

Shaw Trial Testimony

Court proceedings in the 27th day of the conspiracy trial of Clay L. Shaw follow:

Testimony today began with Mrs. Marina Oswald Porter on the stand, after Judge Edward A. Haggerty turned down a motion for a directed verdict and briefly recessed the court.

When court reconvened Judge Haggerty said, "I don't know whether you wish to reserve a bill (bill of exception to his ruling) but you should do so with the jury in the courtroom."

CHIEF DEFENSE counsel F. Irvin Dymond told the judge, "The defense would like to lodge a formal objection to the decision overruling the motion for a directed verdict."

The jury was then brought into the courtroom and Haggerty asked the defense to state its motion.

"At this time in the presence of the jury we would like to reserve a bill of exception to the ruling," said Dymond.

Dymond then began the defense testimony, saying, "Please call Mrs. Porter."

Mrs. Porter identified herself as the widow of Lee Harvey Oswald and stated that she now lives in Richardson, Tex.

Q—Do you have any children by Lee Harvey Oswald?

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A—Yes, I have two children—two girls.

Q—Do you have any other children?

A—Yes, I have one other child.

Q—I refer you to the year, 1963; approximately when did you and Lee Harvey Oswald move to New Orleans?

A—We moved to New Orleans in May of 1963.

Q—From where?

A—From Dallas, Tex.

Q—When you moved to New Orleans in 1963, did you have any children?

A—Yes, I had one child and expected another.

Q—Did you and Lee Harvey

Oswald come to New Orleans together or separately?

A—We came separately. Lee came here first and got a job and a place to stay.

Q—Approximately how long after Lee Harvey Oswald came to New Orleans did you come to New Orleans?

A—In a week's time.

Q—About a week?

A—Yes.

Q—When you came here did Lee Harvey Oswald have a place to live?

A—He had already rented a place.

Q—Where was the place?

A—4905 Magazine st. I'm not sure—4905 or 4907.

Q—Who were your landlord and landlady?

A—I don't know that now.

Q—Did you ever know?

A—Not then. Not when I was living there.

Q—Have you since learned their names?

A—I don't recall . . .

Q—During the time you lived a year in New Orleans on Magazine st. was Lee Harvey Oswald employed?

A—Yes, he was.

Q—Where was he employed?

A—It was at the Reily Coffee Co.

Q—What were his hours?

A—Eight o'clock, I think, to 5:30.

Q—How did he get to work?

A—By bus.

Q—HOW DID HE return home?

A—The same way.

Q—Did he ever own an automobile while living in New Orleans?

A—No, sir.

Q—Did you ever own an automobile in Texas?

A—No, we never owned an automobile.

Q—Was Lee Harvey Oswald able to drive an automobile.

A—I had never seen him drive an automobile.

Q—Did you know how to drive an automobile?

A—No, I still don't.

Q—Did you ever know him to wear a beard?

A—No, sir.

Q—Did he shave regularly?

A—Not every day, but he never wore a beard.

Q—Mrs. Porter, I show you a photograph . . . and ask you whether you are able to locate Lee Harvey Oswald in it.

A—He's here in the middle of this picture.

She was then asked by Dy-

mond to place an X over Oswald in the picture.

Q—Now Mrs. Porter, I ask you to look at photographs you have identified, and tell us if you have ever seen him with more beard.

A—THIS IS THE most beard I've ever seen him with.

Q—With respect to clothing, did he ordinarily wear dirty clothing or clean clothing?

A—Clean clothes.

Q—When he was going out of the house—when he was going out in public—did he have any unusual habits concerning clothing?

A—No, sir. If he had to go downtown in New Orleans he always changed clothes. He wore a clean shirt. If he was going someplace in the neighborhood, like when he was going to the store, a small supermarket, he would wear a T-shirt and slacks.

Q—How many shirts did he have?

A—NOT VERY MANY. He only had about two dress shirts.

Q—Did he ever wear long hair?

A—No.

Q—What was the condition of his hair?

A—Quite short.

Q—Was it combed or uncombed?

A—There wasn't much to comb.

Q—Did Lee Harvey Oswald ever take a trip up to Clinton, La.?

A—Not that I know of.

Q—Did you ever go to Clinton, La.?

A—No.

Q—Did you ever take the baby up to Clinton?

A—No.

Q—DID ANYONE EVER take the baby to Clinton?

A—Nobody ever took the baby away from me.

Q—About how long after you left New Orleans did Lee Harvey Oswald leave?

A—I saw him by seven or 10 days after I left New Orleans.

Q—Where did you see him the next time?

A—The next time I saw him at Ruth Paine's house.

Q—Where is Ruth Paine's house?

A—At Irving, Tex.

Q—During the time you were living in New Orleans, did you ever know Lee Harvey Oswald to spend time away from

home?

A—Only once, when he spent the night in jail.

Q—DO YOU RECALL any other nights?

A—No.

Q—Did he work anywhere else except the coffee company?

A—He lost his job shortly before we left New Orleans.

Q—After he lost his job with the coffee company, how did he spend his time?

A—He stayed around the house most of the time. Sometimes he would go to the library or to look for a job.

Q—Can you tell where he spent his nights?

A—At home.

Q—What did he do at home?

A—Mostly he was reading.

Q—Did he read a lot?

A—Yes.

Q—Did you have many friends?

A—Just his relatives.

A—The family name was Murat.

Q—Can you spell the name?

A—No.

Q—During the time that you lived here with Lee Harvey Oswald did you and he make any trips?

A—Yes, to Alabama.

Q—Only one trip?

A—Yes.

Q—Do you remember how long after you moved here you went to Alabama?

A—I don't remember.

Q—Did you and your husband visit any other persons here besides the Murats?

A—We never visited. I don't think so.

Q—Was your husband absent from home any nights when you lived here?

A—No.

Q—Was he home at night?

A—Yes.

Q—Did any friends visit you except the Murats?

A—Only once. Mrs. Ruth Paine and a lady with some children.

Q—Can you recall their names?

A—No.

Q—At the time you were living here with Lee Harvey Oswald did you know or were you familiar with a man by the name of Clay Shaw?

A—No.

Q—When was the first time you heard the name of Clay Shaw?

A—When the trial began here.

Q—Did you ever hear the

name of Clay Bertrand?

A—No.

Q—Did you ever hear the name of Clem Bertrand?

A—No.

Q—When was the first time that you heard this name?

A—When the trial began here.

Q—Did you ever know anyone by the name of Dave Ferrie or David W. Ferrie?

A—No.

Q—To your knowledge, Mrs. Porter, did your husband Lee Harvey Oswald know anyone by the name of Dave Ferrie or David W. Ferrie?

At this point Dymond chose a picture of Dave Ferrie which had been introduced into evidence by the state. He showed it to Mrs. Porter and asked her if it looked familiar. She said it did not.

He also picked out two other pictures of Ferrie and showed them to her. She said neither looked familiar.

Q—During the time that you were married to Lee Harvey Oswald, do you know to your knowledge if he knew a person by the name of Sandra Moffett?

A—No.

Dymond then said he was going to call a list of names and he wanted her to answer whether or not to her knowledge Oswald knew any of the persons. He then read a list of names: Niles Peterson, Layton Martens, Alvin Beauboeuf, Melvin Coffey, Al Landry and James Lewallen.

Mrs. Porter continued to shake her head as the names were read.

Q—Are any of these names familiar to you?

A—No.

Q—Is the name Perry Raymond Russo familiar to you?

A—No.

Q—To your knowledge, did your late husband know anyone by the name of Perry Raymond Russo or Perry Russo?

A—No.

Q—To your knowledge, Mrs. Porter, what, if any other names, did Lee Harvey Oswald use?

A—Yes. He signed some

papers once in the name of Heidel.

Q—Did he use any other name?

A—No. Not at the time I was married to him.

Q—Any other time before you married him?

A—I FOUND OUT he rented an apartment once under another name.

Q—Did he ever use the name of Leon Oswald?

A—No.

Q—Is that name familiar to you?

A—No.

Q—Was he ever known to have used the name Harvey Oswald?

A—I don't know about it.

Q—To your knowledge, Mrs. Porter, did he do that?

A—No, sir.

Q—You said, "I don't know about that." What do you mean? I said did he ever use the name of Harvey Oswald to your knowledge?

A—HE MAY HAVE used that name but not to my knowledge.

Q—During the time that you and Lee Harvey Oswald were living at the Magazine st. address, did he live at any time anywhere else?

A—No. While we lived here, he had the same address that I had the whole time.

Q—Did you ever have a broken marriage or were you separated?

A—No.

Q—Was he rooming or did he have an apartment anywhere else?

A—No.

Q—Were you aware that your husband had a rifle while you were living here?

A—Yes, I knew about it.

Q—Would you recognize it if it were shown to you?

A—No, sir.

Dymond called for a rifle which had been introduced into evidence. A court attache said it was in the sheriff's office and the judge ordered it brought into the courtroom. Meanwhile Dymond continued questioning the witness.

Q—WHILE YOU WERE living at the Magazine st. address with Lee Harvey Oswald, did anyone pick him up—you or both of you?

A—Only the Murats.

Q—Can you tell me the type of automobile the Murats had?

A—No, sir. It could have

been his cousin, too. Lee's cousin would come sometimes.

At this point Dymond picked up a photograph and showed it to Mrs. Porter asking:

Q—Does this look like the Murat car?

A—I can't say.

Q—DO YOU REMEMBER the color of the Murat car?

A—No, sir.

Q—How many times did you see their automobile?

A—Maybe two or three times.

Q—To your knowledge did anyone else pick up Lee Harvey Oswald in an automobile?

A—No, sir.

Q—While you and Lee Harvey Oswald were married, did you ever own an automobile?

A—No.

Q—To your knowledge, did he ever own one?

A—No.

Q—TO YOUR KNOWLEDGE, did he ever borrow an automobile?

A—No.

Q—Was Lee Harvey Oswald non-committal or outspoken in his political views?

A—He did not talk about politics in the presence of me.

Q—Did you ever know if he had made any speeches?

A—He made some kind of a speech when he visited some kind of a Catholic seminary here. I didn't attend. And then he had some kind of an interview on radio here in New Orleans. I didn't know if it was political because at that time I didn't speak English.

Q—When you left New Orleans, how did you leave, Mrs. Porter?

A—I LEFT WITH Ruth Paine.

Q—Where did she come from when she came here?

A—Irving, Tex.

Q—Did you leave right away?

A—No, she stayed with us for two or three days.

Q—Was she alone at the time?

A—She had her children with her. Two children.

Q—I know you couldn't be exact, but could you give us the approximate age of her two children?

A—At that time I think they were four and two or five and three.

Q—What type of car did

Mrs. Paine have?

A—A station wagon. A light colored-one.

Q—WHEN YOU AND she left, who left with you?

A—Ruth and her two children and me and the baby.

Q—Did you drive straight through?

A—We stopped overnight somewhere.

Q—Then you got to Dallas the following day?

A—Yes.

Q—Where did you go then?

A—I stayed at her house in Irving. We didn't know then whether we would live in Dallas or in Irving.

Q—I take it that Irving is a suburb of Dallas. Do you know how many miles it is from Dallas?

A—No.

Q—DO YOU KNOW how long it takes to drive to Dallas?

A—It takes 15-25 minutes.

Q—When you arrived at this house, did you go there to live?

A—Yes.

Q—I understand that Lee Harvey Oswald was not with you at the time?

A—No.

Q—How long after you arrived at Mrs. Paine's house was it before your husband joined you?

A—In about a week or 10 days he showed up. I don't know whether he came by bus and we picked him up or whether he came by bus and then came direct to the house. I don't remember.

Q—Did your husband tell where he had been during the period?

A—HE WENT TO Mexico.

Q—Do you know how long he was in Mexico?

A—He did not tell me.

At this point, Dymond picked up the rifle and began questioning her about it.

DYMOND THEN showed her a rifle which had earlier been introduced as state's exhibit 18.

Q—Now, Mrs. Porter, I show you a rifle identified as S18, is this familiar to you?

A—No, I'm not an expert in rifles.

Q—But, you did testify that you did know that he had a rifle?

A—Yes.

Q—With reference to the

rifle that you say that Lee Harvey Oswald owned, had you seen that rifle during the time you lived in New Orleans?

A—No, very close. I had seen him cleaning it or sitting with it on the porch.

Q—Where did he keep that rifle?

A—In the closet where he kept his clothes.

Q—Did you ever see him take it off the premises — that is out of the house or out of the yard?

A—I don't remember.

Q—To your knowledge, do you know how the rifle got to Texas?

A—Lee packed all of his clothes and I don't know what he packed. Later, I saw it at Ruth Paine's house.

Q—When is the next time you saw the rifle?

A—I saw the rifle when the police arrived.

Q—Was that before or after the assassination?

A—After.

Q—Did you see the rifle between the time you were living in New Orleans and after you got to Irving?

A—I might have seen it. I don't remember.

Q—Did you see it in Irving, Tex?

A—I don't remember.

Q—Did you ever know Lee Harvey Oswald to have any large sums of money?

A—No.

Q—Have you ever seen him with a large roll of money?

A—No.

Q—What is the most money he ever gave you?

A—A dollar.

Q—Did you know that he ever had any large sums of money in the house?

A—I never looked in his wallet or any of his personal effects.

Q—Who did the grocery shopping?

A—Well, both of us, but he paid the bills and took care of the money.

Q—Who paid the rent?

A—He did.

Q—Did he keep the rent current or did he ever get behind on the rent?

A—I think he owed two weeks' rent when we left New Orleans.

Q—Did you ever have to make the rent good?

A—Just that two weeks, I think; I'm not sure. I think I paid it after all of this happened.

Q—You mean after the as-

assassination?

A—Yes, I think I cleared it up after the assassination.

Q—During your shopping trips, did you have to be careful or could you buy everything you wanted?

A—I had to be very careful.

Q—To your knowledge, did Lee Harvey Oswald ever have a bank account?

A—I don't know about that.

Q—After his death, did you receive any money from bank accounts or did you receive any estate?

A—No, no bank accounts and no estates.

Q—Did you receive his personal possessions?

A—No, all that was confiscated. I don't know where they are.

Q—Where were you living on Nov. 22, 1963? That's the date the President was killed.

A—With Ruth Paine in Irving, Tex.

Q—Where were you at the time of the assassination?

A—At the house.

Q—How did you find out about the assassination?

A—Ruth Paine told me she had had an appointment and she came and we watched television together.

Q—Where was Ruth Paine's car at the time?

A—At the house.

Q—To your knowledge, did she leave in that car or did the car leave shortly after the assassination?

A—No.

Q—Did the car leave?

A—No. (Pause) Shortly after the assassination the police came and after that I don't remember who came and went.

Q—Now, Mrs. Porter, after Lee Harvey Oswald got to Dallas, did he live in Ruth Paine's house?

A—Yes, sir. What I mean is he used to come and visit us.

Q—Well, where was he living?

A—He was renting in Oak Cliff. (A part of Dallas).

Q—Did you ever see where he was renting?

A—No, I never did.

At this point Dymond said he was finished with his examination and the judge declared a recess before Alcock could begin his examination.

Judge Haggerty, directing his remarks to assistant dis-

trict attorney James L. Alcock, told him that during the recess Dymond had asked the court's permission to question the witness further.

Dymond asked Mrs. Porter if she wanted to correct any testimony she had given earlier. She answered, "Yes." She said she left New Orleans Sept. 20, 23 or 24.

Q—That was in 1963?

A—Yes.

AT THIS POINT Dymond got up and walked directly behind Shaw, asked, "Mrs. Porter, have you ever seen this man, Mr. Shaw, before?"

A—No, today was the first time I ever saw that man.

Q—Did you ever receive any mail at your apartment on Magazine st. addressed to Clay Shaw or with the return address of Clay Shaw on it?

A—No.

Q—Did you ever receive any telegrams from Clay Shaw?

A—No.

Q—Did you ever receive any telephone calls from Clay Shaw?

A—No.

MRS. PORTER WAS then cross-examined by Alcock.

Q—Mrs. Porter, can you tell me what refreshed your memory during recess to cause you to change your testimony from August, 1963, to September of 1963 as the date you left New Orleans?

The witness explained she was expecting a baby at the time and the child was born in October. She said she knew the baby was born nearer to when she left New Orleans.

Q—Did you talk to anyone during recess?

A—Yes, I spoke to Mr. Shaw.

She then turned to Dymond and said, "This attorney here." She had the names confused.

Alcock resumed cross-examination.

Q—Did you have occasion to see Lee the night before the assassination?

A—I saw him the next day in jail.

Q—NO, DID you see him the night before—that would be a Thursday evening?

A—Yes, he came to the house.

Q—Do you recall what time he arrived.

A—Some time after work.

Q—Was this usual for him

to visit you on a Thursday?

A—No, sir, it was not. He visited on weekends.

Q—Did Lee go out that night?

A—No, sir, he spent all evening at home.

Q—Do you recall what he did?

A—NO, SIR.

Q—Did he show you curtain rods?

A—No.

Q—Did he ask you to purchase any curtain rods for him?

A—No, sir.

Q—Ever see any curtain rods in his possession?

A—No, sir.

Q—Did he ever mention anything to you about decorating his apartment in Dallas?

A—No, sir.

Q—Did Mrs. Paine ever give him any curtain rods?

A—No, sir.

Q—Where was Lee's gun kept?

A—(Pause) In the garage where the luggage was kept.

Q—Was it wrapped up?

A—I DON'T KNOW.

Q—Did you see it at any time on Nov. 21, 1963?

A—I don't remember if I saw it then.

Q—Can you recall what time Lee went to bed?

A—No, sir.

Q—Was it before or after everyone else went to bed?

A—It was after.

Q—Were you awake when Lee went to work the next morning?

A—I was awake but I did not get up, because he told me to stay in bed.

Q—Did he have any curtain rods with him?

A—No, sir.

Q—DID YOU GIVE him any?

A—No.

Q—Did Mrs. Paine give him any curtain rods?

A—No, sir.

Q—Did he ever ask Mrs. Paine for any curtain rods?

A—No, sir.

Q—Did you know how he got to work?

A—No, sir.

Q—Do you know at approximately what time he left?

A—No, I don't remember,

sir.

Q—At any time the night before, did you see him with any package?

A—No, sir.

Q—Do you recall seeing any wrapping paper around Mrs. Paine's house?

A—No, sir.

Q—Did you see Lee go into the garage at any time?

A—Yes sir, he went there a few times.

Q—In order to enter the garage do you have to go outside, or through the house?

A—THROUGH THE house.

Q—Which door from the house leads to the garage?

A—There were two doors. One from the den and one from the outside.

Q—Which door did Lee use?

A—The door from the den.

Q—Did you go with him into the garage?

A—No, sir.

Q—Do you recall how long a time he spent in the garage?

A—About three minutes. I remember I was busy with the baby.

Q—Did you see him bring in anything from the garage?

A—No, sir.

ALCOCK THEN told the witness he understood that during her testimony under direct examination she said she had seen the rifle, again.

Q—When did you next see the rifle?

A—I don't recall the date, but it was the date they showed it to me at the Warren Commission.

Alcock then asked if she had accompanied the police into the garage after the assassination.

A—yes, the police asked me . . .

Q—Mrs. Porter, you can't tell us what the police asked you . . . Just tell us what you did.

A—They were looking for Lee's rifle.

Q—They didn't see one, did they?

A—No.

Q—Do you recall ever seeing a rifle in the garage?

A—I DON'T REMEMBER. I know the baby bed was out there and there were several packages. I did not pack the luggage so I don't remember what was in the

packages.

Q—Did you unwrap a long package?

A—I think they (the police) did. I know Lee was supposed to have a rifle. They looked for one but couldn't find one.

Q—Did you have occasion to speak to Lee in the police station in Dallas?

A—Yes, sir. One time.

Q—For how long a period did you speak to Lee?

A—About 10 minutes.

Q—Were you alone, or were you with another person?

A—My mother-in-law was with me.

Q—You mean Mrs. Oswald?

A—Yes, sir.

Q—WHAT DID LEE tell you?

A—He told me not to worry. He told me everything would be all right.

Q—Would you explain?

A—I can't explain.

Q—Do you recall anything he said?

A—No sir.

Q—Did he admit to you he had shot President Kennedy?

A—No, sir, I didn't ask him about that.

Q—He didn't volunteer to you?

A—No, sir.

Q—Did he ask you about getting him an attorney?

A—No, sir.

Q—After this conversation with Lee at the police station, did you see him again?

A—No, sir.

Q—Where did you go following this visit to the jail?

A—I don't remember.

Q—DID YOU GO back to Mrs. Paine's house?

A—I just don't remember.

Q—I realize it's been a long time ago, Mrs. Porter. I'm not trying to pressure you. I'm just trying to establish where you went.

A—We went to Six Flags.

Q—Is that in Dallas?

A—Yes, sir.

Q—Do you recall who took you there?

A—Yes, sir. The Secret Service.

Q—Was the FBI also there?

A—Yes, sir.

Q—WERE YOU questioned by FBI agents while at Six Flags?

A—Yes, sir.

Q—For how long a time?

A—Very many people came.

I don't remember how long.

Alcock then asked Mrs.

Porter if she had ever been

told by the FBI she would

have to cooperate if she were

to stay in the country.

Dymond raised an objection and Judge Haggerty sus-

tained it.

Alcock resumed question-

ing.

Q—Did the FBI ask you

about Lee's trip to Mexico?

At this point, Dymond ob-

jected again.

Judge Haggerty then di-

rected Alcock to rephrase his

question. Alcock did saying

"Did you discuss with FBI

agents Lee's trip to Mexico?"

A—Yes.

Q—Did you discuss with the

FBI as to the time when you

first learned of Lee's inten-

tion to go to Mexico?

A—I DON'T REMEMBER.

Q—When did you first find

out when Lee intended to go

to Mexico?

A—Right before I left New

Orleans.

Q—How much time would

that be?

A—About two weeks before

I left New Orleans.

Q—Mrs. Porter, you never

visited Lee in his apartment

in Dallas?

A—No, sir.

Q—Did you ever try to

contact Lee while he was in

Dallas?

A—Yes, he left me a tele-

phone number where I could

reach him, but when I called

that number the lady said no-

body by that name lived

there.

Q—In other words he used

an alias?

A—What do you mean?

Q—I MEAN DID HE use

another name?

A—Yes, and that made me

angry with him.

Q—Could that alias have

been O. H. Lee?

A—I don't remember.

Q—Do you remember when

he first rented that other

apartment?

A—No.

Q—Did he live in Mrs.

Paine's house very long?

A—I don't remember how

long.

Q—Did he live in one or

two apartments in Dallas?

A—I don't know.