

Reference copy, JFK Collection: HSCA (RG 233)

002034

*NOT PRINTED
NOT BILLED to ANYONE*

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

.....	.	
STATE OF LOUISIANA	.	198-059
VERSUS	.	1426 (30)
CLAY L. SHAW	.	SECTION "C"
.....	.	

PROCEEDINGS IN OPEN COURT,
SATURDAY, FEBRUARY 22, 1969

HELEN R. DIETRICH,
Reporter

Testimony of Ruth Paine

B E F O R E : THE HONORABLE EDWARD A. HAGGERTY, JR.,

JUDGE, SECTION "C"

44 pages

Dietrich & Pickett, Inc.
Stenotypists

333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 - 522-3111

RELEASED BY
NARA
DATE 1/21/94
(JFK ACT)

1 MRS. RUTH HYDE PAINE, 2

2 a witness called by and on behalf of the Defense,
3 having been first duly affirmed, was examined and
4 testified as follows:

5 DIRECT EXAMINATION

6 BY MR. DYMOND:

7 Q For the record, Mrs. Paine, would you please
8 state your full name.

9 A I am Ruth Hyde Paine.

10 Q Now, Mrs. Paine, where do you reside?

11 A I live in Irving, Texas.

12 Q And is that a suburb of Dallas?

13 A Yes, it is.

14 Q Approximately how far out of Dallas is it?

15 A Measured in minutes, about a half hour.

16 Q About a half hour?

17 A Yes.

18 Q Now, what is your occupation, Mrs. Paine?

19 A I teach kindergarten.

20 Q And how long have you been teaching kinder-
21 garten?

22 A This is my third year.

23 Q Mrs. Paine, were you acquainted with the late
24 Lee Harvey Oswald and his wife, Marina
25 Oswald?

1 A Yes, I was.

2 Q Would you please give us a history of your
3 acquaintance with these people.

4 A I met them both in February of 1963 at a
5 gathering of friends in Dallas, and I
6 saw Marina particularly but both of them
7 occasionally through the spring of 1963,
8 and then in May Lee went to New Orleans
9 to look for work and I -- well, I came
10 for a visit and discovered that he was
11 all packed up to go to New Orleans and
12 was going to leave her at the apartment
13 while he looked for work, and I suggested
14 that she might stay at my home in that
15 interim.

16 Q I see. Well, did she stay at your home after
17 he left?

18 A That is right.

19 Q And how long did she stay there at your home
20 with Lee living in New Orleans?

21 A I suppose it was about a week.

22 Q I see.

23 A I could check it if you like.

24 Q And then after that did she leave your home
25 in Dallas?

1 A I took her to New Orleans.

2 Q I see. And where did you take her when you
3 got here to New Orleans?

4 A We went to an address Lee had given us, which
5 was his aunt and uncle I believe, the
6 Murat home, and then from there we went
7 to an apartment on Magazine Street that
8 he had rented.

9 Q Would that have been 4905 Magazine Street?

10 A I thought it was 07, but that would be --

11 Q If you don't know, that is all right. There
12 has been some dispute on that. Now, when
13 you took her to this address on Magazine
14 Street, who did you find there?

15 A There was no one there. Lee was at his
16 uncle's house.

17 Q He was what?

18 A He was at the uncle's house.

19 Q I see.

20 A And we went together in two cars to the apart-
21 ment.

22 Q So the three of you went to Magazine Street,
23 is that correct?

24 A I believe the uncle -- you must understand,
25 I am three by myself, it was myself and

1 my two children, and Marina and her
2 young baby and Lee, and I think the
3 uncle or maybe another member of the
4 family went.

5 Q I see. Now, how long did you stay here in
6 New Orleans upon that occasion?

7 A It was really just over the weekend.

8 Q Over the weekend?

9 A Possibly the next Monday.

10 Q And after the weekend passed, what did you do?

11 A I returned to Irving with my children.

12 Q And you left them here, you would say? Is
13 that right?

14 A I left the Oswalds here, yes.

15 Q Now, when was the next time that you saw
16 either of these persons, Mrs. Paine?

17 A It was in September the same year. I did not
18 see either over the summer, and I corres-
19 ponded with Marina, and then I traveled, ,
20 drove to the East to visit friends and
21 relatives and came back to Texas via New
22 Orleans, and it was in late September,
23 and I have it on my calendar but I didn't
24 bring the calendar with me that describes
25 when I arrived. It is part of the

1 Commission's exhibits, if that would be
2 helpful.

3 Q I see. Do you have a volume containing that
4 Commission exhibit with you?

5 A Yes.

6 Q Are you able to locate your calendar in there?

7 A I think so. (Referring to volume) Yes, here
8 it is.

9 Q What is that exhibit number, Mrs. Paine?

10 A 401.

11 Q Now, does that refresh your memory upon
12 examining that exhibit?

13 A Well, it has a notation.

14 MR. ALCOCK:

15 Your Honor, the witness may not read
16 from the exhibit but merely use it
17 to refresh her memory. If her
18 memory is refreshed from that exhibit,
19 then she may testify.

20 THE COURT:

21 You are correct. You may not read from
22 the book, just look at it, and if
23 it refreshes your memory you may
24 testify as to what you think it is
25 or what it is.

1 THE WITNESS: 7

2 I see.

3 BY MR. DYMOND:

4 Q Can you tell us now, Mrs. Paine, when you
5 arrived in New Orleans in September?

6 A My recollection is that I arrived on Friday,
7 the 20th of September.

8 Q The 20th?

9 A And left the following Monday, the 23rd.

10 Q I see.

11 A I didn't arrive home until sometime the next
12 day, on the 24th.

13 Q Now, when you arrived here in New Orleans on
14 September 20, 1963, where did you go?

15 A I went directly to the apartment on Magazine
16 Street.

17 Q And where did you stay during the interim
18 between September 20 and September 23rd
19 when you say that you left?

20 A I stayed at the Oswald's apartment.

21 Q I see. Now, at that time was Lee Harvey
22 Oswald living there?

23 A Pardon? Was he living there?

24 Q Yes.

25 A Yes, he was. He was in evidence most of the

1 time.

2 Q You say he was in evidence most of the time?

3 A Yes. He was there.

4 Q Do you know of any night during that period
5 that he did not spend at home?

6 A No. He was there.

7 Q How about during the daytime?

8 A He was there most of the day.

9 Q Now, I take it then that you have known Lee
10 Harvey Oswald since May of '63, is that
11 correct?

12 A Well, I met him first in February and saw him
13 just briefly on occasions in the spring.

14 Q Now, during the time that you knew Lee Harvey
15 Oswald, did you have occasion to observe
16 his general appearance, Mrs. Paine?

17 A Yes.

18 Q Would you term his appearance sloppy or dirty,
19 or neat and clean?

20 A He usually dressed informally, he was very
21 neat and -- I think he liked showers --
22 he was clean. He usually wore a T-shirt
23 and slacks around my home when he came on
24 weekends in the fall of '63.

25 Q Now, how about when he was here in New Orleans

1 in 19637

2 A To the best of my recollection, he wore slacks
3 and T-shirt. He was very neat.

4 Q Do you know who did his laundry?

5 A Yes. Marina did. I recall going out to a
6 washateria with Lee while we were here
7 in New Orleans, and I --

8 Q Did you ever know Lee Harvey Oswald to wear
9 a beard when you knew him, Mrs. Paine?

10 A No, no.

11 Q Did you ever --

12 A I never saw him with a beard.

13 Q Did you ever see him obviously in need of a
14 shave?

15 A No, I didn't.

16 MR. DYMOND:

17 May I have the photograph of Lee Harvey
18 Oswald?

19 (Photographs handed to Counsel.)

20 BY MR. DYMOND:

21 Q (Exhibiting photograph to witness) Mrs. Paine,
22 I show you a photograph which has been
23 marked for identification "State 1,"
24 purporting to be a photograph of Lee
25 Harvey Oswald, and I ask you whether you

1 recognize it as such?

10

2 A Yes, I do.

3 Q (Exhibiting photograph to witness) I now

4 show you another photograph marked for
5 identification "State 19," which purports
6 to be a photograph of Lee Harvey Oswald
7 with a beard drawn in, appearing to be
8 drawn in pencil, and I ask you whether
9 you ever remember or recollect having
10 seen him in any condition similar to
11 this with respect to a beard?

12 A No, I never saw him with a beard.

13 Q (Exhibiting photograph to witness) I now show
14 you a photograph which has been marked
15 for identification "State 10," purporting
16 to be a photograph of David W. Ferrie,
17 and I ask you whether, to the best of
18 your knowledge, you have ever seen that
19 individual in your life, and more parti-
20 cularly at the residence of Lee Harvey
21 Oswald?

22 A This face is not familiar to me. To my best
23 recollection, I have never seen it, and
24 I did not, of course, see it at his
25 apartment.

1 Q Now prior to the publicity surrounding the 11
2 charging of Mr. Clay Shaw, to your
3 knowledge had you ever heard the name
4 David W. Ferrie?

5 A I had not.

6 Q -- or Dave Ferrie?

7 A No.

8 Q Had you ever heard the name Perry Raymond
9 Russo, or Perry Russo?

10 A No, I had not.

11 Q Had you ever heard of the name Clem Bertrand
12 or Clay Bertrand?

13 A No, neither.

14 Q Did you ever hear Lee Harvey Oswald utter any
15 of these names, Mrs. Paine?

16 A No, I never did. I never heard him make
17 reference to anyone he knew.

18 Q Now, Mrs. Paine, while you knew Lee Harvey
19 Oswald, was he able to drive an auto-
20 mobile?

21 A Well, I can describe my attempts to teach him,
22 which might answer your question.

23 Q Well, tell us first when these attempts took
24 place.

25 A These were in October of 1963.

1 Q Where?

2 A In Irving, Texas.

3 Q Well, please do describe your attempts to
4 teach him.

5 A We went one Sunday afternoon to an empty
6 parking lot, and I tried -- well, he, in
7 other words, took the wheel and could
8 handle the car enough to start it, but
9 he was very awkward about turning a right-
10 angle turn. As most beginners do, he
11 kept the wheel cramped too long, so then
12 he had to recover and straighten out,
13 and that was just in turning corners.
14 He also -- we did try to park once and
15 he just couldn't do it at all.

16 Q I see.

17 A It was clear to me that while he was eager to
18 learn, he had not had experience behind
19 a wheel handling a vehicle.

20 Q And this was in October of '63?

21 A Yes.

22 Q Now, Mrs. Paine, do you remember where you
23 were at the time of the assassination
24 of President Kennedy?

25 A Yes.

1 Q Where were you?

2 A In my living room.

3 Q Were you by yourself or with someone?

4 A No, Marina and I were sitting on the sofa
5 watching TV.

6 Q Did you actually see the assassination on TV?

7 A No, it wasn't covered. They were describing --
8 I mean there was no picture -- they were
9 describing the motorcade but there was
10 not a picture of it.

11 Q And how did you learn that the President had
12 been assassinated?

13 A Well, first there was a report that he had
14 been --

15 MR. ALCOCK:

16 Object as hearsay. She can say how she
17 learned it without going into the
18 particulars of what was said or --

19 MR. DYMOND:

20 Don't say actually what the report said
21 but just tell us how you learned it.

22 THE COURT:

23 Either by TV or radio, or by telephone
24 or a neighbor. In other words, how
25 did you get the information?

1 THE WITNESS:

2 On the television.

3 THE COURT:

4 On the television.

5 BY MR. DYMOND:

6 Q And where was this television located?

7 A In the living room of my home.

8 Q That is in Irving, Texas?

9 A Yes.

10 Q And you say Marina Oswald was with you, is
11 that correct?

12 A Yes.

13 Q Now, at that time did you own an automobile,
14 Mrs. Paine?

15 A Yes.

16 Q What kind of automobile was it?

17 A A Chevrolet Station Wagon.

18 Q Did it have a rack on top of it?

19 A No, not at that time. When I was driving East,
20 it had a portable one, or when I came
21 back from the East it had one which I
22 took off when we came back.

23 Q I see. Now, at the time of the assassination
24 where was your automobile, Mrs. Paine?

25 A In the driveway in front of my home.

1 Q Did you at any time on November 22, 1963 lend
2 your automobile to anyone?

3 A No.

4 Q More particularly, did you lend it to a rough
5 looking, heavy Latin-type man?

6 A No.

7 Q Now, Mrs. Paine, did you have anything to do
8 with Lee Harvey Oswald obtaining employ-
9 ment at the Texas School Book Depository?

10 A Yes, indirectly. He had been looking for work
11 for more than a week and hadn't had any
12 luck -- I guess it had been one full week
13 that he had been looking and had been out
14 to my house again for a weekend and was
15 pretty discouraged, and it was the follow-
16 ing morning that Marina and I were having
17 coffee with the neighbor next door to my
18 house, and another neighbor came in and
19 we were talking about his problem finding
20 work. He didn't drive and this limited
21 him very much in the kind of work he
22 could apply for. He couldn't get a
23 delivery job, he couldn't even get to
24 most jobs because transportation, public
25 transportation, is very poor in Texas --

15

1 there isn't any in Irving at all -- and

2 Mrs. Randall --

3 MR. ALCOCK:

4 Your Honor, I am going to ask the Court
5 to caution this witness not to say
6 anything that was said at this
7 particular time unless she personally
8 said it.

9 BY MR. DYMOND:

10 Q That is correct, Mrs. Paine. If someone else
11 said something and you did anything as
12 a result of something that was said, you
13 may say what you did, --

14 A Oh.

15 Q -- but don't say what anyone else told you at
16 that time. As a result of the conversa-
17 tion that you had on that day, did you
18 do anything?

19 A Yes.

20 Q What did you do?

21 A I telephoned the Texas School Book Depository
22 and asked whether they were employing at
23 this time, whether they did have an open-
24 ing.

25 Q To your knowledge, was any appointment made?

1 A Appointment? No. You have got me confused
2 on how to describe what the man said
3 without saying what he said.

4 (Laughter in the courtroom.)

5 THE BAILIFF:

6 Order! Order!

7 MR. DYMOND:

8 You can't very well do that.

9 MR. ALCOCK:

10 That is hearsay.

11 THE WITNESS:

12 I heard him say it.

13 BY MR. DYMOND:

14 Q To your knowledge, as a result of your conver-
15 sation, did Lee Harvey Oswald do anything?

16 A Yes. I understood -- well, how can I say
17 this? Can I say I did not get a clear
18 understanding that they were or were not
19 hiring?

20 Q Well, let me ask you, as a result of your
21 having this conversation did Lee Harvey
22 Oswald finally do anything?

23 A He applied the next day --

24 Q I see.

25 A -- to the Texas School Book Depository for a

17

1 job, and did receive a job and telephoned 18
2 us about noon that following day, a
3 Tuesday, to say that he was to report to
4 work the next day.

5 Q I see. Now, to whom did you speak at the Texas
6 School Book Depository when you called
7 there?

8 A Mr. Roy Truly.

9 Q At the time that you made this call to Mr. Roy
10 Truly at the Texas School Book Depository,
11 did Lee Harvey Oswald have any way of
12 knowing that you were making this call?

13 A No, none.

14 Q Did he ever ask you to make such a call?

15 A No.

16 Q Now, did you ever see Lee Harvey Oswald in
17 possession of a gun or rifle, Mrs. Paine?

18 A No, I didn't, I didn't know he had a gun.

19 Q Did you know of any gun or rifle that he had ,
20 stored in the garage or carport of your
21 home in Dallas, in Irving?

22 A No, I did not, not until the afternoon after
23 the assassination.

24 Q Did you ever see any guns stored on your
25 premises?

1 A No, nor would I have wanted it there had I 19
2 known. We had very young children, I
3 wouldn't have wanted a gun on the premises
4 at all.

5 Q I see. Mrs. Paine, had you ever before seen
6 this Defendant, Mr. Clay Shaw, before
7 today out here at court?

8 A Not before today.

9 Q Did you ever hear Lee Harvey Oswald mention
10 any of these names: Clay Shaw, Clay
11 Bertrand, or Clem Bertrand?

12 A No, I did not.

13 Q During the time that you were at the Oswald
14 home on Magazine Street, did they have
15 any visitors?

16 A There was a visitor that I arranged to have
17 come, and I can't recall -- I imagine
18 it was during that weekend that she came.

19 Q A visitor that you arranged to have come?

20 A Yes.

21 Q Other than that, were there any visitors?

22 A No.

23 MR. DYMOND:

24 We tender the witness.

25 CROSS-EXAMINATION

1 BY MR. ALCOCK:

2 Q Mrs. Paine, after you drove Marina back to
3 Dallas, Texas from New Orleans in
4 September, 1963, did Lee reside with
5 you and Marina at your home?

6 A Well, you must understand that she and I and
7 our children came back ourselves, and I
8 understood that Lee was going to be look-
9 ing for work. We left him here in New
10 Orleans. I next saw him on the 4th of
11 October. We arrived back -- what? --
12 the 24th of September.

13 Q And did he take up residence in your home
14 at that time?

15 A No, he did not, he spent the weekend and went
16 in Monday to -- the 4th of October was a
17 Friday, and then he went in Monday to
18 look for work, and he also got a place
19 to live.

20 Q Did you know where that place was?

21 A No, I did not. Sometime later he left a
22 telephone number with me, which is what
23 I did have. His wife of course was
24 expecting a child at the time, and he
25 indicated he could be reached at this

number if she went into labor.

Q And do you know whether or not she made an attempt to locate him at that number any time from your home?

A She did once, yes.

Q And do you know whether or not she was successful in locating him at that number?

A She asked me to dial the number, and I did and asked for Lee Oswald, and someone answered saying he didn't know anyone of that name, and I asked was this number such and such, he said yes, it was, and was it a rooming house, he said yes, it was, so at that point I didn't know what to do and just thanked him and hung up.

Q Were you ever informed as to why you were unsuccessful in that attempt to locate him at that number, by Lee Oswald?

(The witness laughed and there was general laughter in the courtroom.)

MR. DYMOND:

Object on the ground of hearsay.

THE COURT:

Did you say by Lee Oswald?

MR. DYMOND:

1 By Lee Oswald?

2 MR. ALCOCK:

3 That is exactly what I said, Mr. Dymond.

4 THE COURT:

5 Repeat the question.

6 BY MR. ALCOCK:

7 Q Were you ever informed as to why you could
8 not locate Lee Oswald at that number,
9 by Lee Oswald?

10 A Nope.

11 Q Did you ever hear him --

12 A His wife informed me.

13 Q His wife informed you. Was he present?

14 A No.

15 Q Now, Mrs. Paine, did Lee Oswald come to your
16 home generally on weekends from his
17 apartment in Dallas?

18 A That is correct.

19 Q Do you recall whether or not he left your
20 home for any appreciable length of time
21 on any of these weekends?

22 A No, he did not.

23 Q Do you recall his leaving your home at all
24 on any of these weekends?

25 A Except as he went with me in my car, he didn't

Reference copy, JFK Collection: HSCA (RG 233)

23

1 leave.

2 Q I see. Do you recall his ever leaving home
3 on any of these weekends with a package
4 approximately three feet long?

5 A No. Perhaps it would be important to say we
6 aren't near anything and there is no
7 public transportation in Irving.

8 Q Mrs. Paine, do you know whether or not as a
9 matter of fact there was any rifle range
10 close to your home where a person might
11 practice using a rifle?

12 A I know of none.

13 Q I think you said Lee could not drive, is that
14 correct, to your knowledge?

15 A I suppose he could have handled the car if
16 he had to, but he very green.

17 Q Now, did Lee Oswald come to your home on the
18 weekend immediately preceding the
19 assassination?

20 A No, he did not.

21 Q Was that unusual?

22 A Yes. Marina asked him not to.

23 Q Now, did he come to your home at any time
24 in the following week?

25 A Yes.

1 Q What day?

2 A Thursday.

3 Q Do you recall approximately what time he
4 arrived?

5 A I was out grocery shopping and I arrived back
6 from grocery shopping somewhere between
7 -- it was a little after 5:30, I would
8 judge, and he was on the lawn, so, in
9 other words, he arrived sometime before
10 that and he and Marina were talking on
11 the lawn, and then he helped pick up a
12 bag of groceries and helped carry them
13 in, and I was carrying a bag.

14 Q Did you see him rather regularly on that night,
15 if you can recall?

16 A Well, we had dinner together as usual. Then,
17 as best I can recall, he retired to his
18 room at 8:30 or 9:00 or something, to
19 the room where Marina and the babies
20 were sleeping -- were living I should say
21 -- and I worked a short time in the
22 garage that evening. I noticed the light
23 had been left on, which I was pretty sure
24 I hadn't left it on. I was painting
25 some things, but I finished fairly early

1 and went to bed myself.

2 Q I take it then that you retired after the
3 Oswalds retired that night? Is that
4 correct?

5 A I don't know if he went to sleep.

6 Q No, but retired?

7 A But he was already in the room where he slept.

8 Q Do you know whether or not Marina retired
9 after Lee Oswald retired that night?

10 A I think she was probably the last to go to
11 bed that night.

12 Q I see. Where was this light that you mentioned
13 in the garage? Was it a wall light hang-
14 ing down?

15 A Yes, exactly.

16 Q And where is the switch?

17 A The switch is on the wall inside the garage.

18 Q Is there any access to your garage, Mrs.

19 Paine, from inside the home?

20 A Oh, yes.

21 Q Where would that be, from what room?

22 A From -- it is a den-dining area.

23 Q Is there any access into your garage from
24 outside of the home?

25 A From the garage door, but it was locked to

1 the best of my recollection. We did
2 not park the car in it.

3 Q I didn't hear you.

4 A We did not use the garage for the car.

5 Q You used it more for storage?

6 A Right.

7 Q Do you know whether or not Lee Oswald had a
8 key to this lock?

9 A I would be certain he didn't.

10 Q He didn't? Approximately what time did you
11 go to the garage and notice this light
12 on that you had not seen earlier?

13 A I would guess it to be around 9:00 o'clock
14 in the evening.

15 Q Would this have been prior to the retirement
16 of Lee to his room, or after the retire-
17 ment of Lee to his room?

18 A To the best of my recollection, he was -- had
19 already gone to the room.

20 Q Now, had you purchased any curtain rods for
21 Lee Oswald on that day or any day?

22 A No.

23 Q Had he asked you at any time to purchase any
24 curtain rods?

25 A No.

1 Q On that night, more specifically the night
2 of November 21, a Thursday night, did
3 you see any curtain rods in Lee's
4 possession at any time?

5 A No.

6 Q Did you hear him ask his wife about any
7 curtain rods on that night?

8 A No.

9 Q Did you see any curtain rods in her possession
10 at any time on that night?

11 A No.

12 Q Did you see any curtain rods in his possession
13 at that time?

14 A No.

15 Q To your knowledge, were there any curtain rods
16 in the garage?

17 A Yes, there were some.

18 Q Were they yours or the Oswald's?

19 A They were mine.

20 Q Did he ask you to use these curtain rods at
21 any time?

22 A No. I doubt he knew they were there.

23 Q Were the Oswald's belongings more or less
24 over to one corner of the garage?

25 A More or less.

1 Q Do you recall whether or not any of these
2 belongings were wrapped in a blanket?

3 A Yes, there was a blanket on the floor.

4 Q On the floor?

5 A When I recall seeing the blanket, it was
6 on the floor.

7 Q And when was that that you saw the blanket
8 on the floor?

9 A It was Friday afternoon, November 22.

10 Q And what was your occasion for going to the
11 garage at that time?

12 A Well, officers had arrived and said they had
13 Lee Oswald in custody for shooting an
14 officer, and asked if they could come in,
15 and --

16 Q Let me caution you this is hearsay you are
17 going into, what these officers said.

18 A Shall I describe what they did?

19 Q Yes.

20 A O.K. They came in, and I indicated that most
21 of the Oswald's possessions were either
22 in the bedroom or in the garage, and we
23 went into the garage, and a question arose
24 as to whether Oswald had had a weapon of
25 any sort. Foolishly I said no, but I

1 then translated the question to Marina,
2 and she said she knew him to have a rifle
3 and indicated the blanket roll on the
4 floor, and then I translated what she
5 indicated to me, and the officer picked
6 up the roll in the middle and hung it
7 over his arm.

8 Q Was there anything in the blanket roll?

9 A It looked pretty empty. He did not open it.

10 Q Do you recall, Mrs. Paine, having viewed that
11 particular blanket roll on the night
12 before?

13 A No, I don't.

14 Q Do you recall having seen that blanket roll
15 in your garage at any time after you
16 brought Marina, that is, back from New
17 Orleans?

18 A I don't have a specific recollection of that.

19 Q Mrs. Paine, do you recall who unloaded your
20 station wagon after you returned from
21 New Orleans to Irving with Marina in
22 September?

23 A Yes. Some of the things that were in it I
24 took off or out -- both -- of the station
25 wagon, and there were a couple of large

1 Marine duffels which were very heavy,
2 and we waited until my husband, Michael
3 Paine, came and asked him to move those.

4 Q And were these all generally placed in the
5 garage area that you have referred to
6 in your testimony?

7 A Yes.

8 Q Did you ever have occasion to ascertain what
9 all of the various packages may or may
10 not have contained?

11 A No, never.

12 Q Do you recall, Mrs. Paine, who loaded the
13 station wagon up here in New Orleans?
14 That would have been the weekend of the
15 20th through the 23rd of September.

16 A Yes. Of course, there were a lot of things
17 already in it that were mine, but Lee
18 packed their things and then loaded
19 them also into the station wagon before
20 we left.

21 Q Do you recall doing any of the loading at all
22 of the Oswald goods?

23 A No.

24 Q Now, Mrs. Paine, did you have occasion to
25 drive Lee Oswald to the bus in April of

1 1963 when he was on his way to New
2 Orleans?

3 A It would help me to look at the calendar to
4 see if it was April.

5 Q Certainly. Go right ahead.

6 A (Referring to volume) Yes. There is appar-
7 ently --

8 Q Again, I must caution you not to read it but
9 merely refer to it, and if it refreshes
10 your memory, --

11 A O.K.

12 Q -- testify from your memory being refreshed.

13 A I can, certainly. I guess it was toward the
14 end of April, and I recall coming for
15 an appointment just to visit with Marina,
16 and they were all packed and Lee asked
17 if I could take him to the bus station
18 carrying the things. He was especially
19 concerned about getting the stuff to the ,
20 bus station, and I did carry him and the
21 stuff and Marina down to the bus station,
22 and, as I recall, he bought a ticket for
23 himself and for her, but I suggested that
24 when he called and said he had work I
25 would drive her down.

1 Q Were you under the impression at that time
2 that Marina was going to accompany Lee
3 in April when you took them to the bus
4 station?

5 A No. The arrangement they had planned was for
6 her to stay back in the apartment, and
7 it was only modified for her to stay
8 back with me.

9 Q But he had purchased a ticket for Marina?

10 A He had purchased a ticket for her to follow.

11 Q I see. Do you recall how many bags he took
12 with him on this occasion?

13 A No, I don't.

14 Q Do you recall whether it was more than one?

15 A Oh, more than one, yes. It was certainly
16 more than he could have comfortably
17 carried by himself.

18 Q I see. Do you feel it might have been more
19 than two?

20 A Yes.

21 Q More than three?

22 A I would guess so, three or four, something
23 like that, bulky, not just suitcases
24 but --

25 Q Duffel bags?

1 A I think so, but my real recollection is of
2 the return trip rather than what he had
3 that day.

4 Q Now, you have stated that you had met Lee and
5 Marina in February of 1963, is that
6 correct?

7 A Yes.

8 Q Would it be a fair statement to say that
9 during the period that Lee remained in
10 Dallas, that you saw Marina more than
11 you saw Lee?

12 A Yes, that is correct.

13 Q Could you approximate for us how many times
14 you may have seen Lee during that period?
15 That would have been from February to
16 whenever you took him to the bus station
17 in April.

18 A I would guess two or three times.

19 Q Approximately how long did you see him on
20 those occasions?

21 A One time was at an afternoon picnic, and
22 another time was an evening dinner at
23 my home. Michael Paine went to pick
24 them both up and bring them to our
25 house. That is all I recall.

1 Q Did you find Lee Oswald a talkative person?

2 A No, I did not.

3 Q To your knowledge, did Lee Oswald like to
4 read?

5 A Yes, I believe so. He did not read much at
6 my house, however; he watched television.

7 Q Now, again referring to the month of November
8 1963, of your own knowledge, do you know
9 whether or not any FBI Agents came to
10 your home seeking the whereabouts of
11 Lee Oswald?

12 A Yes, they did.

13 Q Do you recall on what date or dates this may
14 have occurred?

15 A It was early in the month. I think one --
16 the second time was a Friday, probably
17 the 5th, but I am not sure.

18 Q You can refer to your calendar if that will
19 refresh your memory.

20 A O.K. (Referring to volume) Well, it looks
21 like it might have been Friday, the 1st
22 of November or the 8th. There is no
23 notation indicated, it just says what
24 Friday was.

25 Q Well, is it your recollection that it was

1 on more than one occasion or merely
2 one occasion?

3 A There was more than one occasion. The first
4 occasion two men came, and the second
5 occasion I recall only one.

6 Q And this is in the month of November 1963?

7 A The second occasion certainly was.

8 Q Was this occasion of November 1963 where one
9 agent came or two agents?

10 A The second occasion was the one agent. Is
11 that what you are asking?

12 Q Yes. Did you have occasion to tell this
13 agent anything?

14 A Yes. He asked if I knew --

15 Q You can't say what he asked, just what you
16 told him.

17 A All right. I told him that Lee Oswald was
18 working at the School Book Depository.
19 I was unable to tell him where Lee
20 Oswald might be living because I didn't
21 know. It didn't occur to me that I had
22 a telephone number that might -- it
23 didn't tell me where he lived -- would
24 have been able to tell the agent where
25 he lived. I did mention that I thought

1 Lee was worried about losing his job
2 and that I hoped he would be discreet
3 in approaching him on the job, and he
4 said he would be. Oops!

5 (Laughter in the courtroom.)

6 Q Mrs. Paine, have you ever heard of the name
7 of O. H. Lee?

8 A Well, since the -- O. H. Lee -- well, since
9 the assassination.

10 Q Have you ever heard of A. J. Hidell?

11 A Since the assassination.

12 Q I take it then that prior to the assassination
13 you had never heard of these names, is
14 that right?

15 A That is right.

16 Q Now, Mrs. Paine, when you came to the city
17 of New Orleans on September 20, 1963,
18 can you approximate for us what time of
19 day or night you arrived?

20 A Yes, sir, it was late afternoon.

21 Q And you were here in the late afternoon of
22 the 20th? Is that correct?

23 A That is right. That is my best recollection.

24 Q What do you call late afternoon?

25 A Five-thirty, around that time.

1 Q And approximately what time did you leave 37
2 on the 23rd?

3 A Well, it was morning; I would judge it would
4 be somewhat after 9:00.

5 Q After 9:00 a.m.?

6 A It might have been earlier, but it is hard
7 to get three babies and two mothers
8 started earlier. I recall we had
9 trouble with a slightly low tire, too,
10 that delayed us.

11 Q Now, Mrs. Paine, did you have occasion to have
12 a conversation with Lee on that weekend
13 as to where he was going, if any place?

14 A Yes.

15 Q And where did he tell you he was going?

16 A He said he might try to look for work in
17 Houston or possibly Philadelphia, is
18 what I recall.

19 Q He mentioned the word "Houston," the city of
20 Houston, or Philadelphia?

21 A I think so.

22 Q Did he mention Mexico at all?

23 A No, he did not.

24 Q Now, Mrs. Paine, except for the three times
25 that you saw Lee Oswald -- approximately

1 three times; I realize that is an
2 approximation -- when you first met Lee
3 in February of 1963, and the times that
4 you saw him on the two weekends, the one
5 being in May, 1963, and the other being
6 in September, 1963 -- may I take it you
7 had no occasion to see him at all other
8 than those occasions?

9 A In between is that?

10 Q In between, yes.

11 A No, no.

12 Q In other words, you didn't see him in the
13 summer of 1963?

14 A No.

15 Q You didn't see him in August, the early part
16 or middle part, or September of 1963?

17 A No, I did not.

18 Q And I think you have testified Lee never told
19 you anybody he was acquainted with? Is
20 that also correct?

21 A That is my recollection. Marina discussed
22 some people they knew in common, but as
23 to friends of his, I don't recall his
24 talking about them.

25 MR. ALCOCK:

I tender the witness.

MR. DYMOND:

I have a couple of questions.

REDIRECT EXAMINATION

BY MR. DYMOND:

Q Mrs. Paine, you have testified that you next saw Lee Harvey Oswald after your leaving here in September, on October 4 in Dallas?

A Yes.

Q Is there anything particular which fixes that date in your mind?

A Yes, there is. I recall that Marina -- well, he telephoned to the house to see if it would be possible for me to pick him up in Dallas, and Marina, who answered and talked with him, indicated that I could not because I had just been to Parkland Hospital and donated a pint of blood on her behalf -- this was done prior to her admittance for the birth of their next child -- and she indicated he would have to find his own way out. And I still have the card from -- a notation of having given blood that day. That fixes it in my memory, and I carried it in my

1 wallet.

2 Q I see.

3 A It gives my blood type..

4 Q Now, do you know where Lee Harvey Oswald was
5 when he called on October 4?

6 A Well, I assume he was in Dallas. That is
7 what Marina indicated.

8 Q You didn't know any more specifically than
9 that where he was in Dallas?

10 A No.

11 Q Now, Mrs. Paine, do you know why the FBI
12 Agents were coming to your home to talk
13 to Lee Oswald?

14 MR. ALCOCK:

15 Well, now, Your Honor, the only way she
16 could know that is to delve into
17 hearsay, what the agents might or
18 might not have said.

19 MR. DYMOND:

20 If the Court please, Lee Oswald could
21 have told her, and he is one of the
22 named alleged co-conspirators here.

23 THE COURT:

24 Let me make an inquiry.

25 Did you at any time ever discuss the

1 visit of these agents, either the
2 first or the second, with Lee Harvey
3 Oswald, and, if so, did he tell you
4 why they were checking? First --
5 let's make it in two parts -- did
6 you ever discuss with Lee Harvey
7 Oswald --

8 THE WITNESS:

9 I gave him the agent's name and suggested
10 that he go ahead and contact the
11 agent.

12 THE COURT:

13 That is as far as it went?

14 THE WITNESS:

15 There was no discussion as to why they
16 might want to talk to him.

17 BY MR. DYMOND:

18 Q Did Lee Harvey Oswald ever tell you why these
19 agents wanted to talk to him?

20 A No, I didn't hear him discuss that.

21 Q Now, Mrs. Paine, did you at any time ever
22 see Lee Harvey Oswald with a gun or rifle?

23 A No, I did not.

24 MR. DYMOND:

25 That is all.

Reference copy, JFK Collection: ESCA (RG 233)

1 ~~MR. ALCOCK:~~ 42

2 No further questions.

3 THE COURT:

4 Is Mrs. Paine excused from the obligations
5 of the subpoena?

6 MR. DYMOND:

7 Yes, Judge.

8 THE COURT:

9 And by the State?

10 MR. ALCOCK:

11 Yes, Your Honor.

12 THE COURT:

13 Mrs. Paine, you are excused from the
14 obligations of your subpoena. You
15 may leave.

16 (Witness excused.)

17 THE COURT:

18 I understand you gentlemen want to have
19 a conference?

20 MR. DYMOND:

21 Your Honor, our next witness is quite a
22 lengthy witness and is going to be
23 on the stand for some time, and I
24 know that Your Honor had expressed
25 a desire to adjourn at 5:00 o'clock

1 today, and there is just no way
2 that we can even get into this
3 witness's testimony by that time.

4 THE COURT:

5 Very well. Rather than ust start the
6 testimony of the witness -- are you
7 at liberty to tell us his name or
8 would you rather not at this time?

9 MR. DYMOND:

10 Yes. We have no objection. It is Dr.
11 Fink, Your Honor, Dr. Meyer Fink.

12 THE COURT:

13 All right. Rather than start with this
14 witness preliminarily, because I
15 was going to recess at 5:00 o'clock
16 today, if there is no objection --
17 is there any objection on the part
18 of the State?

19 MR. ALCOCK:

20 No objection.

21 THE COURT:

22 Does the State join in the request?

23 MR. ALCOCK:

24 Yes, Your Honor, the State will join.

25 THE COURT:

1 All right. Let it be noted in the
2 record that there is no opposition.

3 Gentlemen of the Jury, I understand you
4 saw a movie last night, "Support
5 Your Local Sheriff."

6 (Laughter in the courtroom)

7 THE COURT:

8 I understand you are going to see another
9 movie, a good one, this evening.

10 Well, gentlemen, again I am required by
11 law to admonish you and instruct you
12 each time you leave the confines of
13 the court not to discuss in any way
14 -- it may be hard and it may be
15 trying, but do not discuss this case
16 among yourselves or with any other
17 person until it is finally given to
18 you for your decision and your ver-
19 dict.

20 Mr. Shaw, you are released under your
21 original bond, and Court will stand
22 adjourned until 9:00 a.m. Monday
23 morning.

24Thereupon, at 4:39 o'clock p.m., the
25 proceedings herein were adjourned to
Monday, February 24 at 9:00 o'clock a.m.....