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Cleveland Plain Dealer

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Here's How Sheppard Case Will Be Read Today Across Nation

BY RELMAN MORIN

BAY VILLAGE, O., Aug. 28—(AP)—Setting for a murder . . . Saturday night, July 3. A brisk wind, whipping across Lake Erie, piles white-capped waves on the beach below the suburban home of Dr. Samuel H. Sheppard. In the house above, he and his wife, Marilyn, are spending a quiet evening with their neighbors, Donald and Nancy Ahern.

They have had dinner on the screen porch, then gone inside because of the chill. The two women put their children to bed. Ahern, with the volume turned low, listens to the ball game. The other three watch television. The doctor vaguely remembers it was a movie.

He becomes drowsy and stretches out on a couch in the living room. He is wearing a brown corduroy coat, a T-shirt, trousers and "loafers." He dozes off.

Between 12:15 and 12:30, the Aherns go home. They have noticed that Marilyn Sheppard—who is four months pregnant—looks tired.

Apart from the murderer, so far as is known, they are the last persons to see Marilyn Sheppard alive.

Telephone Rings

5:50 a. m. . . . the telephone rings in the home of the mayor of Bay View Village, J. Spencer Houk. He lives three doors from 28924 West Lake Road, the Sheppard address. He hears the voice of the doctor, who is a close friend: "For God's sake, Spence, get over here quick . . . I think they've killed Marilyn."

Within the next hours, Sheppard's family, village and county police, a lawyer, and two detectives from Cleveland are in the house.

The two detectives, Robert E. Schottke and Patrick Gareau, work over the scene for some two hours. Then they turn to John Eaton, chief of police of Bay Village:

"You don't have to look any further. Sam Sheppard is your man."

The lawyer, William J. Corrigan, says to the family:

"You don't need me or any lawyer. Sam Sheppard didn't do it."

Interest Mounts

For the next seven weeks, millions of people followed the case with mounting interest. In and around Cleveland, it has torn them into sharply-divided groups, those who believe Sheppard is innocent, those who believe him guilty.

Moreover, the story was aggravated by charges of police bungling, and "family protection." On the other side, Sheppard's lawyer says the police persecuted Sheppard.

The three Cleveland newspapers cried out for action. Their pointed observations brought thousands of letters and telephone calls flooding into the offices of responsible officials.

Finally, the Bay Village City Council passed a resolution requesting the Cleveland police to take over. Sheppard was arrested and indicted for murder in the first degree. He issued a statement reaffirming his innocence.

The date for his trial will be set by the Court of Common Pleas when it reconvenes in September.

What happened that fateful Saturday night, between 12:30 and roughly 6 a. m.?

Heard Her Scream

After the Aherns left, Sheppard says he believes he heard his wife say she was going upstairs to bed. He is not sure. Presumably, he was still wearing the T-shirt and the brown coat. Then—

"The next thing I know I heard her say my name loudly, screaming my name. It wasn't actually a scream—I really can't explain."

Their 6½-year-old son, "Chip," was asleep in the bedroom next to theirs. He apparently did not awaken. Neither did the dog.

The doctor says he must have been startled into semiconsciousness. He ran up the steps. He says now:

"I rushed into the room and several things happened almost simultaneously. I felt that I

EDITOR'S NOTE: Newspaper readers from coast to coast have followed details of the Marilyn Sheppard case since her murder on July 4. The following account by a top-flight reporter is being carried today by Associated Press member papers throughout the country.

could see a white form of an individual. I was grappling with someone.

"I heard her moaning loudly . . . some noises . . . and I felt that I was struck down from behind but I can't say for sure."

He says his next memory is of being on the floor in a sitting position. He noticed the reflection from a badge on his billfold.

Went to Boy's Room

"I was fearful for my wife. I looked at her and felt her. Although it was difficult to see clearly, I felt that she was gone. I am not sure. In evaluating that stage, it is difficult to say because I was so hazy."

Next, he says, he went into his son's bedroom. The boy seemed all right.

Then he says he heard a noise in the living room and hurried downstairs again. He believes he caught sight of the same "form" outdoors, followed it down a curving flight of steps to the beach house. He says he "grabbed and tackled this individual," and was knocked out, or into semiconsciousness for a second time. He things it was a "big man" who did it.

"The next time I can remember in any clarity at all," he testified, "was coming to some vague sensibility on the water's edge at the beach."

He does not know how long it was, after that, when he called Mayor Houk and his wife.

Slumped in Chair

They found him slumped in a chair in the living room, holding the back of his neck, and moaning.

Mrs. Houk went upstairs to a fearful sight. Marilyn Sheppard's body lay on the bed. Her face was unrecognizable from a mask of blood coming from wounds in her head. It had matted her hair and streamed down her neck and shoulders.

An autopsy later established that she had been struck no fewer than 27 times, possibly oftener. Evidently, she had thrown up her right arm to ward off the blows; her little finger was broken.

The instrument, police say, could have been either rounded or somewhat sharp-edged.

The young wife had been pulled down toward the end of the bed. Her feet were under a cross-bar at the foot.

Her clothes, except for one undergarment, were neatly hung on a chair. The other garment lay on the floor beside the bed. She was wearing pajamas, but only one leg was thrust into the trousers. Police, noting the position of the undergarment on the floor and the pajamas, believe she may have been interrupted just as she was getting into bed. She had not been sexually assaulted.

T-Shirt Gone

Downstairs, the drawers of a desk and a secretary-desk had been pulled out. Some were stacked on top of each other on the floor. The doctor's bag was standing on end, and the articles it had carried were scattered over the floor nearby.

His brown coat was found laid

over the end of the couch where he had been sleeping. The T-shirt was gone and has not been found. The weapon that killed Marilyn Sheppard has not been found.

No fingerprints appeared on the desk drawers or the medical bag.

Hence, detectives ask these questions:

What happened to the T-shirt?

Where is the murder weapon?

When did Sheppard remove the brown coat? Did he himself lay it over the end of the couch and go back to sleep with his feet resting on it?

When he rushed upstairs, he passed an electric light switch on the wall on his right. Why didn't he flick it to illuminate the stairway and the area outside the bedroom?

The doctor says he grappled with someone in the bedroom. If that was the person who killed Marilyn Sheppard, why did he not strike the doctor with the same weapon and perhaps beat him to death?

No Fingerprints

What accounts for the absence of fingerprints, particularly on the desk drawers and up-ended medicine bag?

Sheppard's attorney is 68-year-old William J. Corrigan, a slight, gray-haired man with a needle nose and searching blue eyes. He says he did not know the Sheppard family before this case, that it was brought to him by another lawyer.

He has a long record of service in legal, civic and religious organizations around Cleveland.

He says he has had only two criminal cases in the past five years, and does not consider himself a criminal lawyer, particularly, although he attracted considerable attention, about three years ago when he won an acquittal for a man accused of murdering his wife.

He asks—

"Why couldn't the murderer have been someone who secreted himself in that bedroom and waited for either the doctor or his wife to come up?

"There are any number of cases where a psychopath, for no sensible reason, kills someone."

As for the missing T-shirt, Corrigan says Sheppard told him: "Look, I'm no dummy. If I had wanted to, I could have invented any number of stories to account for that shirt."

Cites Co-Operation

Corrigan recounts instance after instance where, he says, the doctor co-operated with the police, offering to answer questions and give statements even while he was suffering from injuries he said he received in the fight in the house, and at any time of the day or night.

The man immediately in charge of the case disputes that.

He is chief of detectives James E. McArthur, tall, lean, hawk-faced and incisive. He is 51 years old, has been a policeman for 23 years, and head of the detective department for the last seven.

He is widely known as "a smart cop."

McArthur scoffs at the possibility the murder was committed by either a burglar or a psychopath. "A psychopath would have destroyed Sam, too," he says.

Fixes Time

He fixes the time of the murder between 3:30 and 5 a. m.—which, if true, leaves nearly an hour before the doctor called the mayor.

McArthur says someone tried to stage-set the appearance of burglary in the downstairs rooms and calls it an "amateurish job."

Of the missing T-shirt, he says, "you could tear that into small strips, easily, and flush it down any toilet."

As to the doctor's injuries—a black eye, cuts inside the mouth, and contusions on the neck—he says, "two doctors who examined Sheppard said they amount to nothing serious. I have my own ideas how he got them."

When he came into the case, he assigned 41 men to it, 17 on a full-time basis. Part of their operations entails the use of scientific detection apparatus which McArthur won't discuss. He said it is more than the fluorescent "black light," used to disclose blood and other stains not visible to the naked eye.

Their findings, he said, have been corroborated by experts outside the detectives' bureau.

He has more evidence than has yet become publicly known, he says, adding:

"A good portion of our case will rest on evidence from new techniques of detection — and that won't be known until we come into court."

Disputes Contention

McArthur disputes Corrigan's contention that the doctor "co-operated" fully with police. The officer says Cleveland detectives were given the "runaround" when they attempted to question Sheppard in the days following the discovery of the killing.

Finally, he says, he pulled them off the case. Two of them had requested to continue the investigation on their days off, he said.

It is during that period that the Cleveland newspaper began to be critical of the Bay Village authorities, and their handling of the case.

Bay Village is a handsome suburb of 11,000 people, some 12 miles from Cleveland. Many of its residents are youngish, between 30 and 40, moderately well-to-do. Part of the town fronts on Lake Erie and the

residents boat and swim and water-ski there.

The Sheppards, parents and three married sons, are among its most prominent residents. Their hospital, "Bay View," is on the outskirts. The three all live near each other. All three are doctors.

Thus, the Cleveland Plain Dealer said in an editorial July 22:

"It is clear now that because of the social prominence of the Sheppard family in the community, and friendship between principals in the case and law enforcement bodies of Bay Village, kid gloves were used throughout all preliminary examinations."

The day before, the Cleveland News had said:

"We are forced to take note that Dr. Samuel Sheppard has rejected suggestions of both lie detector and truth serum tests and has submitted to questioning only when his family and his lawyer have agreed he might."

Urges Arrest

But the most vociferous was the Cleveland Press, which said in an editorial on July 9, five days after the murder:

"The investigative authorities were slow in getting started, fumbling when they did, awkward in breaking through the protective barriers of the family, and far less aggressive than they should have been in following out clues, tracks and evidence."

Thereafter, in front-page editorials, the Press said: "Somebody is getting away with murder" . . . "Why no inquest?" . . . "Who's holding back?" . . . "What's the basic difference between murder in an 'ordinary' neighborhood and one in a Lake Road house in Bay Village? It's just about time somebody began producing the answers—and producing Sam Sheppard at police headquarters."

The result was a deluge of letters to public officials both in Bay Village and Cleveland. The county coroner, Dr. Samuel R. Gerber, says he received more than 1,000 letters and uncounted telephone calls.

Mayor Houk of Bay Village denies that any obstacles were thrown in the way of the investigation.

Houk, 43, is tall, dark-haired and pleasant of manner. This is his second term in office. He runs a meat market and is one of several purveyors of meat to the Bay View Hospital. He was a close friend of Dr. Samuel Sheppard and, so far as is known, the first person the doctor called after the murder was discovered.

Houk refuses to talk about the case now. He himself took a lie detector test when suspicion was thrown on him, but will not talk about that, either.

Issues Statement

He issued a statement, however, denying charges of obstruction or family influence. The following day, the Bay Village

Council passed a resolution asking the Cleveland detectives to take charge of the case.

Last Friday, Sheppard's lawyer issued a statement accusing newspapers, police and magistrates of improper conduct in this phase of the case. It said in part:

"Under the guise of news, the Cleveland newspapers and the newspapers generally have reported and editorialized on the case of Dr. Samuel Sheppard so that he was convicted in the minds of the public before he was arrested and charged. . . . It appears doubtful whether he will be able to secure an unbiased jury in the district where he was born, educated, and led a useful life."

The statement said one of the Bay Village magistrates was "biased and prejudiced and found unfit to preside at a preliminary hearing."

The police, it continued, subjected Sheppard "to hours of questioning by squads of detectives as long as 12 hours at a time. He was forcibly taken from his counsel."

Through the whole case, at this stage, runs the question of motive if the doctor did commit the crime.

He is 30, handsome, popular and as an acquaintance said, "evidently very talented in his profession." He was a high school athlete, and he still likes most sports, especially water skiing. He likes automobiles and auto races, and frequently attended them with Otto Graham, quarterback on the Cleveland Browns professional football team.

In testimony about him, friends say they have never known him to fly into sudden rages or display temper.

There is no evidence of severe quarreling with his wife. Mayor Houk testified, in fact, "I would suggest truthfully that perhaps they argued less than my wife and I did."

People paint a picture of him as a moderate drinker. Detective McArthur says there is only one known instance where he was known to have taken more than two drinks.

More Tolerant

Sheppard says he and his wife were looking forward with joy to the arrival of the second child. Asked if she was jealous of him, he says he "reassured" her and "her reaction was, if anything, to be much more tolerant than the average wife."

Friends and relatives generally paint a picture of their life as happy and normal together. A housemaid said they were "like honeymooners." Women members of the family said there never was any discussion, or question, about a divorce.

Only July 1, three days before her death, Marilyn Sheppard wrote in a letter to relatives:

"Hold your hats—some news. If all goes well, you should be aunt and uncle again in December . . . I wanted to wait to tell people as long as I could as it makes the time seem shorter.

Still seems long tho."

Sheppard was questioned about his relations with Susan Hayes, vivacious hospital technician, who came to Cleveland from Los Angeles, Cal., voluntarily, to testify. He denied having intimate relations with her, but she was reported to have admitted them. Sheppard then admitted the situation, too, but said he first denied it because he was a gentleman.

He also has been questioned about other women and Chief of Detectives McArthur said:

"We've got 'em all lined up in this case."