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54/08/14 Sheppard Case Set For Jury

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THE WEATHER

TONIGHT—Cloudy, showers and
warm. Low, 67.

TOMORROW — Scattered show-
ers and warmer. High, 88.

U. S. Weather Bureau Official Forecast

CLEVELAND NEWS

"A FRIEND OF THE FAMILY"

HOME

FINAL

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CLEVELAND, OHIO, SATURDAY, AUGUST, 14, 1954

Wirephotos, Exclusive Evening News of the Associated Press and International News

SHEPPARD CASE SET FOR JURY

Prosecutor to Pass Earlier Court Hearing

County Prosecutor Frank T. Cullitan announced suddenly today that the County Grand Jury would be given the first degree murder case against Dr. Samuel H. Sheppard "either Monday or Tuesday."

Announcement of the dramatic move—coming only 24 hours after Dr. Sam had won a fight to bar the Bay Village acting mayor from hearing the case—dropped a bombshell into the month-long murder investigation.

Presentation of the case directly to the Grand Jury would mean a bypassing of the preliminary hearing set for Monday morning before Common Pleas Judge William H. Thomas.

Cullitan would give no reason for the new maneuver but said "either two or three days" would be required for presentation to the Grand Jury.

He said Susan Hayes, the pretty medical technician who told of intimacies with Dr. Sam, would be called, as well as Dr. Lester Hoversten, house guest at the Sheppards, and termed them two important witnesses in the Grand Jury investigation.

Cullitan revealed the new move after a 90-minute discussion today with Dr. Lester T. Hoversten and three assistant county prosecutors, John Mahon, Saul Danaceau and Thomas Parrino.

Will Ask Continuance

A continuance will be asked Monday in Judge Thomas' court and Cullitan had no doubt that it would be granted.

The sudden move made the legal sparring between William Corrigan, counsel for Dr. Sam, and Bay Village, unnecessary.

Corrigan had argued—and won his point—that his handsome client could not get a fair hearing before Bay Village Acting Mayor Greshom M. M. Barber. Common Please Judge Frank T. Merrick took the case out of Bay Village hands and put it into the hands of Judge Thomas.

Cullitan said today that Mahon, Danaceau and Parrino would present the case to the Grand Jury.

Cullitan said he has informed Grand Jury Foreman B. R. Winston about his decision to take the case directly to the Grand Jury.

The decision of Cullitan came on the heels of a surprise visit of Judge Thomas to the scene of the July 4 murder of Dr. Sam's pretty wife.

Other Developments In Case

He went through the entire home at 28924 W. Lake Rd. Other developments into the case included:

INVESTIGATIONS in the case switched to newly-named "other women" whom Dr. Sheppard is reported to have dated during his married life.

CLEARANCE of Dr. Lester T. Hoversten and Mayor J. Spencer Houk of Bay Village after extensive questioning by police.

EFFORTS by Dr. Stephen A. Sheppard, brother-in-law of the murder victim, to see Miss Susan Hayes, an important witness in the state's case against the husband.

Although Judge Thomas' visit to the murder scene was described by the court veterans as

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Detective Adelbert O'Hara (left) accompanies Bay Mayor J. Spencer Houk from Central Police Station after long grilling in murder.



Dr. Stephen A. Sheppard, brother-in-law of murder victim, avoids newsmen after near-clash with J. Spencer Houk.

Judge Thomas Inspects Home Where Marilyn Was Killed

Continued From Page 1

"unprecedented," Thomas Parrino, an assistant county prosecutor, explained:

Getting Layout of Property

"We're just getting the layout of the house and the property."

The jurist was also accompanied by Law Director Richard Weygandt of Bay Village, Defense Attorneys William J. Corrigan and Fred W. Garmone, and his baliff, Richard McDonald.

Names of additional women whom the young osteopathic surgeon is alleged to have dated in recent years were supplied police by Dr. Hoversten, who has been cleared of suspicion after taking two lie detector tests.

Mayor Houk, one of the first persons called to the scene after Marilyn's blood-spattered body was found on July 4, was also cleared of suspicion after extensive questioning regarding his relations with the Sheppard family.

Before his release Houk almost came to blows with Dr. Stephen A. Sheppard, brother-in-law of the victim who suggested to police that the village mayor may have had a romantic interest in the 31-year-old woman.

Houk Convinces Police

During eight hours of continuous grilling, however, Houk convinced detectives that he was simply a "good friend" of both Dr. Sam and his wife and had not withheld information in previous statements.

After the questioning and the near-clash between Houk and "Dr. Steve," Police Chief Frank W. Story announced:

"We found no reason to hold Mayor Houk as a suspect in the murder."

County Prosecutor Frank T. Cullitan said efforts of Dr. Stephen to talk to Miss Hayes, who has admitted intimate relations with Dr. Sam during his visit to the West Coast early this year, were reported by the girl's father, Elbert C. Hayes.

Hayes said neither he nor his daughter were in his apartment at 1680 Wagar Rd., Rocky River

when Dr. Stephen and his wife, Betty, appeared there a few days ago.

"We can't stop him from talking to the girl," Cullitan explained, "but we will be interested if any effort is made to influence her testimony in the case."

Dr. Hoversten, who returned from Los Angeles when Dr. Sheppard's attorneys suggested that he might know something about the murder, supplied police with the names of nine women with whom "Dr. Sam" dated while married to Marilyn.

Check to Be Started

Story said the names of four of the women were previously known by police and that a check would be started on the other five here and in Los Angeles.

Houk was re-questioned after Dr. Stephen, younger brother of the defendant, told Chief Story on Thursday that during a professional visit to his office six months ago Marilyn had told him that Houk had been in love with her for two years; that they had spent considerable time together during a fishing trip; but that no intimacies had occurred between them.

Houk Denies Allegations

The 43-year-old butcher emphatically denied these allegations and told Inspector of Detectives James E. McArthur that Marilyn was "one of the purest girls I have ever known."

"If anyone had made advances to her, he would never be a welcome guest at her home after that," Houk declared.

McArthur said Houk was grilled for five solid hours with-

out interruption and added: "which was something we were not able to accomplish when we attempted to quiz Dr. Sheppard."

The detective chief conferred with County Prosecutor Frank T. Cullitan today to determine whether Dr. Hoversten would be permitted to return to Los Angeles to await recall or would be held here under protective custody as a material witness.

McArthur said efforts to match a palm print found in the murder home would continue over the weekend with virtually everyone known to be a friend of the family or connected with the case required to submit to a test.

Dr. Sheppard, who received 10 visitors in his cell block on Friday, was permitted no visitors today with the exception of his attorneys.