

ORIGINAL

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

STATE OF LOUISIANA

versus

CLAY L. SHAW

NO. 198-059

1426(30)

SECTION C

PROCEEDINGS in Open Court on Friday,

February 15, 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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WITNESS DIRECT CROSS RE-DIRECT

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|--------------------|----|----|----|
| MRS. WILMA I. BOND | 2 | 12 | |
| MR. PHILIP WILLIS | 17 | 28 | 29 |
| MRS. PHILIP WILLIS | 32 | 42 | |
| BILLY JOE MARTIN | 45 | 67 | |
| ROGER CRAIG | 69 | 88 | |
| MRS. E. C. WALTON | 91 | 98 | |

AFTERNOON SESSION

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THE COURT:

Is the State and Defense ready to proceed?

MR. DYMOND:

Yes.

MR. ALFORD:

The State is ready.

...oOo...

MRS. WILMA I. BOND,

recalled to the stand, continued to testify on her oath as follows:

THE COURT:

Mrs. Bond, your previous oath is still binding and you are still a State witness.

DIRECT EXAMINATION

BY MR. ALFORD:

Q Mrs. Bond, did you have occasion while you were in Dealey Plaza and shortly after you heard what you testified to to be the third unusual noise to take a photograph?

A Yes, sir.

Q Do you -- how many photographs did you take?

A I took nine.

1 Q Do you have two of those photographs with you?

2 A Yes, sir, I do.

3 Q Please give them to me.

4 A (The witness complies.)

5 Q Have these photographs been in your possession
6 continually since they were developed?

7 A No, sir.

8 Q And in whose possession have they been other
9 than yours?

10 A Well, Life Magazine had them for a while and
11 several other people used them but they
12 had permission to do so.

13 Q After receiving these slides back were you
14 able to look at them and identify them as
15 the slides which you took?

16 A Yes, sir.

17 THE COURT:

18 I have a magnifying glass.

19 THE WITNESS:

20 It won't help because it needs a
21 projector, Your Honor.

22 BY MR. ALFORD:

23 Q Mrs. Bond, from -- I want you to please
24 examine these two photographs now, hold
25 them up to the light and examine them --

1 A . They are my slides, sir.

2 MR. ALFORD:

3 Your Honor, at this time the State would
4 request permission to project these
5 slides on a screen and I understand
6 that perhaps Defense Counsel would
7 prefer to have this initially done
8 out of the presence of the Jury.

9 MR. DYMOND:

10 We don't know yet what these photographs
11 are and we would like to ask some
12 questions on traverse before we go
13 into that.

14 It doesn't matter whether it's
15 in front of the Jury or not,
16 Your Honor.

17 TRAVERSE

18 BY MR. DYMOND:

19 Q Mrs. Bond, these slides which you have
20 exhibited here, did you develop the
21 negative yourself?

22 A No, sir, I did not.

23 Q Were you present while it was being developed?

24 A No.

25 Q And you say while you were taking pictures you

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were not able to look and see what was going on in this -- in the area?

A When you are taking the picture you are looking but it was snapped fast as I could and I didn't see what was going on until they were developed and after I did see the things.

MR. DYMOND:

I would like the Jury removed, Your Honor.

(JURY EXCLUDED.)

THE COURT:

Do you want the lights out, Mr. Oser?

MR. OSER:

Would you step down, Mrs. Bond.

We're ready, Judge.

THE COURT:

Turn the lights out, Sal.

(THE SLIDES PREVIOUSLY MARKED WERE SHOWN TO THE WITNESS.)

MR. OSER:

Does The Court want them run again?

THE COURT:

Ask Mrs. Bond if she needs them again.

THE WITNESS:

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No, sir.

THE COURT:

Put the lights on, Mr. Sheriff.

BY MR. ALFORD:

Q Mrs. Bond, after viewing these two photographs are you able to identify them as being your photographs?

A They are photographs I took, sir, they are slides.

THE COURT:

I think you have covered the matter, Mr. Alford, she has covered the matter and let's bring them in and cover it again.

(JURY RETURNED.)

THE COURT:

You may proceed.

BY MR. ALFORD:

Q Mrs. Bond, I am going to once again hand you these two color slides and I would ask you to tell me which of the color slides were taken first in sequence of time.

A The one I have marked four.

Q The one that has been marked four?

THE COURT:

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Why don't you give it an exhibit number,
Mr. Alford.

THE CLERK:

The next number is thirty-nine.

MR. ALFORD:

S-39.

THE WITNESS:

This one was taken after that one and it
is marked five. I'm sorry.

MR. ALFORD:

Approximately how long --

THE COURT:

Mark that State-40, please, so we can
keep track of the numbers.

BY MR. ALFORD:

Q Referring to what for purposes of identification
has been marked as S-39 Mrs. Bond, which
you stated was your first photograph, how
long after the last noise which you have
testified that you heard was it before
you took this photograph, if you know?

A (No response.)

MR. DYMOND:

Just a moment please.

We object to any testimony

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concerning these photographs, or with reference to them, on the ground that the proper foundation has not been laid.

All this lady testified to is that she took two pictures, took some film to a developer and this is what she got back and she is not able to identify these photographs as to what she saw there that day, was not present when the negatives were developed and that the original has been out of her possession and in the hands of other people and I don't think there has been a sufficient amount of identification between what she took and what is on these slides.

THE COURT:

The objection is overruled.

MR. DYMOND:

To which ruling Counsel reserves a bill of exception making the two exhibits -- what are the numbers -- State-39 and State-40 and the Defense's

1 objections, the ruling of The Court,
2 the testimony of this witness and
3 also all of the record up to this
4 point making as an additional ground
5 for the objection that they are
6 irrelevant to the issues in this
7 case.

8 BY MR. ALFORD:

9 Q Mrs. Bond, I'm going to show you what for
10 purposes of identification has been marked
11 S-41 and also for purposes of identifica-
12 tion marked S-39 and ask you to please
13 examine these two and tell me whether or
14 not they are one and the same scene.

15 A They are far as I could see.

16 Q Do you see anything on what has been marked
17 S-41, which is a photograph, that is not
18 in S-39, which is not depicted in S-39?
19 Take your time.

20 A I am. Yes, it is. You see over here this
21 might not have been developed, I don't
22 know how they were developed but there
23 are some objects in the corner here that
24 are not on here.

25 Q Are these the same objects located on the

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print?

A No, they are not and it looks like there should have been something out here further.

Q Everything located on the print is also contained on the slide though?

A Yes.

Q Thank you. Now, Mrs. Bond, as I was asking you before and I'll ask you once again: How long after you heard the third noise, which you previously have testified to, was it before you took this photograph, if you know?

A I don't know, sir.

Q Are you able at this time to estimate?

A No, I have no idea the time it happened, I do not know.

Q What were you doing at the time you took this photograph?

A I was standing there looking out.

Q Is this from the location by the alcade --

MR. DYMOND:

Object, Your Honor.

THE COURT:

I sustain the objection.

BY MR. ALFORD:

1 Q What location is this?

2 A It is north on that place over there, that
3 alcove.

4 Q Did you observe the events prior to the time
5 that this photograph, this slide was
6 taken?

7 A Well, I don't know, I might have a second or
8 two before I decided to take the picture
9 but I don't remember.

10 Q Did you observe the events in Dealey Plaza
11 after you took this photograph?

12 A Just walking around out of curiosity, that is
13 all and looking.

14 Q Now, Mrs. Bond I now show you what for purposes
15 of identification, what for purposes of
16 identification I have marked S-42, and I
17 also show you what for purposes of
18 identification has been previously marked
19 as S-40 and I would ask you to compare
20 these and tell the Gentlemen of the Jury
21 if there is anything contained in the
22 print that is not contained in the slide?

23 A No, this one seems to be exactly the same.

24 Q I see. Thank you.

25 MR. ALFORD:

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The State will tender the witness,

Your Honor.

CROSS-EXAMINATION

BY MR. DYMOND:

Q Mrs. Bond, when did you first find out that President Kennedy was going to visit Dallas?

A When?

Q About how long before the time of the assassination?

A Well, I can't -- I mean I would say at least a couple of weeks, I'm not sure whether I'm right on the time or not but it was not the day.

Q Now as I understand it you heard three distinct noises that you thought to be firecrackers going off, is that right?

A That is correct.

Q And that you were standing there, that you were standing in the vicinity of the uppermost of the two alcoves that appear in the State Exhibit S-34, is that right?

A No, when I heard the shots, no, sir, I was in the process of going from my position on Main Street to that alcove.

1 Q In other words you were some place in this
2 area when you heard the shots fired?

3 A Yes, sir.

4 Q Between the alcove and your previous position
5 on Main?

6 A On Main and Houston, on that corner.

7 Q Am I correct in recalling your testimony that
8 you thought these noises came from your
9 right?

10 A Beg pardon?

11 Q Did you not say you thought these noises came
12 from your right?

13 A Yes, sir.

14 Q And at the time you were walking you were walk-
15 ing towards this alcove I am indicating
16 which is the uppermost indicated on the
17 photograph?

18 A Well, if I understand you correct that is what
19 I was going to.

20 Q Is it not a fact that in walking in that
21 direction that the Texas School Book
22 Depository was on your right?

23 A It was on my right.

24 Q And that is the direction you thought the
25 noises came from?

1 A I do not know whether they came from that
2 Depository but it came from that
3 direction or to my right.

4 Q After you heard these noises that you thought
5 were firecrackers, did the motorcade
6 stop?

7 A I don't know, sir, 'cause I didn't see it.

8 Q You don't know. Now these photographs you
9 have identified, that is the slides --

10 A Yes, sir.

11 Q -- is it not a fact that at the time those
12 slides or pictures were taken that the
13 people were scattering in many directions?

14 A The pictures show that.

15 Q Is it a fact they were, ma'am?

16 A Yes, they were moving, yes.

17 Q Now the people who are depicted as being
18 moving in your slides, do you have any way
19 of knowing if they were trying to get
20 away from the directions of the shots or
21 towards them or what?

22 A I do not know. I don't know any of the people
23 in the slides.

24 MR. DYMOND:

25 That's all.

1 MR. ALFORD:

2 In connection with Mrs. Bond's testimony
3 the State at this time moves to offer
4 what has been previously marked as
5 S-41 and S-42.

6 MR. DYMOND:

7 To which offering the Defense objects
8 first on the ground of relevancy
9 that they are irrelevant to the
10 issues in this case.

11 Secondly, on the ground they
12 have not been properly identified as
13 actual photographs taken by this
14 witness. Thirdly, they have not
15 been in her possession, and have been
16 out of her possession. And
17 additionally that the Exhibit-40,
18 by the testimony of this witness,
19 does not depict precisely the same
20 scene as the scene depicted by the
21 slide from which it was blown up.

22 MR. ALFORD:

23 Relative to this last proposition the
24 witness specifically testified that
25 everything contained in the picture

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was also contained in the slide so
if anything, they are identical
except that there is more in the slide
than on the blowup.

THE COURT:

You are not offering the slides but the
pictures?

MR. ALFORD:

The slides have been offered in evidence
before.

MR. DYMOND:

No, they have not.

THE COURT:

I will overrule the objection and let them
be permitted in evidence.

MR. DYMOND:

To which ruling Counsel reserves a bill
of exception making the two exhibits
S-40 and -41.

THE COURT:

It should be -41 and -42.

MR. DYMOND:

-41 and -42, Defense objects to the
introduction for the reasons stated
and makes a part thereof the ruling

1 of The Court, the exhibits themselves,
2 the entire record and testimony up
3 to this point parts of the bill.

4 MR. ALFORD:

5 May it please The Court I would like the
6 record to reflect that I am returning
7 to Mrs. Bond what has been previously
8 marked S-39 and S-40 and additionally
9 I request permission to display same
10 to the Jury.

11 THE COURT:

12 They are an exhibit then now and you may
13 exhibit them to the Jury.

14 (EXHIBITS DISPLAYED TO THE JURY.)

15 THE COURT:

16 Call your next witness. You may proceed.

17 ...oOo...

18 MR. PHILIP WILLIS,

19 a witness for the State, after first being sworn by
20 the Minute Clerk, was examined and testified on his
21 oath as follows:

22 DIRECT EXAMINATION

23 BY MR. OSER:

24 Q State your name for the record, Mr. Willis,
25 state your name for the record.

- 1 A Philip L. Willis.
- 2 Q Where do you live, Mr. Willis?
- 3 A Dallas, Texas.
- 4 Q What is your address?
- 5 A 6911 Wabash Circle.
- 6 Q Mr. Willis, were you residing in Dallas, Texas
7 in November '63?
- 8 A Yes, sir.
- 9 Q Did you have occasion to be in that area of
10 Dallas, Texas commonly known as Dealey
11 Plaza on the date of November 22, 1963?
- 12 A Yes, sir.
- 13 Q Why did you go there, Mr. Willis?
- 14 A I had my children out of school to see the
15 parade and to take pictures.
- 16 Q Who accompanied you?
- 17 A My wife and my children, my two daughters.
- 18 Q When you arrived in Dealey Plaza at the time
19 the motorcade passed, where were you
20 located when you first saw the motorcade
21 approaching?
- 22 A On the corner of Main and Houston Streets.
- 23 Q Would you step down, Mr. Willis, and I direct
24 your attention to State Exhibit 34 and I
25 ask you if you could point out the area in

1 S-34 where you were located when the
2 motorcade first approached you or your --
3 you first saw it?

4 A I was standing on this corner when the
5 motorcade was coming this way.

6 Q Would you put a "W" please if you would in the
7 area where you were standing. Did you
8 have occasion to move from this location?

9 A Yes, sir.

10 Q And if so, where did you go?

11 A After taking two pictures here I moved over
12 here and took a picture of the President's
13 car and the Vice-President Johnson's
14 car, and the Secret Service car was left
15 out of my picture in both from this angle
16 right here.

17 Q After that location did you have occasion to
18 go to a further location?

19 A Yes, sir, I moved a little further up here and
20 took a photograph of the President's car
21 in front of the Depository Building.

22 Q Then did you have occasion to move?

23 A I broke and ran around this corner and
24 stationed myself by this tree on the curb.

25 Q Did you take any pictures from that location by

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the tree?

A I took one picture of the President's car about where you are from me, only getting the occupants and this was directly in front of the Depository at this angle and then as they moved down I moved down just a little bit and then I took the picture of the President's car at that angle by the Stemmons Freeway sign, and other pictures following.

Q Mr. Willis, I direct your attention to State Exhibit 35, the plaque over here, and I ask you if you would put this pin on the location on that plat where you were located after you say you had run around the intersection of Houston and Alma Street near the vicinity of that tree where you took your next picture?

A (The witness complies.)

Q Now, sir, I ask you --

THE COURT:

If you are going to speak to him down there make him raise his voice so the Court Reporter can hear with ease. You may use the microphone.

1 BY MR. OSER:

2 Q Referring to State Exhibit 36, would you take
3 this emblem of an individual and place it
4 on this mockup in the area where you were
5 when you took your last picture after you
6 had run around from the intersection of
7 Elm and Houston Streets?

8 You can go back, Mr. Willis.

9 Mr. Willis, I believe you stated you had
10 some opportunity to take various photo-
11 graphs at this time?

12 A Yes, sir.

13 Q What type camera were you using?

14 A An Argus Actronic which is a 35 millimeter.

15 Q This type of camera, the end result is a
16 35 millimeter slide?

17 A Yes, sir.

18 Q Do you have those slides with you now?

19 A Yes, sir.

20 Q May I have them?

21 A Four.

22 MR. OSER:

23 Will The Court indulge me a moment?

24 BY MR. OSER:

25 Q Mr. Willis, I show you what the State has

1 marked for purposes of identification as
2 S-43, S-44, S-45 and S-46 and I ask you
3 if you can identify those exhibits which
4 have been marked for purposes of
5 identification as having seen them before?

6 A Yes.

7 Q And how can you recognize these pictures?

8 A They have become very familiar to me and I
9 had them copyrighted and these I have had
10 made from my originals.

11 Q Now I show you, Mr. Willis, what the State has
12 marked for purposes of identification as
13 S-47 and I ask you if you have ever seen
14 what is depicted in this photograph
15 before?

16 A Yes, it is mine.

17 Q Again I show you what the State has marked for
18 purposes of identification S-43 and I ask
19 you what is depicted in S-47, which is
20 the large 8 x 10, is represented in S-43
21 which is the 35 millimeter slide?

22 A Yes, sir.

23 Q I show you now what the State has previously
24 marked as S-43 and I ask you if you are
25 familiar with what is depicted in that

1 photograph?

2 A Yes, sir.

3 Q I ask you to compare S-43, the large 8 x 10
4 photograph, with what is contained in
5 S-44 and tell us whether or not they are
6 the same picture?

7 A They are the same.

8 Q Now I show you what the State has marked as
9 S-48 for purposes of identification, an
10 8 x 10 photograph, and I ask you if you
11 are familiar with what is depicted in
12 that photograph?

13 A Yes, sir.

14 Q Would you please compare that with S-45, the
15 35 millimeter slide.

16 A They are the same.

17 Q And I now show you what the State has marked
18 S-49 for purposes of identification and
19 ask you if you're familiar with what is
20 depicted in that photograph?

21 A Yes, sir.

22 Q Would you please compare that with S-46 and
23 tell us whether or not those are the same
24 pictures depicting the same scene?

25 A Yes, sir, they are.

- 1 Q Mr. Willis, how were your pictures developed,
2 were you present when your slides were
3 developed, the originals?
- 4 A Sir?
- 5 Q Were you present when the original slides were
6 developed?
- 7 A Yes.
- 8 Q These 8 x 10 enlargements you have identified,
9 were these done at your request and were
10 you present?
- 11 A Yes, sir.
- 12 Q Now while you were in Dealey Plaza on that day,
13 Mr. Willis, did anything unusual happen
14 that caused you to draw your attention to
15 a particular incident?
- 16 A Yes.
- 17 Q Tell the Jury what happened.
- 18 A Well, after having photographed the President
19 on Main Street and on Houston Street and
20 then in front of the Depository Building
21 on Elm Street I cocked my camera for
22 another picture and this loud shot went
23 off and the first reaction was that could
24 it be a crank or a firecracker but it was
25 so loud and of such a sound it had to be

1 rifle so I became alarmed. I was trying
2 to take a picture at the moment and the
3 reflex from the shot caused me to take
4 one of these pictures.

5 Q I show you what the State has previously
6 identified as S-33 and I ask you whether
7 or not this is the photograph that you
8 took at the time you said you heard the
9 first shot?

10 A Yes, sir.

11 Q After having taken this photograph, Mr. Willis,
12 what did you do?

13 A My two little daughters were running along
14 down the hill paralleling the Presidential
15 car there and I yelled to one of them,
16 which is the first thing I did, and then
17 I heard at least two more shots and then
18 I started looking for them and looking
19 down and hollering for them to come back
20 to me and they came running back crying.

21 Q Did you have any occasion to take any other
22 photographs after you located your
23 children?

24 A There were -- They were just down here ahead
25 of me and they came back and said

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"Daddy, he has been shot, his head blew up," and so I started taking more pictures of people falling on the ground and running up the knoll there and later I went back and took pictures of the crowd.

MR. DYMOND:

We object to this witness testifying as to what he took pictures of unless he has the pictures.

MR. OSER:

Let the man answer the question.

MR. DYMOND:

That is our objection.

THE COURT:

Do you have the pictures depicting what you just stated, is that what is pictured in there?

MR. OSER:

The next question was going to be about certain pictures.

BY MR. OSER:

Q Mr. Willis, I now show you what the State has marked as S-48 and -49 and ask you whether or not those two photographs depict the scene as you saw it after you had located

1 your children and found out there were
2 safe?

3 A Yes, sir.

4 Q While in Dealey Plaza after having heard the
5 first shot that made you take that one
6 picture, will you tell us whether or not
7 you heard any other noises similar to the
8 first noise?

9 A Yes, sir.

10 Q How many did you hear all told?

11 A I assumed two more.

12 Q So it'd be a total of three, is that correct?

13 A Yes.

14 Q Will you tell us the area in which you heard
15 these shots coming from?

16 A I was looking down here and I felt certain
17 that they came from my right in that
18 area across there.

19 Q Mr. Willis, did you have occasion to see any
20 affect that any shot may have had on any
21 occupants in the Presidential limousine?

22 A Honestly, no, sir, because I was trying to
23 use the view finder for the camera and
24 I was more interested in getting the
25 whole car than focusing on an individual.

1 I did not.

2 MR. OSER:

3 I tender the witness.

4 CROSS-EXAMINATION

5 BY MR. DYMOND:

6 Q Mr. Willis, you say that to the best of your
7 recollection, in considering the circum-
8 stances of excitement, that you heard three
9 shots, is that right, sir?

10 A Yes, sir.

11 Q Now as I understand it, Mr. Willis, you were
12 standing here at the point indicated by
13 the flag with your name on it on State
14 Exhibit-35, is that correct?

15 A Yes, sir, by that tree.

16 Q And you say you were looking down here, and
17 by down here do you mean down Stemmons
18 Freeway?

19 A Yes, sir.

20 Q And you say the shots came from your right, is
21 that correct?

22 A They sounded as if they did.

23 Q Is it not a fact that the Texas Book
24 Depository was to your right?

25 A Sir?

1 Q Was the Texas Book Depository to your right?
 2 A Yes, sir.
 3 Q That is all, sir.

RE-DIRECT EXAMINATION

5 BY MR. OSER:

6 Q Mr. Willis, I show you what the State has
 7 marked as S-47 and ask you where you were
 8 located when you took this photograph?

9 A I was located --

10 MR. DYMOND:

11 We object on the grounds that it is not
 12 proper Re-Direct.

13 MR. OSER:

14 I withdraw the question. Your Honor, the
 15 State has no further need for this
 16 witness.

17 The State at this time wishes
 18 to offer, introduce and file in
 19 evidence the exhibits marked for
 20 identification S-43, -44, -45, and
 21 -46, the 35 millimeter slides.

22 MR. DYMOND:

23 If The Court please, we object to these
 24 on the grounds they are irrelevant
 25 to the issues in this case.

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THE COURT:

The objection is overruled.

MR. DYMOND:

To which ruling, Counsel reserves a bill of exception making the exhibits S-43, -44, -45 and -46 part of the bill, Defense's objections as well as the ruling of The Court and the exhibits and all of the testimony up to now parts of the bill.

MR. OSER:

The State would now like to offer, introduce, and file in evidence that previously marked as S-33, -47, -48 and -49.

THE COURT:

S-33? And you haven't marked anything as -50 yet.

MR. OSER:

No, sir.

MR. DYMOND:

To which ruling Defense objects on the grounds of relevancy.

THE COURT:

The objection is overruled.

1 MR. DYMOND:

2 And reserve the same bill of exception and
3 containing the same other parts
4 except that we want the Exhibits
5 S-33, -47, -48 and -49 as parts of
6 this bill.

7 MR. OSER:

8 At this time the State requests permis-
9 sion of The Court to display the
10 slides and the 8 x 10's to the Jury.

11 THE COURT:

12 Mr. Sheriff, tilt that screen a little
13 bit and Mr. Oser, you tell me when
14 you are ready to show them to the
15 Jury.

16 MR. OSER:

17 I want to see if they are in the machine
18 correctly.

19 (SLIDES DISPLAYED ON THE SCREEN.)

20 THE COURT:

21 Turn the lights on, Mr. Sheriff.

22 MR. OSER:

23 The State requests permission to display
24 the photographs to the Jury.

25 THE COURT:

1 While one group is looking at the pictures
2 let the other group look at the four
3 slides.

4 MR. OSER:

5 Your Honor, the State's next witness is
6 Mrs. Philip Willis.

7 ...oOo...

8 MRS. PHILIP WILLIS,
9 a witness for the State, after first being duly
10 sworn by the Minute Clerk, was examined and testified
11 on her oath as follows:

12 DIRECT EXAMINATION

13 BY MR. ALFORD:

14 Q Mrs. Willis, I want you to simply relax and
15 talk as loud as you possibly can in the
16 microphrone 'cause all of us have to hear
17 you clearly. If you don't understand any
18 of my questions let me know and I will be
19 glad to repeat it.

20 Would you state your full name for
21 the record, please?

22 A Yes, I am Mrs. Phil Willis.

23 Q Where do you live?

24 A In Dallas, Texas.

25 Q Mrs. Willis, on the date of November 22, 1963

1 did you have occasion to be in Dealey
2 Plaza in Dallas, Texas?

3 A Yes, I did.

4 Q Approximately what time did you arrive there?

5 A About 11:45.

6 MR. DYMOND:

7 If The Court please, we again object to
8 the entire line of questioning on
9 the ground it is irrelevant to the
10 issues.

11 THE COURT:

12 The objection is overruled.

13 MR. DYMOND:

14 To which ruling we object and reserve a
15 bill of exception, making all the
16 testimony up until this point and
17 particularly this testimony and the
18 Defense's objection and The Court's
19 ruling all part of the bill.

20 BY MR. ALFORD:

21 Q Would you tell us approximately what time you
22 arrived in Dealey Plaza?

23 A 11:45.

24 Q Were you accompanied by anyone?

25 A My husband, my two daughters.

1 Q Mrs. Willis, upon -- first, did you have
2 occasion to view the Presidential motor-
3 cade?

4 A Yes.

5 Q Upon first viewing the motorcade what was your
6 location in Dealey Plaza?

7 A At the corner of Houston and Main.

8 Q Would you please come down from the witness
9 stand.

10 THE COURT:

11 Let her use the microphone if she is
12 going to testify from down there.

13 MR. ALFORD:

14 Yes, sir.

15 BY MR. ALFORD:

16 Q Now I direct your attention to what for purposes
17 of identification --

18 THE COURT:

19 Mr. Alford, your back is to the Reporter
20 so you will have to speak louder.

21 BY MR. ALFORD:

22 Q I now direct your attention to what for
23 purposes of identification has been marked
24 as S-34 and I ask you to please indicate
25 with a "W" your location on first viewing

1 the motorcade.

2 A (The witness complies.)

3 Q Did you have occasion during the course of the
4 motorcade's procession through Dealey
5 Plaza to change your location?

6 A Yes, I did.

7 Q Where did you go after you left the corner of
8 Houston and Main?

9 A After the motorcade passed my point of view
10 and turned into Elm Street I walked across
11 the Plaza to this point here (indicating).

12 Q Mrs. Willis, I'm going to give you a small flag
13 with a pin and direct your attention to
14 what for purposes of identification is
15 marked State-35 and I would request that
16 you place the pin in the location where
17 you moved to.

18 A I dropped it. There it is.

19 Q Further, Mrs. Willis, I give you a small emblem
20 and ask you to step over here and I
21 direct your attention to what for purposes
22 of identification has been marked S-36,
23 and I give you a small emblem and request
24 you to place this in the location where
25 you finally viewed the balance of the

1 motorcade.

2 A (The witness complies.)

3 Q Okay, you may return to the witness stand.

4 Thank you.

5 Mrs. Willis, while you were in Dealey
6 Plaza in Dallas on November 22, 1963, did
7 anything unusual occur?

8 A Yes.

9 Q Did you hear any unusual noises?

10 A Yes, I did.

11 Q How many such noises did you hear, if you know?

12 A I heard three.

13 Q What did the first noise sound like to you?

14 A I thought it was a firecracker.

15 Q Did you at the time of the first noise, was
16 the Presidential limousine within your
17 view?

18 A No, it wasn't.

19 Q At the time you heard the second noise what
20 did you think this to be?

21 A I knew it was a gunshot then.

22 Q And was the Presidential limousine in your
23 view at that time?

24 A Yes, sir.

25 Q Could you see the effects of the second noise?

- 1 A Yes.
- 2 Q What were those effects?
- 3 A The effects were that the third shot, his
4 head --
- 5 Q Excuse me, but I am talking about the second
6 noise.
- 7 A The second noise drew my attention back to the
8 motorcade.
- 9 Q I see. Now what, or did the third noise, would
10 you describe what it sounded like to you?
- 11 A It was a loud gunshot.
- 12 Q And did you observe, or were you able at the
13 time of this third noise, to view the
14 Presidential motorcade, the limousine?
- 15 A Yes.
- 16 Q What was your attention directed on at that
17 time?
- 18 A The President.
- 19 Q Was your attention directed on any one person
20 in there?
- 21 A No. I knew Governor Connelly and knew
22 Senator Ralph Yarborough and I knew
23 Vice-President Johnson and I only had
24 eyes then for the President.
- 25 Q Were you able to determine at that time from

1 where these shots were coming?

2 A No.

3 Q Did you have an unobstructed view of
4 President Kennedy at the time of the
5 third shot?

6 A Absolutely.

7 Q Mrs. Willis, would you please describe for the
8 Gentlemen of the Jury and Court what you
9 saw as a result and as the effects of this
10 third shot?

11 A On the third shot his head exploded and went
12 back and to the left.

13 Q Did you observe anything, anything other than
14 the explosion?

15 A It exploded like a red halo.

16 Q Mrs. Willis, have you ever as of this day seen
17 the Zapruder film?

18 A Yes.

19 Q Where did you see it?

20 A At Eastman Kodak.

21 Q Did this film indicate the same thing you
22 observed?

23 MR. DYMOND:

24 I object as that is something for the
25 Jury to determine. I think he is

1 trying to corroborate the witness
2 with a self-serving declaration.

3 BY MR. ALFORD:

4 Q Did you at the time you observed the explosion
5 of the President's head, did you see
6 anything leave the President's head?

7 A Yes, it seemed to be a matter of some type
8 from his head.

9 Q What was the direction of this matter as you
10 were able to observe?

11 A Back.

12 Q Would that be to the backwards left or to the
13 backwards right as he was seated in the
14 car?

15 A To his left.

16 Q Now were you also able to observe the Presiden-
17 tial limousine at approximately the time
18 of the third shot which you have
19 described?

20 A Yes, I could see the car.

21 Q Did it appear to you, or at what or did it
22 appear to you to be moving at a constant
23 rate of speed?

24 A Yes, that is correct.

25 Q Did it appear to you, or did it ever appear to

1 you that at any time during its route
2 down Main Street to accelerate?

3 A No.

4 Q And specifically at the time of the third
5 shot did you observe the automobile
6 accelerate?

7 A No, as a matter of fact they almost halted.

8 Q What else did you observe after the third shot
9 if anything?

10 A The cars broke from formation a little and I
11 only saw it speed up as it went under the
12 underpass on the way to the hospital.

13 Q Were you able to observe the reaction of the
14 other people in Dealey Plaza?

15 A Yes, many of them rushed up the grassy knoll.

16 Q Did you see any policemen go up there?

17 A Yes.

18 Q Did you go in this direction?

19 A No, I stood and watched, I was concerned for
20 my family and I first looked for them.

21 Q Did you see anyone -- are you familiar with a
22 wooden stockade-type fence in Dealey
23 Plaza?

24 A Yes.

25 Q Did you see anyone climbing this fence?

1 MR. DYMOND:

2 I object to the leading of the witness.

3 THE COURT:

4 She can answer as to whether she saw it
5 or not.

6 BY MR. ALFORD:

7 Q Describe what you saw in this area.

8 A Well, there were many people on the ground,
9 still on the ground at that time when the
10 policeman got off his motorcycle and
11 rushed up the grassy knoll.

12 Q Mrs. Willis, I show you what for purposes of
13 identification has been marked S-42 and
14 ask you whether or not this scene is
15 familiar to you?

16 A Yes, it is.

17 Q Do you see any policemen in this photograph?

18 A Yes.

19 Q Do you recall observing this policeman on
20 November 22?

21 A Yes, I do.

22 Q What was this policeman doing as you observed
23 him on November 22?

24 A He was running toward this wall, this fence.

25 Q Mrs. Willis, did you ever testify, or were you

1 ever called to testify in front of the
2 Warren Commission?

3 A No, I was not.

4 MR. ALFORD:

5 I tender the witness.

6 CROSS-EXAMINATION

7 BY MR. DYMOND:

8 Q Mrs. Willis, you say you don't know what the
9 direction the sounds of these explosions
10 came from, is that right?

11 A I'm not an expert with guns and I can't say but
12 I think they were in front of me.

13 Q And it is your testimony that at the moment of
14 that third shot you observed all at one
15 time the President's head, the movement
16 of his head over to the left, his falling
17 back, the direction in which --

18 MR. ALFORD:

19 It is an incorrect statement because the
20 witness said to the back and left and
21 Defense's lawyer is only saying left.

22 MR. DYMOND:

23 I'm not attempting to repeat her testi-
24 mony, I'm asking her if this is or
25 was her testimony.

1 BY MR. DYMOND:

2 Q Is it your testimony that at the moment the
3 third shot was fired that all at once
4 you were able to observe the President's
5 head, the President's head moving back
6 and to the left, your statement that
7 whatever matter that came from his head
8 went to the rear, and also the automobile
9 did not accelerate at that moment and you
10 saw all of that at one moment?

11 A I don't believe the car accelerated at that
12 moment.

13 Q But you were able to observe all these things?

14 A I certainly saw his head blow up.

15 Q Now these people that you say were running
16 towards the grassy knoll, do you know if
17 they were running for cover or if they
18 were running towards the shots or away
19 from the shots?

20 A I think a policeman would be running --

21 Q I didn't ask you what you thought.

22 MR. ALFORD:

23 Let her answer the question.

24 MR. DYMOND:

25 If The Court please it is not responsive

1 when I asked her the question.

2 MR. ALCOCK:

3 She has a right to answer the question
4 and because the wrong answer comes
5 out he wants to object.

6 THE COURT:

7 Ask the lady did she know or if she knows
8 do you know?

9 THE WITNESS:

10 They didn't advise me.

11 MR. DYMOND:

12 That is all, madam.

13 . . . At the hour of 2:50 o'clock
14 p.m. The Court recessed until
15 3:13 o'clock p.m. . . .

16 THE COURT:

17 Is the State and Defense ready to
18 proceed?

19 MR. DYMOND:

20 Yes.

21 MR. ALCOCK:

22 Yes.

23 . . .oOo . . .

24 BILLY JOE MARTIN,

25 a witness for the State, after first being duly

1 sworn by the Minute Clerk, was examined and testified
2 on his oath as follows:

3 DIRECT EXAMINATION

4 BY MR. ALFORD:

5 Q Sir, would you speak loud so we can all hear
6 you and direct your voice into the
7 microphone so we can hear your story.
8 State your full name.

9 A Billy Joe Martin.

10 Q Mr. Martin, by whom are you employed?

11 A Employed by the City of Dallas Police Depart-
12 ment.

13 Q How long have you been a Dallas policeman?

14 A Sixteen years this June.

15 Q On November 22, 1963 were you a member of the
16 Dallas Police Department?

17 A Yes, sir, I was.

18 Q To what division or bureau of the Dallas Police
19 Department were you assigned on that day?

20 A Assigned to the Traffic Division, motorcycles.

21 Q Officer Martin, did you have occasion on
22 November 22, 1963 to escort a motorcade?

23 A Yes, sir, I did.

24 Q What motorcade was this?

25 A President Kennedy's motorcade from Love Field.

1 Q When did you pick up this motorcade?

2 A At Love Field at the ramp.

3 Q What was your destination?

4 A Going to Market Hall and they had a parade
5 route down Lennon and down through town.

6 Q This parade route included going through
7 Dealey Plaza?

8 A Yes, sir, it did.

9 Q What was the route through Dealey Plaza?

10 A We were traveling, we was traveling what would
11 be East on Houston and made a left turn
12 to, to, it would be the South, -- those
13 streets don't run exactly north and south,
14 but we made a left turn on Elm and
15 Houston and we run right in front of
16 Dealey Plaza and along the side of it.

17 Q Now what was your particular assignment rela-
18 tive to this motorcade?

19 A Me and my partner was assigned to ride to the
20 left and to the rear of the President's
21 car and in case the car had to stop not
22 to let the onlookers on up next to the
23 car.

24 Q Who was your partner on that day?

25 A Bobby Hargis.

- 1 Q Do you know of your own knowledge where he is
2 today?
- 3 A Yes, sir, in the hospital.
- 4 Q In Dallas?
- 5 A Yes, sir, Methodist Hospital.
- 6 Q Which of you were riding closest to the
7 President's limousine?
- 8 A Officer Hargis would be. He was riding closest.
- 9 Q Approximately how far were you behind the
10 Presidential limousine?
- 11 A I would estimate 10 to 12 feet.
- 12 Q And this distance I don't guess remained
13 constant throughout?
- 14 A No, sir, it did not.
- 15 Q At the time that you were proceeding on Elm
16 Street you -- do you recall approximately
17 how far behind the Presidential limousine
18 you were?
- 19 A No, sir, but it would be my best estimate about
20 10 foot at that time.
- 21 Q Officer Hargis, I now show you what for
22 purposes --
- 23 THE COURT:
- 24 This is Officer Billy Joe Martin.
- 25 BY MR. ALFORD:

1 Q Officer Martin, I now show you what for
2 purposes of identification has been
3 marked S-33 and ask you whether or not
4 you can recognize yourself in this
5 photograph?

6 A Yes, sir, this is me to the left of the
7 picture.

8 Q Officer Martin, I would request you to place
9 an "X" mark on the photograph above your
10 head.

11 A (The witness complies.)

12 Q Now, Officer Martin, as the motorcade was
13 proceeding on Elm Street did you have
14 occasion to see or hear anything
15 unusual?

16 A Yes, sir, after we turned onto Elm Street I
17 heard what I thought was a shot and then
18 I heard, I looked back to my right and
19 two more shots or what I thought to be
20 two more shots I heard.

21 Q Officer, do you know where these shots were
22 coming from?

23 A No, sir, I do not.

24 Q Were you able to hear the third shot
25 distinctly?

- 1 A Yes, sir.
- 2 Q Were you able to see the effects of the third
3 shot?
- 4 A No, sir, I did not.
- 5 Q What were you doing at the time of the third
6 shot, if you recall?
- 7 A All during the shots I was looking to my left
8 and right trying to find out where the
9 shots were coming from.
- 10 Q Now, Officer Martin, shortly after hearing the
11 third shot did you notice the Presidential
12 limousine's speed?
- 13 A Yes, sir, it was after the third shot it had
14 almost come to a stop, it was going very
15 slow.
- 16 Q Did you at any time see the limousine speed
17 up?
- 18 A Yes, sir, there was a, an FBI agent, a man who
19 came from my right and attempted to get
20 up on the back of the limousine and it
21 started off as if they had hit the gas
22 and threw the brake which caused it to
23 throw him off balance and he stepped back
24 off the bumper and then he regained his
25 balance and got back up on the limousine,

1 and after he got on the back they
2 accelerated and left the scene.

3 Q What was the first reaction of the limousine
4 after you heard the third shot?

5 A The only reaction right after it was going very
6 slow.

7 Q Officer Martin, what did you do after hearing
8 the third shot in relation to the
9 Presidential limousine?

10 A We had instructions before going on the
11 escort not to leave the limousine and to
12 stay with it regardless of what happened.
13 When they left I kept up my position as
14 best I could and we proceeded on down
15 Elm Street and out Stemmons Expressway
16 there to Parkland Hospital on Harry Hines.

17 Q What did you do when you arrived at the
18 Parkland Hospital?

19 A When we -- There was quite a lot of traffic
20 trying to follow. After we entered the
21 emergency ramp there is a curb where you
22 can go back down the emergency ramp and
23 I stopped my motorcycle there and cut the
24 traffic off to try to keep from blocking
25 the entrance.

1 Q Officer Martin, while you were stopped at this
2 location at Parkland Hospital did you
3 have occasion to examine your motorcycle?

4 A Yes, sir, I did. I was working traffic there
5 and they cut, after a short time they had
6 cut the traffic off at Harry Hines and I
7 really didn't have too much to do. I did
8 notice there were red splotches on the
9 windshield of the motorcycle and also on
10 the front fender.

11 Q As a police officer were you able to determine
12 what these red splotches were?

13 MR. DYMOND:

14 I object to this as this is not a medical
15 expert.

16 MR. ALCOCK:

17 Your Honor, he can testify on human
18 experience.

19 MR. DYMOND:

20 If The Court please, that is a medical
21 field.

22 MR. ALCOCK:

23 "What it appears to be" to him, not
24 expertly analyzed and giving us an
25 expert opinion but what it appeared

1 to him to be and certainly he can
2 testify to that.

3 THE COURT:

4 In other words, he has not been certified
5 as an expert medical officer but just
6 to in his experience determine what
7 it was.

8 MR. ALCOCK:

9 That is right.

10 THE COURT:

11 You are asking him to describe in general
12 terms what it appeared to be?

13 MR. ALFORD:

14 Was it colored matter or white matter
15 without saying what it is.

16 THE COURT:

17 He said it was red splotches.

18 MR. ALFORD:

19 What did you say, Officer?

20 THE WITNESS:

21 Red splotches.

22 THE COURT:

23 Did you have it analyzed by any medical
24 team in Dallas?

25 THE WITNESS:

1 No, sir, I did not.

2 **THE COURT:**

3 I sustain the objection.

4 **MR. ALCOCK:**

5 Your Honor, can he testify as to whether
6 or not he had seen similar splotches
7 on any other occasion during his
8 police duties?

9 **THE COURT:**

10 If you ask him that.

11 **BY MR. ALFORD:**

12 **Q** Officer, during the course of your police
13 duties have you ever had occasion to come
14 in contact and observe human blood?

15 **A** Yes, sir, I have.

16 **Q** On approximately how many occasions?

17 **A** Numerous occasions.

18 **Q** And did you also have an opportunity to observe
19 what appeared to be on the front of your
20 motorcycle?

21 **A** Yes, sir.

22 **Q** Did this appear to be consistent with human
23 blood?

24 **MR. DYMOND:**

25 Object as that is asking for an opinion.

1 THE COURT:

2 That is what I ruled on a moment ago.

3 BY MR. ALFORD:

4 Q Did you have occasion to examine your uniform?

5 A Yes, sir, I did.

6 Q Did you have occasion to examine your police
7 helmet?

8 A Yes, sir.

9 Q Did you notice anything unusual about either
10 of these?

11 A Yes, sir, there was on my helmet, there was
12 red splotches on it and to the left side
13 of my uniform there was other matter, grey
14 matter and I don't know what the matter
15 was but as an officer I would say it was --

16 THE COURT:

17 If you didn't get it examined, Officer,
18 that is as far as you can go.

19 BY MR. ALFORD:

20 Q During your experience as a police officer
21 have you had occasion to see similar
22 splotches?

23 A Yes, sir, I have.

24 Q Now, Officer, at the time you were at Love
25 Field did you have occasion to examine

1 your motorcycle?

2 A Yes, sir, that morning that the President was
3 coming in it had been raining earlier and
4 City Hall is some 10 to 12 miles from
5 Love Field and we had ridden our motor-
6 cycles and it had rained on them. When we
7 arrived at Love Field and had lined up for
8 the motorcade, the motorcade that I
9 referred to before, it appeared that it
10 wasn't going to rain any more so we folded
11 our rain gear and placed it in our
12 motor and we have shop rags we clean the
13 equipment with and so I wiped my boots
14 and the front of my motorcycle.

15 Q Were these splotches on your motorcycle or
16 headgear at Love Field?

17 A No, sir, they was not.

18 MR. ALFORD:

19 Your Honor, at this time the State
20 requests permission to show to this
21 witness the Zapruder film for the
22 purpose of this witness identifying
23 himself in this film.

24 THE COURT:

25 Any objection?

1 MR. DYMOND:

2 Yes, Your Honor. The witness previously
3 said where he was in relation to the
4 Presidential limousine. He has
5 identified himself on a picture that
6 it a blowup of one of the frames of
7 the Zapruder film and I think it is
8 completely superfluous to reshow the
9 Zapruder film.

10 MR. ALFORD:

11 I think because of the objection the State
12 has a right to corroborate the
13 witness on the matter we are seeking
14 to elicit from him.

15 THE COURT:

16 I overrule your objection at this point.

17 MR. DYMOND:

18 Your Honor --

19 THE COURT:

20 I will overrule your objection,

21 Mr. Dymond.

22 MR. DYMOND:

23 To which ruling Counsel reserves a bill
24 of exception making the request by
25 the State to reshow the Zapruder

1 film; the Defense's objection to
2 the Zapruder film itself, which is
3 Exhibit S-37, the ruling of The
4 Court on the testimony and the entire
5 record up until this point together
6 with The Court's ruling on voir dire
7 that is that the Defense could not
8 examine prospective jurors in
9 connection with events in Dealey
10 Plaza as parts of the bill.

11 MR. WILLIAM WEGMANN:

12 Isn't this also an attempt to rehabilitate
13 their own witness again?

14 MR. OSER:

15 Rehabilitate?

16 MR. WILLIAM WEGMANN:

17 What other purpose would it have because
18 he has told us where he was, that he
19 was riding to the left of the
20 limousine.

21 THE COURT:

22 I can't state it, but Mr. Wegmann I think
23 you know why but I just can't state
24 it in front of the Jury.

25 MR. WILLIAM WEGMANN:

1 I know why.

2 MR. OSER:

3 I know why too.

4 THE COURT:

5 Tell me when you are ready and I will tell
6 them to douse the lights.

7 If people want to get over to
8 that side of the courtroom that is
9 all right, but I don't want to make
10 it a circus.

11 MR. ALFORD:

12 Officer Martin, would you please step down
13 here so you will be able to see.

14 THE COURT:

15 I might suggest that you play it in slow
16 motion if you have such a device.

17 MR. ALFORD:

18 May I question the witness?

19 THE COURT:

20 Yes, sir, you certainly may.

21 BY MR. ALFORD:

22 Q Mr. Martin, I give you this marker and will
23 you please approach the screen and point
24 out your location in this picture if you
25 can?

1 A I was operating right here and I was the Officer 59

2 on the left.

3 Q A little louder.

4 A I was the Officer closest to the curb. This
5 close I can't see it.

6 Q If you want to step back and see if you can
7 locate it again.

8 A Here I am.

9 MR. DYMOND:

10 We object to this, Your Honor, of stopping
11 on this film where there is no
12 policeman at all in the picture and
13 it's just for prejudicial purposes
14 that Mr. Oser is doing that.

15 MR. OSER:

16 I may -- I can make my or show my evidence
17 anywhere I care to.

18 MR. DYMOND:

19 You can see where the picture is stopped
20 that there is no Officer at all and
21 it's just for prejudicial purposes.

22 THE COURT:

23 Wait a minute, gentlemen, or you'll be
24 screaming at each other like you are
25 and you just don't make sense.

1 Mr. Wegmann, this is an exhibit and
2 it is accepted in evidence and if
3 they wish to stop on a particular
4 frame they certainly have a legal
5 right.

6 MR. WEGMANN:

7 I object to it being done strictly for
8 prejudicial purposes.

9 THE COURT:

10 The objection is overruled.

11 MR. WEGMANN:

12 You overrule my objection?

13 THE COURT:

14 Please take the Jury out, Mr. Sheriff.

15 (JURY EXCLUDED.)

16 THE COURT:

17 The first thing I want to say is that
18 gentlemen, you all have been practic-
19 ing law long enough to know that the
20 person who screams the loudest
21 doesn't make them right.

22 I would appreciate when you have
23 a legal objection raised to raise it
24 properly and let's take it up in a
25 judicious manner.

1 The Jury is not here and the
2 Defense Counsel has objected to the
3 State showing, they obviously wish
4 to show this was tissue or brain
5 matter from President Kennedy's skull
6 and the witness isn't allowed to say
7 it was blood but in my opinion the
8 picture was to show that the, whatever
9 it was that fell on the police
10 officer's motorcycle and his uniform
11 came from the head of
12 President Kennedy because he can't
13 say whether it's blood or matter you
14 see. It is done not for the
15 prejudicial purposes but to show
16 by Officer Martin's testimony that
17 this matter was from President
18 Kennedy's head.

19 Is that the reason?

20 MR. OSER:

21 Yes, sir. The Court knows good and well
22 that it was not done for prejudicial
23 purposes. I have practiced too long
24 in this Court to do something like
25 that.

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THE COURT:

As I understand, the Officer wants to show where he was following the car and this picture corroborates his testimony and it was done for purposes of explaining to him or to the Jury what came on his helmet or on the motorcycle came from President Kennedy's head.

MR. ALFORD:

Yes, Your Honor.

THE COURT:

It may be prejudicial but certainly it corroborates Officer Martin's testimony.

Let me caution you gentlemen that when one man is making an objection let him finish before you make your objection, otherwise the Reporter can't take two people at one time.

Bring the Jury back in.

(JURY RETURNED INTO OPEN COURT.)

THE COURT:

You want Mr. Martin to resume the stand?

1 MR. DYMOND:

2 We want to reserve our bill.

3 THE COURT:

4 You may reserve your bill.

5 MR. DYMOND:

6 At this time we want to object and reserve
7 a bill of except to the action of the
8 State and The Court in permitting
9 the rerunning of the Zapruder film
10 and the stopping of that film at
11 precisely on Frame 313 when the
12 avowed purposes for which the State
13 again offered this film was to show
14 the position of Officer Billy Joe
15 Martin in his station on his
16 motorcycle behind the Presidential
17 limousine and to its left.

18 And further, in view of the fact
19 that in Frame 313, which the film
20 was stopped, Officer Martin is not
21 even present in the picture nor
22 visible.

23 I'd like to make parts of the
24 bill the Defense's objection to this
25

1 having been done, the overruling of
2 The Court, the reasons stated for
3 the objection for the Exhibit S-37,
4 and the entire record and testimony
5 up until this point in the case.

6 MR. OSER:

7 Can we put off the lights and I will ask
8 Officer Martin to step back.

9 MR. DYMOND:

10 We are going to rerun the film again?

11 THE COURT:

12 You want to rerun it?

13 MR. DYMOND:

14 We just finished.

15 THE COURT:

16 You wish to rerun it?

17 MR. OSER:

18 Yes.

19 THE COURT:

20 You may do so because you broke up the
21 other exhibition of the film.

22 MR. DYMOND:

23 We object now to another rerunning of the
24 film which I think is the sixth
25 time.

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THE COURT:

They can run it a hundred times if they want.

MR. DYMOND:

May I reserve a bill of exception, 'cause you asked us not to interrupt each other -- making part of the bill the objection to the State Exhibit 37, the request by the State to again rerun the film for the sixth time, Defense's objection to it together with the reasons therefor and the ruling of The Court and the entire record and testimony to this point.

THE COURT:

Let's get something straight. Do I understand, Mr. Alcock and Oser that you intend to stop on a particular frame?

MR. OSER:

No, no.

THE COURT:

Yes or no.

MR. OSER:

Just a moment please. Your Honor, it is

1 The State's intention to stop the picture
2 on the last frame where Officer
3 Martin was in the photograph.

4 THE COURT:

5 If you want to make an objection you can
6 make it after the thing is over.

7 MR. OSER:

8 May I have the lights turned on so I can
9 see where I am in the film,
10 Your Honor?

11 THE COURT:

12 Very well, turn the lights on.

13 (EXHIBIT S-37, THE ZAPRUDER FILM
14 WAS THEN SHOWN TO THE WITNESS AND
15 JURY.)

16 BY MR. ALFORD:

17 Q Officer Martin, by viewing this portion of the
18 film are you able to determine where you
19 were located at this time?

20 A No, sir, I can't say 'cause I can't see my
21 motor but what appears to be a red light
22 but I can't identify that as my motor.

23 Q Can you now identify yourself?

24 A Yes, sir.

25 Q Would you please point to yourself?

1 A (The witness complies.)

2 Q Thank you, Officer. You may now return to the
3 witness stand.

4 MR. OSER:
5 May I rewind the film, Your Honor.

6 THE COURT:
7 Yes.

8 MR. OSER:
9 Let the record reflect that we have
10 returned the film back over to The
11 Court.

12 MR. OSER:
13 The State will now tender the witness,
14 Your Honor.

15 CROSS-EXAMINATION

16 BY MR. DYMOND:
17 Q Mr. Martin, did you testify before the Warren
18 Commission?
19 A Yes, sir, I did.

20 Q And I assume your testimony is the same there
21 as it is here, is it not?
22 A Yes, sir, most of the testimony but they asked
23 me a few more questions.

24 Q Mr. Martin, when did you first learn that the
25 President was going to visit Dallas?

1 A I don't recall, sir.

2 Q About how long before?

3 A I really don't know. It is almost so long.

4 The first time I actually had knowledge
5 of it would have been about 7:00 o'clock
6 that morning when we made detail and they
7 got up in front of the detail and said we
8 will be at Love Field and we will meet
9 there.

10 Q When were you informed of what the parade
11 route would be?

12 A They informed us in detail of what the parade
13 route would be.

14 Q That would be on the morning of the parade, is
15 that right?

16 A Yes, sir.

17 MR. DYMOND:

18 That's all I have.

19 THE COURT:

20 Is Officer Martin released from his
21 subpoena?

22 MR. OSER:

23 As far as the State, yes.

24 MR. DYMOND:

25 Yes.

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MR. ALCOCK:

For this next witness we will need the
rifle and may I go into your chambers
and get the rifle?

THE CLERK:

I will get it for you.

...oOo...

ROGER CRAIG,

a witness for the State, after first being duly
sworn by the Minute Clerk, was examined and testified
on his oath as follows:

DIRECT EXAMINATION

BY MR. ALCOCK:

Q For the record would you state your full name,
please?

A Roger Dane Craig.

Q Mr. Craig, where do you reside?

A Dallas, Texas.

Q Were you residing in Dallas, Texas on November
22, '63?

A Yes, sir, I was.

Q On that occasion by whom were you employed?

A Sheriff Bill Decker.

Q Were you a Sheriff's Deputy on that occasion?

A Yes, sir, I was.

1 Q How long had you been a Sheriff's Deputy on
2 November 22, 1963?

3 A Four years.

4 Q Referring you again to the date of November 22,
5 1963 where were you, where were you
6 assigned on that day?

7 A I wasn't actually assigned anywhere but I was
8 standing in front of the Record Building
9 which was the Sheriff's Office at that
10 time at 505 Main Street.

11 Q Did you have any specific duties relative to
12 the incident now under discussion?

13 A No, sir, our assignment was to represent the
14 Sheriff's Department by standing watching
15 the crowd.

16 Q Were you in uniform on that day?

17 A No, sir, I was not.

18 Q Did you have occasion on that day to see the
19 Presidential motorcade?

20 A Yes, sir, I did.

21 Q Where did you first observe the Presidential
22 motorcade?

23 A In front of 505 Main Street.

24 Q I wonder if you could leave the witness stand
25 and take this microphone and testify from

1 this location here.

2 Now I ask you to observe what has
3 been marked for purposes of identification
4 as State's Exhibit 34 and I ask you if
5 you recognize the area depicted in that
6 photograph, the whole photograph?

7 A The entire photograph?

8 Q Yes.

9 A Yes, it is Dealey Plaza.

10 Q Can you see on that photograph, Mr. Craig,
11 where you were located when you first saw
12 the Presidential motorcade?

13 A Yes, sir, I was standing in this area on Main
14 Street facing Main.

15 Q Would you please place a "C" where you were
16 located when you first saw the motorcade.
17 Now this is an approximation?

18 A Yes.

19 Q Were you with anyone at this time?

20 A Not particularly. There were several people
21 and there was, it was quite crowded.

22 Q Did you observe the motorcade proceed up Main
23 to Houston Street?

24 A Yes, sir, it went to Houston Street and made a
25 right turn.

1 Q Did you observe it after it made that right
2 turn?

3 A No, it went out of my sight.

4 Q Did you ever again see the motorcade or did
5 the motorcade ever again come into your
6 view?

7 A No, it did not.

8 Q At about or shortly after the motorcade left
9 your view did you hear anything unusual?

10 A A few seconds after it turned, one minute or
11 one minute and a half after I heard a
12 shot. I immediately ran towards Houston
13 and ran down the sidewalk, and I ran
14 across this part here and jumped through
15 one of these openings and to the grass.
16 Before I reached this corner the other
17 two shots, before I reached the corner,
18 in other words the shooting was over.

19 Q Approximately how far had you traveled from the
20 time you first heard the first report and
21 the time you heard the last two?

22 A I estimated probably 15 steps.

23 Q Were you walking or running?

24 A I was running.

25 Q Did you recognize these sounds as gunshots?

1 A Yes.

2 Q What did you do after you were running in the
3 direction across here?

4 A After I went through this opening onto the
5 grass, there were several people right
6 in this area here and I checked with them
7 to see if anybody was injured and they
8 were not. At this time I saw a Dallas
9 police officer running towards the picket
10 fence and I followed him and went behind
11 the fence and at this time there was a
12 brown Chevrolet pulling out of the parking
13 lot and I stopped it and took a woman from
14 the car and turned her over to
15 Detective Lumney Lewis who still works for
16 the Sheriff's Department.

17 Q Spell that.

18 A L-U-M-N-E-Y Lewis.

19 Q Approximately where were you located at the
20 time you turned this person over to the
21 Deputy?

22 A At that time I was behind the picket fence.

23 Q Do you see that on the diagram?

24 A It is in this area right here behind this tree.

25 Q How did you get over the picket fence?

1 A I climbed it.

2 Q At the occasion when you were climbing it did
3 you see anyone else?

4 A There were several officers and people were
5 moving towards that direction from this
6 area and after the woman was turned over
7 to the Detectives I moved these people
8 back.

9 Q Were they uniformed officers?

10 A Some of them were and some officers I knew.

11 Q They were out of uniform?

12 A Yes.

13 Q But you recognized them?

14 A Yes.

15 Q What if anything did you do in the area of the
16 picket fence?

17 A Nothing. I came from behind the picket fence
18 and began to ask these people in this area
19 if they had seen anything that might help
20 us in the investigation.

21 Q And after you did that what if anything did
22 you do?

23 A After talking to a couple of people I turned
24 them over to Lumney Lewis and he took
25 them to the Sheriff's Office. Then I

1 crossed Elm Street to look for any marks
2 on the curb on the south side where a
3 bullet or projectile might have hit.

4 Q Then what did you do?

5 A As I was looking I heard a shrill whistle and
6 I stood up and looked around and saw a
7 man running down this part of the grass
8 coming down here, with a light green
9 Rambler station wagon with a chrome luggage
10 rack on the top was proceeding along here.

11 Q What did you see if anything?

12 A The driver of the car was looking up at the
13 man running down toward him and then the
14 two became parallel and the car stopped
15 and the man jumped in and then it drove
16 off. I attempted to stop the car but the
17 officer had left his post at Elm and
18 Houston and traffic was flowing and I was
19 in the middle lane and I couldn't get
20 across the street to the station wagon.

21 Q Was the traffic flowing on that street at the
22 time?

23 A Yes, it was.

24 Q Can you describe the station wagon in any great
25 detail?

1 A It was a light green Rambler station wagon with
2 the luggage rack on the back portion and
3 it had out-of-State plates on it and the
4 reason I know this is they were not the
5 same color as ours and I couldn't read them
6 because of the angle of the car and the
7 traffic movement.

8 Q Did you have occasion to observe the individual
9 or individuals in the station wagon?

10 A Yes, sir, I did. I saw the upper portion of
11 the body and the entire head.

12 Q How many persons were in the station wagon?

13 A One.

14 Q Could you give us a description of that
15 individual?

16 A Very dark complected, Latin-looking with black
17 hair. He was very muscular, had a bull
18 neck and very strong face.

19 Q Can you describe the individual running down
20 the slope and the individual that got in
21 the station wagon?

22 A Yes, he looked to me oh, approximately 5 foot 9,
23 150 pounds, sandy hair, Caucasion.

24 MR. ALCOCK:

25 You want to take the stand again,

Mr. Craig?

BY MR. ALCOCK:

Q Did you see in what direction the station wagon went after the individual running down the slope got in?

A It traveled west on Elm Street.

Q That would be towards the Triple Underpass?

A Yes, towards the Triple Underpass.

Q Did you have occasion Mr. Craig, to see the individual that you saw running down the slope and getting in the station wagon, did you have occasion to see him again on that day?

A Yes, later that evening.

Q Where did you see him?

A At Captain Will Fritz's Office who is Captain of Homicide & Robbery in the Dallas Police Department.

Q What were you doing up there on that occasion?

A I was filling out a report after the assassination in my office and of course I had known about the officer being killed and I possibly in my mind possibly tied the two together and I called Captain Fritz and gave him a description

1 of the man I saw running down the grassy
2 knoll and he said "That sounds like --

3 MR. DYMOND:

4 I object, Your Honor.

5 THE COURT:

6 You can't say what he said, Mr. Craig.

7 BY MR. ALCOCK:

8 Q As a result of this telephone conversation did
9 you have occasion to view anyone?

10 A Yes, sir, I went to Police Headquarters.

11 Q Did you recognize anyone at Police Headquarters?

12 A Yes, sir, in Captain Fritz's office the same
13 man that I had seen running down the
14 hill.

15 Q Who was in Captain Fritz's Office at the time
16 you saw the individual?

17 A There were two men in the office. The one
18 seating to the left as I walked in I
19 didn't know, and he was in a business suit
20 with a white Stetson hat and I assumed he
21 was one of Captain Fritz's men and the
22 other man was Lee Harvey Oswald.

23 Q Now I show you what has been marked for
24 purposes of identification as State
25 Exhibit 1 and I ask you if you recognize

1 the person depicted in this picture?

2 A Yes, sir, that is the man I saw in
3 Captain Fritz's Office.

4 Q Is this the man you saw running down the slope?

5 A Yes, it is.

6 Q The one that got in the station wagon?

7 A Yes.

8 Q And who is the individual depicted in this
9 picture?

10 A Lee Harvey Oswald.

11 Q Did you have occasion to go into Captain Fritz's
12 Office at the time Lee Harvey Oswald was
13 in there?

14 A Yes, sir, Captain Fritz showed me into his
15 office where the two gentlemen were sit-
16 ting.

17 Q Did you have occasion to confront or speak to
18 Lee Harvey Oswald on this occasion?

19 A I did not, Captain Fritz did.

20 Q Were you there when he made any responses to
21 anything Captain Fritz asked him?

22 A Yes, I was.

23 Q What did he say?

24 A Captain Fritz, this man was --

25 MR. DYMOND:

1 I object to what Captain Fritz said.

2 THE COURT:

3 You can't say what Captain Fritz said but
4 just what Lee Harvey Oswald said.

5 THE WITNESS:

6 I made an identification of Lee Harvey
7 Oswald as the same man I saw running
8 down the grassy knoll.

9 BY MR. ALCOCK:

10 Q What if anything did he say?

11 A He said "I told you people I did."

12 MR. DYMOND:

13 What?

14 THE WITNESS:

15 "I told you people I did."

16 BY MR. ALCOCK:

17 Q Did he say anything else?

18 A Yes.

19 Q What was that?

20 A I can't testify in answer to Captain Fritz's
21 comments 'cause it was in response --

22 Q I am afraid you can't give us what Captain
23 Fritz said 'cause that would be hearsay
24 but what if anything did Lee Harvey
25 Oswald respond to the question of

1 of Captain Fritz?

2 A He said that the station wagon belonged to
3 Mrs. Paine, but "Don't try to drag her
4 in this."

5 Q Did he make any other responses?

6 A He leaned back in his chair and said "Everybody
7 will know who I am now."

8 Q Did you hear him say anything else on this
9 occasion?

10 A No, sir, I did not.

11 Q How long did you stay in the office?

12 A Approximately ten minutes.

13 Q Did you have occasion to see Lee Harvey Oswald
14 at any time subsequent to this?

15 A Not in person.

16 Q Now Officer Craig, after observing this incident
17 wherein you described Lee Harvey Oswald
18 getting in a station wagon, did you have
19 anything else, or do anything else, at
20 Dealey Plaza before going to the
21 Sheriff's Office?

22 A. Yes, sir, I went to the School Book Depository,
23 went to the Depository and asked for
24 anyone who was connected with the
25 investigation so I could turn my

1 information over to them.

2 Q Did you turn your information over to anyone?

3 A I did.

4 Q And subsequent to that what if anything did you
5 do in connection with the investigation
6 at the Depository?

7 A I went from there to the sixth floor to help in
8 the search.

9 Q While you were on the sixth floor and in your
10 presence was any rifle found?

11 A Yes.

12 Q And did you personally find the rifle?

13 A No, sir, I did not but I was about eight feet
14 from the gentleman that found it.

15 Q Did you ever get closer to the gentleman hold-
16 ing the rifle?

17 A Yes, sir, I did.

18 Q Approximately how far?

19 A About one foot or one and a half foot. I was
20 standing next to him.

21 Q Do you recall the man who was there?

22 A No, he was an ID man from the Dallas Police
23 Department, however, he did not find the
24 rifle, Eugene Boone, a Deputy Sheriff,
25 he found the rifle.

1 Q What do you mean an ID man?

2 A An identification man from the Dallas Police
3 Department.

4 Q Approximately how long did you view the rifle
5 at this time?

6 A Just two or three minutes. They took it away
7 immediately, they held it up by the strap
8 and then took it away from there.

9 Q Officer Craig, I am going to show you -- I
10 mean Mr. Craig, I'm going to show you what
11 has been marked for purposes of identifica-
12 tion as State's Exhibit 18 and ask you if
13 you have seen this rifle or a similar
14 rifle at any time?

15 A The rifle found was similar to this one with
16 the exception it had a strap connected
17 to it.

18 Q Officer Craig, were you able to observe the
19 location that the rifle was found in?

20 A Yes.

21 Q Where was that?

22 A In the northeast corner of the sixth floor there
23 was a stack of boxes approximately five
24 feet high and they were stacked in a square
25 and in the middle of the square was a hole

- 1 and the rifle was in this hole.
- 2 Q Mr. Craig, were you able to determine from what
3 direction the reports or sounds you heard
4 in Dealey Plaza emanated from on that day?
- 5 A Not exactly. It was to my right and around the
6 corner because I was on Main Street.
- 7 Q Can you indicate, Officer Craig, by perhaps
8 slapping here the interval between the
9 shots you heard on that day?
- 10 A Yes, the first shot was (tap) and then they
11 came like this, there was a pause and then
12 (tap, tap).
- 13 Q Now, Mr. Craig, you have indicated that this
14 man was running down the slope, was this
15 the grassy knoll or in some other area?
- 16 A The slope I am talking about is the portion
17 of the grass directly in the front of the
18 vicinity of the School Book Depository.
- 19 Q And you identified this man as Lee Harvey
20 Oswald?
- 21 A Yes, I did.
- 22 Q Officer Craig -- strike that -- Mr. Craig,
23 rather, did you have occasion to observe
24 the corner window in the sixth floor of
25 the Book Depository when you were up there

1 with your brother officers looking for
2 possible evidence?

3 A Yes, sir, I did.

4 Q Can you approximate for us at this time how
5 high that window was raised, if it was
6 raised at all?

7 A Yes, it was raised and level with the bottom
8 part of the top, if you know what I mean,
9 in other words, the two were level.

10 Q Mr. Craig, can you indicate or tell us whether
11 or not the window went to the floor or did
12 it begin at some point above the floor?

13 A No, it began I would say probably three feet
14 above the floor, the base of the window.

15 Q Did you notice any objects around this window
16 at the time you observed it?

17 A Yes.

18 Q What were these?

19 A Three spent cartridges, a sack with some
20 chicken bones in it --

21 Q Anything else?

22 A No, there were some pasteboard boxes stacked up
23 in front of it.

24 Q How do you mean "stacked up in front"?

25 A I believe three boxes were stacked on top of

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each other by the window.

Q Can you approximate for us the size of these boxes?

A Probably I would say probably 18 inches square.

Q Were they stacked one on top of the other?

A Yes.

Q In this position, that is stacked one on top of the other, would that reach, that is these boxes, would they reach the top of the window?

A Almost, yes.

Q Now can you demonstrate perhaps with your hands approximately how high this window was open?

A How high?

Q How wide the window was opened when you observed it, can you approximate with your hands?

A Yes, I would say probably like that (indicating).

Q Now, Mr. Craig, how far was that from the floor, can you give us an approximation again with your hands as to how far the lower part of the open window was from the floor?

A You mean the window sill itself?

Q The window sill.

1 A I would probably about like that (indicating).

2 Q Mr. Craig, are you presently with the
3 Sheriff's Department in Dallas, Texas?

4 A No, I am not.

5 Q When did you leave the Sheriff's Office?

6 A July 4, 1967.

7 Q And what rank had you obtained when you left
8 the Sheriff's Department?

9 A It was the equivalent of Desk Sergeant.

10 Q And prior to the date of November 22, 1963 had
11 you received any award from the Police
12 Department?

13 MR. DYMOND:

14 I object to that as being irrelevant.

15 THE COURT:

16 I sustain the objection.

17 MR. ALCOCK:

18 I tender the witness.

19 MR. DYMOND:

20 May we request a five-minute recess at
21 this time before starting our
22 cross-examination?

23 THE COURT:

24 Yes.

25 (RECESS.)

1 THE COURT:

2 Is the State and Defense ready to proceed?

3 MR. DYMOND:

4 Yes.

5 MR. ALCOCK:

6 Yes.

7 THE COURT:

8 I believe the witness has been tendered
9 for cross-examination.

10 CROSS-EXAMINATION

11 BY MR. DYMOND:

12 Q Mr. Craig, you have told this same story to
13 the Warren Report, have you not?

14 A Not to the Commission itself, to one of their
15 attorneys.

16 Q To one of their investigators or attorneys for
17 the Warren Commission, is that right?

18 A Yes, sir.

19 Q Now approximately how long had the motorcade
20 been gone from Elm Street when you saw
21 this station wagon pull up and the man get
22 in?

23 A From the time of the shooting, 12 to 15
24 minutes.

25 Q Was there a lot of traffic along there at that

- 1 time?
- 2 A It was at the time the station wagon pulled up,
3 yes, sir.
- 4 Q There were automobiles behind the station wagon?
- 5 A Not in that lane, they were in the middle lane
6 and south lane.
- 7 Q Were you suspicious of these two men when you
8 saw them or not?
- 9 A Yes, sir, I was.
- 10 Q Well, why didn't you commandeer an automobile
11 and go after them?
- 12 A I couldn't get one.
- 13 Q You were a law enforcement officer.
- 14 A I am trying to cross the street and about to
15 get run over and I couldn't and I had to
16 retreat to the south side.
- 17 Q And you didn't follow up when you could get a
18 car?
- 19 A No, sir, it was too late in my mind.
- 20 Q Mr. Craig, when did you come to New Orleans
21 after the assassination, that is to live?
- 22 A I came down here in December, I believe, of
23 '67, no, '68, I'm sorry, no, '67.
- 24 Q Isn't it a fact at that time you went to work
25 for Mr. Willard Robinson who is a member

1 of Truth & Consequence?

2 A I don't know who is a member but it is
3 Volkswagen International.

4 Q And Willard Robinson is your boss?

5 A Yes.

6 Q Is it not also a fact you were working there
7 under an assumed name?

8 A No, that is not a fact.

9 Q What name were you working under?

10 A Roger Craig.

11 Q You never did work or live under an assumed
12 name?

13 A No, sir, I never did work under an assumed
14 name.

15 MR. DYMOND:

16 That's all I have.

17 THE COURT:

18 Mr. Craig is released from the effects of
19 this subpoena?

20 MR. ALCOCK:

21 Yes, sir.

22 ...oOo...

23 MRS. ELIZABETH CAROLYN WALTON,

24 a witness for the State, after first being duly
25 sworn by the Minute Clerk, was examined and testified

1 on her oath as follows:

2 DIRECT EXAMINATION

3 BY MR. OSER:

4 Q State your name for the record.

5 A Mrs. Elizabeth Carolyn Walton.

6 Q Where do you reside, Mrs. Walton?

7 A In Dallas, Texas.

8 Q How long have you been a resident of Dallas?

9 A About 17 years.

10 Q Mrs. Walton, on the date of November 22, 1963

11 did you have occasion to be in what is

12 commonly called Dealey Plaza in Dallas,

13 Texas?

14 A Yes, I did.

15 Q What was your primary reason for being in

16 Dealey Plaza?

17 A To see President Kennedy.

18 Q Were you working at this time?

19 A Yes, in the Daltex Market Building.

20 Q Is this located in Dealey Plaza?

21 A Yes, sir, it is.

22 Q At approximately noon that day or sometime

23 around that hour did you have occasion to

24 leave the Daltex Building and go anywhere?

25 A I went out in the street to see the President.

1 Q And what position did you take on what street
2 to view the Presidential Motorcade?

3 A I was on Houston just off of the corner of
4 Elm by the Records Building.

5 Q Mrs. Walton, step down here for a moment, please.
6 Mrs. Walton, I direct your attention to
7 State Exhibit No. -- S-34, and ask you if
8 this, on this exhibit --

9 THE COURT:

10 Why not let her stand over here so that
11 the Jury can see what she is doing?

12 BY MR. OSER:

13 Q Using State Exhibit 34 I ask you whether or not
14 you can point out on that exhibit where
15 the Daltex Building is located?

16 A To the extreme right.

17 Q Just speak into the microphone. Up in the
18 right corner.

19 Q This Daltex Building, is this the building you
20 were working at at this time?

21 A Yes, sir.

22 Q Can you show us on this exhibit what position
23 you first took up to view the Presidential
24 motorcade?

25 A I was right on this corner.

1 Q I now direct your attention, Mrs. Walton, to
2 Exhibit State 36 to your left over here
3 and ask you to view this exhibit and take
4 this pin and place it in the approximate
5 location you were standing on Houston
6 Street at the time you viewed the
7 Presidential motorcade.

8 A Use the same here?

9 Q Yes, ma'am. Now, Mrs. Walton, I ask you to
10 step over to State Exhibit 36 and ask you
11 to locate your position that you were
12 standing at during the President's motor-
13 cade and place this emblem in the location
14 you were standing at that time. You may
15 resume your seat. Now at the time you
16 were standing in the position you
17 indicated on Houston Street had the
18 President's motorcade passed yet?

19 A No.

20 Q At this particular time did you have occasion
21 to view anything that caught your
22 attention?

23 A Yes, I had ten or fifteen minutes to look
24 around.

25 Q Speak a little louder.

- 1 A We had ten to fifteen minutes to wait.
- 2 Q You say "we," were you with someone else?
- 3 A Yes, a friend.
- 4 Q During this time was your attention drawn to
5 anything in particular?
- 6 A Well, we looked at the Daltex Market Building
7 and the School Book Depository.
- 8 Q When you viewed the Texas School Book
9 Depository did anything appear unusual to
10 you?
- 11 A Yes, sir, the windows were open and that was
12 the first I'd ever seen them open.
- 13 Q When viewing these windows did you have
14 occasion to see anything?
- 15 A Yes, sir.
- 16 Q Tell the Gentlemen of the Court and the
17 Gentlemen of the Jury what you saw.
- 18 A The first time I looked I saw a man I think
19 wearing a maroon shirt in the center of
20 the building. The first time I looked
21 at the building I saw a man I think in a
22 maroon shirt in the center of the build-
23 ing stand up and later on I saw two men
24 in another building and one was holding a
25 gun and the other was standing beside him.

- 1 Q Can you describe how the two men were dressed
2 as you saw them?
- 3 A The man wearing the gun I think was wearing a
4 white shirt, I'm not sure.
- 5 Q How was the other man dressed?
- 6 A A brown suit coat.
- 7 Q Did anything draw your attention away from
8 this building?
- 9 A Yes, the crowd started hollering that the
10 motorcade was coming and I turned and
11 looked the other way.
- 12 Q Did in fact the motorcade pass in front of you
13 at this time?
- 14 A Yes, it did.
- 15 Q While the motorcade was passing in front of
16 you did you have occasion to hear any
17 unusual noises?
- 18 A Yes, sir.
- 19 Q How many did you hear?
- 20 A All together I heard four.
- 21 Q At the time of the first noise what did that
22 noise sound like to you?
- 23 A It was a loud popping sound and I thought it
24 was just a firecracker.
- 25 Q Where were you located at the time you first

1 heard the noise?

2 A Still standing in the same position.

3 Q And where was the President's car?

4 A It had already passed the, the last car was
5 passing in front of me when I heard the
6 first shot.

7 Q What did you then do?

8 A I started walking back towards my building.

9 Q In what point in walking back to your building,
10 walking back to the Daltex Building did
11 you hear any other noise?

12 A Yes, sir.

13 Q Where were you located?

14 A The second one I was just stepping off the
15 curb.

16 Q And where were you when you heard the third
17 one?

18 A Almost to the center of the street.

19 Q And where were you when you heard the fourth
20 one?

21 A In the center of the street.

22 Q What did the second shot sound like to you?

23 A It sounded just like the first one.

24 Q And what about the third one?

25 A The same.

- 1 Q And what about the fourth?
- 2 A A little lower.
- 3 Q The first three were of the same intensity and
4 the fourth was a little lower?
- 5 A Yes.
- 6 Q After hearing these four noises what if any-
7 thing did you do?
- 8 A I stopped and said "That is gunshots."
- 9 Q What did you do?
- 10 A I started down the side on Elm Street and
11 people were running and screaming.
- 12 Q Would you step down one more time, Mrs. Walton
13 and using the aerial photograph show which
14 way you walked and which way were the
15 people moving?
- 16 A Yes, sir.
- 17 Q First of all, which way did you walk? Stand
18 on the side and point.
- 19 A Down this way.
- 20 Q Which way were the people moving?
- 21 A This way.
- 22 Q Have your seat back, Mrs. Walton. At the time
23 you heard these noises and you were in
24 this vicinity did you have any impression
25 as to where the shots were coming from at

1 the time you heard them?

2 A Somewhere from my right, possibly to the front
3 right.

4 MR. OSER:

5 I tender the witness.

6 CROSS-EXAMINATION

7 BY MR. DYMOND:

8 Q Mrs. Walton, where were you standing when you
9 got this impression that the shots were
10 coming from your right?

11 A In the same position I indicated on the map.

12 Q That would be right there by the Texas --
13 by the Daltex Building, across the street?

14 A Across the street by the Records Building.

15 Q Were you facing towards the Triple Underpass?

16 A Yes, sir.

17 Q The Book Depository would have been on your
18 right, is that correct?

19 A Yes, sir.

20 Q Were you standing on that corner when you heard
21 all four shots?

22 A No, sir, I wasn't standing there for all four
23 shots.

24 Q You heard -- you had already started walking,
25 is that correct?

- 1 A Yes.
- 2 Q And had you started walking towards the Triple
3 Underpass or the other way?
- 4 A I started back towards the Daltex Market
5 Building across Elm.
- 6 Q Have you ever been interviewed by any repre-
7 sentative of the Warren Commission?
- 8 A No, sir, I have not.
- 9 Q Did you volunteer your information?
- 10 A To the FBI I did.
- 11 Q Did you give them a statement?
- 12 A Yes, sir.
- 13 Q Do you ordinarily wear glasses, Mrs. Walton?
- 14 A No, sir, I do not.
- 15 MR. DYMOND:
- 16 That's all.
- 17 MR. ALCOCK:
- 18 Your Honor, I haven't been requesting of
19 The Court that the Jury be allowed
20 to view the exhibits. At this time
21 I think it would be appropriate for
22 the Jury to review what was
23 introduced in the first part of the
24 trial and I request The Court's
25 permission to do that.

1 THE COURT:

2 I suggest you give a group to one and then
3 another group to another so that we
4 can facilitate it and one group can
5 be looking at it while the other
6 group looks at the other group.

7 (EXHIBITS GIVEN TO THE JURY TO
8 EXAMINE.)

9 THE COURT:

10 At any time during the course of the trial
11 if any member of the fourteen wishes
12 to examine any exhibit it will be
13 given to him.

14 Gentlemen, I have been advised
15 by the State that the weather
16 conditions have delayed the plane
17 from arriving and we are going to
18 recess at this moment until tomorrow
19 morning.

20 Gentlemen: Do not discuss the
21 case amongst yourselves or anyone
22 else until it is finally turned over
23 to you for your decision.

24 ... At the hour of 5:05 p.m. the Court recessed
25 until 10:00 a.m. Saturday, February 15, 1969.

C E R T I F I C A T E

I, CHARLES A. NEYREY, an Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961.1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above entitled and numbered cause(s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

New Orleans, Louisiana, on the *36th* day
of *May*, 1969.

Charles A. Neyrey

CHARLES A. NEYREY
OFFICIAL COURT REPORTER
STATE OF LOUISIANA.