

your job is doubly serious, because, ladies and gentlemen, at your hands might rest the life -- does rest the life of this defendant, ladies and gentlemen, and so you do have a serious job.

I want you to be open-minded, give credit to the testimony of those witnesses whom you think are entitled to credit, and disregard that testimony of witnesses who you feel are not telling you the truth about the facts in this case. Analyze thoroughly all of the evidence, ladies and gentlemen, so that when your verdict is finally agreed upon, it will be a verdict that responds to the evidence and to the law, so that full and complete justice shall be done, justice for this defendant, and equal justice for the people of this community.

May I thank you.

THE COURT: Ladies and gentlemen of the jury, we will now be adjourned until, shall we say, nine o'clock tomorrow morning. I would like to get a fairly early start, but if we are not all here at nine o'clock we will not, of course, until we all are here, but as soon as possible after nine o'clock, I would like to have the court convene.

In the meantime, will you be very careful --

now we are in the closing stages -- not to discuss this case or reach any point whatever where you are seeking or securing any information or notions or statements from anybody about it. The law of this State provides that when a jury is charged with the final word in the case, and a jury proceeds in the secrecy of its jury room to deliberate and to determine the issues that are to be determined, that from that point on, and continuing until such time as they and the Court together, if that should have to come to pass, are not able to agree -- or, rather, they and the Court are agreed that the jury cannot agree upon a verdict, or a verdict is rendered, the jurors must be kept together. This case is important. It may take you a short time, nobody knows. It may take you some time, nobody knows. But, in any event, I am sure you appreciate the fact that it is a case that does need deliberation and care in its decision, whatever that decision may be, and for that reason, it may go over tomorrow. If it does, it will be necessary for you to remain in the comfort -- some people think it is discomfort -- of a downtown hotel. The Court will take care of all of those details, if they are to be taken care, so I am saying that to you

now so that you may come tomorrow morning prepared, if necessary, to remain in a downtown hotel tomorrow night under the care and as guests of the Court and its officers.

MR. CORRIGAN: I except to the instructions of the Court.

THE COURT: Sir?

MR. CORRIGAN: I except to your instructions.

THE COURT: What is erroneous about it?

MR. CORRIGAN: I say I except to your instructions.

THE COURT: Oh, yes. All right.

Without any formality at all, we will be adjourned until 9 o'clock tomorrow morning.

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(Thereupon at 4:15 o'clock p.m. an adjournment was taken to 9 o'clock a.m., Friday, December 17, 1954, at which time the following proceedings were had):