, I --

Q No. Do you remember when you received it?

A No, I don't remember when I received it. I thought you asked me when I read it. I'm sorry, your Honor.

Q No. I will show you Court's Exhibit A-9 and A-10, and ask you if you will just take those and examine them and see if they are the same as what you received?

A Yes, sir.

Q You are satisfied they are the same?

A Yes, sir.

Q And is that the only communication that you have received?

A Yes, sir.

Q Do you know who sent it to you?

A No, sir, I don't.

Q Have you entertained any idea at all that the Sheppard family or any of their friends had anything to do with it?

A No, sir.

Q Well, we can say to you that we know who sent it to you, and the Sheppard family nor their friends had anything whatever to do with it at all. They have no connection with it.

As a result of having received that, would your judgment be affected at all in this case?

A No, sir.

Q What the State is asking for and what the defense is asking for is not favors, but are here to have an absolutely fair and impartial jury, to listen to the facts and the instructions as to the law, and be guided entirely by those. Do you believe that you could do that?

A Yes, sir.

Q And you know no reason why you couldn't?

A No, sir.

THE COURT: Mr. Danaceau, the assistant County prosecuting attorney, would like to put a few questions to you.

EXAMINATION OF PROS. JUROR NORA K. O'CONNOR

By Mr. Danaceau:

Q In response to Judge Blythin's questioning, Mrs. O'Connor, I believe you said that you were not directly acquainted with any member of the Sheppard family. What did you mean by that?

A There have been -- there has been one member of the Sheppard family that I have waited on in the flower shop, and I have seen the Dr. Sheppards around the hospital --

Q What hospital?

A Bay View Hospital, while delivering flowers.

Q Which member of the Sheppard family did you wait on for flowers?

A Dorothy.

Q Dorothy Sheppard. That is the wife of Dr. Richard Sheppard?

A Yes, sir.

Q And you said you also were in the hospital delivering flowers?

A Quite often.

Q That is Bay View Hospital?

A Yes, sir.

Q Did you get to see Dr. Sam Sheppard there at any time?

A Quite a few times I have passed him in the hallways, but he does not know me.

Q And Dr. Steve Sheppard?

A Yes, sir.

Q And Dr. Richard Sheppard, Sr.?

A No. I don't know --

Q Now, do you have any mutual friends in Bay Village?

A What do you mean by mutual?

Q Do you have a friend who also happens to be a friend of any member of the Sheppard family?

A No, but I know people that know them, several.

Q Wouldn't your relationship with those people and your business sort of embarrass you a little bit in serving on this jury?

A Why should it embarrass me?

Q I am merely asking you.

A I'm sorry. No, it wouldn't.

Q You have read about the trial, about this case?

A Yes, sir.

Q And have you discussed it with anybody?

A Prior to my summons, or afterwards?

Q Yes. At any time.

A Yes, sir.

Q With whom did you discuss the case?

A Friends, most anybody. That was the general topic of conversation in Bay Village.

Q Did you ever express an opinion on the case?

A Several different opinions.

Q And others expressed opinions to you?

A Oh, yes. There have been pros and cons all along in Bay

Village. ✓

Q Do you recall reading a story in the Cleveland Press entitled "Dr. Sam tells own story"?

A No, I'm sorry, I did not read that. No, I didn't read that story.

Q Now, you say prior to your being summoned as a juror in this case you discussed this case with friends, expressed opinions to them, they expressed opinions to you. Who are these friends? Can you name them, please?

A No, I can't. That was too long -- most anybody you would meet in Bay Village would talk about the case. There was no one specific. ✓

Q Don't you recall the name of one of those persons, anyone?

A Do I have to answer that question?

Q If you are able to.

A Well, I have discussed it at length with my family. ✓

Q And by your family, who do you mean?

A My parents, my brothers.

Q And relatives?

A My sisters-in-law.

Q And they have expressed opinions as to the guilt or innocence of Dr. Sam Sheppard? ✓

A Yes.

Q We are trying to have a jury of twelve people who can decide this case solely on the basis of what they hear in court and

on nothing else. I take it from what you have answered -- correct me if I am wrong--that these discussions were quite frequent, that is, before you were summoned as a juror, is that right?

A In July, yes.

Q Won't those discussions in some way or another come back to your mind as you are sitting here as a juror and listening to witnesses as they take that stand to testify, while they are testifying, and won't you compare what is being received on the stand with something that was said back in those discussions?

111 A No, sir.

Q Now, I believe you said that these friends and your relatives discussed the case with you and expressed their opinions to you. Did you express your opinion to either these friends or to these relatives?

A I said just a little while ago that I discussed -- that I have expressed several different opinions. That is why at the time -- right at this time I have no positive opinion.

Q Well, have you any kind of an opinion, whether it is positive or not?

A No, I do not.

Q Do you know Mayor Houk, the Mayor of Bay Village?

A Yes, I do.

Q Do you know Chief Eaton, the Chief of Police of Bay Village?

A Yes, I do.

Q How well do you know either of those gentlemen?

A Chief Eaton casually. Spencer Houk is in business in the same center that we are.

Q And you know him quite well?

A Yes, sir. I would say quite well, yes, I do.

Q You do business with him?

A No. My mother buys meat from him.

Q And does the Mayor or Mrs. Houk ever visit your florist shop?

A They are our customers, yes.

Q Now, if Mayor Houk will be a witness in this case and you are called upon to evaluate his testimony, won't your knowing him, as you say, as you have just said you know him, affect you in one way or another? Won't it embarrass you in evaluating his testimony?

A It won't embarrass me. Not knowing -- not ever being a -- I'm trying to think of the best way to word this. I don't think it would, but I can't say for sure.

Q It might, though?

A I didn't say it might. I said I think that you would be so busy listening to the testimony that you wouldn't have time to consider the person giving it. However, it might be different than that.

Q Well, now, the job of a juror in this case, as in all cases, is to listen to the testimony, and it is the job of a jury

to believe or disbelieve what a witness testifies to.

A What, sir?

Q It is the job of a jury and each member of the jury to listen to what a witness testifies to, and it has the right to believe what the witness testifies or to disbelieve, not believe what the witness testifies. Won't your close relationship with Mayor Houk, if he is a witness, have an effect on whether you will believe him or not believe him?

A I thought that I had just answered that question. I just couldn't say for sure, and I am truthful, I couldn't say for sure. However, I believe that listening to his testimony would take up your entire attention and disregard the person giving it. Now, if it would prove otherwise, I couldn't say for sure.

Q Then you are not sure that you could eliminate entirely your relationship with Mayor Houk and Mrs. Houk and disregard it entirely when it comes to whether you should believe or not believe what he testifies to?

A Well, --

Q You see, Mrs. O'Connor, I don't want to pry into your private affairs. We are all anxious to get a jury of people who will decide this case fairly and squarely solely on the evidence and nothing else, and I don't want to pry into your affairs, but we are compelled to answer these questions.

A I realize you are not trying to pry into my affairs. I would

say now, if you present it that way, I would say I wasn't sure, because I am not sure. As far as I know, it wouldn't, but I don't know until the time would come, so, therefore, I have to answer I am not sure.

Q Well, then, you cannot say at this moment that you will be totally unaffected by your relationship with Mayor Houk and Mrs. Houk if either one or both are witnesses in this case?

A I don't think I would, but I am not sure.

MR. DANACEAU: I think in view of the situation, if the Court please, we challenge for cause here. They will both be witnesses in this case.

THE COURT: How long --

MR. CORRIGAN: I will join in the challenge.

MR. DANACEAU: If the Court please, both sides have agreed in joining in the challenge.

THE COURT: Thank you, Miss O'Connor. You will be excused.

(Thereupon Prospective Juror Nora K. O'Connor was excused.)

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