



CSU
College of Law Library

Cleveland State University
EngagedScholarship@CSU

[All Articles](#)

[Newspaper Coverage](#)

12-22-1954

54/12/22 Sheppard Guilty, Gets Life; Innocent Doctor Insists

Cleveland Plain Dealer

Follow this and additional works at: https://engagedscholarship.csuohio.edu/newspaper_coverage

[How does access to this work benefit you? Let us know!](#)

Recommended Citation

Cleveland Plain Dealer, "54/12/22 Sheppard Guilty, Gets Life; Innocent Doctor Insists" (1954). *All Articles*. 34.

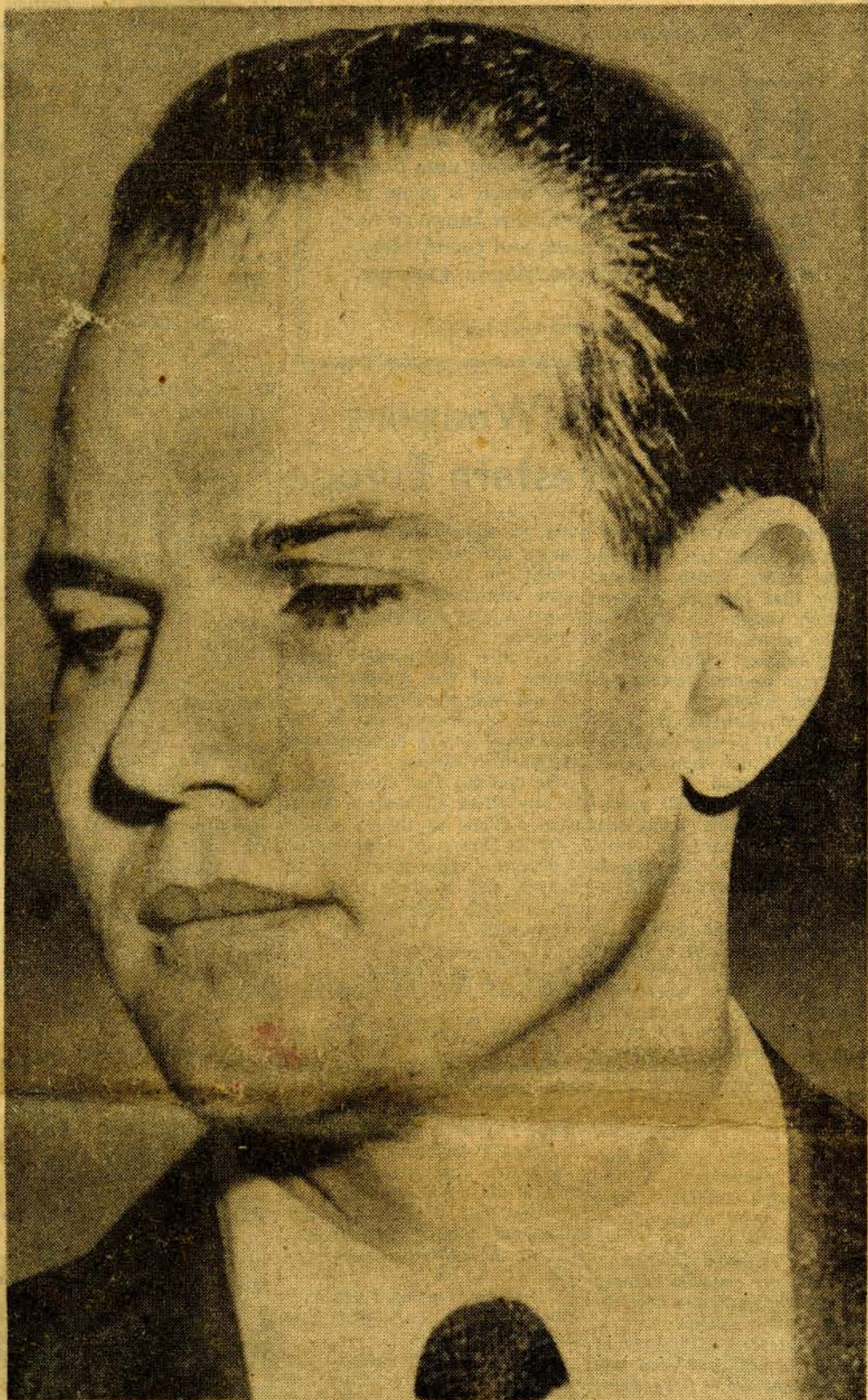
https://engagedscholarship.csuohio.edu/newspaper_coverage/34

This Book is brought to you for free and open access by the Newspaper Coverage at EngagedScholarship@CSU. It has been accepted for inclusion in All Articles by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.



P.D. Final

SHEPPARD GUILTY, GETS LIFE; INNOCENT, DOCTOR INSISTS



AP Photo

CONVICTED AS MURDERER. Dr. Samuel H. Sheppard, 30, was found guilty of bludgeoning his wife, Marilyn, to death by a seven-man, five-woman jury.

SECOND-DEGREE VERDICT COMES IN 102 HOURS

BY TODD SIMON

The jury found Dr. Samuel H. Sheppard guilty of second-degree murder of his wife, Marilyn, yesterday at 4:12 p. m.

Shaken but able to give a 31-word "I am not guilty" speech, the boy-faced osteopath was promptly sentenced to "life" in the Ohio Penitentiary. In 10 years he could be paroled.

That is the inescapable punishment brought on by the jurors' agreement, reached after they had considered the evidence 39 hours and 23 minutes. They had been out some 102 hours in all.

Common Pleas Judge Edward Blythin

Full Page of Sheppard Case Pictures on Page 40

meted out that penalty over the objections of Dr. Sam's chief counsel, William J. Corrigan.

"Why sentence him now, before I file a motion for a new trial?" protested Corrigan. "Oh, go ahead. It's just indicative of the whole thing."

Corrigan Shouts

Corrigan tried to talk to two jurors. Court was still going on. He got called down for it.

"I object to the way this whole case was tried!" he shouted. But he moved away from the jury box and apologized at last to the judge.

And his white-faced client, who will be 31 on Dec. 29, was taken handcuffed upstairs to his fourth-floor County Jail cell. That has been his home almost constantly since he was arrested July 30.

He threw one last, terrible look back at the jury that had branded him a brutal murderer. His eyes burned in an angry scowl. Up to now he had turned only a prayerful or interested face toward the jurors.

He will not be shipped off to prison for a while. Corrigan got a stay of execution.

That staves off the ride to Columbus while Corrigan argues for a second chance in court at 9:30 a. m. on Dec. 30, files an appeal and maybe a plea to let Dr. Sam out on bail.

One long, firm buzz signaled the end of the jury's marathon debate over the dim, wood-paneled court, where the case ground along for nine weeks and three days. Twelve minutes after 4.

Bailiff Nervous

Bailiff Edgar Francis went up. One could tell it meant a verdict. Francis' hand trembled and he fumbled for seconds, trying to get his key into the lock of the judge's office door.

Twenty-six minutes of unbearable tension then, before Judge Blythin got the verdict and read it:

"We the jury, being duly impaneled and sworn, do find the defendant, Samuel H. Sheppard, not guilty of murder in the first degree * * *"

There was the smallest pause—gasps. Sam's eyes flew open.

"* * * but guilty of murder in the second degree. Signed James C. Bird, foreman."

Dr. Sam's jaw fell. The faces of his brothers, Drs. Richard and Steve, began flushing fiery red.

Corrigan asked in a steady voice for the usual recheck. He showed no sign then of disappointment in this monumental courtroom defeat.

Judge Blythin polled the jury: "Is this your verdict?" The bailiff read off each name. All answered "Yes" or "Yes, sir."

That meant that the seven men and five women decided it was Dr. Sam who beat out the life of Marilyn Sheppard "maliciously and purposely," but not "deliberately and of premeditated malice," which is first-degree murder, on July 4 as she lay in her bed.

The next climax: Dr. Sam's speech.

"Sam Sheppard, will you come up here, please?" said the judge.

(Continued on Page 15, Column 2)

DR. SHEPPARD GUILTY; GIVEN LIFE SENTENCE

(Continued From First Page)

With the man before him, Blythin told him he had been found guilty of second-degree murder and asked: "Is there anything you want to say now why sentence should not be pronounced?"

"I would like to say, sir, that I am not guilty," said Dr. Sheppard. "I feel that there was proof presented before this court that definitely proved that I couldn't have performed this crime."

"All right," said Judge Blythin, "but a jury has found otherwise."

"It is now the judgment of the court that you be taken to the Ohio Penitentiary, there to remain for the rest of your natural life."

That is the formal way of imposing this sentence.

This was when Corrigan's protests cut in across the court's words. He went to the front rail of the jury box and in low voice began talking to Mrs. Louise K. Feuchter, Juror 5.

Judge Gives Warning

"I can't * * * not now," said the gray-haired woman, whose kindly smiles had vanished from the moment the jury got the case.

Corrigan kept on.

Judge Blythin warned him: "I wish you would not talk to jurors. Court is still in session."

Snapped Corrigan: "The case is finished. They can talk."

The air got stormy. Corrigan unfurled a blanket objection to the whole affair.

Judge Blythin cut in: "Let the record show that Mr. Corrigan attempted to talk to two of the jurors after being admonished that court was still in session."

Corrigan had stepped back a pace and muttered something to Jack Hansen, husky plant foreman, Juror 6, sitting in the rearmost seat in the front row.

"All right, I apologize," said Corrigan, going away from the jury box and walking around the back of the trial table to the defense side.

Often he had sat questioning witnesses and left his scribbled trial notes on the rail under the noses of these two jurors.

Thanks Jurors

"Your apology is accepted," said Judge Blythin. "You and I have known each other too many years to have any difference over this, Mr. Corrigan."

These two knew each other as young men.

Then the judge poured out brimming measures of thanks and praise to the jury.

"If I were the most eloquent person in the community, I would find it hard to express my appreciation for your patience, diligence and general sincerity in the progress of this trial and your deliberations right up to your finding of a verdict," he told the jurors.

"This community appreciates what a problem was yours."

"You are a splendid group of people. That's exactly what you are."

"You have expressed as eloquently as can be expressed the value of a jury system. Thank you again, and you are now dismissed."

They rose. But the jurge sat them down again with "just a moment."

One Reporter Brings Word

"You have seen these newspapermen here and sometimes we think they disturb us," he continued. "We don't really get mad at them, but sometimes we feel irked."

"If any of you want not to be pestered, make that decision now. If any of you want to be interviewed after you leave this court and this building, that is up to you."

"But I feel these things have

a sacredness. You have had a confidential relationship here that perhaps you should protect."

At 4:48 it was all over. Doors, locked except to one "pool man," Sanford Sobul, veteran Cleveland News reporter, were opened.

Sobul had brought the word—"Bird foreman, guilty of second"—to newsmen waiting in the corridor to run and rocket the word out to the world.

Inside, newsmen crowded

around Corrigan, around the brothers of the defendant, Drs. Richard N. and Stephen A. Sheppard and their wives, plainly sick with the jury's judgment.

Silent on Question

Q.: "Bill, what did you ask Mrs. Feuchter?"

A.: "I won't tell you."

Q.: "Bill, what do you think of the verdict?"

A.: "I'm a lawyer, an officer of the court. I won't say anything about the verdict."

Oyster-like in his silence, he would not tell what errors he would accuse the court of committing in the trial in his motion for a new one. This he must file by Friday, alleging irregularities.

Judge Blythin decides if those are serious enough to start the courtroom warfare all over.

Said Dr. Richard: "I feel a great injustice has been done."

County Prosecutor Frank T. Cullitan said: "If Sam Sheppard had been acquitted nobody else ever would have been brought to trial for this murder. This is the right man."

Cullitan fought the trial from his swivel chair downstairs, kept out of the courtroom by doctor's orders.

Said Assistant County Prosecutor Thomas J. Parrino: "They deliberated many hours and I think their verdict is fair."

"You cannot criticize the jury for what it did," added Saul S. Danaceau, another prosecutor.

Because his mother, 91, died early in the morning, John J. Mahon, leader of the state's attorneys, was not in court at the trial's end. His swearing in as a common pleas judge was to have been today. It was put off to a week from tomorrow.

Police Officials Wait

All the other attorneys who had fenced and shoved through the trial since it began Oct. 18 were present except Defense Counsel Fred W. Garmon. So were Detective Chief James E. McArthur and Detective Sgt. Harold C. Lockwood. They had sat on the state side all along.

"Justice has been done," said McArthur, "by 12 honest people."

All the charges of "police bungling," "third degree" and "incompetence" stomached by his department welled up in him.

Asked if he could name any one, two or three men who really brought on this conviction, he replied: "It was team-

work, co-operation. Everyone did a marvelous job. I'm proud of my men."

Dr. Sam's guard had been increased for his last trial appearance. Deputy Sheriff Harry Rapp was added to the detail, and the sheriff, Joseph M. Sweeney, Chief Jailer Michael Uccello and Chief Deputy Harvey Weitzel ringed the defendant and his lawyers.

The deputy who was Dr. Sam's shadow all through the trial, James Kilroy, was the one who went upstairs with him. Almost as close to the nationally-known osteopath as was the heavy Schantz collar he wore on his injured neck after the July 4 killing, Kilroy's picture had been printed with Dr. Sam's all over the country.

Tells Other Prisoners

"He didn't say anything to me on the way up," said Kilroy. "Only what he said in court. He went up like he always does."

"Then he told the other guys in his cell block: 'They found me guilty of second degree.' That's all."

The jurors got their last pay up in their room, thanks to three court clerks. They took the vouchers up there and dealt them out. They were Howard Reid, Nick Gavan and Emil Haripar.

A big police cordon came over from Central Police Station to make gangway for the jurors through a noisy, choppy sea of cameramen and news hunters. The jurors made it into their four-cab flotilla out in the slush.

From there they went to Hotel Carter, picked up their overnight bags and clothes. Then they left for the homes they had not seen since early Friday morning and for their trip back out of the public's gaze.

And at that time the convicted killer of Marilyn Sheppard, the 31-year-old, pretty victim, was getting out of his gray flannels and black knitted tie and into a blue slack suit in his cell.

Declines Interview

Back, also, into "his usual self," said a deputy who took a note to him asking if he would let himself be interviewed. The answer was—as it had been all through these four months and more—"See my lawyer."

"Call the fourth floor and tell Sheppard to get ready," Jailer Uccello had ordered a few seconds after the jury pushed its buzzer button. That was to give him time to dress.

It took time for the courtroom to shake itself out of the untidy, yawning, time-killing mood of the long vigil.

Court Reporter Sanford Lester put away his "Word-A-Cross" game. He had been playing it at the front end of the trial table with Mrs. Theo Wilson, who covered the trial for the New York Daily News.

One wire service reporter had fallen asleep in Jury Seat 12, that of Mrs. Luella Williams, after lunch. Two television men,

one with a camera, one with a floodlight, almost caught him that way. But one of his fellows on the same wire service yelled his name and roused him in time.

Drs. Richard and Stephen lit cigarettes and waited. Corrigan had to be summoned from his office. Steve's wife, Betty, sat between the two doctors. Richard's wife, Dorothy, sat behind the back rail, alone.

When Corrigan got to court at nearly 4:30 he peeled off coat, hat and rubbers in the judge's quarters, chewing gum, saying nothing until all was ready and he said to Bailiff Francis: "Is the jury ready?"

Letters and telephone calls were still tumbling in to the main personalities involved in the case. Dr. Sam has received as many as 42 letters a day, said Sheriff Sweeney.

Prosecutors are given new "tips" and "solutions" still. Sheppard champions of the "bushy-haired intruder" theory still nominate new suspects.

And with the appeals yet to come and with nobody maintaining he can prove what actually happened at 28924 West Lake Road early on this last Independence Day, this flow of rumors and clues was sure to go on for a long, long time.



DR. RICHARD N. SHEPPARD asked his brother, Dr. Samuel H., at the murder scene: "Sam, did you have anything to do with this?" He was quoted in testimony by a state's witness.

INVESTIGATOR for the defendant and official medical consultant for his lawyers was Dr. Stephen A. Sheppard, who gave key testimony in the fight to save his brother, Dr. Samuel H., from prison.