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54/08/25 Dr. Sam to gamble life on jury trial

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MSL

ACADEMIC ENDEAVORS

Dr. Sam to Gamble Life on Jury Trial

Dr. Samuel H. Sheppard has tentatively decided to gamble his life on a jury trial.

His decision to do this, rather than submit his fate to a panel of three Common Pleas judges, is a calculated risk.

In a jury trial, a unanimous verdict is required in a criminal case. Two out of three judges could make a ruling.

Defense Attorneys William J. Corrigan and Fred Garmone are both experienced trial lawyers with records of considerable success before juries.

Caretaker Hired

Decision on the trial, which probably will be in October, was learned today as prosecution and defense attorneys squabbled over possession of the home at 28924 Lake Rd., Bay Village, where the 30-year-old osteopath is accused of murdering his pregnant wife, Marilyn, on the morning of July 4.

Since the slaying, the lawn and grounds have been neatly maintained by a man hired by Dr. Sheppard. "Marilyn would have liked it that way," he has explained.

But the victim's husband and his family have been barred from entering the house of tragedy except when accompanied by police.

Corrigan and Garmone conferred today to determine what action they may take to reverse the refusal of Prosecutor Frank T. Cullitan to return the home to the Sheppard family.

Assistant Prosecutor John J. Mahon said the house would remain "impounded as evidence" until after the murder trial.

Jury to View House

"We want the jury to come out and examine the premises to get a clear picture of the scene and the impossibility of Dr. Sheppard's version of the crime," he said.

Coroner Samuel R. Gerber said he would return the downstairs couch on which Dr. Sheppard says he was dozing when he heard his wife cry for help on the murder morning.