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AFTERNOON SESSION, OCTOBER 22, 1954, 1:15 P.M.

Thereupon RAY J. BANIA, being first duly sworn, was examined and testified as follows:

EXAMINATION OF PROSPECTIVE JUROR RAY J. BANIA:

BY THE COURT:

Q Will you give us your name, please?

A Ray J. Bania. ✓

Q How do you spell that last name?

A B-a-n-i-a.

Q Ray J. Bania?

A Yes, sir.

Q We have it wrong here on the list. And you live at 1808 Buhrer Avenue?

A Yes, sir.

Q That is over on the south side here?

A South side or west side.

Q Yes, that's right. And are you married, Mr. Bania?

A Yes, sir.

Q And have you a family other than your wife?

A Yes, sir, I have a little girl going to be five years old in January.

Q And how long have you lived on Buhrer?

A Seven years now, sir.

Q Seven years?

A Yes, sir.

Q And what is your occupation?

A I am a millwright at the Chevrolet plant.

MR. CORRIGAN: I didn't get that, your Honor.

PROSP. JUROR BANIA: I am a millwright at the Chevrolet plant.

Q Millwright at the Chevrolet plant. How long have you been so employed, roughly?

A Five and a half years.

Q You were here, I take it, on Monday morning?

A Yes, sir.

Q And you saw all these good people here and you heard them introduced at that time?

A Yes, sir.

Q Do you know any of them?

A No, sir.

Q Do you know Mr. Frank T. Cullitan, the County Prosecuting Attorney of this County or any member of his staff?

A No, sir.

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

A I may know a deputy.

Q Who would he be, if you know him?

A The doorman. I know him very roughly. His name is Walter Opalka.

Q And are you friends?

A No. We just know him through living in the same neighborhood.

Q And do you know the coroner, Dr. Gerber, or any member of his staff?

A No, sir.

Q Are there any members of your family, and by your family I mean your own or your wife's, I will put it all in one, if I may, and are there any members of your family who are members of any Police Department or any law-enforcing agency anywhere?

A Yes, sir. A brother-in-law works for the Cleveland Police Department.

Q Cleveland Police Department?

A Yes, sir.

Q And how long has he been in the Cleveland Police Department?

A I would say, roughly, about four years.

Q And do you know what particular division of the Police Department he is assigned to?

A Accident Prevention, sir.

Q Pardon?

A Accident Prevention cruiser.

Q Oh, yes, accident prevention cruiser. Does he live with you?

A He does not.

Q How often do you see him, roughly?

A Sometimes I don't see him for a month, sometimes I see him maybe every two or three days, when the family gets together.

Q Would the fact that your brother-in-law is a member of the Cleveland Police Department have any bearing at all on your judgment in a case of this kind?

A No, sir.

Q You understand that there will probably be police officers and other people in public life, doctors connected with the coroner's office and people of those stations testifying here. It is the duty of a juror to weigh their testimony without regard to their public office or their station in life, their position, no matter how lowly a position they may have in life, as we understand that term. Do you understand that it will be the duty of the jury to weigh everybody's testimony on the same basis?

A Yes, sir.

Q Have you or any members of your family at any time been visited by violence at the hands of any other person?

A No, sir.

Q Do you believe in capital punishment in a proper case?

MR. CORRIGAN: Objection.

A No, sir.

THE COURT: Overruled.

Q Sir?

A No, sir.

Q And how long have you felt that you disfavor capital punishment or have been against it?

A Well, sir, I believe I couldn't take a man's life away.

Q You could not join in a verdict if you knew that it meant capital punishment?

A That's right, sir.

MR. MAHON: Challenge for cause,
your Honor.

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

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