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12-21-1954

## 54/12/21 Sam is Guilty in 2D Degree

Cleveland Press

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### Recommended Citation

Cleveland Press, "54/12/21 Sam is Guilty in 2D Degree" (1954). *All Articles*. 3.

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*Press Herald*

# SAM IS GUILTY IN 2D DEGREE



**Dr. Samuel H. Sheppard was found guilty of second degree murder today by a seven-man, five-woman jury. This spared him from the electric chair, but imposed life imprisonment.**

The jury, which received the case at 10:13 a. m. Friday, flashed its buzzer to indicate that a verdict had been reached at 4:13 p. m.

The buzzer found the courtroom virtually deserted, and resulted in a hurry call for Defense Counsel William J. Corrigan to rush to the courthouse.

Assistant Prosecutor Thomas J. Parrino, the state's attorney, was the first lawyer in the case on the scene.

Dr. Sam's brothers and sisters-in-law, Dr. and Mrs. Richard N. and Dr. and Mrs. Stephen Sheppard, expectantly took seats in the courtroom.

More than 100 newspaper, radio and television reporters rushed to the courtroom from various parts of the Criminal Courts Bldg.

Judge Edward Blythin ordered the courtroom doors locked.

He ordered all photographers from the third floor where Dr. Sam was taken from the jail elevator.

He also ordered a fleet of taxis summoned to rush the jurors to their homes immediately after he dismisses them.

Among the spectators who heard the verdict was Thomas Weigle, first cousin of murdered Marilyn Sheppard.

Dr. Sam was brought to the courtroom from his fourth floor cell manacled to Deputy Sheriff James Kilroy, his constant guard during the 10 week airtight trial.

The small courtroom was charged with drama as all eyes—including the defendant's—watched the seven men and five women of the panel file in to take their seats in the jury box.

At 4:25 p. m. Chief Defense Counsel Corrigan arrived at the building.

He walked past the battery of movie and TV lights and cameras in the lobby.

When Corrigan arrived Deputy Kilroy went up to the jail for Dr. Sam.

The jury-room battle over the innocence or guilt of Dr. Samuel H. Sheppard raged through its fifth day today.

Having already set a record for marathon deliberations in Cuyahoga County, the wife murder trial jurors fought on late today in their locked room on the third floor of the Criminal Courts Bldg.

Despite their report last night that they were "near a verdict," several hours' deliberation into the late afternoon produced no indication of agreement.

Courthouse observers speculated that one or more "holdouts" on the panel were standing firm, resisting all efforts to swing them to the majority viewpoint.

Some observers guessed that the dissenters were women members of the jury—but no one knew the facts except the dozen participants in the lengthy discussion.

There were indications that a showdown may be near, with the jury facing the possibility of dismissal late today unless the members express confidence that further debate may produce a verdict.

Both prosecution and defense attorneys, believing the jurors have had "enough time" to thresh out any compromisable differences, were already making plans for "the second trial."

A retrial of the case would be docketed for early next year if a "hung jury" is dismissed.

Judge Edward Blythin has the sole power of decision over how long the jury should continue its secret arguments.

He insisted that a long deliberation was "quite natural"

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**Dr. Sam Sheppard**



# Jury Deadlock Breaks Record; Argue Five Days

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nal Courts Bldg., told their families:

"We ought to see you before tonight."

The history of long jury deliberations is that they usually end in conviction or disagreement.

Dr. Sam's supporters conceded informally that they would now consider a "hung jury"—requiring a second trial early next year—a "victory" for the youthful osteopath accused of the July 4 murder of his wife, Marilyn Reese Sheppard.

His legal staff told Dr. Sam that a conviction would be only a "temporary setback" in his fight for freedom and vindication.

Chief Defense Counsel William J. Corrigan plans an immediate appeal if the jury's verdict is guilty.

## Judge Sends Message

Judge Blythin indicated he would impose sentence within minutes after receiving a verdict.

The probability of an early verdict brightened last night when Judge Blythin sent his first written message to the locked jury room since deliberation began last Friday at 10:15 a. m.

Bearer of the message, scrawled in the judge's long-hand script, was Bailiff Eddie Francis.

There were two questions on the sheet of paper, the gist being:

"IS THERE ANY HOPE that by further deliberations you may reach a verdict?"

"CAN YOU REACH a verdict tonight, or would you rather quit for tonight and come back tomorrow morning?"

## Within a Few Hours

Francis knocked on the door, and handed the message to the foreman—believed to be

The relatives of Dr. Sam H. Sheppard today were refused permission to continue daily visits to him in his County Jail cell.

Chief Jailer Mike Uccello said the regular visiting day for Dr. Sam's cell block is Friday. An exception was made and visits permitted for the past few days, Uccello said.

James C. Bird, the former schoolteacher who is a Terminal Tower railroad ticket cashier.

The foreman closed the door, consulted with his fellow jurors, and returned with this oral message:

"We feel that we are within a few hours of reaching a verdict.

"We would prefer to quit now and go to the hotel."

Blythin received the report while he was conferring with Corrigan and Assistant Prosecutor Thomas J. Parrino.

The judge immediately dispatched Deputy Sheriff James Kilroy to bring Dr. Sam down to the second floor courtroom from his fourth floor cell.

Dr. Sam looked about, nodded and smiled to his waiting brothers and sisters-in-law, and then sat down. He pulled up a sock, crossed his leg, folded his hands in his lap, and stared at the door through which the jurors would enter.

The jurors filed in two minutes later—their faces tense, but giving no indication of the course of their debate.

Blythin told them "go to your hotel and return as near as possible to 9:15 a. m. to resume your deliberations."

That was all.

The jurors filed out to four waiting taxis and went to Hotel Carter.

Dr. Sam leaped to his feet and whispered into Corrigan's ear. The white-haired defense chief seemed to assure him that he was prepared to take "proper action."

Earlier, when the possibility of a jury disagreement seemed greater, Dr. Sam had asked his attorneys to attempt to obtain his release on bail pending a second trial.

The five choices before the jurors are: Not guilty; guilty of first degree murder, with a death penalty; guilty of first degree murder with a mercy recommendation, requiring life imprisonment; guilty of second degree murder, with life imprisonment, or guilty of first degree manslaughter, with one to 20 years' incarceration.

Or they could fail to agree on any verdict.