

WIDOW COUNTERS RUSSO TESTIMONY

TIP 2/22/69



—Photo by The Times-Picayune.
LEAVING CRIMINAL District Court Friday after testifying as defense witnesses in the Clay L. Shaw conspiracy trial are Miss Goldie N. Moore, who was Shaw's secretary for 19 years, and Lloyd J. Cobb, president of the International Trade Mart. They were among the first five witnesses called by the defense.

One of Five Witnesses in Shaw Trial

Five witnesses, including the widow of Lee Harvey Oswald, were called to testify Friday as the defense began to present its case in the conspiracy trial of Clay L. Shaw.

Mrs. Marina Oswald Porter was the first witness called by the defense and her testimony of the daily habits and appearance of Lee Harvey Oswald was contradictory to that of Perry Raymond Russo, the state's key witness against Shaw.

Shaw is charged with having participated with Oswald and David W. Ferrie in a conspiracy to murder President John F. Kennedy.

During the period that she and Oswald lived in New Orleans—from about mid-May to late September, 1963—she said he was away from home overnight only once and that was a night he spent in jail.

Mrs. Porter said Oswald never wore a beard, never dressed like a beatnik, and was usually at their Magazine st. home by 5 or 5:30 p.m.

She said he did not wear dirty clothes.

TESTIMONY DIFFERS

Russo, testified earlier that

Oswald was a man he knew as Leon Oswald and that he was introduced to him at the apartment of Ferrie as Ferrie's roommate.

He characterized Oswald as being "messy" and wearing "dirty" clothes. He said he had a two or three-day growth of whiskers, and he also testified that Shaw, Ferrie and Oswald plotted the assassination of President Kennedy at a party in mid-September, 1963, at Ferrie's apartment.

Mrs. Porter was called as a witness after Judge Edward A. Haggerty Jr., who is presiding at the trial, denied a motion for a directed verdict of not guilty. The defense filed the motion Thursday morning after the state rested its case.

Robert A. Frazier, special agent for the Federal Bureau of Investigation, was on the witness stand and undergoing direct questioning by the defense when the trial was recessed at 5:30 p. m. Questioning of Frazier will continue when the trial resumes at 9 a. m. Saturday.

Other witnesses called by the defense on Friday included:

Lloyd J. Cobb, president of the International Trade Mart, who testified that during the months of July, August and September, 1963, Shaw was out of the city on only one working day and that was Sept. 25 when he went to Hammond.

SECRETARY CALLED

Miss Goldie Naomi Moore, who was Shaw's secretary for 19 years until his retirement, testified she talked with Shaw by telephone on Sept. 25 when he was out of the city.

Rex L. Kommer, a meteorolo-

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—Photo by The Times-Picayune.
DIST. ATTY. JIM GARRISON signs as a witness to signatures on two agreements, one leasing the proposed domed stadium to the state and the other a management agreement with the state. Gov. John J. McKeithen (right) was one of the signers.

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gist with the U. S. Weather Bureau, who supplied data published by the Department of Commerce reflecting the high and low temperatures for the town of Clinton, La., during the months of August and September, 1963.

Both Cobb and Miss Moore testified that during the July-September period in 1963 the Trade Mart workload was unusually heavy as the ITM was seeking financing and leasing for its new complex on Canal st.

Cobb also testified that both Shaw and he were on the reception committee for the visit of President Kennedy to New Orleans in 1962, when he spoke

at the dedication of the Nashville ave. wharf.

"Was Mr. Shaw wearing tight pants that day?" asked F. Irving Dymond, the chief defense lawyer for Shaw.

"If he had been, I would have noticed," replied Cobb.

A memorandum from assistant district attorney Andrew J. Sciambra purporting to quote Russo in essence said Russo saw Shaw at the wharf dedication and Russo remembered that Shaw was wearing tight pants.

PICTURES ARE SHOWN

Miss Moore was shown pictures of Ferrie and Oswald and she said she had never seen them in Shaw's company. She said Shaw always wore conservative suits and she never saw him wearing tight pants or a hat (except for a military hat).

On cross-examination, she said she knew few of Shaw's social acquaintances. She also said she did not remember a Cuban organization being given free space in the ITM building, but when reminded by James L. Alcock, chief prosecutor in the case, that she had testified to that effect before a grand jury, she said she seemed to recall an "Americans Free Cuba" group that was granted ITM space.

The data which Kommer supplied showed that the average daily high for August in Clinton, La., was 93.3 degrees and the average daily low was 69.3 degrees. Average high for the last 15 days of August was 92.1. For September the average daily high was 87.8 degrees and the average daily low, 65.3. The average high for the first 15 days was 93.1.

Several residents of Clinton testified for the State that they saw Shaw, Ferrie and Oswald in Clinton, most of them stating they saw Shaw and Ferrie seated in a black Cadillac, and Oswald in the Voter Registrar's office attempting to register as a voter.

One witness said he saw Oswald get out of the car and walk into the building where the voter registration office is located.

Some of the witnesses said they recalled the approximate time because the weather had turned cool and one remembered having a "roaring fire" going in his fireplace.

TEST RESULTS GIVEN

Frazier testified at great

length on tests he conducted on the 6.5 Mannlicher Carcano which the Warren Commission says was found on the sixth floor of the Texas School Book Depository, the place from where it maintains that Oswald, acting alone, shot and killed President Kennedy.

Frazier also testified about tests he conducted on bullet fragments and one nearly whole bullet, as well as three cartridges, and he said the tests proved conclusively that the bullets were fired from the rifle he was sent and that the spent cartridges had also been fired from the same rifle.

However, because of objections by the State, which were sustained by Judge Haggerty, Frazier was not permitted to say anything further about the rifle and cartridges, other than they were sent to him for testing.

On cross-examination, the state obtained testimony from Mrs. Porter indicating that perhaps for as long a period as from July 19 until late September, when she left the city, she did not know what Oswald did during the day, and that for a period he "pretended" to go to work after he had lost his job.

She also said that when she left New Orleans, she was aware, and had been for two weeks or more, that Oswald was planning a trip to Mexico in order to attempt to get into Cuba.

Mrs. Porter said that he was going to contact her later, and she testified that when she left New Orleans "I did not know if I would see him again." He showed up several days later in Irving, Tex., at the residence of Mrs. Ruth Paine, with whom Mrs. Porter lived, she testified.

Her testimony depicted Oswald as a husband who spoke very little to his wife, never

gave her more than "a dollar" at any one time, spent much of his time reading and once threatened her with physical harm if she would not sign the name "Hidell" to a piece of paper. She said he did not permit her to look at his personal belongings "and I tried not to."

She said he often sat on the porch of their home with his rifle.

After Judge Reports

Denial, Jury Returns

When the jury returned about 9:25 a. m., immediately after Judge Haggerty announced his denial of the defense motion for a directed verdict, it marked the first time since Wednesday morning that the jurors had been in the courtroom for any period longer than a few minutes.

"Would you please call Mrs. Marina Oswald Porter?" asked Dymond as the defense began presenting its case.

Mrs. Porter appeared nervous and a bit self-conscious as she walked through the crowded courtroom, but smiled politely as the oath was administered to her, and after seating herself in the witness chair appeared much more relaxed.

Dymond's first few questions established her identity as the widow of Lee Harvey Oswald and the mother of Oswald's two children. She said she is now Mrs. Kenneth Porter, of Richardson, Tex., and that she has one son by Porter.

Referring her to 1963, Dymond asked when she recalled having moved to New Orleans from Dallas. "In May, 1963," she said.

"When you moved here, Mrs. Porter, did you have any children?" asked Dymond.

"Yes, I had one child and I was expecting another."

"Did you and Lee Harvey Oswald come here together or separately?"

"We came separately. Lee came first to find a job and a place to stay."

"How soon after your husband left did you follow him here?"

"About a week's time," Mrs. Porter answered.

She said Oswald had obtained an apartment at either 4905 or 4907 Magazine, she was not certain, and she did not know the name of the landlord or landlady. She said she had learned it since then, but "I don't recall it right now."

"During the time you and Lee Harvey Oswald lived on Magazine st., was he employed?" asked Dymond.

"Yes."

"And where was that?"

"At a coffee company."

"Did he already have the job when you arrived from Dallas?"

"He already had the job or he got it shortly after I ar-

rived," she answered.

"What were his working hours?"

"From eight to five," she said.

"And how did he get to work?"

"By bus."

"And how did he return home?"

"The same way."

Mrs. Porter then said that neither she nor Oswald ever owned an automobile, and she had never seen Oswald drive an automobile.

"Did you know how to drive an automobile at that time?"

"No, and I still don't," Mrs. Porter answered, a slight smile crossing her face.

Mrs. Porter Is Asked If Oswald Wore Beard

"Mrs. Porter, during the time you were living in New Orleans with Lee Oswald, did he ever wear a beard?"

"No, sir."

"Did he shave regularly?"

"Not every day," she answered, "but he never had a beard."

Dymond then showed Mrs. Porter a photograph of Oswald taken as he was being shot by Jack Ruby and asked her if she could identify her former husband.

"He's here in the middle in this picture, wearing a black sweater," she answered.

"Look at the photograph, Mrs. Porter, and tell me whether you have ever seen him with more beard than shown there."

"This is the most beard I've ever seen him with," she answered.

"Would that be only in New Orleans or all the time you lived with him?"

"All the time," she answered.

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

"He wore clean clothes."

"When he was going out in public, did he have any unusual habits concerning clothing?"

"No, sir."

Mrs. Porter then testified that if Oswald "had to go downtown he'd put on a fresh shirt, or suit, but nearly all the time for errands around the neigh-

borhood he wore slacks and a T-shirt."

Dymond asked her if the slacks or T-shirts might have been dirty. "I don't call them dirty," she replied.

She said Oswald had one or two dress shirts.

"Do you know what a beatnik is, Mrs. Porter?" asked Dymond.

"Yes, sir."

"Did you ever see Lee Oswald looking like a beatnik?"

"No."

"Did you ever see him wear long hair?"

"No."

"What was the ordinary condition of his hair?"

"It was quite short."

"Did he keep it uncombed or combed?"

"There was not much to comb, but it was combed when he went out."

"Did he ever take a trip to Clinton, La.?"

"Not that I know of."

"Did you ever take a trip to Clinton?"

"No, sir."

She also said that her only daughter at the time did not go to Clinton either.

"Mrs. Porter, until when did you and Lee Harvey Oswald live together in New Orleans?"

Mrs. Porter paused and then said, "I think I left on Aug. 25." (She later corrected her testimony to say she left the city between Sept. 20 and Sept. 23, 1963.)

"And how long after that was it before you saw Lee Oswald again?"

"I saw him approximately seven to 10 days later, after I left."

Saw Him in Texas, Mrs. Porter Replies

"Where did you see him that next time?"

"At Ruth Paine's home."

"And where is that located?"

"In Irving, Texas."

"During the time you lived in New Orleans did you ever know him to stay away from home overnight?"

"Only once when he spent the night in jail."

"Do you recall any over night when he was not at home?"

"No, sir."

"Did he work at the coffee

company the entire time you lived in New Orleans?"

"He lost his job shortly before we left New Orleans."

"Mrs. Porter, do you recall how long before you left New Orleans that he lost his job?"

"I can't recall."

Dymond asked her how Oswald spent his time after he lost his job.

"He'd stay around the house most of the time or go to the library, or hunt for a job."

"And where did he spend his evenings?"

"At home," she answered.

"What did he ordinarily do at home?"

"Mostly reading."

"Did he read a lot?"

"Yes."

"Did you and Lee Harvey Oswald have any friends here?"

"No, sir."

She then explained that the only people she knew were Oswald's relatives and identified them as "his aunt and uncle and their children." She said she could not recall their name because it was difficult for her to pronounce, but finally gave her pronunciation of Murret as the family name.

"Did you and Lee Oswald ever take a trip or trips with the Murrets?" asked Dymond.

"We went to Mobile, Ala., once," she said.

"Did you ever go on any other trips with them?"

"No, sir."

She said she could not recall how long before she left New Orleans that the trip to Mobile was made.

Mrs. Porter said she and Oswald visited only with the Murrets and that Oswald never told her if he visited anyone.

"Was he always home at night?"

"Yes."

"Did any friends other than the Murrets visit you at your apartment?"

"Once a friend of Ruth Paine visited us: a lady with children."

"Do you recall her name?"

"No."

"Did any men ever visit you and Lee Oswald?"

"No."

Dymond then asked if during the time she was living in New Orleans she knew or was familiar with a man named Clay Shaw.

"No, sir," she answered, and then said the first time she heard the name was "when

this trial began."

Witness Says That She Never Heard 'Bertrand'

"Did you ever hear the name Clay Bertrand?"

"No, sir."

"Did you ever hear the name Clem Bertrand?"

"No, sir."

"When was the first time you heard this name?"

"In the newspaper."

"Did you ever know a David W. Ferrie?"

"No, sir."

"Did you ever know a Dave Ferrie?"

"No, sir."

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

"No, sir."

She was then shown several photographs of Ferrie and said she had never seen the man depicted before.

"Does he look familiar to you at all?"

"No, sir."

Dymond then read several names to Mrs. Porter and asked her if during the time she was married to Oswald did he know any of the persons, to her knowledge. She answered "no" to the following names: Sandra Moffett, Nils Petersen, Lefty Peterson, Layton Martens, Alvin Beaubouf, Melvin Coffey, Al Landry, James Lewallen.

"Is the name Perry Raymond Russo familiar to you?"

"No, sir."

"To your knowledge did you or your late husband know anyone by the name of Perry Raymond Russo or Perry Russo?"

"No, sir."

After Dymond repeated Russo's name, Mrs. Porter said: "I never heard his name before."

Dymond next asked her about other names Oswald used.

"Did he go by any other names?"

She answered that he once signed some paper with the name "Hidell."

"Did he use any name other than Hidell?"

"Not at the time I was married to him."

"Did he ever use the name

Leon Oswald?"

"No, I don't know."

"Is the name Leon Oswald familiar to you?"

"No, sir."

"Was he ever known as Harvey Oswald?"

"I don't know about that."

"To your knowledge did he ever use that name, Harvey Oswald?"

"No, sir."

Dymond then asked Mrs. Porter to explain what she had meant when she said "I don't know about that," and she said she had meant "maybe he used it, but I never heard it."

"During the time you and Lee Harvey Oswald lived at the Magazine st. address, did he live someplace else?"

"No, sir. While we lived here, we had the same address that I had the whole time."

Lived Together Here, Mrs. Porter Repeats

"You and he were never separated in New Orleans; did you have a broken-up marriage?"

"No, sir."

"Was he at any time rooming with anyone else or sharing an apartment with anyone else?"

"No sir."

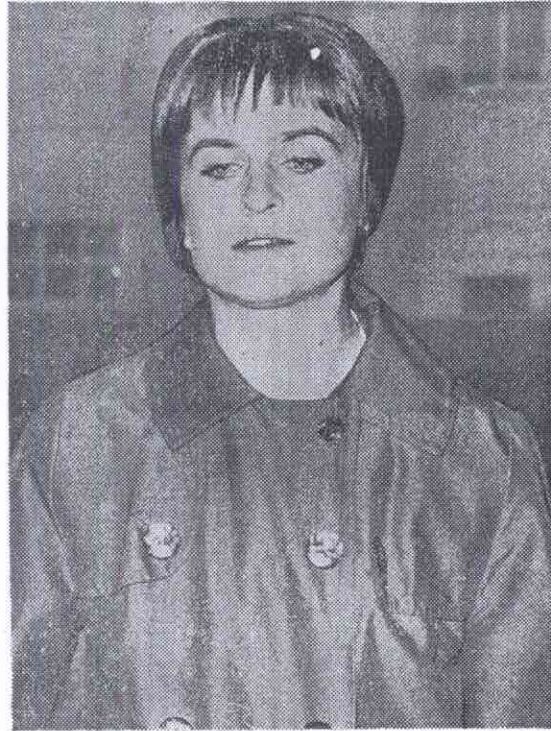
Dymond then moved to the rifle Oswald owned. Mrs. Porter said she knew he owned a rifle, but added she would not be able to recognize it.

"While you were living on Magazine st., did anyone ever come to pick you up, him, or both?"

"Only the Murrets."

"Do you remember the type of automobile?"

"No, sir," and then she added that possibly one of Oswald's cousins might have come by in an automobile.



—Photo by The Times-Picayune.

MARINA OSWALD PORTER enters the Criminal Courts building Friday to testify in the Clay Shaw trial. The widow of the man named by the Warren Commission as the assassin of President John F. Kennedy testified that Lee Harvey Oswald was not a bearded beatnik when he lived in New Orleans with her.

She was then shown a photograph of an automobile, but said she was unable to identify it as the car owned by the Murrets. She also said she did not remember the color of the car and that she had ridden in it on only two or three occasions.

"Did anyone else ever pick up Lee Harvey Oswald in an automobile on Magazine st?"

"No, sir."

"Did you and Lee Harvey Oswald ever own an automobile?"

"No, sir."

"To your knowledge, did he individually own an automobile?"

"No."

"To your knowledge, Mrs. Porter, did he ever borrow an automobile?"

"No."

"Was Lee Harvey Oswald non-committal or outspoken about politics?"

"He did not talk them in the presence of me."

She said he made "some

sort of speech in Mobile, Ala., "at the seminary over there," and that he participated in a radio interview while in New Orleans, "but I didn't speak English and I didn't understand" the speech or the interview.

She told Dymond that when she left New Orleans she left with Mrs. Ruth Paine, who had come from Irving, Tex., to get her.

"Did you leave right after Mrs. Paine arrived?"

"She stayed two days," said Mrs. Porter.

"Was Ruth Paine alone when she arrived?"

"She had her two children with her."

Dymond asked what type of automobile Mrs. Paine had.

"A station wagon," answered Mrs. Porter.

"What color?"

"A light color."

She said then when she left New Orleans the group in the station wagon included herself, Ruth Paine, Mrs. Paine's two children and "the baby," indicating her child. She was pregnant at the time.

She said they stopped overnight and arrived in Irving the following day.

15- to 25-Minute Drive to Irving, Witness Says

Mrs. Porter said she did not know the distance between Irving and Dallas, but indicated that it was a 15 to 25 minute drive.

"Did you go there (to the Paine residence in Irving) to live?"

"Yes, sir."

"And your husband was not with you?"

"No, he wasn't."

She then said that a week or 10 days later "he showed up." Mrs. Porter said Oswald called, but she could not remember if Mrs. Paine picked him up in Dallas and brought him home or if he took a cab.

"Did he tell you where he had been after you left New Orleans?"

"He went to Mexico."

"How long had he been in Mexico?"

"He did not say."

"Do you know how long he had been in Mexico?"

"No."

Dymond then showed Mrs. Porter a Mannlicher-Carcano rifle, similar to the type Os-

wald owned.

"I ask you whether this looks familiar?"

"I'm not an expert on rifles," she answered.

"Did you testify you knew he had a rifle?"

"Yes, sir."

"With reference to the rifle

you knew he had, did you ever see it while you were living in New Orleans?"

She said she had seen Oswald cleaning it, and on the front porch with it at night.

She said he kept it in a closet "where he kept his clothes."

"Did you ever see him take it off the premises?"

"I don't remember."

Dymond next asked Mrs. Porter how the rifle got to Texas and she said that "Lee was packing all the clothes" that were taken to the Paine home, and "anyhow the first time I saw it (after leaving New Orleans) was when the police arrived (after the assassination)."

"Was that before or after the assassination?"

"After."

"Did you ever see it between the time you left New Orleans and after the assassination?"

"I don't remember."

"Did you ever see it in Irving, Tex?"

"I don't remember."

"Did you ever know Lee Harvey Oswald to have large sums of money?"

"No."

"No big rolls of bills?"

"No."

"What was the most money he ever gave you at one time?"

"A dollar."

"Did you ever see large sums of money in his possession?"

"I never looked at Lee's wallet or personal belongings."

Mrs. Porter Says

Oswald Paid Bills

Mrs. Porter then said she and Oswald went grocery shopping together "but he paid the bills; he took care of the money."

"Who paid the rent?"

"He did."

"Did he keep the payments up to date?"

"I don't think he paid before we left New Orleans. I think he owed two weeks. I paid it—after all this happened."

"When you went shopping for groceries, Mrs. Porter, could you buy everything you

wanted?"

"No, I had to be very careful."

She said she did not know if Oswald had any bank accounts, and that after his death she did not receive any correspondence of material which indicated he did.

"Did he leave any estate at all?"

"No, sir."

"What happened to his personal possessions?"

"They were confiscated. I do not know where they were taken."

Dymond then questioned her about Nov. 22, 1963, the day President Kennedy was assassinated.

She said she was with Ruth Paine in Mrs. Paine's home in Irving. She said she still did not speak English and that it was Mrs. Paine, who was watching television, who told her that President Kennedy had been shot.

"Where was her automobile?"

"At home."

"Did she leave the house shortly after the assassination?"

She said Mrs. Paine did not leave and that, to her knowledge, the Paine automobile remained in Irving.

"After Lee Harvey Oswald got to Dallas did he live in Ruth Paine's house with you?"

"He came on weekends."

She said he rented an apartment in the Oak Cliff section of Dallas.

"Did you ever see it?"

"No, sir."

"You've never been there?"

"No, sir."

It was 10:15 a. m. and the direct questioning by the defense of Mrs. Porter had taken approximately 45 minutes. Her cross-examination by Alcock began at 10:35 a. m. and continued until about 11:50 a. m.

It was after Mrs. Porter had been tendered to the state for cross-examination and during a recess that she apparently realized she had erred on the approximate date she left New Orleans.

Judge Haggerty, after the recess, said he would permit Dymond to ask the witness a few more questions. After getting the date corrected, Dymond asked:

"Did you ever see this defendant at your home?"

"No, sir," she replied, "the first time I ever saw him in person was today."

"Did any mail ever arrive at

your home with the return address listing Clay Shaw, Clay Bertrand or Clem Bertrand?"

"No."

"Did you ever receive any telegrams from Clay Shaw, Clay Bertrand or Clem Bertrand?"

"No."

Attorney Asks What Refreshed Her Memory

Alcock's first question on cross examination was what had refreshed Mrs. Porter's memory about the date she had left New Orleans.

"Because I was expecting a baby," she answered, "and the baby was born in October, and it was a longer period from August to October than September to October."

Alcock asked if she had spoken to anyone about this during the recess.

"Yes," she answered, "to the lawyer."

"Did he remind you?"

"After I gave my testimony I remembered myself," she said.

Alcock asked if she had occasion to see Oswald the night before the assassination.

"Yes, sir."

"Do you recall what time he arrived?"

"Right after his job."

"Was it usual for him to come home on Thursday?"

"No, sir, I didn't expect him till the weekend."

She said this was the only time she could recall Oswald coming to the Paine home on a Thursday. She said he spent the entire evening at home.

"Did you purchase any curtain rods for him?"

"No, sir."

"Did he ask you to?"

"No, sir."

"Did he mention coming home to get curtain rods?"

"No, sir."

"Did you see anything in his possession that looked like curtain rods?"

"No, sir."

"Did he tell you he was decorating his apartment in Dallas?"

"No."

"Did Mrs. Paine give him any curtain rods?"

"No."

"Where was Lee's gun kept?"

"In the garage where all our

belongings were kept."

She said she did not remember if it was kept wrapped nor could she remember having seen it in the garage.

"Do you recall what time he (Oswald) went to bed that night?"

"No."

"Was it before or after everyone else?"

"After everyone else."

Dymond asked her if she was awake the next morning when Oswald left.

"I was awake, but he told me to go back to sleep."

"Did he ask for curtain rods?"

"No."

"Did he mention curtain rods?"

"No."

"In your presence did he ask Mrs. Paine for curtain rods?"

"No."

She said she did not see Oswald leave and that on the previous night she did not see him with a package about two or three feet long and six inches wide.

She said that Oswald did go into the Paine garage a few times the night before the assassination.

Saw Oswald Enter Garage, Witness Says

She said she saw him enter the garage through a door in the den of the Paine residence, and that he stayed there two or three minutes each time.

"Did he ever bring anything from the garage into the house?"

"No, sir."

"After the assassination, you saw Lee's rifle again?"

"No, it's not correct. I was mistaken."

"When did you next see it?"

"I don't recall. Maybe the Warren Commission showed it to me."

"You never saw it around the Paine home again?"

"No, sir."

Alcock asked her if after the police arrived she had occasion to go into the garage.

Her answer was not clear but she said the police examined their property in the garage.

Alcock asked if there were any large packages in the garage containing their belongings. She said there might have been two or three.

"Did the police unwrap any

long packages?"

"I think they did?"

"Did you notice any long package missing?"

"No, sir. I know Lee was supposed to have a rifle and they couldn't find it."

She told Alcock she spoke with Oswald once after he was arrested by the Dallas police. She said she spoke with him for about 15 minutes and that Oswald's mother was also present at the time.

"What did Lee tell you?"

"He said not to worry; that everything will be all right."

"Did he explain what he meant?"

"I don't remember."

"Do you recall anything else he said?"

"No."

"Did he admit to you he shot President Kennedy?"

"No, he didn't. I didn't ask him about that."

"Did he ask you anything

about getting him an attorney?"

"No, sir."

"After your conversation with Lee at the police station did you ever see him again alive?"

"No, sir."

Mrs. Porter was uncertain whether she returned to the Paine home or went to a motel.

She said she thought she went to "some kind of a hotel."

Alcock mentioned the "Six Flags" and she said she thought that was it. She said there were Secret Service agents and agents of the Federal Bureau of Investigation there.

She said she was questioned by many people and she did not know whether they were Secret Service or FBI.

Alcock asked her if she was ever told by the FBI that "you'll have to cooperate to remain in America." Dymond objected and Judge Haggerty sustained the objection.

"Did you personally discuss Lee's trip to Mexico with the FBI?"

"Yes, sir."

"Did you recall telling them when you were first aware he was going to Mexico?"

"I don't remember."

Mrs. Porter Claims She Knew About Trip

"When did you first find out

he was going to Mexico?"
"Before I left New Orleans?"
"Approximately how long before?"

"Two weeks or more."
She said she never went to Oswald's apartment in Oak Cliff. She said he had left the telephone number with her, but when she called, the landlady said "nobody by that name (Lee Harvey Oswald) lived there."

She said she later had an argument with him over this. "I was very upset for him not using his real name."

"Do you recall when he first rented the apartment?"
"No."

"Did he live at Mrs. Paine's home when he returned to Dallas?"

"I don't remember."
"Do you know if he lived in one or two places in Dallas?"
"I don't know."

She said she never attempted to visit the apartment and after her unsuccessful attempt at calling him, she did not call again.

Mrs. Porter said the FBI did visit her in Irving but she could not recall whether it was once or twice. She said that on the first visit she took down the license number of the FBI agent's car and gave it to Oswald.

Alcock asked if she remembered telling the Warren Commission: "I think they (the FBI) should not count on me becoming their agent if I want to stay in the United States."

She said that her Warren Commission testimony was correct and that the FBI told her "if I want to stay here, I should help them," but she added, "It wasn't meant as a threat."

Alcock asked Mrs. Porter if she ever saw Oswald with a pistol. "I don't recall," she answered, but Alcock, expressing surprise, asked if she didn't remember taking a picture of him with a pistol.

"Oh, yes, I remember," she said, adding, "I just took the picture. I didn't see the pistol when I took the picture."

Alcock asked how many times she saw the rifle in New Orleans.

"Three, four, five times."
"Did you ever see Lee with the rifle in his hands?"

"Yes. He'd clean it at home."
"Did you ever see any am-

munition?"
"What do you call ammunition?" she asked.

"Bullets."
"Not that I remember."

"Do you know what bullets look like?"
"Yes."

Alcock asked Mrs. Porter approximately when she tried to call Oswald at the boarding house he was living in. "It was pretty close to the time of the assassination," and then she said it "could have been approximately 10 days before."

She said he was supposed to have come home one weekend and didn't and she was upset about it.

"Did you think it strange that he did not register under his own name?"

"Yes."
"And you say Lee used at least one other alias, Hidell?"

"Yes."
"Mrs. Porter, when you were living in New Orleans, did you speak English?"

Witness Replies She Spoke Only Russian

"Did you speak any language other than Russian?"

"No."
"Lee spoke Russian?"
"Yes."

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"And you were expecting a child?"
"Yes."

"Did you go many places in New Orleans?"

"Not very many."
"Did you ever attempt to go to the coffee company where Lee worked?"

"Yes, I did once."

"Did you find him there?"
"No. Maybe I went to wrong place?"

"He never told you what coffee company he worked for?"
"No."

"Did he tell you when he lost his job?"
"No."

"When did he tell you he lost his job?"

"A week maybe, or three days after he lost his job."

Alcock then asked if she remembered testifying before the grand jury that she thought he

lost his job sometime in August.

Alcock then started to say, "If I told you he lost his job on July 19, 1963 . . ." but Dymond objected that the informant was not in evidence. Judge Haggerty overruled the objection and said he thought the question was proper.

Alcock repeated the question

and asked Mrs. Porter if she thought this was about the time Oswald told her he lost his job.

"No," she replied, "I think it was closer to the time we left New Orleans."

She said that assuming she left New Orleans on Sept. 23, Oswald told her about a month before that that he lost his job.

Alcock asked if from July 19 to Aug. 23, he left the house daily as if going to work.

"He pretended a few days to go to work," she said, adding that he later admitted to her he had been pretending.

"Then until Aug. 23 he left the house at the same time as if going to work?"

"I never followed him to work."

"Isn't it a fact he rarely told you anything about what he was doing?"

"Yes, sir."
"Did he read much?"
"Yes."

"Did he talk much?"
"No."

"Did he teach you English?"
"No."

Mrs. Porter said she would have liked to learn English,

"but I was busy with the baby."

Witness Says Oswald Shown How to Drive

"You said you still don't know how to drive, didn't you?" asked Alcock.

"Yes," Mrs. Porter replied. "Did Mrs. Paine attempt to teach Lee how to drive?"

"She showed him once, in front of the house in Irving."

"And when was that, Mrs. Porter?"

"It was after we left New Orleans."

"Did you know what job your husband had just before coming to New Orleans?"

"No."

"Did you know the type of work he was doing?"

"No."

"Did he give you the telephone number of the place where he was working?"

"No."

"Did you know any of his friends?"

"His friends down here? He didn't have many friends."

Alcock then began questioning Mrs. Porter about the Fair Play for Cuba Committee leaflets which Oswald had distributed in New Orleans.

"Did you know he distributed these?"

"Yes."

"Do you know how many times?"

"No."

"Did you ever see him distribute these leaflets?"

"No."

"Do you know if he belonged to the Fair Play for Cuba Committee?"

"That's what he told me."

"Do you know who the members in New Orleans were?"

"No."

"Do you know how many members there were in New Orleans?"

"No."

Under additional questioning, Mrs. Porter said she had once signed a paper in connection

with the FPCC with the name "Hidell."

"You signed?," asked Alcock.

"He asked me and I refused, and then he threatened me if I didn't do it."

"He used a physical threat?"

"Yes."

Alcock then questioned her about the trip to Mobile. She said she did not hear the speech that Oswald delivered.

"Do you remember a conversation you had with a Jesuit priest who also spoke Russian?"

"Yes."

"Do you recall telling the priest that you didn't know Lee's friends or what he was doing?"

"I don't remember right now."

"Did you know what Lee was doing when he was pretending to be working?"

She said she didn't remember.

"He wasn't home, was he?"

"That's correct," Mrs. Porter answered.

Returned 'About Five,' Mrs. Porter Recalls

"What time did he usually return home from work?" asked Alcock.

"About five or five-thirty."

"Was it dark or light?"

"Light," Mrs. Porter answered.

"Were you aware that he had been arrested?"

"Yes."

"Did he come home that night?"

"No."

"Did he come home the next morning?"

"Yes."

"Did he tell you about it?"

"Yes."

Alcock asked Mrs. Porter if she had owned a key to Oswald's post office box. She said she did not, and she said she did not know what mail he received in the box.

She also said that Oswald had "instructed me never to go into his personal things." She said this had been the case "since we were married." Alcock asked if she had followed these instructions and she replied that she tried to.

She said she did not know how long he had a post office box, when he first got it, or the number of it.

"Do you know if Lee collected unemployment compensa-

tion checks?"

"I think he did," she replied. She said she did not know if he ever had a checking account.

She said she did not remember if Oswald ever told her he was going to the unemployment office.

"Did he ever tell you the names of anybody he knew?"

"He had no friends."

"Did he ever tell you the names of people he worked with?"

"No."

She said that Oswald liked to be left alone.

"Did you ever go to the library with him?"

"Yes," she answered.

"How many times?"

"Two or three times."

"Do you recall where the library was located?"

"It was close to home."

"Do you recall ever going to the main library with him?"

"I don't remember."

She repeated that Oswald owned about two dress shirts and said he had about a half-dozen T-shirts. Alcock asked if Oswald owned any sport shirts, and Mrs. Porter asked: "What do you call sport shirts?" Alcock explained and she answered that she thinks he owned some sport shirts.

Alcock asked where Oswald spent most of his time in the apartment and Mrs. Porter said he was either in the kitchen "playing cards" or he might be found on the front porch — "he'd like to sit there with his rifle at night."

She said it would be after dark and she was unable to see what he was doing. Alcock asked if the rifle had a telescopic sight, what was its color and how long it was, and she answered "I don't remember" to each question.

Didn't Think Husband Communist, She Says

"Did you consider Lee a Communist?" asked Alcock.

"No, sir," answered Mrs. Porter.

She said she did not know if any FBI agents came to the apartment in New Orleans, and Alcock moved on to questions about Oswald's alleged assassination attempt of Gen. Edwin Walker.

"Did Lee ever tell you he shot at Gen. Walker?"

She said he did, and she said he did it late at night.

At first she said she didn't

remember if he had his rifle when he returned home, but then replied, "He didn't have a rifle."

Dymond was on his feet, objecting that the question had no relation to the trial.

"I'm checking the witness'

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credibility," Alcock told Judge Haggerty.

"You're checking what?" asked Mrs. Porter, obviously bewildered by the word "credibility." The spectators and jury laughed and Mrs. Porter flashed an embarrassed, but generous, smile.

Alcock returned to the Walker incident.

"Did you see his rifle on the night he returned?"

"No, sir," and she indicated he went to retrieve it the following day.

"From where?" asked Alcock. Mrs. Porter said she did not know.

"Did you report the incident to anyone?"

"Before the assassination (of Kennedy), no."

Alcock asked if she and Mrs. Paine had brought the rifle to New Orleans when Mrs. Porter came here in May, 1963.

"I don't know," she answered.

"Did Lee pack the belongings?"

"Yes."

Alcock asked her if after the Walker incident she remembered Oswald burning his notebook. "I don't remember right now," she responded.

"Do you know if Lee kept his notebook locked up?"

"He kept it in a closet."

She said the closet was not locked, but the door was kept closed and Oswald took the responsibility for keeping the closet area clean.

Alcock asked if she gave the FBI agent the address of Lee's boarding house when the agent visited her shortly after she moved in with Mrs. Paine in Irving.

"Ruth Paine did."

"Were you present?"

"Yes."

"Can you recall if Lee ever received any mail at 4907 Magazine?"

"He received some mail."

Mrs. Porter said that she believes she received one piece of mail at the Magazine st. address, a letter from a girl friend. Regarding Oswald's mail, she said she did not know who it came from.

"Because you did not speak

English, you could not read any mail he received?"

"That's correct."

Returning to the leaflets that Oswald distributed, Mrs. Porter was asked if Oswald told her anything about his activity.

**Mrs. Porter Says
He 'Liked to Brag'**

She said he did and added:

"He was quite excited; he liked to brag about how brave he was."

Mrs. Porter said she remembered seeing some of the leaflets around the house, and she said she remembered that the paper on which they were printed was yellow.

Alcock then showed her one of the FPCC leaflets and she said she recognized it as the type she had seen. She said she remembered the color and "I remember this stamp and address."

The name stamped was A. J. Hidell, an alias used by Oswald.

"Is that the same name you signed," asked Alcock.

"Yes."

At this point, Mrs. Porter requested a glass of water and there was a brief pause while a deputy obtained a paper cup of water for the witness. She took three or four sips and then the questioning was resumed.

Alcock asked her if Oswald ever told her what his duties were where he worked. She said he did not.

He asked if she knew what his salary was, and she said she thought he earned \$55 a week.

"Did he ever discuss with you what he did at work?"

"Very little."

"Were the discussions between you and Lee in Russian?"

"Yes."

"Do you recall the men that came to the door of your apartment on Magazine st.?" asked Alcock.

She said that one man came to the door, and that it must have been a Saturday or a Sunday morning. She said Oswald answered the door and when he returned he said, "It was somebody, probably checking on me, it's probably the FBI." He

said he didn't know who the man was."

"To your knowledge, Mrs. Porter, did the FBI check on him?"

"This was my impression."

Alcock asked her about the stamp he used to make imprints of name and address on the FPCC leaflets. She said she thought he made it himself, and she saw him use it while they lived here. She said she did not see the stamp in Dallas, after she left New Orleans.

Regarding her departure from New Orleans, Mrs. Porter said she and Mrs. Paine left in the morning, and she said she could not recall if Oswald gave her any money.

"Did he say why he was going to Mexico?"

"Yes."

"Why?"

"He said he wanted to go to Cuba and he was going to try to get there through Mexico."

"Were you supposed to go with him?"

"He said he'd let me know."

Alcock asked her if she knew if Oswald ever attempted to contact an attorney about his U.S. Marine Corps discharge. She said she did not know. "Do you recall him talking about it?" he asked. She said he had written a letter to someone about it, but she didn't know who.

"Have you ever heard of a man named Dean Andrews?"

"No," she replied.

Andrews claims Oswald came to his office seeking to have his discharge changed. Andrews also says that two days after the assassination a man named Clay Bertrand called him and

asked him to defend Oswald. Garrison claims that Shaw is Clay Bertrand.

Alcock then turned to an area of Mrs. Porter's testimony before the Warren Commission.

Warren Commission Testimony Brought Up

"Do you recall testifying before the Warren Commission?"

"Yes."

"Do you recall saying you lied about Oswald's trip to Mexico?"

"I testified and I answered what they asked me. I actually didn't lie; I didn't tell them."

Mrs. Porter said she testified before the Warren Commission on three occasions. "On your first appearance, did the Warren Commission ask you if you knew Lee was going to Mexico?" asked Alcock.

Dymond objected on the grounds that the answer would be hearsay, but Judge Haggerty said he would permit the question.

"I don't remember the questions they asked during the first, second and third times," she said.

Alcock asked if she lied when she said she did not know about the trip.

"I told them everything I knew and everything was true."

Alcock started to say, "Do you remember telling Mr. Rankin . . . (a Warren Commission attorney)," but Dymond objected, and Alcock said the state "has a right to impeach this witness." He maintained this was the same situation that came up during the questioning of Russo, when the defense took certain questions asked at the preliminary hearing and

confronted the witness with them.

Dymond asked that Mrs. Porter's "entire testimony before the Warren Commission be admitted into evidence."

Judge Haggerty overruled the objection, said he would not permit introduction of Mrs. Porter's entire testimony to the commission, and added he would rule on each statement as it came up.

Alcock continued with Rankin's question: "When you were asked before, you did not say you knew anything about it (the trip to Mexico)."

He said her reply was: "Most of these questions were put to me by the FBI. I didn't like them too much . . . Well, whether I know or didn't, the fact was Lee had been there and they knew it."

When Alcock was finished she simply replied: "Whatever was written there I said. I testified the truth. I didn't lie to the Warren Commission. The first time, second time or third time. The quotes are accurate."

On re-direct, Dymond asked Mrs. Porter when Oswald told her he had attempted to shoot Gen. Walker. She said it was before she came to New Orleans.

She also told Dymond she did not know Oswald to take an active interest in civil rights.

He asked her about Cuba, and what Oswald had told her about their getting together there. "He told me he'd let me know later." Dymond asked if the visit to Cuba was to be temporary or permanent. "I don't know," she answered.

Mrs. Porter said that when she left for Texas with Mrs.

Paine "I didn't know if I'd see him (Oswald) again."

Frazier took the witness stand at 4:30 p.m., and was qualified without opposition from the State as an expert witness in the field of ballistics.

He identified himself as a special agent for the FBI, chief of the firearms and toolmarks, physics and chemistry unit of the FBI.

Frazier Claims He Examined Limousine

He said that from about 1 a. m. until 4:30 a. m. on the morning of Nov. 23, 1963—the morning after President Kennedy was shot—he examined the limousine in which the President and Gov. Connally were riding.

He said he made his examination in the U.S. Secret Service garage in Washington, D. C.

Dymond asked him if in connection with his examination he found anything unusual.

Frazier said that he observed a spot on the windshield that was "obviously broken, a crack."

He said closer observation revealed a deposit of lead on the inside surface forced against it, that the windshield appeared

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to have been struck by a projectile hitting the inside surface.

Dymond asked on what basis he decided it had been struck on the inside rather than outside.

Frazier said it was based on his examination of hundreds of pieces of glass, and that by studying the radial cracks from the center point of impact, it is possible to determine the size of the glass against which the force was applied. He said by studying these stress lines, it is possible to determine the direction in which the force was applied, and it was his opinion the windshield was struck on the inside.

"Is this a definite opinion, you have?" asked Dymond.

"It is a definite conclusion," Frazier answered.

He said that in addition to the windshield, he examined the outer surface of the limousine, the hood, grill, front fenders and all metal work to determine whether or not a bullet or other projectile had struck the vehicle.

He said he found blood and tissue all over the outside area of the hood, on the side rails, inside and outside the vehicle, on the rear and on the trunk.

"Were there any other bullet holes or projectile marks?" asked Dymond.

"No, nothing except the inside of the windshield."

Dymond asked if any portions of bullets were found, and Frazier said, "I can say we found fragments of lead that could have been parts of bullets." He said three such fragments were found. He said these were found in the rear of the car, under the left hand jump seat.

He said the three fragments weighed, respectively, 9-10ths, 7-10ths and 7-10ths of a grain each, and he explained that a grain is a unit of measurement representing 1-7000 of a pound.

Dymond then questioned him about his participation in the re-enactment of the assassination in Dallas in May, 1964. Another special agent of the FBI, Lyndal Shaneyfelt, discussed it in detail as a State witness.

Frazier said he was involved in the re-enactment as an advisor or consultant to the Warren Commission in its effort to

"reconstruct the testimony of various witnesses to determine if feasible and possible for the assassination to have occurred as these witnesses had advised."

He repeated what Shaneyfelt had said, that the limousine in which President Kennedy was shot was not available and another one was used, that stand-ins were used to represent Kennedy and Connally, and that allowances were made for differences in elevation because of the different size of the limousine.

Movies Were Taken, Witness Explains

He said the vehicle was placed on the street as nearly as possible to the position the limousine occupied on the day of the assassination and that movies were taken. He said the vehicle went through Dealey Plaza again and it would stop at various places and measurements taken.

"I was stationed at the southeast corner of the sixth floor of the Texas School Book Depository at a partially open window, and I would apprise the men on the street when to stop the car as it became visible through the foliage, or cleared the foliage."

(This is the window from which the Warren Commission says Oswald fired the fatal shots.)

Dymond asked Frazier if he had seen and was familiar with the Zapruder film of the assassination. He said he had seen it and was familiar with it.

"At the time when the re-enactment vehicle is in the same spot as was the President vehicle in the Zapruder film, Frame 313—when it is obvious President Kennedy is hit in the head—was there a clear shot from the school book depository window?" asked Dymond.

"Yes, there was," answered Frazier.

Frazier said it cannot be definitely determined in which frame President Kennedy is first hit, but he said from the window he had other clear shots at the re-enactment "President" in the car prior to Frame 313.

"I would say from Frame 207 on," he told Dymond, when asked when these clear shots became possible.

Dymond asked Frazier if he examined a rifle in connection

with his work for the Warren Commission in relation to the assassination.

"Yes, I did," he said, describing it as a 6.5 millimeter Italian military rifle, referred to as a Mannlicher-Carcano. It said it has a four-power telescope.

He was shown the Mannlicher-Carcano that has been used as an exhibit and after a lengthy examination said it is

"generally similar" to the rifle he examined. He said the sight was identical but mounted in a different position.

Getting back to the rifle he examined, Frazier said it was a clip-fed rifle with a seven-bullet capacity—six in the clip and one in the chamber.

Dymond asked if, during the re-enactment and his work with the Zapruder film, he was able to determine with any accuracy the length of time between the first and last shots fired at the President. "No, sir," replied Frazier, "not within even several seconds."

He then described tests he had performed on the rifle. He said they were intended to test the rifle's accuracy as well as the speed with which it could be fired. He said the tests were conducted at the FBI indoor range in Washington and the FBI outdoor range at Quantico, Va.

He said that at 45 feet in the indoor range, using artificial light, the rifle was fired three times in 5.9 seconds. He said this represented the interval between firing the first shot, reloading and firing a second shot, and reloading and firing a third shot.

Three-Shot Testing at Range Described

Also at the indoor range, two three-shot tests were conducted at 75 feet. In the first test, three shots were fired into a two-inch circle in 4.8 seconds, and three shots were fired into a five-inch in 4.6 seconds.

He said that on the accuracy measurements, the three shots fired into the targets "could be covered by a quarter."

At the outdoor range, using daylight, he said the rifle was used to shoot at four targets, again being checked for accu-

acy and speed.

He said that three shots were fired in 5.9 seconds and landed in a 3½-inch circle; three shots were fired in 6.2 seconds and landed in a 4½- to 5-inch circle; three shots were fired in 5.8 seconds and landed in a three-inch circle, and three shots were fired in 6.5 seconds and landed in a 3½-inch circle.

He said the 45-foot and 75-foot tests were conducted at the indoor range because they were the only distances available; that the 100-yard distance was selected at the outdoor range because this was longer than any distance a gunman in Dealey Plaza would have been confronted with.

Frazier also discussed two bullet fragments he received for testing; one was removed from the head of President Kennedy and the other from the arm of Gov. Connally.

When Dymond asked if he had received "any intact or almost intact" bullet for examination, Assistant DA Alvin V. Oser Jr. jumped to his feet, objecting that unless Frazier found the bullet himself he could not testify to where it was found.

Oser said he felt the argument on the objection would get into the single-bullet theory and he asked that the jury be excused. It was, leaving the courtroom at 5:05 p. m.

(The single-bullet theory is that the same bullet which struck President Kennedy in the back passed through his body and hit Gov. Connally, breaking a rib, and, upon emerging from the body, struck the governor's wrist, cracking bone, and then entered into his thigh. A bullet found on a stretcher in Parkland Memorial Hospital in Dallas, nearly intact, according to single-bullet theory, caused all these wounds. Critics say one bullet could not cause as much damage and remain practically intact.)

Outside the presence of the jury, Dymond argued that it "is a fact of history that a bullet was found on this stretcher (Gov. Connally's) in Parkland Hospital."

Oser said the witness could not testify to where it was found. Alcock added that the Warren Commission is also a fact of history and Dymond would next ask the judge to take "judicial cognizance" of the report. They said they would

not object to the bullet being referred to as Exhibit 399 of the Warren Report. Dymond said the defense would not ask that the Warren Report be admitted.

Judge Haggerty ruled that Frazier cannot say where the bullet was found.

The jury returned at 5:10 p. m. and Dymond asked Frazier about the bullet. He identified it as Exhibit 399 of the Warren Report.

"Did you conduct any test or tests in connection with what, if any, gun it was fired from?"

"I did."

Witness Says Bullet Fired in Italian Rifle

Frazier said that the test consisted of test firings of bullets from the Mannlicher-Carcano and a microscopic examination and comparison of markings on the bullet. These markings, he

said, are peculiar to each gun, and he said that the bullet, Exhibit 399, was fired in the Italian rifle.

"It is a conclusive test?" asked Dymond.

"It is."

"To the exclusion of all others."

"Yes."

Dymond asked Frazier if he conducted similar tests on the two bullet fragments received. Frazier said tests were conducted with microscopic comparison of bullets test fired in the Italian rifle and the markings on the two bullet fragments. He said the two fragments were compared separately and they also had been fired from the 6.5 millimeter Italian rifle.

He said the tests were unable to prove that they were fragments of two separate bullets, or that they were the nose and base from a single bullet.

Dymond again asked if this was a conclusive test to the exclusion of all other rifles.

"Yes, sir," answered Frazier.

Dymond asked if he examined any empty cartridge cases. He said he did, that he examined three. The Warren Report said three empty cartridges were found near the partially-open window on the sixth floor from where it says Oswald fired at the President.

He said that the test consisted of firing test cartridges

in the 6.5 millimeter rifle and comparing the pin marks on them with the three fired cartridges he had received. He said he also compared bolt markings on the test cartridges and the fired cases and that this included a microscopic examination.

He said his conclusion was that the three cartridges had been fired in the 6.5 millimeter Italian rifle.

"Is this a conclusive test?"

"Yes, it is."

"To the exclusion of all others?"

"Yes."

Dymond attempted to ask Frazier if on the day of the re-enactment any marks were placed on the floor of the book depository to indicate where the empty cartridges were found.

Oser objected, unless, he said, Frazier found the cartridges on the day of the re-enactment.

After more arguing, Judge Haggerty ruled that questioning of Frazier should be limited to the day of the re-enactment.

Dymond asked again if any mark was placed on the floor, and Frazier said no. He said ejection tests on the rifle were conducted, but they revealed a great variation in the distance and angle the spent cartridge was ejected, and this, he said, could be increased or decreased by the speed with which the bolt was operated.

Dymond then told the court that he was going into another area that might involved more extensive questioning and Judge Haggerty said he would recess the trial until Saturday morning.

ITM President Cobb Called by Defense

As the afternoon session opened, the defense called for Lloyd J. Cobb, president of the International Trade Mart. He told the court that he had been associated with the ITM since 1946 and was an original founder. He said he became president in 1962.

"Are you acquainted with Mr. Shaw?" began Dymond.

"Yes," said Cobb.

"How long have you known him?"

"Since about 1946, when the Trade Mart was in its organizational stages."

"When did Mr. Shaw become affiliated with the Trade Mart?"

"About 1946, when he was

hired to facilitate the remodeling of the old building on Camp and Common."

Dymond asked Cobb in what capacity Shaw served.

"He was managing director until October, 1965," answered Cobb.

"Did he leave voluntarily?" asked Dymond.

"Entirely voluntarily," replied Cobb.

"During the year of 1963 what was the nature of his duties?" continued Dymond.

"In 1963," began Cobb, "he was acting as managing director and as such he was in charge of rental spaces, exhibits and the mart's image in general. But in June, 1963, we began work on securing the new Trade Mart. To the responsibility of his old job were added other duties, such as facilitating in every way possible the creation of the new ITM complex."

"Did anything unusual happen in September to October, 1963?" sought Dymond.

"Yes," replied Cobb. "About July, 1963, a financing contract was entered into for the sale of bonds to finance construction of the new building. The contract provided that Oct. 8, 1963, would be the closing date."

During that time the Trade Mart was under obligations to get leases.

"This was a \$12.8 million bond issue. So it was a crash campaign to obtain leases for tenants. We needed \$1,425,000 gross rentals to support the bond issue. The bond issue was ultimately concluded Oct. 10, 1963."

"During the three months preceding Oct. 10, 1963, did you have unusual or added duties?" inquired Dymond.

"As I said, it was a crash operation and we were trying to put the deal together," replied Cobb. "It was my responsibility to delegate work. I delegated the workload for the leases to Mr. Shaw for many reasons. We had 40 to 44 foreign consulates in the city and he had worked with them for a long time. He was delegated to try to get leases from them. In many cases this meant changes from other offices for them. He was also in charge of obtaining other leases to make up the total we needed."

"Would you term this a busy

period?" continued Dymond.

"We worked around the clock, Sundays, Saturdays and holidays," answered Cobb.

"Did you contact Mr. Shaw often?" continued Dymond.

"It was absolutely necessary that I do so," said Cobb. "He also had the responsibility of dealing with many public agencies, such as the Dock Board, with whom we negotiated for two squares of land and the demolition of its old building on the river; the New Orleans Public Belt Railroad, asking them to relocate their tracks; the Southern Pacific Railroad, to move after 100 years; the Dock Board again, in revamping the ferry landing. Mr. Shaw was working almost constantly with the architect, Edward Durel Stone. His designs had to be submitted to the bond houses. Mr. Shaw did most of this work, deciding what would go in the building."

Three-Man Team Ran Project, Witness Says

"When you say 'we,' who do you mean, Mr. Cobb?" asked Dymond.

"The responsibility for this project rested almost solely with a three-man team, Mr. Shaw, Mr. James Coleman, who dealt with the legal matters, and me. For instance, when we went to New York, we had 44 legal documents and 100 leases, all of which had been checked by Mr. Coleman."

"I was working with Mr. Shaw on an almost constant basis. I don't mean all the time, but we were talking back and forth. I was calling him, and he was calling me for advice on various matters."

"Do you recall any work day that you were not in touch with Mr. Shaw during that three months?" asked Dymond.

"There was one day," said Cobb.

"Where was he that day?" asked Dymond.

"He was in Hammond, La., and it was Sept. 25, 1963," said Cobb.

"How far is it from Hammond to Clinton, La.?" asked Dymond.

"About 90 miles," replied Cobb.

"Due to the nature and intensity of the work done at this time, would you have noticed if Mr. Shaw had been absent

any other day?" continued Dymond.

"I would have more than noticed it," replied Cobb. "We had a job to do and we were out to get it done."

"During the length of time you have known Mr. Shaw," began Dymond, "Mr. Cobb, would you say you are familiar with his mode of dress?"

"Yes," answered Cobb. "Have you ever known him to wear a hat?" pressed Dymond.

"No," said Cobb. "Have you known him to wear tight pants?" asked Dymond.

Cobb said, "No." "How did he dress in his business associations with you?" asked Dymond.

"On the conservative side," replied Cobb.

"Describe what you mean by conservative," Dymond requested.

"Well," began Cobb, "I would say like you are dressed. Nothing unusual."

"Mr. Cobb, were you on the reception committee for President Kennedy when he came to New Orleans in 1962?" asked Dymond.

"Yes, I was," Cobb replied.

"Was Mr. Shaw on the reception committee for President Kennedy?" inquired Dymond.

"Yes, he was," answered Cobb.

"Was Mr. Shaw wearing tight pants that day?" asked Dymond.

"If he had been, I would have noticed it," answered Cobb.

Dymond sought to go into Shaw's political views as Cobb knew them, but Alcock protested what he termed the char-

acter profile. Finally, Dymond was able to ask this question:

"Would you say Mr. Shaw was a liberal or conservative in reputation?"

"Liberal," replied Cobb. "Never a conservative."

"Did you ever know Mr. Shaw to be active in the civil rights movement?" continued Dymond.

"He didn't participate to my knowledge," said Cobb.

Dymond then rose and took out some pictures that the State had entered as exhibits. They included photographs of

David W. Ferrie and Lee Harvey Oswald, among others. Cobb said he didn't recognize any of them.

Dymond showed Cobb a picture of Oswald with a beard attached to it. He asked him if he had ever seen the man.

"I have never seen this man anywhere at any time," answered Cobb.

Never Saw Them in Mart, Cobb Says

"Have you ever seen any of these people in these pictures in the Trade Mart?" questioned Dymond.

"I have no recollection of it," said Cobb.

"Have you ever known Clay Shaw to use an alias or go under another name?" asked Dymond.

"No," replied Cobb.

"Have you ever known him to use the name Clay Bertrand?" continued Dymond.

"No, not until this case came up," said Cobb.

"Have you ever known him to use the name Clem Bertrand?" asked Dymond.

"No," answered Cobb.

"Do you know a Mr. Dean Andrews, an attorney?" asked Dymond.

"I have never met him, but I have seen his picture in the newspapers," replied Cobb.

"On the basis of the pictures you have seen of Mr. Andrews in the papers, did you ever see him with Mr. Shaw in the Trade Mart?" Dymond asked.

"No," said Cobb.

"Referring to November, 1963, Mr. Cobb, were you aware of a trip by Mr. Shaw to the West Coast?" said Dymond, moving to another subject.

"Yes," said Cobb.

"When did you become aware of this trip?" asked Dymond.

"The early part of September or late August," said Cobb. "The trip to the West Coast was for the purpose of world trade. I approved it."

Cobb said he wasn't approving trips at the time unless they were absolutely necessary. "We had only one objective—the sale of the bonds—but this was going to be after the closing date," said Cobb. "So we either had a deal or we didn't and it wouldn't make any difference."

"If this had happened in September or October, would you have approved the trip?" asked Dymond.

"No," answered Cobb.

Speeches Not Unusual for Shaw, Cobb Claims

"Was it unusual for Mr. Shaw to make out-of-town speeches?" asked Dymond.

"No, he had done this for a number of years," answered Cobb.

"Do you know who paid for Mr. Shaw's trip to the West Coast?" asked Dymond.

"The people who asked him to come," said Cobb.

Dymond said, "I tender the witness."

Alcock took up the cross examination of Cobb. He immediately questioned Cobb as to whether he saw Shaw socially.

"Clay Shaw and I were not social friends," said Cobb. "We had very little social contact. I may have had a drink with him after office hours."

"Have you ever been to his apartment?" asked Alcock.

"No," said Cobb.

"Did you recall what Mr. Shaw was wearing at the Nashville ave. wharf?" questioned Alcock.

"No, I don't recall," said Cobb. "But it was nothing different or I would have noticed it."

"When did you arrive at the Nashville ave. wharf?" asked Alcock.

"I recall I went out to the airport in a car," answered Cobb. "Mr. Nicholas Trist was in the car with me. My guess—and it's only a guess—is that we arrived at 11:30 a. m. I know the parade was a little delayed."

"With Mr. Trist?" asked Alcock.

"Yes, and one of two other people: I don't remember their names," said Cobb. Cobb said he thought he was on the platform.

"Do you know if the defendant had any relatives in Clinton?" asked Alcock.

"I don't know," answered Cobb.

"Have you ever made a trip out of New Orleans with the defendant?" asked Alcock.

"You are going back over a lot of ground," rejoined Cobb.

"Then did you ever make a trip out of town with him in 1963?" said Alcock, changing the question.

"I am sure I didn't," said Cobb.

"Do you know a Mr. Jeff Biddison?" asked Alcock.

"Yes," said Cobb.

"How do you know him?" questioned Alcock.

"I am a poodle lover," explained Cobb. A chuckle went up from the audience.

Continuing, Cobb said, "I was trying to raise two male poodles and it just didn't work out. So I tried to palm them off. I found out Mr. Biddison liked poodles and I gave them to him."

Cobb added, "I saw Mr. Biddison a few nights ago to say hello and that is the first time I have seen him in a number of years."

"Do you know if Mr. Jeff Biddison and Mr. Shaw were friendly?" inquired Alcock.

"I don't know," said Cobb.

"What kind of car did Mr. Biddison use?" continued Alcock.

"I don't know," said Cobb.

"Did Mr. Shaw come to you and request permission to take this trip?" asked Alcock.

"The people in Portland had contacted us before," explained Cobb. "They were having some sort of celebration there. So I said okay."

"Do you know Gordon Novel?" asked Alcock.

"No," said Cobb.

Alcock Asks If Novel Contacted Trade Mart

"Do you ever recall Gordon Novel negotiating a concession at the Trade Mart?" pressed Alcock.

"I have no knowledge that he ever contacted the Trade Mart for any concession," said Cobb.

"Did you know Mario Bermudez in the summer and fall of 1963?" asked Alcock.

"Yes," said Cobb.

"What was his position then?" asked Alcock.

"I think he was . . ." began Cobb. "First he was executive vice-president of the Cordell Hull Foundation. He may have been secretary of the International Relations committee of New Orleans. If not, he was appointed secretary-general of the Inter-American Municipal

Organization. I would have to check records."

"Do you know if Mr. Bermudez knew Mr. Shaw during this time?" asked Alcock.

"I am sure he did," said Cobb. "What were your normal working hours during these three months?" asked Dymond. "I don't have any normal working hours," replied Cobb. "If there was work to do, I did it."

"Would you say your contact with Mr. Shaw during this period was, say 8 a. m. to 5 p. m.?" inquired Dymond.

"No," said Cobb, "not during this period. At times I wouldn't get home till 10 or 11 p. m. I am not saying that Shaw was there all the time, but he was always available. I knew where he was. I would be talking back and forth with him. Something was happening nearly every hour of the day. I would say this was the busiest period of my life."

Cobb was excused. The defense then called Miss Goldie Naomi Moore, now executive secretary of the Plimsoll Club, but who for 19 years was Shaw's secretary.

She was asked the extent of her duties as Shaw's secretary.

"I handled his correspondence," she began. "Took phone calls, opened his mail, handled dictation and set up board meetings. The usual things a secretary would do."

"Would you say you were a Girl Friday?" asked Dymond.

"I think so," said Miss Moore.

"Did you handle correspondence for Mr. Shaw in connection with a trip to the West Coast?" continued Dymond.

"Yes," she said.

Dymond asked Miss Moore the first date that she handled correspondence on the Portland trip, and there was a short delay as Miss Moore went through her briefcase. Dymond and Miss Moore came upon a letter dated May 10, 1963, but he told Judge Haggerty he wasn't going to use the letter as it didn't specifically mention the trip.

Finally, Dymond handed Miss Moore a letter he said bore the date of Sept. 11, 1963, and the letterhead of the First National Bank of Portland, Ore., and he asked her if she recognized it. She said she did.

Dymond moved that the letter be admitted into evidence, and Judge Haggerty, when there was no objection from the State, granted permission. Dymond also was allowed to read

the letter to the jury.

Basically, the letter, on stationary from the First National Bank of Portland's international banking department, was an acknowledgement of Shaw's acceptance of the invitation to speak to the Columbia Basin Export-Import Conference on Tuesday, Nov. 26, 1963. It noted

the theme of the conference would be "Is Europe Our Market?"

The author of the letter, whom Dymond identified as William R. Wells, vice-president in charge of the international banking department, said he hoped Shaw would make major reference to the European market. Wells said that though finances of the conference are limited, "due to the importance of your presence, we are pleased to tell you we will reimburse you the expenses of your trip."

Brochure on Session in Portland Shown

Dymond asked Miss Moore if she knew of any conversations on the trip that preceded the letter, but there was no definite answer to the question. Dymond turned to a brochure which Miss Moore had. He showed it to Alcock and the state.

"How did you come in possession of this brochure?" asked Dymond.

"In the mail," answered Miss Moore.

Dymond moved to offer the brochure concerning the trade conference in Portland into the evidence of the case. But Alcock told Judge Haggerty, "Your honor, this is totally irrelevant except for a small portion."

"I will admit it as corroborative evidence," said Judge Haggerty. "It might be noted for the record that it is the October, 1963, issue." The jury was then shown the brochure.

"Miss Moore," began Dymond, "were you Mr. Shaw's secretary during the time of seeking the leases in 1963?"

"Yes," she said.

"Was there an unusual workload at this time?" he asked.

"It was a tremendous task we had to accomplish," Miss Moore replied.

"Who do you mean when you say 'we'?" asked Dymond.

"Mr. Shaw," she answered.

"And I helped type the leases. Mr. Shaw went to many meetings. He met with Mr. Cobb, our president, many times."

Miss Moore said the period was an unusual one in that Shaw was trying to build a new Trade Mart. "So the workload was much heavier," she explained.

"Did he have any days away from work in this period?" asked Dymond.

"Only one," she answered, "Sept. 25, 1963."

Miss Moore said even on that day she was in contact with Shaw, calling him in Hammond. She said she knew it was his voice and the call was placed "probably before 5 p. m."

"Do you recall Mr. Shaw being away from work any other days in this three-month period?" asked Dymond.

"No, sir," she said.

"Were you absent from work in this period?" he asked.

"No," she answered.

"In your duties of opening the mail for Mr. Shaw did he ever receive mail addressed to either Clem or Clay Bertrand?" asked Dymond, moving to a new area. "Never," she said.

"Did you ever know him to use any other names?" Dymond continued.

"No," she answered.

"Did you ever get any calls at his office for Clem or Clay Bertrand?" questioned Dymond.

"No, sir," she answered.

It was here that Judge Haggerty called for a recess. "There is some hot coffee for the jury," he said.

Dymond Introduces Letter from Shaw

Court was resumed at 3:28 p. m. with Miss Moore still on the stand.

Dymond then entered into evidence a letter dated Dec. 4, 1963, and written by Shaw to William R. Wells, vice-president in charge of the International Banking Department of the First National Bank of Oregon.

The letter, which Dymond read to the jury, noted Shaw's "appreciation of hospitality" accorded him on the West Coast trip despite the "trying circumstances surrounding the occasion." The correspondence also requested Wells to have the organization sponsoring his trip forward a check for Shaw's expenses to the New Orleans travel agency.

Dymond quoted another portion of the letter as saying,

"I am back home safe and sound except for a cold I picked up out West."

Miss Moore testified that she typed up the letter for Shaw and that it was sent to Wells on Dec. 3, 1963.

Dymond then showed photographs of Lee Harvey Oswald and David Ferrie to Miss Moore and asked her if she had ever seen the men in the company of Shaw. She said she had not.

She also was shown a picture of Oswald with a beard drawn over his face. Asked if she had ever seen the bearded man with Shaw, Miss Moore replied, "I do not recognize him."

When shown the Ferrie photograph, Miss Moore answered,

"I've never seen him with Mr. Clay Shaw or any other place."

Questioned about Shaw's manner of dress, Miss Moore said he always wore a conservative business suit.

"Did he ever wear tight pants?" Dymond asked.

"No," she answered.

"Did you ever see him wearing a hat?"

"Never . . . except for a military hat just before he was dismissed from the military service and he was holding it in his hand."

Dymond also asked her if Shaw ever used any other name in the years that she was his personal secretary. "Never," she replied.

"Did he ever use the alias 'Clem Bertrand'?"

"Never."

Asked if she ever saw Dean Andrews in Shaw's office at the International Trade Mart, Miss Moore answered, "No, sir."

Asked if she saw Andrews with Shaw at any time, she answered, "Never."

Dymond tendered the witness and Alcock began the cross-examination for the state.

Alcock wanted to know if Miss Moore knew any of Shaw's social friends "away from work." She said she knew "a few" including Jeff Biddison.

"Have you seen them on occasion?" Alcock asked.

"Occasionally," she replied.

"Do you know if Biddison ever lived with Shaw or if Shaw lived with Biddison?"

"No, I don't."

Alcock then asked Miss Moore to explain her social relationship with Shaw, the de-

fendant.

"My associations with the defendant after working hours were social events given by the International Trade Mart," she answered, noting that these were the only instances of socializing. She named a few friends of Shaw that she met on these occasions, but offhand could not recall more than half a dozen.

Miss Moore said she had never been to Shaw's apartment.

Quizzed about the 90-day program that reportedly kept Shaw busy with ITM work in 1963, Miss Moore testified that the period fell in August, September, October and November of 1963.

She altered her testimony, however, when—pressed by Alcock—she pinpointed the period as September, October and November. Defense attorney William Wegmann had objected earlier that Alcock was misquoting the witness by not referring to the month of August. However, under further examination, Miss Moore failed to mention the month a second time.

Under continued cross-examination, Miss Moore said Shaw departed for his West Coast trip on Nov. 15, 1963. She testified that she did not know the date of his return.

Miss Moore Is Asked About Cuban Group

Alcock asked Miss Moore if Shaw ever rented space in the ITM to a Cuban organization in 1963. "I don't know," she answered.

The assistant district attorney reminded Miss Moore that she had testified during an Orleans Parish Grand Jury investigation that a Cuban group had been given space at the ITM.

Miss Moore then said she seemed to recall a group calling itself "Americans Free Cuba" that had been granted ITM space. She pointed out, however, that her memory was more hazy now than it was two years ago when she testified before the grand jury.

Alcock tendered the witness and Dymond came back for a short re-direct questioning. Dymond asked Miss Moore what was the last day of the 90-day ITM program, and the secretary replied "Nov. 9."

Miss Moore was excused

from the stand at 3:54 p.m. She was followed immediately by the next defense witness, Kommer, the U.S. Weather Bureau meteorologist.

Questioned by William Wegmann, Kommer supplied chronological data for the state of Louisiana published by the Department of Commerce and dated December, 1963. Kommer said the records reflected the weather conditions for the town of Clinton during the months of August and September, 1963.

Kommer, reading from the data sheet, said the average daily high for Clinton during the month of August was 93.3 degrees, while the average daily low was 69.3 degrees. The average high for the last 15 days in August, he said, was 92.1 degrees.

For the month of September, 1963, he said the average daily high was 87.8 degrees and the average daily low was 65.3 degrees. The average high for the first 15 days of September was 93.1 degrees, he said.

(In earlier trial testimony, several residents of Clinton

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testified that they remembered a visit by Lee Harvey Oswald to their town in late August or early September, 1963, because of the "cool nights" that prevailed at that time.)

Under cross-examination by Alcock, Kommer was asked if a sharp drop in temperature were possible about four o'clock in the afternoon. Kom-

mer replied that a considerable drop in temperature usually occurs after dark.

Kommer admitted to Alcock that he was not in Clinton during August or September, 1963. He said he was a resident of Metairie.

The meteorologist also explained that the data readings are taken at 5 p. m. off the Weather Bureau thermometer which registers the day's maximum and minimum temperatures. This means, he said, that the maximum may have occurred at any time during the day and the minimum at any time during the night.

Alcock then asked Kommer to

read the maximum and minimums for the first 15 days of September. They were as follows:

Sept. 1, 92 and 68; Sept. 2, 94 and 70; Sept. 3, 94 and 72; Sept. 4, 94 and 70; Sept. 5, 95 and 71; Sept. 6, 94 and 70; Sept. 7, 95 and 69; Sept. 8, 95 and 72; Sept. 9, 95 and 67; Sept. 10, 96 and 67; Sept. 11, 95 and 69; Sept. 12, 93 and 68; Sept. 13, 91 and 68; Sept. 14, 86 and 67, and Sept. 15, 87 and 70.

Alcock then pointed out that, in some cases, there was a 25-degree difference between the high and low.

On redirect examination by William Wegmann, Kommer

was asked to read data for last half of August. The data were as follows:

Aug. 15, 85 and 68; Aug. 16, 87 and 60; Aug. 17, 91 and 62; Aug. 18, 92 and 63; Aug. 19, 91 and 62; Aug. 20, 91 and 68; Aug. 21, 93 and 67; Aug. 22, 93 and 67; Aug. 23, 94 and 70; Aug. 24, 93 and 68; Aug. 25, 95 and 72; Aug. 26, 95 and 73; Aug. 27, 95 and 70; Aug. 28, 95 and 74; Aug. 29, 94 and 74; Aug. 30, 91 and 71, and Aug. 31, 91 and 70.

The defense stopped its questioning once the data was read, but then Alcock asked Kommer one more question for the State. Alcock got Kommer to confirm that the record showed low temperatures in the 60's for at least nine days in the latter part of August, 1963.