

Thereupon the defendant, further to maintain the issues on his part to be maintained, called as a witness MARCELLA HAHN, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

By Mr. Corrigan:

Q Will you tell the Court and jury your name?

A Marcella Hahn.

Q Is it Miss or Mrs.?

A Mrs. Marcella Hahn.

Q Where do you live, Mrs. Hahn?

A I live at 22486 West Lake Road.

Q Is your husband living?

A Yes.

Q What is his name?

A Carl Hahn.

Q And what does Mr. Hahn do?

A He is a cabinet maker.

Q How long have you lived in Cuyahoga County, this County?

A About 40 years.

Q Well, you don't look 40. Now, are you employed, Mrs. Hahn?

A Yes.

Q Where are you employed?

A Bay View Hospital.

Q How long have you been employed at that place?

A About three and a half years.

Q And what work do you do?

A I am a nurse.

Q And were you employed there on the 4th of July, 1954?

A Yes.

Q You, of course, know Dr. Sam Sheppard?

A Yes.

Q How long have you known him, Dr. Sam Sheppard?

A Since '51.

Q Have you been in contact with him during that time, from that time down to the time that he was arrested?

A Yes, more or less.

Q Did you make any observation of what kind of a person he was in regard to being an even-tempered person?

A Very even-tempered.

Q Did you ever see him lose his head?

A Never.

Q Now, on the 4th of July what time did you go to work?

A 7:30 in the morning.

Q Were you there when Dr. Sam was brought in?

A Not when he was first brought in, no.

Q When did you first -- did you see him on that day?

A I saw him when he came to the room from the X-ray.

Q When he came from the X-ray?

A Yes.

Q Now, did you make an observation of Dr. Sam when he came from the X-ray?

A Well, yes.

Q Did you look at him?

A Yes.

Q So that you can now tell the jury what he looked like and how he acted?

A Well, he was in a dazed condition --

Q He was what?

A He was in a dazed condition, and he was holding his neck, and saying, "Oh, my neck, my neck."

He seemed to be in a lot of pain, and his face on the right side was bruised, and I remember trying to give him a drink of water, and he couldn't stand it because his teeth were broken and his lip was all cut here.

Q Did you notice at that time the condition -- did you notice anything about pain or evidence of pain about him?

A Oh, yes, he was in pain.

Q You could notice that and you could tell it as a nurse?

A Yes.

Q And did you take care of him that day?

A Yes, I did.

Q And did he evidence pain through the day?

A Yes.

Q In what way, will you tell the jury, Mrs. Hahn?

A Well, his neck had seemed to give him the most pain. He kept holding onto his neck.

MR. CORRIGAN: That is all.

MR. MAHON: No questions.

MR. CORRIGAN: No questions.

MR. DANACEAU: Well, now, is it necessary for Mr. Corrigan to make that kind of a remark when we say "No questions," to repeat it with a surprised expression?

MR. PARRINO: Say it again,  
"No questions."

MR. DANACEAU: No questions. Thank  
you very much.

MR. CORRIGAN: I will ask another  
question then, if you don't want to.

By Mr. Corrigan:

Q Did you notice anything wrong with his sheets during the time  
that you attended him?

A With his sheets?

Q Soiled sheets?

MR. MAHON: Object to the leading  
of the witness.

THE COURT: What is the situation?

MR. DANACEAU: No use asking the question any more. He more or less told her what to answer.

THE COURT: Yes. Objection will be sustained.

MR. CORRIGAN: Well, so there will be no question about it that I am not leading the witness, you may be excused, Mrs. Hahn.

MR. MAHON: Oh, thank you.

MR. PARRINO: Thank you, Mr. Corrigan.

MR. CORRIGAN: We haven't any more witnesses. I thought they would cross-examine our witnesses, and that time would be taken up.

THE COURT: Sir?

MR. CORRIGAN: We haven't any more witnesses today, your Honor. I thought they would cross-examine, so I didn't prepare for the abrupt dismissal of the witnesses.

MR. GARMONE: We subpoenaed the balance of them for tomorrow.

THE COURT: I know, but I hate to lose this time.

MR. CORRIGAN: Well, I can't help it.

I'm sorry.

THE COURT:

I know.

Ladies and gentlemen of the jury, apparently we have exhausted our witnesses available for the day, so we will now have to adjourn until 9:15 tomorrow morning, which we will do without any formality whatever.

In the meantime, please do not discuss this case with anyone.

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(Thereupon at 4 o'clock p.m. an adjournment was taken to 9:15 o'clock a.m. Wednesday, December 8, 1954, at which time the following proceedings were had):