

# OUR CENTURY

## 1956

### AT A GLANCE

## Court won't hear Sheppard appeal

In May, the Ohio Supreme Court upheld, 5-2, the murder conviction of Sam Sheppard. The justices agreed that the evidence found by Dr. Paul Kirk, Sheppard's scientific expert, could have been gathered in time for the trial. Justice Kingsley Taft wrote in dissent at the trial "was conducted in the atmosphere of a Roman holiday for the press."

In September, the U.S. Supreme Court refused to accept an appeal. But in a rare memorandum opinion on such a ruling, Justice Felix Frankfurter wrote that the decision "in no way implies that this court approves the decision of the Ohio Supreme Court. It means only that for one reason or another this case did not commend itself to at least four members of the court as falling within those considerations which should head this court to exercise its discretion in reviewing a lower court's decision."

In December, the court refused to reconsider its decision. Now, Clevelanders thought, the Sheppard case is really over.

It wasn't officially a tornado, but Clevelanders couldn't tell the difference. Six people died and 69 were injured when violent thunderstorms struck late on May 12. Lightning started fires around the city, one doing \$400,000 damage to the Federal Department Store at Pearl and Brookpark roads.

Three of the victims were killed when the Scenery Tavern on Pearl collapsed. Two others were electrocuted by fallen wires and a child drowned in flooding in Summit County. Elsewhere, motorists huddled on the roofs of their cars when floods trapped them at underpasses. A section of the roof collapsed at the Lyceum Theater on Fulton Rd., but 40 moviegoers were unhurt.

Cleveland, Lakewood and Rocky River applied for federal disaster relief. On May 17, President Dwight D. Eisenhower declared Northeast Ohio a disaster area.

Public officials faced a different kind of storm. Angry taxpayers stormed Lakeside Courthouse to protest a reappraisal that raised tax bills as much as 200 percent. At City Hall, crowds shouted their opposition to a Ridge Rd. incinerator. Equally noisy groups opposed fluoridation of city water, shouting, "It's a poison" and "It clogs up the plumbing."



PLAIN DEALER FILE

Pickets at the Press.

The Chrysler Corp. broke ground for an \$85 million stamping plant in Twinsburg that would employ 3,500. But the decision of the Cleveland Worsted Mills Co. to liquidate cost the jobs of 1,450 employees at its complex on Broadway. The workers had struck to win their first union contract.

A steel strike idled 20,900 workers from July 1 to Aug. 3. A Nov. 1 strike against the Press by the Newspaper Guild quickly affected the News and The Plain Dealer. Mayor Anthony Celebrezze mediated talks, which brought back the papers on Nov. 27.

Over the off-season, a group headed by William Daley bought the Indians for \$3,691,800, the most ever paid for a baseball franchise.

Bob Lemon, Early Wynn and Herb Score each won 20 games, with help from relievers Ray Narleski and Don Mossi. Bob Feller went 0-4 and retired. His 266 career wins — despite nearly four years lost during the war — won him election to the Hall of Fame in 1962.

Vic Wertz, recovered from polio, hit 32 homers and a rookie named Rocky Colavito hit 21. But the Indians batted only .244 as a team. They finished second to the Yankees again. Despite finishing no lower than second in six years, manager Al Lopez resigned.

Otto Graham had retired. His successor, George Ratterman, suffered a career-ending injury in the Browns' fourth game. Ratterman's replacement, Vito "Babe" Parilli, broke his leg in the seventh game. For the first time in their history, the Browns had a losing season, finishing 5-7.

At least they got a high draft choice. Fans consoled themselves that they might pick up somebody who could help.

Planners were ready for the huge interstate highway construction program Eisenhower was pushing through Congress. Freeways on the drawing board included the Northwest, Inner Belt and Lakeland (now Interstate 90), the Medina (I-71), the Willow (I-77) and the Outer Belt East and South (I-271).

After 10 years in the governor's mansion, former Mayor Frank Lausche had his eye on Washington. In November, he defeated Republican Sen. George Bender. Republican William J. O'Neill defeated Michael DiSalle for the governorship.

# Year begins and ends in violence

## Dancer helps thwart shooting; gunmen kill police, relatives, bus passenger

By Fred McGunagle

In a year of violent crime, Cleveland had an unlikely heroine — Tina Lamont, a dancer in a "girlie bar."

In private life, she was Dorothy Kochs, a 32-year-old divorcee who supported herself and her 3-year-old daughter by working in the Gay Nineties at 1024 Walnut Ave. In the early hours of Jan. 19, Richard Storino held up the bar. A porter slipped out and waved down Lt. Norman Bayless and Sgt. Melvin Stahley in a passing police car.

As they entered the bar, the robber turned to fire, but Kochs hit his arm, spoiling his aim. Four shots from the police killed Storino, but a fifth struck the dancer in her back, lodging near her spine. Doctors feared she never would walk again.

Chief Frank Story immediately set up a fund for her, urging police and public to contribute. Tavern owners started another fund. The American Guild of Variety Artists sent \$7,500 and promised talent for a benefit show at Public Hall.

The heroine was overwhelmed. When Sgt. Stahley brought her flowers in the hospital, she modestly told him, "I guess I knew instinctively that whoever came in that door would be shot. So, when you started in and I saw him take aim, I grabbed his arm and pushed it up. That's about all there was to it."

Cleveland hadn't seen so much crime since the gang wars of the 1920s. It started with the discovery on New Year's Day of the nude body of 21-year-old Carol Martin in Humphrey Park. A sailor home on leave, William Lester Miller, was convicted of manslaughter in March. That month, Dorothy Kaplan was charged with attempted murder for putting ground glass in the milk bottles of her neighbors.

In May, Douglas Gott of Painesville was convicted of slashing his wife's lover to death. A week later, a crazed robber shot it out with police in a crowded Higbee's Department Store. Killed were Patrolman Joseph Haydu, store detective Frank Begin and the robber, Frank Williams.

The suburbs weren't immune. In June, Lyndhurst Police Chief Ray Trosper was shot and killed by his wife (she was later acquitted). Poses searched the woods near Windham in Portage County for Alfred Wilson, who killed two sisters-in-law and a high school girl. He was spotted in a tree and shot to death.

In July, Norman Edward Walker shot and killed Valley View Patrolman Garner Robertson Jr. The same day, Pepper Pike Patrolman Donald Glick was critically wounded by robber William Ringold, who was shot and captured. Young and old were killing: Louis Statler, 69, was sentenced to life for strangling a woman. Robert Zavallnak, 14, was captured in a manhunt after fatally shooting his father, Joseph.

The year started as it ended. Another crazed gunman killed driver Leo Almerico and passenger Georgiann Kartzke on a Greyhound bus. He was cornered and shot to death. At year's end, Cleveland police

counted a record 116 homicides, 61 percent more than in 1955.

There was happy news late in the year: Dorothy Kochs won a medal and a life pension of \$80 a month from the Carnegie Hero Fund Commission. "I'm very thrilled," she said. "It means so much to me to know that it will help guarantee the future for my little girl."

She had used the \$8,000 she had received in gifts and a \$5,000 "moral claim" from the city to buy a rooming house where she rented to college students. By then, she was walking with crutches. "You know, I'm beginning to think I'm lucky," she said. "I could have stepped off a curb and got hit by a car, and none of these nice things ever would have happened."

*McGunagle is a Cleveland freelance writer.*



PLAIN DEALER FILE PHOTOS

Attorneys Marin McCormick and Don Miller talk at the trial of defendant Norman Walker, right.

## 'Hysteria vs. the Constitution'

The "Cleveland 11" had no use for the U.S. Constitution. The 12 ordinary Ohioans who tried them did: Their balancing of free speech against the danger of Communist subversion — more than a year ahead of the U.S. Supreme Court — was a turning point in what had become a new "Red Scare."

Not that Americans lacked reason to be scared. The Soviet Union had taken over the nations of Eastern Europe, where so many Clevelanders had their roots. Communists had taken over China and North Korea, and were stopped in South Korea only at the cost of 33,000 American lives. An international conspiracy threatened democracy with the hydrogen bomb from abroad and spies from within.

So in 11 previous trials for violation of the Smith Act — advocating the violent overthrow of the govern-

ment — 88 defendants had been convicted and only three acquitted. The Cleveland trial was delayed because defendants couldn't find lawyers. Finally, the Cleveland Bar Association found seven volunteers, including William McDermott, the Republican candidate for mayor in 1953 and 1955.

The jury heard three months of testimony. Federal Judge Charles McNamee dismissed charges against one defendant. In his summation, District Attorney Sumner Canary said the government could not "stand by idly" in the face of the Communist threat. Martin McCormack, a former assistant district attorney who was one of the volunteer defense lawyers, thundered, "The real title of this case is 'Hysteria vs. the Constitution of the United States.'"

The jury deliberated 57 hours

over eight days before reaching a verdict: Six were guilty, four were innocent, depending on their actions. The American Communist Party claimed victory. An assistant U.S. attorney general charged that the bar association and the volunteer lawyers were "dupes of the Communist Party."

But the following year, the U.S. Supreme Court had second thoughts about its 1951 ruling that it was illegal merely to "teach and advocate" overthrow of the government. Instead, defendants must have "instigated action to that end," a position close to that taken by the Cleveland jury. Smith Act prosecutions ground to a halt. The six members of the "Cleveland 11" who had been found guilty won a new trial. Rather than try them under the new standards, the government dropped the charges.

— Fred McGunagle

### LOOKING AT A YEAR



Hill



Mencken

**Feb. 24:** The arrest of 115 blacks in Montgomery, Ala., on charges of boycotting the city's bus system sparks a large and dramatic protest in the city.

**March 15:** "My Fair Lady" opens to rave reviews on Broadway.

**March 22:** The Rev. Martin Luther King Jr. is found guilty of orchestrating the Montgomery bus boycott.

**April 19:** Actress Grace Kelly marries Prince Rainier II of Monaco.

**April 25:** Rocky Marciano retires as undefeated heavyweight champion of the world.

**Sept. 9:** Elvis Presley's first appearance on the Ed Sullivan television program wins a record audience of 54 million people.

**Nov. 6:** President Dwight D. Eisenhower earns a landslide re-election victory.

**Nov. 23:** Soviet troops roll into Budapest to crush a revolt by Hungarian freedom fighters.

**Born:** Anita Hill, Larry Bird, Joe Montana, Martina Navratilova.

**Died:** Sex researcher Alfred Kinsey, American painter Jackson Pollock, athlete Babe Didrikson Zaharias, journalist Henry Louis Mencken, IBM mastermind Thomas Watson Sr.