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54/09/18 Dr. Sam to put three more on witness stand

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Cleveland News, "54/09/18 Dr. Sam to put three more on witness stand" (1954). *All Articles*. 571.

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Dr. Sam to Put Three More on Witness Stand

A court hearing to determine whether Dr. Samuel H. Sheppard is to be released on bail while awaiting trial in connection with the brutal murder of his wife, Marilyn, stood in adjournment today as defense attorneys indicated that the defendant will not be placed on the stand.

The hearing, scheduled to be reopened at 10 a. m. on Monday, was marked by a parade of witnesses whom prosecutors said presented "a lot of talk about a monkey wrench and a couple of maple trees."

The wrench was one reportedly wrested from the grasp of a prowler who invaded the home of Miles Davis, 17, of 375 Kenilworth Rd., Bay Village. Davis said the weapon was turned over to Cleveland police but that he was never questioned about it.

Maple Trees Near Home

The maple trees are ones in front of the Sheppard home at 28924 W. Lake Rd., Bay Village under which another witness said he saw a man standing at about the approximate time of Mrs. Sheppard's murder on the morning of July 4.

The witness, Leo Spawicki, 48, of 4511 E. 49th St., Cuyahoga Heights, said he was unable to pick the man out of a police line-up which included Dr. Sam and four other men. He said he later notified police that a newspaper picture of a man named "Flick" resembled the prowler, but that no new line-up was arranged.

Attorneys indicated that Dr. Sam would not be placed on the stand during the hearing to be subjected to questioning by prosecutors when Fred W. Garmone, co-defense counsel informed the court that only three more witnesses will be called.

He identified the witnesses as Mr. and Mrs. Richard Knitter of Sheffield Lake, who also reported seeing a stranger in the vicinity of the Sheppard home on the morning of the murder, and Bert R. Winston, former County Grand Jury foreman. Garmone said Winston was being called to determine whether the panel which indicted Dr. Sam for first degree murder was "entirely without prejudice."

Several witnesses who testified Friday said they were subpoenaed by the Grand Jury, but were not given an opportunity to testify. Through other witnesses, defense attorneys showed that police officers had ample opportunity to question the defendant without interference from attorneys.