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## 54/07/15 Bay Holds Off Murder Warrant

Cleveland News

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**THE WEATHER**

TONIGHT—Cloudy, warm and humid. Low, 68.

TOMORROW—Cloudy, warm and humid. High, 92.

U. S. Weather Bureau Official Forecast

# **CLEVELAND NEWS**

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**FINAL**

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# **BAY HOLDS OFF MURDER WARRANT**

## ***Won't Be Stampeded, Law Chief Says***

# Marilyn's Golf Club Hunted As Weapon

## BULLETIN

Deputy Inspector James E. McArthur and Capt. David E. Kerr again questioned Miss Susan Hayes today in her carefully guarded suite on the seventh floor of Hotel Carter.

### BY HOWARD BEAUFIT

Bay Village Law Director Richard S. Weygandt announced late today he was not going to be "stampeded" by anyone into making a hasty decision to issue a homicide warrant in the Marilyn Sheppard murder tangle.

The deliberate, cautious young attorney said he did not yet have sufficient evidence before him to justify drastic warrant and arrest action.

Weygandt made the announcement following an hour and 40-minute conference with Police Chief Frank W. Story and Capt. David E. Kerr, head of Cleveland's homicide bureau.

After receiving late reports and transcripts of evidence being gathered by police, Weygandt left for County Jail to examine what evidence had been unearthed in the investigation by Sheriff Joseph M. Sweeney and County Detective Carl Rossbach.

Chief Story said he had told the Bay law director that: "I believe he has sufficient evidence for probable cause for a warrant to be issued, but not sufficient evidence to guarantee a conviction."

Weygandt, son of Chief Justice Carl V. Weygandt of the Ohio Supreme Court, said he was not going to be influenced in his final decision by an ultimatum from Mayor Anthony J. Celebrezze that Cleveland police would withdraw from the investigation if Bay Village failed to act and offer more co-operation.

"When will you issue a warrant, if at all?" reporters asked.

"I don't know. Not until I have carefully gathered and evaluated all the evidence produced so far," the Bay law director replied.

Earlier in the day the investigation spotlight was turned on a missing golf club as the probable weapon used to batter to death the attractive 31-year-old wife of Dr. Samuel H. Sheppard, prominent osteopath.

The mystery of the missing weapon was partially lifted in a chain of events today that included:

**CHARGE BY MAYOR** Anthony J. Celebrezze that Bay Village Mayor J. Spencer Houk and Police Chief John P. Eaton have failed to co-operate with Cleveland police and have thrown a "protective cloak" around the No. 1 suspect in the bludgeon murder.

**POLICE CHIEF STORY** met with Bay Village Law Director Weygandt to receive the latter's decision on the question of issuance of a murder warrant.

**SAFETY DIRECTOR** John McCormick said Cleveland police are waiting for Bay Village to make an arrest so the principal suspect can be questioned at length.

**COMMON PLEAS JUDGE** Arthur H. Day ordered the County Grand Jury to hold itself in readiness for emergency duty until Aug. 20. Grand Jury Foreman Bert R. Winston said the jury would not examine the Sheppard case unless invited to do so.

Deputy Inspector James E. McArthur said that an all-out effort was being made to locate a No. 9 iron known to have been in the Bay Village housewife's golf bag two days before she was beaten to death.

The club is now missing. Coro-



**RICHARD S. WEYGANDT**  
Bay Village Law Director

ner Samuel R. Gerber and homicide detectives said that measurement and depth of the 27 face and head wounds which smashed Mrs. Sheppard's skull strongly indicate they could have been made by a thin bladed golf club.

The coroner reasoned that the weapon was "short-handled" because the killer had a small space in which to wield it between the murder bed and the wall.

The missing club of the type  
Continued on Page 3, Column 1

# Bay Holds Off on Murder Warrant

Continued From Page 1

is used by golfers in trouble, to pitch or loft a ball out of traps and roughs.

Mrs. Sheppard played her last game of golf at Lakewood Country Club in Westlake July 2, two days before she was battered to death in the bedroom of her home at 28924 West Lake Rd.

Mayor Celebrezze summoned Police Chief Story, Capt. David E. Kerr and Inspector McArthur to City Hall for a conference on the murder investigation. After the meeting the mayor said:

"The Cleveland Police Department entered the investigation in good faith, but we feel we have not received the fullest co-operation from Mayor Houk and Chief Eaton of Bay Village.

"Cleveland police have furnished all information they have gathered to Mayor Houk and Chief Eaton only to discover that Houk and Eaton already knew about it. We feel they have been covering up.

"If they don't show more initiative and co-operation out there Cleveland police will drop out of the investigation as soon as we have exhausted our present leads."

Mayor Celebrezze concluded his blast with a statement that the "next important step is up to Eaton and Houk." He refused to say what the step would be, but Safety Director McCormick said Cleveland police are now waiting for Bay Village officials to "make an arrest," so they can question a suspect.

In reply to the charges Mayor Houk said:

"I completely deny that I or any Bay official has protected or shielded anyone, or failed to cooperate or give all the facts to the Cleveland police."

The mayor said that a Cleveland homicide detective had reported Chief Eaton told him that Houk said he had seen Dr. Sam Sheppard in a violent temper and that Marilyn feared for her life.

"That is completely untrue and I so testified under oath at the coroner's inquest," Mayor Houk said.

Chief Eaton said he had no comment to Celebrezze's charges.

## Cites Reluctance to Talk

In his search for the golf club and other clues to the killer, Inspector McArthur said he was convinced that a lot of friends and acquaintances of the Sheppards "are reluctant or unwilling to give us information."

The inspector said he was sure everyone would co-operate in running down the slayer if they realized the full brutality of the murder. He pointed out that 27 shattering and bone-deep blows were struck by the killer—when only one or two would have been sufficient to take the life of the victim.

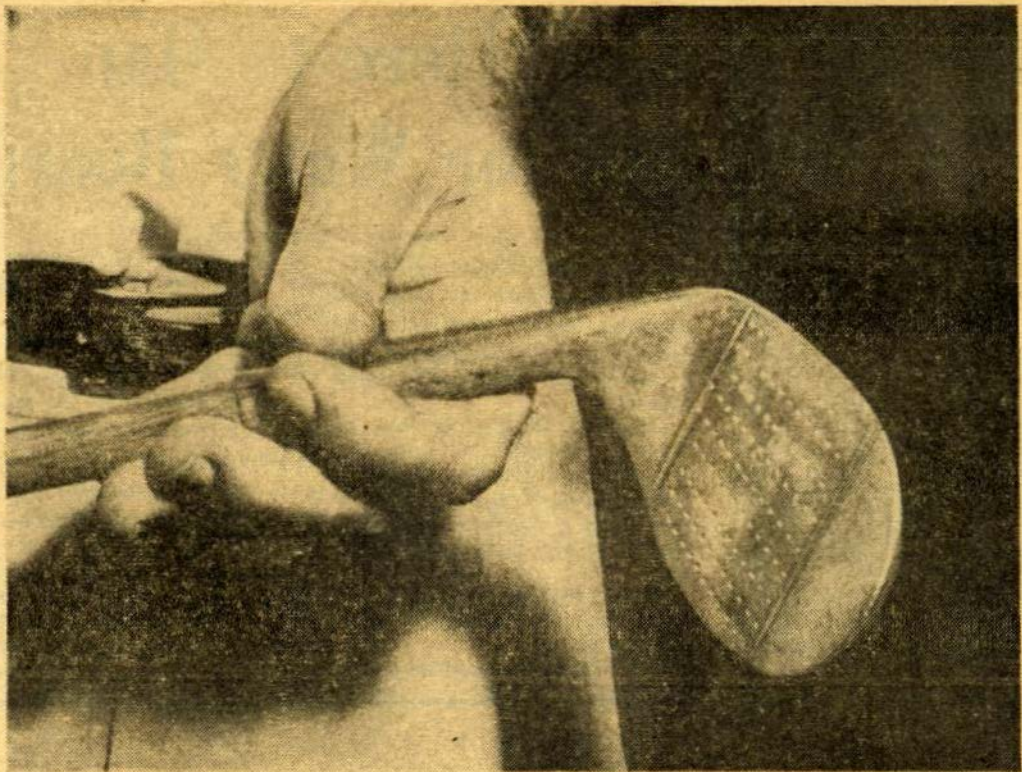
Mayor Houk of Bay Village, close friend of Dr. Sheppard, would share the decision on issuance of a murder warrant with Law Director Weygandt.

The mayor, in a state of nervous exhaustion, was confined to bed today under a doctor's care.

Before going into a closed conference with Chief Story, Law Director Weygandt was asked by News reporters if he had issued

a warrant and he said, "Not yet." He was then asked, "Are you going to?" His answer was, "I don't know."

Police Chief Story and Prosecutor Cullitan said they planned to further question Miss Susan Hayes, who has admitted intimacies with Dr. Sam, and is now secluded under guard of policewomen on the seventh floor of Hotel Carter.



**This is an old-fashioned niblick, now referred to as a 9-iron, which is similar to the missing club from Marilyn's golf bag.**