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54/09/17 Dr. Sam wore t-shirt on eve of murder, bail hearing told, Cleveland News Final, p.1,5 (continues as: Says Dr. Sam wore t-shirt as host)

Cleveland News

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THE WEATHER

TONIGHT — Increasing cloudiness, showers, warm. Low, 60.

TOMORROW — Cloudy, showers, continued warm. High, 78.

U. S. Weather Bureau Official Forecast

CLEVELAND NEWS

"A FRIEND OF THE FAMILY"

FINAL

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CLEVELAND, OHIO, FRIDAY, SEPTEMBER 17, 1954

Wirephotos, Exclusive Evening News of the Associated Press and International News

DR. SAM WORE T-SHIRT ON EVE OF MURDER, BAIL HEARING TOLD



Dr. Samuel R. Sheppard (left) talks to relatives and friends while awaiting the opening of his bail hearing today. Shown with him are (left to right) Mrs. Stephen A. Sheppard, Mrs. Richard Sheppard, Deputy Sheriff Walter Opalka, and Mr. and Mrs. Gilbert Brown, friends of the Sheppard family.

Visitor Saw Garment on Sleeping Host

BULLETIN

Common Pleas Judge Edward Blythin adjourned the bail hearing for Dr. Sam Sheppard until Monday morning at 10. Defense attorneys said they would have only three more short witnesses.

BY HOWARD BEAUFAIT

Mrs. Nancy Ahern gave surprise testimony at the bail hearing today that Dr. Samuel H. Sheppard was wearing a brown corduroy jacket and a white T-shirt when he fell asleep the night his wife was murdered.

Police said the jacket was neatly folded across a downstairs couch and the T-shirt was missing when they arrived at the murder scene early July 4.

In previous statements about the crime Dr. Sheppard said he did not know what had happened to the T-shirt and he did not remember wearing the jacket when he ran to his wife's aid in an upstairs bedroom.

Mrs. Ahern was asked under cross-examination by Assistant County Prosecutor John J. Mahon if Dr. Sam was wearing the corduroy jacket when he fell asleep on the living room couch while she and her husband were there watching television on the night of July 3.

"Yes, he was," she answered.

Was Wearing T-Shirt Too

"What kind of a shirt was he wearing?"

"A white T-shirt."

"When you left the house at 12:30 a. m. July 4 was he still wearing the T-shirt?"

"Yes, sir."

Mrs. Ahern also testified she had locked a door leading to the porch of the Sheppard home before leaving.

"I am sure because it was quite windy and I wanted to make sure the door was locked," she said.

It was through this locked door that Dr. Sam told police had chased the mysterious intruder he says was the slayer of his wife. Police pointed out to him that the intruder must have entered the house by the front door which was open and that would be the natural means of escape for him.

Vague About Jacket

Dr. Sheppard in answering police questions was vague about the corduroy jacket, but made it quite clear that he did not pause to take it off when he heard his wife's moans from the bedroom and ran to her aid. He said he was knocked out by someone he did not see when he reached the door to the murder bedroom.

A dozen witnesses were called to testify before Common Pleas Judge Edward Blythin who is to
Continued on Page 5, Column 5

Says Dr. Sam Wore T-Shirt as Host

Continued From Page 1

rule on a defense motion to free Dr. Sheppard on bail pending his trial for murder next month.

One of the witnesses, Police Chief John Eaton of Bay, was asked if Cleveland police accused Dr. Sheppard of the murder during questioning.

"They told him that physical evidence pointed to him," Chief Eaton answered.

The chief admitted the crime was the most serious affair that ever happened in his suburb, but he had never questioned Dr. Sam about the murder.

"I had men better trained to do it and besides I had other things to do," he testified.

At the afternoon session three witnesses testified briefly. They were: Miles Davis, 17, of 375 Kenilworth Rd., Bay Village who said he grappled with a burglar in his home three nights ago and took a monkey wrench away from him; Mrs. Betty Sheppard, wife of Dr. Stephen, who testified she found Dr. Sam injured lying on the floor of his study the day of the murder, and Mrs. Mary Brown, 1861 Idlewild Ave., East Cleveland, aunt of Marilyn Sheppard.

Mrs. Brown was asked one question about the murder, but was not permitted to answer it.

"Do you think it is possible for Dr. Sam Sheppard to have killed his wife?" Corrigan asked.

A prosecution objection was sustained by Judge Blythin.

Earlier in the hearing, Patrolman Fred Drenkhan of Bay Village admitted he attended social functions with Dr. Sheppard, and had been tardy in questioning him about the brutal murder of Mrs. Sheppard.

The patrolman, under cross-examination by Assistant County Prosecutor Mahon, said that he had not questioned Dr. Sheppard about the crime until July 9, five days after the murder, and then only at the request of the Sheppard family.

Drenkhan testified he was one of the first police officers to arrive at the Sheppard home the morning the brutal slaying was discovered.

"You saw Mrs. Marilyn Sheppard lying in bed, covered with blood and badly beaten?" Mahon asked.

"Yes."

"And from the time you saw Dr. Sam lounging in a chair that morning until the next Thursday when you were called in to the hospital room by the Sheppards, you didn't talk to Dr. Sam about this matter?" Mahon said.

"No, I didn't," Drenkhan answered.

The officer said his only interrogation of Dr. Sheppard the day of the murder was to ask him what had happened.

"Dr. Sam said he was awak-

ened by his wife's screams," Drenkhan testified. "He told about going up stairs and fighting with someone on the landing and then waking up in the water."

Drenkhan admitted under further cross examination that he had known Dr. Sheppard three years and had "attended parties together."

Under questioning by Defense Counsel William J. Corrigan the patrolman said that Dr. Sam had been removed from the murder house on the day of the crime by his brothers, Dr. Stephen and Dr. Richard N. Sheppard. He said they took Sam to the Bay View Osteopathic Hospital, but were not accompanied by police officers.

Drenkhan testified that he was present July 9 at the hospital when Dr. Sam was questioned for three and a half hours by County Detective Carl Rossbach and Deputy David Yettra.

Attended by Request

"You were at the questioning of Dr. Sam at the hospital at the request of the Sheppards, because they wanted you there?" Mahon asked.

"Yes, that's right," he replied.

Four other witnesses preceded Patrolman Drenkhan to the witness chair. Dr. Sheppard sat pale and troubled at the trial table in the courtroom of Common Pleas Judge Edward Blythin as the testimony unfolded.

The four witnesses were Dr. Stephen Sheppard, brother of the prisoner; Leo Spawicki, 48, a truck driver of 4511 E. 49th St., Cuyahoga Heights, and Jean Disbrow, 17, a baby sitter, who lives at 28919 West Lake Rd., and Mrs. Karl Schuele Jr., 28944 West Lake Rd., a neighbor friend of Dr. Sam.

Spawicki substantiated Dr. Sheppard's contention that an intruder beat his wife to death.

The truck driver testified that between 2:15 a. m. and 2:30 a. m. July 4 while he was driving back to Cleveland from Port Clinton he saw a man with a crew hair cut standing near a tree in front of the Sheppard home at 28924 West Lake Rd.

Saw Doctor in Lineup

"I later saw Dr. Sheppard in a police lineup but he was not the man I saw near the tree," Spawicki testified. "Dr. Sam didn't have enough hair to fit the man I saw."

Spawicki said that he did not report the mysterious loiterer he saw near the Sheppard home until a week later. Judge Blythin questioned him about the delay.

"I do a lot of fishing and I didn't pay much attention," Spawicki said. "I talked it over with my wife. Everybody was saying Dr. Sam did the murder. Maybe he did and maybe he didn't, but there was a man standing there near the road and I thought I had better tell police about it."

Spawicki revealed for the first time at the bail hearing that he had picked out the photograph of a man with a criminal record as resembling the man he saw on the road.

"I wouldn't say it was him, but it looked like him," he testified.

Dr. Stephen Sheppard was questioned about what he found when he first arrived at his brother's home at 6:15 on the morning of the murder, and of events that followed.

Prosecutor Mahon objected to Dr. Steve's testimony on the grounds that it repeated what he had previously testified last Saturday.

Corrigan informed the court that he thought the repetition was necessary because of "red herring" charges County Prosecutor Frank T. Cullitan had made in the morning paper.

Judge Blythin observed "we

are not trying this issue by what appears in the newspapers."

Dr. Stephen Sheppard has suggested several other suspects in the murder of Marilyn Sheppard, including Mayor J. Spencer Houk of Bay Village now confined to Lakeside Hospital with a nervous stomach disorder.