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54/11/04 Sheppard Drama Set To Unfold

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PD 11-4-54

SHEPPARD DRAMA SET TO UNFOLD

Opening Statements Await
Jury Today Following
Trip to Scene

BY TODD SIMON

Now that the jury has viewed the blood-specked home of Dr. Samuel H. Sheppard, both sides today will sketch the evidence which is to prove him either a wife killer or an innocent husband, widowed by a brush-haired marauder.

But first Defense Chief William J. Corrigan again will slam at newsmen who photographed the jury, one of them from a noisy helicopter that hovered over the Bay Village death scene yesterday while the jury solemnly made its tour.

Corrigan's anti-aircraft blast will go into the record, he indicated, as he renews his protest against the "hippodrome" climate around the first-degree murder trial.

The aerial whirligig blurred out voices during most of the hour-long viewing of 28924 West Lake Road.

It was a white job hired from the Cleveland Air Taxi Service.

Hold Back Newsmen

While reporters floundered, tripped and shivered in snow and mud outside a thick rope and a cordon of Bay police, one of their number — having won the flip of a coin at court — accompanied the jury and gave his harvest of facts to the news pool later.

Dr. Sheppard went with the jurors into every room of the house except one — the lake side bedroom which became Marilyn Sheppard's death chamber on July 4.

He stood at the blood-splashed door with Deputy Sheriff James F. Kilroy, to whom he was handcuffed. He did not enter.

Out in a chartered C. T. S. bus while Sheppard followed in a sheriff's car, the jury filed around the weather-dirtied shingle, clapboard and yellow brick house and entered by way of the screened porch on the lake side.

Pass School Trophies

The jurors went through the L-shaped living room and upstairs, past the studio couch at the foot of the steps on which Sam was dozing when his guests left at 12:30 that morning.

Past the death room they filed and through a dressing room decorated with Sam's athletic trophies, the "H's" he won at Cleveland Heights High School and pictures of him as an athlete, into the southwest bedroom.

This was Marilyn and Sam's bedroom except in summer, when they moved to the lake-front room to get more breeze. It was the room in which Dr. Lester T. Hoversten, Glendale osteopath, stayed until July 3.

On a small dresser in the dressing room lay a piece of paper, the size of a gift card, inscribed: "To my girl with all my love."



TRAIPSING from the porch of the home of murdered Marilyn Sheppard, jurors headed for the garage adjacent to the house. Dr. Samuel H. Sheppard, the defendant, defense lawyers, prosecutors and other authorities accompanied the jurors.

SHEPPARD TRIAL UNFOLDS TODAY

(Continued From First Page)

Dr. Sam's mask crumpled when he saw an old, worn, yellow Teddy bear in that room. Tears ran down his cheeks.

The jury made only a short stop at his son Chip's bedroom, where a sailboat stuck up out of a clutter of toys.

Then came the room where Marilyn's life was bludgeoned away. Bedclothes stripped away, the mattress on her four-poster twin bed still bore the stain of the victim's blood.

On the dresser were the couple's pictures in a double frame.

One more bedroom and then down to the kitchen went the procession. Sheriff Joseph M. Sweeney, the court's index finger on the trip, pointed out whatever the defense and state wanted the jurors to note particularly.

Down into the basement they went. A maternity smock, white with red trimming, and a pair of Dr. Sam's pants were by an ironing board. A pair of Chip's white socks were hanging there, long since dry.

Points Out Punching Bag

Sam wanted the jurors to notice the punching bag hanging in the basement. He gave Chip and the young son of the Don Aherns, their dinner guests on the murder eve, a lesson at it that July night.

An argument broke out when they got to the study, where drawers were found pulled out and papers scattered after the tragedy.

Corrigan picked up some papers from Dr. Sam's desk. Assistant County Prosecutor Thomas J. Parrino objected.

"I have a right to see what's going on," Corrigan snapped back. "This is our first time out here."

"That's not true," Parrino said. "You were out here July 9 with the sheriff."

Sheriff Sweeney told Corrigan to put the papers back. He did. But he kept up his complaint about "our rights."

"Let's cut this out," said Saul S. Danaëau, prosecutor. "We're not trying the case here. We

are out here only for a view."

The fight subsided.

Corrigan asked the sheriff to point out the ashtrays in the living room. John J. Mahon, prosecutor, said to point out the chairs, and Parrino added: "And the television set."

"Take notice of all the furniture," Sweeney said, summing it up.

The night lock on the door leading toward the beach was pointed out at the state's request.

A second time Sheppard shed tears when his eyes hit a picture of Chip in the living room. Towing Deputy Sheriff Kilroy, he and Defense Counsel Fred W. Garmone walked out of the room.

View Toy Airplane

On the floor there, among the dumped papers, was a news clipping. It told how Sam had kept alive a 13-year-old Westlake boy by heart massage.

A toy airplane of the 7-year-old Sheppard child was shown to the jurors. Sam had glued it back in shape the night before the slaying.

The group walked out of the screened porch and over to the garage, just east of the house. The jurors looked through it, around the Lincoln convertible stored there. Sam's Jaguar and jeep are being kept running by his family.

Upstairs went the jury to the two rooms over the garage. One had been used as a clubroom by neighborhood boys until Marilyn hung up an orange-crayoned sign, still there, saying: "Keep out. Mrs. Sheppard."

Picks Up Bar Bells

Bar bells for exercise, a bed, a sled and other such gear were in the clubroom. Sam picked up one of the bar bells, then a pair of pliers, then the cushion on the bed. He looked behind the clubroom door and into the closet.

Next was the trip down the cliffside stairs to the beach house and to the narrow beach, awash right to the base of the cliff and the cement steps that end the ladder-like stairway.

Branches torn down last week end by the sticky snow had smashed the handrails at the second stair landing from the top. Bay police had shoveled the snow, the leaves and muck off the stairway before the jury came out.

Whitecaps rolled in, splashing the steps and leaving only a little stony beach uncovered. There had been high waves the night of July 3 and the morning of July 4, fishermen said, when Sheppard maintains he was knocked out and woke face down at the water's edge.

Trees Pointed Out

Trees in the yard were pointed out. The jurors looked for dry ground to stand on. Then they were herded back into their bus and their tour ended.

This quick start on the final

showdown came after Juror 6 suddenly broke the legal logjam he had caused.

Prosecutors were about to put on witnesses to prove he had been untruthful while sized up for his jury job. He said he had not been a witness in any case. They had evidence that he testified for himself but was convicted 11 years ago on a moral charge in Municipal Court.

Prosecutor Danaceau heard a low voice from the jury box.

"What's that?" he asked, leaning close.

Juror 6, James R. Manning, said something to him.

"Your honor," Danaceau said, addressing Common Pleas Judge Edward Blythin, "one of the jurors wants to communicate with the court."

Called to Chair

The judge called Manning to the witness chair. The juror, fought over with threats of mistrial and error proceedings since last week, then told his troubles.

"I would be emotionally unable to be an unprejudiced juror," he said. "I would be a subheadline from now on."

He said he feared he would have a nervous breakdown.

Judge Blythin excused him, after questions showed Manning admitted he had been a witness once. Manning said he thought both sides must have checked his past and cleared it when they accepted him.

Judge Blythin moved the first alternate, Jack N. Hansen, plant foreman of Giles Road, Moreland Hills, into the seat made vacant by the banished Manning, seventh male member of the jury.

Leaves One Alternate

That left one alternate as a spare for the rest of the trial, Mrs. Lois H. Mancini, 16920 Stockbridge Avenue S. E. And that is the life-or-death panel which will try Dr. Sheppard, the judge decreed.

First state witnesses were being lined up for today. No. 1 will be Dr. Lester Adelson, morgue pathologist, who did the autopsy on the victim's body.

Next will be Don J. and Nancy Ahern, Sheppard neighbors, with whom prosecutors met behind Mahon's closed door last night.