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54/08/04 Held After Bay Murder Boast

Cleveland Plain Dealer

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CLEVELAND — Partly cloudy, warmer, scattered showers tonight. Expected high today 85, low tonight 67.

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CLEVELAND PLAIN DEALER FINAL

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HELD AFTER BAY MURDER BOAST

EX-CONVICT ARRESTED NEAR BAR IN LORAIN

Ignoring No Leads, Police Assert;
Sheppard Spurns Quiz; Corrigan
Gets Writ to Challenge Warrant

Police last night held a 39-year-old Lorain ex-convict for questioning in connection with the hack-murder of Marilyn Sheppard.

The steelworker was arrested for investigation by Lorain police after he telephoned police here and boasted: "He didn't do it; I killed her."

In an intoxicated condition, the man was picked up by Lorain Patrolmen Adam Socha and Dick Sova near the bar from which he had telephoned.

Detectives Adelbert O'Hara and James McHugh brought him to Central Police Station at 5 p. m.

Cleveland police cited the action as showing they were not ignoring any leads no matter how remote they may seem.

Follows Lawyers' Charge

Lawyers for Dr. Samuel H. Sheppard, charged with first-degree murder in the death of his pregnant wife, have asserted police were not checking tips given by them which would clear Dr. Sa.

Shortly before the steelworker was picked up a Bay Village man was brought to Central Station and questioned by Detectives William Lonchar and Harold Boyette.

He was released after signing a statement given the detectives.

Refuses to Talk

At County Jail Sheppard met all questions by detectives with the statement that he had been advised not to answer.

Detectives talked to him three hours, but received little more than this stock reply.

As they tried to elicit information from him he turned to a small Bible and read from it, ignoring the interrogators.

Police Chief Frank W. Story said: "He just will not answer."

Los Angeles authorities were asked by police here to find a woman known only as Margo, said to be a former girl friend of Dr. Sam's.

Described as Nurse

She was described as a nurse by two Los Angeles osteopaths who met her through Sheppard.

It was reported that "Dr. Sam was kidded about her."

Margo is described as "very pretty" and was said to have been friendly with Sheppard in 1950, when a rift in the Sheppards' marriage developed.

Marilyn wrote home at that period about the difficulties over another woman. Margo reportedly has married since.

Meanwhile, lawyers for Dr. Sam obtained an alternative writ of prohibition from Appellate Judge Joy Seth Hurd.

Restrains Barber

The writ prohibits Gershom M. M. Barber, president of the Bay Village Council, from holding a hearing in connection with the murder charge against Dr. Sheppard before a hearing on a petition for a writ of prohibition Friday at 10 a. m. before Judge Hurd.

If the writ is granted at the Friday session, Barber will be prohibited from holding the scheduled preliminary hearing Saturday on the charge that Sheppard murdered Marilyn.

The petition contends that Barber "is wholly without power or jurisdiction" to conduct the preliminary hearing.

It asks that he be restrained from holding the Saturday session "and attempting to hear and determine the existence of probable cause on the charge" against Dr. Sheppard.

Some legal sources said that if the writ were granted it in effect would nullify the first-degree murder warrant itself, since if Barber could not hold the hearing because of lack of jurisdiction he also would not have jurisdiction to issue the warrant.

In such an event, authorities probably would go before a justice of the peace anywhere in the county for a new warrant or take the case directly to the grand jury.

(Continued on Page 7, Column 1)

Ex-Convict Held After Bar Boast in Sheppard Murder

(Continued From First Page)

The action was filed by Timothy McMahon and William H. Corrigan, both associates of

William J. Corrigan, criminal lawyer representing Dr. Sam. William H. Corrigan is a son of Corrigan.

Richard S. Weygandt, Bay Village law director, said the suburb would fight the action.

Possibility that a continuance may be sought on the preliminary hearing Saturday was indicated by County Prosecutor Frank T. Cullitan. If a continuance is granted the hearing will be Monday or Tuesday at the latest.

This would give authorities more time to gather evidence to show probable cause for Sheppard to be bound over to the grand jury.

Guard Top Evidence

Only a minimum amount of evidence to show probable cause would be presented at the hearing so that the defense would not learn what the state has for its case.

Cullitan said it would probably be "some time" before the evidence would go to the grand jury. He pointed out that it takes considerable time to prepare a case. In addition, all of the investigative evidence has not been presented to him and interrogation of the suspect is still going on.

Common Pleas Judge Arthur H. Day said the present grand jury was being held in readiness until its normal adjournment Aug. 20. If the case is not given the jury before then it will have to wait for the September term.

Detectives Lawrence Doran and Arthur Pagel concluded three hours of questioning of Sheppard at 7:50 p. m. Earlier the osteopath was questioned by Detectives Patrick A. Gareau and Robert E. Schottke for an hour. The police team left County Jail at 1:05 p. m.

New Lawyer Visits

Fred W. Garmone, criminal lawyer who has joined with Corrigan and Arthur E. Petersilge in counseling Dr. Sam, visited the prisoner briefly in the morning.

Garmone returned and was with the prisoner for a short time in the afternoon. He took in a paper shopping bag containing three pears, a dozen oranges and a dozen apples for Dr. Sam.

In the afternoon Dr. Samuel R. Gerber and Kerr visited the Sheppard lake-front home, 28924 West Lake Road, Bay Village. They were inside for 20 minutes.

It was thought they were checking on new stains found in the house, which were revealed by Story.

Employ New Technique

Story said detectives from the bureau of scientific investigation had been working nights at the Sheppard home using a new technique to discover blood stains. Fluorescent light was used in the technique, he said.

"They have found additional stains," Story said. "We plan to determine what is blood and will check and recheck our findings through outside technicians."

The chief added: "There is progress in the investigation. We are trying to determine the truth and evaluate all our findings."

He said the technique used at the house involved improvised equipment and the work had to be done at night in darkness. It has never been used before, he added.

"The new stains we have found were in a position where they could not be readily wiped up," Story said.

The medical examination of Dr. Sam on Monday night gave



COUNSEL for Dr. Samuel H. Sheppard had an added runner yesterday in Fred W. Garmone (left), criminal lawyer, shown conferring with William J. Corrigan outside County Jail.

Now all effects of sedatives have worn off, Story said.

Story said he would not give Sam the lie detector test now even if the doctor volunteered for it.

"The theory of the polygraph is not to tell the man why he is being questioned," Story explained. "The prisoner has had time now to prepare himself, to steel himself, and his reactions would not be the same as unschooled persons'. There is no point in giving him such a test."

police information that "we are doing the man no injury if he does not have the collar." The chief referred to the leather therapeutic collar worn almost continuously by Dr. Sam since he left Bay View hospital several days after the July 4 murder.

"The finding of the blood stains has helped us to trace the movements of the slayer," Story said.

"Sam testified he was in a fantasy that night and might have walked around the house," the chief continued. "The findings of blood stains seem to be consistent with his story. I'm not saying he is the slayer."

"No blood was found on the drawer of the desk in the living room or on articles strewn about the floor," Story said.

Silent on Other Findings

He would not say if any were found in Dr. Sam's study, adding that the investigation was not yet complete. He refused to say in what rooms the stains were found.

"We are certain some of our new findings are blood," he added. "We will check with the technicians on the outside."

Story said he thought the drawers were pulled out and papers strewn about either before the murder "or, more likely, after the killer cleaned up."

Dr. Sam will not look at photos taken of his wife as she lay hacked to death on her bed, Chief Story said.

He said the osteopath would close his eyes or lower his line of sight when confronted with the photographs.

However, Dr. Sam looked at other photographs of the murder scene.

The 30-year-old doctor still refuses to talk about events on the murder night "on advice of counsel," police reported.

Story said Dr. Sam and his attorneys had admitted the physician was under "sedation" when he was charged with the murder Friday night.

The chief said the lawyers were concerned that Dr. Sam might, under the effects of sedatives, not be able to marshal his thoughts properly when questioned.

taken a lie detector test. He said he answered all questions "absolutely truthfully."

Dr. Weigle, a radiologist at University Hospitals, said Marilyn and Sam had difficulties over the last four years about Sam's attentions to other women. He said Marilyn never mentioned any names, however.

He added that he had never personally witnessed any display of temper on the part of Sheppard.

Questioning of Dr. Sam will be done "whenever it is indicated there is a need for it," Story said.

The chief said he had some "new evidence," which he described as "very interesting information."

He said that, so far as any other women in Dr. Sam's life were concerned, none of the affairs were as serious as the one with Susan Hayes, Rocky River medical technician.

Story said two other persons connected with the case had submitted to lie detector tests. He declined to identify them, other than to say they concerned suspects other than Dr. Sam.

Dr. Keith Weigle, 32, a cousin of Marilyn, revealed he had