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54/08/17 Bail for Sheppard Defended by Judge

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Bail for Sheppard Defended by Judge

Common Pleas Judge William K. Thomas today defended his decision freeing Dr. Samuel H. Sheppard on bail as "my duty as a public servant."

"Public reaction is not the test of what a judge should do," Judge Thomas asserted. "I believe I presented sufficient reason for the ruling in my comments yesterday in court."

Judge Thomas said he received several telephone calls last night regarding his ruling, but that all of the callers applauded his decision.

Judge Gets Letters

He added that he has received several letters commenting on the case and expects to receive more during the next few days.

"The writers are split about 50-50. Some think I did the right thing and others believe I should not have freed Sheppard.

"In any case, I am confident I did the right thing."

Meanwhile, Municipal Court records disclosed a recent precedent for granting bail to a person charged with first-degree murder.

The defendant, Mrs. Gladys Pounds, 22, of 1313 Webster Ave., was unable to meet financial requirements of the bond.

Mrs. Pounds appeared before Municipal Judge David C. Meck Jr. July 14 on a charge of first-degree murder. Judge Meck ordered her held for the Grand Jury and set bond at \$50,000, the same as that set for Dr. Samuel H. Sheppard.

Couldn't Raise Bail

Unable to provide satisfactory collateral or to pay for a bond from a surety company, Mrs. Pounds was returned to jail. She is still there, awaiting trial.

Mrs. Pounds was charged with the shooting, July 22, of Mrs. Minnie Brown, 26, of 1833 St. Clair Ave. She admitted the shooting, but said Mrs. Brown was advancing on her "in a threatening manner" when she opened fire.

Judge Thomas used as the basis for his decision in granting bail to Dr. Sam, this language in Article 1, Section 9 of the Ohio Constitution:

Cites Section of Law

"All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great . . ."

The jurist cited this Bill of Rights clause in making his decision and noted that there was no evidence before him and not even the "presumption of an indictment."

Judge Thomas declined comment on a statement by Homicide Capt. David E. Kerr that "law and order are for the poor."

"On the basis of the evidence laid before me," Judge Thomas said, "I had no choice but to set bond."