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THEREUPON, the State of Ohio, further to maintain the issues on its part to be maintained, called as a witness ESTHER HOUK, who, having been first duly sworn, was examined and testified as follows:

THE COURT: Please be seated.
Mrs. Houk, you are going to have to keep your voice up so that every person in the room can hear your answers to the questions that will be put to you by the lawyers; you understand that, Mrs. Houk?

THE WITNESS: Yes.

THE COURT: You are going to have to do much better than that.

THE WITNESS: I'll try.

THE COURT: Thank you. Mr. Romito here must report your answers to the record, so please keep your voice so that each of us in the room can hear you; will you do that?

THE WITNESS: I'll try.

THE COURT: Please proceed, counselor Spellacy.

MR. SPELLACY: Yes, if it please the Court.

DIRECT EXAMINATION OF ESTHER HOUK

By Mr. Spellacy:

Q For the record please state your name?

A Esther Houk.

Q You will have to speak up louder than that.

A Esther Houk.

Q How do you spell your last name?

A H-o-u-k.

Q And where do you live?

A I live in Bay Village, 29809 Electric Drive.

Q How long have you lived on Electric Drive in Bay Village?

A Almost five years.

Q Where did you live prior to that?

A I lived at 29014 Lake Road, Bay Village.

Q When you lived -- strike that. Are you married?

A No. I am divorced.

Q How long have you been divorced?

A Oh, since 1962.

Q 1962?

A Yes.

Q What was your husband's name?

A John Spencer Houk.

Q Pardon me?

A John Spencer Houk.

Q And when you lived at the address that you have given us on Lake Road, were you at that time married to Mr. Houk?

A Yes, yes.

Q Now, are you employed at the present time?

A Yes, I am.

Q And where are you employed?

A I am employed at Suburban Shopping Department Store.

Q Would that be on the west side?

A Yes.

Q What do you do there?

A I am a PBX operator.

Q A what?

A A PBX operator.

Q What is a PBX operator?

A Switchboard.

Q And how long have you had this employment?

A I have been employed by the store almost three years. I have been in this position about eight months.

Q Now, how long did you live at the address that you have given us on Lake Road?

A I lived there for twelve years.

Q Twelve years?

A I believe it was twelve years.

Q Where on Lake Road was this home that you lived in?

A It was on the lake side, just past Huntington.

Q Huntington Park?

A Huntington Park, yes.

Q Did you know while you lived there Marilyn and Sam Sheppard?

A Yes.

Q Do you recall when you first came to know them?

A We met them, oh, possibly six or eight months after they had moved into their home, I believe.

Q Do you recall when they moved into their home?

A I think they moved in in 1952.

Q Where in relation to your home was their home?

A Their home was four doors east of us.

Q Four doors east?

A Right.

Q Now, on which side of Lake Road was your home on?

A On the north side.

Q What side of Lake Road was their home?

A Also on the north side.

Q Do you know who lived immediately east of your home?

A Immediately east of our home, Bracino's lived immediately east, and then Carl Schuele family, and then the Sheppard home.

Q Pardon?

A Then the Sheppard home.

Q So between your home and the Sheppard home there was

the Bracino home and the Carl Schuele home?

A Right.

Q What was immediately west of your home?

A Immediately west of us was a cemetery.

Q Do you know if that cemetery is still there today?

A Oh yes.

Q When you first began -- strike that. You indicated that you knew Marilyn and Sam Sheppard some time in 1952, is that correct?

A Yes.

Q Did you have occasion to see them very often from 1952 on?

A Quite frequently.

Q Quite frequently?

A Yes.

Q What if anything was your friendship with Marilyn Sheppard?

A We were very good friends. I took care of Chip for her on occasion. We were close friends.

Q What business was Mr. Houk in in the year 1954?

A He was in the meat business. He had a meat store.

Q Where was that meat store located?

A In the Bay Village Shopping Center.

Q Where in the Bay Village Shopping Center?

A Well, approximately in the center.

Q Where is the Bay Village Shopping Center?

A The Bay Village Shopping Center is at Wolf and Dover Road.

Q Is that east or west of your home?

A East of our home.

Q East of your home?

A Right.

Q And approximately how far east of your home?

A Oh, I don't think it was a half a mile.

Q Was the Sheppard home between the store where your husband, the store that your husband had, and your home?

A Yes.

Q In other words, the store was further east than the Sheppard home, is that correct?

A Yes.

Q How long had your husband had his store there?

A I believe he opened the store in 1949.

Q And what type of store was this, again?

A Well, it was a butcher shop, meat.

Q A meat market?

A A meat market is what I am trying to say, yes.

Q Did he have any other business other than the meat market?

A Yes.

Q And what was that?

A He was also Mayor of Bay Village.

Q Prior to being Mayor, did he have any other capacity or any other duties insofar as Bay Village was concerned?

A Before that he was a councilman.

Q Councilman?

A Yes.

Q When did he become Mayor of Bay Village, if you know?

A I believe he became Mayor in 1950.

Q Do you know how long he was Mayor?

A He was Mayor for eight years.

Q Until 1958, then?

A Yes.

Q How long did he have the meat market that you have described for us?

A I don't quite recall whether he sold it in 1958 or 1959, but he had the -- he opened it in 1949. So he had it nine or ten years.

Q Then approximately 1959, is that correct?

A I think so.

Q Now, directing your attention to July 3rd, 1954, do you remember that day?

A Yes.

Q Do you recall what day of the week that was?

S

A Saturday.

Q Directing your attention now to the evening of July 3rd, 1954, do you recall where you were that evening?

A Yes, we were at home.

Q When you say we were at home, who are you referring to?

Q The family. My husband came home from work. We had a leisurely dinner, and the children each went out to be with friends.

Q You say children; who are you referring to?

A I am referring to our son and daughter.

Q What is your son's name?

A John Lawrence Houk.

Q And what did you call him?

A Larry.

Q Larry?

A Yes.

Q How old was Larry in 1954?

A Sixteen.

Q Sixteen years old?

A Yes.

Q Where is Larry today, if you know?

A He is in Korea. He is an army captain.

Q And what does he do in Korea?

A He is a medical officer.

Q How long has he been in Korea?

A He left for Korea in September, September 10th, I believe.

Q Of this year?

A Of this year, yes.

Q Prior to that where was he?

A He was interning at Krist Hospital in Cincinnati.

Q Is that affiliated with the University of Cincinnati Medical School?

A Yes, but he was through with his medical education. He interned for a year after he graduated.

Q Where did he go to school?

A The University of Cincinnati.

Q Now, you indicated you had another child; who was that?

A Our daughter, Lynette.

Q Pardon me?

A Lynette.

Q Annette?

A Lynette.

Q In 1954 how old was Lynette?

A Fourteen.

Q You indicated that after dinner the children went out, is that correct?

A Yes.

Q What if anything did you and Mr. Houk do?

A Well, after I cleaned up the kitchen we walked down about 9:30 and watched the fireworks, as we always did every year on the 4th.

Q You say you walked --

A You could see the fireworks at Edgewater Park from the wall in back of our house.

Q When you say you walked down, where did you walk to?

A We walked down our back lot down the stairs that we had to the wall in back of our property.

Q When you say you walked down to the wall what type of wall did you walk to?

A It was a concrete retaining wall, that was extending along the back of our property.

Q Did this concrete wall extend east and west along the back of your property?

A Yes, it did.

Q What time was it when you went down to the lake, as best you can recall?

A Well, probably, as it started to get dark, probably quarter after nine, or 9:30.

Q Can you tell us what the weather conditions were that night when you went down to the lake at that hour?

A Yes, it was very unfavorable for watching fireworks. It was overcast and quite windy and cool.

Q Can you tell us the condition of the lake at that

hour when you went down there?

A It was quite rough.

Q When you say quite rough, can you describe that for us in so far as your breakwall was concerned?

A Well, the waves were hitting the breakwall.

Q When they hit the breakwall did they make any noise at all?

A Oh yes, it is quite noisy along the lake when it is rough.

Q Do you recall what direction the wind was coming from?

A It must have been coming from the north.

Q Now, do you recall how long you remained down there?

A We were probably down there for three-quarters of an hour or an hour.

Q What did you do then?

A We came back up to the house. My husband started to, or, started to listen to the ball game, and I turned on the TV to watch a movie.

And then our daughter came home and then our son very shortly, approximately 11:00 or 11:30, and our son started listening to the ball game with his father, and our daughter started watching the movie with me.

Q Was the movie on television?

A Yes.

Q Do you recall the name of that movie?

A I certainly do. "Strange Holiday."

Q How long did you continue watching the movie and how long did your son and husband continue listening to the ball game?

A Well, I recall the ball game went into extra innings, so it was rather late, and my son and husband retired after the ball game was over.

My daughter continued to watch the movie until that was over, and I believe that was after one o'clock.

Q This would be one o'clock what day?

A Well, it would be early Sunday morning.

Q All right. Now, that would be July 4th, 1954?

A July 4th, 1954, right.

Q Now, at one o'clock on the morning of July 4th, 1954, what did you do then?

A Pardon me?

Q What happened after one o'clock on the morning of July 4th?

A Well, I was overtired, and I picked up a magazine as I frequently do when I am overtired, I finished an article in the magazine, and I looked at my watch and I remember I was astonished it was so very late, it was about 2:30. So I went right to bed.

Q Prior to this time had the other members of the family gone to bed?

A Yes, they had retired.

Q What time did they go to bed?

A Well, as I said, my son and husband went to bed after the ball game was over, and that was after 12:00, probably, sometime between 12:00 and 12:30, and I think the movie was over after one o'clock.

Q Now, when you went to bed, what time was that, what time did you go to bed?

A I went to bed after, at 2:30 I went up to go to bed.

Q And the other members of the family were in the house, is that correct?

A They were.

Q Now, where was your bedroom located in your house?

A My bedroom was on the lake side, in the center.

Q The lake side?

A Yes.

Q In other words, it faced out on to the lake, is that correct?

A Yes.

Q When you retired at 2:30 or shortly thereafter, can you tell us what the weather conditions were at that time?

A It was very cool and windy.

Q And did you hear anything?

A Well, I heard the roar of the lake.

Q In what way did you hear the roar of the lake, what do you mean?

A Well, if you live along the north side of Lake Road out there, it is always very noisy when there is a high wind, and the lake makes a lot of noise.

Q Does it make noise when it hits against your breakwall?

A Yes, it does.

Q And is this the noise you heard?

A Yes.

Q Did you then retire for the night?

A I did.

Q What was the next thing that happened insofar as you were concerned?

A I heard the phone ring.

Q What time was that, if you can recall?

A It was light. I didn't know the time.

Q When the phone rang, did you hear anyone answer the phone?

A Yes.

Q And who was that?

A My husband answered the phone. It wasn't uncommon for the phone to ring in our house at night, and he answered it.

Q Do you recall him saying anything, just yes or no?

A Yes.

Q Pardon me?

A Yes.

Q What if anything did you do, did you say something to him, yes or no?

A Well, I heard an exclamation and I immediately jumped out of bed, something was wrong.

Q Now, without telling us the response that he gave you, did he say something to you?

A Yes.

Q What if anything did you do after that?

A I immediately started to get dressed.

Q What if anything did your husband do if you can recall?

A He immediately started to get dressed, too.

Q What did you do then?

A We dashed downstairs.

Q Where did you go?

A We went to the door, and I asked him if he wanted, I said, "Should we walk or ride?"

He didn't even say anything. We just automatically got in the car, because that was the quickest way to get there.

Q What type of car did you have?

A A tan Ford Station Wagon.

Q And who drove?

A My husband.

Q Where did you go when you got in the car?

A Immediately to the Sheppard home.

Q The Sheppard home is, now --

A Four doors east of us.

Q Four doors; and that includes your door and their door, is that right?

A That's right.

Q So there are two houses between your house and their house, is that right?

A Right.

Q Did you pull in their driveway?

A Yes, we did.

Q What did you do then?

A We went immediately to the door. The screen and the door were closed but not locked.

My husband opened the door. We went right into the hall, and as we stepped into the door we heard Sam moan, so we knew he was in the den, and we saw the upturned medical case.

Q Where was that?

A On the floor in the hall.

Q You say on the floor in the hall, where, what part of

the hallway was this upturned medical bag?

A Oh, probably about half way between the front door and the door of the den.

Q Could you describe this medical bag as you saw it at that time?

A Well, it is a black medical bag, quite good size, and it was setting on end, opened up on one end. The contents were sort of spilled to the floor.

Q Did you walk by this medical bag?

A Yes.

Q And where did you go?

A We went immediately to the den.

Q And did you see anyone in the den?

A Yes.

Q Who did you see in the den?

A Sam was sitting in his red leather --

Q You say Sam; who are you referring to?

A Sam Sheppard.

Q Where was he?

A He was sitting in his red leather chair which was usually in back of the desk but was at the north end of the desk; and, well, he was sitting practically in the doorway, I mean, facing the door, facing it.

Q Did you have conversation with him then at that time?

A My husband asked him what had happened, and he started to say something, and then he looked up and said, "Someone should do something for Marilyn."

Q What did you do then?

A I immediately dashed upstairs.

Q Now, will you tell us what way you went to go upstairs?

A I went through the kitchen, which was the closest way.

Q Where was the kitchen located insofar as the den was concerned?

A The kitchen was directly across from the den and in front of the house.

Q When you say the front of the house, are you referring to the lake side?

A No, I should say the Lake Road side.

Q The Lake Road side of the house, is that correct?

A Yes.

Q When you went through the kitchen what did you do then?

A I went directly upstairs.

Q How long did it take you to get upstairs?

A Oh, I went very quickly.

Q Pardon me?

A I don't know. I went very quickly. I was accustomed to going up and down the stairs rapidly.

Q Pardon me?

A I was accustomed to go up and down stairs rapidly to the lake in our home.

Q Did you go upstairs then in the Sheppard home at that time?

A Yes, I went directly upstairs, well --

Q Just listen to my question.

What did you do, what did you see after you went upstairs?

A Well, I reached the top of the stairs and I could see Marilyn's arm extended out from the edge of the bed.

Q Where was this room located?

A Right at the head of the stairs.

Q And did you go into the room?

A Yes, I went right into the room.

Q And did you see anyone in there that you knew?

A Yes, I saw Marilyn on the bed.

Q And can you describe what you saw and where she was on the bed for this Court and jury?

A Yes. May I have some water?

THE COURT: Be at ease, ladies and gentlemen, and counselor, counselor, will you hold your next question while we are getting some water, please. You may visit amongst yourselves; be at ease.

THE WITNESS: I dashed down late in

the traffic and I just got in.

THE COURT: Please have your water.

THE WITNESS: Thank you.

Q Can you now describe what you saw when you went into the room?

A Yes. I saw Marilyn lying --

Q Keep your voice up, we are having trouble with the airplanes.

A I saw Marilyn lying on the bed. Her head was about a third of the way down, and her hair was a tangled mass of dried blood, and it was lying in a large area of bloodstain, and her face was completely covered with blood.

Her pajama tops were rolled up under her chin. A sheet was pulled up to about her hip, and her arm was extended out.

Q Would this be her right arm?

A The right arm was extended out over the side of the bed.

Q What if anything did you do at that time?

A Well, I instinctively reached for her pulse, but at the same moment I decided there wasn't any psense in trying to take it.

Q What did you do then?

A I immediately turned around and went downstairs.

There was nothing I could do for her.

Q What did you do when you got downstairs?

A I -- my husband was coming into the kitchen and I just shook my head, and I said, "Call the police, call the ambulance, call everybody."

Q And at that time did you see Sam Sheppard?

A Sam was still seated then in the den. My husband went to the phone and I went in to see what I could do for him.

Q What if anything did you do then for Sam Sheppard?

A Well, he was partly moaning and partly talking. He said, "I chased somebody down to the beach," or somebody chased him, and he had to think.

So I went out to the kitchen. I was familiar with the kitchen. We sat there after many football and basketball games. And I grabbed a water glass and poured some whiskey into it, and took that into him.

Q You took that into who, to who?

A To Sam.

Q And what did you do?

A Well, I handed it to him and he shook his head and he said, "That won't help." He said, "I must think, and I can't think clearly now."

Q Can you tell me how Sam Sheppard was dressed at that time?

A Yes. He had on a pair of washable summer slacks, I

believe they were cord. They were very light.

Q And did he have anything on above the waist?

A No.

Q Did you have occasion to touch Sam Sheppard at any time?

A Yes. He said he was trying to think, and I felt so sorry, I just patted his shoulder, and I said, "Don't try to think now."

Q Can you tell us whether or not his shoulder was wet or was it dry?

A It was dry.

Q And do you know, did you have occasion to observe his pants?

A Yes. At that time I had occasion to take a good look at him.

Q Can you tell us what you saw insofar as his pants were concerned?

A I saw a faint blood spot on one pant leg above the knee.

Q And approximately what size was this?

A Oh, about the size of a palm, palm of a hand.

Q After this did you have occasion to return upstairs?

A Sam mentioned Chip.

Q What did you do when Sam mentioned Chip?

A I immediately went up to see if Chip was okay.

Q Where was Chip when you went upstairs?

A He was in his bedroom sleeping, and his back was toward -- the door was wide open.

Q Pardon me?

A The door was wide open. I just walked into the room, and he --

Q Well, let me interrupt you here; when you say, "The door was wide open," what door are you referring to?

A Chip's bedroom door.

Q And where was Chip's bedroom located in relation to where you saw the body of Marilyn Sheppard?

A It was the first bedroom on the lake side east of Marilyn's room.

Q It would be right next to Marilyn's room, is that correct?

A Right.

Q Can you tell us approximately how much of a distance there is between the doorway going to Marilyn's room and the doorway going to Chip's room?

A That I don't recall.

Q Did you at that time look at Chip?

A Yes, I did.

Q What was he doing at that time?

A Sleeping.

Q Pardon me?

A I thought he was sleeping.

Q What did you do then?

A I think I heard a car coming, so I dashed back downstairs, when Fred came.

Q When you say Fred, who are you referring to?

A I am sorry, Fred Drenkhan.

Q At that time what was Fred Drenkhan's job?

A Fred Drenkhan was a police officer.

Q For what city?

A Bay Village.

Q Approximately how much time elapsed from when you came downstairs and said, "Call the police, call the ambulance, call everybody," until Fred Drenkhan arrived?

A A very short time.

Q Can you estimate that for us?

A Oh, it couldn't have been more than five minutes.

Q Pardon me?

A It couldn't have been more than five minutes, I don't think.

Q Now, how much time elapsed from the time that you first arrived at the house until the police came, if you can estimate that for us?

A The time it took me to go rapidly upstairs, back down, my husband had called the police immediately, and the police cruiser to get there, it is difficult to judge time

under those circumstances. But it all happened very quickly.

Q Can you approximate for us how quickly it happened?

A I don't think it was more than ten minutes.

Q Now --

A It couldn't have been.

Q When Patrolman Drenkhan arrived what if anything did he do?

A Well, he just stopped to look in at Sam and then he asked me where she was, very quickly, and I just motioned up the stairs, and he went right upstairs.

Q Now, did you see Sam Sheppard move outside the den at any time?

A Yes.

Q Where did he go and what did he do?

A He had his hands behind his neck and he walked into the kitchen. I saw him then when I came down from Chip's room. He went back into the den when Fred came.

Q When who came?

A Fred Drenkhan.

Q When Patrolman Drenkhan came?

A Yes.

Q Now, did anyone else come after Patrolman Drenkhan arrived?

A He was followed quite shortly by the firemen with the

ambulance.

Q With an ambulance?

A Yes.

Q Did those firemen come into the house?

A Yes, they did.

Q Did they bring anything into the house with them?

A They brought a stretcher in and I told them --

Q No, just listen to my question.

A I am sorry.

Q Did anyone else come after the firemen arrived, yes or no?

A Doctor Richard, Sam's brother, arrived shortly after the firemen.

Q Do you recall what if anything he did?

A He stopped to say something to Sam.

Q Did he have occasion to go upstairs?

A Yes, then he went right upstairs.

Q After he went upstairs what if anything did you do?

A I realized then I hadn't really checked Chip. I had assumed he was sleeping. So I went up and I thought then somebody should do something about Chip.

So I went up into Chip's room. But I didn't want to awaken him myself. So I went out in the hall to call Richard's attention to Chip.

Q After you called Richard's attention to Chip, did you

have occasion to return into Chip's room?

A Yes. I --

Q Who accompanied you into Chip's room?

A Richard did.

Q What if anything did you and Richard do insofar as Chip was concerned?

A We tried to take his orthodontic brace off and get some clothes together, and Ricahrd started to lead him out, and then somebody stopped him to talk to him, so I continued to take him down the stairs and out into the yard to Richard's car.

Q At that time approximately how many cars were in the drive?

A There was our car, Fred Drenkhan's car, the ambulance, Richard's car, and Steve had arrived by then.

Q You say Steve; who are you referring to?

A Doctor Steve, Sam's brother.

Q When you took Chip out, where did you take him?

A I took him out toward Richard's car.

Q When you took him out toward Richard's car did you see Sam Sheppard at that time?

A Yes, I saw him sitting in Doctor Stephen Sheppard's car, and Steve, the doctor, Doctor Stephen, getting in.

Q Pardon me?

A Doctor Stephen getting into his car.

Q Now, at this time, approximately how much time had elapsed from the time you first called the police, until you saw Sam Sheppard in his brother Steve's car?

A I don't think it could have been more than a half an hour.

Q Did you have occasion to return into the house at that time?

A Yes, I went back in.

Q Did you have occasion to walk through the living room portion of that house?

A Yes, I did.

Q And do you recall whether or not there was a couch in that house?

A Yes, it was right next to the stairway.

Q Pardon me?

A It was right next to the stairway, a studio couch.

Q Did you have occasion to observe that studio couch?

A Yes.

Q Did you see anything on it?

A I saw Sam's corduroy jacket.

Q And where was that corduroy jacket?

A It was folded neatly crosswise.

Q On the couch?

A On the couch.

MR. SPELLACY: I have nothing further.

You may inquire.

THE COURT: Counselor Sherman
or Bailey?

MR. BAILEY: If it please the
Court, cross examination may take some little
time. Would you like to recess first?

THE COURT: Ladies and gentlemen
of the jury, we will have our morning recess.
While you are away on your morning recess you will
bear in mind the instructions given you on each
occasion. You shall not discuss this case or
what you have heard of it amongst yourselves;
you will not permit anyone else to discuss it
with you, nor permit yourselves to hear anything
that relates to this case by any means of commun-
ication. We will have our morning recess.

Mrs. Houk, will you return after the
recess.

(Thereupon a recess was had.)

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