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54/08/17 Susan Tells Jury Of Dr. Sam

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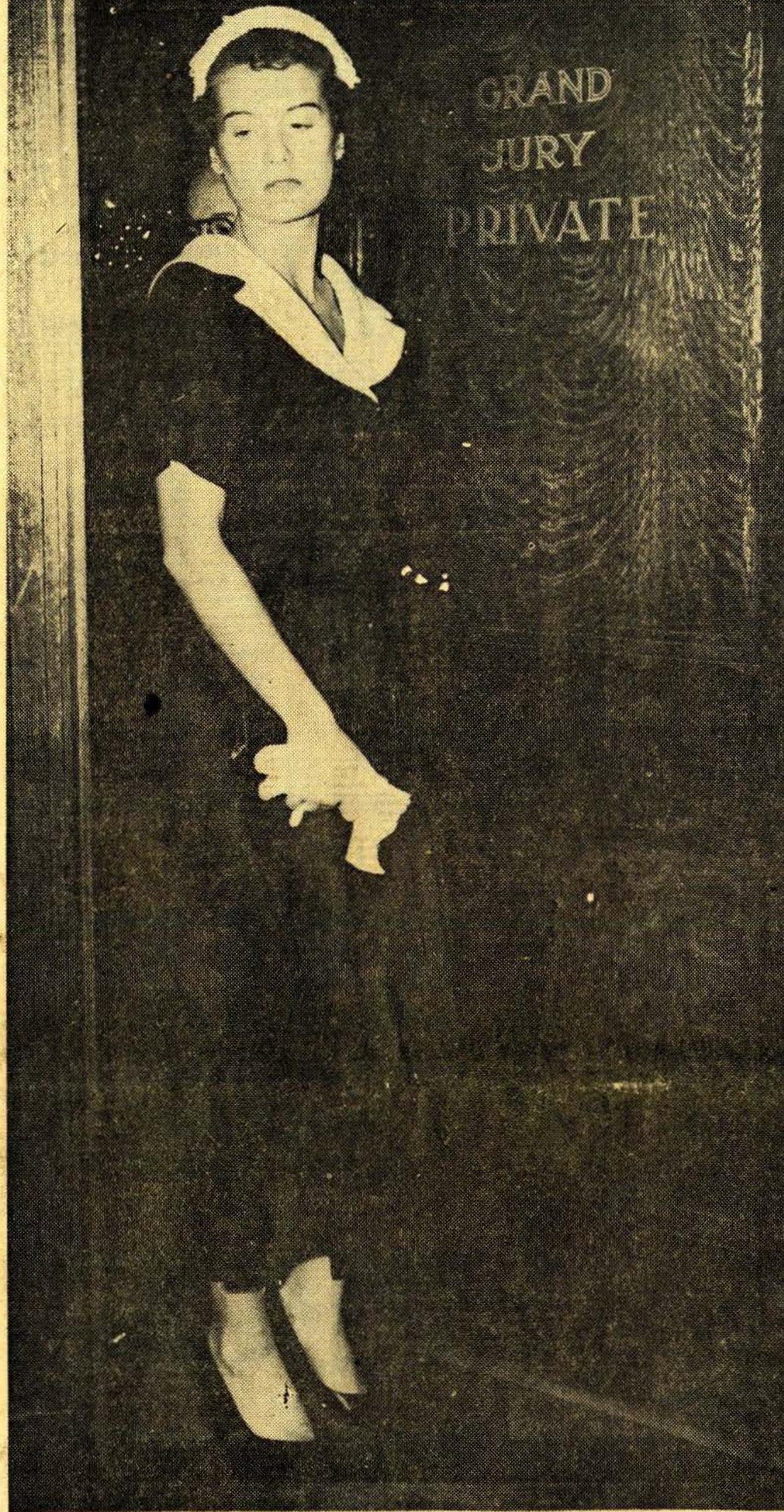
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CLEVELAND, TUESDAY, AUGUST 17, 1954

Phone CHerry 1-1111

SUSAN TELLS JURY OF DR. SAM



GRAND
JURY
PRIVATE

HER ORDEAL OVER, Susan leaves the Grand Jury chamber after a half-hour's recital of all she knew about Dr. Sam. Her story is regarded by the prosecutor's office as important "in the motive" for the murder of Marilyn Sheppard.

Affair Is Cited as Background in Wife Murder

Obviously nervous and upset, auburn-haired Susan Hayes went before the Grand Jury today to describe how she and Dr. Samuel H. Sheppard lived together for seven days "as man and wife" in Los Angeles.

Assistant Prosecutor John J. Mahon said that Miss Hayes' relationship with Dr. Sam was "an important part of the background of and motive for the murder of Marilyn Sheppard."

"I'm scared to death," Miss Hayes said as she entered the jury room.

As his 24-year-old companion faced her ordeal, Dr. Sheppard said he would go to his family-operated Bay View Hospital to "see some of my patients."

Released from the County Jail on \$50,000 bail yesterday by order of Common Pleas Judge William K. Thomas, Dr. Sam said he would resume his practice of medicine until he is called back to face trial for the July 4 murder of his pregnant wife, Marilyn.

Miss Hayes completed her testimony in half an hour.

Fidgeting like a nervous schoolgirl, she related her illicit romance with matter-of-fact directness.

When she emerged unsmiling, she was driven home—to await another call for the even more embarrassing experience of testifying in open court at the murder trial of the man who once lavished gifts on her, at a time when his wife complained they needed new furniture.

The six-man, nine-woman Grand Jury is expected to vote on a first-degree murder indictment against the 30-year-old osteopath late today or early tomorrow.

Coroner Samuel R. Gerber held the jurors' attention as he showed them the bloody pajamas in which Mrs. Sheppard was slain, and the bloody trousers worn by Dr. Sam when he reported her murder.

Look at Photos

When the jurors took a 10 minute "break" during his testimony, most of them clustered about Dr. Gerber and asked for a closer look at a series of photographs.

These pictures showed the scene of the crime, and the savage wounds that killed the pretty Bay Village wife.

Dr. Gerber flew back from a National Coroners Assn. convention at Little Rock, Ark., to testify before the Grand Jury, and flew back to the session after testifying for an hour and 45 minutes.

Miss Hayes was driven to the Criminal Courts Bldg. by Deputy Sheriffs Carl Rossback and Joe Osowski.

She wore a small white hat, plain navy dress with white



A WORRIED SUSAN HAYES waits to tell the Grand Jury about her illicit affair with Dr. Samuel H. Sheppard. Neat and pretty in navy and white, she appeared frightened.

*Press
June 8 - 17-54*

Susan Tells Grand Jury of Affair With Doctor

(Continued From Page One)

taffeta collar, white gloves, suede pumps and sunglasses. A pearl ring sparkled on her finger.

Through Rear Door

Miss Hayes was whisked in the rear entrance of the building and taken directly to the office of Assistant Prosecutor Thomas Parrino, who brought her back from Los Angeles to "face the music and get this thing over with."

She was tense and nervous as she waited to testify, obviously dreading the necessity of bearing her affair with Dr. Sheppard to the intently listening panel of jurors.

After more than an hour of discussion with Parrino, she was sworn in and entered the jury room at 11:20 a. m.

In addition to the details of her relationship with Dr. Sam, Miss Hayes was questioned sharply about a reported "contact" with Dr. Stephen Sheppard, brother of the accused osteopath.

Police reported that Dr. Stephen and his wife were seen calling at the home of Miss Hayes' parents at 1680 Wagar Rd., Rocky River, Saturday night.

This was after Prosecutor Frank T. Cullitan had disclosed that Dr. Stephen had made an earlier effort to "contact" Miss Hayes.

Cullitan said he had advised Miss Hayes "not to discuss the



POLICE CHIEF of Bay Village, John Eaton appeared today as a Grand Jury witness in the Sheppard murder case.

case with anyone, particularly not with members of the Sheppard family."

Nothing Illegal

The prosecutor added that "there is nothing illegal" about Dr. Stephen talking to Miss Hayes, but he was "extremely interested" in learning the nature of the conversation.

That's what Miss Hayes was asked to tell the jurors.

But Miss Hayes said she had not been home when Dr. Stephen called, and had no conversation with him.

Mahon told the jurors that Miss Hayes' testimony explained "the background for the murder of Marilyn Sheppard."

Dr. Sheppard, the prosecutor said, was romantically involved with numerous "other women" during most of his nine-year marriage to his high school sweetheart.

Sam and Marilyn, according to Mahon's version, frequently quarreled about these extramarital expeditions.

And on the morning of July 4, in their lake-front home at 28924 Lake Rd., Bay Village, such a quarrel ended in Marilyn's murder, Mahon said.

Premeditation Rule

Mahon explained the legal principle that "premeditation" requires only a moment of thought—a split second's decision to kill.

And the "malice," he said is supported by the "viciousness of the attack"—the fact that the killer rained 25 or more savage blows on his victim's head, "pulpifying" her skull, striking repeatedly until his arm was tired.

Premeditation and malice

must be proven to obtain a first-degree murder indictment and conviction. The charge carries a mandatory death penalty, unless a jury recommends clemency.

Miss Hayes' affair with Dr. Sam occurred last March in Los Angeles, where she had gone to work early this year.

Dr. Sheppard took Miss Hayes to the Los Angeles home of his friends, Dr. and Mrs. Arthur Miller. The Millers were astonished. "He ought to have his head examined by a psychiatrist," Dr. Miller remarked.

For seven days and nights, Miss Hayes reluctantly admitted, she and Dr. Sam lived together at the Miller home, occupying the same room.

During that period, she told police, Dr. Sam told her he "didn't love Marilyn as a wife, but couldn't divorce her because of his family."

The trail, pinpointed by "black light" despite the killer's efforts to wipe off all stains and fingerprints, traces someone's wanderings through the home, garage and the surrounding grounds.

Mrs. Helen Schuele, a next door neighbor of the Sheppards, and two youths who formerly worked as baby-sitters for Marilyn were also called to testify. The sitters were Jean Disbrow and Roger Coulton.

Larry Houk, 16-year-old son of Bay Village Mayor J. Spencer Houk, was another witness.

Also called to testify were Bay Village Patrolman Fred Drenkhan, Bay Village Police Chief John Eaton, and Cleveland Homicide Detectives Pat Gareau and Robert Schottke. Schottke and Gareau were the first investigators to accuse Dr. Sam of slaying his wife.

Dr. Richard Hexter, who examined Dr. Sam on the murder morning and found that he had no neck injury, also was under subpoena.

Dr. Lester T. Hoversten, 42, house guest of the Sheppards for three days prior to Marilyn's murder, testified for more than an hour late yesterday.

Dr. Sam slept last night at the Rocky River home of his brother, Dr. Stephen.

Detective Chief James Mc-



MRS. HELEN SCHUELE, next door neighbor of Sam and Marilyn Sheppard, was questioned by prosecutors today.

Arthur, commenting on Dr. Sam's release on bail, said: "And who is protecting the constitutional rights of Marilyn Sheppard?"