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## 54/11/16 Surgery tool left print on death pillow: Gerber, says Dr. Sam had a normal pulse

Cleveland Press

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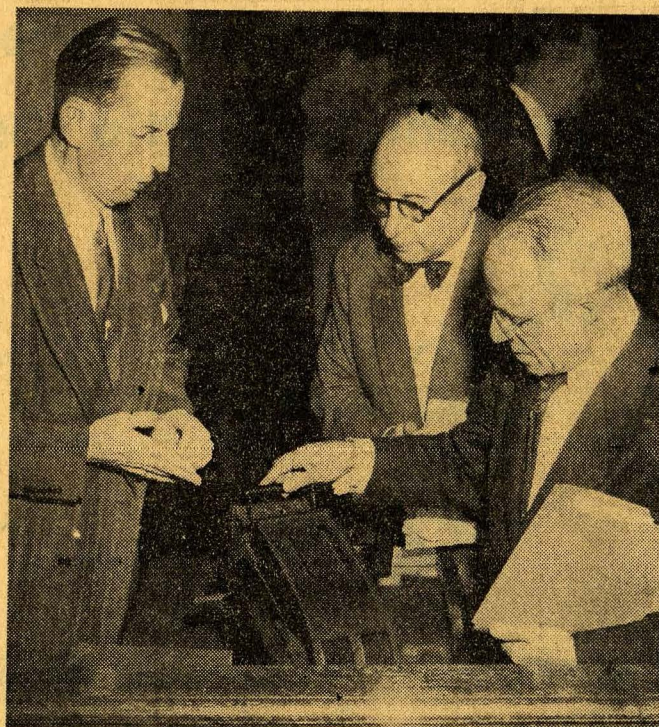




# SURGERY TOOL LEFT PRINT ON DEATH PILLOW: GERBER



"IMPRESSION OF SURGICAL TOOL" could be seen on the bloodstained pillow on the slain Marilyn Sheppard's bed, Coroner S. R. Gerber testified today. In this picture a Press artist accentuated the imprint Dr. Gerber described.



**DRAMATIC MOMENT** in Sheppard trial courtroom as Coroner Sam R. Gerber (right), prepares projector to show jury colored slides of murder evidence. Gesturing at left is Detective Chief James McArthur. Watching Gerber is Assistant Prosecutor Saul S. Danaceau.

## Was It a Cast Cutter?

An official of the Schuemann-Jones Surgical Supply Co., 2134 E. Ninth St., said today that "at least 14 people" had inquired about a cast cutter as the possible weapon that killed Marilyn Sheppard.

He said these included police, representatives of the coroner's and prosecutor's office, and "I think people from the defense side."

Shown the picture of the instrument marks on Mrs. Sheppard's pillow, the surgical supply man produced an instrument with two claws used to cut casts. It could have made the pillow marks if it had been rubbed on it in opposite directions.

## Says Dr. Sam Had a Normal Pulse

Short, white-haired Coroner Samuel R. Gerber took the witness stand today and proceeded to tell a seven-man, five-woman jury why he believes Dr. Samuel H. Sheppard murdered his pregnant wife, Marilyn.

Dr. Gerber testified that:

**THE "IMPRESSION OF A SURGICAL INSTRUMENT"** was found on the dead woman's bloodstained pillow.

**DR. SAM'S PULSE WAS NORMAL** and he had no difficulty talking when he was interviewed by Dr. Gerber three hours after he reported his wife's death.

**THE ACCOUNT DR. SAM THEN GAVE DIFFERED** in many details from his later versions of the murder morning.

### Found Blood on Watch

**DR. SAM'S SELF-WINDING WRIST WATCH**—found in a green bag in the bushes—had blood on the face and band, and water under the crystal. It had stopped at 4:15.

**MARILYN'S BLOOD-STAINED WRIST WATCH**—found on the floor near Dr. Sam's chair when he reported her murder—was on her arm when she was killed. This was established by the formation of dried blood on her left wrist.

**THE TIME OF MARILYN SHEPPARD'S MURDER** has been set at from 3 to 4 a. m.

**AFTER DR. SAM WAS MOVED** from his Lake Rd. home into his family-operated Bay View Hospital on the murder morning, his relatives and friends threw up a "protective cordon" to protect him from intensive quizzing.

## Smothering Attempt Is Charged

Prosecution testimony will show that "someone attempted to smother Marilyn Sheppard's last cries" with the blood-stained pillow that was introduced at her husband's murder trial, Detective Chief James McArthur said today.

McArthur, who headed the Cleveland police task force which assembled the evidence which resulted in Dr. Samuel H. Sheppard's indictment, said there would be "further testimony" about the imprint of a surgical instrument and other marks on the pillow.

It was learned that the prosecution may identify a cast cutter—a chrome plated surgical instrument used by physicians to remove plastic casts—as the "possible and probable" weapon which killed Mrs. Sheppard.



**THIS PROTECTIVE SHIELD WAS CRACKED** only after Dr. Gerber threatened Dr. Sam's father, Dr. Richard A. Sheppard, and others with his power of subpena.

**A SUBPENA WAS ISSUED** but was torn up when Defense Attorney William J. Corrigan "agreed to let Sam talk" to deputy sheriffs—but not to Cleveland homicide detectives.

Dr. Sam, obviously startled by this testimony, paled and fidgeted. He spilled ink on himself and nervously mopped it up.

During an afternoon recess, Dr. Sam, with his four defense attorneys clustered about him, delivered an animated lecture, pointing to a picture of the marks on the pillow. One of the attorneys produced a magnifying glass to examine it.

All seemed aware that this was fresh evidence they had not encountered before—possibly the most important "surprise testimony" yet sprung by the prosecution.

### **Tells of Marks on Pillow**

Over the shouted objections of Defense Attorneys William J. Corrigan and Fred W. Garmone, Dr. Gerber testified that the marks on the murdered Marilyn's pillow seemed to have been caused by a two-bladed instrument which caused tooth-like indentations.

**He held up the bloodstained pillow for the fascinated jurors to see.**

**The pillow was passed from hand to hand by the jurors as a projection machine and screen were set up.**

**Then the courtroom was darkened—again over violent defense objections—and Dr. Gerber showed a series of color slides.**

**They were photographs of the scene in the murder bedroom, showing how the savage swipe of the weapon that killed Mrs. Sheppard splattered her blood on the walls—closeups of the pillow and bedsheet on which**



# Gerber Tells of Surgery Tool Mark on Death Pillow

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Marilyn was slain—pictures of other bits of evidence picked up in the room.

Gerber arranged the pillow on the judge's bench to show the jurors how he first observed it.

## Impression Represents Blade

He pointed out the blood spots and "an imprint, I believe, of a surgical instrument. . . .

"This impression represents the blade. One blade on each side is three inches long. . . . The impression indicates two blades, one on each side. There is a tooth-like indentation at the end of each blade."

Dr. Sam, sitting with his four defense lawyers, carefully watched the screening.

So did everyone else in the courtroom, except Mrs. Thomas Reese, stepmother of the murdered Marilyn, and the victim's aunt, Mrs. Henrietta Munn. They sat alone in a corner of the courtroom while everyone else shifted position to be able to see the color projections.

While the projector was being set up, Corrigan shouted a series of objections into the record.

Corrigan's loud demand for a mistrial was overruled by Judge Blythin.

Dr. Gerber also introduced into evidence the blood-stained trousers and shorts worn by Dr. Sam when he reported his wife's death.

Dr. Sam covered his eyes several times as the veteran coroner—first public official to accuse him of his wife's murder—gave his dramatic testimony.

Several women jurors seemed to switch their eyes back and forth from the exhibits pre-

sented by Dr. Gerber to the strained face of the defendant.

## Sheppard Winces

Dr. Sam winced when the coroner produced the bloody bedsheet on which his wife was slain. Dr. Gerber also produced the bloodstained pajamas Marilyn wore, but these were withdrawn to be entered in evidence later.

He estimated 3 to 4 a. m. as the time of death, Dr. Gerber testified, on the basis of body rigidity and information furnished by the Don Aherns, the last neighbors who saw Mrs. Sheppard alive.

Dr. Sam took notes as the lawyer-physician-coroner stated matter-of-factly that Mrs. Sheppard had digested her last dinner of ham and berry pie before her death.

The jurors showed keen interest in the photograph of Marilyn's wrist, which Dr. Gerber said established that her watch was on her arm when she was murdered. They passed the photo from hand to hand and examined it carefully.

The defense attorneys were apparently astonished by Dr. Gerber's presentations.

All eyes in the courtroom focused on Dr. Gerber as he took the familiar oath to tell "the truth," then calmly asked that the seat on the witness chair be tightened so it wouldn't swivel.

Gerber asked for a glass of water—"I expect this to be a long ordeal," he said.

He pushed aside the microphone—"I'll be heard without it"—and began answering the questions of Assistant Prosecutor Saul S. Danaceau in positive tones.

Dr. Gerber described how he had been summoned to the house at 28924 Lake Rd., Bay Village, on the morning of July 4.

When he arrived at about 8 a. m., Dr. Sam had already been removed to Bay View Hospital, without police authorization, by his osteopath brothers, Dr. Stephen and Dr. Richard N. Sheppard.

Dr. Gerber told how he ordered everyone but Bay Village police and officials out of the murder home, and then

was driven to Bay View Hospital by Bay Village Police Chief John Eaton.

He went into Dr. Sam's hospital room accompanied by Dr. Stephen, the coroner related.

"He was in bed, and he had a bruise on the right side of his face, near the eye."

Q.: Did you take his pulse?

A.: Yes. It appeared normal.

Q.: Now will you relate your conversation?

A.: I asked him if he could tell me what had happened, and he said he'd try.

Dr. Gerber said Dr. Sam told him "he was sleeping on the couch . . . he thought he heard someone call 'Sam' . . . he immediately jumped off the couch, rushed upstairs, and at the head of the stairs something clobbered him on the back of the head or neck. . . .

"He was rendered unconscious, and didn't know how long. . . . Then he heard a noise from the living room, rushed downstairs, thought he saw a form go out the door to the stairs leading to the beach, rushed after it . . . at the foot of the stairs alongside the bathhouse, he wrestled or hassled with the form . . . he was rendered unconscious again. . . .

## Describes Intruder

In later accounts, Dr. Sam said he was knocked unconscious on the beach the second time, and described the intruder as tall and "bushy-haired."

While he was interviewing Dr. Sam, Gerber related, another doctor came in and took the osteopath's blood pressure. It was normal, he said.

Dr. Sam told him, the coroner testified, that he couldn't identify the form . . . "it was just an outline" . . . "it was too dark to see anything."

Gerber said Dr. Sam had no difficulty talking to him—although his brothers and attorneys later interfered with other investigators who attempted to interrogate him. They insisted his physical condition would not permit lengthy questioning.

All of Dr. Sam's clothing was wet when he received the garments at the hospital, Gerber said.

The prosecution contends that Dr. Sam went into Lake Erie to wash off his wife's blood.

Dr. Gerber's forthcoming cross-examination will climax months of vehement clashes between the belligerent defense lawyer and the soft-spoken coroner over the Sheppard murder case.



BOX FULL OF EVIDENCE is displayed by Coroner Samuel R. Gerber before taking witness stand at Dr. Sam Sheppard's murder trial.