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Buzzer Hum Brings Trial End

By ROBERT CLIFFORD and FORREST ALLEN

Three soft, short hums on a buzzer. . . .

This was it—
... the end of the trail that started when Marilyn Reese Sheppard was murdered on the morning of July 4. . . .
... the end of the trial of Dr. Samuel H. Sheppard that began Oct. 18 in this somber little courtroom.

4:12 p. m., Tuesday, Dec. 21. The hand of Jury Foreman James C. Bird had pressed a button in the locked deliberation room, where seven men and five women had argued for five days in quest of a verdict.

Now they were agreed . . . and the buzzer signaled their readiness to emerge from the third floor sanctuary and speak out in the second floor courtroom.

Bustle in Courtroom

Bustle and confusion in the courtroom as the prosecution and defense attorneys were summoned to the scene.

Tense and strained by the nerve-wracking experience of the longest trial and lengthiest jury deliberation in Cuyahoga County history, Dr. Sam's loyal kinfolks—his brothers, Dr. Stephen and Dr. Richard, and their wives—took their seats.

At 4:30, William J. Corrigan, white-haired chief of the defense staff, arrived to take his seat at the counsel table, glowering at his rivals, Assistant Prosecutors Saul S. Danaceau and Thomas J. Parrino.

Deputy Sheriff James Kilroy went up to the fourth floor cell block for the central figure of the courtroom drama—Dr. Sam Sheppard, handsome osteopathic neuro-surgeon, one-time quarterback of the Cleveland Heights High School football team, former head of the medical phase of Bay Village Civil Defense.

Dr. Sam came to the courtroom door with the firm step of a surgeon approaching the operating room. He paused for Kilroy to remove his handcuffs, flashed a half smile at his relatives, and sat down between Corrigan and his associate counsel, Arthur E. Peter-silge.

4:36. All conversation died as the solemn-faced jurors marched in. Dr. Sam frowned, squinted, swallowed hard, bit his lips and breathed rapidly as they settled into their seats in the jury box.

"Everybody please rise," called the voice of Bailiff Eddie Francis.

Judge Mounts Bench

Judge Edward Blythin, 70-year-old former mayor of Cleveland, mounted the bench, his white hair contrasting sharply with his black robe.

"Ladies and gentlemen," he asked, "have you arrived at a verdict?"

Bird stood up, a fateful envelope in his hand. "We have,"

he said.

Francis took the envelope and handed it to the judge.

Clenches Crucifix

Dr. Sam closed his eyes and clenched a crucifix in his hand. His scowl faded and was erased by a half-smile as Blythin's rich Welsh accent began reading the verdict:

"We the jury do find the defendant Sam Sheppard not guilty of murder in the first degree. . . ."

But the defendant's smile disappeared as Blythin continued:

". . . but we do find Sam Sheppard guilty of murder in the second degree. . . ."

Slumps in Seat

Blythin lifted his eyes from the legal form. "Is this your verdict, ladies and gentlemen?" he asked the jurors.

They nodded.

Dr. Sam slumped. Young William H. Corrigan, son of the defense chief, put his arm across the osteopath's shoulder.

The elder Corrigan was on his feet. He demanded that the jury be polled.

Blythin asked: "Is this your verdict?"

Francis read off the names of the 12 people thrown into control of Dr. Sam's future by the lottery of jury selection—Mr. Barrish, Mrs. Borke, Mr. Verlinger, Mr. Lamb, Mrs. Feuchter, Mr. Hansen, Mrs. Foote, Mrs. Orenstein, Mr. Bird, Mr. Moravec, Mr. Kolarits, Mrs. Williams . . .

Only Varied in Tone

The answers were different in tone—some loud and clear, others soft and scarcely audible—but all the same word: "Yes."

Dr. Sam shook his head in disbelief. He had been convicted of the murder of his high school sweetheart—the mother of his only son—the pretty wife he called "the only woman I ever loved or will love."

And the verdict of guilty came four days before Christmas—eight days before his 31st birthday.

Corrigan's voice was booming: "I would like now to file a motion for a new trial and fix a time for the motion to be heard—some time after Christmas."

Blythin set the hearing for Dec. 30—the day after Sam's birthday.

Eyes Shift to Sam

And suddenly the courtroom focus shifted to the young man who had just been branded a murderer by a jury of his peers.

"Dr. Sam Sheppard," Judge Blythin called, "you will come up here, please."

Kilroy escorted the convicted defendant before the bench.

Blythin said sternly: "This jury has found you guilty of murder in the second degree. Do you have anything to say?"

Dr. Sam shifted his feet, half turning to face the 12 jurors

who had ruled him a killer and a liar. He spoke in a firm, clear voice:

"I would like to say, sir, I am not guilty. I feel there has been evidence presented before this court that definitely proves I could not have performed this crime."

Blythin responded:

"This jury has found otherwise.

"The judgment of this court is that you be confined in the Ohio State Penitentiary for life."

* * *

"... for life . . ."

The words reverberated through the quiet courtroom.

"I think you should hear my motion for a new trial before you pass sentence," Corrigan objected.

"This case will be handled the same as any other," Blythin said.

Outburst by Corrigan

Corrigan turned angrily, blurting "This is indicative of the way the whole thing has been conducted."

He paused before Juror No. 5, Mrs. Louise Feuchter of 3541 Warren Rd. Gesturing, Corrigan hurled an accusation that Mrs. Feuchter had made a remark prejudicial to his client.

"No, I didn't," she replied, pushing his hand off the jury rail.

Corrigan seemed about to engage another juror in argument, when Blythin called out: "Mr. Corrigan, I wish that you would have no communication with any of the jurors while this court is in session. Please desist."

"I have a right to talk to the jurors," Corrigan shouted. "I want the record to show my exception."

Apologizes to Judge

"Let the record show that Mr. Corrigan tried to speak to one or more of the jurors while court was in session," Blythin instructed the court stenographer.

Corrigan paused. "I apologize," he said.

* * *

"Your apology is accepted," Blythin replied. "We have known each other too many years for our friendship to be broken by this."

And that was the last legal verbal pyrotechnic of the 10-week trial.

Dr. Sam, his jail-pale features chilled into a frigid frown, watched Kilroy clap a handcuff on his wrist. He nodded at his unsmiling—but not weeping—relatives as he followed his guard back to his bare cell.

Praises Jury

Blythin, the patient jurist who had resisted pressure to force an earlier verdict or dismiss the slowly deliberating jury, turned to the panel which had vindicated his judgment.

"I may not be an expert in finding apt words to express my feelings to you jurors," he said warmly. "If I were the most eloquent man in the world, I would be at a loss to

express the appreciation of the court for the patience, diligence and sincerity shown by you during the progress of this case.

"The court appreciates and the community appreciates your problem. You heard many witnesses; you heard much testimony. Your task was not a simple one.

Calls Case Complicated

"The case was complicated. It touched the heartstrings and aroused sympathy.

"I want to refer to your long incarceration.

"You are a splendid group of people. We are grateful to you for your service. You have been a credit to the community and to the jury system of our country."

Then Blythin, glancing at the 80 reporters present, gave the jurors this observation:

"Newspapermen sometimes become annoying. . . . If you do not want to be pestered by them when you leave this courtroom, decide that for yourselves right now. You may say that you do not want to be interviewed.

"If, after you leave here, you want to be interviewed, you may be.

"But I have always thought these things had a sacred element—I always felt there was a sacred element about the things you discussed in the secrecy of your jury room."

Dismisses Jury

4:49 p. m. "Thank you very much," Blythin said. "You are now dismissed."

Escorted by uniformed police and detectives, the ladies and gentlemen of the jury left the court where—probably the first and last time in their lives—they had wrestled with the awesome responsibility of deciding the life or death of a fellow human.

They stepped out into a snow-covered world of Christmas carols, holiday lights, yule trees, last minute shoppers. . . . People rushing home to their families and friends.

Upstairs, in his fourth floor cell, facing at least 10 long years behind bars—a year longer than his marriage to the murdered Marilyn—Dr. Sam waited for Corrigan.

Must Tell Chip

Stephen and Betty Sheppard, holding hands, pushed their way out of the courtroom, and started for their Rocky River home. How would they break the Christmas news to Sam (Chip) Sheppard Jr.?

Richard and Dorothy Sheppard walked out, too. Outside the courtroom, Dorothy briefly burst into tears—then restrained her emotions.

The prosecutors quietly congratulated each other.

Cleveland's "trial of the century" was over.

* * *

Corrigan, coming down from the jail, was asked by a reporter: "What does Sam have to say?"

"Nothing printable," he replied tartly.