

of this petit panel is granted.

Mr. Corrigan, do you wish to speak to the record in this connection?

MR. CORRIGAN: I concur in the remarks and observations made by the Court, and I have no objection to that procedure.

THE COURT: Mr. Bailey, do you wish to speak to the record?

MR. BAILEY: Yes. The defendant desires to have Mr. Tenerovich excused, in view of his health, and we feel that the procedure suggested by the Court is the proper one under these circumstances, and I have no objection to it.

THE COURT: Thank you, gentlemen.
(Thereupon proceedings were resumed in the courtroom in the presence and the hearing of the jury panel, as follows:)

THE COURT: Good morning, ladies and gentlemen. Ladies and gentlemen of the panel, before commencing the impaneling of the prospective alternates in this case, the Court again admonishes you that you shall not discuss even amongst yourselves what little you know of this case.

You shall not permit anyone else to discuss

it with you. Nor shall you permit yourselves to overhear anything that relates to this case by any means of communication.

Mr. Patrick, will you now escort from the room the prospective alternates, and leave Mr. Ainsley here -- I believe he is the next.

Good morning, Mr. Ainsley.

MR. AINSLEY: Good morning.

THE COURT: Mr. Ainsley, we are now preparing to impanel alternates in this case. Alternate jurors, Mr. Ainsley, become, possibly become members of the deliberating panel in the event of some fortuitous event, or some uncontrollable happening that occurs while this case is in progress.

It may be that an alternate would become a member of the deliberating panel.

Accordingly, the alternates sit throughout the course of the trial, and need be as attentive to the testimony and the evidence and the instructions of the Court as the twelve which have already been sworn, because it may develop that an alternate, on occasion it develops that an alternate does become a member of the deliberating panel, when one of the original twelve