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54/11/08 Corrigan Resumes Cross-Examination

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Corrigan Resumes Cross-Examination

The fourth week of the wife murder trial of Dr. Samuel H. Sheppard opened at 9:20 a. m. today with Dr. Lester Adelson, deputy coroner, on the witness stand.

Defense Attorney William J. Corrigan resumed his cross-examination of the medical expert, who performed the July 4 autopsy on murdered Marilyn Sheppard.

Q.: As a county official, your testimony in this case is supposed to be unbiased and unrehearsed, isn't it?

A.: I don't know what you mean by unrehearsed. My testimony is unbiased and strictly factual.

Q.: Since you left this courtroom on Friday, have you discussed the case with the prosecution?

A.: Yes. Saturday morning I met Mahon, Danaceau and Parrino.

Q.: How long was that meeting?

A.: One hour.

Q.: Did you meet with them this morning?

A.: Yes.

Corrigan sparred with Dr. Adelson on the performance of the autopsy as it related to the brain and the hemorrhages that were reported in the autopsy report. At several points Adelson, confronted with a demand for a yes or no answer, said that he just couldn't answer the question that way.

Dr. Sam Pained

When Adelson described how he sawed the top off of Marilyn's head, Dr. Sam closed his eyes and clenched his hands beneath his chin, refusing to look at the witness. This occurred several times when Corrigan mention, "Now Mrs. Sheppard's body was lying down," and Adelson replied, "Yes, face up."

Q.: You are familiar with a spinal puncture, doctor, are you not?

A.: Yes, sir.

Q.: In that operation you puncture the back through— (Corrigan turned to Dr. Sam "What is that, the cerebrum, doctor?" he asked Sam. He had a 30-second conference with Sam before finishing his question.)

Q.: You can puncture in and draw off fluid and determine the number of blood corpuscles that appear in it, can you not?

A.: Yes.

As Corrigan continued questioning Dr. Adelson, Dr. Sam moved up from his chair to the chair beside Associate Defense Counsel Fred Garmone and started dictating to Garmone.

Q.: Have you done any work on live bodies?"

Adelson's answer was, "Yes, I did clinical work before going into pathology. In 1945, I was in the service on medical duty, both in combat and in the states."

Q.: As a pathologist, you know that there is a method of estimating through a spinal puncture if blood is in the fluid the amount of blood in the brain?

A.: Are you talking about living or dead now? Corrigan said, "Dead."

Q.: You did not take a spinal test to determine the amount of blood in Marilyn Sheppard's brain, did you, doctor?

A.: I had no reason to.

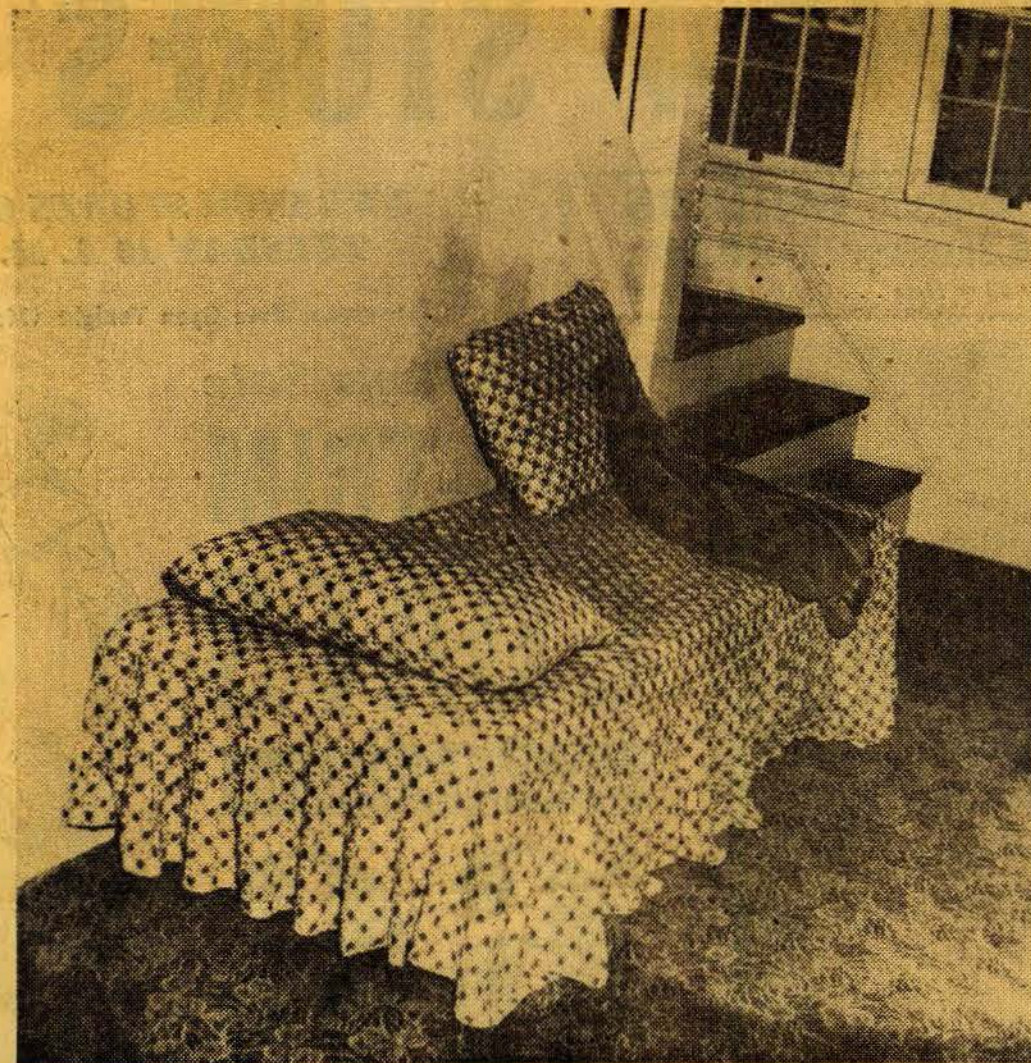
Q.: Answer the question, you did not take a spinal test, did you?

A.: I did not.

Q.: You took the unscientific way of estimating, didn't you, doctor?

Angered by Question

Angry, Dr. Adelson leaned forward and started to say "I hold myself . . ." Corrigan broke in with, "Answer the question, doctor, you took the unscientific . . ." Assistant Prosecutor Saul Danaceau jumped up and said, "Let him answer the question, you asked it." Assistant Prosecutor Thomas Parrino was right with him. So Corrigan bowed to them said said, "Pardon me,



OFFICIAL POLICE PHOTOGRAPH shows Dr. Sam Sheppard's jacket on downstairs couch where he dozed off a few hours before his wife's murder. Sheppard family friends, Mr. and Mrs. Don Ahern, were to testify today that Sam was asleep on couch, wearing the jacket and a white T-shirt, when they left the house at 12:30 a. m. This photo was taken on the morning of July 4.

gentlemen. After he answers I can rephrase my question."

Adelson continued, "I hold myself to be a trained pathologist and am proud of my experience and my life's work. As a pathologist, I do the things which at the time seem to me to be necessary."

Q.: Did you say that scrapings from Marilyn Sheppard's fingernails were submitted to a microscopic examination?

A.: Scrapings were given to someone else for this examination.

Q.: Didn't you try to discover if there was skin or blood that might have come from scratches inflicted by Marilyn Sheppard on the man who attacked her?

A.: It was not part of my work to do this. It was done by others.

Corrigan handed Adelson a photostatic copy of the laboratory findings.

Q.: Is there anything in this report that makes any mention of the scrapings under Marilyn Sheppard's fingernails?

A.: Yes, the report says that there were no significant fibers or hairs found under the fingernails.

Q.: But you did not make the examination?

A.: No.

Q.: Wouldn't you think it would be very important for you to find out if the nails had any skin or blood under them?

A.: Certainly—. Then he was interrupted by Corrigan. The prosecution attorneys objected, and when the quarrel between the attorneys was over, Corrigan asked the prosecution, "May I go ahead now?" Parrino said to Corrigan, "You seem to be doing pretty well, Mr. Corrigan."

A Lighter Touch

Corrigan leaned over, patted the young attorney on the head, and said "Thank you, Thomas." Even the jurors smiled.

Q.: You did not make the microscopic examination of the nail findings because you had been told when Marilyn Sheppard's body was brought in that Dr. Sam Sheppard had murdered his wife and there was no use of looking for anything else?

A.: My only knowledge . . .

The three prosecution attor-

neys started to object and then withdrew their objections and asked Adelson to answer the question.

A.: My only knowledge of the case at that time was that Mrs. Sheppard had been killed. That her husband had been hurt and was in the hospital. I had heard of nothing that would implicate Dr. Sam Sheppard in any way.

Q.: That's not what you told me Friday.

A.: It is. I am not here to try Sam Sheppard.

Q.: When you examined Marilyn Sheppard's skull, before you took the scalp off, did you determine that there was a fracture in the front of her head?

A.: Yes. By looking and feeling.

Q.: How did you feel?

A.: With my fingers.

Q.: Which finger?

Quarrel Ensues

Dr. Adelson smiled and hesitated.

"What are you laughing at?" asked Corrigan.

The prosecution attorneys came to the defense of Dr.

things that had been gathered in this case were laid out, weren't they?

A.: Yes.

(At this point Dr. Steve Sheppard came up to the trial table and talked to defense lawyers. Parrino leaped to his feet and shouted "Objection." Dr. Steve returned to the visitors' section in the back of the courtroom.)

Q.: At the July 16 meeting, did you see something of a woman's foot imprint in the sand?

A.: There was a picture, I believe. (No further mention or questioning was made of the woman's foot print.)

After the recess, Corrigan asked permission to put some more questions to Dr. Adelson.

Q.: In your official record on the cause of Mrs. Sheppard's death you say there was a separation on the frontal suture?

A.: Yes.

Q.: You refer to the frontal suture and the coronal suture as the same thing?

A.: As I used them, yes.

Q.: That is the same as saying six and eight are nineteen?

Judge Blythin sustained an objection and Corrigan said, "I am going to demonstrate that the doctor is wrong. He doesn't know his anatomy."

Corrigan walked up to the witness chair, carrying in his hand a text book on anatomy.

Q.: Isn't a book of anatomy as necessary to a pathologist as the criminal code in this case is to me?

A.: I cannot discuss how much you need the criminal code.

Spar on Question

At this point, Corrigan and Dr. Adelson got into an argument over a question and answer during last week's testimony. The question was this: "Did you hear a story that the doctor went crazy when he discovered that his wife was pregnant and killed her?"

Corrigan had obtained a copy of the transcript of the testimony last week and read to Adelson this question and the answer he gave. In reading the answer, the prosecution claimed today that Corrigan did not read the entire answer.

Evidently Judge Blythin thought so, too, because he said, "It is unfair to this witness to ask him a question and then read back to him only one-half of his answer." Corrigan and the judge then got into an argument.

Corrigan said, "I take exception to the statement that I am not being fair in my questions and I ask the court to withdraw his statement."

Blythin said, "I will not withdraw any statement to the effect that you repeat only part of the answer. That is not fair."

Corrigan's cross-examination of Dr. Adelson ended a few minutes later and chief assistant Prosecutor John Mahon asked more questions on

direct examination.

J.: You have the vital tissues of Marilyn Sheppard preserved at the morgue?

Tissue Preserved

A.: We have a piece of each vital tissues preserved in formaldehyde.

Q.: Is that common practice?
A.: This is done in 1000 autopsies every year.

Q.: What is the purpose of this?

A.: So that these tissues are available if it is necessary to examine them again later.

Q.: Are they available to the defense?

A.: I would be happy to have them examine them.

Q.: Did they ask to see them?

A.: Not to my knowledge. Mahon's questions brought out that Dr. Adelson had conducted tests which proved that Marilyn Sheppard had not been sexually attacked by her killer.

of Adelson

Q.: You were asked why you did not make an analysis of the stomach to determine if poison was present and you said you had not. Is there any reason why you should make that test?

Objection by defense. Adelson turned to the judge and said it was a broad question and requires clarification. The judge said "Go ahead."

A.: As a result of our examination we determined that she had sustained a number of violent blows, resulting in sufficient injury to cause death. It also showed she was alive when struck because of the hemorrhages.

Draws Objection

(Objection by Corrigan: "What has that to do with it?" Adelson answered, "I'll show you the reason for not examining for poison." The judge overruled the objection.)

A.: (Continued) In our

autopsy, when we came to the stomach, we found no damage in the stomach itself and nothing had been swallowed and therefore it was not necessary to examine for poison. In addition to the use of our eyes, we also use our noses, and I sniffed, (if you will pardon the expression), the contents of the stomach and found no traces of poisons which, through experience, I can recognize by odor. In addition, there were no needle marks on the body to indicate that poison had been injected hypodermically. No chemical analysis was necessary. She died because she was beaten to death.

Mahon brought out that the coroner's "body log" stated that Marilyn Sheppard was found dead on her bed at about 5:30 a. m. by her husband.

The records stated, among other details, the "Dr. Gerber pronounced her dead on the scene."