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AFTERNOON SESSION, OCTOBER 29, 1954, 1:45 P.M.

THE COURT: Ladies and gentlemen of the jury, we have still our problem with us, and we have come to the conclusion that we should now adjourn the formal hearing in this matter until 9:15 on Monday morning.

I wish now that you are about to leave here and to be gone for the weekend to anew caution you, and I hope that you will not think that I am repetitious and want to make a nuisance of myself in talking to you, but the law of this state requires that I do so.

It is your duty not to talk about this case to anyone, nor to permit anyone to talk about it to you, nor to remain anywhere where other people are talking about it amongst themselves. You are not to talk about it among yourselves, in your jury room or elsewhere. It is your duty as sworn jurors to keep your own individual counsel and to wait, without forming any opinion or judgment whatever, until all the evidence has been heard and the Court has given you instructions as to the law and you are in your jury room to deliberate and to decide the issues in this case. That is the first time you are to discuss it with anybody in any way, shape or manner.

I mentioned the matter yesterday or the day before, and I will do so again as part of what I am now saying, that I would suggest to you and caution you that you do not read any newspapers during the progress of this trial, that you do not listen to radio comments nor watch or listen to television comments, insofar as this case is concerned. You will feel very much better as the trial proceeds, I am sure, and I have no idea what is going to develop in the trial any more than you do, but I am sure that we shall all feel very much better if we do not indulge in any newspaper reading or listening to any comments whatever about the matter while the case is in progress. After it is all over, you can read it all to your heart's content, because we all have to, when we come to the serious business -- and it is serious business, of course, serious to the State and it is certainly serious to Sam Sheppard and his counsel; it is serious to everybody in the picture -- we ought to be equally serious as the matter itself, and we should be sure that we are keeping ourselves as good citizens in the position where we can listen to that testimony without being influenced in any way, shape or manner by what may be surrounding in the air and which may have no basis in fact. Will you be good

enough -- as good citizens you have an important duty to perform -- to observe that caution during the week-end and during the entire progress of this trial?

Without any formality at all, we will now be adjourned until 9:15 on Monday morning.

(Thereupon a discussion was had between Court and counsel, out of the hearing of the jury, after which the following proceedings were had in the hearing of the jury:)

THE COURT: Counsel called my attention to the fact, too, that, as you must know by this time, it would be a very serious matter for anybody, no matter what their purposes or views, to communicate with you in any manner about this case. If anything like that should happen, no matter how trivial, how unimportant it may be -- it may appear upon its face, no matter what it is, will you be good enough to immediately report it to the Court? The Court has a telephone in his home. You may call on week days, night or day, or on Sunday. If you are not able to reach the Court, will you be good enough to reach counsel for the State or counsel for the defense? But in any event, make the matter known. And I would prefer it be made known to the Court, because the Court would then communicate it to both parties

at the same time. We want to be fair one with another, as well as to the entire picture itself. So if any communication comes of any kind, please do not hesitate immediately to report it to the Court. Thank you very much.

(Thereupon an adjournment was taken at 2:00 o'clock p.m. to 9:15 o'clock a.m., Monday, November 1, 1954, at which time the following proceedings were had:)

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