

Inquest resumed, 9:00 a.m., July 23, 1954.

DR. GERBER:        Now, I want  
to caution the members of the press, the photo-  
graphers and reporters and members of any  
other news agency, regardless of what it may

be, that the same rules as I set down yesterday will obtain. I want to caution the audience to be as respectful and nice as they were yesterday.

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DR. SAMUEL H. SHEPPARD, having been previously sworn, was further examined and testified as follows:

EXAMINATION - DR. SAMUEL H. SHEPPARD

By Dr. Gerber:

Q Doctor, you said yesterday -- you can turn your chair over so you don't have to look directly at that sun -- you said yesterday that you did not recall when Mr. and Mrs. Ahern left to go home on the night of July 3rd?

A Yes.

Q Is that right?

A Yes.

Q You said that your wife Marilyn woke you or disturbed you before she went upstairs?

A I believe that she did.

Q You believe that she did. Do you know what time that might be?

A I have no idea.

Q Do you know approximately the amount of time that might have elapsed from the time that you first went over on the couch until the time that you thought you were

aroused?

A No, I have no way of knowing that.

Q When you thought you were aroused what did your wife say?

A I can't tell you.

Q Do you know whether or not at the time that you thought you were aroused Mr. and Mrs. Ahern had gone home?

A I have no idea. It was just a hazy recollection of being disturbed. I couldn't even say for sure what was said or who it was. However, in thinking about it I assume that it was my wife because that was her habit, if I should fall asleep on the couch or in a chair, which happened occasionally, she would not necessarily make me get out on the floor and insist that I go upstairs, but she would merely let me know that she was going up. Sometimes I would awaken and go up with her, and occasionally being in a somewhat deeper sleep would not respond.

DR. GERBER: Let the record

show that the Coroner directed the witness to move out of the direct sunlight, and that the witness is wearing colored glasses, and that the witness removed the Shantz collar.

Q Do you have any definite recollection as to what happened immediately after you thought that you were aroused?

A You mean by, what I thought was by my wife?

Q Yes.

A No, nothing definitely, no recollection at all.

Q Do you have any recollection as to time?

A None at all.

Q Then, did you say yesterday that you thought she said "Let's go upstairs"?

A I don't believe I said that I quoted her. I may have said that my thinking, in thinking back I felt that she must have indicated that she was going up. I can't say that I remember her saying anything.

Q Can you recall and relate the condition of the furniture in the living room and what you call the combination living room and dining room?

A When?

Q The night of July 3rd after you came in from eating your meal on the porch.

A The condition of the furniture?

Q Yes, sir.

A Do you mean placement?

Q Placement, anything else that you may recall about it.

A There were the two larger chairs on the south wall with the table between them, which is the usual placement. There was the chair in the northwest corner next to a table, and I believe that is the chair that Mr. Ahern sat

in while he listened to the ballgame.

Q Go ahead.

A There are two other chairs in that area that I can't say specifically their placement, but must have been used at the time of the watching television. One is a green sort of easy chair, and one is a, is a supposedly original or Rio Boston rocker that I purchased for my wife because she was interested in antiques, and that was somewhere in that area. And there was the couch or daybed type arrangement that has a coverlet on it that I reclined on. I can't say specifically for the dining room chairs. They were placed around, usually are placed around the eastern portion of the room, but I can't say specifically that I noticed them that night.

Q Was there anything else?

A Nothing that I can say I noticed. There is a little footstool that is usually in the area somewhere.

Q What about the secretary, the secretary desk?

A Well, that is placed on the north wall of the room, not too far from the door.

Q Was your wife a meticulous housekeeper?

A Yes, very much so.

Q Do you consider yourself meticulous in your dress and things which you would do about the house?

A I?

Q Yes, sir.

A No, not necessarily. I attempt, I attempt to dress carefully, and so forth, but my tendency was to leave shirts hanging and socks on the floor, and that sort of thing.

Q What about your personal belongings such as in the desk drawer or other places, would they be kept in orderly fashion or would they be helter-skelter?

A What sort of personal belongings?

Q Well, things that belong to you personally that you kept in a desk drawer.

A Well, that might vary. Certain things might be helter-skelter and other things neatly kept. My surgical records I attempted to keep neatly and well kept so that I could keep them straight.

Q What about your medicine kit?

A The medicine kit tended to be rather helter-skelter because I kept it, carried it in the back of my car, and it was subjected to a lot of turning and bouncing, and yet certain portions of it were such that I knew where to find things.

Q What about the secretary, the desk secretary in the living room, was that kept in order by your wife or by yourself?

A That was kept in order by my wife. I couldn't tell

you the way in which she kept it. I would imagine it would be neatly kept.

Q Now, when you were moving about the room, the living room, and the porch, on July 3rd at around 10 o'clock, you had on a T-shirt and a corduroy jacket, is that what you said yesterday?

A As I told you yesterday, I believe I explained that when we went out to have dinner on the porch, we found that it was windy, and not cold but slightly chilly, and at that time I put on a corduroy coat. I don't believe that I specified time because I don't remember the time.

Q Do you recall taking it off?

A Not specifically.

Q Do you recall Mrs. Ahern locking the door that leads to the porch when you were through on the porch?

A No.

Q Do you recall that door being locked?

A Which door?

Q The door that leads to the porch.

A No.

Q From the living room.

A No.

Q You have confidence in your friend Mrs. Ahern's memory?

A Certainly, as much as I do with anyone.

Q If she said she locked the door, would you think that door was locked?

A Certainly.

Q If she said she put the chain bolt on the door, would you believe that that was a correct statement?

A Yes.

Q If she said you were wearing a T-shirt and a corduroy jacket when you were lying on the chaise lounge or couch, whichever one you want to call it, would that be correct?

A She probably would be able to say better than I.

Q If she said that you were wearing this T-shirt and jacket, corduroy jacket, at the time that she left, which was between 12:15 and 12:30 on July 4th, just past midnight July 3rd, would you believe that?

A I believe whatever she said. She must have been awake and conscious.

Q You were up and about and moving around watching the television before you decided to lie down on the couch? You were not sleeping, you were up moving around, you were awake?

A I was awake before I laid down on the couch.

Q You were conscious of what you were doing at that particular time?

A I was conscious, yes.

Q You were conscious watching the television after you



started resting on the couch?

A Vaguely so.

Q According to your own statements previously.

A Vaguely so. Yes. I didn't just jump on the couch and go right to sleep.

Q Well, then, do you remember whether or not you had on this T-shirt and corduroy jacket at that time?

A I can't say that I remember anything about my apparel specifically at that time. I would see no reason why I would remove my T-shirt. I could have removed my coat without remembering it. However, I don't have any idea whether I did or not.

Q Well, if you removed your jacket where would you have put it?

A I have no idea. I might have put it anywhere.

Q If on the morning of July 4th, at 6:10, at approximately 6:10, this jacket was found folded neatly at what you would assume the foot of the couch, in view of what you stated previously where your head was, how would you account for that ?

A I can't account for it. I don't know.

Q Would your wife have folded the jacket and put it at the foot of the couch?

A You say would she have?

Q Yes.

A I can't tell you that. If it were available she might have.

Q How tall are you?

A Approximately six feet.

Q What is the length of the couch?

A About that length.

Q Then if you were lying on the couch with your head on the pillow at one end, where were your shoes and ankles be in reference to the coat or jacket?

A It would be at the other end.

Q It would have to be on top of it, wouldn't it?

A The top or the side.

Q But the jacket is folded over, hanging over the side of the couch. How could it get in that position?

A I don't know, Doctor.

Q How many pillows has this couch?

A Well, there are two large foam rubberlike pillows that have frills, well, I don't know that they do have anything on them, but they are larger pillows that are covered with the same material that the couch is. And occasionally there is a pillow on and around the couch or near the couch that we might use which go with one of the other chairs in the room.

Q You had your head and shoulders on one of the pillows on the end of the couch that would be considered north?

79 A Yes. I believe that I was on a pillow, that is my recollection.

Q The other pillow was located at the south end against the wall, is that your recollection?

A I don't have any recollection of the other pillow. It probably was. I may not have even been on the one larger pillow toward the north. It may have been one of the smaller pillows that we occasionally used.

Q You have two pillows, do you, of the same type?

A Yes.

Q Seafoam type, is that what it is?

A Well, yes, they have, I believe they are sponge rubber type.

Q Sponge rubber type, two of that type, is that right?

A Yes, that go with the couch.

Q That go with the couch, and where were they usually kept?

A Right on the couch.

Q Against the wall?

A Usually.

Q Now, if Mr. and Mrs. Ahern told you that you had your, that you were lying on your stomach with your shoulders resting on the pillow, and your arms resting on the pillow, with your head pointing to the north, would you believe that?

A If that is what they said I believe it.

Q And if that same pillow was found in the same position at six o'clock in the morning, would you believe that they still were telling the truth?

A I would have no reason to doubt Mr. and Mrs. Ahern.

Q Then, again referring to Mr. and Mrs. Ahern, if they said that you were wearing a T-shirt and jacket at that time, would you have any reason to doubt it?

A No.

Q Then how can you account for the jacket being folded neatly at the south end of the couch, and the T-shirt missing from your body?

A Doctor, I can't account for that anymore than you can. However, it is conceivable that during my sleep I might have become warm and shed the coat either before or after my wife --

Q Well, then you would have to get up to do that?

A If that is what you have determined from --

Q I am asking you, you would have to get up to do that?

A I don't know. I don't believe I would necessarily. As far as the T-shirt is concerned I have no idea what happened to the T-shirt.

Q Living on the lake, and you have lived there three years, it begins to get cooler at nighttime, is that right?

A It tends to get cooler at night.

Q And at past midnight it is still cooler?

A Well, occasionally yes, and --

Q Well, let's take this particular night. You said it was chilly, it was cool, when you were on the porch?

A On the porch.

Q Then do you think that it wouldn't remain cool even though you were in the house?

A I don't have any thought about it, Doctor, I can't tell you. When a person is asleep they respond in various ways, as you know.

Q If persons in the same neighborhood had a fire going in the fireplace, you would have to assume that it was cool inside of the house, would you?

A I have already stated that it was chilly on the outside, but I don't recall having any feeling of coolness after coming into the house.

Q Do you usually, when you retire, sleep with bed covers or not?

A In the summertime, very few.

Q There is some kind of a cover?

A There is some kind of a cover available. I often don't use any.

Q You have found it necessary on occasions, have you?

A To use bed covers?

Q Yes, in the summertime.

A Occasionally.

Q Your bed which you usually slept in was equipped with covers, is that so?

A That could be. I can't say specifically.

Q Well, you slept on that bed on numerous occasions, do you know whether or not your wife maintained covers on that bed?

A There was a light cover of some type, I believe. There was a spread which of course was turned back before the bed was used.

Q Was that your wife's usual habit to turn the spread and cover back so you could get into bed readily?

A Oftentimes, yes.

Q And the sheet was also turned back with the covers, the top sheet?

A Often, yes.

Q Did you notice whether or not it was done on this particular occasion, on this night?

A I didn't notice. I might add that we during this type of weather always slept with the windows, as many windows open as possible, to get as much circulation as possible. I don't know the condition of the downstairs in regard to windows open, but I gather and believe that probably she closed things up, or the Aherns did. It

was probably a very poor circulation and ventilation which might have accounted for a stuffy or warmer environment than I was used to.

Q Well, if you got up and took off your jacket wouldn't you recall it?

A Not necessarily.

Q Are you in the habit of waking up and doing things and then forgetting about them?

A Not major things, not getting up and going someplace or performing some duty, but I have done things at night, minor things that I have been told about later that I didn't have any recollection of.

Q Why wouldn't you have a recollection of them?

A Doctor, I think that you can understand the semi-sleep state. I have even have occasion to answer a phone and not know exactly what I had said until, for a few minutes, or possibly a minute, until I came to the realization I was talking on the phone and I had to have the person on the other end of the line repeat what had been said.

Q Did the phone ring that night?

A Not that I know of.

Q Did you talk to anybody that night, or morning?

A You mean other than the people that I have --

Q On the telephone.

A I talked to Mr. Houk on the telephone.

Q Before you called Mr. Houk?

A No.

Q You have no recollection of talking to anyone?

A No.

Q Before you called Mr. Houk?

A (Witness shakes head indicating no.)

✓Q What are some of the minor things other than this telephone conversation that you related and the taking off of the coat that you don't recall, what are some of the other things?

A You mean through my life --

Q Yes.

A Things that have occurred?

Q Yes, during your life, something that your mind has become negative on.

A Well, I wouldn't say that my mind has become negative on these things. It is merely lack of consciousness in regard to depth of sleep. I have been told that on occasions when the phone would ring I would pick up the alarm clock and try to turn off the alarm. I have on occasion awakened in the morning and not had my upper garment on, and not recall having taken it off. I can recall having awakened and find that I have drawn covers over me in the morning and not recall having done so during the night, and recall the night before that I had



gone to bed with no covers.

Q Are these things that someone has reminded you about, or do you imagine these things or what?

A Well, as I believe I have indicated, some of them are things that I have been told about that I really didn't know, but I had been told.

Q What specifically are the things that you have been told about that you didn't recall before you were told about them?

A The incident in regard to the alarm clock is something my wife had told me about.

Q Now, where was the alarm clock situated?

A This is an event, Doctor, that occurred months and months ago and something that she --

Q Well, with reference to the telephone, where was the alarm clock located?

A When, recently?

Q At this particular time when you said that you reached for the alarm clock instead of the telephone, where was the telephone located and where was the alarm clock located?

A When this particular event occurred?

Q Yes, sir.

A I can't say specifically. I don't even know where it happened. I don't even remember where this happened.

I think it was in our present home when we were in another bedroom, in our regular bedroom.

Q Have you on occasions imagined that certain events had occurred and later find out that it was merely your imagination?

A No.

Q Are there any other occasions of things that you did not remember and then later on you had found out they actually occurred?

A There may be but I can't remember specifically. I can remember during my heavy work at the hospital, at the County Hospital, during periods where I had lost a great deal of sleep, having a very hazy recollection of being aroused by my roommate and told to go to the phone, and he used to be quite perturbed with me because I often didn't hear the phone and he would have to arouse me and get me up to the phone which was on the wall.

Q Now, let me ask you, if as a result of your statements here that you would do certain things, would not be able to recall them, and later on you were told about them and you found out that they were true, then you stated further that you did not imagine things and later found out that they were imaginations; now, if your subconscious mind worked one way, why wouldn't it work the other way?

A I don't understand your question, Doctor.

Q Well, you have told me two things. Now, why wouldn't they work in the reverse?

A You mean if during a state of semi-sleep things might occur that I had no recollection of?

Q Yes.

A Why would I not have feelings that other things had happened that had not happened?

Q That's right.

A Well, I don't believe that that is necessarily a logical reasoning, that just because during periods of sleep an individual may perform some minor thing such as we have discussed, I don't believe that it is logical to expect an individual to think that he has done things that he hasn't done. I have had rarely dreams that of course have been --

Q You have had dreams?

A Rarely.

Q Rarely. What type of dreams, happy dreams or dreams that were frightening?

A I can't remember of having any dreams up until this incident.

Q Did you ever have nightmares?

A No.

Q Never had a nightmare, no one ever told you you had

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He leaves  
at  
lamp.



nightmares?

A No.

Q Did you describe the bedroom in which you and your wife slept?

A You say did I?

Q No, will you, please?

A It is a room at the northwest extent of the house. It has two windows on the north, one window on the west, and a closet on the east wall. The door is on the south into a main hall toward the eastern end of the room.

Q What about the furniture?

A There was a dresser on the west wall, twin beds which belonged to her grandmother, I believe, a little stool, the telephone, and I believe an alarm clock. I think there was some sort of a little chair over on the northeast corner.

Q What about the curtains?

A For a long time there were no curtains in that room after we moved in. She placed some type of curtains there, I believe they were white. I can't describe them specifically.

Q What about carpeting?

A There is a carpet in the room.

Q How far away from the wall, the west wall, is the first twin bed?

A Well, we have attempted to -- do you want me to say in feet, I can't say specifically in feet.

Q No. Is it the width of the door that leads out into the hallway?

A The west wall is not close to the door. The door is on the eastern portion of the room. The west wall is the wall on which the dresser is on, and then the twin bed is next to it near the dresser, which is the one that I slept in.

Q The one that your wife slept in is the one that is on the east side of the room?

A The eastern portion.

Q The eastern portion of the room. Is it close to the door jamb that goes, leads out into the hall?

A Fairly close.

Q Just room enough to walk in, is that right, and open the door?

A Well, that is more than just room enough to walk in.

Q If you were standing in the hall could you see the bed, that is, looking through the doorway?

A I believe so, depending on exactly where you were standing.

Q Where would you have to be standing at the doorway or in the hall at the doorway to see what was in the bed?

A Well, Doctor, I never stood in that hall attempting

to evaluate just what angle it would be necessary to see what in the bed. However, in order to see the head of the bed it would probably be necessary to be somewhat in the eastern portion of the doorway of the hall.

Q Were you ever in an accident?

A Yes.

Q What kind of an accident?

A I had been to the hospital one Sunday, and I was returning to my home and I saw the ambulance and stopped, a youngster had been struck by a car. His condition was questionable. I checked him and put him, helped them put him in the ambulance and they said that they were going to take him to the nearest hospital which was Bay View. Realizing that I would be called on this, responsible for this problem, I got in my car and followed the ambulance. As we neared the hospital, we were slowing, the ambulance and I both were slowing for the driveway, and there was a group of cars going, that had been going in each direction, and as soon as the ambulance passed, the cars, one car from each direction pulled directly out into the lane of traffic directly in front of me. I was unable to stop. My right front fender struck the left hind fender of the car going in the direction that I was going, and in applying the brakes my car spun, and the back end, the left hind fender and bumper of my car struck

the oncoming car in its front, on its front. This seemingly, I can't tell you how, but seemingly due to this impact the car was sprung, the door opened. I don't know just how it happened but the next thing I knew I was sliding down the highway as though I were sliding in a baseball game, just right on sort of on my side and back, and my car was going on down the highway.

Q What injuries did you sustain?

A Well, I felt very numb and sore at the base of my spine, and I stood up immediately trying to be sure that I could use my leg, knowing, thinking in my mind that this type of injury would very definitely possibly injure or affect the use of my legs. I, with difficulty, went on in to the hospital and checked the little boy. I assured the parents, and so forth, that he was doing all right and ordered X-rays. X-rays were ordered on me and they found that I had a fractured sacrum.

Q When was this?

A I can't give you the specific date but it was sometime during the first year I was here.

Q That is 1951?

A Well, I believe it was in 1951. It may have, I believe it was in the fall of 1951.

Q The fall of 1951. Were you hospitalized?

A No, I wasn't.



Q You got up and continued about your work?

A Yes.

Q Did you ever have any after effects from it, from this accident?

A I had a back pain which has been variable, but I don't believe it is specifically associated with this accident necessarily.

Q Did it interfere with your athletic activities?

A It did for a while, very definitely.

Q For how long a time?

A Oh, about three months probably.

Q The spring of '52, then, there weren't any particular complaints, it happened in the fall of '51 you say?

A That's right. There weren't any particular complaints except that I have had to watch my back in lifting. However, I didn't necessarily associate it with the accident but I felt that the accident certainly hadn't done my back any good, and I had to be careful in lifting outboard motors and that sort of thing.

Q Do you ice skate?

A Not necessarily.

Q Did you ice skate in the winter of '51?

A Not that I recall.

Q How long have you been skiing, water skiing?

A I think the first time we did any water skiing was

during the summer of 1952.

Q Would you call yourself adept at water skiing?

A That depends on who is evaluating. If you are going to compare me with people who really know how to ski, I wouldn't say so. But possibly the average person in this area that just does it for the fun of it, I could probably keep up with them.

Q Are you a good swimmer?

A Oh, fairly good.

Q Can you swim a couple of hundred yards out into the lake?

A I don't know if I could now. I certainly have been able to.

Q Do you bowl?

A Not regularly. However, I have bowled with groups in social gatherings.

Q In swimming and skiing and bowling you have to bring the muscles of your back into play, is that right?

A Yes.

Q And since the accident you have been able to do that?

A Yes.

Q Did you have any other accidents?

A Automobile accidents?

Q Any kind, automobile, boat, or any other type of accident?

A Well, I have taken some nasty spills from the water skis. In October when I was in Los Angeles I was driving up the Coast Highway and I struck a deer, the car struck a deer.

Q Did you injure yourself?

A No, fortunately not.

Q Have you ever had during your lifetime any contagious or infectious disease, measles, mumps, chicken pox, diptheria, smallpox, and so on?

A Yes.

Q Which one?

A Well, I had the measles.

Q How old were you?

A I couldn't say.

Q Approximately? Childhood?

A Childhood.

Q All right, what others?

A I don't believe that I had, I am quite sure I hadn't had mumps or whooping cough or scarlet fever. I visited a friend in Virginia while in high school and he, his grandparents were in Virginia, that is where we visited, and we spent some time at a little cottage or cabin near a river or a lake, and I received a number of mosquito bites.

Q Have you at any time in your life had a long and

protracted fever?

A I am leading up to something that I thought you were interested in.

Q Okay, go ahead, I am sorry.

A On returning I developed a period of weakness, chills, and fever, which lasted for several weeks, and I believe that blood studies were taken then with the thought of possible malaria, and I took quinine for a while, and I cleared up, my symptoms cleared, and I was in bed for a couple of weeks, following walking around with a continuous headache, chills and fever; after taking quinine I seemed to respond and I had to stay out of football for a while because of this.

Q This occurred while you were in high school?

A Yes.

Q You subsequently played football then in high school?

A Yes.

Q Was the diagnosis of malaria made?

A I don't believe that it was proven.

Q Did you ever have infectious mononucleosis?

A No.

Q Do you know what infectious mononucleosis is?

A Oh, yes. Not that I know of. I think possibly there are ones of us who have had, as you know, certain things that we don't know about.

Q Did you ever have any symptoms that would relate to infectious mononucleosis?

A Well, I as a youngster at times had periods of anti-  
opathy, but nothing that was too prolonged or lasted.

Q Since you have had these conditions you have been  
married and have fathered a child, is that correct?

A That is right.

Q You say you have had a boat accident?

A I didn't say I had a boat accident.

Q Did you have a boat accident? You said no?

A No. I have had some nasty falls from the water skis,  
but nothing that I considered acute.

Q Did you have any injuries as a result of those falls?

A No.

Q Have you ever had any electro-encephalogram?

A No.

Q Do you have an account at the May Company?

A Not that I know of.

Q Did you ever make any purchases at the May Company?

A Not recently.

Q When did you make your last purchase at the May  
Company?

A Well, that I couldn't say. It would certainly be  
over a year ago, if that. I can't recall being in the  
May Company for years.

Q Did you ever buy a hunting knife at the May Company?

A No.

Q Did you buy anything there within the last two and a half months?

A No, I did not.

Q Did you buy anything there within the last month?

A No.

Q Have you acquired a hunting knife from anyone?

A In the last --

Q In the last year?

A No.

Q In the last two and a half months?

A No.

Q Or the last month?

A The only hunting knife that I can recall having around at all is one that belonged to my oldest brother, he had at camp, it is years old, and the last I recall it was in some of my things.

Q Were any hunting knives or knife delivered to you?

A Not that I know of.

Q Have any been delivered to you in the last three months?

A Not that I know of.

Q Would your wife make a purchase of a hunting knife?

A I don't believe so unless she was obtaining something

for my youngster to use at camp.

Q Would an 8-inch hunting knife be something for a youngster to use at camp?

A Certainly not. She obtained some paint, some leather paint which was to be used for some of the leather in one of the cars, and she did a lot of shopping downtown but I don't believe she ever went to the May Company. I don't believe that we had an account there.

Q Did you ever make any purchases at the May Company?

A No, I didn't.

Q Were you ever along with anyone who made purchases at the May Company?

A Not that I can recall.

Q Were you with anyone who made a purchase of hunting knives or knife at the May Company?

A Not that I know of, I am quite sure.

Q You have several shotguns in your home. Where were they purchased?

A One shotgun is a double-barrel shotgun, Dr. Waters, who was a friend my father had --

Q Do you know his first name, Dr. Waters?

A Dr. Eugene Waters. He is dead. He evidently told his family that he wanted me to have the gun when he passed on, and it was given to me. The other gun was an over-under Savage 410 shotgun with a 22 barrel on the top,

and I bought this for my life because she --

Q Where did you buy that?

A At Sears & Roebuck. She --

Q West side store or east side store, which one?

A I can't say for sure but I believe it was the east side store.

Q On Carnegie Avenue?

A I believe so, but I can't, I can't be positive on that.

Q How long ago was that?

A Oh, that was over a year ago. I am not sure how long.

Q Did you ever talk to a clerk in the May Company about the purchase or the kinds of shotguns?

A No.

Q Did you talk to a clerk at the May Company and make an examination of a shotgun?

A No. I don't know where this May Company is -- I haven't had any association with the May Company that I know of.

Q Did you have a hunting knife in your home?

A Only the one that I mentioned and I am not even sure where that is.

Q Where was it kept usually?

A It may have been in any one of several places.

Q And where was that?

A It could have been in one of my drawers. It could



have been in with the tools.

Q When did you see it last?

A That I couldn't say.

Q Has it been a year or six months or two months?

A It is like anything else around the home. It is something that I do recall having seen. It could have been a year ago, it could have been six months ago, it could have been two years ago. But I recall seeing it there. For all I know my brother may have seen it and recalled that it was his and asked to take it, I don't really know.

Q How long was this hunting knife?

A How long was the --

Q How long was it, how big was it, what is the size of it?

A Well, the whole knife was probably, you mentioned 8 inches, probably about that long, about 8 inches, 9. It had a fish scaler on the back of it.

Q Now, going back to the incidents that occurred on the morning of July 4th in your own home you said -- well, what did you say, the first thing you realized?

A When?

Q The morning of July 4th in the a.m. of July 4th after you went to sleep on the couch?

A Well, I believe that I mentioned having some vague

recollection of being partially aroused.

Q By who?

A By I believe it was my wife.

Q Then after that?

A After that the next thing I recall, as I told you yesterday, was hearing a loud noise from my wife. I thought that she had said my name or screamed my name, either, I can't say exactly how many times, and I went upstairs.

Q Then what happened?

A I went into the bedroom as rapidly as possible.

Q Was it dark or were there lights on?

A There was a dim light I believe.

Q Where was the light?

A From the evaluation at that particular time, I can't say just where the light was.

Q Well, was it a lamp, was it an overhead light, what kind of light, was it light coming in from the outside?

A All I can tell you, Doctor, is there was a dim light, and from that I can assume where the light must have been, but I can't say from knowing that specific event, I can't say that I noticed the light in one particular place.

Q Where did you assume it was from?

A I assumed that it was from our dressing room.

Q Upstairs, off the hall, is that where you mean?

A Yes.

Q Was it dark downstairs?

A As I recall, yes.

Q Now, on your way as you started going upstairs to step on the landing, there is a light switch in a convenient location, is that right?

A There is a light switch there somewhere.

Q Where is the light switch?

A I believe there is one on the wall going upstairs, and there is one upstairs around the corner --

Q No, I am talking about the one downstairs now, where is that light switch at the landing on the stairs, where is that located?

A I can't tell you just exactly where that is.

Q As you are going upstairs would it be on your right-hand side or your left-hand side?

A Well, it would almost have to be on the right-hand side.

Q Okay. Now, where is it located?

A As I say, I can't tell you exactly where it is located.

Q You lived there for three years approximately. Now, where is the light switch located?

A Doctor, there are a lot of things in my house that I have lived with three years and I can't tell you exactly their location. Somewhere on the wall on the right-hand

side.

Q Isn't it convenient enough to flip it as you step on the landing?

A Yes, it is fairly convenient.

Q You can reach it as you step on the landing, you have to almost brush by it, isn't that so, you can't miss it?

A I wouldn't say you can't miss it.

Q You have lived there for three years and you would know where it is, you have turned it on before, haven't you?

A Certainly.

Q Why didn't you turn it on this morning?

A I can't tell you why I didn't turn it on except that I was in a hurry to get up.

Q Or did you turn it on?

A I don't believe that I did.

Q Was there a light downstairs?

A No.

Q Does your wife usually leave or in the habit of or did she ever leave the light on in the bedroom?

A No, she usually left the light on in this little room that we used as a dressing room.

Q This is a light, the switch that controls the light in the hallway in the ceiling is a three-way switch, is that correct, you can turn it on upstairs and you can turn it on downstairs, the same light?

A That would be a two-way switch.

Q All right, a two-way switch. You can turn it on upstairs and you can turn it on downstairs?

A Yes.

Q How convenient is it at the upstairs?

A Well, it is around the corner to the east.

Q Just around the corner from the wall as you step on the landing?

A As you step into the hall.

Q Step into the hall. Is that on the north wall or the south wall of the hall?

A It is on the south wall.

Q All right. Now, you are upstairs on the landing upstairs. Now, what happened?

A Doctor, it wasn't a matter of being upstairs on the landing. There was no specific stair step progress to this thing. It occurred so rapidly that I can't break it down that way. I don't believe that I can explain it any better than I did to you yesterday, and than I have to the others before. It happened so rapidly.

Q Now, you got hit, where did you get hit?

A It seemed that I grappled with someone, and I seemingly was hit from behind, but I can't say for sure.

Q Yesterday you said you were clobbered. Now, what do you mean by clobbered?

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Doesn't  
know  
where  
he was  
hit.

A I don't recall having said clobbered.

Q That is the word you used.

A If I did, I don't recall saying that, but if I did I meant hit.

Q- Now, where were you hit?

A Doctor, I don't remember specifically.

Q Were you hit on the top of the head?

A I can't give you specific instances because I don't really know.

Q Well, was it with a club or with the hand?

A That I don't know.

Q What did the impact feel like?

A I don't know how to explain that, other than the fact that it was a flurry of something that rendered me out of order.

Q What part of your person did this impact come in contact with?

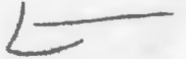
A Doctor, I just can't be objective and specific on facts that I don't remember clearly.

Q Well, if you can't be objective and specific, then how do you know you were hit?

A Well, I know I was hit about as much as during a football game or something of that sort, an individual is struck and he knows that he has been struck but he can't always give the specific conditions and surroundings at

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Remembers  
multiple  
blows  
now



START →



that time.

Q If it is impossible for you to realize where this impact occurred and how it occurred, then how can you assume that you were hit?

A How can I assume that I was hit?

Q Yes.

A Because I recall encountering something, or someone, and I was rendered unconscious.

Q You recall encountering someone but you cannot recall of having received any blows, is that what you want me to understand?

A I recall hazily a number of blows. As I mentioned, encountered, I can't say that I rendered any blows, I have the feeling that I did and that I received blows, I can't say specifically with what or how. It seems as though I was struck down from behind, that is the feeling that I have.

Q Where would the person that would strike you down from behind, where would they have to be if you weren't on the landing?

A I can't tell you that. Probably behind me.

Q How, would he come up behind you?

A I don't know.

Q I think you gave me to understand that you saw some form ahead of you?

A That's right. I thought that I did.

Q Then you gave me to understand now that you were not on the landing. Now you want me to think that there was somebody behind you that clobbered you up and hit you?

A Doctor, you are saying these things. I am not.

Q No, I am asking you, I am trying to get you straightened out. I am asking you what you want me to believe.

A You are telling me what I have said, which is not correct.

Q Well, what did you say, what did you say?

A In regard to what?

Q In regard to what we are now talking about, the injury that you said you sustained.

A I saw a form with a light top of some type. At the same time I encountered someone within the general area in front of me.

Q Where were you when you saw this form with the light top?

A I was proceeding into the bedroom.

Q You were already in the hallway then upstairs, is that what you want me to assume?

A Doctor, I can't say whether I was in the hallway or in the room. I think that if you would question, or if you were questioned in regard to where you were at that

particular time or when you entered the house, where you had gone, exactly where you saw certain things, I think that you might find it difficult to be this specific. I was under the influence --

Q I want you to be as specific as you can.

A I have tried to be.

Q And I want to get from you what you actually can remember.

A I have given you--

Q And what you actually saw.

A I have given the officers, I have given everyone I could my exact recollection.

Q Where were you when you saw this form?

A As I told you before, I was proceeding into the bedroom, either in the bedroom or --

Q When you say proceeding, would you be a little more specific, where were you, were you already on the landing, that is what I am trying to find out? I think that is where we misunderstand each other.

A Doctor, the difference between being on the landing and in the bedroom is probably one step. To make a differentiation of one second as to whether I saw the form before I entered the bedroom, or as I entered the bedroom, or when I was in the bedroom, is practically an impossibility. I was proceeding as rapidly as I could.

Q Well, was this form in the bedroom or on the landing?

A The form was in the bedroom.

Q Were you either on the landing or in the bedroom, you yourself, personally, when you saw this form?

A As I just told you, it is difficult to say specifically when I first felt that there was a form there.

Q Did you encounter, you said you encountered someone, did you encounter this form in the bedroom or was it some other person or persons that you encountered, that you struggled with?

A I encountered someone as I recall in my room.

Q In the bedroom?

A Whether there was another person or persons there or not I cannot say for sure.

Q When you say you received these hits or these impacts, was it with the fist or was it with some kind of instrument or weapon?

A I can't be sure, but from my recollection of the events, of evaluating that particular moment, I couldn't say.

Q Well, did you struggle with this form?

A Momentarily, yes.

Q What did you do, did you grasp him, did you strike at him?

A I believe that I struck at him.

Q Now, this space that this occurred in is how wide?

A I can't give you the exact measurement.

Q Approximately? It would have to occur between the wall and the bed, is that right?

A Yes, unless, unless it partially occurred on to or near the bed.

Q How wide is this space?

A I never measured it.

Q Approximately?

A Well, my evaluation of feet seemingly doesn't agree with you. I sensed --

Q Well, was it the width of the door?

A Like down at the beach I said 10 feet below the stairway and then I pointed out a spot and you didn't agree that that was 10 feet.

Q Is the width of the door?

A It is a little wider than the door.

Q How wide is the door?

A I don't know.

Q How wide is the doorway?

A I don't remember.

Q When I say the width of the door I mean the bedroom door.

A I don't know how wide it is, but it is definitely wider than the doorway.

Q If you had your arms outstretched could you reach the wall and the bed at the same time, both arms outstretched?

A Oh, yes.

Q And then did you strike with your fist or did you have something in your hand?

A I had nothing in my hand.

Q Did you feel that the form you encountered sustained any injuries from your striking?

A That I couldn't say.

Q What part of this person did you strike at?

A I struck at everything.

Q How long do you think this event lasted?

A Not very long.

Q Did you see your wife when this encounter was going on?

A No.

Q Did you see anything in this bedroom, anything that was going on?

A I don't think I saw my wife. Beg pardon?

Q Did you see anything in the bedroom when this was going on?

A I can't remember anything other than the light form that I mentioned that I had seen before.

Q You related to me yesterday that you taught the children how to punch the punching bag?

A Yes. I didn't teach them. I merely showed them.

Q You showed them?

A A few things about it.

Q You do know something about boxing?

A Not necessarily. I have learned how to punch the punching bag.

Q Didn't you do some boxing in high school?

A No.

Q At Hanover?

A I boxed once or twice at Hanover with some friends just to try to learn something about it. Not more than twice.

Q You are athletically inclined, I think you told me that before?

A I like athletics.

Q You are a good swimmer, as good as the average skier, water skier, around this neighborhood?

A Probably would be considered so.

Q You have a bar bell that you work out on?

A I don't work out on it because I found that it injured my back when I tried to lift it. So I put it up in the garage and any of the high school boys who wanted to use it were invited to come up.

Q When is the last time you used the bar bell?

A Well, I never did use it regularly because as I say



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What is  
this  
language  
oatmeal  
bullshit?



it bothered my back. The last time I attempted it must have been two or three months ago.

Q While you were in this struggle, was this the time you were knocked out?

A Which struggle?

Q The struggle you told me about in the bedroom.

A Yes.

Q Is this when you were knocked out?

A (Witness nods indicating yes.)

Q Now, what is the next thing you remember or recall?

A Well, as I believe I related to you yesterday, the next thing that I can recall is coming to semi-sensibility on the floor of the bedroom. Do you want me to proceed?

Q Yes, please.

A I thought that I recognized my wallet, and in picking it up and putting it in my pocket I had the feeling I came to the realization that I had been injured, and that my wife might have been injured.

Q Were you in a sitting position or a prone position at this particular time?

A The first thing that I remember was coming to a sitting position.

Q What was the condition of the lights in the house at that time?

A Dim. Dim light.

Q Was the bedroom light on in the bedroom which you were in when you found yourself?

A No, no.

Q Was any light other than the one you mentioned on?

A Not that I know of.

Q In the dressing room, that is where you thought the light was?

A I didn't think where the light was, but in thinking back now, having a clearer mind now.

Q That is where you assume the light was, is that correct?

A Now I assume that that is probably where the light was.

Q Were there any lights on downstairs?

A Not that I know of.

Q Now, what was the condition of the lights on the outside at this time, was it still dark or was it dawn or daybreak or daylight?

A I don't have any recollection of what the light was outside.

Q Now, when you began to realize, what injuries did you feel at that particular time, when you woke up and saw the purse with the badge, what injuries did you feel at that time?

A I can't say that I felt any specific injuries at

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Pain in  
his body  
from an  
unknown  
source.

that time, except general haziness and difficulty in collecting my thoughts, general pain and discomfort.

Q Where was this general pain?

A I can't give you anything specific.

Q Did your neck hurt you at that time?

A I can't say that I recall that it did.

Q Did your shoulders hurt you?

A I don't remember of any specific pain.

Q Did you have any chest pain, either in front or back?

A I may have, but I don't have any recollection.

Q I am just enumerating these things and asking. Did you have any blood about you?

A I have no idea. I may have.

Q Was there any injury to your head that you recall?

A- As I say, I don't recall specific injury.

Q Now, what happened then?

A Well, as I got to my feet I recognized that something had happened.

Q What do you mean you recognized something had happened, what do you mean by that?

A Well, if somebody came into your home and knocked you out and you start to wake up, you begin, in awakening it takes a while to adjust to reality. In fact, I didn't know that there was, I couldn't quite orient myself.

Q When you woke up at this time did you have a T-shirt on?

A I don't know. I don't recall any specific evaluation.

Q Now, something happened, something happened to yourself or something happened to the house or other people in the house, what did you mean by you thought something happened, you assumed, you felt something had happened, are you speaking now just of yourself alone?

A No, I was fearful for the entire household.

Q Proceed, what did you do?

A I got up and I looked at my wife, and I am not sure just exactly what I did. I think I took her pulse and felt that she was --

Q What did you observe, you looked at your wife and what did you see?

A I saw that she had been badly injured.

Q Where was she badly injured?

A About the head.

Q Describe it.

A I can't.

Q You say you saw she was badly injured about the head, something that you saw must have made you come to the conclusion that she was badly injured about the head. Now, what was that something?

A Doctor, I can't give you any specific evaluation. I was in a dazed state.

Q Just give me, tell me what you recall.

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His  
hands  
are on her  
neck face  
& wrist.  
near time of  
death.  
(i.e. his hand(s))

A That's all I recall.

Q What did you see about her head that made you think she was injured about her head?

A Doctor, I am not even sure what I saw.

Q Well, tell me what you thought you saw.

A I don't know. I saw her and felt that she had been badly injured.

Q Where did you feel?

A I may have felt her neck, her face, her wrist.

Q What did you do?

A I am not sure.

Q How did you feel at this time?

A I was shaken, relatively disoriented. I can't recall.

Q You saw something, something that startled you, so there must be something that you can remember that you can tell me that you did see, something that made you realize that she was injured, and you said about the head?

A I can't say specifically, Doctor. I don't remember.

Q What else did you see about her?

A As I tried to explain to you before, it is something that I can't be specific about. If I could be more specific I certainly would be with you.

Q I want you to be specific in so far as you are able.

A I have been. In a state of this sort, as you doubt-

lessly recognize, it is impossible to be specific in detail.

Q I am only asking you questions on what you relate to me. Now, did you see how she was attired at that time?

A No.

Q Did you notice anything about the bed clothes?

A Not at that time.

Q When did you notice it?

A About the bed clothes?

Q Yes.

A When I returned upstairs.

Q When was this?

A As I told you yesterday, that was afster I had come to.

Q Did you see the same things when you returned upstairs as you had seen before you went downstairs?

A I don't know.

Q Do you know when you went downstairs?

A You mean what time I went downstairs?

Q In relation to events.

A Vaguely.

Q Before you went down did you notice any blood anyplace?  
As a physician you are well acquainted with blood.

A I probably noticed blood in looking at her.

Q When?

A The first time.

Q Where did you see this blood?



← Thinks  
he  
"Took  
pulse"

A As I say, it is a vague non-specific thing.

Q Was it on her face, on her body, on her hands, was it on her clothes, was it on the bed clothes?

A My recollection is mainly in relation to her face and head.

Q You are talking specifically about her face and head?

A That's the only recollection that I have. That's the only feeling that I have.

Q Did you feel her pulse at that time?

A I think that I did.

Q Which hand do you usually feel the pulse on?

A I might take a pulse with either hand.

Q No, I mean the pulse of the patient.

A If I am in question I usually feel the neck.

Q No, when you take a hand to feel a pulse, which one do you usually reach for?

A It doesn't make much difference.

Q Which one did you reach for here?

A I have no idea.

Q Did you feel the pulse in the neck?

A I may have.

Q You may have. Did you?

A I don't know.

Q Now, are you guessing or did you actually feel the pulse, or what happened?

A I am trying, Doctor, to give you just as much as I can in regard to my knowledge of this, of these events, and that is a very vague recollection.

Q Did you notice anything on the floor?

A No.

Q You noticed your billfold.

A That was after I awoke.

Q When you felt her pulse did you find her pulse, did you find any pulsation whatsoever?

A I can't give you any specific reaction. All I can tell you is that I had the feeling that she was gone.

Q That is when you first woke up after this encounter you had the feeling that she was gone, is that right?

A After I had gotten up and looked at her.

Q After you stood up and looked at her, not while you were still sitting, but after you were standing on your feet, is that the idea?

A Yes.

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