

Dunn + Hospital Workers

2009

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

STATE OF LOUISIANA

versus

CLAY L. SHAW

NO. 198-059

1426(30)

SECTION "C"

EXCERPT OF

PROCEEDINGS IN OPEN COURT on

February 7, 1969.

B E F O R E :

HONORABLE EDWARD A. HAGGERTY, JR.

JUDGE, SECTION C

Dietrich & Pickett, Inc.

Stenotypists

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

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. . . . Pursuant to the adjournment
of Thursday, February 6, 1969, the
Proceedings herein were resumed at
10:00 o'clock a.m. on Friday,
February 7, 1969, appearances being
the same as heretofore noted in the
record

THE COURT:

I have been requested by Mr. Dymond of
the Defense not to bring the Jury
down because he wished to make an
oral motion.

I will be glad to entertain
you, Mr. Dymond.

MR. DYMOND:

If the Court please, at this time on
behalf of the Defendant we move
for permission to withdraw from the
registry of the Court, or from
evidence, if it is done after it is
introduced in evidence, the document
referred to by the State in its
opening statement as the "VIP Book
of Eastern Airlines" for the purpose
of having Mr. Gilbert Fortier, a

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duly qualified handwriting expert,
make an examination of the purported
signature in that book.

THE COURT:

Is there any objection?

MR. ALCOCK:

Your Honor, the State has no objection
to that, with this one proviso,
that a representative of the
District Attorney's Office is pres-
ent at the time that Mr. Fortier
does examine this document.

MR. DYMOND:

We have no objection at all to that,
Judge.

THE COURT:

Very well. At the proper time I will so
order the document to be placed in
a position where your expert can
make an examination of it.

Do you have any further motions?

MR. DYMOND:

That is all.

THE COURT:

Bring the Jury, please.

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(Whereupon, the Jury was recalled
to the courtroom.)

THE COURT:

Are the State and the Defense ready to
proceed?

MR. DYMOND:

We are ready, Judge.

THE COURT:

Call your next witness.

MR. SCIAMBRA:

The State calls Mr. William Dunn.

...oOo...

WILLIAM DUNN, SR.,

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

DIRECT EXAMINATION

BY MR. SCIAMBRA:

Q State your name to the Court, please.

A William Dunn, Sr.

Q And where do you live, Mr. Dunn?

A I live in Clinton.

Q Clinton, Louisiana?

A Clinton, Louisiana.

Q And how long have you lived in Clinton,

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Louisiana?

A Practically all my life.

Q And what is your occupation?

A Farming and construction work there.

Q And how long have you been farming and doing
construction work?

A Mostly all my life.

Q Were you doing this work in 1963?

A I was.

Q In connection with this work did you have
occasion to do any of this work in
Clinton in the summer of '63?

Q I was.

Q Did you have any purpose to go in to Clinton,
Louisiana, in addition to your regular
jobs, in the summer of 1963?

A Yes, I did.

Q What was that occasion?

A I was working with CORE in Clinton.

Q The Congress of Racial Equality?

A The Congress of Racial Equality people.

Q And this was in the summer of 1963?

A 1963.

Q In relationship with your dealings with CORE,
what did this consist of?

- 1 A I beg your pardon?
- 2 Q What were you doing for CORE in Clinton,
3 Louisiana?
- 4 A Trying to help register people up.
- 5 Q Was this the time when they had the registration
6 drive going on?
- 7 A That is right, the registration drive was going
8 on.
- 9 Q Did you get in to Clinton a lot?
- 10 A I did.
- 11 Q In the course of your activity with CORE in
12 Clinton, Louisiana, I call your attention
13 to late August or early September of 1963,
14 and I ask you: Did you have occasion to
15 see any strange cars in town at that time?
- 16 A Yes, I did, I seen a black Cadillac parked in
17 Clinton.
- 18 Q Where was the black Cadillac?
- 19 A Right in front of the Registrar's Office.
- 20 Q Can you remember about when this was?
- 21 A I was standing in front of the Registrar's
22 Office door.
- 23 Q About when was this?
- 24 A About when it was?
- 25 Q Yes, when.

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A Oh, in 1963, late August or early September.

Q How can you arrive at that time?

A I arrived because it was about a month and a half before you go to cane farming.

Q About a month and a half before you go into cane farming. And when was the date you went to cane farming?

A I didn't understand you.

Q What date did you go on the cane farming?

A Usually goes on the cane farming on the 13th of October.

Q In other words, about a month or a month and a half before October 13, 1963?

A Month and a half before October 13.

Q About how far from the Registrar's Office would you say the black Cadillac was parked?

A Maybe 20 or 30 feet.

Q Can you describe the black Cadillac?

A I can.

Q Would you give us a description?

A It was a big black Cadillac, shiny looking. I saw mostly the front of it though.

Q (Exhibiting photograph to witness) I show you a photograph which the State has marked "S-2" for purposes of identification, and

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I ask you if you can identify the automobile in this photograph.

A This looks like the car right here.

Q Just like the car parked in front of the Registrar's Office?

A Yes, sir.

Q Was there any particular reason why you happened to notice this car?

A Yes, it was a strange car to me, I had never seen that car before there in town. Fact of the business, the car was there -- I thought it was the FBI.

Q You thought the car was the FBI?

A I thought it was the FBI.

Q Were there FBI agents in the area at that time?

A I believe it was.

Q Would it be fair to say that in the course of this registration drive --

MR. DYMOND:

I object to leading the witness, Your Honor, "Would it be fair to say."

THE COURT:

Rephrase your question, if you will, Mr. Sciambra.

1 BY MR. SCIAMBRA:

2 Q Were you paying attention to all strange cars
3 in the area at the time?

4 A I was, all the strange cars, I was paying close
5 attention.

6 Q Can you remember about what time of the day
7 you got there?

8 A I got there about 9:00 or 9:30.

9 Q In the morning?

10 A In the morning.

11 Q Was the black Cadillac there when you got
12 there?

13 A No, it wasn't there when I got there.

14 Q Did you see the car pull up?

15 A No, I did not.

16 Q What did you do when you got in Clinton that
17 day?

18 A I went on and got in the registration line.

19 Q Right in the Registration Office, you say?

20 A In the Registration Office, yes, near to the
21 Registration Office, but I was in the
22 line.

23 Q Did you stay in the Registrar's Office?

24 A No, I didn't stay.

25 Q -- all morning?

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A I didn't stay in there, I come down and talked with some of the CORE workers I was working with.

Q Do you remember any of the CORE workers that you talked to when you came downstairs?

A Corrie Collins.

Q Corrie Collins was also working for CORE?

A That is right.

Q Can you remember approximately where you were standing when you first noticed the black Cadillac?

A I was standing in front of the Registration Office, just on the outside.

Q About how far from the car were you?

A Oh, about 20 or 30 feet.

Q Did you notice if there were any people in the car?

A Yes, I did.

Q How many?

A I knows one man was setting behind the wheel, and maybe be another one but I am not sure.

Q In the front seat maybe another one?

A On the front seat.

Q But you are not sure about the other one?

1 A I am not sure about the other one.

2 Q What made you notice the man behind the wheel?

3 A Because he was a stranger to me.

4 Q How far away from the car were you when you
5 noticed the man behind the wheel?

6 A About 20 or 30 feet.

7 Q Can you approximate how long you had to look
8 at him?

9 A Five or ten minutes.

10 Q Can you describe the man behind the wheel?

11 A I can. He was -- big shoulders, big man, and
12 grey hair.

13 Q Do you see that man in this courtroom today?

14 A I do.

15 Q Would you point him out, please?

16 A (Indicating) Right here.

17 MR. SCIAMBRA:

18 May we have the record reflect that the
19 witness pointed to the Defendant
20 before the bar, Clay Shaw?

21 THE COURT:

22 Let it be noted in the record.

23 BY MR. SCIAMBRA:

24 Q What was he doing in the car?

25 A Just setting in the car.

- 1 Q Did you notice anyone go up to the car?
- 2 A No, sir, I didn't.
- 3 Q Were there many people in line waiting to
- 4 register?
- 5 A It was.
- 6 Q About how many people would you say were in
- 7 line?
- 8 A Oh, 25 or 30.
- 9 Q Did you notice any strangers in the registra-
- 10 tion line?
- 11 A I did, I noticed one young white boy in the
- 12 registration line.
- 13 Q (Exhibiting photograph to witness) I show you
- 14 a picture that the State has marked "S-1"
- 15 for purposes of identification, and I ask
- 16 you if you recognize the individual in
- 17 this picture?
- 18 A That is the boy's picture was standing in line.
- 19 Q Do you know who this person is?
- 20 A I do.
- 21 Q Who is it?
- 22 A Lee Oswald.
- 23 Q Was there any particular reason why you
- 24 happened to notice this boy?
- 25 A He was a stranger to me, I had never seen him

1 before.

2 Q Were there many white people in line?

3 A Just a few.

4 Q How many would you say?

5 A Maybe four or five.

6 Q Did you ever talk to Oswald?

7 A No, sir, I did not.

8 Q About how many times would you say you passed

9 Oswald that day?

10 A Just a few times.

11 Q Was he in line every time you passed him?

12 A Every time I passed.

13 Q Do you remember what time you got to talk to

14 the Registrar that day?

15 A About the middle of the day.

16 Q And how long did you talk to the Registrar?

17 A Just a short while.

18 Q And who is the Registrar, or who was the

19 Registrar at that time?

20 A Palmer.

21 Q Henry E. Palmer?

22 A Henry E. Palmer.

23 Q Can you remember about what time you left the

24 Registrar's Office?

25 A I left there about 2:00 or 2:30.

1 Q Was Oswald in line when you left?

2 A He was in line when I left.

3 Q What did you do after you left the
4 Registrar's Office?

5 A I went on home, went to my farm.

6 Q Did you ever see Oswald get out of that line?

7 A No, sir, I did not.

8 Q Did you see Oswald's picture in the newspaper
9 after the assassination of
10 President Kennedy?

11 A I did.

12 Q Did you recognize him?

13 A Sure did.

14 Q Where did you recognize him from?

15 A I recognized him from seeing him in Clinton,
16 my home town.

17 Q Did you see Clay Shaw's picture in the paper
18 after that?

19 A I did.

20 Q Did you recognize him?

21 A I recognized him.

22 Q Where did you recognize him from?

23 A Recognized him from seeing him in my home town
24 setting in the black Cadillac.

25 MR. SCIAMBRA:

1 Tender the witness, Your Honor.

15

2 CROSS-EXAMINATION

3 BY MR. DYMOND:

4 Q How did you become a witness in this case,
5 Mr. Dunn?

6 A The DA's Office.

7 Q Did the DA's Office get in touch with you, or
8 did you get in touch with them?

9 A I can't understand you.

10 Q Did the District Attorney's Office get in
11 touch with you, or did you get in touch
12 with someone in the DA's Office?

13 A They gotten in touch with me.

14 Q When?

15 A Oh, about a year ago.

16 Q About a year ago?

17 A That is right.

18 Q Had you reported to anybody before the DA's
19 Office got in touch with you?

20 A No, sir, I didn't.

21 Q In other words, you have no idea how the DA's
22 Office found out about what you know?
23 Is that right?

24 A No, sir, I don't have any idea.

25 Q They just came to you and you told your story?

- 1 Is that correct?
- 2 A When they come to me a year ago, I explained to
3 them what I had seen.
- 4 Q About how long did you see that automobile
5 parked there?
- 6 A I didn't understand you.
- 7 Q About how long did you see that Cadillac
8 parked there?
- 9 A Oh, I didn't just pay attention to it at all
10 times.
- 11 Q You first saw it about 10:30, is that right?
- 12 A That is right, 10:30 or 11:00, right.
- 13 Q When was the last time you saw it?
- 14 A When I left town.
- 15 Q What time was that?
- 16 A At 2:00 or 2:30.
- 17 Q So you know that it was parked there from about
18 10:30 or 11:00 o'clock until about 2:00 or
19 2:30? Is that right?
- 20 A That is right.
- 21 Q You say that this Defendant Clay Shaw was the
22 man sitting behind that wheel? Is that
23 correct?
- 24 A That is right, that is right.
- 25 Q Before your seeing him in Clinton at the time

1 of the voter registration drive, had you
2 ever seen that man before?

3 A I can't ever remember, that I recall.

4 Q Well, did he look familiar to you or not?

5 A Like he look now.

6 Q Did he look familiar to you when you saw him
7 in August or September of 19 --

8 THE COURT:

9 Mr. Dymond, if you will permit an
10 interruption, I think you might use
11 another term instead of "familiar."

12 BY MR. DYMOND:

13 Q Do you know what the word "familiar" means?

14 A No.

15 Q Did he look like you had ever seen him before?

16 A No, I had never seen him before.

17 Q You had never seen him before?

18 A I had never seen him.

19 Q The next thing that you saw that looked like
20 him was when his picture was in the paper
21 after he was arrested in 1967, is that
22 right?

23 A That is right, it was his picture.

24 Q Almost four years later? Right?

25 A (The witness nodded affirmatively.)

1 Q When was the first time that you ever saw him
2 in person here in New Orleans?

3 A At the day the trial started.

4 Q I guess you were brought into the courtroom by
5 the District Attorney's Office to look at
6 him? Is that right?

7 A Well, I come down here from the DA's Office to
8 look at him and see if I recognized the
9 same man as when I had seen in Clinton.

10 Q Right. And they brought you in and told you to
11 look at him?

12 A I wanted to come in and look at him.

13 Q I know you wanted to, but they asked you?

14 MR. ALCOCK:

15 I think he answered the question,

16 Your Honor.

17 THE COURT:

18 I think he has, too.

19 BY MR. DYMOND:

20 Q Did they or did they not ask you to come in and
21 look at him?

22 A I don't know.

23 Q You don't know. Who pointed him out to you
24 when you came into the courtroom?

25 A Nobody pointed him out to me.

1 Q Was he standing by himself or with other
2 people?

3 A Setting down.

4 Q He was sitting down?

5 A That is right.

6 Q Was he sitting down in the defendant's chair
7 there (indicating)?

8 A That is right.

9 Q Now, you say that one of the big reasons for
10 your identifying this defendant as the
11 man that you saw in Clinton was his grey
12 hair, and another one was his shoulders.

13 Is that right?

14 A Big shoulders, big man.

15 Q Isn't it a fact that the man that you saw in
16 Clinton had longer hair on the top of his
17 head than this man does?

18 A (The witness shook his head negatively.)

19 Q He didn't?

20 A No.

21 Q Are you sure about that? Do you mean to tell
22 me you looked to see how long the hair was
23 on the top of that man's head?

24 A Look, when the man was in town I noticed the
25 man. Whenever I knows a man I don't

1 hardly forget his face.

2 Q I see. And you say that he didn't have longer
3 hair on top of his head than this man?

4 A He looked to me like he looks there.

5 Q Just like he looks now, hair just the same
6 length on top? Is that correct? Is that
7 right?

8 A He looked to me just like he is looking now
9 when I see him in town sitting behind the
10 wheel.

11 Q Dunn, isn't it a fact that the man that you
12 saw in that automobile had a hat on?

13 A Didn't have no hat on.

14 Q And you're positive of that? Is that right?

15 A Positive he didn't have no hat.

16 Q If I told you that Corrie Collins said he had
17 a hat on and all he could see was his
18 sideburns --

19 MR. SCIAMBRA:

20 That is objectionable, Your Honor, because
21 it is calling on this man to pass
22 upon the credibility of another
23 witness.

24 THE COURT:

25 Objection sustained.

1
2 BY MR. DYMOND:

3 Q And you swear he didn't have a hat on?

4 A I say he didn't have a hat on, when I saw him
5 sitting in the car he did not have a hat
6 on.

7 Q Have you ever been convicted of a crime?

8 A No, no, I never have been.

9 Q You never have. The man that you have identi-
10 fied as Lee Harvey Oswald, had you ever
11 seen him before the day that you say you
12 saw him in Clinton?

13 A I never had.

14 Q Never had? When did you determine or find out
15 or finally decide for yourself that the
16 man that you had seen in Clinton was
17 Lee Harvey Oswald?

18 A I seed him in Clinton, but we started seeing
19 him after the assassination of
20 President Kennedy.

21 Q When you saw his picture on television? Is
22 that right?

23 A In the paper.

24 Q In the paper?

25 A That is right.

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Q Did you read in the paper about the preliminary hearing before a three-judge court that was held in this case?

A No, sir, I didn't.

Q Didn't you read about Mr. Shaw going to court after he was arrested?

A I seen his picture after he was arrested; I recognized him being the man in Clinton.

Q And you say you remembered then that you had seen that man in Clinton with Lee Harvey Oswald? Is that right?

A I didn't say I seen him with anyone, I said he was sitting in the car.

Q I mean in Clinton at the same time that Lee Harvey Oswald was there. Is that right?

A That is right, that is right, but, now, I didn't see anyone with him. There may have been another in the car, but I am not sure, but I know he was in the car.

Q You remembered that and you didn't report it to anybody, did you?

A No, sir, I didn't.

Q Why didn't you?

A I thought he was FBI, that is why I didn't.

1 Q I am not talking about that, I am talking about
2 after Mr. Shaw was arrested, you saw his
3 picture in the paper and recognized from
4 that picture that he was the same man
5 that you saw in Clinton at the same time
6 that Lee Harvey Oswald was there. Why
7 didn't you report that to anybody?

8 A Well, I thought it was FBI.

9 Q You thought who was FBI?

10 A I thought Clay Shaw was FBI when he was sitting
11 in Clinton in the black Cadillac.

12 Q Look, I don't want to confuse you, Mr. Dunn,
13 I am not talking about what you thought
14 in Clinton back in August or September of
15 1963, I am talking about what you saw in
16 the newspaper back in 1967 when Mr. Shaw
17 was arrested and you say that from his
18 newspaper picture you recognized him as
19 the man that you saw in Clinton at the
20 same time that Lee Harvey Oswald was there.
21 Have I made myself clear on that?

22 A I understand it.

23 Q Now, when you recognized him as the man that
24 you had seen in Clinton when Lee Harvey
25 Oswald was there, you saw his picture in

1 the paper as having been arrested and
2 charged with conspiring to kill
3 President Kennedy, why didn't you report
4 to somebody that you had seen him there
5 when Lee Harvey Oswald was there?

6 A Well, I didn't think I had to report it, had
7 FBI and things checking on different
8 things like that.

9 Q And you didn't feel that you had any duty --

10 A When I seen his picture, he was arrested.

11 Q I see.

12 A Now, what cause I have to do with it?

13 Q You didn't think that you should report it?

14 Is that right?

15 A He was arrested when I seen the picture, when
16 I seen his picture there he was arrested
17 already. I have cause to go and try to
18 get him arrested again? (LAUGHTER)

19 THE BAILIFF:

20 Order in the court!

21 BY MR. DYMOND:

22 Q How was the man you have identified as
23 Lee Harvey Oswald dressed?

24 A I can't understand you.

25 Q You have identified this picture shown to you

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by Mr. Sciambra as the man you saw stand-
ing in the registration line. Is that
right?

A That is right.

Q How was that man dressed when you saw him?

A I didn't pay attention to his clothes and the
side --

Q You didn't pay any attention to his clothes?
Is that right?

A Not particular.

Q Did he have a shirt on or not?

A I didn't pay attention to it.

Q Is it your testimony you can't even tell me
whether he had a shirt on?

A I wouldn't say, but you know yourself the man
wasn't standing in town naked.

MR. ALCOCK:

Your Honor, I object.

THE WITNESS:

(Continuing) I say I didn't pay attention
to his clothes, I paid attention to
his face and his size.

BY MR. DYMOND:

Q And you can't tell me what color shirt he had
on?

- 1 A I couldn't tell you.
- 2 Q You can't tell me what color pants he had on?
- 3 A No, I couldn't tell you that.
- 4 Q Now, the man sitting in the automobile, what
5 kind of clothing did he have on?
- 6 A He had on -- looked to me like a dark suit.
- 7 Q A dark suit?
- 8 A Yes, sir, far as I could see. I couldn't see
9 but only his coat. Let me get clear on
10 that.
- 11 Q Now would you tell us why you would notice the
12 clothing on one man and wouldn't notice
13 the clothing on the other?
- 14 A I thought it was the FBI, and that is the
15 reason.
- 16 Q What has being an FBI agent got to do with your
17 remembering his clothing?
- 18 A Well, I didn't remember the clothing on
19 Lee Harvey Oswald, I remember his face and
20 his size. That is right.
- 21 Q Did Lee Oswald have a beard or not?
- 22 A I didn't remember him having any beard.
- 23 Q Would you say that he did?
- 24 A He didn't look to me like he had no beard.
- 25 Q What is that?

1 A He didn't look to me like he had no beard on.

2 Q You know what a beard is when you see it,

3 don't you?

4 A (The witness nodded affirmatively.)

5 Q Can't you tell me definitely whether you saw

6 a beard on the man that you saw standing

7 in the registration line?

8 A No, I didn't see any beard.

9 THE COURT:

10 Answer it. Say whether you saw a beard

11 or not a beard, don't say "I didn't

12 see any beard." Did you see a

13 beard or didn't you?

14 THE WITNESS:

15 I didn't see a beard.

16 BY MR. DYMOND:

17 Q I understand you were standing right in front

18 of the Registration Building? Is that

19 right?

20 A Right.

21 Q This line you were talking about, was that

22 inside or outside the building?

23 A I don't understand.

24 Q The line of people standing in the Registrar's

25 Office, was that inside or outside the

- 1 building?
- 2 A Inside and outside.
- 3 Q Inside and outside?
- 4 A Correct.
- 5 Q Were there many people in town at that time?
- 6 A What you mean, was many people in line or in
7 town?
- 8 Q Were there many people in the Town of Clinton
9 at that time?
- 10 A I didn't particularly pay attention to many
11 people being in town.
- 12 Q Well, were there many strangers there?
- 13 A I seen two, maybe three.
- 14 Q What is that?
- 15 A I seen two, maybe three.
- 16 Q Is that all the strangers that you saw that
17 day?
- 18 A That is right.
- 19 Q You knew everybody else, is that right, at
20 least by sight?
- 21 A I don't understand you.
- 22 Q You knew everybody except those three men by
23 sight? Is that right?
- 24 A Not particularly, but I had seen them before.
- 25 Q All right. You knew them by sight. Now, the

1 automobile, this black Cadillac that you
2 have referred to, was that parked on the
3 same side of the street or the opposite
4 side of the street from the Registrar's
5 Office?

6 A Same side of the street.

7 Q It was parked on the same side of the street
8 that --

9 A -- the Registrar's Office was on.

10 Q All right. And you say you were about 20 to 30
11 feet from it? Is that correct?

12 A That is right.

13 Q Now, as you walked out of the Registrar's
14 Office, was this car on the right-hand
15 side or to the left-hand side of the
16 Registration Office, or was it directly
17 in front of the office?

18 A It was right in front of the office or
19 drugstore we have right there just 20 or
20 30 feet, right close together, next door,
21 right in front of it.

22 Q Would that be a little bit to the right or a
23 little bit to the left as you are walking
24 out of the front door?

25 A Now, the Registrar's Office -- you want me to --

- 1 Q I didn't hear you.
- 2 A The Registrar's Office you want me to describe
3 and give you the facts? As you are coming
4 in Clinton on 67 --
- 5 Q You don't have to go into the highway.
- 6 A I have to tell you if you want me to tell you
7 what side.
- 8 Q Let me ask you this: You say there is a
9 drugstore next door to the Registrar's
10 Office?
- 11 A That is right.
- 12 Q Now, is that -- when you are facing the street
13 from the Registrar's Office, is that
14 drugstore on the right-hand side or the
15 left-hand side of the Registrar's Office?
- 16 A On the right-hand side of the Registrar's
17 Office.
- 18 Q On the right-hand side of the Registrar's
19 Office?
- 20 A The drugstore?
- 21 Q Yes. Is it to the right or the left?
- 22 A On the right as you are coming out from the
23 Registration Office.
- 24 Q That is what I want to know.
- 25 A That is right.

1 Q Now, was this car parked in the direction of
2 the drugstore on that street, or was it
3 parked in the opposite direction on that
4 street?

5 A It was parked right in front of the Registration
6 Office and the drugstore.

7 Q Right in front of the Registration Office and
8 the drugstore?

9 A That is right.

10 Q Then it must have been a little to the right of
11 the Registration Office going out? Is
12 that right?

13 THE COURT:

14 Mr. Dymond, is there a purpose behind this
15 question?

16 MR. DYMOND:

17 Yes, of course there is.

18 THE COURT:

19 All right. I know you are belaboring it.

20 You may proceed.

21 BY MR. DYMOND:

22 Q Is that correct? It would be a little bit to
23 the right of the Registration Office going
24 out?

25 A Yes, a little to the right coming out from the

1 Registration Office.

2 Q Now, which way was that car facing? Was it
3 facing towards the left or to the right
4 as you came out of the Registration
5 Office?

6 A It was facing the Clinton Bank. If you had a
7 picture of it you would know.

8 Q Is that to the right or left of the
9 Registration Office when you are coming
10 out of the Registration Office?

11 A It was facing the Clinton Bank on the
12 left-hand side, on the wrong side of the
13 street.

14 Q I am sorry. We don't know where the Clinton
15 Bank is, but I ask you to picture yourself
16 coming out of the Registrar's Office. The
17 car is parked on the street in front of
18 the Registrar's Office?

19 A That is right.

20 Q I am asking you whether that car was parked in
21 a direction heading toward your left or
22 to your right?

23 A Oh, it was heading towards the left.

24 Q Heading towards your left, and you said you had
25 a good view of the man sitting in that

1 automobile?

2 A That is correct.

3 Q You could see his full grey hair? Is that
4 right?

5 A That is right.

6 Q And there was another man sitting in that
7 automobile?

8 A Maybe, I am not sure.

9 Q Maybe?

10 A I am not sure.

11 Q Well, you were looking at the automobile for
12 ten minutes, weren't you?

13 A I paid attention direct to the driver.

14 Q Didn't you testify that you were looking at
15 that car with this man in it for about
16 ten minutes?

17 A I say five or ten minutes.

18 Q And is it your testimony you say maybe somebody
19 else was sitting in the car?

20 A May be is right.

21 Q And the driver didn't have a hat on?

22 A No, he did not.

23 MR. DYMOND:

24 That is all.

25 THE COURT:

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Do you have anything further, any further
need of Mr. Dunn?

MR. DYMOND:

No.

MR. SCIAMBRA:

We have no further need of him.

(WITNESS EXCUSED.)

...oOo...

MRS. BOBBIE DEDON,

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

DIRECT EXAMINATION

BY MR. SCIAMBRA:

Q Please state your name for the record.

A Mrs. Bobbie Dedon.

Q Mrs. Dedon, where do you live?

A Baton Rouge.

Q And how long have you lived in Baton Rouge?

A About a year now.

Q And what is your occupation?

A Doctor's assistant.

Q And how long have you been a doctor's
assistant?

A A year and about four months.

- 1 Q Where were you employed in the summer of 1963?
- 2 A East Louisiana State Hospital.
- 3 Q And where is that?
- 4 A Jackson.
- 5 Q And in what capacity were you employed at the
- 6 East Louisiana State Hospital?
- 7 A At the clinic as a receptionist.
- 8 Q In relationship to your duties as a
- 9 receptionist, in regards to where the
- 10 personnel office was, did you ever have
- 11 occasion to talk to anyone?
- 12 A Yes.
- 13 Q In that relationship I call your attention to
- 14 late August or early September, 1963, and
- 15 I ask you if anyone asked you for
- 16 instructions --
- 17 A Yes.
- 18 Q -- how to get to the personnel office.
- 19 A Yes.
- 20 Q (Exhibiting photograph to witness) I show you
- 21 a picture that the State has marked "S-1"
- 22 for purposes of identification, and I ask
- 23 you if you have ever seen the person in
- 24 this picture.
- 25 A Yes.

- 1 Q Where did you see this person?
- 2 A At my desk at the clinic.
- 3 Q Can you approximately remember about what time
- 4 it was?
- 5 A September, early part of September.
- 6 Q Do you know who this person is?
- 7 A It is Lee Harvey Oswald.
- 8 Q Can you remember what you talked to Lee Harvey
- 9 Oswald about?
- 10 A He wanted to know where he could go to put in
- 11 an application.
- 12 MR. DYMOND:
- 13 Your Honor, we object to any conversation.
- 14 THE COURT:
- 15 Objection sustained.
- 16 BY MR. SCIAMBRA:
- 17 Q Just tell us what you told Oswald.
- 18 A I just told him directions to go to the center
- 19 building which is the administration
- 20 building.
- 21 Q What was in the administration building at the
- 22 time?
- 23 A The main offices.
- 24 Q Where would a person go to apply for a job?
- 25 A At the administration building.

1 Q Can you remember about what time of day this
2 was?

3 A It was around lunch, because I was getting
4 ready to go to lunch.

5 Q About how long did you talk to Oswald in
6 relationship to where the personnel
7 office was?

8 A Just a few minutes.

9 Q What did he do after you talked to him?

10 A Just left.

11 Q Was that the last time you saw him that day?

12 A Yes, it was.

13 Q Did you see a picture of Lee Harvey Oswald in
14 the newspaper after the assassination of
15 President Kennedy?

16 A Yes.

17 Q Did you recognize him?

18 A No; I knew he looked familiar.

19 Q You didn't recognize him from any particular
20 place though?

21 A No.

22 Q Can you remember the first law enforcement
23 officer that you talked to in relation
24 to this?

25 A Yes, Lieutenant Fruge.

1 Q Who was that?

2 A Lieutenant Fruge.

3 Q Louisiana State Police?

4 A Yes.

5 Q Did he show you any photographs?

6 A Yes, he showed me a lot of photographs.

7 Q Did you identify any photographs?

8 A I identified Lee Harvey Oswald.

9 Q You identified Lee Harvey Oswald's photograph?

10 A Yes.

11 Q Did you recognize the photograph at that time?

12 A Yes.

13 Q And where did you recognize it from?

14 A From me talking to him.

15 Q Were you ever questioned by the FBI in regards

16 to this?

17 A No.

18 MR. SCIAMBRA:

19 I tender the witness.

20 CROSS-EXAMINATION

21 BY MR. DYMOND:

22 Q Mrs. Dedon, you said you have talked with

23 Lee Harvey Oswald for only a few minutes

24 at your desk?

25 A Yes.

1 Q How many minutes would you say that was?

2 A Long enough to give him directions to go
3 around the building and to the front.

4 Q Would you say three or four minutes?

5 A Four or five minutes.

6 Q I see. Do you recall how he was dressed that
7 day?

8 A No, I don't.

9 Q Do you recall his general appearance, that is,
10 whether he was neat looking or sloppy
11 looking or generally how he looked?

12 A No.

13 Q Did he impress you as a neat individual or as
14 a disheveled individual?

15 A I didn't really -- I didn't pay that much
16 attention to him.

17 Q Did he have a beard on?

18 A I don't remember.

19 Q You don't remember whether he had a beard?

20 A Right.

21 Q You don't?

22 A No.

23 MR. DYMOND:

24 That is all.

25 THE COURT:

Do you have any further need of

Mrs. Dedon?

MR. SCIAMBRA:

No further questions, Your Honor.

THE COURT:

If not, you are excused from the subpoena.

Call your next witness.

(WITNESS EXCUSED.)

...oOo...

MRS. MAXINE KEMP,

*- NOW Mrs DRANE
in ZACHARY*

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

DIRECT EXAMINATION

BY MR. SCIAMBRA:

Q Please state your name for the record.

A Mrs. Maxine Kemp.

Q Mrs. Kemp, where do you live?

A Clinton.

Q Clinton, Louisiana?

A That is right.

Q And how long have you lived in Clinton?

A All my life.

Q And what is your occupation?

A I am classified as a typist-clerk, I am

1 classified under Civil Service as a
2 Typist-Clerk 3, and I act as secretary to
3 the Personnel Office at East Louisiana
4 State Hospital.

5 Q In other words, you work in the office,
6 personnel office, of East Louisiana State
7 Hospital?

8 A That is right.

9 Q When did you go to work at the East Louisiana
10 State Hospital?

11 A September of 1964.

12 Q In connection with your duties at the hospital
13 in September of 1964, I ask you if any-
14 thing unusual happened to you?

15 A I came across an application for employment.

16 Q In the personnel files?

17 A That is right.

18 Q What was the name on this application?

19 A Harvey Oswald.

20 Q Now, how was the application written, was it
21 first name last or last name first?

22 A Last name first.

23 Q And then first name after the last name?

24 A That is right, then the middle name.

25 MR. DYMOND:

1 Your Honor, we object to this, first on
2 the ground that this application
3 itself would, if admissible, be the
4 best evidence, but this young lady,
5 as I understand, didn't go to work
6 there until September of '64 and
7 apparently she found an application
8 like this at the hospital when she
9 went there, and she can't sit here
10 now and testify as to the contents
11 of this written application.

12 THE COURT:

13 Let me find out. Mr. Sciambra, do you
14 have the exhibit itself?

15 MR. SCIAMBRA:

16 No, Your Honor, but I will clarify this
17 with a few more questions, as to the
18 existence of the application.

19 THE COURT:

20 If the evidence is available, the best
21 evidence is the document itself.

22 MR. SCIAMBRA:

23 In a few more questions, Your Honor, that
24 will be brought out.

25 THE COURT:

1 All right.

2 BY MR. SCIAMBRA:

3 Q So, in other words, the application read
4 "Oswald" --

5 THE COURT:

6 No, no, wait. The objection is well
7 taken. You cannot pursue it. The
8 best evidence is the document itself.

9 BY MR. SCIAMBRA:

10 Q What did you do with the application after you
11 looked at it?

12 A Put it back in the file.

13 Q When was the next time you went to look for
14 the application?

15 A After the investigation started.

16 Q After the Garrison investigation started?

17 A Yes, sir.

18 Q Was it there?

19 A No, sir.

20 Q Do you know what happened to the application?

21 A No, sir, I do not.

22 Q Do you know who took the application?

23 A No, sir.

24 Q Have you made efforts to find the application?

25 A Yes, sir.

1 Q Have you been able to find the application?

2 A No, sir.

3 Q Now could you tell me exactly how the name
4 appears on the application?

5 MR. DYMOND:

6 Now, if Your Honor please, --

7 THE COURT:

8 I will overrule your objection now.

9 MR. DYMOND:

10 May I make the objection? I didn't state
11 the reason yet. We object to this
12 now, Your Honor, on the ground that
13 this application, if it existed, that
14 the testimony concerning this
15 application is hearsay. The best
16 party to testify as to anything
17 concerning this application would be
18 the person who made it out or saw it
19 made out.

20 THE COURT:

21 Not necessarily.

22 MR. DYMOND:

23 Well, that is our position, Your Honor,
24 and our objection is based --

25 THE COURT:

1 Let me ask you a question: Are you
2 officially employed in connection
3 with these records, as typist-clerk
4 and secretary to the Personnel
5 Director?

6 **THE WITNESS:**

7 Yes, sir.

8 **THE COURT:**

9 These records would have been under your
10 direction?

11 **THE WITNESS:**

12 Yes, at all times.

13 **THE COURT:**

14 And who would prepare this information?

15 **THE WITNESS:**

16 The application?

17 **THE COURT:**

18 Yes.

19 **THE WITNESS:**

20 The person seeking employment.

21 **THE COURT:**

22 Who was giving them the application to
23 prepare, and whom would he give the
24 application to?

25 **THE WITNESS:**

1 He would give it to me or the lady --

2 THE COURT:

3 Would he have given it to you?

4 THE WITNESS:

5 No, sir.

6 THE COURT:

7 Who else would he have given it to besides
8 you?

9 THE WITNESS:

10 Well, there are three others that work in
11 the office; he could give it to
12 either one of them.

13 THE COURT:

14 In the ordinary course of business it
15 would be filed in the filing cabinet
16 together with other records?

17 THE WITNESS:

18 Yes.

19 THE COURT:

20 Do you particularly remember seeing this
21 card in the file?

22 THE WITNESS:

23 Yes, sir.

24 THE COURT:

25 I will permit her to testify to it. I

1 overrule your objection. It is the
2 best evidence available.

3 MR. DYMOND:

4 To which ruling we object and reserve a
5 bill of exception, making the State's
6 question, our objection, the reasons
7 for the objection, the testimony of
8 this witness, and the entire record,
9 together with our contention that the
10 Court led the witness in connection
11 with questioning on this document,
12 parts of the bill.

13 THE COURT:

14 Let me make one thing certain. Each time
15 you take a bill you say "the entire
16 record." "The entire record" means
17 up to the time you make your
18 exception, not the entire record?

19 MR. DYMOND:

20 Right.

21 THE COURT:

22 I want that understood.

23 BY MR. SCIAMBRA:

24 Q Would you state to the Court exactly how the
25 name appeared on the application.

1 A "Oswald, Harvey."

2 Q Did you see a middle name?

3 A No, sir, I did not.

4 MR. SCIAMBRA:

5 Tender the witness, Your Honor.

6 CROSS-EXAMINATION

7 BY MR. DYMOND:

8 Q Mrs. Kemp, is it the practice of East Louisiana
9 State Hospital to keep applications for
10 employment on file there, or do they just
11 keep work records on file?

12 A We keep all applications for one year.

13 Q For one year?

14 A Yes, sir.

15 Q All right.

16 A We pull them, well, maybe every three months we
17 go through them.

18 Q Every three months when you go through them,
19 what do you do with them?

20 A Well, we destroy the ones --

21 Q -- that are one year old? Is that correct?

22 A If they have not been accepted for employment.

23 If they are accepted for employment, of
24 course, it goes in your personnel file.

25 MR. DYMOND:

That is all, ma'am.

RE-DIRECT EXAMINATION

BY MR. SCIAMBRA:

Q Do any applications happen to stay in the
employment files more than a year?

A Yes, sir, they have.

MR. SCIAMBRA:

No further questions.

THE COURT:

Do you have any further need of the lady?

MR. DYMOND:

No.

(WITNESS EXCUSED.)

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C E R T I F I C A T E

I, the undersigned, Helen R. Dietrich, do

hereby certify:

that the above and foregoing (49 pages of
typewritten matter) is a true and correct transcription
of the stenographic notes of the proceedings had herein,
the same having been taken down by me and transcribed
under my supervision, on the day and date hereinafore
noted, in the Criminal District Court for the Parish of
Orleans, State of Louisiana, in the matter of State of
Louisiana vs. Clay L. Shaw, 199-059 1426 (30) Section
"C" on the 7th day of February, 1969, before the
Honorable Edward A. Haggerty, Jr., Judge, Section "C", the
same being an excerpt of the proceedings as to certain
witnesses contained in the index hereof.

New Orleans, Louisiana, this 26th day of May,

1969.


HELEN R. DIETRICH
REPORTER