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54/09/16 Sheppard Bail Plea Spotlights 'Intruder'

Cleveland News

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MSL

ACADEMIC ENDEAVORS

Cleveland News, Thursday, Sept. 10, 1934

Sheppard Bail Plea Spotlights 'Intruder'

The "bushy haired" man described by Dr. Samuel H. Sheppard as the club murderer of his wife will be in the spotlight tomorrow when a bail bond hearing for the osteopath is resumed.

Defense Attorney Fred W. Garmone subpoenaed nine new witnesses in the fight to free Dr. Sam from County Jail where he is awaiting trial for the brutal killing last July 4.

The new witnesses include three persons who are expected to testify they saw a man answering Dr. Sheppard's description of the slayer in the vicinity of the Sheppard home, 28924 West Lake Rd., Bay Village, close to the time of the murder.

Bay Chief Called

Another surprise witness called to testify in behalf of Dr. Sam was Police Chief John Eaton of Bay Village.

Mayor J. Spencer Houk of the

west shore suburb, also under subpoena as a defense witness, still was reported in Lakeside Hospital with a nervous stomach and gastric disorder.

Among the first witnesses when the hearing is resumed before Common Pleas Judge Edward Blythin in the Criminal Courts Building will be a truck driver, Robert Spawicki, 4511 E. 49th St.

Spawicki, soon after the murder was discovered, told police he saw a man loitering on West Lake Rd. near the Sheppard home before dawn the day of the murder.

The defense also subpoenaed Mr. and Mrs. Richard Knitter, 785 Kenilworth Rd., Sheffield Lake, who said they also saw a "bushy-haired man" near the cemetery just west of the Sheppard home as they drove along early on July 4.

Another witness to support Dr. Sheppard's claim that a prowler killed his wife was Miles Davis, 17, of 375 Kenilworth Rd., Bay Village. The youth was subpoenaed to repeat his story of yesterday that he fought off a burglar armed with a pipe wrench

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MURDER

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who broke into his home two nights ago.

The new witnesses include Larry Houk, 16-year-old son of the Bay Village mayor; Jean Disbrow, 28919 West Lake Rd., a baby sitter, and Mrs. Helen Schuele, a neighbor of the Sheppards, at 28944 West Lake Rd.

Sheriff to Testify

Sheriff Joseph Sweeney also received a subpoena. He is expected to be questioned by defense attorneys on the treatment accorded Dr. Sheppard while he has been a prisoner.

The will of Mrs. Marilyn Sheppard, who was expecting another baby when she was killed, was filed in Probate Court. Her \$10,000 estate was left to her husband who declined to act as executor, as the will stipulated.

Dr. Richard A. Sheppard, father-in-law of the slain woman, was named as executor.

In the event she was not survived by her husband and six-year-old son, Chip, Mrs. Sheppard's will requested that her estate go to her brothers-in-law, Drs. Richard N. and Stephen Sheppard.