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54/07/29 Weighs Move To Arrest Doctor

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WEIGHS MOVE TO ARREST DOCTOR

MEETING IN CULLITAN'S OFFICE TO SIFT EVIDENCE; DENY 'ORDER' TO BAY

Story Says Material on Hand Is Not Enough to Act Now; Rules Out 'Shakedown' of Murder Victim's Husband; McArthur Hits Report He Advised Quick Action

BY JOHN G. BLAIR

Whether sufficient evidence exists to arrest Dr. Samuel H. Sheppard for the murder of his pretty wife, Marilyn, will be decided this morning at a meeting in the office of County Prosecutor Frank T. Cullitan.

Police Chief Frank W. Story made the disclosure after a three-hour meeting with Bay Village authorities and his key investigators in Central Police Station late yesterday.

As the meeting ended, Story told reporters: "We don't have the evidence now to make an arrest."

He added: "If I thought we had the evidence he would be in the 'can' now."

Still Top Suspect

Story said he still considered Dr. Sam as the "number one suspect" in the brutal hack-murder of his pregnant wife before dawn July 4.

Mayor J. Spencer Houk of Bay Village, who attended the meeting with his police chief, John P. Eaton, was asked if he thought his friend, Dr. Sam, was the chief suspect.

When Mayor Houk paused Story put in: "We have had a meeting of minds here."

Houk then said he thought Story's comment about a "meeting of minds" was accurate.

Others in Session

Also participating in the session were Deputy Inspector James E. McArthur, detective chief, and Capt. David E. Kerr, homicide bureau head. Assistant County Prosecutor Thomas J. Parrino was present during the early part of the meeting.

After the conference had been in progress about two hours Chief Story joined the group.

Story said Houk and Eaton had been called in to discuss all phases of the case from Sunday, July 4, when Mrs. Sheppard was found chopped to death, "up to

now."

Topics of Discussion

The chief said the group discussed "what was done, what was not done and what can be done."

Later Eaton told a reporter: "We are always getting bawled out."

Houk refused to discuss the meeting. He appeared bedraggled and tired.

Story said there was no difference on who should make an arrest in the case. He said the Cleveland police were not in the case "for credits."

"Whoever makes the arrest is immaterial to me," Story added. "If I thought that we had sufficient evidence to make a first-degree murder arrest tonight we would do it."

Asked why Dr. Sam was not being brought in for questioning, Story said that as soon as this was done a demand would be made that the doctor be charged and a writ of habeas corpus would be issued.

Story was then asked if he had "written off" the possibility of "shaking him down," in reference to grilling Dr. Sam by detectives.

"Yes," was his reply.

"I don't think you will shake that guy down in 24 minutes or in 24 hours," he added.

Solicitor to Appeal

Richard S. Weygandt, Bay Village solicitor, will join in the top-level conference this morning.

Story said he was not concerned with the question of legal responsibility in making an arrest in the baffling, three-week-old mystery.