

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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