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CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

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

EXCERPT FROM
PROCEEDINGS IN OPEN COURT
AFTERNOON SESSION
FEBRUARY 27, 1969

MYS Nicholas Tadin

B E F O R E: THE HONORABLE EDWARD A. HAGGERTY,
JR., JUDGE, SECTION "C"

15 pages

Reference copy, JFK Collection: NSCA (RG 233)

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WITNESS DIRECT CROSS REDIRECT

MRS. NICHOLAS M. TADIN 2 8 13

Reference copy, JFK Collection: HSCA (RG 233)

AFTERNOON SESSION

THURSDAY, FEBRUARY 27, 1969

AFTER THE RECESS:

THE COURT:

Are you ready to proceed, Mr. Alcock?

MR. ALCOCK:

Yes, sir.

...oOo...

MRS. NICHOLAS M. TADIN,

after first being duly sworn by The Minute Clerk as
a witness for the State in Rebuttal, was examined
and testified as follows:

DIRECT EXAMINATION

BY MR. ALCOCK:

Q Would you state your full name for the record,

Mrs. Tadin?

A Mrs. Matilda Tadin.

Q Mrs. Tadin, have you ever testified in a trial
before?

A No, sir.

Q I ask you just to relax and try to answer the
questions and to speak directly into the
microphone if you would.

THE COURT:

Let me further explain, Mrs. Tadin, that if

1 a question is put to you either by the
2 District Attorney or the Defense and it
3 requires what they would call a "Yes" or
4 "No," you have a right under the law to
5 explain your answer, so if you wish to
6 say yes or no and you wish to be further
7 heard on it, to explain your answer, just
8 put your hand up and tell them you wish
9 to explain your answer.

10 THE WITNESS:

11 Thank you.

12 BY MR. ALCOCK:

13 Q Mrs. Tadin, is your husband Nicholas Tadin?

14 A Yes.

15 Q Is that the gentleman that preceded you on the
16 witness stand in this case?

17 A Yes.

18 Q Mrs. Tadin, where do you live now?

19 A New Orleans, Lurline Street.

20 Q You have any children, Mrs. Tadin?

21 A Two boys.

22 Q And what are their ages now?

23 A 20 and 14.

24 Q Do either one or both of these boys have any
25 infirmities at all?

1 A Deafness.

2 Q Mrs. Tadin, in the year 1964 were either of
3 your boys taking any flying lessons?

4 A Yes.

5 Q Which boy was it?

6 A The oldest one.

7 Q Is that the one that's 20 now?

8 A Yes.

9 Q And from whom was he taking flying lessons?

10 A Dave Ferrie.

11 Q Mrs. Tadin, I'm going to show you a picture
12 which I have identified for purposes of
13 this trial as State-3 and ask you if you
14 recognize the man in this picture?

15 A Dave Ferrie.

16 Q Is that the man who was giving your son
17 instructions in flying?

18 A Yes.

19 Q While your son was taking these lessons did you
20 have occasion to see Dave Ferrie very
21 often?

22 A I made it my business to be out there practically
23 every afternoon at the time he took a
24 lesson.

25 Q Where would he take his lesson?

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1 A The New Orleans Airport.

2 Q The Lakefront Airport?

3 A Yes, sir.

4 Q Now, Mrs. Tadin, in the summer of 1964 did you
5 have occasion to be at the Lakefront
6 Airport with your husband and your son at
7 one time when he was to take a lesson?

8 A Yes.

9 Q On this occasion, Mrs. Tadin, did you have
10 occasion to see this man I am pointing to
11 here (indicating Defendant Shaw)?

12 A Yes, I did.

13 Q Mrs. Tadin, can you approximate when that was,
14 what month?

15 A It was the summer of '64, the latter part of the
16 summer.

17 Q I'm sorry, go ahead.

18 A So I can explain myself, we were out there and
19 we were waiting for Dave to come, and he
20 was heading towards us and I noticed a
21 gentleman with Dave and I passed the
22 comment to my husband that it was a dis-
23 tinguished-looking man with Dave and my
24 husband said, "Oh, look, who is with Dave."

25 MR. DYMOND:

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1 I object, Your Honor.

2 THE COURT:

3 Your husband made a reply and what did you
4 do as a result of what he told you?

5 BY MR. ALCOCK:

6 Q Who is the Dave you are referring to?

7 A What?

8 Q Who is the Dave you were referring to?

9 A Dave Ferrie.

10 Q And who is the man that you said was with Dave
11 Ferrie, is that the man you identified
12 just now?

13 A Yes.

14 Q Did you see from what direction they came?

15 A They came out the hanger and we were standing
16 in this direction and he was coming towards
17 us from the right and we were waiting to
18 see Dave Ferrie.

19 Q Did you have occasion to speak with him?

20 A After the gentleman left, Dave Ferrie, he came
21 towards us.

22 Q Did you say anything to him?

23 A No, my husband spoke to him.

24 Q Did you have occasion to see where the Defendant
25 Shaw went after he left you?

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1 A I didn't pay any attention. He walked over
 2 and went off.
 3 Q Were you concentrating on anyone at this time?
 4 A I was concentrating on Dave Ferrie 'cause we
 5 went out there to speak with him.
 6 Q Had you been out to the airport many times
 7 prior to this, prior to this occasion?
 8 A Yes, yes, many times.
 9 Q Do you recall -- I think you testified at the
 10 time that the Defendant and Ferrie were
 11 coming out of the hanger, is that correct?
 12 A Yes.
 13 Q Do you recall how close together they were or
 14 how far apart they were?
 15 A I would say Dave was just a little, about this
 16 much in front and that is when I noticed
 17 and my husband told me who he was.
 18 Q Who was?
 19 A Mr. Shaw.
 20 Q Had you seen Mr. Shaw prior to that occasion?
 21 A No, sir, I had not.
 22 Q Did you make any comment to your husband at
 23 the time you saw the Defendant Shaw?
 24 A Yes, I did.
 25 Q What was that?

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1 A My husband told me who he was and --

2 MR. DYMOND:

3 I object and I ask that the witness be
4 instructed not to repeat what someone
5 told her.

6 THE WITNESS:

7 I asked my husband.

8 THE COURT:

9 This is a technical legal objection and
10 you cannot state what your husband
11 told you but you can state what you
12 did as a result of that.

13 THE WITNESS:

14 Okay. I said "Oh, no."

15 BY MR. ALCOCK:

16 Q Did you say anything else?

17 A I said "Oh, no."

18 Q This was in response to a statement?

19 A That my husband made and that was my response.

20 MR. ALCOCK:

21 I tender the witness.

22 CROSS-EXAMINATION

23 BY MR. DYMOND:

24 Q Mrs. Tadin, you say this was in the summer of

25 '64?

1 A About the latter, it was warm so the latter
2 part of August, it may have been sooner
3 'cause I can't say what day or time it
4 was.

5 Q Did you and your husband then have occasion to
6 be out at the airport on that occasion?

7 A Yes, we did.

8 Q Was anyone else with you besides you two?

9 A I think my son or he was already out there, I
10 think he had a lesson but we always made
11 it our point to be out there with him.

12 Q Do you remember it was the occasion that your
13 son was out there already or did he go
14 with you?

15 A I don't remember whether we went out there or he
16 was with us.

17 Q Now you say you saw Dave Ferrie come out of a
18 building?

19 A Out the hanger.

20 Q And Mr. Shaw was about this far behind him.

21 A Dave Ferrie was in the front and he was just
22 like on the side and towards the back.

23 Q You would not say that Mr. Shaw was 3 feet
24 behind Mr. Ferrie, would you?

25 A About.

1 Q 3 feet?

2 A I am a very poor judger of distance but maybe
3 about that.

4 Q That was the first time you saw the Defendant
5 when they came out that building on that
6 day?

7 A I saw him that day.

8 Q How old was your older son at this time,
9 Mrs. Tadin?

10 A He was going to be 17 in November.

11 THE COURT:

12 I don't think you understand; he wanted to
13 know how old was your son at the
14 present time.

15 MR. ALCOCK:

16 No, no.

17 MR. DYMOND:

18 No.

19 THE WITNESS:

20 At the present time he was 16 going to be
21 17 in November (sic).

22 BY MR. DYMOND:

23 Q He is how old now?

24 A 20, he just made 20.

25 Q He made 20 this past November?

1 A This past November.

2 Q Mrs. Tadin, are you a housewife or are you
3 employed?

4 A I am employed part-time.

5 Q Where do you work?

6 A Home Finance.

7 Q Home Finance Company. Do you remember how
8 Mr. Shaw was dressed on that occasion?

9 A No, sir, I just remembered his hair and face
10 and I passed a remark he was a distin-
11 guished-looking man and my husband told me
12 who he was.

13 Q You don't even remember whether he had a coat
14 on or not?

15 A I can't say if he had a coat on but just that
16 hair and face impressed me.

17 Q You don't remember whether he had a tie or
18 whether the shirt was open?

19 A No, sir, I can't say that.

20 Q Would you say the main thing you remember was
21 his hair?

22 A Yes.

23 Q His hair.

24 A His hair and his face, just distinguished-looking
25 person and that is what I remembered about

1 him.

2 Q Mrs. Tadin, do you remember about 1967 when a
3 preliminary hearing was held on this case?

4 A Yes, I recall.

5 Q Did you see news about that on the television?

6 A Yes, sir.

7 Q And read about it in the newspapers?

8 A Yes, sir.

9 Q Did you follow it pretty closely?

10 A Off and on I did.

11 Q Did you see pictures of Mr. Shaw at that time
12 in the paper and television?

13 A Yes, sir.

14 Q At the time you saw those pictures did you
15 recognize him as the person you had seen
16 with Ferrie back in 1964?

17 A Yes, sir, I did.

18 Q And when did you first come forward to the
19 District Attorney's Office and tell them
20 about this?

21 A Today.

22 Q Why didn't you do it back in 1964? (sic)

23 A 'Cause I didn't want to get involved and I
24 wouldn't be hear today if my husband
25 wouldn't have made me come.

1 Q Your husband made you come?

2 A Yes, sir.

3 Q He told you you had to come?

4 A He told me --

5 Q I didn't ask --

6 THE COURT:

7 I think she has a right to explain.

8 THE WITNESS:

9 My husband called me at work and I said
10 that I didn't want to get involved
11 and he said he feels like it is my
12 duty to come, and it is my husband
13 and I have to come, and I didn't
14 want to get involved.

15 BY MR. DYMOND:

16 Q This is something you have known since 1967.

17 A Yes.

18 MR. DYMOND:

19 That's all. Thank you.

20 REDIRECT EXAMINATION

21 BY MR. ALCOCK:

22 Q Mrs. Tadin, are you telling the truth in this
23 case?

24 A Of course I am telling the truth.

25 THE COURT:

1 It is about one minute to 4:00 and I have
2 been advised Gentlemen of the Jury,
3 the State advises me in the presence
4 of Defense Counsel that the witnesses
5 they wish to proceed with at this
6 moment are not in the City of New
7 Orleans, they are from the East and
8 are snowbound. I have been informed
9 by Mr. Alcock, that he asked me to
10 recess at this time to give them an
11 opportunity to be here tomorrow morn-
12 ing and if for some reason they are
13 not able to make it the case will
14 proceed and we will not delay it any
15 further.

16 In connection with that matter
17 Mr. Alcock and Mr. Dymond both advised
18 me that they will be ready to proceed
19 with their arguments in the case
20 tomorrow.

21 If these witnesses do show we
22 will hear them and if they don't the
23 State will proceed with the case but
24 we will not in fact delay it any
25 length of time. We will have the

1 closing arguments to the Jury
2 tomorrow, and I have no idea of what
3 length of time they will be allowed
4 because I have not at this moment
5 set any time limit on the arguments
6 but we will discuss that with counsel
7 at a later moment, but we are going
8 to recess this case at this moment
9 until tomorrow morning.

10 It looks to me, Gentlemen, like
11 the case will be given to you tomor-
12 row afternoon so if there is
13 possibly one more day and you will
14 have the case. You will have the
15 case tomorrow afternoon and that is
16 with agreement by both counsel for
17 both sides.

18
19 ... At the hour of 4:05 o'clock
20 p.m. the proceedings were recessed
21 until 9:00 o'clock a.m. Friday,
22 February 28, 1969. ...
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