

Judge, Jury Tiff Over Smugglers

Because a juror argued with the judge, a federal jury today is re-deliberating the fate of three defendants it acquitted and four others it convicted of conspiring to smuggle planes to Palestine.

This is what happened last night in U. S. Judge Pierson M. Hall's court:

The jury acquitted Herman M. Greenspun, Las Vegas, Nev.; Sam R. Lewis, Los Angeles, and William Sosnow, New York City.

It convicted Service Airways, a New York corporation; its former president, Adolph W. Schwimmer; Ray Selk, Los Angeles, and Leo Gardner, North Hollywood.

When the verdict was read, Juror Marshall Chlavin stood up in the jury box and demanded to know what would be done about a recommendation of leniency for those convicted.

Judge Hall replied: "I instructed you that punishment was not to be taken into consideration. That is my responsibility."

Chlavin then said without the recommendation of leniency, he would change his vote to acquittal of all seven defendants.

Judge Hall ordered the jury to re-deliberate. They were locked up for the night and continued debate today.