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## 54/07/07 State Prepares Charge Against Bay Murderer

Cleveland Press

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# Cleveland Press

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52 Pages—7 Cents

CLEVELAND, WEDNESDAY, JULY 7, 1954

Phone CHerry 1-1111

# STATE PREPARES CHARGE AGAINST BAY MURDERER

# New Search Is Ordered for Clews

"The state is already preparing its case against the killer of Mrs. Marilyn Sheppard."

This statement was made today by Assistant County Prosecutor John J. Mahon as he directed a surprise new search of the Bay Village home in which the 30-year-old clubwoman was beaten to death Sunday morning.

Mahon sharply criticized the refusal of relatives to permit the immediate questioning of the victim's husband, Dr. Samuel Sheppard, also 30.

While the prosecutor spoke, Dr. Sheppard, his injured neck supported by a brace, was being taken out of Bay View Hospital in a wheelchair to attend his wife's funeral.

## Mahon Criticizes Delay

"According to doctors who have examined him, there's nothing to prevent this man from talking to us right now," Mahon said. "There's been too much delay here. A murder has been committed. It must be solved."

Mahon said the renewed search of the home at 28924 Lake Rd. was "to try and find the murder weapon or anything else that will aid the state's case."

One of the first observations during the new inspection was a pile of paper-backed murder mysteries on the floor, and a book entitled "Tonic for Our Times" near the downstairs couch on which Dr. Sheppard said he was asleep when awakened by his wife's scream from the upstairs bedroom.

## Not Naming Defendant Yet

"We are not naming a defendant yet," Mahon said, "but the case must be tried eventually—and soon."

Mahon ordered Deputy Sheriff Carl Rossbach to question Dr. Sheppard "as soon as he gets back from the funeral."

Then he changed his mind, agreeing that the osteopath probably would be emotionally upset. "Wait until tomorrow," Mahon said. "No later."

Coroner Samuel R. Gerber had previously agreed to postponed further interrogation of Dr. Sheppard until "possibly Friday."

Mahon was accompanied by his assistant, Thomas Parrino, who suggested that a formal coroner's inquest be held as a means of bringing out "the additional information needed to solve this crime."

The youthful osteopath whose world of surgery and sportsmanship suddenly collapsed when his pretty wife was slain Sunday morning gritted his teeth as he was carried out of the hospital to attend the funeral. "I insist on going," he said.

Dr. Gerber ordered that Dr. Sheppard be taken back to the murder scene as soon as he is physically able to re-enact his recollections of the brutal slaying.

The dramatic ordeal was tentatively set for Friday after Dr. Gerber conferred at Bay View Hospital with Dr. Charles Elkins, consultant called in by Dr. Sheppard's family to examine the injuries he suffered in what he described as a series of struggles with the maniacal murderer.

Dr. Elkins said he had "no idea how the injuries were received," but he said there was serious damage to the spinal cord in the neck region, with bruises on the right side of the face.

"It's so awful," the osteopath told the Rev. Alfred Kreke, pastor of the Bay Methodist Church, which his family attended. "I'd be willing to give up—I see no reason to keep on living—if it weren't for Chip . . ."

"Chip" is his six-year-old son, Samuel Jr. Rev. Kreke visited the doctor at Bay View Hospital.

Bay Village Police Chief John Eaton said Dr. Stephen Sheppard had withdrawn a previous diagnosis that his brother had a broken neck vertebrae.

The injuries, he said, actually were "badly torn tissue" between the vertebrae. These were suffered, according to Dr. Sheppard, when he was "clobbered" in

# State Prepares Bay Murder Case

(Continued From Page One)

a desperate struggle with the maniacal murderer,

Coroner Gerber and Deputy Sheriff Rossbach were handed full control of the murder investigation by Bay Village Mayor J. Spencer Houk.

"We don't have the facilities or experience to handle this sort of thing alone," Mayor Houk said. "I've asked them to take over."

Houk pleaded for a speed-up of the investigation. "We want this hideous crime solved as soon as possible," he said.

## Spur Weapon Hunt

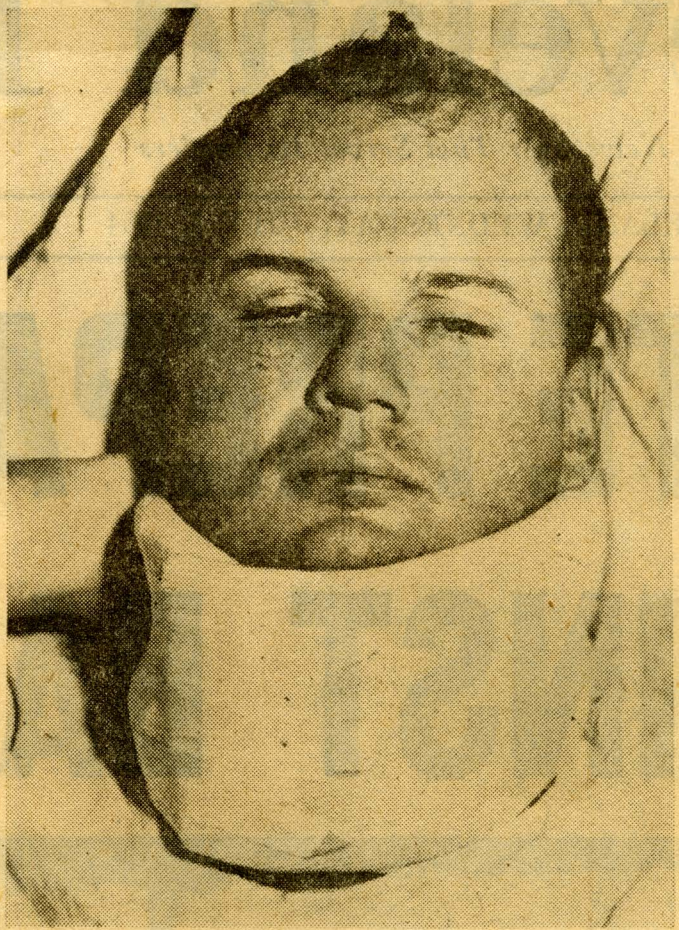
Chief Eaton ordered a new attempt to drag a magnetic device over the Lake Erie bottom near the Sheppard's beach in an effort to locate the still missing weapon with which the pretty housewife was bludgeoned to death.

Should this fail, the chief said, he will hire a Lorain firm of professional divers to comb the underwater area. Eaton expressed fear that rough waves might carry off the death weapon—assuming that the killer hurled it into Lake Erie.

He turned over two pairs of gloves found near the Sheppard beach house to Dr. Gerber for laboratory analysis.

The gloves were identified by family members as belonging to Dr. Sheppard.

One pair was canvas, stained with black and red paint. The



**CENTER OF INVESTIGATION** in murder of his wife, Marilyn, Dr. Samuel Sheppard looks tense in room in Bay View Hospital. Special collar protects his neck, which he says was injured in struggle with maniacal killer in his Bay Village home. His neck was not broken as previously stated by his brother, Dr. Stephen Sheppard. (Press Photo by Glenn Zahn)

other gloves were of wool-lined leather.

Investigators also awaited the result of laboratory tests on a small piece of "inorganic material" found in the murder room. Dr. Gerber said it might be a chip of paint, composition leather, or "almost anything else."

He said it could be a fragment of the murder weapon, or have no significance whatever.

Another small object found in the death room was identified as a chunk of fingernail polish knocked from the victim during her savage beating.

Dr. Gerber said "no physical evidence has been found" which definitely establishes the presence of any outsiders in the home at the time of the slaying.

Dr. Stephen Sheppard said at least \$50 was missing from the slain woman's wallet and about \$70 had been taken from his brother's billfold. He also said a quantity of synthetic morphine definitely was missing.

Rossbach said he planned to interview the slain woman's son immediately after the funeral.

## Dr. Markey to Aid

Dr. Gerber arranged for the boy to be questioned by Dr. Oscar B. Markey, Juvenile Court psychiatrist. Dr. Markey won high praise for his skilled questioning of Kenny Broyles, 4-year-old attack victim. Kenny's answers gave leads which aided the capture of his assailant.

A clash between Dr. Sheppard's family and officials over the extent of the husband's injuries and his ability to withstand further interrogation was resolved after a lengthy conference last night. During the session, Dr. Gerber pointed out that he had authority to issue a subpoena for the testimony.

But all agreed that Dr. Sheppard would submit to questioning—with his own attorney present—in the near future, most likely tomorrow or Friday.

Eaton said the questioning would be at the Lake Rd. home, where Dr. Sheppard would be asked to demonstrate his experiences of the murder morning.

A neighbor turned over a heavy icpick found in his front yard to police, but Eaton said it was "unlikely" the in-

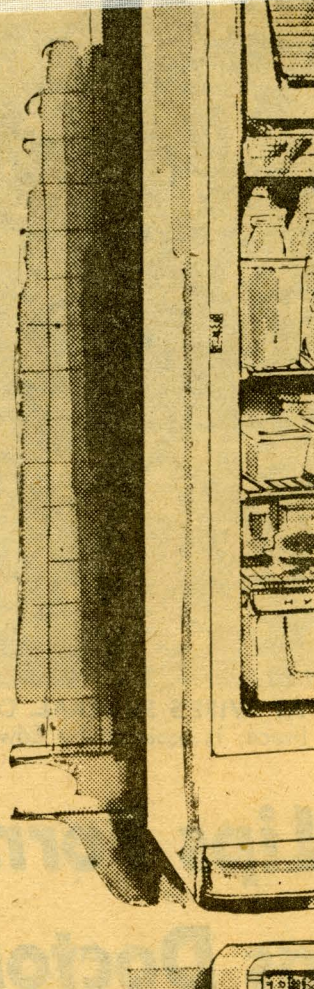
strument was the murder tool. Search was continued for the missing T-shirt worn by Dr. Sheppard when he fell asleep on the downstairs couch.

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