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54/11/05 Garmone Traces Murder Events

Cleveland Plain Dealer

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Raps 'Conjectures,' Gives Defense Version

Garmone, who represented Dr. Samuel H. Sheppard, gives an opening statement at the trial. He emphasizes his 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 which the state had placed its direct evidence.

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."

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."

Shorty 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—not to "whisk him away," Dr. Steve first informed Police Chief John P. Eaton of the move.

He telephoned Bay Village Mayor J. S. Connor and "I tried to get to Marilyn." "Much has been said about the wall that this young man built around himself."

"When Dr. Sheppard was asked whether he cared to answer 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 of what was going on in the house. and out every room."

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 26. At the coroner's inquest Dr. Sam testified for five and a half hours and did not assert his constitutional right not to testify. He was not to be questioned unless 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 homicide detectives, Robert F. Schottke and Patrick A. Gareau, took a statement from Dr. Sam on July 4. "They had no knowledge of what was going on in the house. and out every room."

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

Eaton told Dr. Sam to save his strength for the police department, "I am going to solve the murder of Marilyn Sheppard by obtaining a confession from her husband."