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NANCY AHERN, having been previously sworn,
was recalled and further testified of follows:

FURTHER EXAMINATION OF NANCY AHERN

BY DR. GERBER:

Q What is your name?

A Nancy Ahern.

Q You have already been sworn?

A Yes.

Q You have already testified?

A Yes.

Q You stated previously that Marilyn Sheppard and
Dr. Sam Sheppard and Chip Sheppard visited at your home
on the evening of July 3?

A Yes.

Q And the hours that you set were about from 6:00 to
8:00?

A Approximately that.

Q During that time Dr. Sheppard had a call while he
was at your house to go to the hospital or go someplace?

A Yes. I didn't mention that the last time. I forgot
about it for the moment.

Q How long was he gone at that time?

A I would say fifteen minutes.

Q Did you have anything to eat at your home?

A No, I don't think so, unless it would be some potato

chips or something like that. I don't recall anything.

Q You just had the highballs?

A No, we had cocktails.

Q Cocktails.

A Yes.

Q Did Marilyn Sheppard have anything to eat while she was at your house from 6:00 to 8:00?

A I don't think so. I don't recall anything that we had.

Q You went over to the Sheppard home and Marilyn preceded you?

A Yes.

Q Dr. Sam Sheppard returned to your home?

A Yes. She left. He left a few minutes before she did. I don't know, they may have passed each other on the way. I am not sure, what the timing would be there, he did come back to our house.

Q What time did you have dinner at the Sheppard home?

A Well, it probably took us another 20 minutes to toss salad and get things all set on the table, and dish up the childrens' dinner. That would probably be around 8:30.

Q Around 8:30?

A Yes.

Q Do you recall now what you ate?

A Yes. We had cottage ham. That is why Mrs. Sheppard left early to see how it was coming. Tossed green salad, applesauce, rye bread. We had a vegetable of some kind. I can't remember what the vegetable was just now. Then we had blueberry pie for dessert and ice cream.

Q Did you have anything more to drink?

A No, not the rest of the evening either.

Q Did you eat, or did Mrs. Sheppard eat anything after you had your dinner?

A Not that I know of, unless we did some nibbling in the kitchen when we put things away. Nothing specific.

Q What would you nibble?

A I don't know, sometimes clean off a dish or something that might be left on the dish.

Q Some food that you had at the dinner table?

A Yes.

Q During the evening did you nibble any food?

A No, I can't think of it, no, because we all had quite an adequate amount.

Q Did Marilyn eat the same food you ate?

A Yes.

Q Did she eat just as much or just as little?

A Well, we were all quite hungry.

Q About the quantity, would you have any idea?

A No, but we all did a pretty good job. We just about

cleaned up everything. It was sort of a spur of the moment thing, so consequently there was not anything fancy or planned, any big amount, and we just about came out even.

Q Did she eat the main course, that is, the ham itself, the same as you did?

A I think so. I am not sure, but I am pretty sure she did. I know we all ate it. I am quite positive she did.

Q You are quite positive she did?

A Yes, I think we were all trying to decide who will take the last piece of ham. I remember laughing about it.

Q You are quite positive she ate it the same as the rest of them?

A The same as the rest of them, yes.

Q Did she complain of being hungry later on in the evening?

A No.

Q You had been out with her to previous dinners?

A Yes.

Q Was she a fairly good eater or a picky eater?

A No, she ate well.

Q What was the dog doing at the time you were eating dinner?

A Oh, I don't know. Koko is a sort of lie-in-the-corner kind of a dog, and he could have been around and nobody paid much attention. I honestly don't know where the dog was during dinner.

Q Do you know who owned the dog and whose dog it was, who claimed ownership to it?

A I think it belonged to both of them. Koko is a dog that would sit by anyone who would pet her.

Q Do you know whether or not the dog preferred anyone in particular at the household, Chip or the mother or the father?

A Oh, I suppose maybe if there was a preference she would jump on Marilyn's lap, but of course she was there all the time with her, but never anything definite. The thing I did particularly notice they both told him to mind.

Q You stated before but would you state over again what time you got through with supper?

A I would say it was someplace between 10:00 and 10:30, nearer 10:30. The reason I know that was that we immediately said the children would have to get home and get in bed, it was past their bedtime.

Q When you left that evening or that morning on July the 4th, do you know where Koko was?

A No, I don't know where she was. I don't know if she

sneaked out the door with us when we went out. It was just the kind of dog you didn't pay too much attention to so I can't answer where she was.

Q Do you know whether or not you made any observation of Koko during the time you were watching the television?

A Yes, I think Koko came over and sat down over by my chair for me to pet her, and Dr. and Mrs. Sheppard both said "Go away Koko, go away, go over and lie down."

Q What time would that be?

A I would say between 11:00 and 11:30, sometime in the middle of the evening when we were sitting there.

Q Did you notice whether or not when you left whether the kitchen door was closed?

A No, I did not. Trying to look back, I am trying to remember if there was a light in the kitchen or not. There was no light in the den, I am quite sure. That hall is quite dark, and to walk out there has to be a light on in the place, but whether there was one in the kitchen or not I can't remember. I walked out of the door at some time when there has been one or two, but I can't remember specifically at the time whether there was one in the kitchen or not. Mr. Ahern says there was one light in the kitchen. He's quite sure there was a light on in the kitchen. I can't definitely remember. I know that we could see our way out of the door.

Q Do you know whether or not the kitchen door that led to the landing and the one upstairs was closed or open?

A No, I don't recall it. I don't remember ever having been there when I saw it closed, unless that was the way they left the dog in, and I have never been there when they were ready to go to bed at that late hour.

Q I would like to have you recall if possible whether or not you and Marilyn, whether Marilyn told you any confidential things?

A Yes.

Q Did Marilyn say anything to you about a divorce sometime early in April of this year in a conversation that you had with Marilyn?

A Was there a divorce mentioned?

Q Was there a divorce mentioned?

A The word divorce, you mean?

Q Yes.

A Yes.

Q Did she tell you what she meant by divorce, and where this divorce conversation came up and who it was with?

A Yes.

Q Would you tell me about it, please?

A Marilyn mentioned one day that Dr. Chapman had told her when they were at the ranch that Dr. Sheppard had

talked of asking Mrs. Sheppard for a divorce, and that on the way up to the ranch Dr. Chapman and he talked it over and it was quite a long chat, and Dr. Sheppard came to the decision that Mrs. Sheppard was the one for him and the one that was right for him, and that he was going to try to make a fresh start, and apparently that was his decision. He decided to forget about the divorce that had been in his mind. Dr. Chapman told Mrs. Sheppard this and she mentioned it to me one day.

Q When you refer to Dr. Sheppard you mean Dr. Sam Sheppard?

A Yes.

Q And when you refer to Mrs. Sheppard you mean Marilyn Sheppard?

A Yes.

Q When did this conversation take place and where?

A You mean when did Marilyn and my conversation take place?

Q Yes.

A I dropped into her house one morning and this apparently happened to be a morning when -- I don't know quite how the conversation got around to it, I suppose maybe for her it was one of those mornings when you feel like talking to somebody. She and I had never discussed personal things before.

On that particular morning she -- we started talking about Dr. Sam -- or she did, and she told me that in confidence, and spoke of his being interested in a young lady in California, and that she thought now it was all over or that it had been a trying experience at the time and that is the time that she told me about the story I just told you.

Q That was at the Sheppard home?

A Yes.

Q In what month?

A I don't really know. I suppose it would be sometime, it could have been in April or it could have been in May. I am not just sure. I know it was after they returned from California anyway.

Q That was in May -- April or May of 1954?

A Yes.

Q Could it have been in March?

A No, it couldn't, because we were away during the month of March.

Q When did you return, you say you were away, when did you return?

A About the first or second day of April.

Q And how long after that do you think this conversation occurred?

A Oh, I think, I really can't remember for sure.

Q About a week?

A As I say, it could have been during the month of April and it could have been in May, but it wasn't the week after, I know it was a while after, but to put any date of any specific time I can't do that.

Q Could it have been a month?

A It could have been. I really don't know exactly when.

Q Now, during this conversation you say she mentioned some woman in California?

A Yes. That was when she brought up the watch that I testified and told you about before.

Q Did she mention the name of the woman?

A No, never.

Q What did she say about the watch?

A She asked me the other day if she was upset about the watch, and I said no I didn't think she was upset about the watch itself, but of course the reason for me saying that, as you can see now, it happened before this fresh start that Mrs. Sheppard apparently spoke to me of, and she said that he did buy this girl a watch, and I of course questioned her and said wasn't she upset, and so she said no but Dr. Sheppard was going to charge it to business expense, and I don't know whether that is when I found out about it or what. But she said, "I told

him I wouldn't do that or that I wouldn't let him do that to his father, he would have to pay for it himself," or words to that effect.

Q Did she tell you that there had been another affair with some other woman?

A No, she never used the word "affair."

Q What did she say?

A She said she thought there had been something else before this there had been someone else before this girl.

Q Another woman, or what did she mean by someone else?

A Well, I suppose another woman, that is the sort of thing that we were speaking about, and I think that may go back to long before we knew them. When they were in California before when he was a young intern.

Q Did she mention any other persons besides these two individuals?

A No, and she never mentioned names. These of course were names that were unfamiliar to me.

Q Did you have any subsequent conversation with her about these matters?

A Never. I just happened to be there at a time when she apparently needed someone to talk to, and she told me, but of course this **is** the first time that I ever repeated it.

Q Did Marilyn discuss the question of children with

you in reference to herself and in reference to her husband?

A Only saying that they thought it would be nice if Chip had someone else, being an only child it was always sort of lonesome for him.

Q Did she tell you anything?

A Yes. She said that she didn't think that Dr. Sam was all for it, and that he enjoyed things pretty much as they were now.

Q Did she want children?

A She wanted them, yes.

Q Did she tell you that Dr. Sam did not want any added responsibility, is that why he did not want children?

A She never said it in that way, but of course I hate to say yes to something like that, because she may have said it in a kidding way. I think maybe she meant that but she did say something, words to that effect.

Q When she told you that, what was your impression that she was serious or kidding?

A Well, that is a little hard to reply to because when a child is six years old lots of men hate to start over again with a brand-new baby, so I can't quite answer that the way you would probably like to have me.

Q Was this conversation that you had a serious conversation, the whole conversation?

A Oh, it was mentioned several different times, so I can't remember whether that particular one was serious or otherwise.

DR. GERBER: That is all.

Thank you.

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