

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

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|                    |             |
|--------------------|-------------|
| STATE OF LOUISIANA | 198-059     |
| VS                 | 14:26 (30)  |
| CLAY L. SHAW       | SECTION "C" |

.....

EXCERPT FROM THE PROCEEDINGS OF  
 THURSDAY, FEBRUARY 27, 1969, 9:00 A.M.

*Testimony of Lt. O'Donnell (continued)  
 and Arthur Davis*

B E F O R E:

THE HONORABLE EDWARD A. HAGGERTY, JR.,  
 JUDGE, SECTION "C"

*11 pages*

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I N D E X

| WITNESS          | DIRECT | CROSS | REDIRECT | RECROSS |
|------------------|--------|-------|----------|---------|
| EDWARD O'DONNELL | --     | D1    | --       | --      |
| ARTHUR Q. DAVIS  | D3     | D6    | --       | --      |

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1 . . . . Pursuant to the adjournment, the  
 2 proceedings herein were resumed at 9:00  
 3 o'clock a.m. on Thursday, February 27,  
 4 1969, appearances being the same as hereto-  
 5 fore noted in the record . . . .

6 THE COURT:

7 Lieutenant O'Donnell is resuming the  
 8 stand.

9 Note for the record that the Defendant  
 10 is present, all counsel are present,  
 11 and I am reminding the witness that  
 12 his previous oath is still binding.

13 All right. You may proceed, Mr. Alcock.

14 FURTHER CROSS-EXAMINATION

15 BY MR. ALCOCK:

16 Q Lieutenant O'Donnell, can you tell us the  
 17 first time that you spoke to Defense  
 18 Counsel in this case?

19 A Yes, sir. I can't give you the exact day  
 20 but it was after the start of this trial,  
 21 just a few weeks ago. I spoke with  
 22 Mr. Wegmann.

23 Q And you had no contact with them through any-  
 24 one prior to that time, to your knowledge?

25 A No, sir, I haven't.

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MR. ALCOCK:

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No further questions.

MR. DYMOND:

That is all, Lieutenant.

THE COURT:

Let me ask you gentlemen, is Lieutenant O'Donnell relieved from the obligations of his subpoena?

MR. ALCOCK:

Yes, Your Honor.

(Witness excused.)

THE COURT:

Call your next witness.

MR. DYMOND:

Your Honor, could we have just about three minutes with the Jury remaining in the box at this time? We don't need any longer than that.

THE COURT:

We will take a five-minute recess.

(Whereupon, a brief recess was taken.)

AFTER THE RECESS:

THE COURT:

Are you ready to proceed, Gentlemen?

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4  
Yes, sir. We call Arthur Davis.

2 ARTHUR Q. DAVIS,

3 a witness called by and on behalf of the Defendant,  
4 having been first duly sworn, was examined and  
5 testified as follows:

6 DIRECT EXAMINATION

7 BY MR. DYMOND:

8 Q For the record, Mr. Davis, would you please  
9 state your full name.

10 A Arthur Quinton Davis.

11 Q What is your occupation, Mr. Davis?

12 A I am an architect.

13 Q And with what firm are you connected, sir?

14 A Curtis & Davis, Architects.

15 Q Mr. Davis, in connection with your business  
16 do you have occasion to do much travelling,  
17 and more particularly between here and  
18 New York City?

19 A Yes. I have an office in New York as well as  
20 New Orleans, and I make a trip once a week  
21 between New Orleans and New York.

22 Q (Exhibiting book to witness) Mr. Davis, I show  
23 you a book which has been offered in evi-  
24 dence and marked for identification "State-  
25 55." Directing your attention to the

2 bottom of the page covering the dates  
 3 between December 12 and December 14,  
 4 1966, I ask you whether your signature  
 appears therein.

5 A Yes, the second from the bottom is my signa-  
 6 ture.

7 Q And what is the bottom signature?

8 A The second signature from the bottom of the  
 9 page is my signature.

10 Q And what is the name that appears directly  
 11 below your signature, Mr. Davis?

12 A Clay Bertrand.

13 Q Now, Mr. Davis, do you recall having been  
 14 at Moisant Airport on December 14, 1966?

15 A Yes, I checked my records and I did go to New  
 16 York on that day.

17 Q Do your records indicate, or do you have any  
 18 recollection, as to what time you left  
 19 Moisant Airport or were at Moisant Air-  
 20 port on that date?

21 A My records don't indicate that. To the best  
 22 of my knowledge, it was somewhere mid-day.  
 23 I know it wasn't the evening flight.

24 Q Mr. Davis, upon the occasion of your being at  
 25 the airport on that date, did you have

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6  
occasion to go in the VIP Room?

2 A Yes.

3 Q Were any other people in there when you were  
4 in there?

5 A This is the Eastern Airlines?

6 Q That is correct, yes.

7 A Yes, there were some other gentlemen in there.

8 Q Are you acquainted with this Defendant Clay  
9 Shaw?

10 A Yes.

11 Q How long have you known him, sir?

12 A Oh, I would think in excess of ten years.

13 Q Did you or did you not see Mr. Shaw in the  
14 VIP Room of Eastern Airlines on that date,  
15 December 14, 1966?

16 A No, I did not.

17 Q Now, Mr. Davis, in view of the length of time  
18 during which you have known Mr. Shaw,  
19 would you say that you are generally and  
20 reasonably familiar with his manner of  
21 dress?

22 A Well, as far as the occasions at which I have  
23 seen him, I would say that.

24 Q Would you term him a conventional, conservative  
25 dresser, or otherwise, sir?

1 A I don't think I have ever seen him in anything  
2 but a business suit.

3 Q More specifically, Mr. Davis, have you ever  
4 seen Mr. Shaw wearing noticeably tight  
5 trousers?

6 A No.

7 MR. DYMOND:  
8 We tender the witness.

9 CROSS-EXAMINATION

10 BY MR. ALCOCK:

11 Q Mr. Davis, do you recall who you were with  
12 in the VIP Room on that day? Were you  
13 with anyone, sir?

14 A No, I was alone.

15 Q And you approximate this to be about midday,  
16 is that correct?

17 A Yes, but I am not actually sure of the time.

18 Q I see. Do you recall whether or not anyone  
19 else signed the book in your presence?

20 A No, no one else.

21 Q Do you recall whether or not the signature  
22 Clay Bertrand was in the book when you  
23 signed it?

24 A I am relatively sure that I was the last signa-  
25 ture when I signed.

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1 Q Did you see anyone sign the book after you  
2 signed it?  
3 A No.  
4 MR. ALCOCK:  
5 May I have the book, please?  
6 BY MR. ALCOCK:  
7 Q (Exhibiting book to witness) Mr. Davis, call-  
8 ing your attention to State Exhibit 55,  
9 the exhibit from which you just identi-  
10 fied your signature, I call your atten-  
11 tion to the four names that precede yours,  
12 dated on 12/14/66, and I ask you if you  
13 know any of those other persons.  
14 A No.  
15 Q Calling your attention to the remaining signa-  
16 ture on 12/14/66, do you know any of  
17 those persons?  
18 A No.  
19 Q Do you recall whether or not the book or the  
20 lines were filled all the way up until  
21 the line that you signed on, on that  
22 occasion?  
23 A I would assume that they would have been  
24 although I can't say definitely. I usual-  
25 ly would sign the next line that

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open.

Q You made a practice, Mr. Davis, of signing  
the VIP book when you go into that room?

A No, not usually.

Q Approximately how long did you remain in the  
room on that day?

A Well, that is quite some time ago, but if I  
had to guess -- I usually get out to the  
airport a little early and I use that room  
to make phone calls, there is a private  
phone -- I would guess anywhere from 20  
minutes to a half hour.

Q And you don't recall seeing anyone sign the  
book while you were there, other than  
yourself? Is that correct?

A No.

MR. ALCOCK:

No further questions.

MR. DYMOND:

That is all, Mr. Davis.

THE COURT:

Is Mr. Davis excused from the obligations  
of the subpoena?

MR. DYMOND:

He is.

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(Witness excused.)

MR. DYMOND:

Your Honor, at this time we would like  
to call the Defendant Clay L. Shaw.

NO HIATUS HERE.

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