

Testimony of Buell Wesley Frazier  
February 13<sup>th</sup>, 1969

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**BUELL WESLEY FRAZIER,**

after first being duly sworn, was examined and testified on his oath as follows:

**THE COURT:**

What is your first name, sir?

**THE WITNESS:**

Buell.

**DIRECT EXAMINATION**

**BY MR. ALCOCK:**

**Q** Mr. Frazier, where do you reside?

**A** I live in Irving, Texas.

**Q** Where is that in relation to Dallas, Texas?

**A** It is a suburb of Dallas.

**Q** How long have you resided in Irving, Texas?

**A** I first went to live there in 1963.

**Q** When was it that you first moved to Irving, Texas? What month, if you can recall?

**A** Would you repeat the question?

**Q** What month did you first move to Irving, Texas, in 1963?

**A** It was then around the first part of September.

**Q** With whom were you staying at that time in Irving?

**A** I was staying with my sister.

- 1 Q What is her name?
- 2 A Lynn Randell.
- 3 Q Were you employed at that time?
- 4 A When I first came to Irving I was not.
- 5 Q Were you subsequently employed?
- 6 A When I came there to live with her I came for  
7 a reason, I came to look for a job and I  
8 did find one.
- 9 Q Where did you go to work?
- 10 A I went to work for Texas School Books.
- 11 Q Where is that located?
- 12 A In Dallas.
- 13 Q Can you tell us the location of it?
- 14 A It is located on Elm Street. The address is  
15 411 I believe. It is the intersection of  
16 Elm and Houston.
- 17 Q What were your duties at the Texas School Book  
18 Depository?
- 19 A I was an order filler.
- 20 Q Generally what would that consist of?
- 21 A It would generally consist of the filling of  
22 the invoices that came from upstairs in  
23 the office. They send them down and the  
24 order fillers take the invoices. You have  
25 items listed on there which are books, and

1           . you go to the different floors on which  
2           they are stored and you would fill the  
3           order.

4       Q     Did you know at that time a woman by the name  
5           of Ruth Paine?

6       A     When I was working at the Texas School Books?

7       Q     Yes.

8       A     Well, I had heard her name but as far as really  
9           knowing her, like a close friend, no, I  
10          did not.

11      Q     Did you know where she lived?

12      A     Yes, I did.

13      Q     Where was that in relation to your residence?

14      A     She lived up the block about half a block up  
15          the street.

16      Q     In the month of October, 1963, did you have  
17          occasion to meet a man by the name of  
18          Lee Harvey Oswald?

19      A     Would you repeat that question again, please?

20      Q     In the month of October, 1963, did you have  
21          occasion to meet a man by the name of  
22          Lee Harvey Oswald?

23      A     Yes, sir, I did.

24      Q     Where did you first meet him?

25      A     I first met Lee at Texas School Books.

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1 Q You called him Lee?

2 A Yes.

3 Q Was he working there at the time?

4 A The first time I saw him was when he first came

5 to work there.

6 Q Can you approximate the date for us, sir?

7 A It was sometime around the middle of October,

8 I believe.

9 Q That was in 1963, is that correct?

10 A Right.

11 Q Mr. Frazier, I am going to show you a picture

12 which I have previously marked for

13 purposes of identification as State's

14 Exhibit 1, and ask you to view this

15 photograph. As a result of having viewed

16 it do you recognize the individual

17 pictured in that photograph?

18 A Yes, I do.

19 Q Who is that?

20 A Lee Harvey Oswald.

21 Q Is this the man you worked with at the Texas

22 School Book Depository?

23 A Yes, sir, it is.

24 Q Did you, Mr. Frazier, commute to work daily

25 from Irving to Dallas?

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1 A Yes, sir.

2 Q I take it you had an automobile at this time,

3 is that correct?

4 A Yes, sir, I did.

5 Q Did you know where Lee Harvey Oswald lived when

6 he first went to work at the depository?

7 A No, sir, I did not.

8 Q Did you subsequently find out?

9 A Through generally talking to him I found out

10 he had an apartment over in Oak Cliff.

11 Q Did he ever have occasion to drive to Irving,

12 Texas with you?

13 A Would you repeat that again?

14 Q Did Lee Harvey Oswald ever drive to Irving,

15 Texas with you?

16 A He rode home with me on Friday afternoon

17 because he went to see his wife who at

18 that time was staying at Miss Paine's,

19 and then he would ride back to work with

20 me on Monday morning.

21 Q Is this the same Miss Paine who lived up the

22 street from where you were staying at the

23 time?

24 A Yes, sir.

25 Q What sort of work did Oswald do at the

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depository, if you know?

A He did the same type of work I did. He filled orders.

Q What sort of clothing would you wear in doing this kind of work?

A Well, the type of clothes fellows wore there were just regular old working clothes, like bluejeans and a shirt that you wouldn't mind getting dirty or if it got tore, or something like that, you wouldn't be out a great deal of money on it. It was just an average shirt.

Q Approximately, Mr. Frazier, how many times, if you can recall, did Lee Harvey Oswald ride home with you on a Friday night from Dallas, Texas to Irving, Texas? Can you approximate that for us?

A He went home nearly every Friday for the week-end, except one week-end prior to the assassination.

Q Do you know the reason why he didn't go with you on that occasion?

A Yes. I asked him and he said that he was working on his driving license and he was going to take a driving test.

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1 Q Do you know as a matter of fact whether or not  
 2 he ever obtained a driving license?  
 3 A No, sir, I do not.  
 4 Q Did you see him at all that week-end? That  
 5 would be the week-end preceding the  
 6 assassination? Did you see Lee Harvey  
 7 Oswald at all that week-end?  
 8 A Would you repeat that again?  
 9 Q Did you see Lee Harvey Oswald on the week-end  
 10 preceding the assassination of the  
 11 President? That would be the week-end he  
 12 didn't go home to Irving, Texas?  
 13 A No, sir, I did not.  
 14 Q Were you ever in Lee Harvey Oswald's apartment  
 15 in Oak Cliff, Dallas?  
 16 A No, sir.  
 17 Q Mr. Frazier, these trips from the Book  
 18 Depository in Dallas to Irving, did you  
 19 engage Oswald in much conversation?  
 20 A No, sir, I did not.  
 21 Q Is there any reason why you did not?  
 22 A Well, he was not a talkative type. Some  
 23 people are not. I don't believe if  
 24 someone doesn't want to talk to you you  
 25 can force them to talk.

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1 Q What do you mean, not a talkative type?

2 A For example, some people are more friendly than

3 others. They will talk to anybody they

4 see. They always seem to have something

5 to talk about. He was just the opposite.

6 He didn't have a friendly approach to

7 people and he did not talk generally to

8 most anybody.

9 Q During the course of your employment, did you

10 have occasion to observe Oswald in

11 relation to his fellow employees, that

12 would be the other people working with

13 him at the Texas School Book Depository?

14 A Yes, sir, I did.

15 Q From your observations was he with them very

16 much?

17 MR. DYMOND:

18 Objection.

19 THE COURT:

20 Rephrase the question.

21 BY MR. ALCOCK:

22 Q Did you see Lee Harvey Oswald with his fellow

23 employees at the Book Depository very

24 often?

25 A With the type of work we did sometimes you work

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with someone and sometimes you worked by yourself filling an order. It would depend on how big it was. Sometimes you would have several thousand on it and they may want it shipped by the next day and maybe one man couldn't get it ready for the freight line pickup.

Q Did you see him often with his fellow employees say at lunch time?

A No, sir, I did not. I know when he first went to work there he would sit around while the fellows ate their lunch, some played cards or dominoes but it seemed he was more or less a loner. He would stay by himself.

Q What colored hair did Lee Harvey Oswald have, as you recall?

A He had a light colored hair. It looked like he had blond, kind of blond brown, maybe it had a red tint to it.

Q Do you recall how he combed it, Mr. Frazier?

A Well, he was not the type you might say who was a pretty boy. He combed his hair, and if it got messed while he was working he didn't stop to take time to comb it.

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1 Q Have you seen it messed up at work on occasion?

2 A Sometimes if you hit your head or something and

3 your hair sticks up more than what it

4 normally does, he wouldn't make any effort

5 to comb it.

6 Q Did you have occasion to observe the clothing

7 worn by Lee Harvey Oswald while he was

8 working at the Book Depository?

9 A Yes, sir, he wore most the same type of clothes

10 anybody else wore. He wore the older

11 type of clothes most men wore at the

12 warehouse. You don't buy special outfits

13 to work at a warehouse, because you have

14 cartons and crates and all that, and there

15 is no reason to wear real nice clothes

16 working in a warehouse.

17 Q Did you ever see Lee Harvey Oswald when he was

18 not at the Book Depository or when he was

19 not in your automobile either going from

20 the Depository to home or home to the

21 Depository?

22 A You mean for other days other than he went to

23 Irving with me?

24 Q Right.

25 A No.

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Q You never saw him in Irving, Texas?

A I saw him in Irving. Sometimes the kids in the neighborhood, one kid would go to another kid's house to play, and I think I saw him several times out playing with the kids, because he would go out playing baseball or something with them. But as far as seeing him every week-end he went home, no, I did not.

Q Are there any topics, Mr. Frazier, you did have occasion to discuss with Lee Harvey Oswald?

A As I said previously, he was not a talkative type, but you could always pretty well get a comment out of him on either the weather or his babies. He had one child and his wife was expecting another. It seemed like he was always good with kids. As I said in my statement before, all the kids in the neighborhood seemed to like him.

Q Mr. Frazier, did you ever see Oswald drive an automobile?

A No, I did not.

Q Did you know his wife Marina Oswald?

A Personally, no. I was told she --

MR. DYMOND:

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We object to what he was told.

THE COURT:

Do you know her or do you not know her?

THE WITNESS:

No, sir, I do not.

BY MR. ALCOCK:

Q Mr. Frazier, you testified that Lee Harvey Oswald did not return with you the week-end before the assassination, is that correct?

A Would you repeat that again, please?

Q Did you testify that Lee Harvey Oswald did not return with you in your automobile to Irving, Texas, on the week-end before the assassination?

A You mean he did not go home like he usually did and come back on Monday?

Q Right.

A No, sir, he did not.

Q Was that the only week-end he did not go home with you?

A That's correct.

Q Did he ever go home with you during the middle of the week on any occasion?

A No, sir, except this one time prior to the

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assassination which was a Thursday  
afternoon, which I believe was the 21st.

Q The 21st of which month?

A November.

Q Would that be the day before the assassination?

A Yes, sir.

Q Did he give you a reason for not going home on  
that day?

A Yes, sir, he did.

Q What was that?

A He came up to me and asked me could he ride home  
with me and I told him sure. I naturally  
noticed it was not Friday and asked him  
why, and he replied he was going home to  
see his wife to get some curtain rods  
which she had bought for him and he was  
going to put some curtains up in his  
apartment.

Q He said his wife had bought some curtain rods  
for him?

A Yes.

Q Did you take him home that night, the night of  
November 21?

A Yes, I did.

Q Do you recall any conversation you had that

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1 night?

2 A No, no more than any usual time period. Like

3 I say, he talked about the weather and

4 about his children, and that was about it.

5 Q Did you know the President of the United States

6 was going to pass in front of the Book

7 Depository the following day?

8 A I would say a couple of days before the parade

9 he was scheduled to come through Dallas,

10 several of the newspapers had various

11 routes showing he would be coming down the

12 downtown area. You have to come right by

13 the School Book Depository to go out the

14 Freeway there.

15 Q Is that the Stemmons Freeway?

16 A Yes.

17 Q Did Lee Harvey Oswald mention at any time on

18 the ride on the 21st anything about the

19 pending visit of the President of the

20 United States?

21 A No, sir, he did not.

22 Q At any time when you were working with him did

23 he mention the President of the United

24 States?

25 A No, sir.



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1 Q Did you ever engage him in any political  
2 conversation that you can recall?

3 A No, sir.

4 Q Did you have occasion the following morning,  
5 that is November 22, 1963, to return to  
6 Irving, Texas, with Lee Harvey Oswald?

7 A Would you repeat that?

8 Q On the following morning, that would be  
9 November 22, 1963, did you take  
10 Lee Harvey Oswald to the Book Depository?

11 A Yes, I did.

12 Q In your automobile?

13 A Yes.

14 Q Can you recall approximately what time it was  
15 you left your home?

16 A Approximately around I would say between 7:20  
17 and 7:25.

18 Q Where did you meet Oswald?

19 A I met him right outside the door, outside the  
20 kitchen door.

21 Q On this occasion, Mr. Frazier, did Mr. Oswald,  
22 or Lee Harvey Oswald have anything with  
23 him?

24 A No, he did not.

25 Q When you got into the automobile did you see

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anything in the automobile?

A He was outside the back door and we went to the car together. He got in on the other side and I got in in the regular side the driver gets in. As I sat down I glanced over my shoulder and saw this package lying on the back seat. I asked him, I said, "What's that?" He said, "That's the curtain rods I told you about." I said, "Oh, yes." I didn't look at the package any more and I didn't think any more about it.

Q Prior to this on your trips from Irving, Texas to Dallas on Monday mornings had Lee Oswald taken a similar package with him to the School Book Depository?

A No, he had not.

Q On your trips from the School Book Depository to Irving on the Fridays he rode with you, did he ever take a package of similar size with him?

A No, sir, he did not.

Q Where was this package in the automobile?

A Lying on the back seat on the side he sat on.

Q How much of the back seat did the package



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occupy?

A I would say roughly around two feet, give or take a few inches.

Q When you say "give or take a few inches," could you approximate how many inches to give or take?

A Like I said, the package was roughly around two feet.

Q Mr. Frazier, have you been in the Armed Services of the United States?

A Yes, sir, I have.

Q What branch of the Service?

A Army.

Q Were you in the Infantry?

A Yes, sir, I have had Infantry training.

Q Did you have any rifle training?

A Yes, sir, I did.

Q During the course of that training did you ever have occasion to break a rifle down?

A Yes, sir, quite frequently.

Q What kind of rifle did you use in the Service?

A An M14.

Q Approximately how long was the M14 that you used?

A I believe the correct length is 30 some odd

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inches long.

Q 30 something inches long?

A Yes.

Q Did you ever break that rifle down?

A Yes, sir, I broke it down many times.

Q Broken down, how long was the rifle?

MR. DYMOND:

I don't think it is relevant how long a United States Army rifle is.

THE COURT:

If Mr. Alcock tells The Court he intends to connect it up I will permit it.

MR. ALCOCK:

Yes, Your Honor, I intend to connect it up.

THE COURT:

You may proceed.

BY MR. ALCOCK:

Q How long was the broken down rifle?

A When you break a rifle down such as an Army weapon, you can break it down into many pieces. The first part is where you take the barrel off the stock and that reduces the size tremendously.

Q How much did it reduce your rifle?

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1 A To be honest with you I didn't ever measure it  
 2 because I didn't have any reason to.  
 3 Q When you say it was reduced tremendously, would  
 4 it be by half or what?  
 5 MR. DYMOND:  
 6 Objection, the witness said he doesn't  
 7 know.  
 8 THE COURT:  
 9 I will permit the question. Do you have  
 10 any idea what would be the longest  
 11 size of the package if an Army rifle  
 12 is broken down?  
 13 THE WITNESS:  
 14 You mean the one I broke down?  
 15 BY MR. ALCOCK:  
 16 Q Yes, the one you broke down.  
 17 A I would say it would be roughly 20 some odd  
 18 inches, because the barrel was the  
 19 longest part.  
 20 Q Mr. Frazier, did you ever see a rifle in the  
 21 possession of Lee Harvey Oswald?  
 22 A No, sir, I did not.  
 23 Q On this trip from Irving to Texas School Book  
 24 Depository on the 22nd, did you engage  
 25 Oswald in conversation, that you can

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recall?

A I remember we talked about it because when we first started off it was kind of a cloudy type misty day. It looked as though it was going to be a real nasty day. I remember I was driving along and you know how the road grime gets on your windshield and if you don't get enough rain it makes it smear, and I made a few comments about that, that it would either rain or do something.

Q Do you recall any comment he might have made to that comment of yours?

A No, sir, he did not.

Q Do you recall approximately what time you arrived at the Texas School Book Depository that morning?

A We arrived in the parking lot there I believe roughly around 8:00, or ten minutes before 8:00.

Q What, if anything, did you do when you arrived at the Texas School Book Depository?

A I parked the car, and as I was sitting there I looked at my watch and I had a few minutes.

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about eight or ten minutes, so I sat there and was looking out over Stemmons Freeway, which you could see from the parking lot, and I said I would charge my battery for a few minutes, because I had been driving in town and you could look at your gauge and see the battery was not charging. I said to him, "I will race the engine pretty fast and charge it up a little bit."

Q What did Lee Harvey Oswald do when you were charging your battery?

A He got out of the car, got the package and walked behind the pickett fence there and stayed there like he was waiting on me.

Q Did you catch up with him?

A As soon as I cut the engine off and got out and closed the door he started walking off. I followed him but I didn't catch up with him because at that time of the morning --

Q Tell me, how was Lee Harvey Oswald carrying this package you described as he was walking in front of you?

A Parallel to his side, up and down. Like you stick it up under your armpit and the

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other part cupped in his hand.

Q Did you determine whether it was in his  
armpit or were you close enough to see  
that?

A No, sir, I was not close enough to see. I  
didn't pay attention to it particularly,  
but as he was walking along in front of  
me naturally I looked in his direction and  
that is what it appeared to be from what  
I saw.

Q Did you see Lee Harvey Oswald enter the  
Texas School Book Depository?

A Yes, sir, I did. I saw him enter the first  
door there.

Q Mr. Frazier, I'm going to ask you to leave the  
witness stand, come down and view what  
has been marked for the purpose of  
identification as S-34. Do you recognize  
the scene it depicted there?

A Would you repeat that question again?

Q Do you recognize this area here? Do you  
recognize what this is?

A Yes, I do.

Q What do you recognize it as?

A This is the Texas School Books here where we

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worked at.

Q Is this the building where you and Lee Harvey Oswald worked?

A Yes, it is.

Q Where did you park your car, if it can be seen in this photograph, on the morning of the assassination?

A You can't see where we parked our car because we had another warehouse further down and we parked behind it.

Q You can't see where you parked the car?

A No, sir.

Q Can you see the entrance which Lee Harvey Oswald used when he went into the building that morning?

A No, sir.

Q Can you see the entrance you used?

A No, sir.

Q You may return to the stand, thank you.

Mr. Frazier, on the morning of November 22, 1963, did you have occasion to see Lee Harvey Oswald at all inside the Texas School Book Depository?

A Yes, I did. I saw him several times that morning. He was walking around filling

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orders.

MR. DYMOND:

Repeat the answer.

THE WITNESS:

He was walking around filling orders.

MR. DYMOND:

That was his normal job?

THE WITNESS:

Yes, sir.

BY MR. ALCOCK:

Q Did you have occasion to see in the building  
the package that Oswald carried into the  
building?

A No, sir, I never saw that package again.

Q What did you do at lunchtime that day?

A We learned that morning the President was due  
to come by about 12:00, so you don't get  
to see the President of the United States  
every day, so we all went outside to watch  
the parade.

Q Where did you watch the parade from, what  
location?

A I watched the parade from the top of the steps  
there, the main entrance into Texas School  
Books.



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**Q** Let me impose on you one more time and ask you to leave the witness chair and come down here and point out where you viewed the parade from. Would you do that, please?

**A** Right here. It is the main entrance right here. There in the shadows you have several steps and a rail, and I was standing right there at the top of the rail.

**Q** Referring you to an exhibit which has been marked for the purposes of identification as State-36, can you see the Texas School Book Depository in this exhibit?

**A** Yes, sir, the Texas School Book Depository would be there.

**Q** Can you see in this exhibit where you parked that morning?

**A** No, sir, I cannot, because like I told you a while ago --

**THE COURT:**

We can't hear you.

**THE WITNESS:**

No, sir, I cannot.

**BY MR. ALCOCK:**

**Q** Can you see the spot where you were situated

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Reference copy, JFK Collection: HSCA (RG 233)

1                   when the presidential motorcade came by?

2   **A**    Yes, sir, I can.

3   **Q**    Will you take this symbol and place it at that

4                   location where you were standing?

5   **A**    (The witness complies.)

6   **Q**    Mr. Frazier, do you recall who you were with

7                   during the presidential motorcade?

8   **A**    Yes, sir, I can. When I was standing there at

9                   the top of the stairs I was standing there

10                  by a heavysset lady who worked up in our

11                  office, her name is Sara, I forget her

12                  last name, but she was standing right

13                  there beside me when we watched the

14                  motorcade.

15   **Q**    Do you recall anyone else who may have been

16                  with you?

17   **A**    Right down in front of me at the bottom of the

18                  steps my foreman Bill Shelley (?) and

19                  Billy Loveday (?) were standing there.

20   **Q**    Did you see the presidential motorcade on that

21                  day?

22   **A**    Yes, sir, I did.

23   **Q**    While it was passing did anything unusual

24                  happen?

25   **A**    Well, as they came down Houston Street there

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and made their turn, I saw him real good and then as they started down towards the triple underpass there right after, it was just a few seconds, some people standing on the curb there -- there is a little street runs between the Texas School Books and Elm Street, and people were standing there on the curb and more or less temporarily he was just out of their sight --

Q The question was, what, if anything, happened then that you recall?

A Sir?

Q What, if anything, happened then unusual that you can recall?

A Just right after they made the turn there there was several motorcycle policemen leading the motorcade and right after they turned, after the car made the turn, it sounded like the motorcycles were backfiring.

Q Was that your response to the first noise, that it was a motorcycle backfire?

A Yes, sir.

Q Did you hear any other noise?

A Shortly after there were two more in rapid

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succession.

Q What was your response to those noises?

A By that time people were running and screaming and falling down, and people were shouting, "someone is shooting."

Q Have you ever gone hunting, Mr. Frazier?

A Yes, sir, I have.

Q Did you recognize any of the noises as rifle shots?

A Well, the two that come in fast succession by that time, like I said, people were hollering, and then I recognized them, they were rifle shots.

Q Approximately how much time lapsed from the first noise you heard until you heard the second noise?

A It was just a few seconds.

Q How much time elapsed from the time you heard the second noise until you heard the third noise?

A When I heard the second noise, the third was followed nearly just right back to back. It was fired in rapid succession.

Q Almost simultaneously?

MR. DYMOND:

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I object to leading the witness,

Your Honor.

THE COURT:

I sustain the objection.

BY MR. ALCOCK:

Q Can you demonstrate by perhaps hitting your hand like this as to the succession of shots, the noises you heard?

A You mean all three shots?

Q Right.

A Okay. (Demonstrating by clapping his hands.)

Q Mr. Frazier, did you make any determination at that time from the noises that you have just reported as to what location they came from?

A They appeared to me to come from down towards the triple underpass.

Q Would you leave the witness stand once more and show me the area where the noise sounded to you like it came from?

A Here is your triple underpass right here.

THE COURT:

Would you repeat your answer?

THE WITNESS:

I said it sounded like it came from down in

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the area of the triple underpass.

BY MR. ALCOCK:

Q Where did you go after the noise, if anywhere?

A I didn't go anywhere. I just stayed right where I was.

Q Did you ever see Lee Harvey Oswald during that time that you were on the steps in front of the Texas School Book Depository?

A No, sir, I did not.

Q Did you go back into the building after the presidential motorcade went under the triple underpass? Did you go back into the Texas School Book Depository?

A After the shots were fired?

Q Right.

A Yes. I stayed there at first and talked to several of the people who worked there in the building. Then some of them started going back inside so I went back inside with some of the others.

Q Prior to you going back inside, did you see where any of the crowd that was viewing the presidential motorcade may have gone at the time the shots were fired?

A Quite a few people ran down, like I stated, in

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the direction of the triple underpass.

**Q** Did you see any policemen there?

**A** At the triple underpass, yes, sir, there were some just like regular policemen. At that time, when I said previously people were running and screaming and hollering, some were running in that direction towards where the President's motorcade was.

**Q** After going back into the Texas School Book Depository Building did you have occasion to see Lee Harvey Oswald?

**A** No, sir, I did not.

**Q** Where did you go when you went back into the building?

**A** I went back in and I stayed there and talked to some of the people who worked there in the building. We talked in there. I had not eaten my lunch, several of us had not eaten our lunch, and I went and got my lunch and ate my lunch.

**Q** Where inside the building did you eat your lunch?

**A** I usually eat my lunch in the basement where I hang up my coat. I sat down like I usually did and ate my lunch.

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Reference copy, JFK Collection: HSCA (RG 233)

1 Q Mr. Frazier, had you planned to take  
 2 Lee Harvey Oswald back to Irving on the  
 3 night of the 22nd?  
 4 A No, sir, I had not.  
 5 Q Why not?  
 6 A He told me on the afternoon before that he  
 7 would not be going home that afternoon.  
 8 Q Did he give you a reason?  
 9 A No, sir, he did not.  
 10 Q Did you question him as to why he was not  
 11 going home?  
 12 A No, sir, I did not.  
 13 Q Mr. Frazier, I am going to show you what I  
 14 have marked for the purpose of  
 15 identification as State Exhibit 38, and  
 16 ask you to view this and see whether or  
 17 not you have seen the item held by this  
 18 man in the picture before, or a similar  
 19 item at any time?  
 20 A I won't say I saw this, the one he is holding,  
 21 but I have seen one of a similar type,  
 22 yes.  
 23 Q Where did you see the one of a similar type?  
 24 A It was the type of package that was lying on  
 25 the back seat of the car you questioned



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me about earlier.

Q Did you see Oswald carrying this type --

MR. DYMOND:

Objection, he is leading the witness.

THE COURT:

Rephrase your question.

BY MR. ALCOCK:

Q Did you ever see Oswald carrying the package  
in the back of the car?

MR. DYMOND:

We object, this is repetitious.

THE COURT:

I will permit the question.

BY MR. ALCOCK:

Q Did you ever see Oswald carrying the package  
that was in the back of the car?

A Like I said previously, he took a package out  
of the back seat on November 22.

Q What was the color of this package, if you can  
recall?

A The color was similar to a type of paper sack  
that you would obtain from a grocery  
store, the color was primarily the same.

Q Can you approximate for us the width of this  
package?

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A I would say it was around 5 or 6 inches in width.

Q Mr. Frazier, approximately how far were you from Lee Harvey Oswald as he entered the Book Depository that morning?

A I would say around 50 feet.

Q Were you ever closer to him than that on your walk from the car to the Book Depository?

A The only other time was when I first got out of the car and he started walking off ahead of me.

MR. ALCOCK:

I tender the witness.

THE COURT:

Will you and Mr. Dymond step up here a second? It is 16 minutes after 6:00. The examination on Direct was approximately 45 or 46 minutes. I don't want to put any pressure on any side, the Defense or the State. This gentleman wants to go back to Texas tonight.

Mr. Frazier, you are ordered by The Court not to discuss your testimony with any other witness

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Reference copy, JFK Collection: HSCA (RG 233)

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1 whether they have been called or not,  
2 you are under oath, but I am not  
3 stopping you discussing your testimony  
4 with the State, represented by the  
5 District Attorney's Office. You will  
6 have to remain overnight in  
7 New Orleans.

8 MR. ALCOCK:

9 Can I introduce into evidence that which  
10 has been marked as S-38 for the  
11 purposes of identification?

12 MR. DYMOND:

13 To which we object. There is nothing but  
14 testimony that it is similar and  
15 there is nothing characteristic at  
16 all.

17 MR. ALCOCK:

18 The weight is up to the Jury.

19 THE COURT:

20 I will admit your exhibit as being  
21 similar.

22 MR. DYMOND:

23 To which ruling we object and reserve a  
24 bill of exception, making Exhibit  
25 S-38, the State's offering, the

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Defense objection, the reasons for the objection, the ruling of The Court and all testimony up to that point part of the bill.

**THE COURT:**

Mr. Frazier is excused from the witness stand. I ask you to leave and come back tomorrow morning at 9:00 a.m.

(WITNESS EXCUSED.)

**MR. OSER:**

The State wishes to introduce and file into evidence that which has been marked for identification as S-34, the aerial photograph taken of Dealey Plaza. The State also wishes to offer into evidence S-35, the plat drawn by Mr. West, and S-36, the markup of this area of Dealey Plaza.

**MR. DYMOND:**

To all of which offerings we object on the ground of relevancy, and additionally with regard to S-35 we object on the ground it contains matter which is hearsay, not being

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the product of mind or memory of the author.

**THE COURT:**

I will do this with respect to the hearsay on that; before it is examined, if it is examined by the Jury, I will admit it subject to those portions of the exhibit which do contain hearsay, and we will have to put something over it and cover it up. Let me hear your objections as to the others before I rule.

**MR. DYMOND:**

Irrelevant to the issues in this case. They are not competent evidence and we are basing the objection further on Your Honor's previous rulings, that the happenings in Dallas, Texas have nothing to do with this case.

**THE COURT:**

I overrule your objection. All three exhibits can be received in evidence. In particular, with regard to the plat, can you tell me what parts are hearsay?

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**MR. DYMOND:**

I would not tell you in front of the Jury.

**THE COURT:**

We will have to examine it, and before we begin tomorrow we will have to paste over and put out of view anything that is hearsay. Other than that I will admit it.

(WHEREUPON, State Exhibits 34, 35 and 35, having been previously identified, were received into evidence.)

**MR. DYMOND:**

To which ruling we reserve a bill of exception making the exhibits State-34, -35 and -36, the Defense objection to them, together with the reasons for the objection, the ruling of The Court and all testimony up to this time part of the bill.

**THE COURT:**

After the Jury has gone I will ask some of the Sheriffs to remain behind. I will let the spectators leave and I will permit the photographers to

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come in and take pictures of these three exhibits. I don't want any spectators to be shown in the pictures at all. Have the spectators leave.

**A MEMBER OF THE JURY:**

Your Honor, could we have a few seconds to view 34 and 36?

**THE COURT:**

You want a few seconds to view 34 and 36?

**A MEMBER OF THE JURY:**

Yes, sir.

**THE COURT:**

I see no objection. If you want to leave the jury box you can walk over there if you want to.

**A MEMBER OF THE JURY:**

As we are passing by we can look at it.

**THE COURT:**

Let me make my admonishment. When they leave they may want to stop and look at the markup and exhibit. Do not discuss the case with each other or anyone else until it is finally turned over to you for your verdict.

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For the record, I am telling  
the Minute Clerk to turn over  
Exhibit S-37 to Mr. Landry, the  
Property Clerk, to lock it up in his  
vault.

Mr. Shaw, you are released  
under the same bond until 9:00  
o'clock tomorrow.

This Court will stand adjourned,  
but I will be here to make sure the  
picture-taking is done properly.

We stand adjourned until 9:00  
o'clock in the morning.

(Whereupon, at the hour of 6:25 o'clock  
p.m. the court was adjourned, to be  
resumed at 9:00 o'clock a.m., February 14,  
1969.)