

State of Ohio :  
County of Cuyahoga : SS:

BEFORE HON. SAMUEL R. GERBER, CORONER

In the matter of: :  
Marilyn Sheppard, :  
Deceased. :

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Transcript of testimony and proceedings taken  
at the Coroner's Inquest into the death of Marilyn  
Sheppard, at Normandy School, Bay Village, Ohio,  
commencing Thursday, July 22, 1954.

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PRESENT:

Dr. Samuel R. Gerber,  
Coroner of Cuyahoga County, Ohio.  
Saul S. Danaceau,  
Assistant County Prosecutor.

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colored person +  
bumpy haired +  
steam roller -

"Form" - "of a big man,  
- - - - - relatively  
long, long head,  
good size head" -

9:00 o'clock A.M., Thursday, July 22, 1954.

DR. SAMUEL R. GERBER: At this time under the authority vested in me by the statutes of the State of Ohio, I am opening an inquest into the death of Marilyn Sheppard. For those who are assembled here the School Board requests that you do not smoke, and as far as other instructions are concerned I request that the newspaper photographers will take their pictures of the witness at the time that he or she is seated in the chair; not to take pictures during the process of testifying. I also request that persons do not leave the room and come back in indiscriminately. I would like to have complete and orderly decorum. If I do not have complete and orderly decorum I will have that person removed from the room.

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JOHN SPENCER HOUK, having been first  
duly sworn, was examined and testified as follows:

EXAMINATION OF JOHN SPENCER HOUK

By Dr. Gerber:

Q What is your name, please?

A John Spencer Houk.

Q Where do you live?

A At 29014 Lake Road.

Q How long have you lived in this community of Bay  
Village?

A About 14 years.

Q What is your occupation, Mr. Houk?

A I am in the retail meat business and also Mayor of  
the City of Bay Village.

Q Do you have an official position with the City of  
Bay Village?

A That's right.

Q And that is Mayor?

A That's right.

Q How long have you been Mayor?

A I am starting on my fifth year this year.

Q Are you acquainted with Dr. Samuel H. Sheppard?

A I am.

Q Were you acquainted with Marilyn Sheppard, his wife?

A Yes, I was.

Q How long have you known Sam and Marilyn Sheppard?

A About two and a half years.

Q Where did that acquaintanceship and knowledge begin, where were they living at the time?

A They were living three doors east of us on Lake Road.

Q Were you social friends?

A Yes, we were.

Q Did you and your wife visit back and forth with Dr. Sam Sheppard and Marilyn Sheppard?

A Yes, we did.

Q Did they visit you?

A Yes, they did.

Q Do you own anything in common with Dr. Sam Sheppard?

A Yes. We owned a boat in common.

Q What kind of a boat is that?

A A 14 foot aluminum outboard motor boat.

Q Could you describe it, please, more?

A Well, it is about 14 feet long and made of aluminum, and it is just an ordinary 14 foot outboard motor boat.

Q Does it have any compartments in it or is it just walls and places to sit down?

A Well, there is walls and places to sit down, and there is a quarter-deck over the top in the front. But it is not enclosed except by the deck itself.

Q It was propelled by an outboard motor you say?

A That's right.

Q Could it be propelled by oars?

A It could be, yes.

Q When did you acquire the boat?

A I can't remember exactly. I think it was the summer before last.

Q That would be the summer of 1952?

A I believe that's right, but I am not sure.

Q Was the motor acquired, the outboard motor acquired at the same time?

A No, sir.

Q Who used the motor boat, the outboard motor boat?

A Well, all of us used it. The Sheppards used it. Our family used it. And my son used it.

Q Where is this boat kept?

A It is normally kept in the boathouse that extends underneath the wall at our next door neighbor, the Bursinos.

Q Where else is it kept?

A On some occasions it would be pulled up on the beach behind the Sheppard home.

Q Was this a light boat that could be carried?

A One man couldn't carry it alone, but one man could pick up one end of it, either end.

Q And pull it or drag it ashore?

A Yes.

Q That is, pull it over the sand, over the beach?

A Yes.

Q Could one man also launch it?

A Yes, sir.

Q Can you recall the last time that you used the boat and who was in your company at the time you used the boat?

A The last time I used the boat was on Friday night prior to this occurrence, and my brother-in-law, Paul Gerhardt, was with me.

Q Where did you leave the boat at that time when you finished using it?

A In the boathouse.

Q Did you remove the outboard motor?

A Yes, sir.

Q And where was the outboard motor put?

A Well, I have two of my own, and I was using one of them, and it was put in a box that I have behind my home down on the wall.

Q Did Dr. Sheppard own an individual motor for the boat?

A Yes, he did.

Q And you had two of your own?

A That's correct.

Q To your knowledge do you know whether or not anyone used the boat after you did?

A Not to my knowledge.

Q Where was the boat on Saturday, July 3rd?

A Well, to the best of my knowledge it was where we left it the previous night on Friday in the boathouse. I can't be certain whether it was used or not, but to the best of my knowledge it was not.

Q Where was the boat on Sunday, July 4th?

A I believe it was still in the boathouse.

Q Do you water-ski?

A No, sir.

Q Do you know anything about the paraphernalia necessary for water-skiing?

A Yes, sir.

Q What things are necessary for water-skiing?

A Well, the skis and a ski rope.

Q Can you describe a ski?

A Well, a water-ski looks quite similar I believe to any other set of skis, and it has a place on it where the feet can be inserted and held with a rubber clamp of some sort.

Q Can you describe a ski rope?

A Well, it is a long rope that is attached to a boat

on one end, and on the other end is a bar which the skier holds onto to pull him up.

Q How long is the bar?

A I wouldn't have any idea exactly how long it is. I would judge, oh, probably a foot long.

Q How thick is this bar, the diameter?

A I wouldn't know. Probably about an inch.

Q Do I understand you correctly that there are two ropes to the ski rope, it is a combination of two ropes?

A (no answer)

Q The end that fastens to the boat, does it fasten in two places or in one place?

A It fastens in one place.

Q One place, and when it attached to the bar are there two ropes that come out to the bar or one rope?

A I believe there are two.

Q Then the bar is attached on both ends, the rope is attached to both ends of the bar?

A Yes, sir.

Q Is it fastened by knots?

A I believe they are.

Q Were they any ski ropes in the boat, to your knowledge, at any time?

A Yes, there were on a lot of occasions.

Q Can you recollect how many ski ropes?

A No, not exactly. I believe, however, that there were at least three.

Q Did you see Dr. Sam Sheppard and Marilyn Sheppard on July 3rd?

A Yes, sir.

Q Do you recall at what hour that may have been?

A It was between 6:15 and 6:30 on the evening of July 3rd.

Q Where did you see them?

A As I came home from work they were backing out of their driveway. I pulled in the driveway at my home and they drove past, heading west, and slowed down and hollered at me and said "Hi" or something like that.

Q Did you talk to them by telephone on July 3rd after 6:15?

A No, sir.

Q Did you see Dr. Sheppard, Sam Sheppard, and his wife on July 4th?

A Yes, sir.

Q Where did you see them?

A I saw them at their home, in response to his call.

Q What time was that?

A As near as I can determine it was about ten minutes to six in the morning.

Q What time did you get the call?

A As I say, as near as I can determine it was about ten minutes to six. I didn't look at the clock at that time or a watch, but I am basing that on the time that the police station has a record of the time I called into them. As near as I can determine, the call that I received was from 12 to 15 minutes before that call.

Q Now, referring to July 3rd, at approximately 6:15 P.M., when you were driving by the Sheppard home, when you saw them backing out of the driveway, and then when they stopped, subsequently stopped to say hello at your driveway --

A They didn't stop, sir. They slowed down.

Q Slowed down. That was the time, the only time that you can recall that you saw them on July 3rd, that is, at that time, no later than that?

A No, sir.

Q And there were no telephone calls or communications subsequent to that time until 5:45 or 5:47 A.M. on July 4th?

A That's correct.

Q Is that what I understand you to say?

A That's right.

Q And who called you?

A Dr. Sam Sheppard.

Q And what did he tell you?

A He said, "My God, Spen, get over here quick. I think they have killed Marilyn." And I said, "What?" He said, "My God, get over quick."

Q Was that all the conversation?

A Yes, sir.

Q Then what did you do?

A I grabbed some clothes that were laying there and threw them on, as did my wife, and we hurried downstairs, got into our station wagon and drove directly to the Sheppard home.

Q Now, where is the telephone located over which you received the call?

A Right next to my bed.

Q Do you recall now who was in your home on the night of July 3rd?

A Just our immediate family.

Q That would be who?

A My mother and my wife and my two children.

Q Do you recall what time you retired for the night?

A Not exactly, but it would be some time I believe between 12:30 and 1:00.

Q Did the children precede you to bed?

A Well, actually, the three of us went to bed at about the same time. I can't say whether I went up the steps first or the kids did. But it was about the same time.

Q When you say the three of you, who do you mean by the three of you?

A My two children and myself.

Q Then your wife and mother had previously retired?

A No. My mother had previously retired, but my wife did not.

Q Do you have any idea as to what time your wife retired?

A I don't precisely, no.

Q Did you have any telephone calls after you retired except this one that we have mentioned?

A No, sir.

Q Did the children or your wife to your knowledge or your mother to your knowledge have any telephone calls after midnight?

A No, sir.

Q How long do you think, then, it took you to get over to the Sheppard home?

A From the time I received the call?

Q Yes.

A Well, I would judge probably about five minutes.

Q And how did you go?

A I drove over.

Q You and your wife went together?

A That's correct.

Q When you got to the Sheppard home were you met by anybody?

A No, sir.

Q What door to the Sheppard home did you go into?

A The door that is on the Lake Road side.

Q Was that door opened or closed?

A The door was closed.

Q Was it locked?

A No, sir.

Q Then all that was necessary to do was to turn the knob and push the door open?

A That's right.

Q Do you know whether your wife preceded you or you preceded your wife when you went into the house?

A I can't truthfully say. I think we both went in together.

Q I wish you would now relate to the best of your recollection what you saw when you got into the house and what was said to you and what you said and what you did.

A Well, as we went in the first thing I noticed was the doctor's medical bag laying in the hallway, and I do remember at that same time seeing the door that opens on to the lake being opened, and that is all I remember of first impressions.

I went immediately in to the den which is to the right of the hallway as you go in, and Dr. Sam Sheppard was half sitting and half lying in this big easy chair, and we went immediately to him and asked him what had happened, and he said, "I don't know, but somebody should try to do something for Marilyn."

My wife immediately went upstairs and I stayed there with Dr. Sheppard and said something like, "Sam, get a hold of yourself, tell me what happened." He said, "I don't know exactly what happened." He said, "All I remember is waking up on the couch and I heard Marilyn screaming and I started up the stairs and something or somebody clobbered me and the next thing I remember I came to down on the beach and I came back up the stairs and I think I tried to do something for Marilyn, and that's all I know, that's all I know."

Q Go ahead.

A Almost immediately after, my wife came downstairs, and looked at me and shook her head and said, "Hon, call the police, call the ambulance, call everybody." I then called the Bay Village police department and told them to come up and following that I called Dr. Richard Sheppard and told him to get up right away.

Q Go on.

A The first to respond were the police and the ambulance

which was manned by the Bay Village firemen, and to the best of my knowledge the first man to come in was Officer Drenkhan.

Q Spell it?

A D-r-e-n-k-h-a-n, I believe.

Q To interrupt, how was Dr. Sam Sheppard attired?

A The only thing I remember his having on were trousers.

Q Do you recall anything else about him?

A Do you mean with regard to his dress?

Q Yes.

A Truthfully, sir, I can't. I understand that he --

Q No, don't tell that. What about his physical condition?

A I did notice a slight groove or bump on the right side of his face.

Q Anything else?

A No, sir.

Q Did he complain to you about anything other than his wife?

A Yes. He complained about his neck. He did some time right at that time get up from his chair and walk out to the kitchen and back, held his hands over his neck behind, and said, "I think my neck is broken."

Q Was his trousers wet, did you notice whether or not his trousers were wet?

A I did not notice.

Q Did you notice whether or not the upper part of his chest and shoulders were wet?

A I know that his shoulders were dry.

Q Did you touch his shoulders?

A Yes, sir.

Q Did you touch his hair?

A No, sir.

Q Did you notice whether or not it was dry or wet?

A I didn't notice.

Q Did you observe anything on his trousers?

A No, sir, I did not.

Q Had you seen these trousers before?

A Truthfully, sir, at that time I didn't even pay any attention to the trousers, other than to know that he had trousers on.

Q Did he have any shoes on and stockings?

A I didn't even notice that.

Q Did you try to do anything for him?

A No, sir, other than to talk to him, as I said, and try to find out what had happened.

Q Did you go into the bedroom where Mrs. Sheppard was found dead?

A No, sir, I did not go into the bedroom.

Q Did Dr. Sheppard go into the bedroom where the death

occurred during your stay at the home, at the Sheppard home?

A Dr. Sam Sheppard?

Q Yes, Dr. Sam Sheppard?

A No, sir.

Q You say the ambulance was manned by firemen arrived and then Officer Drenkhan arrived. Who came next, to the best of your knowledge?

A I believe Dr. Richard Sheppard.

Q Do you have any idea as to the time that he arrived?

A Not accurate. I would say from, oh, five to ten minutes after the police and the ambulance got there.

Q Did you have any conversation with Dr. Richard Sheppard?

A No immediate conversation I don't believe at that time.

Q What did you observe when Dr. Richard Sheppard got there or what did you see him do?

A He came in the house and he immediately went upstairs and I remember his coming down and asking if anyone had a knife, and there was some flurring around in the kitchen looking for a knife.

Q Who did the flurring?

A Well, there were several of us there at that time. I can't be certain, but I believe it was one of the firemen who got a knife for him.

Q What did he want the knife for?

A I don't know, sir.

Q Did he talk to his brother, Dr. Sam Sheppard before he went upstairs, before he went in the kitchen and then upstairs?

A Not to my knowledge.

Q When you called Dr. Sheppard, Dr. Richard Sheppard, did you tell him what was then existing or what had happened?

A Well, I can't give you my exact words, but I indicated I believe what had happened.

Q Could you give us some idea of what you said?

A Well, this is just guessing, but I believe that I said, "Rich, you better get up here quick, something terrible has happened, I think Marilyn is dead or been killed," or something like that. I can't tell, remember specifically what I said.

Q When Dr. Richard Sheppard got there did he talk to anyone before he went upstairs?

A I can't say for certain. It seems as if he asked, I heard him say to someone "Where is she?" or something like that, but I can't be certain of that.

Q Now, do you know what time the Chief arrived, approximately?

A No, sir, I can't tell.

mg fols

Q During the list of names, you arrived with your wife, and then the ambulance arrived with the firemen, and then Officer Drenkhan and then Dr. Richard Sheppard and who came next, do you know?

A I truthfully don't know who did come next.

Q What did you tell the police or the officers of Bay Village to do, did you give them any directions?

A Yes. Officer Drenkhan asked me what I thought we should do. I said, "I think we should call some outside help immediately," and directed him to call the Coroner's office and whoever else he thought he should call.

Q You leave that at his discretion?

A Yes. I believe he said, "Well, how about Cleveland Homicide?" and I said fine, or something like that. I can't remember precisely.

Q Now, how long did you stay at this time in the house or about the house?

A Well, I can't tell exactly how long it was I stayed. We were all pretty much upset. But the first time I left I would judge would probably have been, oh, roughly 45 minutes.

Q During that time was there any further conversation with Dr. Sam Sheppard and Dr. Richard Sheppard?

A Not that I remember, except that when Dr. Richard Sheppard came down from upstairs he did go over and talk

to Sam briefly then. I didn't hear the conversation, I don't know what was said.

Q Then after Dr. Richard talked to Dr. Sam, what happened?

A Well, I can't state specifically what happened. Everything, everybody was there then that I had mentioned.

Q What time was Dr. Sam Sheppard removed from the house?

A I can't tell that, I don't know.

Q Were you there when he was removed?

A I don't believe I was. I didn't see him being removed.

Q Do you know who moved him?

A No, sir. I didn't see it. I heard.

Q What did you hear?

A Well, I heard that he went west, in the car with Dr. Stephen Sheppard.

Q Did you see Dr. Stephen Sheppard come then?

A I did not see him come.

Q When you left to go to your home, who did you leave in the Sheppard home?

A Well, the police department was there, of course, and Dr. Richard, my wife, and I can't truthfully say whether the rest, whether anybody else was there or not.

Q You left your wife there?

A Yes, sir.

Q What was the purpose of your leaving?

A Well, it suddenly occurred to me, and I mentioned to my wife, that we had rushed off and left the house unlocked, and I says, "I think I will go home and lock up the house because mother and the kids were there." And she said, "Oh, don't do that, don't bother waking up the kids." And I still felt it should be done. So I went home and woke up my son, Larry, and told him what had happened and instructed him to lock the door after I left, the one door can be locked only from the inside.

Q Then where did you go then?

A Then I went back over to the Sheppard home.

Q And you stayed there from then on?

A Well, probably from then on the whole day, I believe.

Q Can you recall how long you remained at home when you went to wake up your son?

A Well, not specifically, no.

Q How long do you think it took from the time you left until the time you got back?

A Well, I would judge ten to fifteen minutes.

Q When you got back were there any new people there than at the time that you left?

A Well, I believe that there were, but I can't be certain. I mean, things had happened so fast and the whole thing was such a shock I just can't remember whether,

just the events of their coming, that is, when they came.

Q Was Dr. Richard still there, Richard Sheppard?

A I don't remember.

Q Was Dr. Stephen Sheppard there?

A Well, they were both there sometime during the morning, but at that specific time just when I came back I can't remember whether they were there or weren't there.

Q Did you observe Dr. Stephen Sheppard come to his brother's home, Dr. Sam Sheppard?

A No, sir.

Q Did you make any observations of the things that happened after you came back the second time, that is, after you left and then came back?

A No specific observation other than more or less what I had seen the first time I was over. I do recall going down onto the beach with Chief Eaton and seeing some footprints, which we followed over to the westerly pier of Metropolitan Park, and later learned, I guess, that it was our firemen's footprints that we had followed. They had already gone over that way. And we talked, the Chief and I, talked with a couple of fishermen on the wall there or on the wharf.

Q What did they tell you, what did the fishermen tell you, can you recall?

A Well, we had asked, we asked them if they had seen

any person or persons walking along the beach at any time, and they reported having seen two, what appeared to be teen agers walking in that general area. I believe that they said around, around 5:00 or 5:30, I can't be certain of that. The Chief made a record of it.

Q Do you recall what time that was that you talked to them?

A No, sir, I don't.

Q After you got back do you recall having any conversation with Sam Sheppard?

A No, sir.

Q Or was he still there or was he gone?

A I believe, sir, that he was gone, but I can't be certain of that. But I did not have any more conversation with him.

Q Did you go anyplace in the house other than the study off to the right of the hall? What other rooms did you go into?

A At what time?

Q When you arrived there or shortly, during the time you were there in the morning.

A Well, immediately upon arrival I was in the study, and I was in the kitchen, and shortly after, I believe it was right after the firemen and policemen came I did go up the steps and look into the room.

Q Did you go in the living room?

A You mean immediately at that time?

Q Yes.

A No, sir, not at that immediate time.

Q Subsequently did you go in the living room?

A During the day?

Q During the early morning. Did you walk through the living room?

A Well, I know that I walked through the living room and went out the northerly door when I went down on the beach, yes.

Q What was the condition of the living room?

A Well, I noticed that the desk that was there, the drawers were pulled out, and that there was some stuff laying around there.

Q Would you call that chaos?

A No, sir.

Q Or chaotic?

A No, I wouldn't call it that, sir.

Q Did Dr. Sheppard discuss with you anything at all about the taking of Dr. Sam Sheppard to a hospital, did anyone discuss that with you?

A No, sir.

Q Did you order the removal of Dr. Sam Sheppard to a hospital?

A I did not.

Q Did anyone ask your approval on the removal of Dr. Sam Sheppard to the hospital?

A No, sir.

Q When you walked down on the beach can you tell us the condition of the lake at that particular time?

A There were swells, but it was not exceedingly rough.

Q How wide, approximately how wide is the beach from the embankment out to the edge of the lake?

A You mean at that particular point at the foot of the stairs?

Q Yes, at the foot of the stairs, and other places that you can describe that you are acquainted with.

A Well, at that particular point at the foot of the stairs, if there are no waves and the lake is flat, I would judge perhaps six feet.

Q And at this time was there any beach or was the water or the waves clear up to the steps?

A At this time there was some beach.

Q How much?

A Well, I would estimate about three feet in between waves, so to speak. It would wash up and then wash back.

Q If you walked on the beach, which you did, would you get wet at that time on the morning that you were there?

A No. You could walk on the beach without getting wet.

Q Would the waves come up high enough to splash you with water?

A No.

Q What was the temperature of the water at that time, do you know, was it cold or warm or chilly?

A I have no idea.

Q During your acquaintance did you have any occasions to be in the company of Dr. Sam Sheppard and Marilyn?

A Yes.

Q Would you call them numerous or occasionally?

A Well, for last year I would say occasionally. In other words, sometimes it might be twice a week we would be in their company, and again we might not be in their company for a couple of weeks.

Q When Dr. Sheppard, Dr. Sam Sheppard and Marilyn Sheppard came to your home, did they make themselves at home, did they do things the same things that you, your wife, and children would do in the home?

A Yes, they made themselves very much at home.

Q Did Marilyn Sheppard come over alone to visit?

A On occasions she would. Not often.

Q Were there other people present when you were together, other groups, other couples?

A Yes, on a lot of occasions there were.

Q Did you ever notice or hear personally of any

arguments or difficulty between Marilyn Sheppard and Sam Sheppard?

A Nothing specific. Normal arguments that any couple might have. I would suggest, truthfully, that perhaps they argued less than my wife and I did.

80 Q How did Dr. Sheppard, since you bring that up, did Dr. Sheppard treat his wife like you treat your wife?

Put it this way, when you have a project, when you are going to do something or purchase something, do you discuss that with your wife?

A I most certainly do.

Q Do you know whether Dr. Sam Sheppard discussed something like that with his wife when he decided to buy something?

A Well, no, I don't believe he did.

Q In so far as you know, he didn't?

A Yes, I would say that would be right.

Q Were there any disagreements about the purchases that Dr. Sam Sheppard made or may have made, with his wife?

A Well, I had heard a couple of mild disagreements to the effect that perhaps he was going out and buying a car or something like that when she could use some new furniture.

Q Did you notice Dr. Sheppard's disposition and evidence of a bad temper?

A No, sir, I never did.

Q Were you ever present when Dr. Sheppard disciplined his son?

A No, sir.

Q Do you have any knowledge of Dr. Sheppard's son being disciplined?

A No, sir.

Q Did you ever see Dr. Sam Sheppard in a violent rage?

A No, sir, I did not.

Q Can you describe the condition of the couch in the living room of the Sheppard home, that is, when you arrived there or shortly after you arrived there?

A No, sir, I cannot.

Q Did you make any observations later on of the couch?

A To my knowledge, the first time I saw the couch was sometime after your arrival.

Q What was the condition of it then?

A Well, it seemed to be smooth and generally in good order.

Q Did you notice a jacket on the couch?

A Yes, sir.

Q A corduroy jacket?

A I believe it was a corduroy jacket.

Q Did you notice the condition of the corduroy jacket?

A Well, it seemed to be folded neatly and just laying on the couch.

Q Was it wet, that is, that you noticed?

A Not that I noticed.

Q Did Dr. Sam Sheppard go to his wife's bedroom while you were there?

A No, sir.

DR. GERBER: Thank you ever so much,  
Mayor. We may recall you or may not, but you  
can go about your business.

- - -

ESTHER HOUK, having been first duly sworn,  
was examined and testified as follows:

EXAMINATION OF ESTHER HOUK

BY DR. GERBER:

Q What is your name, please?

A Esther Houk.

Q Just talk so he can hear you.

A Esther Houk.

Q Where do you live?

A 29014 Lake Road.

Q Bay Village, Ohio?

A Bay Village.

Q Will you speak up a little bit, he can't hear you.

You are the wife of the Mayor of the City of Bay Village?

A Yes, I am.

Q How long have you been married?

A Twenty years.

Q You have how many children?

A Two.

Q What are their names, please?

A Lawrence Houk and Linnette Houk.

Q You are acquainted with Dr. Sam Sheppard?

A Yes.

Q Socially?

A Yes.

Q Is he your family physician?

A My mother-in-law's family physician.

Q Not yours personally?

A I have had Dr. Sam as a physician.

Q You were acquainted with Marilyn Sheppard, his wife?

A Yes.

Q How long have you been acquainted with her?

A We became acquainted possibly eight or ten months after they moved here, into their present home.

Q Eight or ten months after they moved into their present home?

A Yes.

Q Where they now reside?

A Yes.

Q How long ago did they move in?

A I believe they moved in in July or August of '51.

Q Can you recall where you were on July 3 of this year, that is Saturday, July 3?

A I was at home, to my recollection, all day and all evening.

Q Did you go to any stores, make any purchases anyplace?

A It is possible, but I don't think so.

Q Did you visit with anyone?

A I don't remember.

Q Did you visit with Marilyn and Sam Sheppard on July 3?

A No.

Q Did you talk to them by telephone?

A No.

Q On July 3?

A No.

Q Do you recall what time your husband came home on July 3?

A After work.

Q Is that --

A Possibly 6:30.

Q Is that the usual time for him to come home on a Saturday?

A Yes.

Q From 6:30 P. M. then could you recall what you and your husband did?

A Well, he watched the fight on television, and we went down to the lake to watch the fireworks at Edgewater Park until probably 10:30.

Q You say, who is we?

A My husband and I.

Q I mean, to watch the fireworks?

A Yes.

Q That is, the lake in the back, in the front of the house or the back of the house?

A We went down to the lake. We consider it the back of the house.

Q You were able to see the fireworks in Cleveland?

A Edgewater Park.

Q At Edgewater Park. Now, go ahead.

A We came up and my husband watched the ball game. Our daughter and son came home, and our son listened to the ball game with his father and our daughter and I watched the movie on television. They had the portable radio in the living room for the ball game, and we watched television at the same time.

Q How long did you listen to the radio and watch television?

A I believe the ball game was over very shortly before the movie was over, and I think it was probably between 12:30 or quarter of 1:00.

Q During that time did you have any telephone calls from the Sheppard home?

A No.

Q Did you see the Sam Sheppards that night?

A No.

Q Across the lots?

A No.

Q You didn't talk to them?

A No.

Q By telephone?

A No.

Q After watching the ball game and listening to the ball game and watching the television, what happened then in your home?

A My husband and the children went to bed. I was not sleepy, so I took a copy of a magazine I had saved to read one story, and decided since I could sleep in Sunday morning, I would read that story at that time. So I read the magazine.

Q Until about what time?

A Until possibly 2:30.

Q Can you tell me approximately how many feet or yards that you live from the Sheppard home?

A Probably, considering the lot sizes, we live 200 feet.

Q During her life did you ever call back and forth across lots?

A No.

Q Did you hear anything out of the ordinary at the time that you were up until 2:30 in the neighborhood?

A No.

Q Did you hear any noises whatsoever?

A No.

Q No shouting?

A No.

Q Was anyone on the beach, did you hear anyone on the beach?

A No, not that night.

Q That night, I am talking about Saturday night now.

A Yes.

Q You went, then returned around 2:30?

A No, it must have been about 3:00.

Q 3:00?

A Before I retired.

Q Your husband had previously retired?

A Yes.

Q And your mother-in-law?

A Yes.

Q For the record I neglected to get it, what is your mother-in-law's name?

A Pearl Houk.

Q How old is she?

A Seventy-seven.

Q Your mother-in-law and your two children and your husband had retired?

A Yes.

Q You were the only one up in your home?

A Yes.

Q Did you receive any telephone calls during that time?

A None that I recall.

Q Then you retired. What do you remember next?

A A phone call which in itself is not unusual at our house. I heard my husband, the tone of my husband's voice, which is probably what really awakened me.

Q What did you hear?

A I can't remember exactly the words.

Q What is the substance of it?

A The substance was that something terrible had happened. I believe he wanted Sam to repeat, because he couldn't realize what Sam said.

Q Did you know he was talking to Sam Sheppard?

A No. He must have asked something like, "What is that again?" or "Tell me again."

Q Well, did you know who he was talking to?

A Not until after he hung up and I asked him what the trouble was.

Q Then what did he say?

A He said, I can't remember his exact words.

Q But in substance?

A He said something to the effect come quick. Sam said somebody tried to murder Marilyn.

Q What time was this?

A I didn't look at the clock.

Q Do you have any idea as to the time?

A I have gotten an idea since, but at that time I had no

idea.

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Q What time?

A I gather the time was around 6:00. I thought I heard someone say the police call had gone in at 6:05, but I don't know that is where --

Q Was it daylight or was it daybreak?

A It was light enough so that I had no trouble dressing or finding my way around. I don't recall looking at the sky to see whether the sun was up or not.

Q You were up until around 3:00 o'clock. What was the weather?

A It was cool and very windy when I went to bed.

Q Were your windows up?

A Yes.

Q You heard no out-of-the-ordinary noises?

A No.

Q Now -- did you have something --

A Well, the lake makes so much noise there.

Q Was it cool enough so that you had to wear a jacket?

A I had a fire in the fireplace that evening.

Q Now, after this conversation with your husband when you were awakened by the telephone call, will you relate just what you did without me interrupting, just go ahead and relate it?

A Well, I grabbed a pair of slacks and a tee shirt that

were on the chair, ran downstairs and asked my husband if we would walk or drive, and he said, "Drive, that will be faster." We got into the car and drove over.

Q Just go on.

A We both got to the door at the same time. He opened the door.

Q Which door was that?

A I believe they call it the back door, the one facing Lake Road.

Q The one on Lake Road?

A Yes. We went in and immediately saw the medicine case upturned in the hall. We heard Sam's voice in the study and went in there. My husband asked what had happened. Of course, I can't be sure of his exact words now.

Q What was the substance of it?

A He said, "I don't know."

Q Who said this?

A Sam, "I don't know. I can't think." He mentioned Marilyn's name, and I immediately ran upstairs.

Q Then what did you do?

A I saw her, her arms out, so I put my hand for her pulse. I felt none, but didn't know whether I would under the circumstances or not. So I immediately rushed downstairs and told my husband to call the police, the

ambulance, and everybody.

Q When you heard Sam's voice, who was he talking to?

A He wasn't talking, I don't believe, he just made a sound of some kind.

Q Where was he when this happened?

A In the study.

Q What sort of a sound?

A I don't recall. I probably assume he made a sound because we went right to the study knowing that he was there.

Q You heard this sound when you first came into the door?

A Yes.

Q When you first came into the door. He didn't call you?

A No. He probably heard us come in the door when we opened the door.

Q Well, did he moan or did he groan or did he mention your names?

A I don't recall.

Q Can you imitate the sound?

A No, I don't recall whether, I don't recall what attracted us to the study.

Q Did he make a noise?

A He must have because we walked right into the study.

Q You went right to the study?

A Yes.

Q What did you see in the study?

A I saw Sam sitting in the chair to the north of his desk. The upper part of his body was bent over the arm of the chair, and he had his two hands around the back of his neck. His head was hanging over the arm of the chair. When Spen spoke to him, he raised his head and I saw his face. Then I realized, I was half asleep, I probably didn't grasp the whole thing, but having seen his face and mentioned Marilyn, I immediately went upstairs.

Q How was he attired?

A I only saw a pair of pants.

Q Did he have his shoes and stockings on?

A I didn't notice.

Q He had no clothes on above his waist?

A No.

Q Were the pants wet?

A I didn't notice the pants being wet.

Q Did you touch him?

A Later I touched his shoulder.

Q How much later?

A I had been upstairs, came down, he complained of a terrible pain in his neck and said he couldn't think. So I went to the kitchen and got some whiskey, feeling

someone had to think or do something. I came back in and offered it to him and he refused it, saying that that wouldn't help because he had to think. At that point I put my hand on his shoulder, as you would an upset child, and I rubbed his shoulder and told him not to try at that time.

Q Was his shoulder dry?

A To my knowledge it was dry.

Q Was his hair dry or wet?

A I don't know. I didn't notice his hair.

Q Was the chair in which he was sitting in dry or wet?

A I didn't notice the chair.

Q Now, what did you see when you went upstairs?

A I saw only Marilyn on the bed.

Q Did you go through the kitchen to go upstairs?

A Yes.

Q Did you observe anything unusual in the kitchen?

A No.

Q Can you recall what you saw when you went into the bedroom?

A I saw nothing other than the bed and Marilyn. I was half asleep and I didn't feel that I clearly woke up all day. I saw only what was before my eyes at that moment.

Q Do you recall what you saw on the bed?

A Yes.

Q What did you see on the bed, just describe it for us?

A Marilyn was covered to almost the waist with a sheet. Well, I don't know how to describe what I saw.

Q Where was the head and what did you see?

A The head was not in the position of the pillow.

Q Did you see blood?

A She was partly -- naturally.

Q Well, just tell me. I am just trying to help you. Did you see blood?

A I saw blood.

Q Was her head, was there blood on the bed, was there blood on her face?

A Yes.

Q Was there blood on her hair?

A Yes.

Q Was there blood on the pillow?

A I don't remember seeing a pillow.

Q Was Mrs. Sheppard in a natural position in bed?

A Well, she looked like she was just lying back. Her head was not up at the top of the bed, so it wasn't natural, but I don't recall having seen her feet or legs because the sheet covered her.

Q How far into the room did you go?

A I went in far enough to put my hand on her arm.

Q Which arm?

A Right arm.

Q I am going to show you a picture and maybe this will help you recall, and you can tell me whether or not this is what you saw in the bedroom.

A It seems, I didn't see this from this position. I saw it only from the position of possibly three feet in the room.

Q Does that help you recall what you saw?

A No, because this shows more than what I saw.

Q Did your hands get bloody?

A No.

Q Did you get any blood on your hands at all?

A No. Had it been necessary to touch more than her wrist in that position I doubt if I would have.

Q Did you notice blood on the bed and on her face and on her hair?

A Yes, as the picture showed. I don't know why afterward I said call the ambulance unless I refused -- at the moment I couldn't accept what I saw, but I must have realized when the ambulance came and I saw the two men take the stretcher out, I said, "I don't think that will do any good, but if you are going to take it up you can't get it through the kitchen I don't think."

Q Now, when you walked up the steps leading to the second floor, did you notice anything on the steps?

A Whether the first or second time I went up to see Chip, I did notice what looked like wet footprints on the steps going upstairs.

Q Going upstairs. Did you notice any other wet or moist spots in the house?

A Not in the house.

Q Where did you notice?

A I noticed water later on the porch leading to the lake.

Q Where did you notice this water?

A There seemed to be an area of water just off the step on the porch.

Q That is the porch that leads from the living room out to the lawn or back lawn?

A Yes.

Q Now, could you describe in more detail this area of water?

A No. I have a recollection of water and that's all.

Q Was it a puddle of water, or was it drippings?

A My impression of the water on the stairway was footprints. My impression of the water on the porch was a puddle.

Q Was this in the center of the porch?

A No.

Q Or toward the screen door on the porch?

A Toward the step that led from the lawn.

Q It would be closer to the lawn?

A It would be closer to the lawn than the door.

Q Did you just notice this in one place?

A Yes.

Q Or in more places?

A Just one.

Q Did you notice any water or moisture on the carpet in the living room?

A No.

Q Did you notice any water or moisture on the carpet in the bedroom?

A No. I don't recall looking at the floor at all. I didn't even see the bedroom door until later when I closed it to take, before I took Chip out.

Q You went into Chip's room?

A After I came down and sometime very shortly after I arrived Sam mentioned Chip, wondering if Chip was all right. So I immediately went back upstairs to see how Chip was.

Q Was the door closed or open?

A Open.

Q Was he in bed in a natural position for him?

A I looked in the room and he seemed to be curled up on his right side. His back was toward me. But everything

looked so normal and I believe I heard the siren then and came downstairs immediately.

Q Was he asleep or awake?

A Chip was asleep.

Q How long in minutes approximately after you got there that you went upstairs to look in Chip's room?

A Time --

Q Maybe I can help you.

A I can't figure anything in relationship to minutes that morning. I felt half asleep and had to do something and just kept moving. I know pretty much what I did, in fair relationship, but I don't know whether I offered that shot for Sam before I went up to see Chip, or whether I went up after.

Q Pardon me. You went upstairs to see Marilyn soon after you came in the house, you offered Dr. Sheppard a drink of whiskey, and then after that you went upstairs to see Marilyn, is that right?

A No, I went up to see Marilyn first.

Q First, and then you offered Dr. Sheppard a drink of whiskey?

A I am not sure whether I went up to see Chip then before I offered him the whiskey or immediately after.

Q Well, how long would all of these acts take?

A I don't know. I moved very fast.

Q How long did you stay in Marilyn's room?

A Very short. Only long enough to put my fingers on her wrist.

Q Then you came out?

A I came immediately downstairs.

Q Then you did these other things?

A Yes.

Q So how long do you think it took you to get up to Chip's room?

A I can't even guess.

Q Did Dr. Sam Sheppard explain what happened?

A Not --

Q Anything, did he tell you anything?

A I recall certain things he said.

Q What do you recall?

A I was in and out of the study.

Q What do you recall?

A He said nothing that made a sequence, a picture of what happened at that time.

Q Just what did he say, though, regardless of how it sounded?

A He complained of a terrible pain in his neck and said he thought it was broken. At one time he said, "I kidded Steve for locking his house up so tight."

He asked about Chip. He complained because he was trying

to think and couldn't think, and I believe he repeated that several times. I can't recall hearing anything else.

Q Did he tell you what happened?

A I don't think he did. I think we, from what he told Spen on the phone and what we saw, the doors open, his face, I think, I assumed.

Q Did you hear your husband call Dr. Richard Sheppard?

A No.

Q You weren't in the room?

A When he went to the phone to call the police I went out to the kitchen, at that point I remember, to pour the whiskey. I didn't know he had called Dr. Richard.

Q You knew he had called the police?

A Yes.

Q Did you hear him call the police?

A No.

Q Were you there when Dr. Richard Sheppard got there?

A Yes.

Q Can you evaluate the time?

A Only in sequence of events. The police came. The ambulance came. I went out in the yard when they came.

Q They, who do you mean by they?

A The police and the ambulance. Went back in the house. I don't know what I could have done. But I remember next seeing Richard's face at the door.

Q Which door?

A They call it the back door.

Q That is the door fronting on the lake?

A No. That is where I get confused. I call the lake side the back side, and Lake Road the front. And they call it just the opposite. They call the lake side the front, and the Lake Road side the back.

Q Then what did Dr. Richard Sheppard do, did you talk to him?

A I didn't talk to him, but he went immediately in to Sam.

Q Did anyone talk to him?

A I don't know.

Q Did you see the police talk to him?

A Later --

Q No, just then at that time.

A Not then, no.

Q Did you see the firemen talk to him?

A Not then, no.

Q Did the Mayor talk to him?

A I don't know.

Q You didn't see it?

A No.

Q He came in the hall and right into the study?

A Yes.

Q What did he do in there?

A I presume he talked to Sam.

Q What did you see?

A I didn't see, I saw him go in the room.

Q What did you hear?

A I didn't hear him.

Q Then what did you do?

A He must have gone immediately upstairs because Sam again mentioned Chip, and I realized that I hadn't really checked thoroughly to make sure Chip was o.k. I had only assumed. So I went upstairs again to see Chip, and saw Richard in the bedroom with his stethoscope at Marilyn's heart. I went on into Chip's room, realized that Chip should be gotten out of there immediately, and hearing Richard's, Richard coming out of the room, I went immediately to him and asked him if I should take Chip over to our house. And he said, "No, put some clothes together and take him to our house." So we both went back into Chip's room.

Q What was the condition of the room, Chip's room?

A It didn't seem disturbed, but I only seemed to see what I was looking for that morning.

Q Did they immediately take Chip out of the house?

A Yes. We got his clothes together and spent a moment or two trying to get his orthodontic chin brace off.

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AGAIN NO  
FLASHBURES  
IN THE  
"HALF-ASLEEP"  
CHIP'S  
FACE

Q He had that on when you found him?

A Yes. We had a little trouble trying to get off and didn't want to startle or arouse Chip any more than necessary.

Q He was awake?

A No.

Q When you picked him up was he awake?

A He was still half asleep. He was still half asleep when I walked out in the yard.

Q These events all occurred in succession?

A He got his clothes together. Richard started to lead him downstairs, and I believe somebody asked a question of Richard, because I immediately took Chip's hand and proceeded to take him out to the car.

Q Was Dr. Sam Sheppard still in the house?

A When I put Chip in Richard's car I noticed Sam sitting in Steve's car at that moment.

Q Sitting in Steve's car?

A At that moment.

Q Did you know that Dr. Steve Sheppard had arrived?

A I saw him I believe at the door. I saw him go in and I saw his wife standing outside.

Q When was this in relation to the events that you described, when was this that you saw him?

A In relationship to events, I can only say, I don't

know whether I am thinking of people as I saw them, I don't know whether I saw him before I saw Police Chief Eaton, or after. But I just remember seeing different faces come on the scene, but I don't remember --

Q Did you see Steve Sheppard take Dr. Sam Sheppard away, or how was he taken away?

A I saw Steve back his car out with Sam in the front seat. He had to get out before Richard could take Chip out, because of the way their cars were parked.

Q Did they both leave about the same time?

A I believe they did.

Q What happened to the ambulance then, did you see it go away?

A I don't remember seeing the ambulance leave at all.

Q In relation to time, and these two automobiles, was the ambulance still there?

A It had to be because they couldn't get out before Steve backed out.

Q What was the condition of the study other than the big leather chair and Dr. Sam Sheppard, what was the rest of the condition of the study?

A I noticed that the drawers had been pulled out and dumped on the floor. The only detailed recollection I have of anything was a trophy from the open bookcase lying on the floor. That is the only thing that stood

out from the jumbled mess I saw on the floor.

Q What was the condition of the desk drawers?

A I took no detailed --

Q What was the condition of the top of the desk as you recall?

A I noticed nothing unusual. There are usually quite a few things on the desk. I didn't notice whether the things on the top were disturbed or not.

Q Were there any other disturbances in this study except what you told me?

A Not that I noticed.

Q You were acquainted with the study because of prior visits to the house?

A Yes.

Q With the exception of the desk and this trophy, the drawers of the desk, and the trophy on the floor, did you notice any other disturbance?

A No, I was thinking of people, not things, that morning. I didn't have occasion, there was no necessity for me trying to evaluate what happened, and if I tried I still had that feeling of being half awake and not being able to wake up.

Q What did you see in the living room?

A The living room, the only thing I noticed disturbed there was the desk in the living room.

Q When you say the desk, what do you mean?

A There was a desk in the living room.

Q Can you describe this desk or give us another name for it?

A There is a name for that type, but I can't think of it now. It opened, the top part opened out and laid down for letter writing, and there were drawers beneath it.

Q How many drawers beneath it, do you know?

A No. It seems to me I saw three opened. Whether the desk had three or four drawers I don't know.

Q Were there any disturbances of these drawers that you saw open?

A I didn't look in the drawers. The only disturbance I noticed was a few things on the floor. Envelopes and tax stamps was all that I recall seeing.

Q When the desk was open did you notice any disturbance then on the top of that desk?

A I don't remember.

Q Did you notice anything else out of the ordinary in that room?

A Well, the desk for that top to have been down, it wasn't normally kept down. I had never seen it down before. So that in itself was disturbance. I saw nothing that registered as adding up to anything in my

mind.

Q Did you notice anything, any window, any door that might have been broken?

A The door to the lake was wide open and the screen door from the porch to the lake was also wide open, but I saw nothing broken.

Q Did you then go into the other part of the living room?

A I walked around.

Q Did you notice the couch?

A Yes.

Q You were familiar with that couch on previous occasions?

A Yes.

Q Did you observe anything any different on this couch at this particular time than you did on other occasions?

A Nothing, other than Sam's jacket lying on it.

Q Was the couch out of order, was it mussed up?

A It didn't appear to be.

Q Was the jacket mussed up?

A I didn't appear to be.

Q Was it wet?

A I didn't notice.

Q Did you notice any other jackets in the room?

A No.

Q Can you describe this jacket that was on the couch?

A I believe it was his tan corduroy.

Q Was it folded?

A Yes.

Q Neatly or otherwise?

A I don't think I paid that much attention other than observing it. It was lying there and folded.

Q When you say folded, what do you mean?

A Well, the shoulders were together and it was lying from the shoulder to bottom, quartered.

Q Can you take my coat and show me how it was folded?

A Yes. It was folded this way (witness demonstrates).

Q Like that. Did you notice any other disturbance in the room?

A No.

Q Was there any disturbance around the fireplace?

A I didn't notice.

Q Did you notice any disturbance in Marilyn's bedroom except what was on her bed?

A No. I only went into the room once, and the second time, I mean, well, I went in twice. The first time to see if I could do something for Marilyn. The second time it was necessary to go in to pull the door closed.

Q Did you notice any lights burning when you went upstairs?

A At first I didn't notice a light, but later I noticed the lamp in the front room on a chest of drawers burning. It was shortly after I got there I noticed it, but I don't know exactly when, and I am sure it wasn't the first time I went upstairs.

Q Had you been in their bedroom prior to her death?

A I was through the upstairs at the time they had a fire. I don't recall having been upstairs in that house at any other time.

Q How long before the death was the fire?

A That was a year ago in March, I believe.

Q What kind of a bed would you call this, would you call it an antique bed?

A Oh, four poster bed.

Q Are you acquainted, do you know whether or not there was any broken parts to this bed?

A I don't know. I would have no occasion to know.

Q How long had you been in the house approximately when you noticed the jacket?

A I don't know. It must have been quite a bit later, because I was busy doing everything I could do, as anybody mentioned something, I wouldn't have just walked around trying to grasp what happened until later.

Q Was it before Sam left with his brother, or afterwards?

A I have no idea whether it was or not.

Q Who was in the house when you noticed it?

A I don't even know. I can't remember when I noticed it. Certain things, I was trying to see so much, and certain things I saw and other things just didn't register.

Q In relation to the events that occurred, of people coming and going, do you have any idea as to when you noticed it?

A It must have been quite a bit later.

Q You noticed water on the steps, wet footprints on the steps?

A Yes.

Q Did you notice it then, did you notice the couch at that time?

A I don't, no, I couldn't have noticed it at that time, because I went through the kitchen upstairs. It wasn't until later that I wandered around outside and through the living room and that was probably --

Q Now, you noticed water on the porch, a puddle of water on the porch, and you noticed the desk or secretary out of order being disturbed?

A Yes.

Q Did you notice the couch at that time?

A I don't think so. All that I could see from the hall between the study and the kitchen.

Q Do you recall going into that part of the living room when you first went in there in the morning?

A No.

Q How long do you think you were there before you went up, were you there a half hour or an hour or two hours before you noticed that?

A Well, I got home at 10:30, which was my first recollection of time. I left because it became obvious there was nothing more I could do. Possibly I saw that, in relationship to time, an hour and possibly two hours before I left. That is my only way of relating.

Q The things that you recall are the things that were out of order or out of place or disturbed?

A Not necessarily.

Q Do you recall other things that you saw in those rooms that were not out of order, not out of place, or not disturbed?

A Anything that looked in its right place I just, well, how could I explain it, you walk into a room you are used to seeing, you don't notice --

MR. DANANCEAU: You mean passed  
unnoticed?

A Pardon?

MR. DANACEAU: Passed unnoticed?

A What do you mean, passed unnoticed? I walked in a

room that I am used to seeing, and the only things that would attract my attention was something that didn't look --

Q Hadn't existed previously, out of order, is that what you want to say?

A Not existed previously, just wasn't in the same order that I was accustomed to seeing it.

Q Did you go down towards the beach?

A No.

Q Did you go down to the head of the stairs that lead down to the beach?

A I think I did.

Q Did you see any wet foot marks out there?

A No, I didn't notice. I didn't go as far as the steps.

Q How large or how big were these foot steps, the wet foot steps that you saw on the steps leading upstairs?

A I merely have an impression of wet foot steps. I have no conception of size.

Q Do you recall anything else that Dr. Sam may have said to you that you haven't related here?

A No, I can't think of anything that I haven't related here, or if forgotten now that I didn't relate in my first statement.

Q Now, you and Marilyn were socially acquainted?

A Yes.

Q Did she come over to see you frequently, or you go

over to see her frequently?

A No, not as neighbors during the day. She did several times, I wouldn't say frequently, I wouldn't even say it was as much as once a week. There were some weeks, possibly a year or so, before she became interested in golf and bowling and so many activities of the Junior Women's group. She would come over occasionally, possibly with a question, as to possibly to borrow something or to return something, or with a question as to what to do about some small thing in the house. I remember she wondered if something was wrong with something, and I am slightly more mechanical minded at fixing things than she was, so she would ask questions on occasions. But that was more a year ago than recently.

Q Did she ever become confidential with you?

A No.

Q Did she ever tell you any of her innermost secrets?

A No.

Q You were present on occasions when her husband and other people were around?

A Yes.

Q In parties?

A Yes.

Q Did you ever notice any disagreements or difficulties or hear of any?

A Not of any, shall I say, unusual nature.

Q Well, what did you hear, could you tell us?

A Well, it was such things as, oh, what can I use for an example, very trivial or ordinary.

Q What do you mean by trivial?

A Well, he wanted her to make a couple of cherry pies and she didn't want to, and he couldn't see why it would hurt her to make a couple of pies, and she finally baked the pies. It was nothing, just ordinary.

Q Did she ever complain to you about his staying away at night and not telling her where he could be found?

A No. She, well, I don't know whether I can say she was annoyed at his hours, well, for example, last fall when there were football games and basketball games that we both enjoyed so much, Sam had office hours, and I gathered she would rather have gone with him, but went with us instead because he had office hours, and whether she liked it or not it was something she had to accept. There didn't seem to be any necessarily anger over it. It was accepted as an annoyance.

Q Did you ever see Sam display any temper?

A No.

Q Did she ever complain to you of his disposition or temper towards her?

A Not that I recall.

Q Did she ever confide in you that she had tried to reach him at the hospital on occasions, and his office on occasions, after he had told her that he could be found there, and then she wasn't able to locate him in those places, did she ever tell you anything about that?

A Yes.

Q What did she tell you?

A But not of a confidential nature, because I had been told I could reach him a good many times and wasn't able to reach him.

Q That is what she told you?

A No. She said something, I didn't know whether it was the relaying of the call, the switchboard at the hospital, or his office assistant not giving him the call, that is the impression I had, that possibly that wasn't as efficient as might be. But my calls were never of an emergency nature. I don't think hers would be considered either. So that in itself made no impression on me at all.

Q If I remember correctly, you stated that previous to a year ago, about a year ago, she used to be a more frequent visitor?

A Yes.

Q What happened in this last year?

A She became more active and became better acquainted

with a group in the Junior Women's Club, and they were more nearly her age and had activities and interests that we weren't in.

Q Do you know who some of these friends may be, the names?

A Off hand, I know she played golf with Mrs. Corrigan. She bowled with a group of, I don't know whether it was, I think it was four teams which would twenty.

Q Where was this?

A At the bowling alley at the center.

Q At the center, where is the center?

A At Wolf and Dover.

Q Do you know who some of her particular or special friends were in this bowling group?

A No.

Q Do you know Mrs. Corrigan's first name, Miss or Mrs. Corrigan's first name?

A No.

Q Does she live in Bay Village?

A Yes.

Q Do you know what street?

A I read in the paper yesterday it was Bradley Road.

Q Do you know or did you know of Susan Hayes?

A I had met her.

Q How long ago?

A At least a year ago.

Q Was she employed at Bay View Hospital at that time?

A I took my daughter in for a blood count and saw her there, and I believe she took the blood count or assisted.

Q Who directed you to her?

A Dr. Sam.

Q Dr. Sam Sheppard directed you to her. He didn't direct you to the laboratory, but directed you to her?

A No, he directed me to the laboratory.

Q Did you ever see Susan Hayes in the company of Dr. Sam Sheppard?

A I saw her in a group which included both.

Q Where was Marilyn at that time?

A With us. We -- she was with a doctor I understood she was to be engaged to one day down at the lake.

Q Where was this?

A When we were water skiing.

Q Down at the lake, where do you mean at the lake?

A Well, at the beach house.

Q At whose beach house?

A The Sheppard's.

Q Sam Sheppard's beach house?

A Yes.

Q How many other people were there?

A I believe there was another couple, but I don't

recall now who. I was introduced to four people I had never met, and Sue was the only one who I had seen before at the hospital.

Q You had seen her previously at the hospital?

A Yes.

Q Prior to this skiing party?

A Yes.

Q Would you call that a skiing party?

A No. On a hot summer day whenever there was time, whenever Sam was home they usually went down either for a swim or to ski if somebody would run the motor.

Q How long ago was this?

A It must have been last summer. It could have been two summers ago.

Q That is either in the summer of 195 --

A '52 or '53.

Q Can you tell us what happened at this particular gathering?

A We sat and made small talk, I assume, while different people tried the water skis.

Q Where was Marilyn at this time?

A Right there. All of us were either sitting on the rail or on a bench they have there.

Q Was Sue Hayes water skiing, is she a water skier?

A I don't recall her trying that day.

Q Was there some other time when she did try?

A I don't remember ever having seen her ski. I don't know whether she did or not. We weren't down there every time they went skiing, and they weren't down every time we took the boat out just for a ride.

Q Do you know how many ski ropes were in possession of the Sheppards?

A I think there was two. The last time we skied, the last time we skied somebody said something about a new one, but whether they had gotten it between the last time we skied and this event or not I don't know. I know there were two old ropes, and it is possible they had a third new one, but not necessarily.

Q This rod to which the ski ropes were attached, can you describe it?

A The one in particular I can, because my daughter was trying to ski and had trouble holding it. It at one time had been two pieces of wood with a hole through the center and somehow had doubled over to make one heavier block necessary to hold onto. It was not as convenient as the wider hold. That is the only description I can give.

Q This one that you just described, where were the two ropes attached to it, in the center or on each end?

A No, there was only one -- I don't understand -- a

ski rope fastens on the back of the boat.

Q I am talking about the part that you hold.

A Oh, that comes from one rope. Comes to two pieces and goes through the handle.

Q It is one handle but attaches on both ends of it?

A The ropes go through that to the single rope which attaches to the boat.

Q The piece you were talking about, were you talking about the hand-hold?

A The hand.

Q Or were you talking about the other attachment?

A That was the only thing other than a float, a wooden float, at the joining of the two pieces and the one rope. That is the only other piece to a ski rope.

Q How big is the wooden float?

A Oh, the size of a, what do you call these things that fishermen put on commercial nets? It is a little round wooden thing with a hole in it. Just possibly three or four inches.

Q A floater, in other words?

A Yes.

Q Made out of bamboo or something like that?

A No, I think they picked a couple of those up on the beach that had drifted in and had used them in making the ski rope.

Q Is there anything else? Did you ever see Marilyn get angry or display temper with Dr. Sam?

A No.

Q When did you find out that Marilyn Sheppard was pregnant?

A She told us at a dinner at the F.O.P.A. dinner, I believe it was.

Q You mean the Fraternal Order of Police Associates?

A Yes.

Q When was that?

A It was a Thursday. I don't know whether it was, around the 26th or the 27th.

Q Of June?

A Of June.

Q Where was this dinner?

A At Schlueter's, or what was Schlueter's, I don't know the name of it.

Q Now, who was there when she told you she was pregnant?

A No other person or acquaintance.

Q No. Were you there alone?

A No, my husband and Sam and Marilyn and I.

Q Anyone else?

A Were together. At a table, I believe, we were at a table by ourselves or possibly we were standing in a, our own group, in the hall.

Q Did Sam Sheppard know that she was pregnant?

A I assume he did.

Q He heard her tell you she was pregnant?

A Yes.

Q Did she tell you anything at all about this pregnancy?

A No.

Q Did she tell you when she expected it or how long she had been pregnant?

A Yes. I said when will it be, and she said December.

Q December?

A Yes.

Q Did she tell you anything at all previous to realizing, anything she had done previous to realizing that she was pregnant, did she tell you who her doctor was?

A I don't think so.

Q Did she tell you who made an examination of her pregnancy?

A I don't think I, I really don't remember whether she ever did or not. I wouldn't have asked, with her father-in-law and two brothers-in-law doctors, there would be no point in me asking.

Q How did she happen to tell you she was pregnant?

A I don't know how it came out. Her dress was, she kept complaining about her dress being so tight. I don't know whether one of us, she said something again

about it being tight, and one of us just looked at her, from the tone or something, and she just laughed and said. "Yes," and we were surprised. She complained several times that evening of her dress being so tight, she could hardly breathe.

Q Was she a meticulous woman?

A I would say so.

Q She kept her house pretty well in order?

A Yes.

Q When you went into the bedroom, did you see anything out of the ordinary except that bed?

A No. I saw, I saw some clothes on a chair there. I didn't see what. To me, I have a habit of throwing slacks I work in on a chair, not better clothes, and to me that didn't seem normal or abnormal.

Q Were the curtains disarrayed?

A I didn't notice.

Q Were any chairs turned over?

A I didn't notice.

Q Was the chest of drawers disarrayed?

A I didn't notice that either.

Q Was anything on the top of the chest of drawers disarrayed?

A I didn't look.

Q Was anything on the bed disarrayed?

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A I noticed the bed was folded back neatly. I didn't see the other bed.

Q Was anything on the bedside stand out of order?

A Not that I noticed.

Q In this room where the light was, did you notice anything out of order?

A No, I didn't look.

Q In Chip's room did you notice anything out of order?

A No.

Q In the kitchen did you notice anything out of order?

A No.

Q Did you go in the basement?

A No.

Q On the porch did you notice anything out of order?

A No.

Q When you first went upstairs was the door to the bedroom in which Mrs. Sheppard was in, was that open or closed?

A Yes, open.

Q What about Chip's room, was that door open or closed?

A Open.

DR. GERBER: That will be all.

We will recall you if necessary.

- - -

LAWRENCE HOUK, having been first duly sworn,  
was examined and testified as follows:

EXAMINATION OF LAWRENCE HOUK

BY DR. GERBER:

Q What is your name, please?

A Larry Houk.

Q Larry Houk?

A Yes.

Q How old are you?

A Sixteen.

Q Where do you live?

A 29014 Lake Road, Bay Village.

Q Who is your mother and father?

A Esther Houk and Spencer Houk.

Q Spencer Houk is the Mayor of the City of Bay Village?

A That's right.

Q I want to take you back to July 3 of this year.

Now, did you see Dr. Sam Sheppard on July 3? That is  
on a Saturday.

A No, I don't believe I did.

Q Did you see Mrs., Marilyn Sheppard?

A No, I didn't.

Q Were you home at about 6:00 o'clock in the evening  
or thereabouts on Saturday?

A Yes.

Q Did you have dinner with your family at that time?

A Yes, I did.

Q Do you recall what you did after you had your dinner?

A I had a date that night.

Q You had a date that night?

A Yes.

Q Who was the girl?

A Miss Sally Lease.

Q What time did you return to your home?

A About a quarter to twelve.

Q What did you do then?

A Well, I imagine, after I had something to eat I went to bed.

Q Did you listen to the ball game or did you watch television?

A Oh, wait a minute, that, I watched a movie on T.V.

Q Do you recall the name of the movie?

A It was "Strange Holiday," I think was on.

Q "Strange Holiday"?

A Yes, something like that.

Q What time did you go to bed?

A Probably around 1:30. After the movie was over.

Q Were there any telephone calls to your house during the time you came home and 1:30?

A That would be hard to say. I don't think I can

remember.

Q Do you recall any?

A No, I don't recall any at all.

Q Did you hear any, the telephone ring, after 1:30 until the morning?

A Just the one that morning.

Q What time did you hear a telephone call?

A I don't remember at all. It would be around 6:00 because I wake up every morning about 6:00, because that is when I go to work usually.

Q Was it daylight or daybreak?

A I don't recall what it was out, I mean, I was just sleeping and heard the phone call.

Q Now, what did you hear?

A Just the phone ring was all.

Q Did you hear who answered it?

A No, it rang a couple of times and I was going to answer it, I was going to get out of bed, and then it stopped ringing.

Q What is the next that you recall?

A Well, then my father came home and came up in my bedroom and told me what had happened.

Q What did he tell you?

A Well, he came in and he was very, he was shaking then, very visibly, and he told me that a terrible thing had

happened, that they thought Marilyn had been killed, and he came back to check to see if we were all right.

Q Do you know what time that was?

A No, I don't.

Q Was it daylight or daybreak?

A It was daybreak then, just dusk, in the morning.

Q What did you do then?

A I remained in bed for a while until he called me downstairs.

Q How long did that take?

A Well, it was probably about ten minutes.

Q Ten minutes?

A Yes. He had gone downstairs and he called me down to ask me to lock the doors, just to stay there, not to stay there, but he told me to lock the doors and just be careful.

Q What did you do?

A Well, my sister came down then and I told her, and then I went up and got dressed and went over there.

Q What time was this?

A Well, I got over there I think it was just a little before 7:00, but I am not positive of that time at all because I didn't bother to look.

Q And what did you see when you got there?

A Well, I walked over and I saw my mom, and I am pretty

sure the ambulance was there, and I think, I went, she told me my father was down on the beach, so I walked down the steps to the beach, and then just down to the bottom of the steps, and they told me to go back.

Q Who told you to go back?

A My father. He was down on the pier at Huntington, they were checking the beach, I guess, and he told me to go back upstairs, so I went upstairs.

Q What else did you see, who was there when you got there?

A Chief Eaton was there. Of course, my parents, and I think Sergeant Hubach was there.

Q Did you see Dr. Sam Sheppard?

A No, I didn't.

Q Did you see Dr. Richard Sheppard?

A He came, I guess he had left and he came back again. I saw him when he came back.

Q What time was that?

A It was probably somewhere around 8:00. I am not too sure, because I had been there for quite a while before he came back.

Q Where had he been, do you know?

A I don't know. I assume that he had taken Sam to the hospital. I knew Sam had gone down. But I didn't ask him.

Q Then you think he arrived, came back to Sam's house about 8:00 o'clock or thereabouts?

A Thereabouts, yes.

Q Where was Stephen Sheppard?

A He came back with Richard.

Q When they came back what did they do?

A Well, they came in the house and they stood by the door to the living room, and they were walking, and they went upstairs again.

Q They came in the house?

A Yes.

Q Which door did they come in?

A The one, the front one.

Q Which do you call the front one?

A The one that goes by the kitchen, where the hallway, where the den is, and the kitchen.

Q The door on the road side or the lake side?

A On the road side.

Q The road side. And what did they do then?

A Well, I remember they came, they stood by the entrance of the living room and they were talking.

Q Who with?

A I think it was one of the policemen, but I can't remember who it was. My mother was there.

Q Did you hear the conversation?

A I was standing right there, but I can't remember anything that was said.

Q Did you hear any part of it?

A Oh, yes, I heard the conversation.

Q What was it, can you recall anything that was said?

A Well, I think Steve mentioned once, asked about Sam's neck, and Steve mentioned something about, I can't, something about that he thought a vertebrae or something in the back had been busted, I can't remember.

Q This was at 8:00 o'clock in the morning?

A Well, when they came, now, I think it was 8:00 o'clock, but I am not sure, because I have no recollection of time at all.

Q Was I there when they came?

A No, you weren't there.

Q Do you know what time I got there?

A I thought you got there around 8:30, but I wasn't sure.

Q What else was said in that conversation? Did he go into any details about this vertebrae?

A No, he didn't. I just asked him, my mother had told me that Sam when I asked her, she said Sam was holding his neck, was having trouble with his neck, and then I asked Steve what the trouble was, and he just said he thought it was a broken vertebrae.

Q Was there any discussion as to how it happened?

A Not that I recall.

Q What else did they talk about?

A That is the only thing that I can remember.

Q Did they talk about Chip?

A I think that, I am not sure whether he mentioned him or not, but I recall hearing that Chip had been taken from the room and was taken down to Richard's.

Q Did they say anything about the dog?

A Not that I remember.

Q Did you see the dog?

A No, I didn't.

Q Do you know where the dog was when you got there?

A Not when I got there. I heard later that he was out in the yard or over at the next door neighbor's, but I did not know where he was when I got there.

Q Did you see the dog?

A No.

Q You didn't that morning?

A No, not that morning.

Q Not in the house? Did you see him either in the house or on the outside?

A No.

Q What did you notice when you got into the house?

A Well, there was, I noticed the drawers in the living

room were pulled out, and in the den, I went in the den and I noticed those were out.

Q Did you touch anything or handle anything during the time you were in the house?

A I tried not to. I may have, but I don't believe I did.

Q You tried not to. Did somebody instruct you not to?

A I don't remember. I just, I think one of the policemen told us, told me not to touch anything at all.

Q Was Sam Sheppard still at home when you got there or had he been --

A He had been taken.

Q He had been taken away?

A Yes.

Q Did Richard and Steve say where they had taken him to?

A I think they mentioned taking him down to the hospital.

Q No. Did they say where they had taken him to?

A (No response.)

Q What do you mean by they must have taken him down to the hospital, did they mention it?

A Well, I am not sure of this, but I think that I asked them and they said he was taken down to the hospital.

Q You asked them, that is what you think you recall,

you asked them where he was and they told you they had taken him to the hospital, is that it?

A Well, I am not sure whether I asked them or not, but I knew he was down there. They probably told me. It was one of them.

Q Did you go in the kitchen?

A Yes.

Q Did you touch anything or disturb anything?

A As I said before, I tried not to.

Q No, the kitchen I am talking about now.

A Well, it was the same in the whole house. I tried not to touch anything. I may have laid my hand on something maybe, I might have touched the table along there.

Q The table?

A Not the table, but underneath the cupboards there.

Q What room are you talking about now?

A In the kitchen.

Q In the kitchen?

A Then I may have touched the sink when I was in there.

Q Did you go upstairs?

A Yes, I did.

Q What did you see?

A Well, I went up, I followed the doctors up, and I

went down the hall. I don't know whether they were looking for something, I don't recall just what they went up for, just checking around.

Q They went upstairs, the two of them, Dr. Steve and Dr. Richard went upstairs?

A Yes.

Q At the time they came back you followed them up, is that the idea?

A Yes.

Q Where did they go?

A Well, they went down the hall and they went into the far room where Dr. Hoversten had been sleeping down at the other end.

Q They went down the hall and went into the room where Dr. Hoversten had been sleeping?

A Yes.

Q Did you go with them?

A Yes.

Q Did they do anything in that room?

A No, they just looked around.

Q Did they handle anything or did they pick up anything?

A Not that I recall.

Q Did they look in the closet in that room?

A I don't believe they did.

Q Did they look in the chest of drawers in that room?

A I don't think so.

Q Was the light burning in the room when you went in there?

A I don't believe there was.

Q What did you see on the floor in that room and what did you see in that room?

A Well, the bed was unmade and the covers were back, and I think there were some clothes on the floor.

Q Did you touch or handle anything in that room?

A No.

Q Did anyone touch or handle anything in that room, in that particular room?

A I don't believe so.

Q Was there any conversation while you were in that room?

A I am not sure whether this occurred in the room or later, but we had mentioned the bed being unmade, and somebody said that Marilyn had refused to make the bed. We were curious whether they had slept there or not.

Q Curious as to who slept there?

A Dr. Hoversten.

Q Dr. Hoversten?

A Yes.

Q What else was said?

A Well, somebody said, it was at the time or later,

that Marilyn had refused to make the bed for him, for some reason, that she was tired of having him sleep there or something like that, and she wouldn't make the bed for him. But I don't remember whether it was said in the room or mentioned later.

Q Was there any other conversation that related to that particular room?

A Not that I remember.

Q Did anyone open the grip that was in that room, the medical grip?

A I couldn't say. I don't believe so.

Q Did anyone go into the closet in that room?

A Somebody may have, but I am not positive on that either. I am trying to think where the closet was.

Q Isn't the closet on the right-hand side where you go in next to the bed?

A Well, it would have to be there.

Q Just about one or two steps away from the door jamb as you walk in on the right?

A I can't recall the closet door at all, I mean, if somebody may have opened it, I am not sure whether I saw somebody looking in. I was thinking it was over on the left or straight ahead on the left when you walk in.

Q Did anyone touch anything in the room that leads into this Dr. Hoversten's room?

A I don't believe so.

Q Where did you go after you left that room, you and the two Dr. Sheppards?

A Well, my mother was with us, too, and I think there was somebody else, but I can't recall that either. We went back down the hall and then we went into the room where Marilyn was.

Q All of you?

A Well, I stood right at the door, and the two doctors went in.

Q What did they do in that room?

A They were discussing something. I can't remember just what it was.

Q Was your mother in there at that time?

A No, I think she remained out in the hall.

Q Who else was with you at that time, do you recall, was it a policeman or fireman or some other citizen?

A I think there was somebody, I think there was more than the four of us, but I can't remember who it was.

Q Did you go up there, all of you, for any particular reason?

A I don't know what they went up there for, they started up for some reason, to look around, and I just followed them up.

Q Did you go into Chip's room, or did you look into

Chip's room?

A I looked into Chip's room, but I didn't go in.

Q Did you go into the room where Mrs. Sheppard was killed, did you go in there?

A I stood in the doorway, maybe just partially through, but I didn't go all the way in.

Q But the two Dr. Sheppards were in that room?

A Yes.

Q Did they do anything in that room, touch anything, handle anything in that room?

A I don't think they did. I think they just stood there. They didn't move around in the room. They just went in and just stood there.

Q The body was still there?

A Yes.

Q Did they pick up any clothes?

A No.

Q Did they handle any chairs?

A No, I don't believe they did.

Q Did they pick up anything on the chest of drawers?

A I don't believe they did, but I couldn't say.

Q Did anyone sit down on the other bed?

A No.

Q Did anyone handle anything on the night stand between the beds?

A No. Nobody went over that far. Just stood there by the door.

Q Did anyone go into the bathroom?

A I don't believe so.

Q Were you up there at any time alone?

A No.

Q Did you notice the couch in the living room alongside the stairway?

A Yes, I did.

Q How early in the morning did you notice that?

A Well, the time I had gone, wait a minute, maybe, well, I would have noticed it when I went, when I went upstairs, because that is the only time I was in that part of the living room.

Q Did you go upstairs through the living room and not through the kitchen?

A I think I went up through the kitchen.

Q Did you notice the couch whether it was disarranged or disordered or anything?

A No.

Q Did you notice this jacket, corduroy jacket?

A No, I didn't.

Q You didn't see a corduroy jacket?

A No.

Q Did you notice anything, any wet footprints or

anything?

A No. I remember looking for them, too, and I didn't see any.

Q Did you notice any sand in the upholstered chair, the leather upholstered chair in the study?

A No.

Q Did you notice any water?

A No.

Q When you were making this trip, this tour, with the doctors Sheppard, where else did you go? As I got it, you went upstairs, you went to where Marilyn was on the bed, you went into the room adjacent to where Dr. Hoversten was sleeping --

A Well, first we went down through that to Dr. Hoversten's room, and then we came back in the room.

Q You can only get into Dr. Hoversten's room by going through the other one, is that right?

A Yes.

Q You went through this room, that is on the right-hand side, on the road side of the house, is that right?

A That's right.

Q You went into that room?

A Yes.

Q Did you notice how many pieces of furniture were in that room?

A The first room?

Q Yes.

A I thought it was empty, but I am not sure. There might have been a chair or something there.

Q Did you notice the chest of drawers against the wall?

A Against the west wall?

Q Against the east wall.

A Is it the east wall? No, I didn't notice.

Q Did you notice a desk on the south side of the room on the road side?

A No.

Q Did you notice the lamp?

A No.

Q Did you notice the chair?

A I said, I might have, my impression was it wasn't completely empty, but I always thought of it as having a bed in it.

Q You mean otherwise because it didn't have a bed in it it was empty, is that it?

A That was my impression. It wasn't completely empty, I don't believe. I did recall a chair in it.

Q You went through the door into Hoversten's room, all of you went in, that is at least the four of you, is that the idea?

A Yes.

Q Then you came back out through this room that you entered first into the hallway, and then you went into Marilyn's room?

A Correct.

Q Now, who went into Marilyn's room, the two Dr. Sheppards?

A Yes.

Q Your mother went downstairs?

A I don't remember just what my mother did.

Q Did she leave or did she stand there at the doorway the way you said you were standing?

A She might have been behind me, but I don't remember whether she was there, I don't recall.

Q Where was this other person who was with you?

A I am not positive there was another person. I thought there was somebody else went up with us.

Q At that particular time there were only two people in Marilyn's bedroom when her body was on the bed, and that is the two Dr. Sheppards?

A As I recall.

Q Steve and Richard?

A Yes.

Q Now, where did you go?

A Well, I left and went downstairs.

Q They stayed up, you came down alone?

A Yes.

Q I don't want to put words in your mouth. You came down alone?

A Yes, I did. I came down first by myself.

Q And who remained up there then? Where was your mother at this time?

A She might have still been upstairs, I don't remember, but I went out to the car then and sat down, and they came out afterwards.

Q Did you notice the Dr. Sheppards come down?

A No.

Q Did you notice what happened to the Dr. Sheppards after that?

A No, I don't remember.

Q You say you went out to the car?

A Yes.

Q Then what did you do?

A I sat down.

Q You sat down in the car?

A Yes.

Q Whose car is this?

A Our car, our station wagon.

Q Your own car?

A Yes.

Q The Houk car, is that the idea?

A Yes.

Q Then how long did you stay there?

A I must have remained there for maybe a half hour.  
Their paper was delivered there.

Q Their paper was delivered then?

A Yes, by the time I got in the car and I was reading  
their paper.

Q Who delivered, who delivers their paper?

A I think it was a boy by the name of Fritz up the  
street.

Q Fritz, last name?

A Yes.

Q What is his last name?

A That is his last name.

Q Fritz is his last name?

A Yes.

Q Now, I want to try and refresh your memory. If I  
tell you that I arrived at 8:00 o'clock, what would be  
the relationship to the time that Dr. Steve and Dr.  
Richard came back to the house?

A Well, as I remember, I thought it took you quite a  
while getting there.

Q I am telling you I arrived at 8:00 o'clock, I know  
that definitely.

A Then they probably got there around 7:30.

Q They were there at least a half hour before I got there, is that the idea?

A Yes.

Q When I arrived there they were not there. What happened to them?

A Well, they may have left by then.

Q Did you know Chip?

A Yes.

Q What kind of a child was Chip?

A Well, he was, what do you mean by what kind of a child?

Q Well, was he a well-behaved, well-mannered child?

A Yes, very well. He was very well brought up, I would say, I mean, he is very courteous and has manners.

Q Did he do the ordinary things that any other child his age that you noticed would do, play the same way, act the same way?

A Yes, he seemed perfectly normal. He played indians all the time. He was very fond of indians.

Q Who did he play with?

A He didn't have too many friends on that side of the road, because it was hard for any friends to come down and cross Lake Road to him. He usually played by himself in the yard.

Q He played by himself. Did he appear frightened?

A How do you mean frightened?

Q At any time did he appear afraid of people, frightened of people?

A No, not at all.

Q Did you ever go water skiing?

A Quite often.

Q Did you ever go water skiing with the Sheppards?

A Yes.

Q Who else was in the party when you went water skiing?

A Well, there was quite a few boys that were there.

Jim Redinger, Stan Feely. Tom Gustason. Alex Bursino.

Q What about girls, women?

A The girl across the street, Jean Dino.

Q Anyone else?

A Well, there wasn't any younger girls.

Q I am talking about older girls.

Q The Sheppards had friends come down.

Q Who were these friends?

A The Aherns were there. The Grahams. He had, I didn't notice them this year, but last summer he had a couple of friends come out from Cleveland.

Q Were there any single girls?

A (No response.)

Q Do you know Sue Hayes?

A I have seen her, but I never met her personally.

Q Where did you see her?

A Down at the hospital.

Q Did you ever see her at Sam Sheppard's house?

A I may have but I don't remember.

Q Did you ever notice whether or not Dr. Sam Sheppard and Marilyn Sheppard argued or fought with each other?

A I had never seen them myself. I had heard once that they had, but that is strictly rumor.

Q What did you hear?

A Well, one night an older boy, a brother of Jim Redinger had seen Dr. Sheppard sitting down -- this is strictly rumor now, this is what I heard.

Q Go ahead.

A That he had seen Dr. Sheppard sitting down on an adjoining driveway to this older boy's girl friend, he was just sitting there racing the motor and Tom Redinger came out and asked him what the trouble was, and he said he had an argument with his wife, that he was just sitting there racing the motor and swearing to himself, I don't know, just sitting there talking to himself.

Q Where was this in relationship to the Sheppard home?

A It was on Lake Road out on the east end. It is quite a ways, I would say, a mile or two anyhow from the Sheppard home.

Q What is the boy's name?

A Tom Redinger.

Q How do you spell that?

A R-e-d-i-n-g-e-r.

Q R-e-d-i-n-g-e-r?

A Yes.

Q And he lives on Lake Road?

A Yes. He isn't home. He is away at camp now, I think.

Q When was this, this occasion that you were talking about?

A It was quite some time ago. I imagine it was last summer.

Q Have you personally, have you observed or have you not observed how Marilyn Sheppard and Dr. Sam Sheppard got along?

A My opinion was they had gotten along very well. I have seen them skiing and things, and at night, more or less talking.

Q When you went over at night time was everybody happy and contented?

A Well, I hadn't gone over very often. Maybe a couple of nights, me and the next door neighbor and I had gone over and just sat and chewed the fat with him for a while. Or I had gone over alone maybe a couple of times and talked to him or see Sam about something.

Q Did you ever see Sam Sheppard get angry?

A I had heard, he got angry at us one day when we were skiing. We had a little accident. And he was also angry at us the time, well, we used to sleep in a house, we have a group of fellows, and we used to sleep in that little couple of rooms over his garage, and a few of the boys had gotten in trouble one night and they were out and had stolen some stuff, and they were coming back there afterwards, see, very late. Well, it was early in the morning, and at that time Sam was rather surprised and he told us that we wouldn't be able to use it any more.

Q How did he display his anger?

A Well, he just, well, you wouldn't say he was real angry. He was kind of just sort of miffed that these boys had done this to him.

Q Did you ever see him blow his top?

A No.

Q Do you know what you mean by blowing your top?

A Yes.

Q Did you ever see him display temper?

A No. He always impressed me as a rather even-tempered sort of person, I mean, I never went off the handle as some people would.

Q Is there anything that you could contribute that I didn't ask you, that I may not have asked, anything that

you can think of?

A Well, nothing more than I felt to myself that he was a very even-tempered person, and that I had never seen him -- we had given him times when he was angry at us through skiing over there and playing basketball and such that he might have gotten mad, but very sensible about it, using his head.

Q How many ski ropes were in existence?

A Well, they varied at times. There was two that I know of, and I think there were three, I think the one was busted.

Q When you say busted, what was busted about it?

A That I can't remember. It was a heavy rope, a thicker rope, he may have just put it away because it was a rather big ski rope.

Q Was it the rope that was broken or was it the handhold that was broken, what was it?

A Well, I don't remember, I remember asking about it, and I think one of the boys said it was broken, or something to that effect. I don't remember just what it was. I know that it wasn't down there.

Q Who did these ski ropes belong to?

A Well, one belonged to me, and the other two were his.

Q His, who do you mean by his?

A Sam.

DR. GERBER: That is all.

We will adjourn until 1:00 o'clock.

- - -

1:00 o'clock, P. M., July 22, 1954.

- - -

FRED F. DRENKHAN, having been first duly sworn,  
was examined and testified as follows:

EXAMINATION OF FRED F. DRENHAN

BY DR. GERBER:

Q What is your name, please?

A Fred F. Drenkhan.

Q Where do you live?

A 477 Canterbury Road.

Q How old are you?

A Bay Village. Twenty-seven years old.

Q What is your work at the present time?

A Patrolman first class for the Bay Village Police  
Department.

Q What are your assigned duties?

A Regular police duties, normal patrol, and protection  
of the citizens and the property of the village.

Q Do you have any special duties with the police  
department?

A No.

Q Are you the photographer for the police department?

A We all are trained in photography to a certain extent.  
I have taken a great deal of pictures.

Q Calling your attention to the morning of July 4,

were you on duty at that time?

A Yes, on the morning of July 4 I was working midnight to 8:00 shift.

Q Did you receive a call, or did your office receive a call from anyone to go to the home of Dr. Sam Sheppard?

A Yes. I answered the phone at the fire station at approximately 5:57, received a call, first I didn't know who it was, but it was the Mayor. He identified himself and he informed me that we should come over to, he didn't state the house, but he said, "Come over right away, that something terrible had happened to Marilyn," and with that I asked him, "Are you at the Sheppard's?" And he said yes, and he said, "Get over here right away with the ambulance and the police and everybody." He said, "I think Marilyn has been murdered."

Q And who did you notify?

A After hanging up the phone I told Dick Sommer, the fireman on duty, to get the ambulance over there, and Roger Cavanaugh, and I went out to the car and I told Cavanaugh to take the other car and I led the way over.

Q You say that is Dick Sommer?

A That's right.

Q And Roger Cavanaugh?

A Right.

Q And who was the other person?

A Well, Dick Sommer got the volunteer fireman who was on duty that night, Ronald Callihan, to go along with him on the ambulance.

Q Now, is Dick Sommer a fireman?

A Dick Sommer is a permanent fireman, that's correct.

Q And Ronald Callihan is a volunteer fireman?

A Volunteer fireman.

Q And Roger Cavanaugh is --

A He is a part-time patrolman.

Q Then what happened?

A When I arrived at the Sheppard home I pulled up into the drive in back of the Mayor's car which was already set there. The Mayor and Esther Houk were standing at the door and letting me in. I entered in the house --

Q What door?

A That was the front door on the Lake Road side. That door enters into an entrance way, a hallway. Immediately as I entered I saw a doctor's bag upturned in the hallway, and leading off to the study that goes off to the right of this hallway. I glanced in and I saw -- I looked into the study and I saw Dr. Sam Sheppard half laying and half sitting in a large red leather chair. He had no shirt on, but a pair of trousers. At that time Mrs. Houk told me to go upstairs and see what I could do for Marilyn. She led the way through the kitchen, and I went

by her and on upstairs into this bedroom at the head of the stairway. There I saw who I presumed to be Marilyn Sheppard laying in the bed closest to the door. There was a great deal of blood about and her head was severely battered. I studied her for a moment and observed that there was no sign of life.

I immediately went downstairs and outside and on my police radio began to summon aid of a doctor. Someone at that time then informed me that Dr. Richard Sheppard was notified and was on his way up. I also then requested that the Chief of Police and Sergeant Jay Hubach be notified and he then come up right away. At that time the ambulance men, Callahan and Sommer, had already arrived and were getting the ambulance, or, the stretcher out of the ambulance to take it upstairs. I returned to the house and went into see Dr. Sam in the study, and I asked Dr. Sam what had happened. He appeared that he had been hit about the face on the right side, and he gave me a story, and very broken, that he remembered hearing Marilyn scream, that he remembered fighting someone down the stairs, that he remembered waking up in the water, and that he went upstairs again, and at that point he ceased talking and grabbed the back of his neck with both hands and turned his face away and did not say any more. I didn't press the issue

because along about that time Dr. Richard Sheppard arrived.

He came in and looked at Dr. Sam and we said, "Upstairs right away, don't worry about Dr. Sam." I directed him upstairs and he led the way and I followed immediately behind. He went upstairs and made his examination of Marilyn Sheppard and then returned downstairs and went to Dr. Sam Sheppard.

Q Can you relate the time to these events?

A Well, the call came in at 5:57. It couldn't have been more than three minutes that it would have taken us to get there. We would have been there at approximately six o'clock. Dr. Richard Sheppard apparently arrived right about 6:10. I discussed, after Dr. Richard Sheppard arrived there, with the Mayor that we needed help on it, and that I wanted to call the coroner's office in the Cleveland Homocide in on it, which he agreed. I told him that I felt that I should wait until the Chief gets here to verify it. Well, the Chief arrived, I imagine it must have been about 6:20 or 6:25, then, that I had the conversation with the Chief. It was approximately 6:30 when I made my initial call into the coroner's office and to the Cleveland Police Department.

Q Can you fix the time that Dr. Sheppard got there, Dr. Richard Sheppard?

A Dr. Richard Sheppard, at approximately 6:10.

Q Can you fix the time that Dr. Stephen arrived?

A Not very well. He entered while I wasn't about.

I would venture to say it was somewhere right around 6:20.

Q Could you fix the length of time that Dr. Richard Sheppard was upstairs in Marilyn's bedroom?

A On his initial examination I wouldn't say it would be more than --

Q Dr. Richard.

A Dr. Richard Sheppard, I would n't say he made his examination last more than three minutes.

Q Would that be completed by 6:15?

A I think we probably were down, he returned downstairs by 6:15.

Q Did Dr. Richard Sheppard request any assistance or request anything when he ran upstairs to make the examination?

A Yes. I followed the doctor up, Dr. Richard Sheppard, and as we went up the stairs he turned around and asked for some knives. I don't know who was behind me, but they were grappling, looking for knives, and on the rack, right by the sink there was a magnetic type rack that held sort of kitchen knives.--I grabbed three of those knives, or two of those knives, and handed them to him and followed him upstairs.

Q What did he intend to do with them?

A I assumed at the time there that he meant to open

her chest and massage her heart. I read a little bit about it.

Q He didn't say he was going to do that?

A No, he didn't say anything. That was only my thought at the time.

Q Then after 6:15 can you give us the activities of Dr. Richard Sheppard in relation to time?

A No, I can't. I was not with him at that time. I know certain things transpired, that they checked Chip and he apparently informed Dr. Sheppard that Marilyn was dead. At the time I made my original call into Cleveland Dr. Sam Sheppard was lying on the floor with his head down, and I recall I had to step over him to get the phone in the study.

Q Now, did Dr. Richard Sheppard and Dr. Sam Sheppard have any conversation in your presence?

A Not in my presence. I wasn't there when Dr. Richard Sheppard examined Dr. Sam Sheppard in the study or informed him as to what happened.

Q What did Dr. Richard Sheppard do then after he came downstairs?

A I believe he went right into the study with Dr. Sam.

Q Did Dr. Richard Sheppard use the telephone in the study?

A I cannot say.

Q Did Dr. Richard Sheppard disturb the conditions in the study?

A I cannot say.

Q Of what was originally present?

A I cannot say. The only one I know that did disturb the condition was Dr. Steve.

Q Dr. Steve?

A That was later on prior to taking the picture of the study.

Q What was the disturbance that was in the study that Dr. Steve Sheppard made?

A Well, as I was preparing to take a picture at one particular shot of the study, Dr. Steve entered, Dr. Stephen Sheppard, and I believe the Chief of Police was with him, John Eaton, and as he went to use the phone he stepped over this desk drawer that was setting on top of another desk drawer next to the desk, and either his toe caught this drawer and tipped it over, dumping the contents out. He apologized and there was nothing then that could be done. I took the picture as it was and noted that it had been disturbed at that particular point.

Q Who else was in the room when this happened?

A I feel very certain that it was the Chief that followed him in.

Q Besides you and the Chief and Dr. Stephen Sheppard?

A I don't believe there was anybody else. I don't recall.

Q Had Dr. Sam Sheppard been taken out of the room at that time?

A That's right. This happened somewhere after eight o'clock. Dr. Sam -- Dr. Steve had apparently taken Dr. Sam to the hospital and returned by then.

Q Now, getting back to the time that Dr. Richard Sheppard came down to the first floor from the second floor, which you stated was 6:15, who came in and what did Dr. Steve Sheppard do, to your knowledge, from then on -- Richard Sheppard I mean.

A To my knowledge he apparently went in and made an examination of Dr. Sam. Now, at that time I had no more contact with the doctors other than to see them occasionally when they, I believe, when they took Sam out, Dr. Sam, and when they brought Dr. Chip, I mean, Chip downstairs, that is Sam, Jr.

Q Who brought Chip downstairs?

A I wasn't there at the time, but they were standing in the entrance hall, I believe it was Richard Sheppard, Dr. Richard Sheppard, and I believe Mrs. Stephen Sheppard, Dr. Stephen's wife.

Q Dr. Stephen Sheppard's wife?

A Yes, and I believe Esther Houk was there at the time.

There was a little bit of confusion at the hallway there. They had him bundled up there and were just leading him out. I had just returned from downstairs and had entered the house again.

Q What time did Dr. Stephen Sheppard and Esther Houk get there, to the best of your knowledge?

A To the best of my knowledge it must have been about 6:20. Now, I don't know, but I would assume that was approximately the time.

Q Did you see what Dr. Stephen Sheppard did, other than upset this thing?

A No, I didn't.

Q Did you follow Dr. Stephen Sheppard and Dr. Richard Sheppard, either collectively or singularly, around the house?

A No, I didn't.

Q Do you know whether or not they went around the house alone?

A No, I do not know that either, if they walked around the house alone at all.

Q What else did you see and do?

A Well, from 6:30 on --

Q Yes, from 6:20 on.

A From 6:20, well, as I say, I had conversation with the Chief relative to calling in aid. We made the call

112

NO  
DISTURBANCES  
ON  
THE  
BEACH.  
(DRENKMAN)

to Cleveland. I then was told to call back at 7:30. So in the meantime I had walked downstairs and looked at the beach. I saw no disturbances on the beach. I saw three people on the far east pier, or the far west pier, that is east of the Sheppard home. I returned upstairs at which time I came across Sergeant Hubach and we discussed the fishermen, and he informed me that he had sent Dick Sommer and Ronald Callihan over to get their names and addresses. We didn't think that that was such a good idea anyway. So at that time I left.

Q Where did you go to?

A I went over to the pier to talk to these fishermen.

Q You say you left, you mean you went to talk to the fishermen?

A Yes, I left in the cruiser and went over toward Metropolitan Park and circled the park to see if there were any strange cars. At that time the park man, maintenance man, was opening the gate, he let me in on the north side. I went in and parked and went over and talked to the fishermen.

Q Where was Cavanaugh at this time?

A Cavanaugh was getting the Chief and I had also requested that he get the camera. That apparently was where he was at. I don't know. I had no sight of him.

Q Now, did you go into the living room?

A That is an L-shaped living and dining room. Now, the living room I don't recall. The dining area part I do. We did go in there. The door leading from the dining area into the porch, that is on the lake side, was open. To my knowledge no one had touched it.

Q The room that Dr. Sheppard was lying on the floor is the study that you are talking about?

A That's right.

Q And that is where you were in that room?

A I was in that room.

Q Did you use the telephone in there?

A Yes, I did.

Q Who did you call?

A I called Cleveland and I called the coroner's office.

Q Do you know what time that was?

A It was about 6:30 that I made those calls.

Q When you say you called Cleveland --

A I called the Cleveland Detective Bureau.

Q Now, relative to this combination living room and dining room, did you see any disturbances there?

A In the dining area there is a secretarial type desk that sets on the north wall to the west of this door leading out on to the porch. That desk had three drawers pulled out. The portion that forms the writing surface of this desk was laid down open, and there were

papers scattered over the floor in front of the desk.

Q Was there anything scattered on the top of the desk?

A From my observation it appeared in confusion.

Q Was there any other confusion in that room?

A No, the room seemed in order.

Q Did you see the couch alongside in the living room alongside the stairway opposite the fire place?

A Yes.

Q What did you notice about that?

A The couch seemed to be in very good order, I mean, no disturbance.

Q Did you notice a corduroy jacket?

A That's right, there was a corduroy jacket at the foot, nearest to the stairway.

Q Was it disturbed?

A It did not appear to be.

Q Did you look at it?

A No, I didn't. To examine it?

Q Did you examine it?

A I didn't touch it.

Q You didn't touch it?

A No.

Q Did you notice anything disturbed other than the bed in which Marilyn Sheppard was lying in, in that bedroom?

A No. There were clothes, there was clothing sitting on

a rocker that was at the foot of her bed and that clothing laid there in order as if someone had laid it there and had not been disturbed.

Q Were they women's clothing?

A They were women's clothing.

Q Can you recall what this clothing consisted of?

A There was a pair of white shorts and a bra and a pair of blue shorts hanging over -- those were hanging on the seat -- hanging up on top of the rocker there were blue shorts, there were two sweaters, there was a belt. There was a white man's type shirt. On the floor there were two pair of shoes and a pair of panties.

Q Panties, what type panties?

A Lady's panties.

Q Was this disturbed?

A That would be the only thing that would appear, if it was set on the chair that might have been off. But it was just laying there at the bottom of the chair.

Q The two pairs of shoes, were they male or female shoes?

A I would say female. One was definitely a white moccasin that would be a female. The other was a blue tennis type shoe, oxford. By the size, I would say they were female.

Q Now, did you notice a chest of drawers in the room?

A On the far northwest corner.

Q Was that disturbed?

A No.

Q Was the top of it disturbed?

A Not that I could see. It appeared very clean and orderly.

Q Was the other bed, the other twin bed disturbed?

A No, that appeared that no one had slept there. The bed was folded open as if someone was going to get into it and go to sleep. But there had been no indication that anyone had laid there or sat there.

Q Did you notice the pillow?

A That's right, there was no indication on the pillow.

Q Did you notice the telephone stand between the beds?

A That's right. The telephone stands, there was a telephone, and pad of paper, a Kleenex and a small alarm clock.

Q Was that disturbed?

A I wouldn't believe so. It seemed in normal order for a night stand, possibly, between two beds.

Q Did you notice anything in that room that was out of the ordinary with the exception of course of the dead body?

A No, I would say no, other than the general condition of the room, the bloodsplattered about, but the room seemed

like a normal bedroom.

Q Tell us about the blood splatters?

A There were blood splatters on all four walls. The majority of them being on the door that leads into the bedroom. It would indicate that it was in an open position when the blood was splattered about.

Q You mean the door to the bedroom was in an open position?

A That's correct.

Q Did you have any conversation with Sam Sheppard that morning?

A Other than the original conversation that I had previously stated, no. I did see Dr. Sam later on in that day and took a picture of him, but I had no conversation.

Q Did you go into the room next to the Hoversten bedroom, do you recall?

A Hoversten's bedroom is on the east side of the house, and then there is, it would appear a dressing room, and there is a desk in there, and a type of high-boy and a cedar chest. I didn't go in there at the time, no.

Q Did you go in later?

A Right, that's right.

Q How much later did you go in?

A Oh, it was possibly somewhere between 6:30 and 8:00 o'clock.

Q What did you notice when you went in there?

A As far as the condition of the room?

Q Yes.

A It appeared all right. The bedroom, where the bedroom bed was set, there appeared that someone had slept there previously and had not made their bed. There were suitcases about the floor. The room was kind of disorderly you might say.

Q When the Chief got there what time would you say that would have been?

A Approximately a little bit after 6:20. Maybe about 6:25.

Q At that time, Sam Sheppard, Dr. Sam Sheppard had already been taken away?

A That I can't recall just exactly when he had left. I cannot say.

Q Do you know for a fact that Dr. Richard Sheppard and Dr. Stephen Sheppard had gone away with Dr. Sam Sheppard and Chip and do you know whether or not they had returned?

A Yes, I know they had returned because they were about then a good deal of the morning.

Q What did they do?

A Well, I was busy taking photos and I paid very little attention to what they were doing, where they were. I was

in the house most of the time.

Q You made a call to the Cleveland Police Department and you were told to call back, is that what you said?

A Yes. They were changing shifts or platoons.

Q And did you call back?

A I called back at 7:30 and spoke to Captain Hawshield.

Q Then what happened?

A I informed him what had happened, that we felt we needed some help, and he said they would be certainly glad to come out, and as the platoons were changing they would want to send their day trick out, the men coming in on the day shift, and they would have somebody out and they would also have somebody out from the Bertillon Division to take photos and dust for prints.

Q Did these people respond from the Bertillon and the Homocide?

A Yes, the Bertillon men arrived there first, and I introduced myself and showed them around the property as to what was what. He arrived about the same time I was starting to take photos and I accompanied him around the ground there while he took some pictures.

Q Then what happened?

A Then it was a short while later two Cleveland detectives arrived, I believe it was Shottke and Gereau, and I again accompanied them about.

Q What did the Cleveland detectives do?

A They, Detective Shottke went upstairs and started his investigation at the bedroom and Detective Gereau began to gather some information as to the physical evidence about the scene, and outside about the house.

Q Did you offer them any aid or assistance?

A We told them we were just as green, and we were there to help them as much as we could.

Q Did you go over to the hospital to talk to Dr. Sheppard?

A No, I didn't.

Q What did you go to the hospital to see Dr. Sheppard for?

A I went there to take a picture of his face. That was some time in the afternoon, approximately two, two-thirty, three o'clock.

Q Did Dr. Richard Sheppard and Dr. Stephen Sheppard consult you about moving Dr. Sam Sheppard?

A No.

Q Did he consult anyone, to your knowledge?

A Not to my knowledge.

Q Did you take a picture of Dr. Sam Sheppard?

A At the hospital I took a facial picture of him.

Q What did you do when you got out to the hospital, tell us what happened?

A Well, we walked down the hallway and Dr. Sam was down in the last room in the west wing, and I can't recall now who was there talking to him. It might have been the Cleveland detectives, I don't know. We informed Dr. Stephen Sheppard that we wanted a picture of him and he said, "Well, that is all right." He was resting in there. We went in. Possibly we might have said, "How are you?" or something like that, but other than any conversation relative to what had happened we carried on none. We took our pictures. Sergeant Hubach was there. We took the picture and left.

Q Do you know whether or not anyone else had taken a picture of Dr. Sam in bed?

A I don't believe anybody else did. Not to my knowledge. I don't know.

Q Do you know whether or not one of the Cleveland newspaper photographers took a picture of Dr. Sam?

A I don't know.

Q Did you see in the newspapers a picture similar to the one that you took?

A I thought that was my picture.

Q Are you sure, do you know now that it was your picture or wasn't it your picture?

A I am pretty sure it was my picture.

Q Did you give it to somebody?

A No, I didn't, because I ran out of film and I had borrowed some film packs from Bud Yassanye, he is the Plain Dealer photographer, he lives out in this area, and that was his film pack that I had used, I believe.

Q Did you give anyone a picture or anyone a negative, any newspaper?

A No, I didn't.

MR. GERBER: That will be all.

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CHIEF JOHN P. EATON, having been first duly sworn, was examined and testified as follows:

EXAMINATION OF CHIEF JOHN P. EATON

By Dr. Gerber:

Q What is your name, please?

A John P. Eaton.

Q Where do you live?

A 550 Vineland Road, Bay Village.

Q How long have you lived in Bay Village?

A Since 1919.

Q Do you hold an official position with the City of Bay Village?

A Chief of police.

Q How long have you been the Chief of Police?

A I have been the head of the Police Department since 1925.

Q Are you acquainted with Dr. Sam Sheppard?

A Casually. I have met him.

Q Calling your attention to the morning of July 4th, Sunday morning, July 4th, will you relate what happened?

A At about 6:00 A.M. on the morning of July 4th I was on Maple Drive in Bay Village where I happened to have a tractor, working on it there, and Patrolman Cavanaugh

drove up to pick me up, informed me that there had been a murder committed, at the Sheppard residence on Lake Road. He drove me to the Sheppard house. When I arrived the Mayor's car was in the driveway. In back of that was the City ambulance. The other police cruiser was there, and I believe Dr. Stephen Sheppard and Dr. Richard Sheppard's car was there. I don't recall what other cars if any there were.

Q Can you give me the approximate time?

A That was between 6:20 and 6:30. When I arrived I went first to the bedroom of Mrs. Sheppard and verified the fact that she had been murdered. I came downstairs and talked to Mayor Houk who was there ahead of me. He gave me a brief summary of what he knew about the facts. At that time we put a call in for the coroner's office and called the Cleveland Police Department and asked them if they could possibly give us some help.

Then we went outside and looked around the outside of the house and came back in again and the Mayor and I walked down to the beach, because in his statement Dr. Sam had related struggling with somebody on the beach and having come to in the water. There were wet foot prints or wet spots on the steps that looked like they had been made by wet feet.

I went up the stairs and into the front room,

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NO  
FLASHBUSS

WHEN

CHIP

LEAVES



the north room, through the north door. There were foot prints of what appeared to be two people and a dog going east from that point towards the Metropolitan Park.

Q Where were the foot prints located?

A Right on the edge of the sand as close to the shrubbery as they could walk, because the waves were rather high and if you didn't walk there you would get your feet wet. There were three persons on the west pier. The Mayor and I walked over there and talked to them to find out what they knew, and then we came back.

We later checked and found that those foot prints were made by two firemen and the Sheppard dog which had preceded us on the same mission.

The rest of the time, spent some time outside the house and around the house searching for anything we might find. I might say that before this, though, that shortly before I arrived Dr. Sam had left I believe in Dr. Steve's car to go to the hospital, and about the same time Dr. Richard with the assistance of Mr. Houk got the boy up and he disappeared I believe with Dr. Richard Sheppard. About that time Dr. Gerber came on the scene. He wished to talk to Dr. Sam Sheppard, and he and I drove to the hospital in the police cruiser. I left Dr. Gerber off at the door of the emergency entrance to the hospital, and as we stopped there Dr. Sam and Dr. Steve

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Saw  
~~He~~ was  
wearing  
water

drove up right behind us.

Q Do you mean Dr. Sam?

A No, Dr. Richard and Dr. Stephen. Not Dr. Sam, he was in the hospital. The three of them went in and I proceeded home to change my clothes. When I arrived back which was possibly 15 or 20 minutes, Dr. Gerber met me at the door, he was ready to leave. He handed me a bundle of clothing, wet clothing, which he said was Dr. Sam's and asked me to make an inventory and hold them for him.

We drove back to the Sheppard residence and about that time Mr. Shottke and Gereau of the Cleveland Homocide Squad were there and we checked farther with them. Some time during the afternoon, I don't exactly remember the time, Shottke came in with a green bag which had some articles of jewelry in it, namely a watch, a ring, and a gold chain with keys on one end and a knife on the other. We determined then or figured they were Dr. Sam's possessions.

So the three of us went to the hospital to see him. They talked to him first and asked him if he had a watch and a ring and a key chain and he said he did, and to the best of his knowledge he had been wearing them the night before. I then showed him this bag and he identified it as being a bag which had tools for his outboard motor in it, and which normally was kept

in the desk drawer in his den. I then showed him the watch and the ring and he couldn't remember how it had gotten there, didn't remember anything about it.

Q You say, Chief, that you arrived somewhere between 6:20 and 6:30 in the morning?

A I am estimating that. I didn't look at my watch, but it should have been about that time.

Q When you arrived there was Dr. Stephen Sheppard and Dr. Richard Sheppard?

A As I recall they were.

Q Did you direct them to take Dr. Sam Sheppard to the hospital?

A No.

Q Did anyone to your knowledge?

A As far as I know, no one. When I came back from going down to the beach, one of those trips, he was gone, and I didn't know for sure how he went, even.

Q Did you notice whether or not at a later time Dr. Richard and Dr. Stephen Sheppard returned to the Sam Sheppard home?

A Yes, they were there when Dr. Gerber and I started out for the hospital to see Dr. Sam Sheppard. They must have overheard our conversation and they followed us right down. They were both in Dr. Sam's station wagon at that time, I mean, Dr. Steve's station wagon.

Q How long did it take you to go down and look around the beach and come back?

A Oh, possibly 15 minutes. We walked over to the pier and talked at some length to these two men and a boy who were there.

Q Did you then return to the house?

A We returned to the house.

Q Did you see Dr. Sam Sheppard in the house at all?

A The first time I came in the door, I believe, I have a faint recollection of him sitting in the den. That is as close as I got to him. I didn't talk to him, and I didn't see him after that, to my knowledge.

Q You didn't see him leave?

A No.

Q As far as you can recall, you only saw him fleetingly before he did leave?

A That's right.

Q Did you look into the den?

A At that time?

Q Yes.

A No.

Q Did you subsequently look into the den?

A Subsequently I searched the den several times, searched every part of the house and all the ground outside.

Q Were you in the den when Dr. Stephen Sheppard knocked over one of the drawers that was sitting on top of another drawer?

A Yes, I was there at that time, yes.

Q What time was that?

A I don't remember whether it was before the coroner and I left for the hospital, or whether, I don't recall. I think it was later.

Q Do you know what time Patrolman Drenkhan took pictures?

A When Patrolman Cavanaugh picked me up he had already stopped and picked up our camera.

Q If I were to tell you that Patrolman Drenkhan took pictures in that room at 8:05--

A That would probably be somewhere near the time.

Q Then was that drawer upset before that or after that?

A I think it was upset after that because I believe we have pictures showing that drawer before it was upset.

Q Did you walk around the living room?

A You mean at which time?

Q At any time?

A Oh, yes, quite frequently.

Q Did you notice the couch in the living room?

A Yes.

Q Did you notice the condition of the couch?

A Well, the couch was, it looked like it didn't have any creases in it or anything, it was quite smooth, and there was a pillow on the north end of the couch and a pillow at the south end. As I recall, it was up against the wall somewhat, and a coat, brown corduroy coat which was nicely folded and laid on the end of the couch, across the end of the couch.

Q Did you go up in the bedroom?

A Oh, yes.

Q Did you notice any disturbance on the bed other than Mrs. Sheppard?

A There was no sign of a struggle or anything. I mean, things were disarrayed some, but not --

Q Where were they disarrayed?

A She was lying on the bed about, her head was about one-third of the way down, her feet were over the edge of the bed, her knees were bent over the edge of the bed. Her pajama tops were pulled up. Her lower part of her body was covered by a sheet. Of course, I don't know whether it was there originally or whether somebody placed it there before I got there.

Q You understand that someone had been in that room before you got there?

A I know that Dr. Richard had been in there and pronounced her dead because I asked him about how long he

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Dr. Richard  
Sheppard's  
est. time  
of death  
4:30am -  
5:00am

thought she had been dead.

Q What did he say?/

A He said about an hour and a half to two hours perhaps.

Q What time was this estimate?

A That was shortly after I got there. Maybe 6:30,

6:40. |

Q Not later than 6:40?

A That's right.

Q And he said she had been dead about two hours?

A An hour and a half to two hours.

Q Was the blood on the bed dry or tacky or sticky when you looked at it?

A It seemed to me to have been coagulated considerably.

Q Do you call that dry?

A No.

Q Sticky?

A Like mucilage.

Q Tacky, is that what you mean?

A That would be pretty close.

Q You are positive that Dr. Sheppard, Dr. Richard Sheppard said that she had been dead an hour and a half to two hours at approximately 6:30 to 6:40?

A I can't be absolutely certain of the time, but that was the statement he made, and I believe it was about that time.

Q Was anyone else present when he said that?

A I think not.

Q Do you know whether you and he were alone, in what part of the building at the time?

A I am not certain now. I think we were downstairs. I asked him just as a matter of information how long he thought she had been dead.

Q Is this the first time you related that information?

A No, that is in my statement.

Q It is in your statement?

A Yes.

Q Did you notice anything in the kitchen disarranged, distorted, or out of order?

A Nothing that seemed what would ordinarily be. I don't recall anything.

Q Did you notice -- did you finish?

A Yes.

Q Did you notice any other jackets in the living room or in any other room in the building?

A As I recall there was a jacket, I believe there were two jackets that laid or hung over a chair opposite the north door.

Q Can you describe the jackets?

A One of them had something on, it looked to be something like an athletic jacket or sweater. It had some sort of

an insignia on it. I don't recall just what the other one was, what color or anything.

Q Did you notice any other jackets?

A I believe there were two jackets there.

Q Two?

A I believe there were.

Q That was over the chair, over the arm of a chair?

A Laying over the chair, it would be just about opposite the north door of that room. Just around the corner from his hallway as you come in.

Q That was just, as you walk in that would be just to the west of the hallway?

A Yes, that's right.

Q Did you notice any other jackets?

A Well, there was some clothes, some of her clothes were up on the chair in the bedroom.

Q What condition was the clothes in the bedroom on the chair?

A There were two pair of shorts, as I recall, which were neatly folded, and there were a couple of jackets, that she had hung over the edge of the chair. They didn't seem disarrayed in any way and there didn't seem to be any blood on them.

Q Did you notice any other clothing, jacket clothing downstairs?

A In the kitchen, as I recall, there was a jacket.

Q Whose jacket was that?

A I was told it belonged to Dr. Sam.

Q Can you relate the circumstances surrounding that jacket that was found in the kitchen?

A Well, it was told to me that the jacket, that he had been wearing it in the basement when they were playing down there and when he came up he left it there. I believe, maybe one of the Ahern children brought it up and left it in the kitchen.

Q Are you acquainted with the Sheppard family?

A Only casually.

Q Were you acquainted with Marilyn Sheppard in life?

A No. I met her frequently when passing by, when her youngster was out, putting him on the bus.

Q Did you have any reason to learn of any activities of Dr. Sam Sheppard?

A What do you mean by activities? I don't understand.

Q Well, the things that he was doing?

A Well, we met him occasionally at the hospital in connection with accident cases or emergencies of one kind or another. We met occasionally on meetings of civilian defense on which he was active. I never met him socially except once when he was a guest over at the dance club I belong to about a year and a half ago, he and his wife.

Q Did you have or do you have knowledge of Dr. Sam Sheppard's disposition?

A Only what I have been able to learn from friends or acquaintances.

Q What is his general reputation?

A That he was a man of even temper and not inclined to have, he had a nice disposition and easy to get along with I am told.

Q Have you ever heard of anything to the contrary?

A Only rumors.

Q What, where were these rumors?

A I can't tell you where they came from. They just came. We tried to run some of them down and haven't been able to.

Q Can you name what these rumors refer to in reference to Sam Sheppard?

A Well, there were rumors that he and Mrs. Sheppard had had differences of opinion particularly on marital lines, that he was supposed to have made her angry about some attentions to some other women. That is strictly rumor. I have nothing to verify that.

Q Do you have any knowledge of the names of these other individuals?

A The only one I know of is the one I read about in the paper about the woman in California.

Q Do you have any personal knowledge?

A No.

Q Are you acquainted or did you know Sue Hayes?

A Never met her.

Q Did you ever see her?

A I don't recall that I ever did, no.

Q The rumors came to you, were they about Susan Hayes?

A Not directly. There has been a lot of rumors.

People would call up at different times of the day and night and give me what they think is information. They won't tell me their name or anything. But the things they tell you, if you want to call them rumors --

Q Did any of these rumors ever come to you before the death of Marilyn Sheppard?

A No.

Q Have you any information as to a violent temper of Dr. Sam Sheppard?

A I have no knowledge of that myself, no.

Q Anybody ever say anything?

A I think I have heard rumors. I can't tell you where they came from.

Q Was this prior to Marilyn's death?

A No, after.

Q Since?

A Since her death.

Q Did you learn of these rumors on Sunday, July 4th?

A I believe it was later than that. I heard them different times after that. I don't recall on Sunday that I heard such rumors.

Q Do you have anything else to add?

A No, except that I did read a couple of letters which you probably read, too. There was at some time or other--

Q Go ahead.

A -- difficulties in their married life. I believe in '51 she had ever contemplated getting a divorce. I know nothing about why.

Q Do you know where these letters came from?

A They were found among her letters in some of her files.

Q Who was the person that mailed them or sent them?

A They were sent, as I recall, one was sent from Mrs. Dorothy Sheppard and I think one was from Steve.

Q One letter was sent from Dorothy Sheppard and one was from Steve. Now, is Dorothy --

A Dorothy Sheppard is Richard's wife.

Q Dorothy Sheppard is Richard's wife?

A That's right.

Q The contents of that letter was what?

A They were exploring her not to go through with her contemplated action, for the sake of the boy, along that

line. They didn't say why she was contemplating such an action. They just asked her not to.

Q Is there anything else?

A I don't think so, unless you have some more questions.

DR. GERBER: That is all.

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JAY H. HUBACH, being first duly sworn,  
was examined and testified as follows:

EXAMINATION OF JAY H. HUBACH

By Coroner Gerber:

Q What is your name, please?

A Jay H. Hubach.

Q Where do you live?

A 29020 Westwood, Bay Village.

Q How long have you lived in Bay Village?

A 36 years.

Q Are you on the police force of Bay Village?

A Yes, sir.

Q Did you respond to a call at the residence of Dr.  
Sam Sheppard?

A Yes, sir.

Q What time was this?

A We received the call approximately 6:10.

Q What time did you get there?

A I estimate it to be about ten minutes later which  
would make my arrival about 6:20.

Q Where were you when you received the call?

A In bed.

Q How did you time the call?

A The call was timed approximately from Fred Drenkhan's

original call through the fire chief at the fire station .

Q You got the call, you got out of bed, got in your car and went over to the Sheppard home, is that it?

A That's correct.

Q And you got there about 6:20?

A Approximately.

Q How far did you have to go?

A It is not more than a half mile.

Q What did you find when you got there, just go on and tell me?

A Upon arrival at the scene I was met by Dick Sommer, who was the fireman for the village, and who had been operating the ambulance that day. And the first thing he told me he says, "Get ahold of yourself, it is Marilyn, she had been murdered." With that I went to the front entrance of the home, that is, the Lake Road entrance, and went in. Upon entering the hallway I was met by Mrs. Houk who directed me through the kitchen towards the landing. Before entering the kitchen I did notice a bag. It was seemingly up-ended and the contents on the floor. I went upstairs. The room of the murdered person was right at the end of the stairs, and I walked in. The door was splattered with blood, and in the room itself there were two twin beds of the four poster type. The body of Mrs. Sheppard was on the bed closest to the

entrance of the door. Do you want me to place the body and all that?

Q Go ahead.

A The body of Mrs. Sheppard was lying face up, her head approximately three feet from the head of the bed, which would be the south or southerly direction, and the feet were extended over the bed, bent at the knees, which would be in a northerly direction. You want full description?

Q Yes.

A I noticed the head, especially around the upper left, of the eye, was severely lacerated with innumerable cuts. There was a great amount of clotted or coagulated blood around her face, head, and hair. Her shirt blouse was pulled up over the chest. Her arm, her right arm was extended along her side. Her left arm was bent approximately at the elbow and across the stomach. From this point down there was a sheet that covered the lower extremities.

Upon looking around the room I noticed that there were no outward appearances of any type of a struggle, that is, nothing seemed to be disturbed as to being upset. I noticed the chair in what would be the northeast corner of the room closest to this bed where the body was on, and there was clothing on this chair. It was a rocking

type chair. There were two pair of shorts, one white, one blue, a bra, these were on the seat of the chair. On the back of the chair was a shirt, it was either a tan or a light beige with rolled sleeves. In other words, it was a long sleeved shirt that had been rolled up. Underneath that there was a sweater, I believe it was navy blue in color. Next to the chair there was a pair of loafer type light colored moccasins.

From the room I went and started a search of the premises. Upon going down the stairs went through the living room and at this time noticed the desk which was a secretary, it is at the north side of the home and to the west of the rear door leading to the lake. I believe they assume this to be their front door or they term it their front door. This desk, the lower drawers of which were standing more or less ajar, the top of the desk was littered and on the floor there were a number of papers strewn about. Among them were tax stamps et cetera.

Going to the door, the door was standing what you would call half-way open. I went through the doorway, out onto the porch, through the screen door which was wide open, and from there I proceeded to the stairway down to the beach. [REDACTED] the firemen, Ronald Callahan and Dick Sommer. We went down

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No ev.  
of  
disturbance  
on the  
beach.

to the beach house, got to the end of the stairs, at that time the water I believe would be close to two and a half to three feet from the retaining wall, that is, the wash of it. At this point we could see no evidence of any foot prints or disturbance of the sand. There were two fishermen on the pier at Huntington Park and Dick and Ronnie walked over towards them to talk to them, at which time I returned upstairs, started back into the home and met up with Fred Drenkhan. At that time we discussed the matters and I got my first-hand information of what had taken place.

I started back down the stairs again to go and contact these fishermen personally, and met the Chief and the Mayor coming back up the stairs. And he said he had already obtained the information that we wanted from these fishermen. So with that I turned around and went back to the cruiser and called into the station, put out an all car and station broadcast to pick up any and all vagrants or suspicious persons that might be on the highway. As I came back out of the police car I was met by the Mayor and we talked, and in the talk, the conversation it was brought out that the Aherns were believed to have been the last ones to have seen these people. So we decided to go over and talk to the Aherns and see what we could learn.

At this point we proceeded to the Ahern residence. Shortly after arrival, in fact before we had ascertained too much information I got a telephone call to the effect that there were two vagrants that had been picked up by Avon Lake Police Department at our station and to proceed there for questioning, which I did.

Q Did you make an inspection or examination of the various rooms on the first floor?

A No, sir, I didn't get into the study at all.

Q Did you make an inspection of the couch in the living room?

A I can't say that I made a real inspection of it, doctor. I did look at it.

Q What did you notice?

A I noticed where, that the coat was in a folded condition at the end of the bed or the end of the couch.

Q Was it disturbed, folded up nicely?

A Well, as though someone would lay it there.

Q It wasn't wrinkled?

A I can't be sure on that. Off-hand I would say no.

Q How about the rest of the couch?

A I can't recall that.

Q What time was this that you were making these ob-

servations?

A This was as I came down from the upstairs. So I would say roughly about 6:35.

Q Were you there when Dr. Sam Sheppard left and Chip Sheppard left?

A I wasn't there to see them. I was on the premises, but I never saw Dr. Sheppard at all.

Q You never saw Dr. Sam Sheppard?

A No, sir.

Q Did you see Dr. Richard and Dr. Stephen Sheppard?

A No, sir.

Q What time of day did you see them at the Sheppard home, at the Sam Sheppard home?

A I don't actually recall seeing them at the Sheppard home, at all.

DR. GERBER: Thank you ever  
so much.

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NANCY AHERN, being first duly sworn

was examination and testified as follows:

EXAMINATION OF NANCY AHERN

By Dr. Gerber:

Q What is your name, please?

A Nancy Ahern.

Q Where do you live?

A 29146 Lake Road, Bay Village.

Q Now, you are married?

A Yes.

Q What is your husband's name?

A Don.

Q How long have you lived at this address?

A Four years next Christmas.

Q You are acquainted with Dr. Sam Sheppard?

A Yes.

Q Were you acquainted with Mrs. Marilyn Sheppard?

A Yes.

Q Over what period of time did this acquaintanceship extend?

A I have been asked this before and I can't remember -- it had been about a year.

Q This acquaintanceship, was this more than an acquaintanceship or a real friendship?

A I think so.

Q What?

A A real friendship.

Q Did you visit, you and your husband, visit their home and they visited your home?

A Yes.

Q Now, I want to get to Saturday, July 3rd, of 1954.

Will you tell me whether or not you went to Dr. Sam Sheppard's home on that date?

A That evening.

Q What time?

A Eight o'clock or a little thereafter.

Q And who accompanied you?

A Dr. Sheppard, my two children, and Mr. Ahern.

Q Had Dr. Sheppard and Mrs. Sheppard been to your home previously?

A Yes.

Q What time did they arrive at your home?

A Around seven o'clock.

Q What did they do at your home?

A We had two cocktails before dinner and then we went to the Sheppards' for our dinner. Mrs. Sheppard went ahead to prepare dinner.

Q What period of time did she precede you?

A About ten minutes, fifteen at the most.

Q What time did you eat?

A About 8:30 I would say.

Q At that time who was at the dinner?

A Dr. Sheppard, Mrs. Sheppard, Mr. Ahern and myself. The three children ate their dinner in the kitchen and we ate on the porch.

Q How old are your children?

A 9 and 7.

Q Is that two boys, or a boy and a girl?

A The boy is 9 and the girl is 7.

Q Now, can you recall what time you completed the dinner?

A It must have been a little after ten o'clock. We sat and talked at dinner for a while.

Q Then what happened?

A Then Mr. Ahern took the children home, and we have two German Shepherds, and he went home so he could put the dogs in, with children, and Mrs. Sheppard and myself went out in the kitchen to clean up the dishes. Dr. Sheppard sat down to watch television. Mr. Ahern came and when we had finished the dishes we all sat down and watched television.

Q Now, how long did it take you to do the dishes?

A We only cleaned them off to get them ready for the dishwasher. We probably were through at -- Ann Southern

was on the television and I don't know what time she is on that particular night, but it must have been some place before eleven o'clock.

Q You were through with the dishes in order to view Ann Southern, is that the idea?

A Well, no, Mrs. Sheppard finished putting the rest of the things in the dishwasher and I came in the living room and we looked up the television schedule and then she came in and joined us, and Mr. Ahern.

Q When you say "she came," who were there then watching the television?

A Dr. Sheppard and I went in the living room, and then in a few minutes Mrs. Sheppard came in and Mr. Ahern came back from our house. Is that right, I mean, does that answer it?

Q Yes. Dr. Sheppard came from the porch?

A Yes.

Q And you came from the kitchen, is that what you are telling me?

A Yes. He came in from the porch and went in the living room. As a matter of fact, he left for a few minutes to go into the garage and get some glue to fix young Chip's airplane, and he was fixing the airplane and talking to young Chip when I came into the living room.

Q How long did this take, to get the glue?

A A matter of two minutes. He went right out and came right back in again.

Q Now, what kind of an evening was this, was it cool or was it warm?

A Yes, it was rather chilly because I shut the door to the porch when I brought the last of the dishes in, and the waves were rolling in quite hard.

Q How were you attired at that time, what sort of clothes did you have on?

A I had shorts and a sport jacket and a blouse.

Q Did you borrow any jacket from the Sheppards?

A No. I wore my own jacket down there.

Q Did your husband borrow any jacket?

A Yes, when we went out on the porch Mr. Ahern, when I went in to get the dessert I got Mr. Ahern a jacket out of the closet, and it was a -- do you want to know what it was?

Q Yes.

A It was a red sport jacket with a school letter on it, and it had tan leather sleeves, and I put that around his shoulders, and at the same time Dr. Sheppard went in and got his brown corduroy coat and put it around him.

Q To put around him or wear it?

A Wore it, wore it.

Q Now, how was Mrs. Sheppard dressed that evening?

A She, Mrs. Sheppard had on white shorts, and a blue tailored shirt, and also a checked jacket.

Q What was this shirt like?

A Well, the best I can remember, it had a pointed collar, very much like a man's shirt, and I think it had long sleeves.

Q This was checked?

A Oh, no, no. The shirt that she had on was blue, plain blue, light blue, and the jacket was blue and white and black check, or something like that. Mine was checked, also.

Q Was this similar to a man's shirt?

A Yes, but a small size, of course.

Q Were the sleeves rolled or up or were they down?

A It seemed to me that they were rolled up. But I assume, when she put her jacket on she probably put them down.

Q Was this the type of shirt the tail of which is worn on the outside or worn on the inside of the belt?

A I think one that could be worn either way.

Q How was it worn that night?

A I think it was outside.

Q What sort of shoes did she have on?

A I don't remember her shoes. But in talking it over with Mr. Ahern -- well, you don't want to know that?

Q Go ahead, tell us.

A Well, we recall that she had on white moccasins.

Q And socks?

A I don't think so.

Q No stockings or socks?

A No. I don't remember any socks, anyhow.

Q Did she have a sweater of any kind?

A No. She may have had a sweater on under her jacket, but I don't remember her having a sweater on. I think just the jacket over the shirt.

Q Her outer garments were the shorts, the shirt, and the jacket and the shoes?

A Yes.

Q You didn't happen to see her under garments of any kind?

A No.

Q Now, can you relate in your own fashion just what happened after you went into the living room to watch television?

A When Mr. Ahern came back and we all decided we would watch the movie, Mrs. Sheppard and I had rather hoped we could go to a movie, but when we finished dinner it was too late to go, and we had decided we couldn't get a baby-sitter at such a late day, hour, rather, then when she joined us in the living room, Dr. Sheppard and she

sat in the big red chair that is in front of the television, and Mr. Ahern and I sat on the west side of that chair, and for the first part of the show I sat on Mr. Ahern's lap for a few minutes, and then I brought the other arm-chair up alongside and we sat and watched the television movie, and thought it was a bit dull. But we decided that we would stick it out to the end and see if it improved a little. Towards the end of the movie, I would say half-way through, Dr. Sheppard who had had a very tough day said he thought he would go lie down on the couch. So he went over on the couch which was to my right, and to Mrs. Sheppard's left, he lay down with his head facing the television and dropped off to sleep with his head on the pillow, on his stomach, sort of watted up under his head, the pillow, rather. Then towards the end the movie began to improve for a few minutes and Mrs. Sheppard said to Dr. Sheppard, "Sam, wake up, see the rest of the movie, it might be good." And I turned around and looked, too, because he was right to my right, and he put his head up and very drowsy-eyed, and looked for a few minutes and said, "Oh, it is not going to be any good," and put his head down and he went back to sleep. So when the movie was over, or a few minutes before it was over, Mr. Ahern and I looked at Mrs. Sheppard and she looked sort of drowsy, was sort of trying to keep her eyes

open, because of having company I suppose, and I suggested to Mr. Ahern that it would be a good joke on them if we sneaked out and didn't wake them up. But the minute we got up out of our chair when the movie was over, Mrs. Sheppard immediately woke up and popped up out of her chair and saw us to the door. When we left, Dr. Sheppard was sleeping very soundly, as far as either one of us could see, and had been for I don't know exactly how long, but it would seem to me it would have been 15, 20 minutes or half an hour. Then Mrs. Sheppard saw us to the door, and I am sorry now that we didn't see whether the door was locked or not when she shut it, but you don't do those things when you figure there is a man in the house. And we told her to hurry and run up to bed real quickly before she got wide awake, and we jumped in the car and went home. And that's it.

Q What time was this?

A Well, the movie, I assume, was over at twelve o'clock, I am not just sure, or 12:05. I suppose that can be checked, I really don't know, but we left before the commercial came on.

Q What station were you watching?

A Well, that is a pretty good question. I don't know. Whatever station Strange Holiday was on.

Q Strange Holiday. When Dr. Sheppard went over to lie

down and go to sleep, what did he have on?

A He had on his, the same trousers -- shall I go through what they were again?

Q Yes, go ahead.

A Brown and white or tan and white cord trousers, white sweat socks and loafers, white T-shirt and a brown corduroy jacket.

Q Was he wearing that when we went to sleep?

A He was, and when we left.

Q He was wearing that when you left?

A Yes.

Q Did he have a wrist watch?

A I don't know. I have tried several times to recall.

Q Did he have a key chain?

A I don't know that either.

Q Did he have a ring?

A You don't want me to assume?

Q No.

A I don't know whether he had them on or not.

Q Did Mrs. Sheppard have on a watch?

A I don't know, but I know she always wore one.

Q She always wore one?

A Every time I saw her.

Q What sort of a watch was this?

A A small gold watch.

Q Was it round?

A Square.

Q Square?

A Yes.

Q Did she have any rings on?

A I don't know, but she always did wear her wedding ring and her engagement ring.

Q She always, that was part of her costume, was it, the wedding ring?

A Yes, but by the same token she might not have had it on in that she had been playing golf yesterday, the day before, rather, and of course you do take your rings off when you play golf. Now, that would be the only reason I could think for her not having them on.

Q Have you had any other occasions to be in the Sheppard home under the same conditions?

A Yes.

Q Did Dr. Sheppard go to sleep on those occasions?

A Yes, very often. He was quite a hard working man.

Q It was, then, characteristic of him?

A Yes. He had a very good appetite.

Q Wait a minute.

A What I meant was he had a very good appetite and he almost always got sleepy after dinner.

Q You are telling me that you usually ate late, is

that it?

A We did when we were swimming or water-skiing or playing badminton or something like that. The children, we often fed them earlier..

Q Had he gone to sleep on this couch on previous occasions?

A Yes.

Q Had he gone to sleep on this couch on previous occasions?

A Yes.

Q Would he go to sleep in your home?

A Yes.

Q Would you say you and Marilyn, all four of you, were rather confidential, sociable?

A We were very good friends.

Q Very good friends?

A Yes.

Q Did she ever confide in you?

A Yes.

Q Did she tell you things that she wouldn't tell other people?

A Oh, I don't imagine so.

Q Did she tell you that she was pregnant?

A Yes.

Q When did she tell you that she was pregnant?

A About two weeks before that.

Q Two weeks before July 4th?

A Yes. I say about two weeks.

Q Can you recall the circumstances?

A Yes. We were going to dinner at the Country Club, Dr. and Mrs. Sheppard and their young son, were going to a buffet supper. I wasn't quite ready and Mrs. Sheppard came upstairs while I finished powdering my nose and I remarked about what an attractive dress she had on, and she said didn't I think it was just a little bit snug, and I said why no, I didn't think so. And she said, "I fill it out quite well, don't you think?" and then she told me. And I hadn't thought about it. I hadn't known about it before.

Q Who was present?

A Just myself.

Q Just the two of you?

A In my bedroom, yes.

Q Did she tell you when she expected the baby?

A No.

Q Didn't she say how many months she had been pregnant?

A Yes.

Q What did she say?

A Four months.

Q Did she tell you when she found out that she was

pregnant?

A No.

Q Did she tell you who her doctor was for her pregnancy?

A No.

Q Did she tell you who had made the examination for her pregnancy?

A No. I never asked.

Q Most people are always proud of their obstetricians, aren't they?

A Well, second babies are a little different than firsts. You don't talk about it quite as much.

Q Now, did she ever tell you, ever confide to you any other things?

A No, nothing that I can think of that would be really pertinent.

Q Did she ever get confidential with you?

A I don't think any more confidential than she did any friends. You will have to ask me something, I don't know just how confidential you mean.

Q Did you talk to each other on the telephone frequently during the day?

A Not frequently during the day, but we talked to each other at least three or four times during the week.

Q Did you go over to her house three or four times a week, and she would come to your house three or four times

a week?

A No, only when we had something to go for. Not that often, probably, but we saw each other often.

Q You saw her alone on occasions?

A Oh, yes.

Q Without either of your husbands being around?

A Oh, yes.

Q Did she ever tell you how she was getting along, what she thought of married life?

A Yes.

Q What did she tell you?

A What sort of thing would you like to know?

Q I don't know, just tell me. Did she ever tell you whether or not she had any difficulties being married to a doctor, whether a doctor's wife leads a life of --

A Oh, yes.

Q What did she say?

A Well, that after all this time she had sort of begun to get used to it, having to be gone often. Mrs. Sheppard hated to be alone in the house. She didn't like being alone because she had a rather lonesome childhood and she didn't like very much being alone, and she just never quite got used to nights when Sam had to be gone on a case or on something, and she always was rather nervous until he got home.

Q Did she ever tell you that she checked the hospital and tried to locate Dr. Sam and was unable to find him?

A On any particular occasion you mean?

Q Any time?

A No. Mrs. Sheppard knew most of the things that had been put in the paper as to whether they were so or such, you know, most wives know rumors that they hear and whether they are so or whether they aren't.

Q What rumors do you have reference to?

A Regarding the California business.

Q What did Mrs. Sheppard think about Susan Hayes?

A Mrs. Sheppard had heard the rumor that Dr. Sheppard had been out with Mrs. Hayes and didn't seem to think too much of it, didn't seem to be too upset about it. That is what she said to me, anyhow.

Q Did she tell you about it?

A Yes.

Q That she wasn't upset about it?

A She told me that he had bought a watch for a young lady in California, and I said, "Did it upset you, is there anything to it?" and she said, "No, I don't think there is."

Q Did she ever tell you that she contemplated divorce?

A No, because apparently all of that must have happened long before we knew them. I am going by what I read, of

course, and heard.

Q When did she tell you about this watch business?

A Oh, I don't remember when exactly.

Q Six months ago?

A No.

Q Or eight months ago, or five months ago or two months ago?

A Probably it would be closer to two months or a month ago.

Q Two months or a month, that is prior to her death?

A Yes, I don't know of anything that Dr. and Mrs. Sheppard haven't discussed.

Q Did she ever indicate to you that her husband had a bad temper?

A No. I never seen Dr. Sheppard that angry, angry enough to have a bad temper.

Q Have you seen him angry?

A Not what you would call angry. I have seen him upset. That word angry is kind of hard in a case like this to describe. I have seen him about as upset as most husbands get in front of friends and that isn't very angry.

Q Did she ever tell you about his temper when there was nobody around?

A No. I know Dr. Sheppard has never laid a hand on her up until -- well, I have to specify this, I know that

he had never touched her -- I assume with temper goes something physical maybe -- up to this winter, because there were six or eight of us who went on a skiing trip and we rode with Dr. and Mrs. Sheppard on the skiing trip, Mr. Ahern and myself, and on the way up we got in the usual discussions that husbands and wives do sometimes, and I was telling him of a very funny incident in our family life, and Dr. Sheppard said, "Well, I can also say that I have never gotten angry enough with my wife to lay a hand on her," and Mrs. Sheppard laughed and we all laughed and agreed along with it. So I would assume that he had never been angry enough to ever touch her.

Q How long ago was this?

A This was this winter.

Q This past winter. Were you at any parties where Dr. Sam Sheppard and Mrs. Sheppard were there and where she left because she was angry?

A No, I have never been. I have read of those parties in the newspaper, but I wasn't present at any of those.

Q You have not been present at any of those?

A No. They were always there, we often went together and came home together.

Q Did you happen to know this Miss Hayes?

A No, I have never saw her before I saw her picture

in the paper.

Q Who is your family physician?

A Dr. Ross has been several times. You see, we only have lived here four years and we are Christian Scientists, so we don't have a doctor very often. But Dr. Ross has come to the house to look after the children and came in when Mr. Ahern was ill this winter.

Q Is there anything that you can tell us that would help us that you haven't told us?

A I have thought and thought, and if there was I certainly would tell you. I realize it seems like rather peculiar that we could have spent such a dull and uninteresting evening, but that is the way it was and I can't make any other story out of it.

Q When did you first hear of Marilyn Sheppard's death?

A Mayor Houk called me up some time about ten after six on Sunday morning.

Q Ten after six?

A Yes, some time around that.

Q When you left the Sheppard home did you lock the back door, that is, the door that goes out to the lake?

A I didn't lock it when we left. When I brought the last of the dishes in off the porch I locked the door that goes from the living room on to the porch. I turned the switch and put the night chain on.

Q You put the night chain on?

A Yes.

Q And you turned, you call it a switch?

A Well, it is one of those little --

Q Knobs?

A Yes.

Q Did you close the screen door?

A No.

Q Was the screen door closed at the time you were out on the porch?

A It was closed, but whether it was locked or not, that I don't know.

Q Now, the door leading on to Lake Road, you know was closed, you don't know anything about it being locked?

A No, I don't. I wish that I did. But we left and we turned our backs, said good-bye, and walked towards the car, and I can't to the best of me recall hearing a click or anything. We would have, of course, paid particular attention if he hadn't been in the house.

Q Now, on Sunday, July 4th in the afternoon you were in the Sheppard home?

A No, I wasn't in the Sheppard home until the next morning.

Q The next morning?

A Or, when was July 4th -- yes, the next morning

when they asked me to come down and see if anything had been changed in the living room that I could recall.

Q All right, what changes did you notice?

A The chairs had been put back, the two chairs, armchairs, that we had pulled up.

Q They were put back?

A I can only describe with my hands. You know where the couch is, and the chair, usually, there is a chair that sits by the couch, there were two armchairs side by side that Mr. Ahern and I were sitting watching television, and the chairs had been put back in their place.

Q They were put back in their usual position?

A Yes, everything else was exactly the same.

Q Did you notice the secretary or the desk in the living room?

A Well, of course, that was opened and scattered. I am not speaking of those things.

Q That was open and scattered?

A When I came in, that would be Tuesday morning, Monday morning, yes.

Q Did you notice the couch?

A Yes.

Q With the corduroy jacket on it?

A Yes, laying down towards the end.

Q That was the same jacket?

A Yes.

Q That Dr. Sheppard was wearing?

A Yes. I didn't go up and inspect it but it looked like it was the same.

Q That he was wearing when you left?

A Yes.

Q What about the den or the office or the study, whichever one you want to call it, did you look in there?

A Yes. It was scattered. The things had been out of the desk, and so on.

Q Did you go up in the bedroom?

A No.

Q This was Sunday morning that we are talking about, a few hours after the death?

A Oh, no, I didn't go in the house Sunday morning. This was Monday morning they came up and asked me to come down and look and see if anything had been changed. I didn't go in the house at all all day Sunday.

DR. GERBER: That is all.

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DON J. AHERN, having been first  
duly sworn, was examined and testified as follows:

EXAMINATION OF DON J. AHERN

By Dr. Gerber:

Q What is your name, please?

A Don J. Ahern.

Q Where do you reside?

A 29146 Lake Road in Bay Village.

Q How long have you lived there?

A Since December of 1950.

Q Are you married?

A Yes, sir.

Q Your wife's name?

A Nancy.

Q Were you friends, social friends and acquaintances  
of Dr. Sam Sheppard and Marilyn Sheppard?

A Yes, sir.

Q Can you tell us when you saw Dr. Sheppard and Marilyn  
Sheppard on Saturday, July 3rd?

A Would you repeat that please?

Q When did you see Dr. Sheppard and Marilyn Sheppard  
on Saturday, July 3rd?

A Initially about six o'clock in the afternoon.

Q Where did you see her?

A At our residence.

Q And what occurred?

A They were there for approximately two hours. During that period of time we all had perhaps two cocktails apiece. We discussed the progress of Mrs. Sheppard's golf, inasmuch as my wife had been assisting her in golf. She had played very little before. Other than that I think it was just of a general nature, nothing unusual in particular.

Q Then what happened?

A From there we went down to the residence of Dr. Sam Sheppard.

Q Did Dr. Sheppard leave ahead of you or was he gone at any time in those two hours?

A As I recall he left maybe five or ten minutes prior to the time that we left. I don't recall exactly, but I think he did leave prior to our departure.

Q Who did you depart with?

A As I recall, one of our children, Michael, I think rode in the car with us, Mrs. Sheppard and my wife.

Q What happened to the other child?

A Oh, I think their son, Chip, walked down to their residence with our daughter Leslie.

Q What time did you leave your home?

A About eight o'clock.

Q What time did you arrive over at the Sheppard's home?

A Perhaps two minutes later.

Q Then what happened, what happened then?

A Some time between the time we arrived and started eating dinner I recall that Sam and I walked down to the beach to look at the water inasmuch as he had planned on skiing the following day.

Q Was Dr. Sheppard there when you arrived?

A Yes, he was. He was there at the house.

Q He was at the house when you arrived?

A Yes.

Q All right, go ahead.

A I recall the water was very rough that evening, and it was a little disappointing because he had invited a number of internes for the following day to ski. We were down there for perhaps ten or fifteen minutes and came back up to the house, and shortly thereafter we went down in the basement, that is, Dr. Sam, our two children, and their son Chip. And Sam was showing the children how to use the punching bag. We were down there for perhaps ten or fifteen minutes and came back up. Shortly thereafter, we had dinner on the porch, that is, the adults did, and the children ate in the kitchen.

Q What happened then?

A After dinner, the two girls, that is, my wife and Mrs. Sheppard cleared the table off and then brought dessert out, and we ate our dessert, and following that I took our two children home, Mike and Leslie, and that was about 10:30. Then I returned perhaps ten minutes later.

Q What happened then?

A Well, I recall little Chip, just as I came in the living room, little Chip dressed in his pajamas came down the steps and his mother, he said something to his mother which I didn't recall and she advised him to go on back upstairs and go back to bed, which he did. Then we began watching a movie on television. Of course, had been listening to the ball game to that time. Nothing unusual happened for the balance of the evening. We stayed there until the conclusion of the movie which was on television and also listened to the ball game. And as I recall it, it was about 12:30 when we departed. Do you want me to continue?

Q Yes, go right ahead.

A I would say somewhere between 11:30 and perhaps a quarter to twelve Sam had been drowsing a bit in the chair, and he then went over to the couch and laid down. I think especially the girls were trying to keep him awake so that he would watch the movie. He finally went to sleep I would

say about a half hour before we left.

Q Did you notice how he was dressed?

A Well, I recall that he had on his cord slacks, a white T-shirt, and sweat socks, and brown sneakers or moccasins. I am not positive if he had on his brown corduroy jacket or not. I think he did. Whatever, it was very much in evidence, I can't recall seeing it clearly, I know he had it on during the course of the evening, following the time we came back up from the basement.

Q Was it cool enough to wear a jacket?

A Oh, yes. It was rather windy that evening and, of course, we ate on the porch and it was quite windy out there.

Q You were wearing a jacket?

A I had something on. I don't recall what it was.

Q What about a wrist watch, did Dr. Sheppard have on a wrist watch?

A As I recall, he did.

Q On which hand was he wearing it?

A I think it was on his right hand. My recollection of having seen the watch was at our house.

Q Which side of the hand was the face of the watch, was it on the palm side or the back side of the hand?

A That is a pretty difficult question. I don't recall. I do know that when he was at our house, we were sitting

in the kitchen, at sort of a breakfast bar, and he was sitting to my left, somewhat as I am sitting now, and I could see his hand up there, and as I recall he did have on his watch.

Q Is he right-handed or left-handed?

A He is right-handed as I recall.

Q Did you see a chain, a key chain, charm?

A I have seen it many times, but I do not recall having seen it on that occasion.

Q Did he have a ring?

A I don't recall.

Q Fraternity ring or something, any kind of a ring?

A I just don't recall.

Q When you left with Mrs. Ahern did you notice whether or not the door that led out on the porch was locked?

A I know that my wife had locked it previously some time during the course of the evening. I think it was shortly after we came in from having eaten.

Q Do you know whether or not it was opened up subsequent to that time?

A I think not.

Q Was there anything said or done that evening that would irritate Dr. Sheppard or Mrs. Sheppard?

A Not a thing. Everything was most pleasant. There just wasn't a thing.

Q You have had many meetings or social gatherings with Dr. Sheppard and Mrs. Sheppard?

A Yes, s ir.

Q Was it characteristic of Dr. Sheppard to go to sleep in the middle of the party?

A (witness nods) Sam was quite a goodsleeper. He worked hard and slept hard. So that fact wasn't a bit unusual.

Q It wasn't unusual he went to sleep?

A Because many times at our house he has gone to sleep after a meal.

Q Do you have any knowledge of any temper that Dr. Sam Sheppard had or may have had?

A He certainly never displayed it around me. Nothing unusual at all.

Q Did you ever accept any confidences from Mrs. Sheppard, Marilyn Sheppard?

A No, sir.

Q Did she ever try to tell you anything confidential?

A No, sir, she never has.

DR. GERBER: That is all.

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