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54/11/05 Corrigan Quizzes Adelson on Wounds, Use of Slides

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MSL

ACADEMIC ENDEAVORS

Corrigan Quizzes Adelson on Wounds, Use of Slides

Press

11-5-54

For the second straight day the Sam Sheppard murder trial jury today heard the detailed description of the wounds that killed Marilyn Reese Sheppard on July 4.

The witness was Dr. Lester Adelson, deputy county coroner. Here are highlights of his testimony as he was questioned briefly by Assistant Prosecutor John J. Mahon before being turned over to Defense Counsel W. J. Corrigan for cross-examination.

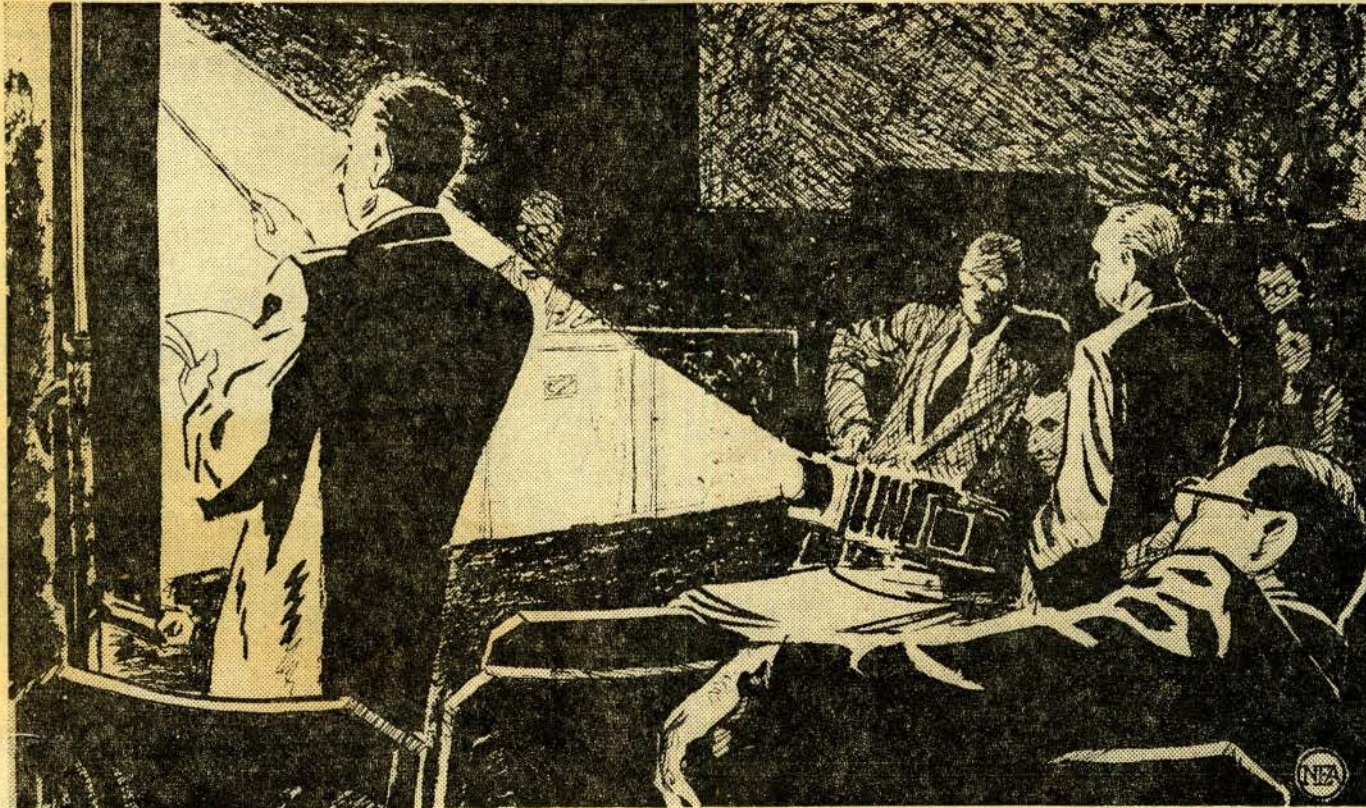
Q.: Doctor, were there any additional wounds, other than those seen and pointed out by you yesterday with the photographs?

A.: Yes. Injury No. 8 was a ragged contused laceration, one inch by one-half inch, four inches from the mid-line of the forehead, upward toward the back of the head. This injury was to the underlying bone.

Q.: Was the reason this wound did not show in the pictures because the hair had not been removed?

A.: That is right.

Q.: Describe the other wounds.



SHOWING MARILYN SHEPPARD MURDER SLIDES in the courtroom, Deputy Coroner Lester Adelson (left) points out wounds while Assistant Prosecutor Thomas Parrino operates the projector. With him are Prosecutor John Mahon (left) and William J. Corrigan, defense chief. In the foreground is Fred W. Garmone, assistant defense counsel.

(Sketch by NEA Artist Ed Kudlaty)

Wounds Described

A.: Injury No. 9 was a ragged contused laceration, one-half inch by one-quarter inch on the back of the head.

Wound No. 10 was a ragged contused laceration, one inch by a quarter of an inch and rotated three inches above the middle of the forehead.

Wound No. 28 is a contused abrasion one-quarter inch in abrasion one-quarter inch in the right radius on the thumb side of the hand seven-eighths of an inch from the tip of the right thumb.

Injury No. 30 is a dried scrape three-quarter inch by a half-inch on the base of the right thumb.

Wound No. 34 is a contused abrasion 10 inches from the tip of the left middle finger on the forearm.

Asks for Teeth

Corrigan began his cross-examination with a request to Dr. Adelson for a presentation in court of fragments of Marilyn Sheppard's teeth. One of the colored slides shown yesterday by Dr. Adelson showed a photograph of these fragments.

"I wish you would send for them at recess time because I want to ask a few questions about the teeth," said Corrigan.

Q.: Among other things, you told us yesterday that you are a member of Phi Beta Kappa. That has nothing to do with the medical profession, does it?

A.: No.

Q.: What that means is that you were a pretty smart boy in college, doesn't it?

This brought only a smile from Dr. Adelson.

Q.: Well, anyway, it indicates that you were a pretty smart student, doesn't it?

A.: Thank you.

Q.: Do you practice medicine?

A.: I do not practice clinical medicine. I have no patients. I have a full time job at the coroner's office.

Q.: You said yesterday that you were a lecturer on forensic pathology. What does that mean?

A.: That includes phases of pathology useful in administration of justice in courts of law.

Q.: Whom do you teach that to?

A.: To persons interested in that phase of the work.

Q.: You mean you teach that subject to people who expect to testify in court?

A.: I don't know if they expect to testify or not, but I know they're interested in the work.

Witness Many Times

Q.: You have been a witness many, many times, haven't you?

A.: Yes.

Q.: Then that means you are more at ease in a courtroom witness chair than the average person?

A.: I don't know about that.

Q.: In making an autopsy, it would be in compliance with the law and your training as a pathologist that in the case of Marilyn Sheppard you would take exact measurements of the wounds?

A.: It is.

Q.: The observation that you make of wounds will give you some kind of idea as to the kind of weapon used?

A.: That is possible.

Q.: In the performance of several thousand autopsies, you have had the advantage often of seeing both the wound and the weapon?

A.: Yes. In some cases we have had both.

Refers to Weapons

Q.: You would be required to study what is the type of weapon used to make a particular wound?

A.: Yes, we would try to draw reasonable inferences.

Q.: If you have a sharp cut with no rough edges you could assume that was by a knife or sharp-edged instrument?

A.: Yes.

Q.: If you have a skull fracture where the plate is driven into the brain, then you could conclude that that was a hammer?

A.: Yes, a heavier weapon.

Describes Wound

Q.: If it is a wound that goes in sharply and penetrates and is smaller at one end than at

the other, then you have a stab?

A.: A stab wound has sharp margins but great depth.

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

A.: It is possible to draw some kind of a conclusion.

Q.: Also it is necessary for you to measure the wound?

A.: Yes, you measure to get the dimensions and a pattern.

Q.: You can tell from what direction the weapon is wielded?

A.: That might be possible.

Q.: Well, in the case of Marilyn Sheppard didn't you draw conclusions as to where the weapon first hit Marilyn Sheppard?

A.: I can't answer that question.

Q.: Then you haven't drawn any conclusions?

A.: No.

Q.: Who brought Marilyn Sheppard to the coroner's office?

A.: Two employees of a funeral director.

Q.: What was around her? What was she in?

Brought in on Litter

A.: She was in a litter, sort of a basket arrangement used by funeral homes and she was in a canvas strapped to the litter.

Q.: Were there any bed clothes?

A.: I don't remember. Maybe a sheet from the funeral home.

Q.: Where was Marilyn Sheppard when you saw her next?

A.: On one of our wheeled carriages and the clothing was removed.

At this point Corrigan went into a huddled conversation with Dr. Sam. He then resumed questioning.

Q.: Did you notice any rings?

A.: I saw a morgue attendant take some off.

Q.: Did you note how many rings?

A.: No sir.

Q.: You pointed out a loose fingernail on one hand, is that right?

A.: That is correct.

Took Photographs

Q.: After you washed the blood away, what was the next thing that you did?

A.: We took the photographs I showed yesterday.

Q.: May I have those slides, please?

They were handed to Corrigan by Prosecutor Tom Par-rino.

Q.: Now slide No. 1 shown yesterday is a front view of Marilyn Sheppard's face, is that right?

A.: Yes.

Q.: Where was the camera?

A.: About 18 inches above her.

Q.: Slide No. 2 was a picture of the left side of Marilyn Sheppard's head showing wounds No. 1 and 2 on the forehead, is that right?

A.: Yes.

Asks Camera Angles

Q.: Where was the camera for this picture?

A.: Above, shooting at an angle.

Q.: The result was, doctor, that wound No. 1 shown in slide one, is the first wound on the left side of Mrs. Sheppard's forehead. Is that so?

A.: Yes.

Q.: Wound No. 1 on slide 1 and wound No. 1 on slide 2 have a different curve, yet are the same wound, is that right?

A.: The angle of the photograph shows its differently.

Q.: On slide No. 2 the wound is in the form of a triangle and on slide 1 it is a straight line, is that right?

A.: That is correct.

Q.: So that it depends in taking a picture the picture that you get depends in some way on the manner or angle in which the picture is posed?

A.: Yes.

Q.: Who took picture No. 7?

A.: Either Mr. Johnson or myself.

Q.: Which one, doctor?

A.: That was taken four months ago. We were together. I don't know which one took the picture.

Q.: That's all I asked, you don't know then, doctor?

A.: That's right.

Q.: Who took picture No. 7?

A.: Probably Mr. Johnson.

Q.: Oh, come now, Dr. Adel-

son, who took it? Mr. Johnson or someone else?

A.: He probably did.

Q.: Were these pictures developed in the coroner's office?

A.: Yes.

Q.: When?

A.: Several days after they were taken.

Q.: Can't you be more accurate than that?

A.: No. When we get a dozen or so colored slides, we develop the whole batch of them.

Asks About Time

Q.: Who wrote on the records that Marilyn Sheppard was dead at 8 a. m.?

A.: Nobody.

Q.: Well it shows on the official record that she was reported dead at 8 a. m. Who did it?

A.: A clerk.

Q.: Where did the clerk get the information?

A.: It was undoubtedly telephoned in and a clerk wrote it.

Q.: Yesterday you said you were responsible for this report?

A.: Yes. That is right.

Q.: Do you teach forensic pathology, you do don't you? You are here as an expert witness. I want you to answer my questions. You said you were responsible for this report?

A.: Yes, I am.

Q.: Do you want to back away from that answer that you gave yesterday?

A.: I don't know what you mean by backing away.

Challenges Report

Q.: In this official document it says that Marilyn Sheppard was dead at 8 a. m. Is that correct?

A.: It is so typed.

Q.: Did she arrive at 8?

A.: No.

Q.: Then this report is in error, isn't it?

A.: Yes, as typed.

Q.: These photographs that were taken were not developed until three or four days later?

A.: Yes.

Q.: The photographs were of no assistance to you in putting down the record?

A.: No.

Q.: There was nothing about those photographs that helped you make your official report?

A.: No, sir.

Q.: Without those photographs you could have told this jury very plainly what wounds were on Marilyn Sheppard's body?

A.: Yes, by reading my notes and from recollection, I could.

Q.: In all the times you have testified, say the 200 times or more, have you ever used colored slides before?

A.: Yes. On two separate occasions in this court.

Q.: Out of 200 times on the witness stand, then, you used slides twice?

A.: That is correct.

Examined Blood

Q.: Did anyone examine the blood before the autopsy?

A.: I looked at it.

Q.: Was there any microscopic examination?

A.: Not to my knowledge.

Q.: Be direct. Was there any microscopic examination of the blood that was removed from the face or washed down the drain, or any blood?

A.: Not to my knowledge.

Q.: That isn't being direct. (Prosecutor Mahon broke in to say that was as direct an answer as Dr. Adelson could give. There was quite an argument between Mahon and Corrigan and finally Adelson said "there is no report of an examination of the blood in my record.")

Q.: If there is a report, will you bring it here today?

A.: Yes.

Q.: It should be here now, shouldn't it?

Mahon Objects

Mahon jumped to his feet and said "how can it be here if it is not certain that there is one." Again an argument started with Garmone joining in. Finally Judge Blythin said "Let's have only one defense counsel at a time." Then after a little more argument, the judge said: "He says he will bring in a report if there is one and that's enough. Let's continue."

Q.: Before the autopsy did you make a microscopic exam-

A.: As I use them, they are the same.

Q.: By what authority are they the same thing?

Refers to Anatomy Manual

A.: By my own experience.

Q.: But what does Gray say in his manual on anatomy? Does he say they are the same. Do you have a copy of Gray at the coroner's office?

A.: I don't know. We have a copy of Anson. I have my own copy of Squatter's and at home I have a copy of Cunningham's anatomy.

Q.: Well, let's take Cunningham. Does he say that the frontal suture and the coronal suture are the same?

A.: I say so.

Q.: But what do they say?

A.: I don't know. I did not refer to the manual.

Q.: We have a man on trial for his life here. And you say these two terms mean exactly the same thing in a report as important as this one?

A.: I use them synonymously.

Corrigan then led Dr. Adelson through a long series of questions to bring out exactly who prepared the official autopsy report and how the information it contained was obtained.

Hammers at Report

He continued to hammer away at the so-called conflict in the cause of death statement where frontal suture is used in the official cause of death and coronal suture is used in the "anatomic diagnosis" section of the report.

Adelson, under repeated questions, kept insisting that he was a pathologist and not an expert on anatomy.

Q.: You know more about anatomy than I do?

A.: I should hope so.

Corrigan then went into a lengthy description of the bones of the head and the face using many anatomical terms and getting Dr. Adelson's agreement as he went along to his description of the bones.

Finally Corrigan said "I want to make sure the jury gets this so may I have a blackboard?" It was noon and Judge Blythin said it would be a good time to adjourn for lunch and a blackboard would be set up during the lunch hour.

Corrigan Resumes

The afternoon session began at 1:25 p. m. with Corrigan resuming his questioning of Dr. Adelson.

Q.: Before you performed the autopsy, did you learn something about this case?

A.: What do you mean? Can you ask me something specific?

Q.: Did you learn that Dr. Sheppard's wife had been murdered?

Continued on Page 29

scope and if there was a residue of rust, paint, oil, grease or dirt, would it have been exposed?

A.: Yes.

Q.: But that was not done?

A.: That is correct.

Q.: If there was a foreign substance in the wounds it would have indicated to some degree the type of weapon used, wouldn't it?

A.: If there were pieces of the weapons, yes.

Q.: Grease, rust, oil, dirt would have given some type of evidence?

A.: Yes.

Q.: Now all of that has gone down the drain?

There was no answer.

"Can't Find Out?"

Q.: We can't find that out now, can we?

A.: No.

Q.: You give on Page Five of your report the anatomy of the head and the autopsy performed on the head and in that you say there is extensive bleeding on to the scalp, is that right?

A.: Yes and through the soft tissues of the head.

Q.: On that page it gives as the cause of death, complete separation of the coronary suture, therefore you give two different causes as to the death, is that right?

A.: The coronal suture and the frontal suture are the same.

Q.: You say they are the same?

Corrigan Quizzes Adelson on Wounds, Slides

Continued from Page 28

A.: I learned that a doctor's wife was murdered in her bed and that the doctor had also been injured.

Q.: Did you hear that she was murdered because the doctor discovered she was pregnant and went crazy?

A.: I don't know. Someone may have mentioned it.

Dr. Adelson produced two chips from Marilyn Sheppard's teeth, gave them to Corrigan. The defense lawyer put them on a piece of paper and handed them to juror No. 1, Howard L. Barrish. Barrish passed them to the other jurors.

Q.: On July 16 there was a meeting in the coroner's office at which a group of public officials was present?

A.: Yes.

Q.: Were these men present at that meeting—John Mahon, Saul Danaceau, Thomas Parrino, Chief Story, Chief Eaton of Bay Village, Frank Cullitan, Dr. Moritz, Sheriff Sweeney?

A.: Yes.

Q.: Was there also present a large group of reporters?

A.: Correct.

Q.: Also a group of photographers?

A.: Yes.

Family Not Present

Q.: But none of the Sheppard family?

A.: No.

Q.: On that morning was there demonstrated to that group the pictures you showed here yesterday?

A.: Yes.

Q.: Was there also brought out the pants of Dr. Sam Sheppard?

A.: Yes.

Q.: Was the entire matter discussed by these law en-

forcement agents?

A.: It was, after the news-men were dismissed.

Q.: Long before that you had determined the cause of death, hadn't you?

A.: Yes.

Q.: There was nobody at that meeting at all associated with the defense of Dr. Sheppard?

A.: I do not know who was there associated with the defense.

Q.: At that time had you read a Press editorial?

Objection Sustained

A.: I looked—(here Prosecutor Mahon made an objection which was sustained by Judge Blythin).

Q.: Did you ever see a fiber found under the nail of Marilyn Sheppard?

A.: At the time of the autopsy I scraped some material from under a nail.

Q.: What did you do with it?

A.: I turned it over to the technicians.

Q.: Did a T-shirt come to your office at any time for examination?

A.: Yes.

Q.: Where is it now?

A.: At the coroner's office.

Q.: Did anybody suggest at that meeting that someone should start looking for a person whose finger was bitten?

A.: I don't recall.

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.

Tooth Magnified

Q.: When the pictures were shown on the screen yesterday,

how much was that tooth magnified?

A.: Probably 10 or 12 times. You would have to measure to determine accurately.

Q.: The magnification of Marilyn Sheppard's wounds were entirely out of proportion with the real wounds, weren't they?

A.: They would appear larger on the screen but always in proportion with the head.

Q.: Can you tell where the weapon struck first?

A.: No, sir.

Q.: Wound No. 1 was described as a contused, abraded laceration. What does that mean?

A.: That would be a bruised, scraped tear.

Q.: Then you would conclude that it was not done by a sharp instrument?

A.: Yes.

Q.: Is it proper to say that all of these wounds on the forehead, numbered from 1 to 7, were of the same type, that is a bruised, scraped tear?

A.: All but No. 4. That was different.

Volunteers as Skeleton

Q.: Will you please demonstrate, doctor, the difference between the supra-orbital margin and the supra-orbital ridge?

A.: I would if I had a skeleton.

Associate Defense Lawyer Fred Garmone walked forward, took off his glasses, and said "I'll be your skeleton."

The doctor demonstrated on Garmone's head as the jury leaned forward in close attention.

During an interchange with Dr. Adelson, in which the defense lawyer was using a copy of the coroner's report, Corrigan said:

"There seems to be a difference in my copy of the coroner's report. I wish the coroner would get some new machines."

Assistant Prosecutor Danaceau threw in "maybe you ought to get a new pair of glasses." Corrigan retorted, "that's a good idea. I've had these for 15 years."

From this point on until the afternoon recess at 2:45 p. m. Corrigan questioned Dr. Adelson in minute detail about the size of the wounds on Marilyn's head.



END OF THIRD WEEK OF HIS MURDER TRIAL finds Dr. Sam H. Sheppard maintaining outward composure, except for occasional outbursts of tears. He's shown handcuffed to Deputy Sheriff James Kilroy, waiting for the elevator from the second floor courtroom to his fourth floor jail cell at the Criminal Courts Bldg. This was after the court sessions at which the colored photos of his wife were shown to the jury.