

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.

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