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54/11/05 Teeth Chips Handed to Jury: Defense Hits Autopsy

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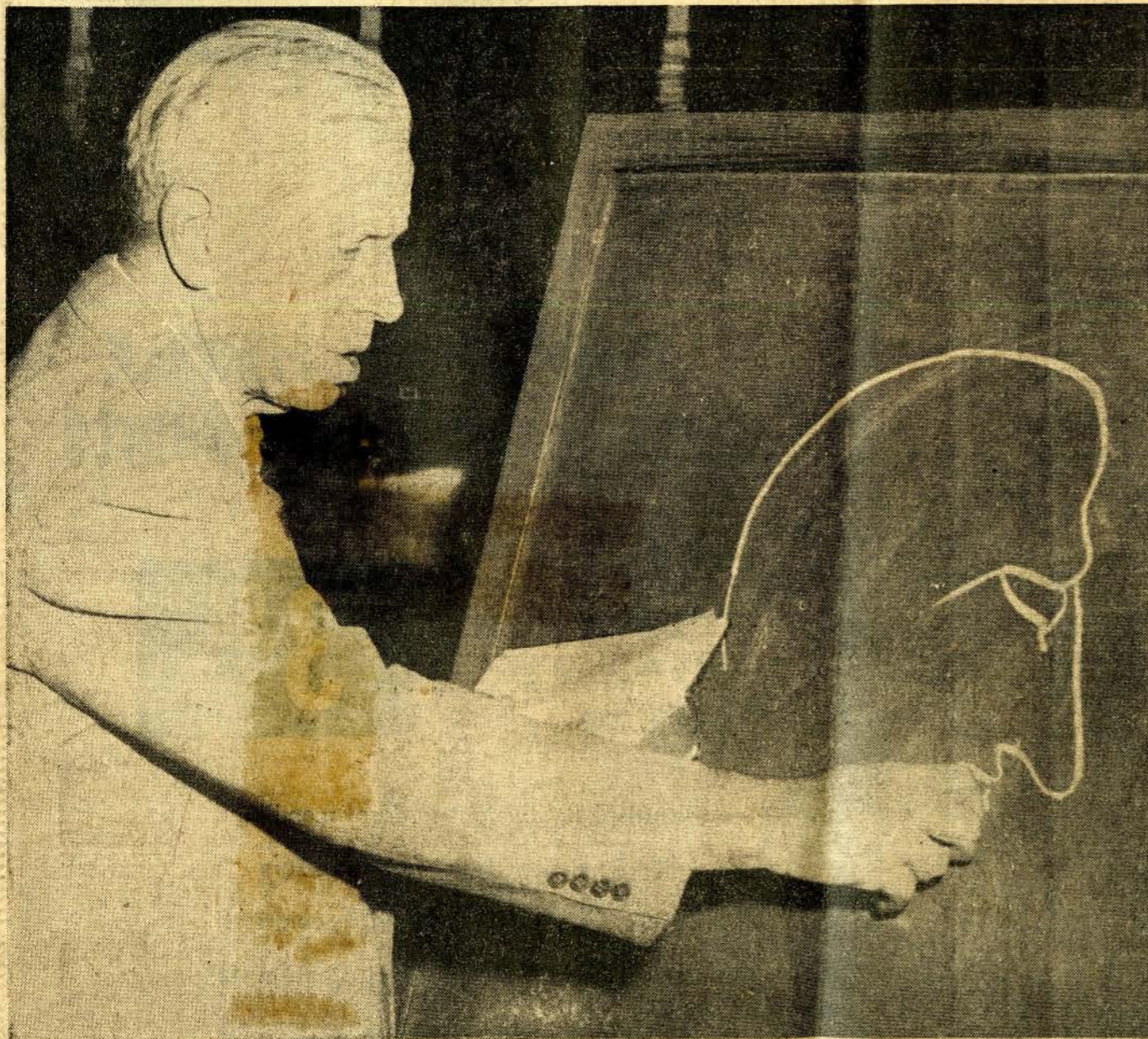
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TEETH CHIPS HANDED TO JURY

Defense Hits Autopsy

DEFENSE CHIEF W. J. CORRIGAN poses at blackboard brought into Sheppard trial courtroom at his request for use in quizzing Dr. Lester Adelson and "educating" the jury. Picture was taken during a trial recess. Corrigan, who has continually protested presence of photographers, posed jovially.



BULLETIN

Assistant Prosecutor Saul S. Danaceau shouted an objection to "Mr. Corrigan's histrionics" as the third week of Dr. Samuel H. Sheppard's wife murder trial drew to a close late today.

Judge Edward Blythin instructed the jury to "note only the answers of the witness," not the actions of the defense attorney.

Two tiny tooth fragments from the mouth of murdered Marilyn Reese Sheppard were passed from hand to hand late today by the seven men and five women of the jury trying her husband, Dr. Samuel H. Sheppard, for wife slaying.

The dramatic presentation was demanded by Chief Defense Counsel William J. Corrigan.

Corrigan, who ordered a blackboard into the courtroom to give a chalk talk to the jury and challenge the professional qualifications of the prosecution's lead-off witness, suggested that Marilyn's teeth might have broken off when she "bit the finger" of her killer.

He also suggested that the prosecution was wrong in its conclusion that Mrs. Sheppard was killed by a rain of savage, continuous blows on her skull.

Instead, Corrigan — through careful questions — sought to raise the possibility that many of the 25 wounds on the victim might have been caused by a single blow of the murder weapon.

Dr. Sam Gives Medical Tips

Leaning forward and whispering softly to his battery of four attorneys, Dr. Sam helped direct the slashing cross-examination of calm, precise Dr. Lester Adelson.

Dr. Adelson, the deputy coroner who performed the July 4 autopsy on Mrs. Sheppard, conceded that several errors had been made in the typing of coroner's reports on the crime. He firmly supported the veracity of his conclusions.

Storming about the courtroom, pausing occasionally to whisper with Dr. Sam, tossing his head and waving his arms, Corrigan fired a barrage of questions through which the defense charged that:

THE AUTOPSY WAS BUNGLED because Marilyn's

wounds were not subjected to microscopic examination to detect possible fragments of the murder weapon.

CORONER SAMUEL R. GERBER'S STAFF did not conduct the investigation properly.

THE CORONER, POLICE AND PROSECUTORS had accepted certain theories early in the investigation—and failed or refused to check other possibilities.

Dr. Adelson took Marilyn's tooth chips from a small brown envelope he carried in his pocket.

Corrigan placed them on a yellow pad of legal paper and had them passed to the jurors.

He asked Adelson about numerous clues which were discussed at a meeting of county, city and Bay Village law enforcement officers in the coroner's office.

Adelson didn't recall whether a pair of sunglasses and a handkerchief found on the Sheppard beach, small fibers found under Marilyn's fingernails, or a piece of leatherette from the murder bedroom had been displayed.

Corrigan asked: "Did anybody suggest at that meeting that someone should start looking for a person whose finger was bitten?"

"I don't recall," Adelson replied.

Suggests Attacker Was Bitten

Q: Was it suggested that one way these teeth could have been broken and these wounds made inside the mouth was by something bitten by Marilyn Sheppard?

A: I don't recall.

The prosecution theory is that Marilyn's two front teeth were cracked by one of the series of blows which killed her.

Corrigan, carefully quizzing Dr. Adelson about each individual wound, brought out that many of them were fairly close together.

His point, he explained later, was that many of the wounds could have been caused by a single strike—and he was challenging Dr. Adelson's testimony that Mrs. Sheppard was killed by a barrage of blows on her forehead.

Associate Defense Counsel Fred W. Garmone narrowly prevented the jury from seeing a model of Mari-

Dr. Sam Charges State Bungled Autopsy and Missed Clues to Weapon

Continued From Page One

lyn't head, with the wounds showing.

Corrigan had asked Dr. Adelson a question about the anatomy of the skull—"the difference between the supra-orbital margin and the supra-orbital ridge."

The deputy coroner reached for a brown paper bag beside the witness chair in which he carried the grisly model.

"No, no," Garmone said, rushing forward. "I'll be your skeleton."

Demonstrates on Lawyer

Dr. Adelson then demonstrated his points by pointing to parts of Garmone's head.

Corrigan challenged Dr. Adelson's knowledge of pathology and anatomy, despite his previous appearance as an expert witness at more than 200 trials. He taunted the deputy coroner for being a "smart boy," as evidenced by his Phi Beta Kappa key.

Dr. Sam, himself an osteopathic neuro-surgeon, seemed astounded and delighted at Corrigan's apparent grasp of medical terms.

Corrigan, whose brother is a doctor, treated Dr. Adelson with the disdain of a medical professor bawling out a backward student. He made it clear that, if he were giving out marks, Dr. Adelson would flunk the course.

Admits Error on Time

Dr. Sam smiled with obvious delight when Corrigan drew from Dr. Adelson an admission that the coroner's

report on the autopsy erred in an important detail.

The report, introduced into evidence by the defense, stated that Mrs. Sheppard had been pronounced dead at the County Morgue on Adelbert Rd. at 8 a. m. on July 4.

Actually, the body wasn't delivered there until 11:30 a. m.

Dr. Adelson tried to brush this aside as a typist's error, but Corrigan shouted: "I don't care what you say—it's an error!"

For the jurors, it was their first view of Corrigan tearing into a prosecution witness, and they watched with fascination, hanging on his booming words, watching his quick movements about the courtroom.

Questioned About Rings

At one point, Corrigan strode over to Dr. Sam, and had a one-minute conversation with the defendant with all eyes in the courtroom on them.

Returning toward the witness chair, Corrigan asked Dr. Adelson if he had noted any rings on Marilyn's fingers.

The deputy coroner recalled only that an attendant had taken some off.

Point by point, Corrigan reviewed Dr. Adelson's testimony about the 35 wounds and the seven colored slides he screened for the jurors yesterday.

Corrigan challenged the camera angles from which the color pictures were taken. He wanted to know who

took each picture—how accurate were the wound dimensions cited by Adelson—how he had recorded his findings—why one of the photographs was taken July 14, rather than July 4.

The later photo was a picture of Marilyn's chipped teeth, knocked out by a blow of the murder weapon.

Dr. Sam directed a stream of comments to Arthur E. Petersilge, another defense lawyer, who sat beside him.

In the back of the courtroom, tense and unsmiling,

sat three women present "to represent Marilyn"—Mrs. Thomas Reese, the murder victim's stepmother, and the two aunts who reared her from childhood, Mrs. Keith Weigle Sr. and Mrs. Henrietta Munn.

Corrigan for the first time injected the mystery of the missing murder weapon when he asked Adelson:

"Your experience has brought you to the position where you can recognize what kind of weapon might have been used?"

"It is possible to draw some kind of conclusion," Adelson replied.

The defense chief sneered at Adelson's qualifications, challenging his use of the terms "coronal suture" and "frontal suture" to describe the same part of the head.

Q.: As a pathologist, use of the microscope is constant in your work?

A.: Yes.

Q.: It is essential as the hammer and saw are to a carpenter, or my law books to me?

A.: Yes.

Q.: In the coroner's office you have the very latest and best microscopic equipment?

A.: Yes.

Q.: If you had used the microscope on the wounds and the blood would any foreign mate-

rials have been discovered?

A.: Yes.

Q.: But that was not done?

A.: That is correct.

Before Corrigan went into action, following a few questions by Assistant County Prosecutor John J. Mahon, Dr. Sam had been biting his nails, putting his hands to his face and looking down frequently.

But he seemed to brighten

as his white-haired champion forced Dr. Adelson into explanations.

Dr. Samuel H. Sheppard brought a book into the courtroom where he is on trial for his life today. The volume, which he read during recesses, was titled: "Meditations in a Prison Cell."