

Thereupon, further to maintain the issues on his part to be maintained, the Defendant called as a witness THOMAS E. UHLE, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF THOMAS E. UHLE

By Mr. Petersilge:

Q Will you state your name and address, please?

A Thomas E. Uhle, 2432 Edgehill Road, Cleveland Heights.

Q What business are you in, Mr. Uhle?

A I'm an insurance agent.

Q Can you speak a little louder?

THE COURT: Kindly spell the
last name, please?

THE WITNESS: U-h-l-e.

Q You said you were in the insurance business, Mr. Uhle?

A That's correct.

Q What company do you represent?

A I now represent the Dominion Life Insurance Company.

Q And what company did you represent before that?

A Berkshire Life.

Q How long have you known the defendant, Sam Sheppard?

A Approximately 20 years, I'd say.

Q Were you also acquainted with his wife, Marilyn?

A Yes.

Q Did you go to school at the same school that he attended?

A I did. I was ahead of Sam in school.

Q Now, Mr. Uhle, do you recall a time in 1951 when Dr. Sheppard and his wife returned from California?

A I recall a time shortly after that, yes.

Q And did you at that time discuss insurance program with Dr. Sheppard?

A I did, sir.

Q In the course of that discussion, did Dr. Sheppard state to you what provisions he wanted to make for his family?

A Yes, he did. I -- may I elaborate on that a little bit?

Q Do you have any records of yours that indicate that?

A I do, sir.

Q Will you refer to those records?

A Yes.

Q And will you state to the jury what Dr. Sheppard told you at that time he wanted to do?

A What we tried to establish with Dr. Sheppard's life insurance program was a cash fund available for final expense purposes, and these are all in the event something were to happen to Dr. Sam. The cash fund --

Q Can you speak just a little louder?

A Yes. A cash fund of \$5,000 for final expense purposes and an educational fund for --

Q By final expense purposes, you mean what?

A Burial purposes, primarily, and probate of his estate.

Q Clean up expenses of last sickness and funeral and probate expenses?

A That's right. And expense fund for the education of Chip in the amount of \$10,000, to be made available when he attained age 18. We tried to -- he set up as his objectives for income purposes for Marilyn and Chip \$400 a month to be paid for a 14-year period. Chip was at that point four years old. And a life income objective to be continued and paid to Marilyn from that point on in the amount of \$200 a month.

Q That is, that would be \$400 a month until Chip reached what age?

A 18.

Q And from that time on, \$200 a month to Marilyn for how long?

A For life.

Q In pursuance of that, did you set up an insurance program for Dr. Sam?

A I did, sir.

Q And was the program that you set up along the lines that you have just outlined?

A Yes. It accomplished those objectives.

Q And did you have a further conference with Dr. Sam on that?

A Several, as I recollect.

Q As a result of that, what is the fact as to whether or not he took out insurance policies through you to carry out that program?

A Well, the answer is definitely in the affirmative. He took out three separate policies, and I think it would waste time to discuss the types, but basically, they did this work. They were several different kind of policies which accomplished these objectives.

Q But in the aggregate, the policies accomplished the program that he had set forth as his objective, is that correct?

A That is correct.

Q Do you know, Mr. Uhle, whether -- withdraw that question.

At what time were those policies taken out?

A They were effective September 1, 1951. ✓

Q And do you know, of your own knowledge, or do your records in your office show whether the beneficiary provisions of those policies have been changed between that date and the present date?

A They have not been changed.

Q Now, during the time that you were acquainted with Sam and with Marilyn, did you know him socially at all?

A Not very much, no.

Q Did you handle any insurance for him besides his life insurance?

A To the best of my knowledge, I handled all of Sam's insurance, and do so today.

Q That included the insurance on his home, did it?

A That's correct.

Q And do you recall the fire that they had a year or so ago?

A Very well.

Q Were the adjustments in connection with that handled through you?

A Yes, sir, they were.

Q And did you have occasion at that time to go out to their home and examine the damage, and so forth?

A Quite a number of occasions, yes.

Q What could you tell the jury about Dr. Sheppard's disposition and temperament as you have observed it over the time that you knew him?

A Well, I know of no occasions when Dr. Sam was anything but a normal person, a good husband, I'd describe him. And please understand, so that I don't overstate the case, I know most of my opportunities to observe Sam and Marilyn were in a business way. There were a few social occasions. He was a normal husband in every way, as far as I knew.

Q Mr. Uhle, do your records show the amount of the premiums on those policies you sold Dr. Sheppard in September, 1951?

A Yes, they do. These are unusual policies in that the premiums go up for a period of six years, and then they attain a level basis.

Q It is a graduated increasing scale, is it?

A That is correct.

Q Until it reaches a certain point?

A At the time they were taken out, in 1951, the first years premium at that point was \$802. The current premium just paid in September or thereabouts is \$1,163. The ultimate premium which will be reached is \$1,404.

Q That's per year?

A That is correct.

Q And those premiums have been paid regularly since the policies were taken out?

A They have, sir.

Q And were the policies in force at the time of Marilyn Sheppard's death on July 4, 1954?

A They were.

Q Do you know who the contingent beneficiary is under both policies?

A Chip.

Q That's Dr. Sheppard's son?

A That's correct.

MR. PETERSILGE: You can examine.

MR. MAHON: No questions.

MR. PETERSILGE: That is all.
Thank you.

(Witness excused.)

MR. CORRIGAN: Is Chief Eaton
here? I subpoenaed him.

THE COURT: Chief Eaton?

MR. CORRIGAN: Chief Eaton.

THE BAILIFF: Chief Eaton
doesn't seem to be here.

MR. CORRIGAN: William will
you check on Chief Eaton and see if he was
served and get him here tomorrow?

WILLIAM H. CORRIGAN: All right.

THE COURT: Have you someone
else you could use now?

MR. CORRIGAN: What? What did
you say, your Honor?

THE COURT: Have you anyone
else that you could use now?

MR. CORRIGAN: Yes.

THE COURT: All right.

MR. CORRIGAN: Miss Johnston.

- - -