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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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