

(Mount Clipping in Space Below)

Saw Shaw, Oswald In Clinton--Witness

The second day of testimony in the conspiracy trial of Jay L. Shaw, featured testimony from witnesses called by the state in an effort to show that Shaw was seen with Lee Harvey Oswald in Clinton, near Baton Rouge, in late August or early September, 1963.

Shaw has denied ever knowing Oswald, whom the Warren Commission identifies as the lone assassin of President Kennedy in Dallas in November, 1963.

HANDLING the questioning for the state today was assistant district attorney Andrew J. Sciambra, while chief defense counsel F. Irvyn Dymond con-

tinued to cross-examine the witnesses.

The first witness this morning was William E. Dunn Sr., a Negro farm and construction worker from Clinton.

ASSISTANT district attorney Andrew J. Sciambra questioned Dunn.

Q—What is your occupation?
A—Farming, construction work.

Q—How long?
A—For most all of my life.

Q—In connection with your work, did you do any in Clinton in the summer of 1963?
A—Yes, I did.

Q—Did you have a purpose to go to Clinton?
A—Yes, I was.

Q—What was that occasion?
A—I was working with CORE (Congress of Racial Equality).

Q—This was in the summer of 1963?
A—The summer of 1963.

Q—What were you doing in CORE?
A—Trying to help register people.

Q—Did you get to Clinton?

A—Yes, I did. I saw a black Cadillac.
Q—Where were you standing when you saw the car?
A—I was standing in front of the registrar's office door.

DUNN SAID he was able to establish the time because he saw the car about a month before he always goes to work on a sugar cane farm.

Q—How far was the car from the registrar's office?
A—Maybe 20-30 feet.

Q—Give us a description of the car.
A—It was a big black Cadillac—shiny.

Q—I show you a picture of a car marked exhibit S-2.
A—It is just like the car.

Q—Just like the car in front of the registrar's office?
DUNN NODDED in assent.

Q—Was there any particular reason you noticed the car?
A—It was a strange car to me. I had never seen it in the area. In fact, I thought it belonged to the FBI.

Q—Was the FBI in the area?
A—Yes, they were.

Q—Were you paying attention to all strange cars?
A—Yes, I was.

Q—Did you see the car pull up?
A—No, I did not.

DUNN IN answer to questions traced his movements on arriving in Clinton the day he said he saw the Cadillac, saying that he first went to the registrar's office, but then went to talk to some CORE workers.

Q—Do you remember any of the CORE workers?
A—I remember Corrie Collins (a state witness in yesterday's testimony and a CORE worker).

Q—Did you notice any people in the car?
A—Yes, I did.

Q—How many?
A—I noticed one man sitting behind the wheel and I think another one.

Q—Why did you notice the man behind the wheel?
A—Because he was a stranger to me.

Q—How far away was the man?
A—Twenty feet.

Q—He was big shouldered, a big man, grey hair.
Q—Do you see this man in the courtroom?
A—I do.

Q—Can you point out this man?
DUNN LEANED out from the witness chair and pointed to Shaw, sitting at one end of the defense table.

Sciambra said, "Let the record reflect that the witness is pointing to the defendant."
Sciambra then asked Dunn if he noticed any strangers in the registration line.

A—I did. I noticed one white boy.
Q—I show you a picture labeled exhibit S-1 and ask you if this is the man?
A—That's the boy's picture I saw in the line.

Q—Do you know who the person is?
A—I do.

Q—Who?
A—Lee Oswald.
Q—Was there any particular reason you noticed the boy?
A—He was a stranger to me. I never saw him before.

Q—How many times did you pass Oswald that day?
A—Just a few times.

(Indicate page, name of newspaper, city and state.)

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SECTION 1

STATES*ITEM

NEW ORLEANS, LA.

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DUNN REPLIED he talked to the registrar at about noon.

Q—Was Oswald in line when you left the registrar's office?

A—He was in line when I left.

Q—What did you do when you left the registrar's office?

A—I went home.

DUNN THEN testified he saw both Oswald's picture and Shaw's picture in the newspaper later. To questions as to whether he saw the pictures and recognized them, Dunn answered, "I sure did."

In cross examination, Dymond questioned Dunn closely as to whether he contacted the DA's office about the information or whether it got in touch with him.

"They got in touch with me," said Dunn.

Q—When?

A—About a year ago.

Q—Had you reported this to anyone before?

A—No.

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

A—When they came to me, I explained what I had seen.

Q—What time did you first see the car?

A—Ten-thirty (a. m.).

Q—When was the last time you saw the car?

A—When I left town.

Q—What time?

A—Two-thirty (p. m.).

DYMOND THEN questioned Dunn about whether he was sure that the man he saw was Shaw and Dunn replied in the affirmative. He also said in reply to questions that he had never seen Shaw prior to the Clinton encounter.

He said the next time he saw Shaw after that was in a picture that appeared in the newspaper.

Dunn testified that he had seen Shaw again in the courtroom at the start of the trial.

Q—I guess they brought you into the courtroom?

Dunn said he "wanted to come to the courtroom."

Q—Did they or did they not ask you to look at him (Shaw)?

When Dunn hesitated, Dymond said, "You don't know? Was he standing up or sitting down?"

A—He was sitting right

you saw man's shoulders and hair?

Dunn: "Yes."

Q—"Isn't it so that the man you saw in Clinton had longer hair than this one?"

A—"No."

Q—"You mean you saw this man in this car and remembered the length of his hair?"

A—"His hair looked like it looks now. His face, too."

Q—"Same length on top?"

A—"Looks just like it looks now."

Q—"Didn't this man have a hat on?"

A—"Positively, he had on no hat."

Q—"If I told you Collins (a witness yesterday) said he had a hat on, what would you say?"

AT THIS point the state objected to this line of questioning by Dymond and the objection was upheld by Judge Haggerty.

The state maintained Dymond was harassing the witness. Dymond then resumed his questioning.

Q—Do you swear he did not have a hat on?

A—I swear he did not.

Q—Have you ever been convicted of a crime?

A—No. Never have.

Q—Had you ever seen Lee Harvey Oswald before that day in Clinton?

A—Never had.

Q—When did you decide for yourself that the man you saw was Oswald?

A—When I saw his picture in the paper.

Q—Did you read in the paper about the three-judge preliminary hearing?

A—No.

Q—How did you hear about Shaw going to court? You remembered him then? How did you remember then that you had seen that man in Clinton?

A—Saw him at the same time that I saw Oswald. Saw him in the car.

Q—How did you notice this man in the car?

A—I thought he was the FBI.

Q—You remember you saw this man at the same time you saw Oswald. Why didn't you report this to the authorities?

A—I thought he was the FBI when I saw him in the Cadillac automobile.

Q—I'm talking about what you saw in the paper. You

you saw Oswald in Clinton?

A—I saw his picture in the paper when he was arrested.

Q—Why didn't you tell anybody what you had seen? Didn't you think you should tell this to someone—report having seen him in Clinton?

A—I didn't think I had to report this to anybody. When I saw his picture in the paper he was arrested. I sure was not going to see that he get arrested again.

Q—How did you know this man you saw in Clinton was Lee Harvey Oswald? How was he dressed?

A—Didn't pay any attention to his clothes—just his face.

Q—Did he have on a shirt? A—I paid no attention. He sure wouldn't stand in town naked. I paid no attention to his clothes. Couldn't tell how he was dressed.

Q—Do you know the color of his pants?

A—No. Couldn't tell.

Q—Now this man you saw in the car had on a dark suit. How did you notice? Why did you pay attention to one and not the other?

A—Thought he was the FBI.

Q—Why did you pay attention to the clothes on one man and not the other?

A—I paid no attention to the way Oswald was dressed.

Q—Did you see a beard on the man in the registration line?

A—No. Did not see a beard.

Q—You said you were standing in front of the registration office?

A—Yes.

Q—Inside or outside?

A—Inside AND outside.

Q—Were there many people in town?

A—Didn't pay too much attention. But not many people.

Q—Were there many strangers?

A—Just these people.

Q—Did you know all the people there except those come-by-ers?

A—Not necessarily.

Q—The black auto you referred to—which side of the street was it parked on?

A—Same as the registration office.

Q—Now you said this car was 20 or 30 feet away?

A—That's right.

Q—Was it on the left or right side of the registration office?

A—Right in front of the drug store.

Q—To the left or right of the registration office?

DYMOND interrupted and asked him:

"When you are facing the street in front of the registration office, is the drug store to the left or right of the registration office?"

A—Right side, coming out of the registration office.

Q—Was this car parked in front of the drug store or opposite?

A—Right in front of the registration office and the drug store (indicating the two are side-by-side).

Q—You mean a little bit to the right going out?

A—Yes, coming out of the registration office.

Q—Was the car facing right or left?

A—Facing the bank—the Clinton bank. The bank's on the wrong side of the street.

Q—PICTURE yourself coming out of the registration office. Was the car on the right coming out? Was the car heading left or right?

A—Headed left.

Q—You said you got a good view of the man in the car?

A—Yes.

Q—Did you see another man in the car?

A—I don't know. I was looking right at the driver.

Q—I think you said that the man in the car didn't have a hat on?

A—That's right.

Dymond then announced to the court that he had no more questions and the witness Dunn was excused.

The next witness called to the stand by the state was Mrs. Bobbie Dedon, an attractive blonde wearing a checked coat, who said she currently lives in Baton Rouge and is a doctor's assistant.

SHE SAID SHE had held that job for about four months. Assistant DA Anthony Sciambra then took up the questioning of the state witness.

Q—Where were you employed in 1963?

A—The East Louisiana Hospital.

Q—What did you do at the East Louisiana Hospital?

A—I worked as a receptionist.

Q—Your GUIDES as a receptionist were to talk to people as they came in?

A—Yes.

Q—I take it that as a receptionist you are often asked by persons where certain offices are located?

A—Yes.

Q- Did anyone approach you to ask you where the personnel office was?
A- Yes.

SCIAMBRA THEN GOT up from his seat with a photograph which he asked be entered in evidence as a state exhibit. He took the picture to the witness stand.

Q- I show you a photograph. Have you ever seen this person before?
A- Yes.

Q- Do you know this person? Can you identify him?
A- Yes. That is Lee Harvey Oswald.

Q- Tell us what you told this man at your office?
A- I told him to go to the center building—the administration building—where the main offices are.

Q- THAT'S WHERE people go to apply for jobs?
A- Yes, the administration building.

Q- What time of day was this?
A- Around lunch. I was ready to go to lunch.

Q- How long did you talk to him?
A- A few minutes.

Q- Then what did he do?
A- He left.

Q- That was the last time you saw this man? Have you seen him since?
A- Yes.

Q- Did you see his picture at the time of the assassination of President Kennedy?
A- I knew he looked familiar.

Q- Do you remember having talked to any law enforcement officers?
A- Yes? A state police officer.

Q- DID HE SHOW you a picture of anyone?
A- Yes. A man he identified as Lee Harvey Oswald.

Q- How did you tell the officer you recognized this man?
A- I told him I had talked to him.

Q- Did you talk to the FBI about this man?
A- No.

Dymond then began his cross-examination.

Q- You say you talked to Lee Harvey Oswald for a minute?
A- Yes.

Q- How many minutes?
A- Long enough to give him directions.

Q- Three or four minutes?

Q- Do you remember the appearance? Was it sloppy or disheveled?
A- No.

Q- Was it neat or disheveled?
A- I didn't pay any attention.

Q- Did he have a beard?
A- I don't remember.

Q- You don't?
A- No.

DYMOND THEN ended his cross-examination and the witness was excused. The next witness called was Mrs. Maxine Kemp.

Q- Where do you live?
A- Clinton, La.

Q- How long have you lived there?
A- All of my life.

Q- What is your occupation?
A- I am secretary to the personnel officer at the South Louisiana State Hospital.

Q- Do you work in the personnel office?
A- Yes.

Q- When did you go to work for the South Louisiana State Hospital?
A- In September, 1964.

Q- In connection with your duties, did you see anything unusual?
A- I saw an application for employment for Harvey Oswald.

Q- Did it list his first name first?
A- His last name.

Q- You say the first name came after the last name?
A- Yes.

DYMOND OBJECTED: "The application is the best evidence she has testified that in September, 1964, she found this application, but she can't testify as to its content."

The judge to Alcock: "Do you have the document to present here?"
A- I do not.

The judge permitted the state to continue.

Alcock: "What did you do with the application?"
A- I put it back into the file.

Q- When was the next time you were asked to show it?
A- After the Garrison investigation began.

Q- Was it there?
A- No.

Q- Did you make an effort to find it?
A- Yes.

Q- Did you find it?
A- No.

DYMOND AGAIN objected to testimony "concerning an application which to this witness is hearsay. She is not the person who made it out

The judge to the witness: "You are formally employed as secretary in the personnel office. Do the application records come under your direction?"
A- Yes.

Q- In other words, someone would give the application to you?
A- Yes.

Judge: Ordinarily in the course of business, you would have control of these records?
A- Yes.

THE JUDGE then overruled Dymond's objection and the defense attorney took bills of exception.

The assistant district attorney resumed questioning.

Q- Exactly how did his application read?
A- Oswald, Harvey.

DYMOND THEN began a cross-examination.

Q- Is it the practice of the Southeast Louisiana Hospital to keep applications for employment as permanent records?
A- We keep them all for approximately one year.

Q- I see.
A- Every three months we go through the files and destroy those that are a year old.

THE STATE then asked: "Do you keep any applications for more than a year?"
A- Yes, sir, sometimes.

The state then called Det. Frank Hayward, but there was no response.

The next witness was officer Mark Windstein.

Q- Where are you employed?
A- The City of New Orleans police department.

Q- How long have you been with the police?
A- Eight years as of Feb. 15.

Q- Are you assigned to any particular division of the department?
A- The intelligence division.

Q- How long have you been with the intelligence division?
A- Since June of 1961.

Q- Generally, what are the duties of this division?
A- To investigate groups which might cause trouble.

Q- In the month of August, did you have occasion to open the file on Lee Harvey Oswald?
A- Yes, sir.

Q- Did you bring to the court any pieces of

other documents in connection with Lee Harvey Oswald?

DYMOND at this point objected to the introduction of the documents on the grounds of relevancy, but the judge permitted questioning to continue when Alcock said he would later connect up the documents with testimony.

Q- Will you give us the documents?
The witness then handed over an envelope.

Alcock opened the envelope, revealing two documents.

Q- In connection with your duties, going back to when you went to work with the intelligence division and up to this date, do you have any information on an organization called Fair Play for Cuba?
Dymond objected on the grounds that whatever information he had must be hearsay and the judge permitted a "yes" or "no" answer.

Q- Do you?
A- We do.

Q- Specifically, do you have any information outside of the file on Oswald?
A- We have a file on the organization.

Q- Outside of the information you have given us is there any other information?
THE JUDGE permitted only a yes or no answer.

A- Yes.

Q- Have you personally conducted an investigation of the Fair Play for Cuba organization?
A- Not personally.

Q- Was there any investigation of this organization in connection with any arrest on Aug. 9, 1963?
A- Personally, I did not make such an investigation.

THE STATE then called Capt. Francis Martello, but he was not present in court. Frank Hayward appeared and took the stand.

Q- Where are you employed?
A- New Orleans Police Department.

Q- How long have you been with the police department?
A- Ten years.

Q- Are you assigned any particular division?
A- Yes, sir, Community Relations Division.

Q- To what division were you assigned in August 1963?
A- I was a patrolman in the First District police station.

Q—Did you assist in any arrest on Canal st. about this time?

A—Yes, my partner and I.

Q—What time?

A—Shortly after 3 p. m.

Q—What was the approximate location?

A—If I recall correctly, it was the 700 block of Canal.

Q—How many persons were arrested?

A—Three.

Q—For what?

A—For disturbing the peace by creating a scene.

Q—What were they doing when you arrived?

A—When we arrived we observed a crowd of approximately 35 to 50 people with three people obviously responsible for the crowd. We placed them in the police car and removed them from the scene to prevent any further trouble.

The witness was asked to identify a picture of Oswald.

A—This looks like the person arrested.

Q—Do you know his name?

A—He gave the name of Lee Harvey Oswald.

Q—When you arrived, what, if anything, was Oswald doing?

DYMOND again objected to the relevancy, claimed the state had made a showing of a prima facie case at this time.

Alcock argued that he could not develop the relevancy of this testimony as long as Dymond continued to object to the questions.

The judge first sustained the defense objection, but when Alcock insisted he was attempting to link it up with other testimony, the judge permitted him to go ahead.

DYMOND THEN took another bill of exception.

Q—When you arrived, what was Oswald doing?

A—He held in his hands several sheets of paper. He was engaged in a violent argument with two other people.

Q—Did you confiscate anything?

A—Yes, leaflets.

Q—Can you identify these leaflets (He was holding the two documents furnished by Hayward) as the ones you took from Oswald?

A—I recognize the large one as similar to the one taken from Oswald.

He said he could not identify the other document.

Q—Do you recall what you

was with the confiscated documents?

A—To best of my recollection I turned them over to officers of the intelligence division who had been called to the First District.

HAYWARD WAS cross examined by Dymond.

Q—Do you know who took these exhibits?

A—No, I do not.

Q—Are these exhibits the same ones taken from him?

A—They are similar to the ones that were taken.

Q—Are there any identifying marks on the exhibits?

A—No.

Q—Do you remember which of the three officers took these exhibits?

A—No, I don't.

Q—Do you remember if you were one of those who took them?

A—No, sir, it's been too long ago for me to recall.

Q—Did you examine the exhibits?

A—Yes, sir.

Q—Did you see any identifying marks on them?

A—No sir.

THE NEXT witness called was Police Capt. Francis Martello.

Alcock began questioning this witness.

Q—How long have you been employed by the police department?

A—Twenty years.

Q—On Aug. 19, 1963, what division of the department were you serving in?

A—The First District.

Q—What was your capacity?

A—I was serving as platoon commander.

Q—Prior to that time, what division were you in?

A—Prior to that, I was in the intelligence division for two years.

Q—Did you have occasion to question an individual on Aug. 9, 1963?

A—On Aug. 10, 1963.

Q—What time of day?

A—Ten a.m.

Q—Were you in on the actual arrest of this individual?

A—No, sir.

At this point Alcock showed the witness a picture of Oswald.

Q—Do you recognize this individual?

A—Yes.

Q—Is this the same individual you questioned?

A—Yes.

Q—Did he have certain documents in his possession?

NOW, ALCOCK showed literature which Alcock was passed out by Oswald.

Then Dymond raised a formal objection on the grounds the testimony had the effect of pre-dating the actual date of the alleged conspiracy for which Shaw is charged in the bill of indictment.

Dymond questioned the relevancy of this type of testimony.

Alcock retorted, "I've been reluctant thus far to point out the reason why we have questioned along this line because we felt it would be prejudicial to the defendant. But I'll be more than glad to say why."

JUDGE HAGGERTY ended the heated exchange and dismissed the jury while the legal arguments developed.

Judge Haggerty then explained, "The law of conspiracy is a very technical one. It would be very sweet—very nice—if the first witness the state presented were Perry Raymond Rasso to establish the alleged meeting in the uptown section of New Orleans.

"However, since the state has seen fit to bring in activities in Clinton and other witnesses from that section, in bringing together this maze to fit the parts of the jigsaw puzzle together, they have a right to present their case as they see fit."

THE JUDGE ruled then on Dymond's claim anything Oswald or Ferrie did prior to the meeting uptown is not admissible:

"I do not agree with you. I have to depend on Mr. Alcock's word that he intends to link all these things up."

Dymond then argued it was the defense's contention that the state cannot prove a conspiracy prior to the conspiracy charged in the bill of indictment, September, 1963.

Judge Haggerty said, "The state can over-prove their case, can't they?"

Dymond asked: "Is it the ruling of this court that the state can prove a conspiracy

a month before the date contained in the bill of information?"

JUDGE HAGGERTY said, "If they (the state) want to show that these people met with each other before, you cannot stop them. I think I understand Mr. Alcock's position."

He's trying to show the events leading up to the conspiracy. And he's going to have to connect them up."

Dymond took the position that Alcock cannot do this within the boundaries of the bill of indictment charging the defendant.

ALCOCK SAID it is the state's purpose "to show that Lee Harvey Oswald distributed leaflets in this city on June 18, 1963." He said the state will link the leaflets from this arrest with the leaflets dropped on the lakefront in the alleged meeting between Oswald and Shaw later.

Alcock argued the state has "every right in the world to corroborate the witness who will be called on later to testify about the meeting on the lakefront."

The judge agreed, and asked the jury be brought into the courtroom.

The jury was marched back into the courtroom after Judge Haggerty agreed to allow testimony as to Oswald's activity prior to the alleged conspiracy.

DYMOND, IN the presence of the jury, filed an exception, charging the state could not show activities of a co-conspirator prior to the alleged conspiracy but must stick to charges outlined in its indictment.

The state then called Capt. Francis Martello, a New Orleans policeman who interrogated Oswald after one of his arrests here in June, 1963.

ALCOCK SHOWED Martello a photograph of Oswald. Martello identified it as a photograph of the man he questioned.

Q—Can you identify State Exhibit 4 and 5? (Free Cuba literature.)

A. Yes, this is the same literature I had on hand when I questioned Oswald.

Q. Did you question Oswald concerning this literature?

A. Yes, I did.

Q. Did you keep any literature?

A. Yes, I kept one and then turned the others over.

AFTER THAT Martello brought out from a manila folder two pieces of paper. One was a gold handbill with black lettering. The other was a white sheet of paper.

Alcock questioned: Q. Are these identical to state exhibits Four and Five?

At this point Dymond stood up to object.

Q. You are stating that these are the same two articles?

A. Yes.

HAGGERTY interrupted, saying to Martello:

I think you are being misled. Are these the same two items or are they similar?

A. They are alike—similar.

At this point Dymond asked for the jury to be excused and filed a motion for a mistrial. He quoted a section of the criminal code which, he said, spells out that a judge does not have power to grant or alter any question asked of a witness in the presence of the jury.

JUDGE HAGGERTY, in immediately denying the motion for mistrial, said: "It was obvious that the witness was confused." But he allowed Dymond to file an exception to his denial.

When the jury returned Dymond filed his exceptions and Martello was excused.

The next state witness was Grod Ray, wharf master for the Dock Board. Ray said he was a harbor police patrolman in June, 1963, when Oswald was arrested for handing out leaflets on the Dumaine wharf on the riverfront.

Q. What was your assignment?

A. I was assigned to the Dumaine st. wharf with a special assignment to the USS Wasp, which was berthed there.

Q. Who approached you?

A. I was approached by an officer of the USS Wasp who told me someone was handing out pamphlets.

Q. Did you make an arrest?

A. Yes, I did.

Q. Was this the man you arrested (Alcock showed Ray a photograph of Oswald)?

A. Yes.

Q. Did you have an occasion to confiscate any of the material?

A. Yes.

Q. Did you ever see the man you arrested on the wharf on local TV?

A. I did, sir.

Q. Do you recall what time?

A. No, sir.

AT THIS POINT Alcock

showed Ray pictures and asked him to place each on the man he recognized.

Q. Is this an individual you took the papers from on the Dumaine st. wharf?

A. Yes, Lee Harvey Oswald. Then Dymond filed another exception—again on the grounds the whole testimony was irrelevant to the alleged conspiracy.

THE LAST witness before Judge Haggerty called a noon recess was Charles Steele Jr.

During his testimony, Alcock introduced the subject of a yet unidentified person who handed out "Fair Play Cuba" leaflets with Oswald and Steele in front of the International Trade Mart building Aug. 18, 1963.

Steele said that he and the other man, who Steele said he did not know, were hired by Oswald at the state unemployment center on Canal st. to handout the leaflets.

STEELE SAID he had gone to the center with his girl friend and was seated there when Oswald sat between him and the unidentified man and offered him the job handing out leaflets.

Alcock asked: Q. Where did you first see Lee Harvey Oswald?

A. In the unemployment office on Canal st.

Q. Did you have a conversation with him and did you do anything as a result of that conversation?

A. As a result of that conversation I handed out leaflets in front of the International Trade Mart.

Q. Was Lee Harvey Oswald with you? Did he hand out leaflets?

A. Yes, he was with us and he handed out leaflets.

Q. How long did you hand out leaflets?

A. Ten or 15 minutes.

STEELE SAID he never again saw either Oswald or the other man who handed out leaflets with them in front of the Trade Mart. He said that when he arrived at Trade Mart to hand out leaflets, he found Oswald and the other man waiting for him.

In a brief cross-examination, Dymond asked Steele about the appearance of Oswald.

Steele replied that Oswald was neat, did not have a beard and was well-spoken.

DYMOND ASKED:

Q. When you saw him what was Lee Harvey Oswald wearing?

A. A white shirt and a clean-looking pair of pants.

Q. Was he neat looking?

A. He was a neat looking person, clean-shaven and well spoken.

Steele, now an employe of Comfortair Co. Inc. of New Orleans, was excused.

One of the state's principal witnesses, Verant William Bundy Jr., took the stand at 1:05 p. m. to testify he saw Shaw meet Oswald on the Pontchartrain lake front.

BUNDY SAID he lives at 4039 Atlas st. and has been on-and-off a presser for Avondale Cleaners for four years. Prior to that he said he worked for Ernest Cleaners.

He was questioned by Alcock.

Q. Are you presently on methadone?

A. Yes.

Q. Are you a volunteer on methadone?

A. Yes.

Q. Why?

A. To withdraw from the heroin habit.

Q. How often do you go to a clinic?

A. Every day.

Q. What do you do at the clinic?

A. They take a urine and blood test and I take methadone in liquid form.

Q. Any effect on your physical being?

A. After a period it makes me drowsy.

ALCOCK THEN directed the witness to consider late June, 1963, and questioned him about going to the lake front.

A. I did.

Q. Do you know a specific date?

A. On Monday in the latter part of June.

Q. For what reason?

A. To use a drug, heroin.

Q. Take anything with you?

A. A bottle of water, a soft drink and my outfit. You refer to it as paraphernalia.

Q. What time did you arrive?

A. About a quarter past or nine thirty.

Q. A. m. or p. m.?

A. A. m.

Q. Did you go directly from work?

A. I went from home.

Q. Did you go there much

A. No, this was the first time.

Q. Have you been there since then much?

A. No.

Q. Just the one occasion, the one you're talking about?

A. Yes.

Q. On this particular time, did you see anything?

A. I did.

ALCOCK THEN directed the witness to tell what happened. Bundy said, "As I began to use my drug, the cops, I emptied the two caps into a spot on the deck of the seawall."

Q. Was it heroin?

A. Right. I was sitting on the top step of the seawall and had a bag in front of me between my legs. In it was my outfit, and two caps of stuff wrapped in plastic.

Q. Was this on the top deck of the seawall?

A. It was. I emptied both caps into the cooler, and I had not turned to administer water into it or wipe my outfit when behind me I noticed a black limousine approaching.

That was behind me facing back towards town.

Q. Was that the same side as you or on the other side?

A. Other side. A gentleman got out of the car, walked behind me about 30 or 40 feet, no more than that, and he was there a little while and I said to myself, "I don't know if that is a narcotics officer or what."

Q. You were concerned?

A. I was. Like I say, I didn't want him to come up on me, me having the heroin, him being a policeman and I wouldn't have time to throw my stuff into the lake and let it dissolve.

Q. Did you see the auto arrive?

A. I did.

Q. Did you see a man get out of the auto?

A. Yes.

Q. Did you see him after he got out?

A. Yes, I did.

Q. Did you watch him?

A. I did. And toward the water tank, over toward the beach, I saw a gentleman approach. He came around the water tower and came up to the gentleman that was waiting. Like I said before, they talked. Seemed like it was hours because I was there with my stuff, but I know it was only minutes.

Q. Did you observe the

Q—Did you see one of them?

A—Yes.

Q—Here, Bundy pointed to Shaw as one of the men.

ALCOCK WALKED behind Shaw and asked if it was the man Bundy saw and Bundy answered, "Yes."

Q—Is this the man who was walking as the one who got out of the car?

A—This is the one who got out of the car.

At that point, Alcock showed the witness a picture and asked him if he recognized it.

"Yes," said Bundy.

Q—Do you know this man?

A—I know him now. He is Harvey Oswald.

Q—Anything happen during their conversation?

A—Talked for a while. Only conversation I overheard was Oswald said to this gentleman, "What am I going to tell you?"

Q—There was no interpretation? Did you hear any other words?

A—No. The man here (looking towards Shaw) tried to shake the smaller fellow—Oswald—quiet down. This man here saw me staring at them.

THE JUDGE then told the witness to say what the pair did, but not what he thought was in their minds.

Q—What, if anything, did they do besides conversing?

A—The gentlemen here all the conversation I overheard, did quiet the other one down. They faced me, looking toward the lakefront. I was looking at them and they were looking at me. I didn't know if they were two officers, like I said, and I hoped I had time to dispose of the narcotics I had. The gentleman here gave the other gentleman—Oswald—what looked like money. Oswald put it in his back pocket. And I saw he had what looked like pamphlets or sheets, with some black writing on them. They talked for a few more seconds and then this gentleman (Shaw), jessed by me and said to me, "It's a very hot day." He adjusted his collar, walked over to his car, got in and drove away. The small fellow, Oswald, went away from the lakefront.

Q—W. Did you see any sort of heroin and then looked for some paper to wipe the stuff. Oswald dropped those papers I'd seen and I picked up one to wipe my outfit and it said something about Cuba.

ALCOCK SHOWED Bundy a pamphlet which Bundy identified as one similar to the one he used to wipe off his equipment.

Bundy said it said something about "free Cuba" or "hands off Cuba" or something.

Q—Did you notice the color of it?

A—It was yellow, light yellow, with black writing. It was on the same order as this one (pointing to the one Alcock held).

Then Alcock showed Bundy a picture of an automobile.

Q—Have you ever seen this car or one similar?

A—I have.

Q—Where?

A—On the lakefront that day.

Q—Could it have been this car?

A—It could have been, or one similar to that.

It was the photograph of a black Cadillac previously introduced into evidence by the state.



MRS. BONNIE DEDON, left, a Baton Rouge doctor's assistant, and MRS. MAXINE KENT of Clinton, secretary to the personnel officer of the South Louisiana State Hospital, arrive in custody at the conspiracy trial of Clay L. Shaw.