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Thursday Afternoon Session, October 21, 1954.  
1:30 o'clock p.m.

Thereupon OLGA RYBAK, being first duly sworn, was examined and testified as follows:

THE COURT: You are Olga Rybak? L

PROS. JUROR RYBAK: That's right.

THE COURT: You have not been well?

PROS. JUROR RYBAK: No, I haven't.

THE COURT: Well, we have a certificate here from your physician this morning, and counsel for both sides have agreed that you may be excused. Thank you very much.

(Prospective Juror Olga Rybak was excused.)

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Thereupon GRACE L. PRINZ, being first duly sworn, was examined and testified as follows:

EXAMINATION OF PROS. JUROR GRACE L. PRINZ

By the Court:

Q Do I understand that your name is Grace L. Prinz? ✓

A Yes, your Honor.

Q And you live at 6443 Sprague Road?

A That's right.

Q That would be in Independence?

A Right.

Q That number on East Sprague Road would be in Independence.  
Sprague Road runs right through from Berea.

MR. GARMONE: Your Honor, we have  
an address here 3302 Silverdale.

THE COURT: Well, we will come to  
that, I think.

Q Did you say -- did you used to live at 3302 Silverdale?

A That's right.

Q That would be in the Brooklyn area?

A Yes. Off of State Road.

Q Yes. And how long is it since you moved out to Sprague Road?

A Since April.

Q How long did you live on Silverdale?

A Five years.

Q Are you married or single?

A Married.

Q Do you have a family?

A I have four children.

Q How old are they?

A I have one 24, 22, 17 and 13.

Q Well, I believe it about the 13, but I am suspicious about  
the others. And is the 24-year-old married?

A Yes, sir.

Q Is the -- I think you said a boy --

A The two oldest ones are boys, and they are both married.

Q And what does the oldest one do of the four?

A He is going to Bowling Green College under the GI Bill.

Q And the second one?

A He is working as a meat packer at Swift & Company.

Q What is your husband's name?

A Carl N.

Q And his occupation or business?

A He is a foreman at Swift & Company.

Q And how long has he been with Swift & Company?

A 30 years.

Q I take it that you were here on Monday morning when we mentioned who the parties are that are around this trial table?

A Yes, your Honor.

Q That was presented to the group?

A Yes, your Honor.

Q Do you know any of those people?

A No, sir.

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

A I do not know any of them personally, only by the name in the paper.

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

A No, sir.

Q Or the Coroner, Dr. Gerber, or any member of his staff?

A No, sir, your Honor.

Q Do you know any members of the Sheppard family?

A No, sir.

Q When I speak of your family, I am speaking of your husband's as well as your own, if I may. Have any members of your family, if you know, ever been members or are members now of any police department or law-enforcing agency?

A I believe my husband has a cousin who is in the police force, but whom we do not associate with, and we haven't saw his family for about three and a half years.

Q And is he on the Cleveland police force?

A Yes, sir.

Q There is no particular social connection between you?

A No, sir, none whatsoever. As cousins, we are not on very good terms.

Q And would the fact that you do have a cousin, no matter what your relation, distant or close to him is, would that fact alone have any bearing on your judgment at all in a case of this kind?

A No, sir, no bearing whatsoever.

Q Have any members of your family, if you know, ever been visited by violence at the hands of another?

A No, sir.

Q In any way, shape or manner?

A No, sir.

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

A Yes, I did, after I came home from our vacation.

Q When did you come home from your vacation?

A We left on July 3rd and we were gone the three weeks of July. We came home then, and I was home two and a half weeks and went up to Wisconsin to plan my son's wedding.

Q So it was somewhere three or four weeks after you became acquainted with the details of it?

A Yes, sir, very slightly. ✓

Q By reading newspapers? ✓

A Whatever was in the newspaper in that two and a half weeks I was home, which I believe was very little at that time.

Q And did you hear the radio or television comments about it?

A Slightly on the radio news. ✓

Q And have you discussed it with any friends or acquaintances?

A No. We weren't home that we would actually hear too much about it. As I say, we were busy making plans for my son's wedding in Wisconsin.

Q Have you ever expressed any opinion at all to anyone about the guilt or innocence of Dr. Sheppard?

A No. I truthfully can say I have not made any opinion whatsoever.

Q In other words, you say you haven't expressed one, and do you have one?

A No, I do not.

Q If you are selected as a juror, it will be your function with your fellow-jurors to weigh the evidence in this case and to decide what the facts are, and make final decision as to the guilt or innocence of Sam Sheppard charged here, and you are to understand that neither the Court nor prosecutor nor counsel for the defense, or anyone else in the world, has any authority whatever to control your judgment nor to dictate to you what your decision may be upon evidence, and you are to understand, too, that all people who come to this witness stand where you now sit, whether in this case or some other, are to have their testimony weighed without regard to their station in life, whether they hold public office or are members of a profession, or common, ordinary laymen. We are all alike in a court of justice.

Could you sit here and weigh the testimony of all the witnesses on the same basis and believe what you believe to be true, to be credible, and disregard what you don't believe to be credible, and arrive at a fair and impartial judgment on what is presented to you?

A Yes, sir, I believe I could.

Q Could you?

A Yes, sir.

Q And the Court has a function here, too, and that is to state the principles of law which are to govern in a case of this kind, and many people believe at times that they know the law or that the law ought to be different from what the Judge tells them. It is the duty of a juror to accept the law precisely as the Judge states it to them.

Could you, in spite of any opinion you might have on any legal question, follow the instructions of the Court as to the law?

A Yes, sir, I could follow those instructions.

Q I will ask you if you have any objection to capital punishment in a proper case?

MR. CORRIGAN: Object.

THE COURT: Overruled.

A No, sir.

Q Have you received any communication by mail, telephone or any other means since the 4th of July?

A No, sir, I have not.

Q That could possibly affect or be related to this case or refer to it?

A No, your Honor, I have not received any letters, although I heard some of the jurors did.

Q Have you seen what some prospective jurors received?

A No, sir.

Q Have you read anything in the newspapers about it?

A No, sir. I heard it on the news where they were receiving these letters.

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

A Would you please repeat that?

Q Yes. Sure. Have you entertained any thought at all at any time that any members of the Sheppard family or their friends had anything to do with the sending of those communications?

A No, your Honor.

Q All right. The Court will say to you that we do not know who sent them, and we do know that the Sheppard family nor their friends had anything whatever to do with the sending of those communications, so we will dismiss that matter right here.

And do you believe that if you were selected as a juror, you could sit here, weigh the evidence with your fellow-jurors carefully and follow the instructions of the Court as to the law and arrive at a conclusion fairly and without partiality, prejudice or sympathy of any kind?

A Yes, sir.

THE COURT: Mr. Danaceau.

This gentleman is Mr. Danaceau. He would

like to ask you a few questions.



## EXAMINATION OF PROS. JUROR GRACE L. PRINZ

By Mr. Danaceau:

Q Now, I am going to ask you a number of questions, and may pry into your life, not because I am nosey or want to do so, but we have to ask you these questions in order to ascertain whether or not you can sit in this case as a fair and impartial juror. You understand that, do you not?

A Yes, sir.

Q Now, you stated that you have four children, and I believe the oldest is 24?

A Right.

Q That is a young man?

A Yes.

Q What is his name?

A Walter Leroy Prinz.

Q And he is married?

A Yes, sir.

Q Where does he live?

A Bowling Green, Ohio.

Q What does he do?

A He goes to college.

Q Now, the next one is 22. Is that also a boy?

A Right.

Q He is married?

A Yes, sir.

Q Where does he live?

A He lives at 3425 Walbrook Avenue in Brooklyn.

Q And what does he do?

A He is a meat packer at Swift & Company.

Q And I take it the other, 17 and 13, are not married?

A They are in high school.

Q Is the 17-year-old a boy or girl?

A They are both girls.

Q They are both in high school?

A Yes, sir.

Q I believe you said you were away during the summer in connection with the wedding pertaining to one of your sons?

A In July was my husband's vacation, three weeks' vacation, and we took our two daughters and went to Florida. On July 3rd we left.

Q And when did this wedding take place?

A We came home, and on the last part of July, the last day or the first day of August, and I was home about two and a half weeks, and I went to Sheboygan, Wisconsin, to help plan for my son's wedding in Sheboygan.

Q Now, I believe that you said that you had read something in the newspapers about the case and heard something about it on the radio.

A What I saw in the paper those two and a half weeks I was

home.

Q Do you have a paper delivered at your home? (

A Yes, sir. ✓

Q Which papers do you have delivered? L

A The Cleveland Press. ✓

Q Do you recall seeing in the Cleveland Press a front page story headed "Dr. Sam writes own Story"?

A I don't recall those headlines, no, sir.

63 Q Headlines of "Dr. Sam writes his own Story," with his signature, a front page story, most of the front page, and then continued on the inside.

A No, sir. There was something in last night's paper on the front page, but I honestly and truthfully say I didn't read what it was.

Q Do you recall a number of stories in the Press consisting of statements by Dr. Sam Sheppard's brothers, Dr. Steve Sheppard, Dr. Richard Sheppard?

A I'm afraid I couldn't answer that truthfully, because I don't remember that. I was so engrossed with the wedding plans, that I'm afraid I didn't pay too much attention to those two and a half weeks of the paper.

Q Do you recall reading the signed statements by Mr. William Corrigan and Mr. Fred Garmone, attorneys for Dr. Sam Sheppard?

A Would you please repeat that?

Q Do you recall seeing in the newspapers signed statements by William Corrigan and Fred Garmone, attorneys for Dr. Sam Sheppard?

A No. I know they were his attorneys.

Q At any rate, you don't recall what was in those statements, if, perchance, you did have occasion to see or read them?

A I'm afraid I couldn't, no, sir.

Q And you have seen a very large number of pictures in the newspapers, haven't you?

A I saw a few, yes, sir. ✓

Q From what you saw in the newspapers, whether it was Dr. Sam's own story, or his lawyers' statements, or other articles concerning other individuals, did any of that reading leave an impression with you?

A No, sir. There was no impression whatsoever. I wouldn't say I formed any opinion from that at all.

Q And even though you may have read something about this case, you could set aside anything and everything that you have read, can you not?

A I don't --

Q And I was going to add -- and sit here as a juror in this case and decide this case solely and only on the basis of the evidence which will be received in this courtroom?

A Yes, sir. I believe the evidence and testimony in this courtroom is the main thing, not what you read in the papers.

Q Well, it is the only thing, isn't that so?

A Yes, sir.

Q Now, in this case, as in all other cases involving felonies, it starts with a charge, a charge which is known as an indictment by a Grand Jury. In our County there is a Grand Jury. There is a new Grand Jury every term of court, and this Grand Jury sits from time to time and receives evidence of crime. It doesn't hear both sides. It only hears such witnesses as either the prosecutor may summon before them or the foreman or any member of the Grand Jury may request be brought in, and on the basis of what they hear in that way they decide whether or not a person shall stand charged with a crime and then tried in a court such as this.

Do you understand that?

A Yes.

Q It is what we lawyers call an ex-parte hearing, which means a one-sided hearing, and, therefore, although there was an indictment in this case charging Dr. Sam Sheppard with murder in the first degree, that indictment in and of itself is not evidence. You understand that, do you not?

A Yes.

Q And that notwithstanding the fact that he has been indicted by the Grand Jury, there remains with him under our law a presumption of innocence until such time as the State proves his guilt by evidence that convinces the jury that he is

guilty, and such evidence must be beyond a reasonable doubt.  
Do you understand that?

A Yes, sir.

Q And you will remember that instruction of law as the Court will give it to you?

A Yes, sir.

Q Have you ever been in a courtroom before?

A No, sir. This is my first time.

Q First time in a courtroom?

A Yes.

Q Well, in a courtroom, trying a criminal case such as this, Judge Blythin presides and he is the final arbiter, he decides what the law is, and all of us--that means the attorneys on both sides, and all the witnesses, and all the jurors, must take the law as he gives it to us. If we have any notions that the law is something different or ought to be something different, we have got to put those notions aside and without any reservation whatever take the law as he gives it to us. You understand that, do you not?

A Yes.

Q That means what the law is pertaining to a crime of this sort, defining the crime, and defining what elements constitute the crime, and which the State must prove, and also the rules of evidence; witnesses will be brought here and the

lawyers will question those witnesses, and there may be objections made for one of many reasons, the Court may overrule the objection and permit the witness to answer the question, or the Court may sustain the objection and say that question cannot be answered, and the Court will rule on the question based upon rules of law which the Court will use, and you will, of course, follow the rulings made by the Court as all of us must follow them, will you not?

A Yes, sir.

Q Now, statements that may have been made either in the newspapers or we lawyers might make, the lawyers on one side of the table or on the other, are not evidence. You understand that, do you not?

A Yes, sir.

Q There may be discussions had between counsel, or between counsel and the Court, and lawyers may make all sorts of statements. Will you consider any of those statements part of the evidence in the case?

A Would you please repeat that?

Q Let me rephrase it and put it in another way.

In the course of a trial of this sort, the lawyers may make some statements either to one another that you would hear, if you were a juror, or to the Court, to the Judge, that you may hear.

Now, statements of lawyers are not evidence. You

understand that?

64 A Yes, sir.

Q Will you permit any such statement, no matter what it is, no matter who makes it, to influence you in any way whatever in the consideration of this case?

A Oh, no, sir.

Q Now, I believe I told you what an indictment is. It is merely a charge.

Now, in order to bring the facts of a case before a jury witnesses are brought before a court and sit in that same chair that you are presently occupying. Now, those witnesses will come from all walks of life. Some will be ordinary lay people, some will be professional people, some will be police officers, doctors, people from all walks of life, some holding public office, some not, and it will be up to the jury to determine from what they hear from those witnesses, and from such exhibits as you may have offered to you and permitted to be received, what the facts are. You have got to decide. That will be the task, the job of the jury will be to decide finally what the facts are. You understand that, do you not?

A Yes.

Q Now, in order to evaluate the testimony of these various witnesses the Court, Judge Blythin, will instruct you to use certain guides, certain standards to evaluate the testimony.



He will tell you, for example, that you should consider what interest, if any, the witness has in the outcome of the case, one way or the other; what opportunities the witness has, for example, to know what he is talking about or testifying to; what knowledge he may have about the subject he is testifying to; whether he has any bias or prejudice one way or the other; the reasonableness of what he states; and other such guides and standards to assist you in evaluating the testimony of these witnesses.

Will you follow those instructions?

A I don't believe I quite understand that.

Q It will be the task of a jury, if you are one of the members of the jury, it will be your task to evaluate the testimony of a witness, to decide whether he is telling the truth or not, and it is the function of the jury to decide where the truth lies. You have the right to believe all that a witness says or none of what he says. You have a right to believe part of what he says and not believe another part. That is the job of the jury.

Now, in order to evaluate the testimony of a witness the Court will instruct you what guides to use, what standards to use to evaluate the testimony. He will tell you, for example, that in evaluating the testimony of a witness you can consider such things as what interest that witness has, for example, in the outcome of the case; if a witness is

interested in one side or the other and wants one side or the other, for example, to prevail, you have a right to consider that as to whether or not it is affecting his testimony. Do you understand that?

A Yes, sir.

Q You have also similarly the right to consider whether the particular witness has opportunity to know what he is testifying to, whether he is in a position to know what he is testifying to. You understand that?

A Yes.

Q And you can also consider, in evaluating the testimony of a witness, whether the story he tells is a reasonable one or not. If it is a reasonable story, for example, you may give it greater weight than if it is an unreasonable story. Do you understand that?

A Yes.

Q Now, if these instructions are given to you by the Court, you will follow them, of course, will you not?

A Well, I don't know exactly how to answer that, only that I believe it would be up to the jury entirely.

Q It is up to the jury to decide what the facts are, but you are to be governed by certain rules, and those rules will be given you by the Court, and these are rules that I am giving you --

A Oh, I see.

Q -- that the Court will give you.

A I didn't quite understand.

Q Do you understand that now?

A Yes.

Q And will you follow those rules?

A Yes, I will be governed by those rules.

Q And will you apply to those rules to everyone, all witnesses regardless of their station in life?

A Oh, yes, I will.

Q You will treat them all alike?

A That's right.

Q As far as applying the rules are concerned?

A Yes. Until I have heard --

Q Now, when the witnesses testify from this witness stand they will give answers to certain questions, and they may identify certain exhibits, such writings and objects which you may consider also along with the testimony. Their testimony and these exhibits constitute what we call evidence, and you are to apply to the evidence that you receive the rules of law which the Judge, the Court, Judge Blythin, will give you. You are prepared to do that, are you not?

A Yes.

Q Now, if, after you have heard all of the evidence, and, of course, you will wait until you hear all of the evidence

65 before you form any opinion as to what the evidence is, whether it justifies a verdict one way or the other -- if, after you have heard all of the evidence, you are convinced beyond a reasonable doubt that the defendant is guilty of the crime charged in the indictment, are you prepared to join with the other members of the jury unless it is decided to grant mercy, to find the defendant guilty, even though you know it will bring with it the death penalty?

A I don't know if I am going to explain myself right or not. I believe in capital punishment, but after I have heard all the evidence and the testimony, if I make my mind up, or my opinion, and the others have a different one, I don't believe they could sway me from it. I don't know if I explained it right or not, I mean I couldn't be governed by the other jurors.

Q Well, if you had one opinion and the other jurors had another opinion, wouldn't you be willing to discuss matters with them to see whether or not they could persuade you that your opinion was in error, that it wasn't correct?

MR. GARMONE: Object to the question as to its form, your Honor.

THE COURT: They have a right to discuss it among themselves.

Q Will you answer the question?

A I am lost now, Judge.

THE COURT:                    You lost the question?

What Mr. Danaceau was asking you is: If there should be differences of opinion in your jury room among the jurors, would you be willing to collaborate and to discuss the differences of opinion with your fellow-jurors? That was the question.

PROS. JUROR PRINZ: With the fellow-jurors, yes, sir, I would discuss it with them.

By Mr. Danaceau:

Q        And would you be willing to change your opinion if you are convinced that you were in error after these discussions with your fellow-jurors?

MR. GARMONE:                Object to that question.

MR. CORRIGAN:              Object to that question.

MR. GARMONE:                Object as to its form.

THE COURT:                The jurors do have a right to discuss the matter among themselves, and even to urge upon each other the fair inferences which can be drawn from testimony, according to their views. I think it is right. She may answer that.

A        I really don't know the --

MR. CORRIGAN:              I don't think they have any right to inquire upon the voir dire whether a person -- or ask a person to "Will you change your opinion?"

She doesn't have to change her opinion.

No juror does.

THE COURT: She doesn't that's true.

MR. CORRIGAN: The only obligation on a juror, your Honor, as I understand it, is that when they go to the jury room that they discuss the matter back and forth among themselves, and listen to what the other jurors have to say, and make up their mind, but no juror has to be confined in a voir dire examination to an answer, "I will change my opinion."

MR. DANACEAU: I am not asking any such question at all. I am not even suggesting any such question.

THE COURT: All right. If you can, Mr. Danaceau, let's cross it off, if you can simplify your question, shorten it, rather, if you can, will you restate it to the lady so that she will have it anew?

Q If you have an opinion -- I don't want to pry into your mind as to what the opinion might be, one way or the other -- if you have an opinion at the close of this case and you are in the jury room with the other jurors, would you be willing to discuss the matter with the other jurors, and if you are convinced that you were in error after these

discussions with the other jurors, change your opinion?

MR. CORRIGAN: Object to that question.

THE COURT: She may say that.

A If they convinced me after we had heard all the testimony and evidence, I would not say I would change it on the stand here right now, yes or no --

Q I don't want you to. We haven't any evidence at all.

A Well, I meant as far as what I might -- if I would have an opinion --

THE COURT: Let me try to simplify the same thing, if I may.

In the event that you should have an opinion, and after discussion of the matter among all the jurors, you felt that your opinion was not the correct opinion, could you change your opinion on the basis of fair discussion by the rest of the jurors? That is what you are trying to get at?

MR. DANACEAU: Yes, sir.

THE COURT: In other words, if you form an opinion once, would you be bound by that all the time, or would you be willing to --

MR. GARMONE: I object to the form of that question. She has a right as a juror to stick by her opinion, whether she will be in the majority or minority.

MR. MAHON: If well-founded.

MR. GARMONE: Well, don't you add anything in the law that is not there, Mr. Mahon.

MR. MAHON: That is in the law.

MR. GARMONE: Is it?

THE COURT: Let me rephrase or perhaps add a little to it:

If you formed an opinion, would that opinion be held by you in spite of anything that your fellow-jurors might say?

MR. CORRIGAN: Object to that question. She would have a right to hold her opinion in spite of what eleven other jurors --

THE COURT: No, sir, she does not have that right. She does not have the right to form a fixed opinion and not be somewhat governed by discussion of her fellow-jurors.

MR. CORRIGAN: I except to that statement.

THE COURT: She may answer. Do you get the question?

PROS. JUROR PRINZ: I believe I do, yes. I believe I could change it if I had the evidence and testimony, but there would have to be an awful lot of discussion about it.



Q Well, are you suggesting it would be extremely difficult for you to change your opinion? ✓

MR. CORRIGAN: Object to that question.

THE COURT: She may answer that.

MR. GARMONE: If the Court please, I don't think a fair, descriptive question is being put to this lady on the subject matter that we are dealing with. Without finding any fault with your Honor's interrogation, your question had a tendency to deal with only one side of the issue, and the question that is phrased by Mr. Danaceau has an atmosphere that deals with only one side of the issue. I believe she should be afforded the opportunity of an alternative question, after she answers this question.

THE COURT: But the prosecutor is doing the questioning now, and the question is proper. He has his own way of doing it. The question now is -- to which Mr. Corrigan objected--whether or not she could change her opinion, Mr. Corrigan maintaining that she does not have to, which is quite correct, but we are not bound here, nor are we permitted to select a jury that will form fixed opinions in and of themselves without discussion with their fellow-jurors. That is what the deliberation is for is so

that they merge, and finally reach, if possible,  
a composite judgment of twelve people together.

MR. CORRIGAN: I except to that statement  
as not being the law. ✓

THE COURT: What?

MR. CORRIGAN: I except to that statement  
as not being the law.

MR. GARMONE: In fairness to this  
juror, then I think that the Court is obligated  
under the law to state to Mrs. Prinz that --

THE COURT: But you can question her  
later, Mr. Garmone.

MR. GARMONE: Well, we are on the subject  
matter here that is very important.

MR. DANACEAU: May we have the 86 Ohio  
State brought in? In view of what has been said,  
I feel we ought to read that paragraph. ✓

THE COURT: Let Mr. Danaceau get  
through, and if you have objection, state it. I  
think she may state whether or not she could change  
her opinion after consideration with other jurors.

Now, that is our subject matter.

MR. CORRIGAN: I think that the only  
thing, your Honor, that can be presented to a juror  
on the voir dire is the general statement that you put

in your charge to a jury on the matter of deliberation and the manner in which they shall consider the ideas of their fellow-jurors, but no juror, under any circumstances, has to change his opinion in a jury room because someone else has a different idea.

MR. DANACEAU: That isn't the question, and it doesn't remotely approach the question at all.

MR. GARMONE: Well, then, will you restate your question?

MR. DANACEAU: I will just as soon as Mr. Parrino brings the 86 Ohio State, because it contains a statement by the Supreme Court precisely on this question we are urging here.

May we have a moment, please?

THE COURT: Surely.

MR. DANACEAU: If the Court please, referring to the case of State versus Huffman, 86 Ohio State, 229, in the lower court the defense counsel asked the prospective jurors this question:

"Q. I want to know whether or not you will stand by your honest conviction and hand a verdict of not guilty or whether you will yield your own conviction merely for the purpose of reaching a

verdict in this case? Just think that over and tell the Court how you feel about it."

The answer was, "I will stand to my opinion; to my honest conviction."

The State contended that that was an improper question, and the matter came to the Supreme Court, and the opinion was written by Judge O'Hara, and I want to quote from page 234:

"It is contended on behalf of the State that the purpose of this examination is to give a juror the idea that, should he form an opinion of not guilty after hearing the evidence and arguments and after deliberation in the jury room, he must not upon further deliberation yield to the opinion of his fellow-jurors and that this tends to coach a juror to obstinancy of opinion and promotes the chances of a disagreement. The defendant contends that such questions are proper because he is entitled to the unanimous verdict of the jurors and to the benefit of every reasonable doubt and also that he is entitled to know the mental attitude and the firmness of prospective jurors, in order that he may be better able to protect his rights in the selection of a jury.

"The object of the examination of persons called

to act as jurors is to determine whether or not they are qualified to sit in the trial, and for this purpose a rigid examination is allowed before their acceptance by the parties to the cause."

Then the Court goes on to discuss the other subject that we had an argument upon the other day.

THE COURT:                   That states the opinion, but in reverse.

MR. DANACEAU:               Just a minute. Now I am coming to the point where the Court discusses this:

"With reference to the unanimity of verdict in the adherence of each juror to his own convictions, the observations Mr. Justice Brown in a homicide case sustaining a charge to the following effect, are in point:

"While, undoubtedly, the verdict of the jury should represent the opinion of each individual juror, it by no means follows that opinions may not be changed by conference in the jury room. The very object of the jury system is to secure unanimity by a comparison of views and by arguments among the jurors themselves. It certainly cannot be the law that each juror should not listen with deference to the arguments and with a distrust of his own judgment, if he finds a large majority of the jury taking a

different view of the case from what he does himself. It cannot be that each juror should go to the jury room with a blind determination that the verdict represent his opinion of the case at that moment, or that he should close his ears to the arguments of men who are equally honest and intelligent as himself."

Now, that is the principle of law that we think applies, and that is why I have asked the question of the juror.

THE COURT: I think Mr. Corrigan admits that that is the correct opinion.

Now, the objection apparently is to some form of the question, I take it.

MR. GARMONE: That's correct.

MR. CORRIGAN: The objection is --  
I think we all understand what the principle of law is that when a juror retires after hearing all the evidence, then like intelligent people they sit down and discuss it and get one another's ideas as to what their impressions are about the evidence they will hear in this courtroom.

THE COURT: And they may urge upon each of them --

MR. CORRIGAN: And they may urge upon them,

but after a person has come to a conclusion, his own conclusion as a jury person as to the evidence, after listening to all his fellow-jury men's opinions, after he has come to a conclusion, then he has the right to stick to that conclusion forever.

That is correct, isn't it, your Honor?

THE COURT: I think we can agree upon that.

Now, we are clear, surely, that the objection is not based upon the principle, but based upon some detail of the question itself.

Now, Mr. Danaceau, let's clear the slate and just --

MR. DANACEAU: Start all over.

THE COURT: That's the way, start at the beginning.

By Mr. Danaceau:

Q When a case is closed as far as taking testimony is concerned and the Court charges the jury, the members of the jury will retire to the jury room.

Now, are you prepared to discuss with the other members of the jury the evidence in the case and what weight should be given to the evidence?

A Yes, sir.

Q You wouldn't be obstinate and simply insist upon your opinion and not listen to other people's opinion?

A Oh, no, sir.

Q And you would be willing to listen to them, and, of course, they should listen to you?

A Yes.

Q And subject one another's opinions to the reasoning of one another, you to them and they to you?

A Yes, sir.

Q And you are perfectly willing to do that?

A Yes, sir.

Q Now, there are, generally speaking, two types of evidence:

Evidence that is known as direct evidence, that, for example, is what a person sees or hears and testifies to what he sees or hears.

Then there is circumstantial evidence by which certain facts, certain circumstances are shown, and you draw from those facts and circumstances, conclusions. You understand that?

A Yes, sir.

Q Now, under our law in Ohio, both types of evidence are admissible, and the Court will instruct you that you can consider both types of evidence, direct evidence, and that you can also consider circumstantial evidence, and that even on circumstantial evidence alone, if it should convince



you beyond a reasonable doubt that the defendant is guilty of the crime charged, you can find him guilty. You understand that?

68 A Yes, I understand.

Q Now, do you have any feelings against circumstantial evidence?

MR. CORRIGAN: I didn't get the question.

Q Do you have any feelings against circumstantial evidence as such?

THE COURT: Does she have any feeling against circumstantial evidence as such?

MR. CORRIGAN: I object to that.

THE COURT: She may answer.

A I have nothing against it, no, sir.

MR. CORRIGAN: I don't think that question was put properly.

Q In other words, you have no bias or prejudice against circumstantial evidence?

A That's right.

Q If the Court instructs you that you may consider such evidence, you will consider it?

A I could consider it, but it doesn't mean that I would entirely depend on that alone.

Q Well, if the Court should instruct you that it is proper to consider circumstantial evidence, and that if it is

sufficient to convince you beyond a reasonable doubt of the guilt of the defendant, you can find him so guilty on circumstantial evidence alone, could you do that?

MR. CORRIGAN: I object to that.

THE COURT: I think perhaps, Mr. Danaceau, there is an element left out of the question. You mentioned circumstantial evidence alone. If it is that, it would have to be wholly consistent with guilt only, not consistent -- I am not sure but what that is some degree, perhaps, above--or different from reasonable doubt.

MR. DANACEAU: Well, I have qualified my question by saying "if it was sufficient to convince you beyond a reasonable doubt."

THE COURT: I am not sure but if they are considering circumstantial evidence alone, it must be wholly consistent with guilt.

MR. DANACEAU: I agree with the Court.

THE COURT: All right. If you will include that in your question, the Court will let her answer it.

Q The Court will instruct you, in substance, that circumstantial evidence alone, if it is sufficient and consistent with guilt and inconsistent with his innocence, and if such evidence is sufficient to convince you beyond a reasonable

doubt of the guilt of the defendant, would you find him guilty on circumstantial evidence alone?

MR. CORRIGAN: I object to that.

THE COURT: She may answer that.

A If the circumstantial evidence was enough.

Q Well, I will let it go at that, your Honor.

A I can't truthfully answer any other way.

Q Do you have any reluctance to circumstantial evidence?

MR. CORRIGAN: Object to that.

THE COURT: She may answer that.

A You mean am I against it? I'm afraid I don't quite understand that.

Q Do you have any reluctance to consider circumstantial evidence?

A I'm afraid I don't -- I really don't know what you mean on that one word.

Q "Reluctance"?

A Yes, sir.

Q Do you look with suspicion upon circumstantial evidence?

MR. CORRIGAN: Object to that.

THE COURT: She may answer that.

A No, I don't look with suspicion upon it.

Q Well, at any rate, I think we have exhausted that question. We might as well go on to something else.

There will be in this case evidence, both direct and

circumstantial, and you are prepared to give that evidence the consideration it deserves under the rules that the Court will lay down, Judge Blythin will lay down for you?

A Yes.

Q Now, if you are not convinced of the guilt of the defendant, of course, you are prepared to bring in a verdict of not guilty? If you are not convinced of the guilt of the defendant beyond a reasonable doubt -- by evidence beyond a reasonable doubt, you are prepared to bring in a verdict of not guilty?

A If I can be convinced.

Q In this case, as in all criminal cases, it is up to the State to prove his guilt. You understand that, do you not?

A Yes, sir.

Q And if the State fails to prove his guilt beyond a reasonable doubt, then you must bring in a verdict of not guilty. Do you understand that?

A Yes.

Q If, on the other hand, the State does prove his guilt, then would you have any hesitancy, assuming that it is proved beyond a reasonable doubt, would you have any hesitancy in bringing in a verdict of guilty even though that may bring with it the death penalty?

A No, I wouldn't.

Q Do you know of any reason at all that you could not sit here

as a fair and impartial juror in this case?

A No, sir, I know of no reason.

Q Has anything occurred in the courtroom, or in the room where the jurors are waiting to come in here, to affect you in any way or another, or one way or another?

A No, sir.

Q Have you been affected in any way by the newspaper photographers and newspaper men around?

A I'm afraid not.

Q Have you felt any state of hysteria around the courtroom or around the building here, or anywhere in the community? ✓

A No. I think all the prospective jurors have been a little nervous. ✓

Q Just a little nervous. ✓

A Yes.

Q They are not hysterical, though?

A No, not hysterical.

Q And you are prepared to be fair to the defendant?

A Yes, sir.

Q And also fair to the State?

A That's right.

Q Come to a fair verdict?

A Yes, sir.

Q without any bias or prejudice or sympathy of any kind?

A No. I am not prejudiced.

Q And you are not biased?

A That's right.

Q And you won't let sympathy interfere with your conscientious decision of what the verdict should be?

A That's right.

MR. DANACEAU: Pass for cause.

THE COURT: May I have just one question?

If the Court should state to you in defining the evidence, that you are to consider circumstantial evidence on a certain basis which the Court will give you, could you, without regard to your own opinion, follow that instruction as to weighing the testimony?

PROS. JUROR PRINZ: Yes, sir.

THE COURT: All right. Mr. Corrigan.

EXAMINATION OF PROS. JUROR GRACE L. PRINZ

By Mr. Corrigan:

69 Q Mrs. Prinz, I have to ask you some questions. I know you-- have had a long examination, but I, with Mr. Garmone and Mr. Petersilge, represent Dr. Sheppard. Do you recognize Dr. Sheppard?

A By his pictures and from being in here Monday.

Q What?

A From being in here Monday and by pictures.

Q Yes. So you know who he is. Now, lawyers sometimes get

pretty involved when they talk to people who haven't studied law and who don't know these terms as well as we do.

THE COURT: They certainly do,

Mr. Corrigan.

Q Yes, that's right. And you have had quite a number of questions about circumstantial evidence, and the Court will charge you on what circumstantial evidence is. You see it and you use it all the time. I might give you an example.

You come in, you see Judge Blythin on the bench, you don't know who he is, you never saw him before, say, but you know he is a Judge because he is sitting there, or you see light coming in from outside and you can assume from what you know that there is sunlight outside.

Now, that is circumstantial evidence.

Or the light up here that is burning, you can assume that back of that light somewhere there is some kind of power that is causing that light. It doesn't exist there of itself.

But the law on circumstantial evidence -- and I am going to ask you to see if I can clear that up -- the law is, and I will ask you if you will follow this law as Judge Blythin gives it to you -- when reliance for conviction is placed on circumstantial evidence, the facts and circumstances upon which the theory of guilt is placed must be shown beyond a reasonable doubt, and when taken

together, must be so convincing as to be irreconcilable with Dr. Sheppard's claim of innocence and admit of no other supposition except his guilt.

Now, if the Court gives you that charge -- you understood it, did you, Mrs. Prinz?

A I believe so.

Q If the Court gives you that charge, will you apply that law to circumstantial evidence that Judge Blythin gives you?

A If I am instructed by the Court.

Q If he instructs you that the circumstances must be such that they will admit of no other hypothesis or supposition except Dr. Sheppard's guilt --

A I don't understand that phrase.

Q Well, let me see if I can put it clearly.

When taken together -- when you take all the circumstances together, they must be so convincing as to be irreconcilable with Dr. Sheppard's claim of innocence.

Now, do you understand that?

A Yes.

Q And they must admit -- these circumstances all taken together must admit of no other supposition, no other conclusion except Dr. Sheppard's guilt.

Now, if you have direct evidence -- for instance, in this murder case, someone saw Dr. Sheppard kill his wife, that would be direct evidence. You understand that, don't you?



A Yes.

Q If, on the other hand, there are circumstances by which it is claimed -- no one saw him kill his wife, but there are circumstances by which it is claimed that he did, from those circumstances you draw the conclusion, no other conclusion except that he killed his wife --

A I don't believe I could answer that with a yes or no. I believe it would depend on the direct -- other evidence.

Q It would depend on the evidence that you would hear, that's correct, isn't it?

A With the --

THE COURT: What she said was that she doesn't believe that she could do that, that it would depend also on other evidence.

That is what you said?

PROS. JUROR PRINZ: It would depend on other evidence, yes, sir.

Q You have heard -- you have been quizzed about what you do. If you are selected as a juror to sit here for a couple of weeks and hear a great many witnesses, when you retire to the jury room, after you heard all the evidence and the charge of the Court as to what the law is, then you make up your mind about it; you understand that, don't you? You make up your mind about it?

A I wouldn't say I'd make up my mind immediately.

Q No. I don't say you have to do that, but you eventually will make up your mind about it.

A Eventually.

Q And you would be willing to listen to what other people had to say about what the evidence was?

A Yes, sir.

Q For instance, this house that Mr. Sheppard and his wife lived in is on the lake in Bay Village, and I don't know whether it will come into the evidence or not, but if at the conclusion of the evidence you went to your jury room, you said that the evidence was that the lake was calm and ten others said, "Why, you are mistaken, the evidence is that the lake was rough," you would be perfectly willing to listen to what other people had to say about the evidence?

A I would listen, yes, sir.

Q But when you had come to the conclusion, after you had listened in the normal way that an intelligent person is supposed to listen, and to consult and talk, after you had come to a conclusion as to the guilt or the innocence of Sam Sheppard, would you allow anybody else to change your conclusion?

A By that do you mean the other jurors?

Q Yes.

A Not after we had been talking it all over and discussed it, in other words.

Q You know that you, as a juror, have the right to come to an intelligent conclusion about this case, don't you?

A That's right. I wouldn't change it just to --

Q Please --

A -- want to settle the case.

Q Just to please somebody else.

A Just to please them.

Q In other words, you wouldn't be forced into a verdict by someone else?

A No, sir.

Q That's right. Now, you know, Mrs. Prinz, that there has been a terrific amount of publicity about this case. You know from coming down here and reporters and photographers chasing you, and the number of reporters that have been in this courtroom here, and we even have some very famous writers that have flown in here from New York and who are attending this trial, and each day they are writing about this case and they are making up stories about this case, because there is nothing interesting in what we are doing here, but they have been sitting here all week and pouring out copy about what is going on in this courtroom, and this is all that has been going on. We have been talking back and forth to jurors just like you.

Now, the case is being treated differently from that point of view than the ordinary person that comes into court,

and is tried for a crime. In other words, this man has been subjected and is subjected to a great deal of publicity.

Does that militate in any way against him, or will it militate in any way against him on you as a juror?

A No, sir.

Q You will treat him, Dr. Sheppard, the way you treat the humblest citizen of the land who didn't get any publicity, is that right?

A That's right. To me it is just another person.

Q As just another person?

A That's right.

Q Just another human being?

A That's right.

Q Who is on trial?

A Yes.

Q Now, I understood you to say that you had -- do you subscribe to the Press?

A Yes, sir.

Q And do you subscribe for the other papers?

A No, sir.

Q Just the Press?

A Yes, sir.

Q And you are at home every day, I suppose, unless --

A Yes. I am a housewife.

Q When the girls come home from school, you are home?

A Yes.

Q And you read the Press, I take it?

A Yes, sir.

Q Do you recall reading any magazines in which this matter was set out?

A No. I didn't even know it was in a magazine.

Q Yes, it was in several magazines.

A I haven't even heard about it until today.

Q They are probably magazines that you never see, like "Inside Detective" and that type of magazine. You know what it is?

A I didn't know it was in a magazine.

Q Yes. Now, Mr. Danaceau has asked you about some things you have read, whether you read a statement I made in the paper or Mr. Garmone. Did you read an editorial in the paper, in the Cleveland Press, along in August of this year, a front page editorial with the headline "Bring Him In," indicating that authorities should bring in Sam Sheppard?

A I don't recall seeing that particular headline.

Q You didn't see that. Do you recall another editorial that was in the paper on the front page, "Why not quiz the top suspect?" indicating the doctor. Do you remember that one?

A I'm afraid I couldn't say I have. As I say, I was only home two and a half weeks, and I was so busy making plans for the wedding.

Q I think this was in August. Do you recall another editorial in the Cleveland Press on the front page which was headed "Why not an Inquest, Dr. Gerber?"

A I believe I have seen something about an inquest, but I couldn't particularly say if it was that headline or not.

Q There was an inquest in Bay Village in July. Do you remember anything about that?

A No, sir. I was in Florida practically the whole month of July.

Q Oh.

A Three weeks, in fact.

Q Well, that was in July, so you wouldn't be here.

Well, at least you talked to no one about it, and you met no one that attended that inquest?

A No. I wouldn't buy a paper on our vacation.

Q You were down in Florida?

A Yes. We had our two girls with us.

Q Florida in the summertime?

A That's right.

Q Well, --

A You have to go when they have their vacation.

Q Well, is it hotter down there than it is up here?

A No, I don't believe so; not when we were there.

Q Well, that is interesting about going to Florida

summertime. I know a lot of people go in

Now, there was a lot of people drove out and looked at Sam's house, Dr. Sam's house. You never did that?

A I have never been out that way at all.

Q He is connected, and his two brothers, Dr. Steve Sheppard and Dr. Richard Sheppard, and Dr. R. N. Sheppard, his father, are connected with the Bay View Hospital. Do you know anything about that hospital?

A No. I have just heard of Bay View Hospital, but I have never even saw the building.

Q Never been in it?

A No.

Q And don't know anyone that works there?

A No.

Q Since the time of Dr. Sheppard's arrest, and before that, there has been a great deal of talk about the case and a great deal of conversation and gossip, and so forth, about Dr. Sheppard, Dr. Sheppard's brothers and the Bay View Hospital. Did any of that come to your attention?

A No, it didn't.

Q Dr. Sheppard is a doctor of osteopathy. There are certain schools of medicine, what they call the Allopathic School of Medicine, the Homeopathic School of Medicine, the Electric School of Medicine, and the Osteopathic School of Medicine, and they all treat the diseases of the human being in some way.

Now, Dr. Sheppard belongs to the Osteopathic School of Medicine.

Are there any members of your family or your close acquaintances who are medical doctors?

A No, sir.

Q Did you ever hear this system of medicine discussed?

A No, I never did. I didn't know what an osteopath was until this case came up.

Q Well, do you have any feeling about a particular school of medicine as distinguished -- are you favorable to one school as against the other?

71 A No, sir.

Q I suppose that you are like I am: You don't know much about the different schools of medicine?

A That's correct.

Q Now, it is the law -- and I will see if you agree with this law -- first, I will say the Grand Jury has returned an indictment against the man charging him with murder in the first degree, the highest crime in the book, and the law is that -- and as a result of that indictment, he is sitting here in this courtroom on trial for his life. You realize that?

A Yes, sir.

Q Does the fact that he is here under those circumstances raise in your mind any presumption that he did murder his wife?



A Would you please repeat that or rephrase that?

Q Does the fact, that fact alone, that he is indicted and he is here in court on trial, raise in your mind any presumption that he did murder his wife?

A No.

Q Do you hold and do you believe that a man is presumed to be innocent until the State proves the fact of his guilt beyond a reasonable doubt?

A Until it is proven, yes, sir.

Q And beyond a reasonable doubt, the law says. Do you believe in that degree of proof in a criminal case?

A I don't believe I quite understand that.

Q Well, I probably didn't put it very clearly.

The Court will charge you that in a criminal case where a man is charged with crime, such as this, that the evidence that the State must produce in order to secure conviction of that man is evidence that proves him guilty beyond a reasonable doubt, and the Court will define to you what a reasonable doubt is.

Now, I will put it this way: If the Court says to you that it is incumbent upon the State to prove Dr. Sheppard's guilt of the murder of his wife by evidence which convinces you beyond a reasonable doubt, will you require the State to produce to your mind that type of evidence?

A Yes, I will require the evidence.

Q Now, the burden is on the State of Ohio, when a man is charged with crime under our law, under our American law and under our Ohio law, when a man is charged with crime the State says -- they indict him for a crime and they put him on trial, and the State has the burden of proving their case when they make the accusation.

The defendant in a criminal case, and Dr. Sheppard in this case, under the law has no obligation to show that he is innocent. If the Court tells you that is the law, will you abide by that, or do you think at this time that Dr. Sheppard has any obligation to prove that he is innocent of the murder of his wife?

A Well, to me that is like the question before. Just because he is in here on those charges --

Q What?

A Because he is in here on those charges doesn't say that he is proven guilty as yet.

Q You would make them show you, is that correct?

A Yes, I would, by evidence.

Q Now, this indictment -- I am pretty near through, so you may rest, but I think these questions are necessary.

THE COURT: Are you starting on a new subject?

MR. CORRIGAN: Yes. Maybe we better give Mrs. Prinz a little recess because she has been

on there a long time.

THE COURT: Ladies and gentlemen,  
would you be kind enough to return to your jury room  
for a few minutes, and please do not discuss this  
matter at all, not even among yourselves.

We will have a few minutes recess.

(Thereupon a recess was taken.)

ns

(AFTER RECESS:)

BY MR. CORRIGAN:

Q Mrs. Prinz, in reading the papers, did you discover from your reading that Mrs. Sheppard was murdered in her bed and died as the result of multiple wounds to the head, many wounds that she received on her head?

A Pardon?

Q Did you discover in reading the newspapers that Mrs. Sheppard, Marilyn Sheppard, was murdered in her bed and that she died as the result of multiple wounds?

A I did not read it at the beginning, I mean when --

Q But did you learn that?

A Yes. I saw it in the paper in the last couple days.

Q And you know that that is the kind of a case we have to deal with here?

A Yes, sir.

Q Now, does the fact that <sup>at</sup> this time, coming into court, her husband sitting on the other side of the table charged with that murder, does that fact raise any bias or prejudice against Sam Sheppard at this time, the fact that that murder was the type that it was?

A Not at this time, no.

Q Now, when a case is presented to a jury, a decision is to be rendered upon all the evidence, not part of it but on all the evidence. Will you consider, in arriving at your verdict,

all the evidence in the case and not pick out some particular part of it?

A I would weigh all the evidence.

Q You would weigh all the evidence?

A Yes, sir.

Q You understand, or do you understand -- this is the first time that you have been in court?

A Yes, sir.

Q -- that in the trial of a case the prosecution presents its evidence first, and then after the completion of their evidence we proceed to bring our evidence forward and then such rebuttal evidence as we think necessary.

Now, in arriving at your decision, will you wait and not make up your mind until you have heard all the evidence and heard what Judge Blythin has to say about what the law is in this case?

A I will wait until I have heard all the evidence.

Q Until you have heard all the evidence and the law?

A Yes, sir.

Q Now, the indictment charges that Dr. Sam Sheppard killed his wife unlawfully, purposely and with deliberate and pre-meditated malice. If the Court charges you that it is necessary for the State, before they are entitled to a verdict of guilty in this case, to prove all those elements, that the proof of one or two of the elements is not enough,

will you require --

A I don't quite understand that statement.

Q Well, there are elements in first degree murder. This man is charged with first degree murder. I want to put this very plain. If you don't understand me, tell me.

THE COURT: Pardon me, may I just make one statement? When you speak of elements, also say that it means different things to be proven. I think that will be clear.

MR. CORRIGAN: I think that is fair, your Honor.

Q There are different things that must be proven in order to establish a case of murder in the first degree. Now, is that clear and plain?

A Yes.

Q Now, those different things that must be proven are that he unlawfully and purposely and of deliberate and premeditated malice, that is, thought beforehand, premeditation, killed his wife. Now, it is necessary, or the Court will tell you that it is necessary that the State of Ohio, the prosecution, must prove all of those elements before they are entitled to a verdict of first degree murder. Will you require the State to prove all the elements before you return a verdict of first degree murder?

A Yes, I would want complete proof.

Q Complete proof?

A Yes.

Q One or two elements, or one or two things is not enough, it must be all?

A Yes, sir.

Q Now, when a verdict of first degree murder is returned, there is included in that, and the Court will include it at a proper time and tell you that there is included lower degrees of murder; that there is included in that murder in the second degree and manslaughter. The Court will charge you on those different degrees of murder, first, second, and third, you might call it. Each of those degrees of murder require certain definite proof, and the proof of certain definite elements just like the first degree murder charge requires.

Will you require the State to prove to you the proper degree of proof to justify a verdict of murder in the second degree or a verdict of manslaughter?

A Well, I would have to have proof to a certain degree.

Q You would have to have proof?

A Yes, sir.

Q All right. I think that answers it.

In reading the newspapers did you see the -- did you ever know Susan Hayes, a girl known as Susan Hayes?

A No, sir.

Q Did you ever hear about her?

A Yes.

Q And in connection with that, did you see the pictures of this young lady in the newspaper?

A I don't recall seeing her picture in that two and a half weeks that I did read anything about it.

Q Do you recall hearing some statement that she made?

A No. Only what I have read in the last, oh, three days, I'll say.

Q And were there some statements made in the paper in the last three days whereby it was stated that Susan Hayes had revealed that she had made public, revealed to the press and it had been made public in the City of Cleveland that she had some intimacies with Dr. Sheppard?

A Yes, I did read that.

Q Now, that fact, standing alone, in conjunction with what his Honor, Judge Blythin, will tell you, that it is necessary to prove each and every material, essential element or thing that constitutes murder in the first degree, and should that testimony about Susan Hayes be submitted to you and you find it has no connection with the elements that constitute murder in the first degree, and the Court instructs you that the testimony should not be considered, would you follow those instructions?

A Yes. I don't believe that her testimony has anything to do



when it comes to a man's life.

THE COURT: Mr. Corrigan, could  
I just interrupt?

MR. CORRIGAN: Yes.

THE COURT: Mrs. Adams, do you  
feel ill?

PROSP. JUROR ADAMS: I am afraid I am  
disturbing the Court by my moving. I have been  
trying to keep from it.

THE COURT: Would you like, with  
the consent of counsel, to step into my office?

PROSP. JUROR ADAMS: I would like very  
much to, and then I wouldn't disturb anything or  
anybody, if I may.

THE COURT: I take it there is no  
objection?

MR. PARRINO: No objection on behalf  
of the State.

MR. CORRIGAN: No objection.

THE COURT: All right. You may  
step into my office.

(Thereupon Prospective Juror Adams left  
the courtroom.)

BY MR. CORRIGAN:

Q Now, the fact that you have knowledge that the young lady,

after making statements to the newspapers and they, in turn, had published her statements about her relationship with Dr. Sam Sheppard, would that create any feeling or does it create any feeling of ill-will, bias or prejudice you at this time?

A No, sir, none whatever.

Q Now, you say you did have a cousin on the Police Department, or your husband had a cousin?

A A cousin of my husband's.

Q But you have no association with him?

A No, we don't. In fact, I couldn't tell you his right first name.

Q You have lived all your life over there in the Brooklyn area, have you?

A In Brooklyn, yes, sir.

Q You are on Schaaf Road?

A Well, beyond there.

Q Is that where the greenhouses are?

A On Schaaf Road they are, yes, sir.

Q Now, we will have this situation, and I want to tell you about it beforehand, before you go into the jury box:

That there will be police officers testify in this case.

I imagine some police officers of the City of Cleveland, maybe of the sheriff's office, of the village of Bay View will testify. You are not acquainted with any of them?

A No, sir.

Q There may be testimony that will contradict police officers. Who you will believe and what you will believe is up to you. Do you understand that?

A Yes, sir.

Q All I want to find out is if you would give more weight to what a police officer would say just because he is a police officer than you would to the testimony of an ordinary lay witness?

A Not because he is a police officer.

Q Now, we will have the same situation in regard to doctors. The State will produce some doctors, officials of the County, the coroner and some men associated with him. We will produce some doctors on certain subjects. Now, the same question: Would you give more weight to the testimony of the doctors, the coroner and the doctors that represent him, merely because they are public officials than you would to the doctors that we produce?

A Not because they are public officials. I would have to hear both of them.

Q You would hear both of them and weigh the evidence?

A Yes, sir.

Q I expect to introduce the testimony of some osteopathic physicians. Would you give the same weight to the testimony of osteopathic physicians, providing they are qualified

properly, as you would to a man who had a degree of medical doctor?

A Well --

Q Let me put it in the reverse: Would you give more weight to the testimony of a man who says, "I am an M.D." than you would to a man who says, "I am an O.D.," Doctor of Osteopathy, merely because he was an M.D.?

A No. It would be just a doctor to me.

Q You would weigh that evenly?

A Yes, sir.

Q And choose that which you thought was most convincing --

A What I heard from them.

Q -- most convincing to your mind?

A That's right.

Q This case will involve, of course, a discussion of the human body. We will deal here with an autopsy of this poor woman and of his opening of her body, the wounds on her body and the blood, and so forth. Is there anything about that or anything in your nature that would make you reluctant to sit in a case that involves that particular matter?

A No, sir, I don't believe it would bother me.

Q Now, there are many questions that have been asked you, Mrs. Prinz. You have been subjected to a rather long and hard examination due to the fact that we think and we are of the conclusion that such examination is necessary in this

case, and you have been answering our questions.

Now, let me put another question to you: Is there anything that has occurred to you that hasn't been touched upon that you have thought about, either during the days that you were down here waiting to be called into this room and during the time that you have been under examination, anything that has occurred to you in all that period of time that would make it hard or difficult for you to be absolutely fair and unbiased in this case?

A No.

Q There is nothing?

A No.

Q You will be undoubtedly subjected to many photographers who gather in the hall as you go out of this courtroom. Will that influence you in any way whatsoever?

A No, no influence.

Q And if you are accepted as a juror in this case, will you state that your decision will be rendered entirely on what you hear here in this courtroom and that you will not be influenced by anybody on the outside?

A On what I hear in the courtroom.

Q Only?

A Yes.

Q And that you will not allow anybody to talk to you about this case?

A No, sir.

Q Or influence you in any way whatsoever?

A No, sir.

Q Because when you, if you are accepted as a juror in this case, when you get through you will know more about it than anybody. You understand that, don't you?

A Yes, sir.

MR. CORRIGAN:

We pass for cause.

THE COURT:

Mrs. Prinz, will you be kind enough to take the second vacant chair there?

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