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11-5-1954

54/11/05 Garmone Traces Murder Events

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Cleveland Plain Dealer, "54/11/05 Garmone Traces Murder Events" (1954). *All Articles*. 217.

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VISITOR at the Sheppard murder trial was Dr. Frank P. Corrigan (left), former United States ambassador to Venezuela, shown with his brother, William J. Corrigan, defense chief for Dr. Samuel H. Sheppard. Dr. Corrigan is an observer for the American College of Surgeons at the United Nations.

GARMONE TRACES MURDER EVENTS

Raps 'Conjectures,' Gives Defense Version

Here is a summary of the opening statement by Defense Attorney Fred W. Garmone at the murder trial of Dr. Samuel H. Sheppard.

Garmone began, and stressed this theme throughout, by charging that Mahon had asked the jurors to find Dr. Sam guilty on the basis of "reasonable conjectures and inferences on top of inferences."

The defense attorney emphasized that his side would present "positive" and "direct" evidence and "proper proof."

Garmone's remarks are summarized except where his words appear in quotation marks:

"The last four months of the married life of Marilyn Sheppard and Dr. Sheppard were the happiest."

Home in Wife's Name

He purchased a home and put it in the name of his wife. He took out insurance in the amount of \$20,000 and designated his wife and son as beneficiaries. He endorsed his salary checks and turned them over to Marilyn.

Witnesses for the state and defense will testify Dr. Sam "was a man who was possessed of a gentle nature." They will also testify he "devoted his life to saving life, not a man who would take a life away from anyone."

They will prove "to your satisfaction that he loved Marilyn Sheppard with great tenderness."

Shortly before the murder Marilyn announced she was pregnant at a Sheppard family party. She said she would name the child, if it were a boy, for Dr. Stephen A. Shepard, the defendant's brother.

Prepared for Picnic

She spent the day before the murder preparing for a picnic in the couple's yard.

When the Aherns arrived on the night of July 3 (Mr. and Mrs. Don J. Ahern, neighbors of the defendant) Dr. Sam took his son and the Ahern children to his basement and showed them how to use a punching bag.

Afterward, in the presence of the Aherns, Dr. Sam and Marilyn "shared the same chair and displayed affection toward one another." Later, with the defendant asleep on the couch, the Aherns left, closing the street door behind them, but not locking it.

"They had no knowledge if the door was opened after they closed it."

Aroused by Cry

Dr. Sam was aroused by a cry from Marilyn. He struggled with an intruder and was knocked unconscious by him—once in the house and later on the beach. In this period he checked his son's room to see whether he was all right and went to his wife's room and tried to take her pulse.

Finally recovered, Dr. Sam telephoned Bay Village Mayor J. Spencer Houk, who arrived

with his wife. They entered the home by simply opening the street door.

"I shall not relate what the evidence will show on this particular scene (the defendant's initial conversation with the mayor) because I want you to hear it from the witness who was right there in that room."

Throngs in House

Other Bay Village authorities arrived, and later "many people were permitted to enter, run in and out, up and down and in and out every room."

The injured defendant was ordered to Bay View Hospital by Dr. Steve—not to "whisk him away." Dr. Steve first informed Police Chief John P. Eaton of the move.

At the hospital he kept repeating to an X-ray technician: "I tried to get to Marilyn."

The Cleveland homicide detectives, Robert F. Schottke and Patrick A. Gareau, took a statement from Dr. Sam on July 4.

"Much has been said about the wall that this young man built around himself.

"When Dr. Sheppard was asked whether he cared to be questioned he made no objection."

Cites Sam's Injury

Proof will be offered that he was seriously injured. One witness will be "a doctor not connected with osteopathy."

After the Cleveland men told Chief Eaton that Dr. Sam was "your man . . . they backed away from this case. At some later date they came back in and knew no more then than they know today."

The microscopic test for blood spots was not made until July 25.

At the coroner's inquest Dr. Sam testified for five and a half hours and did not assert his constitutional right not to testify.

"When this entire story had been unfolded the evidence will convince you that the method of solution was not by the use of wits of the police department but by the use of a whip. They were going to solve the murder of Marilyn Sheppard by obtaining a confession from her husband."