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54/08/02 Lawyers Delay Quiz Of Doctor

Cleveland Plain Dealer

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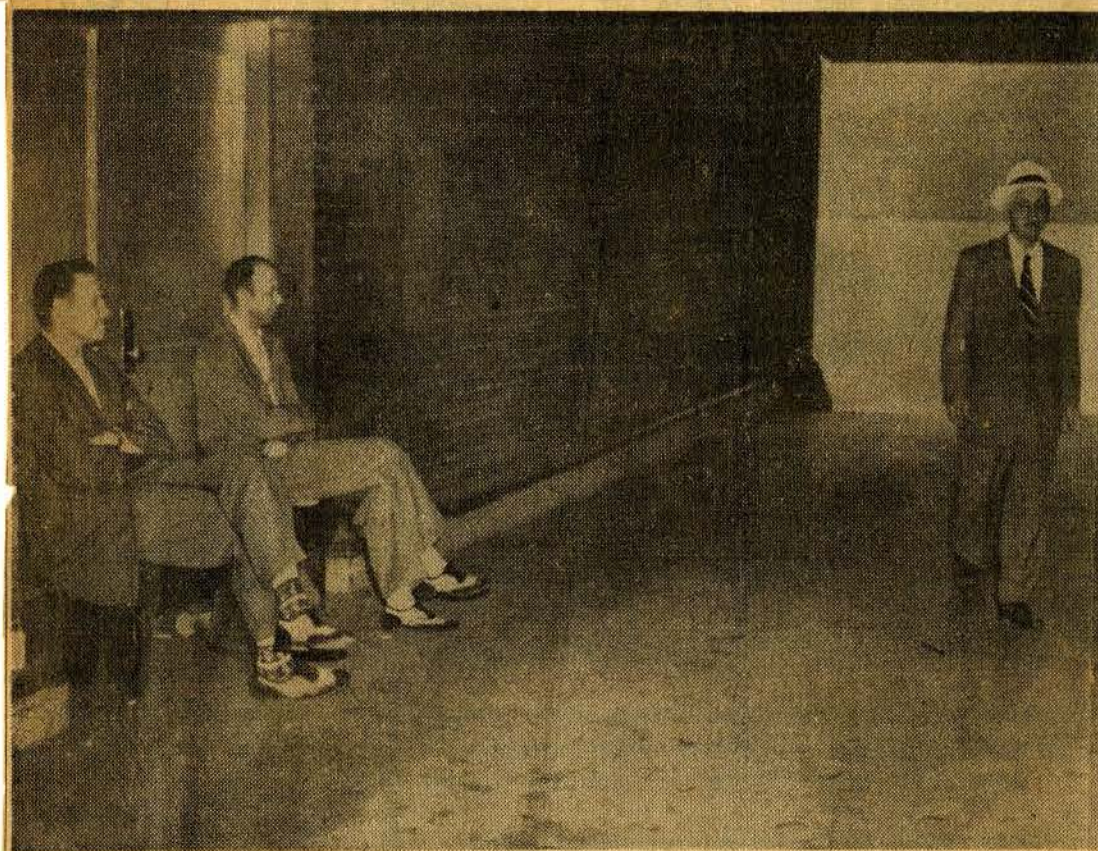
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CLEVELAND—Partly cloudy, scattered afternoon showers. Expected high today 82, low tonight 65. See Page 30.

LAWYERS DELAY QUIZ OF DOCTOR



BLOCKED from questioning Dr. Samuel H. Sheppard, Homicide Detectives Patrick A. Gareau (left) and Robert E. Schottke (middle) waited impatiently outside County Jail yesterday as William J. Corrigan, Dr. Sam's lawyer, returned to confer with the accused wife slayer. Right: Corrigan (left) and Arthur E. Petersilge, another Sheppard lawyer, left the jail at 2:15 p. m. after their "filibuster" conference was halted by Sheriff Joseph M. Sweeney.



DETECTIVES HELD UP BY TWO VISITS

Kerr Halts Questioning for Night; Calls It 'Waste of Time'

BY JOHN G. BLAIR AND WILLIAM L. MACKEY

Frustrated detectives gave up further attempts to question Dr. Samuel H. Sheppard last night after a day in which the alleged wife-slayer's lawyers held two delaying conferences.

"It would be a waste of time," Homicide Chief David E. Kerr said as he called off questioning for the night.

His decision came after Sheppard's lawyers, William J. Corrigan and Arthur E. Petersilge, interrupted questioning of Dr. Sam by Detectives William Lonchar and Harold Boyette.

Earlier, Corrigan beat detectives to the punch and was conferring with Dr. Sam when investigators arrived in the morning at County Jail to start their interrogation.

"Clammed Up"

It was not until afternoon that detectives got to the prisoner, only to discover he had "clammed up" and refused to talk about the murder of his wife, Marilyn, four weeks ago yesterday.

Ejected from the jail in the afternoon, Corrigan and Petersilge returned at 6:50 p. m. with a demand to see their client. After waiting for an hour and 40 minutes the lawyers were admitted when Lonchar and Boyette halted their questioning.

The attorneys conferred with Dr. Sam for an hour in the fourth-floor lawyers' room of the jail. After they left at 9:30 his leather therapeutic collar was returned to him. It was reported he had complained of a headache and neck pains.

Little Accomplished

Detectives indicated the six hours of questioning accomplished little.

"We couldn't get him up the stairway," one detective said, referring to attempts to induce Dr. Sam to retell his story of the murder from the time he said he ran upstairs to aid his wife, who was being hacked to death by a mysterious intruder.

Ejected at 2:15 P. M.

Corrigan had announced he would return in the evening to talk to Dr. Sheppard after he and Petersilge were ejected from the jail by Sheriff Joseph M. Sweeney at 2:15 p. m.

The scrappy criminal lawyer arrived at the jail yesterday morning at 8:15, before Detectives Adelbert O'Hara and James McHugh. The detectives were to be the first team of questioners to confront Dr. Sam.

When O'Hara and McHugh arrived at 8:35 they were told Corrigan was conferring with his client.

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Two Visits by Lawyers Delay Detectives' Quiz of Doctor

(Continued From First Page)

The detectives were still cooling their heels on a bench outside the jail door when Petersilge arrived at 10:20 and joined Deputy Sheriff Harvey G. Weit-

Corrigan.

At 11:15 Corrigan left alone, apparently to eat his lunch while Dr. Sam was eating jail fare in Petersilge's company.

While Corrigan was gone Detectives Patrick A. Gareau and Robert E. Schottke arrived at noon to relieve the earlier team of O'Hara and McHugh.

At 12:50 Corrigan returned and was informed Sweeney had given orders that the lawyer was not to be admitted to see his client.

Meet at Booking Office

Corrigan was joined by Petersilge at the booking office of the jail, and Gareau and Schottke entered to begin their interrogation.

Corrigan was fuming when he left the jail with Petersilge. He threatened suit against the persons who ordered him from the jail.

Petersilge said he was talking to Dr. Sam when Sweeney and Zel entered the room and told

him he had seen the Bay Village osteopath long enough.

The lawyer said he protested to Sweeney and pointed out that Common Pleas Court rules do not place a time limit on an attorney's conversations with his client.

Instructs Client

When deputies were ordered to return Dr. Sam to his cell, cutting off the conference, Petersilge said he instructed the physician "not to answer any question from the police until Mr. Corrigan and I are present."

Gareau and Schottke found that Sheppard had clammed up when they tried to question him.

At first described as belligerent, Dr. Sam became more agreeable as time passed. Nevertheless, he refused to answer any questions dealing with the murder.

"On advice of counsel, I will not talk about anything to do with the murder," Capt. Kerr reported him as saying to detectives.

Kerr observed that Dr. Sam was "well coached."

Seen Reading Paper

It was reported from the jail that Petersilge had been seen reading the Plain Dealer to Dr. Sam while the "conference" was under way.

"It is far from an ideal situation where you can interrogate anyone in a proper manner," Kerr observed ruefully.

"We have absolutely, positively no control over the prisoner," he added.

In the afternoon, while Gareau and Schottke were questioning Dr. Sam, a brother, Dr. Stephen A. Sheppard, appeared at the barred back door of the jail.

Request Denied

His request to see his 30-year-old brother was denied by Weitzel. "Dr. Steve" on Saturday was told that visiting days were Fridays, from 1 to 3 p. m.

Dr. Steve told a Plain Dealer reporter that he wanted to "check" on his brother's condition.

"After all, I consider him a patient," he explained.

As he talked he looked up at the jail tower, from which shrieks of demented prisoners could be heard.

"The guy's innocent," he said.

"If they think they are going to pound him until he makes a confession they are wrong."

Trudges Up Ramp

Then he turned and dejectedly trudged up the jail ramp, carrying his medical kit.

Dr. Sam has been moved from the "solitary" cell in which he was lodged when brought to the jail Friday night.

He now occupies a cell in a block with five other prisoners, all felons. Before his lawyers arrived yesterday morning he was seated in the bull pen outside the block conversing with his fellow prisoners.

The imprisoned osteopath did not attend any religious services nor did a minister visit him in his cell.

Spirits Are "Up"

Corrigan reported Dr. Sam's spirits were "up—considering."

The lawyer added: "How would you feel if you were questioned for 12 hours?" referring to Saturday's quiz session by teams of detectives.

As Corrigan left the jail to go to lunch he proclaimed: "This man is innocent. They arrest the man on a charge of first-degree murder and then they try to get the evidence to make the charge."

Corrigan said he carried no messages from the Sheppard family to Dr. Sam and was taking none out.

Haven't Hired Sleuth

The lawyer added that the Sheppards had not as yet hired a private detective to investigate the murder of Mrs. Sheppard.

Petersilge said that he had told Weitzel to bring Gareau and Schottke upstairs while he was there, but that he was told the detectives would not come up.

Corrigan said that he protested to Sweeney over the ejection of the lawyers and that Sweeney agreed to let Corrigan and Petersilge return when police finished questioning Dr. Sam.

McArthur Angered

He said that at that time the 7 p. m. appointment was set.

As Corrigan left the jail last night, he was asked why his earlier attitude on his client's answering questions had changed.

On Saturday he had said Dr.

ported love letters from Dr. Sam to the pretty laboratory technician.

Police Chief Frank W. Story said Miss Hayes, who has admitted intimacies with Dr. Sam, would be questioned by him this morning at 10.

"Something new has come up," was all Chief Story would say. County Prosecutor Frank T. Cullitan said it was possible he would also interview Miss Hayes again today.

He said a final determination had not been made on whether

she would be held as a material witness. If she is not she will be asked to remain in the city to be available for further questioning.

Police apparently had no plans for the present to confront Dr. Sam with the girl.

Sam would talk because he was an innocent man.

"What right has the Plain Dealer to ask me that question?" he said.

Cites 37 Hours of Quizzing

He said Dr. Sam had talked to police a total of 37 hours, not counting more than five hours at the inquest conducted by Coroner Samuel R. Gerber.

Deputy Inspector James E. McArthur, detective chief, was angered by the lawyers "sit-down" in the morning.

He suggested that "maybe they are trying to question him in relays, but they can't keep it up."

"We can," he added.

"We haven't been in to talk to him," McArthur said about the morning session of the lawyers with Dr. Sam. "If they want to question him all day we will interview him at night."

Shirt to Be Tested

Meanwhile, chemical tests were to be made on a T-shirt found Saturday at Perkins Beach. The shirt is the same size and brand as the one worn by Dr. Sheppard on the night of the murder. That shirt has been missing since.

David L. Cowles, superintendent of the police scientific laboratory, will check on stains on the shirt to determine if they are blood.

Capt. Kerr said the two "other suspects" suggested by Corrigan had been "absolutely checked out."

Kerr said he had talked to Susan Hayes on Friday afternoon at Hotel Carter.

Tells of Letters

"There are letters in existence," was all Kerr would say when he was asked about re-