

Wednesday Morning Session, December 1, 1954, 9:15 o'clock

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Thereupon, the State, further to maintain the issues on its part to be maintained, called as a witness WORTH E. MUNN, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF WORTH E. MUNN

By Mr. Mahon:

Q Will you tell us your name, please?

A Worth E. Munn.

Q And where do you live, sir?

A Gates Mills, Ohio.

Q And what is your business?

A I am vice-president of the Di-Noc Company.

Q Do you know this defendant, Sam Sheppard?

A Yes, I do.

Q How long have you known him?

A When he first started to go with Marilyn, which was when they were in Heights High School.

THE COURT: Speak a little  
louder.

A When they were in Heights High School.

Q Were you related to Marilyn?

A By marriage; I am an uncle.

Q Just what was the relationship?

MR. PARRINO: He is an uncle.

Q You are an uncle. What relation was your wife to Marilyn?

A My wife's a sister of Marilyn's father, Thomas S. Reese.

Q Your wife is a sister of Thomas Reese?

A Correct.

Q Who is the father of Marilyn, is that right?

A Yes, sir.

Q On July 4th of this year, did you see Sam Sheppard?

A Yes, I did.

Q And what time did you see him?

A Approximately quarter of nine to nine o'clock, a.m.

Q And where did you see him?

A At the Bay View Hospital.

Q And had you received some word earlier that morning concerning Marilyn?

A Yes, I had.

Q At what time did you receive that word?

A Approximately 20 minutes of 7 a.m.

Q And after receiving some word concerning Marilyn, what did you do?

A We dressed and went in to pick up Mrs. Reese.

Q Did you get your information by telephone message?

A Yes, I did.

Q And where did you go then?

A We went down to Mr. Reese's boat at the West Side Yacht Club.

Q What did you do there?

A We notified Mr. Thomas S. Reese what had happened.

Q Then what did you do?

A We drove directly to the Bay View Hospital.

Q And arrived there at what time?

A About 8:30.

2 Q And what did you do after you got to the hospital?

A We walked in the main entrance and looked for some attendant on the floor, and finally found a stairway and walked down and found the girl at the telephone booth, and asked for any of the Dr. Sheppards.

Q And what happened following that?

A Finally Dr. Richard Sheppard interviewed us.

Q Well, did you see Sam following that?

A Directly, within about 15 minutes, we saw Sam.

Q Where did you see him?

A Saw him in the hospital room.

Q And was he in bed there?

A Yes, he was.

Q And who else was present at that time?

A My brother-in-law, Thomas S. Reese, and Dr. Richard Sheppard, Jr.

Q And was there some conversation had at that time?

A Yes, there was.

Q What was the appearance of Sam at that time?

A Sam had a bandage on his neck; his face was badly swollen, particularly the right cheek; his head was rolling back and forth as he talked to us; and I believe he had his -- his right eye seemed to be swollen.

Q Did he have any difficulty in talking?

A No, he did not. I didn't do the talking.

Q No. Did Sam have any difficulty in talking?

A No, he did not.

Q When had you last seen him before that time?

A I'd say about a week to 10 days he stopped in our place in Gates Mills.

Q Now, what conversation was had there in the hospital room at that time?

A Mr. Reese's first question, as I remember, was, "For God's sakes, Sam, what happened?"

His answer was, "They killed Marilyn."

Mr. Reese then, I believe, asked him how many there were, and he said he thought there were two.

Mr. Reese then asked him whether they were negro or white men, and he said he couldn't tell.

Following that, I believe Sam told us generally what had happened, that he had heard Marilyn screaming; that he had gone upstairs, and when he reached the top of the stairs he was knocked out. When he came to, he heard noises, and he said he chased them. He said he tried to tackle them. Finally he got to the beach and was knocked out a second time.

The only thing I can recall is that he said he wished that his family -- he had followed his family's advice to keep his doors locked.

I believe Mr. Reese said, "Keep your chin up,"

and I said we were with him, and we walked out of the room.

Q Was there anything said about what happened after he was knocked out on the beach?

MR. CORRIGAN: I object.

THE COURT: Well, he may say  
if there was.

A No, I don't believe there was anything further said.

Q How long were you in there altogether in that room?

A I'd say about three minutes.

Q And during the conversation there did he express the word "they"?

A Definitely.

Q Or "them"?

A "Them," yes.

Q "Them." Have you related all of the conversation now, Mr. Munn, that took place there?

A As far as the interview with Sam is concerned.

Q Did you see him after that at any time?

A No, I did not, except at the funeral. I did see him at the funeral.

Q You did see him at the funeral?

A Yes.

Q And when was that?

A I believe it was on the following Wednesday.

Q Did you have any conversation with him at that time?

A No. I just shook his hand and he mentioned my name.

MR. MAHON: You may inquire.

CROSS EXAMINATION OF WORTH E. MUNN

By Mr. Garmone:

Q Mr. Munn, I will hand you what has been marked for identification Defendant's Exhibit L. Will you look at it, please?

(Witness does as requested.)

Q Would that be a fair representation of the condition that Sam was in when you saw him on the morning of July the 4th?

A No, I don't believe it would be.

Q What was there different about him from the description you gave and what is contained there?

A He appears to be sleeping here.

Q He appears to be sleeping. How about his facial features?

A With the exception of his eyes being closed, I would say his facial features are about the same.

Q Now, you stated to Mr. Mahon that when you walked into the room, that you had observed that Sam's face was badly swollen?

A That's correct, the right side of his face.

Q The right side of his face. Over a period of the number of years that you knew the defendant, Sam Sheppard, and Marilyn Sheppard, how often would you say you were in their company, Mr. Munn?

A I can't be specific, but we saw them on an average of least, I would say, once a month.

Q Once a month. And there was no time on any of those occasions that you ever saw Sam Sheppard mistreat Marilyn, ins't that true?

A That's correct.

THE COURT: Mr. Garmone, could I be pardoned one second? I have a very important telephone call here on another matter.

MR. GARMONE: All right.

(Thereupon the Judge left the bench for a moment.)

THE COURT: Thank you, Mr. Garmone.

Q The conversation that you have related that transpired in the hospital room, that conversation primarily was between Sam and Mr. Reese, is that right?

A That is right.



Q Mr. Reese is connected with the Di-Noc Company, also, is he not, Mr. Munn?

A That's right.

Q Now, some time during the course of that conversation, do you recall the question asked of Sam by Mr. Reese whether --

MR. GARMONE: Judge, can we recess for a couple of minutes? Mr. Bird would like to step out of the chambers of the court.

MR. DANACEAU: Agreeable.

MR. PARRINO: Agreeable, Judge.

THE COURT: All right.

MR. GARMONE: Somebody better go with him. Maybe the whole jury should be at ease.

THE COURT: Yes. Perhaps we will have a few minutes' recess, and we will just wait for him. Please do not discuss this case.

(Recess taken at 9:30 a.m.)

(After recess, 9:50 a.m.)

Q Mr. Munn, during the conversation being had there that you have related on your direct examination, Sam was rolling his head back and forth, was he?

A That's correct.

Q And did he not during that conversation state to Mr. Reese that the back of his head was bothering him some?

A I do not recall any such statement.

Q You don't recall that. Now, after the conversation had been completed, you both shook his hand and told him to keep --

A I was holding his hand and I believe Mr. Reese was holding the other hand.

Q The other hand. Told him to keep his chin up?

A That's correct.

Q And that you were both in his corner, is that right?

A I said that.

Q You said that.

A Not in those words.

Q But substantially?

A That's right.

Q What were the words you used?

A I think I said, "We're" with him.

Q We're with him. Now, as this conversation was being had, isn't it a fact that Sam appeared to be somewhat emotionally upset?

A He was sobbing.

Q Sobbing.

A Intermittently.

Q About a week prior to the July 4th incident, Sam had the

occasion to stop at your home?

A That is right.

Q And visited with you?

A Correct.

Q And do you recall on that occasion he stated that he was thinking of getting rid of the Lincoln automobile and buying Marilyn a new Ford?

A I can't say that I recall that statement.

Q Do you recall that you said to Sam that, "Well, the Lincoln is a pretty good car and still has a good number of miles left in it"?

A I know he liked the Lincoln.

Q He liked the Lincoln. But you don't recall the conversation about selling it and getting Marilyn a Ford?

A I do not.

Q Now, you didn't see Sam any time after the 4th, only on the occasion that you have testified to, is that right?

A That s right.

MR. GARMONE:

That is all,

Mr. Munn. Thank you.

MR. MAHON:

That is all, sir.

(Witness excused.)