

Payne: - "Did you or had you seen this person prior to this time in or around the City Hall?"

Answer: - "No."

Payne: - "And you didn't see this person enter from the Main Street ramp?"

Answer: - "Definetely not."

Payne: - "Did you see anything at the time of the shooting?"

I assumed by this question that he meant a flash from the gunfire and I asked him was this what he meant and he said yes. I then advised him that I saw smoke from the blast, and I ran immediately to the scene to control the crowd.

This terminated his questions and I asked Mr. Payne the reason for him calling as all this was old news. He then stated he was just verifying this interview and that he didn't really know what the Times Herald was going to do with this information.

I made myself very clear to Mr. Payne that I had not seen Ruby at anytime before the shooting in or around the City Hall.

On Sunday when I arrived at my home I noticed the subject article and read same with much interest and reached the conclusion that this article possibly had evolved from the telephone conversation on the previous day.

I immediately called an acquaintance and friend that is employed by the Times Herald to ascertain the identity of the reporter and this person stated that he did not know who had written the article. I then noticed the name of a reporter in the same edition, Mr. Bob Henley, and I called him, identified myself and asked him if he could advise me who had written the article. Mr. Henley stated that he didn't know for sure and related several names of persons that would have been on duty and mentioned the name of this Darwin Payne. I recognized this as the person that had called me.

I then called Mr. Payne at his home, telephone WH 6-5892, and asked him if he had written the article and he stated that he did.

The following are questions and answers I asked of Mr. Payne during this telephone conversation.

Question: - "Why did you print that I had seen Ruby enter the basement?"

Mr. Payne then answered: - "Well, I thought that you had seen him."