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1954 Trial testimony of Leo Stawicki providing information on the bushy-haired man

Cuyahoga County Court of Common Pleas

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Thursday Morning Session, December 9, 1954, 9:15 o'clock a.m.

MR. GARMONE:

Mr. Stawicki.

Thereupon, further to maintain the issues on his part to be maintained, the Defendant called as a witness LEO STAWICKI, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF LEO STAWICKI

By Mr. Garmone:

Q Will you state your name, please, to the Court and jury?

A Leo Stawicki.

Q What is your first name?

A Leo.

Q Leo Stawicki?

A Yes, sir.

Q Where do you live, Mr. Stawicki?

A 4511 East 49th Street, Cuyahoga Heights.

Q Cuyahoga Heights, Ohio?

A Yes.

Q Who do you live with there?

A My wife and three children.

Q How many children do you have altogether?

A Three.

Q Are you employed?

A Yes, sir.

Q Where are you employed?

A American Steel and Wire.

Q How long have you been in the employ of the American Steel and Wire?

A 26 years.

Q And in what division?

A In the coarse wire bundling.

Q And where is that located in Cuyahoga County?

A Well, 49th and Harvard. It runs from 49th to 42nd and Harvard.

Q Now, Mr. Stawicki, on the 3rd day of July, did you and some other people go somewhere?

A What day was that?

Q On the 3rd of July, did you and some other people go somewhere?

A Yes, sir. I went fishing with two of my brothers and myself.

Q And where did you go fishing?

A Well, we were heading for Edgewater Park, but the lake was too rough, so we decided to go to Johnson's Island in Sandusky Bay.

Q And what time did you arrive at Johnson's Island in Sandusky Bay?

A Oh, I believe we got there about 5:30, six o'clock.

Q And how long did you remain?

A We stayed till 12:30 we left.

Q Were you successful in catching any fish that --

A Not too good. That's why we left.

Q The fishing was not too good, is that right?

A No. We got about nine, I believe, between three of us, and that was poor.

Q Now, then, after you left Johnson's Island in Sandusky Bay, did you start back toward the City of Cleveland?

A Yes, sir.

Q And will you tell the jury which route you took back from Johnson's Island, please?

A Well, that's Routes 2 and 6. That runs through Avon, Bay Village, up in through there.

Q Did you on your return trip -- withdraw that.

On the return trip you would be travelling in an easterly direction, is that correct?

A Yes, sir.

Q Did that bring you through the Village of -- the City of Bay Village?

A Yes, sir.

Q Now, what was the approximate time, to the best of your recollection, that you were coming through the City of Bay Village?

A Well, I figure it would have been around quarter after two

to 2:30.

Q And did you see somebody on the road?

A Yes. I seen a stranger standing alongside of the road in the driveway.

Q And what side of the road was he on?

A On the left side from my side.

Q Would that be the side closest to the lake?

A Yes, sir.

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Q Did I ask who was in the car with you at the time?

A You did once before.

Q Who was in it?

A It was two brothers of mine.

Q And you were driving the automobile?

A I was driving.

Q Now, when you first observed this man that you say was standing in the driveway next to a tree, how far were you from him?

A Well, when I first noticed him and my headlights hit him, it could have been a hundred, a hundred and fifty feet. Till I passed him up it probably would be 10, 12 feet.

Q And then the next time you saw him --

A Was 10 or 12 feet before I passed him.

Q 10 or 12 feet. Can you now give a description of the man that you saw standing where you said he was standing?

A He had a kind of a long face on him, with bushy hair. That's what made his face look so long with that hair just standing right up on his head.

Q Are you able to determine now for the consideration of the jury what his height was?

A Oh, I figure around six foot.

Q Are you able to state, to the best of your recollection, what his weight was?

A Well, I figured -- he seemed to be a little wider in the

shoulders than I am, and I average around 180, so I figured him around 190 pounds.

Q Now, as you drove by the point where you saw this man, what is the fact as to whether you saw any lights in the immediate vicinity?

A No, I didn't see no lights around there. If there was street lights there, I haven't noticed. I went through there, oh, maybe hundreds of times, and I never noticed if there were street lights through that village or not, still don't know.

Q You saw no lights. What is the fact as to whether or not you saw any lights that would be behind the man that you saw standing?

A No. That's what Chief Eaton asked me, even then, when I made a statement, if I noticed --

THE COURT: No. The question is --
listen to the question.

Q Did you see any lights behind the man?

A No, no lights.

Q Now, Mr. Stawicki, you stated that this was sometime between 2:15 and 2:30 in the morning of July the 4th, 1954, is that correct?

A Yes, sir.

Q When did you first tell anyone about seeing this man?

A Well, when I read about this in the paper Friday, well, I was talking to my wife about it, and I --

Q Don't tell us what you told your wife.

A Yeah. Well, I just figured that, according to what I seen in the paper --

MR. MAHON: Object to what he figured.

Q Don't tell us what you told your wife or what you figured. When did you --

THE COURT: When did you first talk to anyone about it? That is the question.

Q -- talk to anybody about this man?

A Well, I told that Saturday to Chief Eaton.

Q That would be the --

A The following week.

Q That would be about the 11th, is that correct?

MR. PETERSILGE: The 10th.

MR. GARMONE: The 10th?

Q The 10th of July. Now, between the 4th and 10th were you employed?

A No. I had my vacation.

Q And what, if anything, did you do between the 4th and 10th when you made the first statement about having seen this man?

A I had been out fishing all week.

Q Now, on the 10th of July, where did you go?

A To Bay View.

Q To the police station?

A Yes, sir.

Q And who did you talk with there?

A Chief Eaton.

Q Were there any other persons present when you talked with Chief Eaton?

A Well, there was a few of them there.

Q But your primary conversation was with Chief Eaton?

A Well, I talked with one of his deputies there first, and I told him why I came there, and he says he'll have to get the Chief.

Q Is Chief Eaton the first man that you told?

A No. There was another policeman there.

Q Another policeman?

A Yes.

Q But the first person that you told your story to was a member of the police department of Bay Village?

A Yes, sir.

Q And did you tell him in substance the story that you have just completed telling this jury?

A When I started talking to this policeman, why, this policeman told me not to say anything, there's reporters there --

MR. PARRINO: Object. Just answer
the question.

THE COURT:

Listen to the question.

Q Who did you tell your story to first?

A One of the policemen.

Q And then after you told this policeman your story did you tell it to some other person?

A Well, none others besides Chief Eaton, after --

Q Now, after you had finished telling your story to Chief Eaton did he take a statement from you at that time?

A Well, no. He took it after we come back.

Q After you came back from where?

A Well, he took me in his car and drove me to this place here, so I showed him where I seen this man.

Q Now, when he placed you in his car and drove you, in what direction did you travel on West Lake Road?

A We were going west.

Q That would be toward Lorain, Ohio?

A That's right.

Q And when you got to the point that you have described to the jury, did you point that out to Chief Eaton?

A I showed him where I seen the man.

Q Did you at that time know that that was the home that was occupied by the defendant, Sam Sheppard?

A No, I didn't.

Q Now, after you had pointed this spot out, there was some talk between you and Chief Eaton, is that right?

A Yes, sir.

Q What did he say to you?

A Well, he says, "We'll take a little ride down the road."

Q And how far down the road would you say he drove you?

A About a mile.

Q And after you had driven a mile down the road in a westerly direction, what is the fact as to whether or not he turned his car around?

A He turned his car around.

Q And then did you come back eastward on the same road?

A Come east on the way I drove.

Q And when you came back eastward, were you asked again to point out the spot?

A Yes. He says, "I'll take it a little slower now." He says probably I might be mistaken, and took it slower, and I said, "That's the place." The same place I showed him before.

Q Did you at that time know, Mr. Stawicki, that that was the home that was occupied by the defendant, Sam Sheppard?

A No, sir, I didn't know it was his home.

Q Now, after you had pointed out this home on the second occasion, did you then go somewhere with Chief Eaton?

A He took me back to the station.

Q And when he took you back to the station, did he take a statement from you?

A Yes, sir.

Q And you signed the statement? Did you or did you not?

A I don't remember if I did or not.

Q You don't remember whether you did or not?

A I don't remember that. But I believe I did, I believe I did sign it.

Q Did you tell him it was a maple tree?

A Yes. I told him there was three or four big maple trees there.

Q Now, Mr. Stawicki, will you tell the jury how you were able to determine that that tree was a maple tree -- I'll withdraw that.

You have testified to the Court and jury this morning that you have been in the employ of the American Steel and Wire for a period of about 26 years.

A Yes, sir.

Q Was there sometime during the course of those 26 years that you had other employment?

A Yes, sir. I worked in a lumber camp in New York State.

Q And what year was that?

A Oh, about 1930.

Q And how long were you engaged as a workman in this lumber camp in New York State?

A Seven months.

Q And was it on the basis of that experience that you were able to determine that the tree that you saw this man leaning against was a maple tree?

A Yes, sir.

Q Mr. Stawicki, I will ask you now to tell the Court and jury when you first learned that the home that sets behind this maple tree, in close proximity of the driveway that you have described, was the home that was occupied by the defendant, Sam Sheppard? When did you first learn that?

A The next day, I think it was Sunday, I read in the paper it was the doctor's house. I didn't believe it, it was his home, until I read about it.

Q Now, Mr. Stawicki, were you at any time shown any pictures by anyone?

A Just once.

Q And where were those pictures shown to you at?

A Central Police Station.

Q And who were they shown by?

A By one of the policemen there, plainclothesman, I don't know.

Q Now, you say that you were shown some pictures at the Central Police Station. How many pictures were you shown?

A I think he only showed me one.

Q And whose picture was that?

A It was the Sheppard brothers and the father.

Q The three Sheppard brothers and the father?

A They were all in one picture.

Q And those pictures that you viewed on that occasion did not correspond with the man that you had seen?

A No.

Q Now, coming back to the maple tree, what is the fact as to whether or not a man who would be travelling in a westerly direction on West Lake Road would be in a position to have seen the fellow that you have described to this jury?

A No, I don't think he'd see him.

MR. MAHON: Wait a minute.

I object to that.

THE COURT: The objection

will be sustained.

Q Well, Mr. Stawicki, will you, in your own words, describe to the Court and jury the exact location of this man in relation to the driveway that you spoke about?

A Well, he stood about two or three foot off the road in the driveway.

Q And what was his close proximity to the maple tree?

A Oh, about two feet away from it.

Q Two feet away. Now, are you able to state to the jury

the approximate roundness of the trunk of the maple tree?

A Oh, I think they're pretty close to three foot in diameter.

Q And was he west of the maple tree?

A West of the maple tree.

Q Now, coming back to the Central Police Station, you stated that you were asked to look at some pictures, and those pictures were of the defendant, his two brothers and his father. Were you shown any other pictures at that time?

A I don't remember if they did show me any others or not.

Q Was that the only time that you had been called to the Central Police Station, Mr. Stawicki?

A Yes, that's the only time that I was called there.

Q Now, do you remember the day about August 11th of this year?

A (No response.)

Q I'll withdraw that.

Were you ever brought to this building sometime in August?

A To this one here?

Q To view a line-up?

A County Jail, yes. Yes, I was here. I don't know what date, though.

Q You don't remember the date?

A No.

Q And where in this building were you taken to?

A I believe it was the fourth floor.

Q And was there a line-up made for you, Mr. Stawicki?

A Yes, sir.

Q You viewed that line-up?

A Yes, sir.

Q And did you pick anyone from that line-up?

A No, sir.

Q Were you at any time called to the Central Police Station to view any line-ups of any persons?

A No, not after that or before.

Q Now, in that line-up, was Sam Sheppard in it?

A Yes, sir.

Q I will ask you now, Mr. Stawicki, whether the man who you have described at the point that you saw him sometime between the hours of 2:15 and 2:30, the early morning of July 4, 1954, was this defendant, Sam Sheppard?

A No, sir. He's too bald for the man I seen there.

Q Mr. Stawicki, were you ever called as a witness before the County Grand Jury?

A No, sir.

Q Now, you have described the facial features of this man and the hair arrangement of him. Are you able at this time, to the best of your recollection, tell the Court and jury something about his clothing?

A Well, the shirt he had -- it wasn't a shirt, it didn't

look like a shirt to me. It looked more like a T-shirt, polo shirt or a sweat shirt. It had a full front on it. It was a light color, white or light gray.

Q Anything other about his dress that you observed?

A No. I mostly looked at his face.

Q You were looking at his face.

MR. GARMONE: That is all,
Mr. Stawicki. Thank you. You may have the
witness.

CROSS-EXAMINATION OF LEO STAWICKI

By Mr. Mahon:

Q Mr. Stawicki, you were fishing in Sandusky Bay?

A Yes, sir.

Q And you left there to return to your home, would you say, about 12:30?

A 12:30 it was, right on the head. I looked at the clock as I started the car up.

Q That was, you mean, right after midnight, is that right?

A Yes, sir, right.

Q And what kind of a night was it?

A Oh, the night was -- what I mean, fair, it didn't look like no storms or anything like that. It was a nice night.

Q Not raining?

A No, it wasn't raining. You could see pretty good because

I rode on the Bay, I had no spotlight, and I had been running the boat, and I could see where I had been going and everything, so the night wasn't, what I mean, too dark.

Q Kind of windy?

A Well, that's the reason we went out there fishing, it was windy and rough.

Q Was it kind of windy?

THE COURT: He asked you: Was
it windy?

A Yes, it was windy.

Q And when you left Sandusky Bay, you drove your car through to your home?

A Yes, sir.

Q On your trip from Sandusky to Bay Village, did you see anyone else alongside the road?

A Yes. Up through Sandusky area I seen probably nine, ten hitchhikers on the road, but they were mostly G.I.s, had uniforms on.

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- Q Well, did you see any other people who were not hitchhikers?
- A No.
- Q How?
- A No, sir. I seen no other people besides this one man.
- Q That is, all the way from Sandusky to Bay Village?
- A Yes, sir.
- Q You didn't see any other --
- A I didn't see anybody, that means on the highway.
- Q No one on the highway?
- A No, no one on the highway.
- Q You are familiar with Bay Village?
- A Oh, yes. I go fishing quite a lot to Avon, Huntington Park.
- Q And you drive on that road, West Lake Road?
- A Always take that road.
- Q Many times, do you?
- A Yes, most of the time.
- Q And you have driven that road at night many times?
- A Many times.
- Q Are there any street lights on West Lake Road in Bay Village?
- A Well, there is in some spots, but I can't say whether there is lights there or not. I haven't noticed.
- Q And as you drive through Bay Village there are trees all along the highway there on both sides of the road?
- A Both sides of the road, yes.

Q And they extend out over the street, over the roadway, do they not?

A Some places.

Q Branches?

A Yes, sir, some places.

Q And what kind of trees are they that are in that locality?

A There's all different kinds. I have seen poplar, maple and evergreens, and probably five, six, different kinds through there.

Q But on this particular night you saw some maple trees, is that right?

A Yes, sir.

Q How many maple trees did you see?

A Well, in this spot I think there are three or four right together.

Q Did you see any maple trees any place else?

A Oh, yes, but they are smaller than that, smaller trees, thinner in size.

Q These were the largest maple trees that you saw?

A They are large trees, yes, sir.

Q And how close were they together?

A Oh, I don't know. Maybe 20 feet, 15, 20 feet apart. There was about four in a row.

Q How far from the roadway are these maple trees?

A Well, they have a dirt shoulder there about six foot, or so.

and then the trees come right there. The trees come right over the road.

Q Well, the trunk of the tree, how far is that from the road?

A From the pavement it would be about eight feet.

Q Eight feet?

A About that, I imagine.

Q There is the paved highway, and then there is a dirt strip?

A There is a little dirt strip there.

Q And there is a ditch along there, is there --

A No, no ditch.

Q -- draining water?

A No ditch. Just a little shoulder runs off. No ditch. You can drive practically through there with a car if you want to ride the dirt.

Q Are there sidewalks there?

A No.

Q How?

A No. No sidewalks, that I know of.

Q Are there sidewalks on the --

A I think there's a sidewalk on the other side of the road.

Q There is a sidewalk on the other side of the road?

A The other side.

Q You had observed that, had you?

A I'm pretty sure I have seen that before, sidewalks through

there. One side has sidewalks.

Q That would be on the south side?

A Well, when I was coming east, well, that would be on the south side.

Q That is where the sidewalks are?

A Yes.

Q And on the north side of that road, are there sidewalks?

A There is no sidewalk there that I have noticed.

Q How?

A There is no sidewalk there that I have noticed.

Q And how fast were you driving through there?

A Well, I had been going about 35 to 40 miles, but probably I wasn't going that fast. Just as long as it took me to get home from there, close to three hours, and I was towing a boat. Towing a boat, you can't go too fast.

Q Well, might you have been going faster than that?

A Some places where there's wide roads -- there's nice roads some places, but through Lake Road in Bay View, that road ain't too good. It is a narrow road and a few bends through there.

Q Well, was there any traffic on the road at that hour?

A Well, at certain times -- at certain places there was, but not through Bay View. I didn't see no traffic there at all.

Q You didn't see any traffic at all going through Bay Village?

A No, sir, there was no traffic. I was riding the center

of the road, so there was no traffic.

Q How wide is the pavement there?

A The pavement is, I'd say, probably 30 feet.

Q And you say you were going 35 miles an hour?

A Well, about 35. Maybe not even that fast. I don't know.

Q And maybe faster?

A No, sir, not through there.

Q How?

A Not through that place, no, sir.

Q Is that because it is a narrow road?

A It is a narrow road.

Q Well, you had the entire road to yourself?

A Well, I had it to myself, yes, but still there's turns and that through that road, and you don't know what's coming, you know.

Q You say there are a lot of turns in the road?

A Oh, yes. There's quite a few turns through there.

Q Where are they?

A Well, there's a couple of turns -- there was one around Cahoon Park and in around Huntington Park there, and then you take around Avon, where you get off the wide road into this narrow road, there is a turn.

Q I am not talking about Avon. I am talking about Bay Village.

A Well, there's a few turns in that road.

Q Where is there a sharp turn in that road?

A Oh, I imagine about a mile past the Sheppard home.

Q Well, let's not imagine, now. Let's not imagine.

MR. GARMONE: Let him answer the question.

MR. MAHON: I am letting him answer.

A I'd say about a mile past the Sheppard home going west is a turn.

Q Is a sharp turn?

A Yes, pretty sharp. If there is anything coming you couldn't see it, unless you had been close --

Q About a mile which way?

A Going west.

Q Going west?

A Yes.

Q You mean west of the Sheppard home?

A Yes, sir.

Q Well, you had already passed that then, hadn't you?

A Yes, sir.

Q Well, from that curve on east, are there any sharp turns?

A Well, going at night like that, I don't like to go too fast because I don't know what's in front of me.

Q That is not my question, sir.

THE COURT: The question is:

Are there any sharp turns?

A Well, not from there to the Sheppard home.

- Q So you weren't bothered about turns to regulate your speed, were you?
- A Well, no, I didn't go any faster. I was going the same speed right along.
- Q You had the entire roadway to yourself, there wasn't any other traffic and you had a practically straight road, didn't you?
- A Yes.
- Q Is that right?
- A Yes, sir.
- Q And you don't know whether or not there were any street lights?
- A I don't know if there was any street lights there or not. I still don't know.
- Q Was the road dark?
- A I had lights on my car.
- Q Well, outside of your lights, the road was pretty dark, was it?
- A Well, it looked pretty light to me with my lights when I was driving.
- Q Well, if your lights had been turned out, the road would have been pretty dark, wouldn't it?
- A Well, I don't know. I didn't try it.
- Q Well, you were there, weren't you?
- A Sure.

Q Well, don't you know whether or not the road was dark or not?

A Well, I got bright lights on my car. You couldn't notice whether it was or not.

Q Well, up ahead of your lights, was it dark?

A I didn't notice.

Q You didn't notice that?

A No, sir.

Q Well, now, as you drove along there, you saw some man standing alongside of a maple tree, is that right?

A Yes, sir.

Q How close was he to the maple tree?

A He was standing on the side of the tree about two feet away from it right in the driveway.

Q And you made close observation of that, did you?

A I seen him pretty good.

Q And you saw him in the driveway?

A Yes, sir.

Q Is that right?

A Yes, sir.

Q And how far back were you when you first saw him?

A When I first saw him?

Q Yes.

A When my lights hit him this side, about probably 100, 150 feet.

Q And as you approached him then, did you pay particular

attention to him?

A When I first seen him, I had been driving, I just kept looking at him till I --

Q Will you just answer my question, please?

When you first saw him and as you approached, did you keep your eyes on him?

A Yes, sir.

Q You did?

A Yes, sir.

Q And you observed him pretty close?

A Yes, sir.

Q And as you got up closer you still were looking at him?

A I still looked at him.

Q And was there any particular reason for that?

A Well, it looked like kind of suspicious to me seeing a hitchhiker standing in a driveway.

Q And what was suspicious about it?

A Well, I don't know. You just don't see anybody standing in a driveway that time of the night.

Q Well, how did you know he was a hitchhiker?

A Well, that's what I just thought, because I mentioned to my brother yet -- one of my brothers that was sitting in the back --

Q How did you know he was a hitchhiker?

A I seen him on the road. That's what I thought.

Q Well, he wasn't on the road, was he?

A Well, off the road about two feet in the driveway.

Q He was in a yard, wasn't he?

A Well, in the driveway, yes.

Q He wasn't out in the road thumbing a ride, was he?

A Well, as I was coming by --

Q Mister, was he out in the road thumbing a ride?

A In the driveway.

Q He was not out in the road?

A Not on the road, no.

Q Well, why do you say he was a hitchhiker?

A Well, I just thought.

Q You thought he was a hitchhiker?

A Yes, sir.

Q The man was just standing there?

A Just standing there.

Q And all of the time that you approached him from the 100 feet that you saw him, he didn't move?

A He didn't move. Just stood there and kept looking right at me.

Q Looking right at you?

A Looking right at me, but whether he seen me, I don't know, because I was behind the lights in the car. I don't know if he could see my face, but I seen him good.

Q You were that observant to see --

A Yes, sir. Just like looking at you now, I looked at his

face.

Q Will you listen, please? You were that observant that you saw him looking in your direction, is that right?

A Yes, sir.

Q And, of course, as you got closer to him you could see him better, couldn't you?

A Yes, sir.

Q And you were watching him because you were suspicious of him?

A Well, it looked kind of suspicious, a man standing there. If the man was walking, it would be different, but --

Q Just a minute, please. You say he was walking?

A I say if he was walking, it would be a different story.

Q Wait a minute. Now, you were suspicious of him, is that right?

A Yes, sir.

Q And at the same time you thought he was a hitchhiker, is that right?

A Well, that's what I thought, yes.

Q Now, you got a good look at him then?

A Yes, sir.

Q Now, will you describe him?

A Well, like I says, he stood about six foot tall and averaged about 190 pounds, big bushy hair standing up, crew hair cut, kind of a long face on him. He did look a little tanned on his face, but he wasn't colored. He was a white man.

Q You say he had a crew hair cut?

A Yes, sir.

Q Well, a crew hair cut is not standing away up, is it?

A Well, when they asked me how his hair was and I told them, that's what they told me, it was a crew hair cut, and that's what they told me. I never knew what a crew hair cut was.

I know it was standing up and cut even. His hair was standing up quite a bit and cut even on the top.

Q How far was it standing above his head?

A About two inches.

Q About two inches his hair was standing up?

A Yes, sir.

Q Did he have glasses on?

A No, no glasses.

Q Did he have a beard?

A No.

Q Moustache?

A No. Just a smooth face.

Q He had a smooth face?

A I mean no beard or no moustache on him.

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- Q Did you observe anything else about him?
- A No. - That's as far as I -- he was a little tan, had a tan on him, but he was no colored man, he was a white man.
- Q He had a tan on?
- A A little tan, yes. A little darker complexion.
- Q And you could observe that, could you?
- A Yes, you could see that pretty good.
- Q I see. And how was he dressed?
- A Well, all I noticed was the top part of him. He had, it was either a T-shirt, polo shirt or sweat shirt.
- Q You are sure about that now?
- A Yes, sir. It didn't look like a shirt. It had no buttons. I didn't see no buttons in front. It was full.
- Q And did you observe his trousers?
- A No, sir, I didn't. I mostly looked on the upper part of his body.
- Q And then you -- by the way, did you see any lights -- withdraw that.
- Did you see whether or not there was a house there where he was standing?
- A Well, you couldn't see. It was dark.
- Q It was dark?
- A It was dark. Towards the lake it was dark, yes, sir.
- Q And you couldn't see any houses -- house there?
- A No, you couldn't see whether there was a house or not.

It was too dark towards the lake.

Q I see. Did you see any houses along there?

A Well, yes. Closer through Avon, up in through there.

Q No. Let's talk about Bay Village. Avon is some distance west.

A Well, I did see in some places where homes were closer to the road.

Q You could see some homes?

A Yes, sir, some places homes closer to the road.

Q Did you see any lights in any of the homes?

A No, I didn't see no lights.

Q What?

A No, no lights.

Q And at this particular place where you saw this man, did you see any lights over towards the lake at all?

A No, sir. It was dark.

Q It was dark?

A Dark.

Q No lights at all?

A No lights, no lights.

Q And then you drove on home from there?

A Yes, sir.

Q Is that right?

A Just kept going, yes, sir.

Q And what time did you get home?

- A Oh, from five minutes to a quarter after three.
- Q And did you work the next day?
- A No. No, that was the 4th of July. We had it off. We got paid for that, anyhow, it was a holiday.
- Q The 5th of July was a holiday?
- A Yes.
- Q That was Monday?
- A Well, take like American Steel -- well, it was, anyhow.
- Q Well, that's right. It was a holiday and you were not working, is that right?
- A It was a holiday and we didn't work Monday.
- Q No. I say, you were not working?
- A No, no.
- Q What did you do on Monday?
- A Oh, I don't know. I guess went out fishing again.
- Q And when did you go fishing?
- A Monday, well, I went out fishing the same day I reported this, that Saturday I went out --
- Q No. I am not talking about Saturday, sir. I am talking about July 5th, Monday.

THE COURT:

What time you

went fishing, that's the question.

- A Oh, I think towards the evening sometime.
- Q How?
- A Towards the evening.

Q Well, what do you mean, "Towards the evening"?

A Five, six o'clock.

Q And where did you go fishing?

A Gordon Park.

Q Now, what did you do during Monday?

A Oh, stayed at home.

Q Before you went fishing?

A Stayed home with my wife.

Q Stayed home and read the papers?

A Just monkeyed around the house.

Q And you read the newspapers?

A Oh, Monday -- Sunday, that is, Sunday's paper.

Q I'm talking about Monday, sir.

A I don't remember if I did read the paper Monday or not.

Q Well, don't you read the paper every day?

A No, nope, I don't.

Q How?

A No, I don't.

Q Well, did you read the paper Tuesday?

A That week?

Q Yes.

A No, I --

Q Tuesday, July 6th?

A No, I didn't read a paper all that week till Friday.

Q And Wednesday you did not read a paper?

A No, I didn't read a paper.

Q Thursday you did not read a paper?

A No, I didn't read a paper.

Q Friday you read a paper?

A Friday I read a paper.

Q And what paper did you read?

A Press, Cleveland Press.

Q Do you have a paper delivered to your home?

A Yes, sir.

Q Every day?

A Yes, sir.

Q But you don't read it?

A No, sir, I don't read it.

Q How?

A No, not all the time.

Q I see.

A Sometime when I start reading the papers, I'll read all week's papers in one day when I have time. I'll be sitting down looking them over one after the other.

Q All right. So Friday, that was July 9th, you read something in the newspaper?

A Yes.

Q Now, did you read the entire week's papers on Friday?

A Well, I did. I looked at one, I read this one, and I started reading some of the others, and there was

practically the same thing in all of them.

Q You read something in the paper Friday about Marilyn Sheppard being killed?

A Yes, sir.

Q Is that right?

A Yes, sir.

Q And then did you look over the papers for the other days in the week?

A Then I looked at the other papers, looked them over.

Q Looked them over?

A Right.

Q And you read all about that murder, didn't you?

A Well, I just read the little headline.

Q Now, Mister, did you read all about that murder in those papers?

A Well, not everything, no.

Q Now, you said you just read headlines?

A That's about all, headlines.

Q You mean that in the large type that was in the paper?

A Yes, sir. I usually read the large type and probably three or four lines down, and then that's all. That's as much as I read papers.

Q About this particular murder, didn't you read more than that?

A Well, it didn't interest me any.

Q I don't care whether it interested you or not. Didn't you read more than that?

MR. CORRIGAN: I object to that.

MR. GARMONE: Objection to that.

A Well, I did that Friday when I started reading the story.

MR. CORRIGAN: I object to the statement, "I don't care whether you are interested or not," and ask it be stricken out.

MR. DANACEAU: It's not responsive to the question.

THE COURT: He is not asking him if it is interesting.

MR. CORRIGAN: I object to the form of the question.

Q On Friday, though, you were interested enough to read all about it?

A Yes. When I read it where that happened, why, I told my wife I went through there, I seen a man standing there.

Q And then you read all about it, didn't you?

A Then I started reading it, yes.

Q And then you went and got the papers for the other days of the week and read all about it in those papers?

A I read a little in some, and then --

Q Now, Mister, just answer my question.

MR. CORRIGAN: You don't let him

answer.

MR. GARMONE: You don't let
him answer.

MR. MAHON: Well, he goes off
on a tangent.

MR. GARMONE: No, he didn't. If
the Court please, he said he read a little in
the papers.

MR. MAHON: Now, just a minute.

MR. GARMONE: Well, because you
are not getting an answer that you think you
should have is no sign that he is not answering
your question.

THE COURT: The difficulty
with the witness is that he states a great deal
more than the question calls for and, there-
fore, then he gets into trouble.

MR. GARMONE: Maybe that's his
manner of answering.

THE COURT: You listen to
the questioning, Mr. Stawicki, and just answer
the question.

MR. CORRIGAN: We except to the
statement of the Court that he answers more
and he gets into trouble. He is answering it

just like an ordinary citizen that's up on the stand.

MR. GARMONE: That's right.

THE COURT: All right. Just answer his question. Go ahead.

Q Mr. Stawicki, on Friday you read about the murder?

A Yes. I read Friday's paper, Friday's paper.

Q And you read all about it on Friday, didn't you?

A Yes, sir.

Q And you were so interested in it that you got the papers for the preceding days and you read those articles, too, didn't you?

A No, I didn't read articles, just glanced at them. I just glanced at the papers, and I seen the same thing.

Q Well, did you read the articles in the other papers?

A No, I didn't.

Q But Friday's you were real interested in, is that right?

A Yes, sir. That's when I started reading it and I got interested in it.

Q Yes. All right. Now, in Friday's paper, wasn't there some mention of a \$10,000 reward?

A Well, that didn't interest me.

Q Now, sir, wasn't there something in Friday's paper about a \$10,000 reward?

A I believe there was.

Q Yes. And when you read about that \$10,000 reward, you became very interested, didn't you?

A No, sir. That money didn't interest me.

Q The money did not interest you?

A No, sir, no, sir, because when I seen the doctor's picture in the paper, I said, "There was a stranger I seen around there, it wasn't the doctor."

That's the reason I went down and reported it.

Q And then you went out to the police in Bay Village?

A Yes, sir, to Bay View.

Q On Saturday, July 10th?

A Yes, sir.

Q The day after you read about it in the newspaper, is that right?

A Yes, sir.

Q And the day after you read about the \$10,000 reward, is that right?

A Well, it was in the paper.

Q Mister, you went out there to the police the day after you read about the \$10,000 reward, didn't you?

A The reward don't interest me. I got enough money of my own.

THE COURT: No. The question is, did you go out there the day after the day you read about the \$10,000 reward?

THE WITNESS:

I don't know

whether it was the day after or not. When I read this paper, that was Friday's paper, I read it Saturday, and as soon as I read it I told my wife, "I'm going to go there and report what I've seen there," and that's all there was done about it.

Q Mister, you read about the \$10,000 reward on Friday, didn't you?

A I don't know if the reward was in there that Friday.

Q You don't know?

A No, I don't remember if it was or not.

Q Well, isn't that the thing that caused you to go out to the police in Bay Village?

A No, sir.

MR. MAHON:

That's all, sir.

MR. GARMONE:

That is all,

Mr. Stawicki. Thank you.

THE COURT:

Just one moment,

please.

MR. GARMONE:

That is all, your

Honor.

THE COURT:

Thank you, sir.

(Witness excused.)

MR. CORRIGAN:

Chief Eaton.