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Cleveland Plain Dealer

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Slain Wife's February Will Leaves All to Dr. Sheppard

Murdered Marilyn Sheppard made a will last February leaving everything to her husband, Dr. Samuel H. Sheppard, it was reported yesterday.

At the same time Dr. Sheppard made a similar will in favor of his wife. He is accused of murdering her July 4.

Contrary to customary practice, Marilyn's will has not been filed or recorded, it was reported. Normally, a will is filed in Probate Court soon after the death of a person.

If the will had been filed Dr. Sheppard could legally claim the Sheppard residence, 28924 West Lake Road, Bay Village. The house is said to be in his wife's name.

Conviction Disqualifies

Conviction of Dr. Sheppard of first or second-degree murder would rule him out as heir, a county source said. In such a case the estate would be distributed as if Dr. Sheppard had preceded Marilyn in death.

However, if Dr. Sheppard should be convicted of manslaughter he could still inherit Marilyn's property under provisions of the will, said to be in

the possession of one of his lawyers.

Until the will is filed and adjudicated the Bay Village osteopath has no claim to the house, it was said. This would be a necessary step before he could go to court to demand possession.

Five "skin divers" spent two futile hours searching Lake Erie behind the Sheppard home yesterday looking for the missing murder weapon.

Patrolman Edmund Kisiel, 41 of 9719 Plymouth Avenue, Garfield Heights, said the group went out as far as 400 feet from the shore. A north wind kicked up the lake and muddied the water, making visibility difficult, he reported.

Because of muddy conditions, Kisiel said, the divers probably will not return to the scene for a few days.

In addition to Kisiel, those diving with the aid of aqualungs, feet fins and face-glasses were Jay Gorham, 347 E. 225th Street, Euclid; Robert Fraedrich, 12505 Maple Avenue N. E.; Roger Oswald, 1009 E. 129th Street, and Don Mettie, Market Square Hotel, 2532 Lorain Avenue.

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