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54/12/18 Jury Deadlocked; Talk of Visit to Murder Home

Cleveland News

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MSL

ACADEMIC ENDEAVORS

JURY DEADLOCKED; TALK OF VISIT TO MURDER HOME



Members of the jury who will decide the guilt or innocence of Dr. Sam Sheppard in the brutal murder of his wife, Marilyn, ate breakfast at Hotel Carter today before resuming their deliberations in the Criminal Courts Building. James C. Bird (right foreground) has been selected as foreman of the panel.

Long Debate Continues on Trial Verdict

BY HOWARD BEAUFAIT

The jury deliberating the fate of Dr. Samuel H. Sheppard late today was reported considering another visit to the Bay Village home where his wife was beaten to death last July 4.

Common Pleas Judge Edward Blythin declined to say whether the extraordinary request to revisit the murder scene had reached him, but he did observe:

"The jury has seen the house. All the evidence is in."

Such a request would be without precedent in local homicide trials, but attorneys pointed out that since the house is one of the exhibits in the case the jury might legally inspect it again.

The five-woman, seven-man jury inspected the murder house at 28924 West Lake Rd., immediately after they were sworn in at the trial Nov. 3.

The jury passed its 14th hour of deliberations without reaching a verdict that will mean freedom, or imprisonment for the 31-year-old osteopath.

The panel was reported engaged in a thorough examination of the 240 exhibits submitted to them by state and defense counsel during the nine week trial.

The jurors were reported scrutinizing several police photographs of the murder scene, including a trail of blood spots.

There was strong indication that the jury did not expect to reach a verdict tonight and would continue their debate tomorrow. Several members asked what arrangements could be made for church attendance Sunday.

Before the luncheon recess the men and women jurors showed signs of breaking out of their long deadlock. They cast several ballots, indicating the possibility that a tide for or against Dr. Sam was changing into compromise.

There was no indication from the carefully guarded jury how they were voting. At least one woman juror was reported to be standing firm for acquittal.

When Judge Blythin ordered the five women and seven men jurors locked up for the night in Hotel Carter they had completed nine hours of bitter argument over the guilt or innocence of the handsome, 31-year-old defendant.

At the noon recess, Dr. Sam was again brought into the courtroom. He smiled weakly as he faced the jurors. Several members of the panel gave him a quick glance for the first time. The entire venire seemed more cheerful than they did when they were sent to bed last night.

Most observers at the Criminal Courts Building believed that a not guilty verdict had been virtually eliminated from the jury discussion because of the length of time jurors have been debating the life or death issues.

A quick verdict, it was theorized, would have been acquittal.

Indicates Weekend Session

Judge Blythin would not estimate how long he would keep the jury out before discharging them, but he indicated he would keep them together over the weekend and accept a verdict on Sunday if necessary.

When jurors filed into the courtroom at 10:30 last night and agreed by a nod of their heads that they had been unable to reach a verdict, one woman juror looked directly at Dr. Sam seated at the trial table. The 11 other jurymen did not glance in

the defendant's direction.

One woman juror was red-eyed and appeared to have been weeping. All 12 members of the panel were grim faced.

Orders Jury to Hotel

"I assume you have not been able to reach a verdict," Judge Blythin said as he ordered the jury to the hotel for the night.

Continued on Page 2, Column 3

Jury Starts Second Day Of Deadlock

Continued From Page 1.

and then again they were not to discluss the issues, or permit anyone to discuss the case with them during the overnight recess.

Deliberations were started again at 9:15 this morning.

Five verdicts are possible, ranging from death in the electric chair to life imprisonment or acquittal.

While jurors were balloting throughout the evening, Dr. Sam, played cards in his County Jail cell two floors above the courtroom. He was brought to court when the panel was dismissed for supper and again when they broke off for a night's rest.

Dr. Sam Scans Jury

Dr. Sam on each occasion looked intently at each juror as they filed into the box, attempting to interpret the expression on their poker faces. He clasped his hands behind his back.

Jurors faces told him nothing, except that they were ignoring his presence and that they were weary and deeply concerned with their problem.

This morning he paced nervously around his cell. He was visited by his brothers, Drs. Richard and Stephen, and their wives.

Judge Blythin said there was no time limit to the jury deliberations.

"I don't think there is any limit," the judge said. "Even Sunday is a fine day. As long as the defendant is in court, I don't think there is any law against deliberating or returning a verdict on Sunday.

Bailiffs Edgar Francis and Simon Steenstra are in charge of the jury during their breaks for meals and sleep. It was reported the jurors had elected as their foreman, James C. Bird, 42, of 1956 Green Rd., a former school teacher and now employed as a cashier at the Cleveland Union Terminal. It had first been reported that William C. Lamb was foreman.