

2006

CRIMINAL DISTRICT COURT  
PARISH OF ORLEANS  
STATE OF LOUISIANA

.....	.	
STATE OF LOUISIANA	.	198-059
vs.	.	1426 (30)
CLAY L. SHAW	.	SECTION "C"
.....	.	

EXCERPT FROM PROCEEDINGS IN OPEN  
COURT ON THURSDAY, FEBRUARY 6, 1969,

B E F O R E : THE HONORABLE EDWARD A. HAGGERTY, JR.,  
JUDGE, SECTION "C"

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finish, and I want the copy I give them to be precisely the same as I have given you.

The State of Louisiana is required by law in all criminal trials to make an opening statement to the Jury. This statement is merely a blueprint of what the State intends to prove. It has no probative value and should not be considered as evidence in the case.

The defendant, CLAY L. SHAW, is charged in a bill of indictment with having willfully and unlawfully conspired with DAVID W. FERRIE, LEE HARVEY OSWALD and others to murder JOHN F. KENNEDY.

The crime of ciminal conspiracy is to find in the Criminal Code of Louisiana as follows:

"CRIMINAL CONSPIRACY

"Criminal conspiracy is the agreement or combination of two or more persons for the specific purpose of committing any crime; provided that an agreement

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1 or combination to commit a crime  
2 shall not amount to a criminal con-  
3 spiracy unless, in addition to such  
4 agreement or combination, one or more  
5 of such parties does an act in fur-  
6 therance of the object of the agree-  
7 ment or combination."

8 As required by the definition of criminal  
9 conspiracy, the State will prove the  
10 following overt acts:

- 11 1. A meeting of LEE HARVEY OSWALD, DAVID  
12 W. FERRIE and the defendant, CLAY L.  
13 SHAW, in the apartment of DAVID W.  
14 FERRIE at 3330 Louisiana Avenue  
15 Parkway in the City of New Orleans  
16 during the month of September, 1963.
- 17 2. Discussion by OSWALD, FERRIE and the  
18 defendant, SHAW of means and methods  
19 of execution of the conspiracy with  
20 regard to assassination of JOHN F.  
21 KENNEDY -- particularly, the selec-  
22 tion and use of rifles to be fired  
23 from multiple directions simultaneous-  
24 ly to produce a triangulation of cross  
25 fire, establishing and selecting the

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means and routes of escape from the  
assassination scene, determination of  
procedures and the places to be used  
for some of the principals to the  
conspiracy so as to establish alibis  
on the date of the assassination.

3. A trip to the West Coast of the United  
States by CLAY L. SHAW during the  
month of November, 1963.

4. A trip by DAVID W. FERRIE from New  
Orleans, Louisiana to Houston, Texas  
on the day of November 22, 1963.

5. LEE HARVEY OSWALD taking a rifle to the  
Texas Book Depository in Dallas,  
Texas on or before November 22, 1963.

The Criminal Code defines Murder in the  
following terms:

MURDER

"Murder is the killing of a human being:

"(1) When the offender has a specific  
intent to kill or to inflict great  
bodily harm;"

The evidence will show that in New Orleans,  
in the Summer of 1963, LEE HARVEY  
OSWALD was engaged in bizarre activi-

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which we in effect are, there are two courses of action that can be taken by a defendant ordinarily. One is to prove that he was elsewhere at the time of the alleged happening.

Let me say now that this would be impossible. First of all, never at any stage of these proceedings has the State seen fit to set forth any precise date upon which this meeting is supposed to have taken place, and even if they had done that, Mr. Shaw would have been called upon to go back three and a half years and account for his whereabouts at a particular time. I don't have to tell you the impossibility of doing such a task as that.

The other alternative that a defendant has is to prove that whoever said that he was at such a meeting or committed such an act lies. And, gentlemen, I stand here now and tell you that we will prove that

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Cuba Committee in New Orleans. The other item taken by Officer RAY was a pamphlet entitled "The Truth About Cuba" published by the Fair Play for Cuba Committee, 799 Broadway, New York 3, New York. In conjunction with Officer RAY's testimony, the State will offer into evidence copies of these two pieces of literature.

The evidence will further show that in June, 1963, the defendant, CLAY SHAW, was present at a party given in an apartment in the French Quarter of this City. Among the guests at the party was DAVID FERRIE, a man known as an accomplished airplane pilot. During the course of the party, the conversation among a small group of those present turned to President JOHN F. KENNEDY. In this group were DAVID FERRIE and the defendant, CLAY SHAW. The comment was made that PRESIDENT KENNEDY should be killed and that the job could best be done

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1 by a rifle. At this point, the  
2 defendant, CLAY SHAW, suggested  
3 that the man doing the shooting  
4 would probably be killed before he  
5 could make his escape. The defendant,  
6 after making this observation, turned  
7 to FERRIE and asked if it might not  
8 be possible to fly the gunman from  
9 the scene of the shooting to safety.  
10 DAVID FERRIE replied that this would  
11 be possible. At this point, the  
12 conversation was turned to other  
13 subjects.

14 Later in June of 1963, the defendant,  
15 CLAY SHAW, was observed speaking  
16 to LEE HARVEY OSWALD on the lake-  
17 front in the City of New Orleans.  
18 The defendant arrived at the lake-  
19 front in a large, black 4-door sedan,  
20 and was there met by LEE HARVEY  
21 OSWALD, who had walked to the meeting  
22 point along the lakefront from a  
23 westerly direction. The defendant  
24 and OSWALD had a conversation which  
25 lasted approximately fifteen minutes.

1 At the conclusion of this conversa-  
2 tion, the defendant gave OSWALD  
3 what appeared to be a roll of money  
4 which he immediately placed in his  
5 pocket. In shoving the money into  
6 his pocket, OSWALD dropped several  
7 leaflets to the ground. These leaf-  
8 lets were yellow in color with black  
9 printing and dealt with Cuba. The  
10 color, contents and size of these  
11 leaflets were identical with the  
12 "Fair Play for Cuba Committee" leaf-  
13 let taken from OSWALD earlier that  
14 month on the Dumaine Street Wharf by  
15 Harbor Police Patrolman GIROD RAY.

16 The evidence will show that on August 9,  
17 1963, LEE HARVEY OSWALD was  
18 arrested by members of the New Orleans  
19 police Department as a result of his  
20 becoming involved in a fight with  
21 several Cubans who were protesting  
22 his passing out "Fair Play for Cuba  
23 Committee" literature. This litera-  
24 ture was confiscated by the New  
25 Orleans Police Department. The State

1 will offer into evidence three of  
2 the seized items, one of which is a  
3 yellow leaflet with black print  
4 entitled "Hands Off Cuba!" This is  
5 the same type of leaflet taken from  
6 OSWALD at the Dumaine Street Wharf  
7 on June 16, 1963, and also the same  
8 as the leaflet dropped by OSWALD at  
9 the lakefront in the latter part of  
10 June, 1963. The State will also  
11 introduce the Bureau of Identifica-  
12 tion photograph taken of LEE HARVEY  
13 OSWALD at the time of his booking.

14 A week later, on August 16, 1963, LEE  
15 HARVEY OSWALD was again distributing  
16 "Fair play for Cuba" leaflets. Once  
17 again the distribution was done more  
18 as if to attract attention than to  
19 actually accomplish distribution.  
20 The actual distribution lasted only  
21 a few minutes, ending shortly after  
22 the news media departed. The State  
23 will introduce pictures and a tele-  
24 vision tape of this distribution,  
25 which took place in front of the

1 International Trade Mart whose  
2 Managing Director at the time was  
3 the defendant, CLAY SHAW.

4 The State will show further, that in the  
5 latter part of August or the early  
6 part of September, 1963, LEE HARVEY  
7 OSWALD went to Jackson, Louisiana, a  
8 small town located not far from Baton  
9 Rouge, Louisiana. While in Jackson,  
10 he talked to witnesses in reference  
11 to his getting a job at the East  
12 Louisiana State Hospital in Jackson,  
13 Louisiana and registering to vote in  
14 that parish, so as to be able to get  
15 the job. The State will introduce  
16 the witnesses who talked to LEE  
17 HARVEY OSWALD on this occasion.

18 The State will show that shortly thereafter,  
19 still in late August or early Septem-  
20 ber, 1963, the defendant, CLAY L.  
21 SHAW, LEE HARVEY OSWALD and DAVID W.  
22 FERRIE drove into Clinton, Louisiana  
23 -- which is very close to Jackson --  
24 in a black Cadillac, parking the  
25 Cadillac near the Voter Registrar's

1 Office on St. Helena Street. While  
2 the defendant, CLAY L. SHAW and  
3 DAVID W. FERRIE remained in the car,  
4 LEE HARVEY OSWALD got out of the car  
5 and got in line with a group of  
6 people who were waiting to register.

7 The State will introduce witnesses who  
8 will testify that they saw the black  
9 Cadillac parked in front of the  
10 Registrar's Office and who will  
11 identify the defendant, CLAY L. SHAW,  
12 LEE HARVEY OSWALD and DAVID W. FERRIE  
13 as the individuals in that car. The  
14 State will introduce a witness who  
15 talked to the defendant, CLAY L.  
16 SHAW, on this occasion. In asking  
17 MR. SHAW for his identification, he  
18 was told by the defendant, that  
19 he (SHAW) was from the International  
20 Trade Mart in New Orleans, Louisiana.

21 The State will introduce a witness who  
22 will identify LEE HARVEY OSWALD as  
23 the person he talked to in the  
24 Registrar's Office and who will also  
25 identify the defendant, CLAY SHAW,

1 and DAVID W. FERRIE as the two men  
2 seated in the black Cadillac that  
3 brought LEE HARVEY OSWALD to Clinton,  
4 Louisiana.

5 The State will also introduce into evi-  
6 dence a photograph of a black Cadillac  
7 car that the witnesses will identify  
8 as either the same car or one identi-  
9 cal to the one that they saw in  
10 Clinton that day.

11 The evidence will show that in the month  
12 of September, 1963, the defendant,  
13 CLAY SHAW, DAVID FERRIE and LEE  
14 HARVEY OSWALD participated in a meet-  
15 ing in which plans for the murder of  
16 President JOHN F. KENNEDY were dis-  
17 cussed and refined. This meeting  
18 took place in DAVID FERRIE's apart-  
19 ment at 3330 Louisiana Avenue Park-  
20 way in the City of New Orleans.  
21 SHAW (using the name of CLEM BERTRAND)  
22 FERRIE and OSWALD (using the first  
23 name of LEON), discussed details of  
24 the conspiracy in the presence of  
25 PERRY RAYMOND RUSSO, after FERRIE

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gave assurance that RUSSO was all right.

The plan brought forth was that the president would be killed with a triangulation of cross fire with at least two gunmen, but preferably three, shooting at the same time. One of the gunmen, it was indicated, might have to be sacrificed as a scapegoat or patsy to allow the other participants time to make their escape. No one indicated to OSWALD at the meeting that he was going to be the scapegoat and there was no indication of any awareness on his part of such an eventuality.

They also discussed alternate routes of escape, including the possibility of flying to other countries. The defendant and DAVID FERRIE agreed that as part of the plan they would make sure they were not at the scene of the assassination. Their plan for the day of the shooting was to be engaged in a conspicuous activity in the

1 presence of as many people as possi- 1  
2 ble. The defendant, SHAW, stated he  
3 would go to the West Coast of the  
4 United States. FERRIE, not as posi-  
5 tive about his alibi, said he thought  
6 he might make a speech at a college  
7 in Hammond, Louisiana. As the State  
8 will show, SHAW made his way to the  
9 West Coast and FERRIE, after his long  
10 drive back from Texas, made his way  
11 to Hammond, Louisiana, where he  
12 slept, not in a hotel room, but on a  
13 bed in a college dormitory.

14 By a month after the meeting, LEE OSWALD  
15 had moved into a rooming house in  
16 Dallas under an assumed name. By  
17 the following month when the time for  
18 the President's parade arrived,  
19 OSWALD was on the parade route at  
20 the Texas School Book Depository,  
21 where a job had been found for him.  
22 By the night of Friday, November 22nd  
23 the president was dead, FERRIE was  
24 driving through a thunderstorm to  
25 Houston, Texas and the defendant,

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SHAW, was out on the West Coast.

LEE OSWALD, however, was in a Dallas jail ending up as the scapegoat.

As to the planning -- the conspiracy -- our jurisdiction is limited to New Orleans, although we will later offer evidence concerning the assassination in Dealey Plaza in Dallas --

MR. DYMOND:

Excuse me. If the Court please, we object to this.

THE COURT:

On what ground?

MR. DYMOND:

The Court has repeatedly ruled that the actual assassination in Dallas has no place in this case, that there may have been 50 conspiracies, as Your Honor put it, to assassinate President Kennedy. A conspiracy within this jurisdiction is alleged, the overt acts have been alleged. The State is certainly bound by the answer to the application for a bill of particulars as to overt acts.

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1 an application for a bill of  
2 particulars setting forth certain  
3 particulars in connection with an  
4 alleged crime, that the State is  
5 bound by this answer for an applica-  
6 tion, cannot go outside the scope --

7 THE COURT:

8 I will be glad to hear from you, Mr.  
9 Alcock.

10 MR. ALCOCK:

11 The State is bound, and the State -- and  
12 Mr. Dymond knows that, we have  
13 argued this point many times in  
14 the picking of this Jury -- the State  
15 is as a matter of fact bound by its  
16 answers to the bill of particulars.  
17 The State must prove one or more of  
18 those overt acts, but, as this Court  
19 rightly points out, the State may  
20 overprove its case all it wants to.  
21 If it underproves its case it is out  
22 of court, but if it overproves it,  
23 that is its own wishes and its own  
24 will.

25 Additionally, these facts are certainly

1 corroborative of a conspiracy which  
2 talked of triangulation of cross fire, o  
3 a scapegoat and of a patsy. These  
4 facts are purely corroborative, and  
5 I would cite to the Court State vs.  
6 Kelly, a Louisiana case which may be  
7 found at 112 So. 2d 694.

8 There is no dispute between myself and  
9 Mr. Dymond as to the state being  
10 bound on the answers to the bill of  
11 particulars. This Court has no dis-  
12 pute with that, as I appreciate its  
13 comments during the picking of the  
14 Jury. The sole issue is are we going  
15 to be circumscribed by Mr. Dymond's  
16 wishes or are we going to be allowed  
17 to prove our case, and, if we want to  
18 overprove it, to overprove it, and I  
19 think the Court has properly ruled  
20 that this area may be gone into as  
21 one to be corroborative, and, No. 2,  
22 if the State wishes to overprove its  
23 case, it may.

24 MR. DYMOND:

25 If the Court please, I am not asking that

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1 the State be circumscribed by my  
2 wishes, I am asking that they be  
3 circumscribed by the law. Your Honor  
4 stated from this bench during the  
5 voir dire that the State is definitely  
6 bound and restricted by the answer  
7 to the application for particulars.  
8 Your Honor would have to make a  
9 180-degree turn on your rulings on  
10 the voir dire to the effect that we  
11 could not even go into the question  
12 of what prospective jurors felt about  
13 what happened in Dallas, whether  
14 President Kennedy was killed as a  
15 result of a conspiracy.

16 MR. ALCOCK:

17 Your Honor, I can remember vividly Mr.  
18 Dymond on at least two occasions,  
19 perhaps more, asking this Court point  
20 blank and directly, are you going to  
21 deny the State the right to go into  
22 Dallas? And this Court repeatedly  
23 said, "I cannot do such a thing. We  
24 will cross that bridge when we come  
25 to it. If the State wants to over-

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prove its case, the state may over-  
prove its case." The Court has  
consistently held that, contrary to  
what Mr. Dymond is now saying.

MR. DYMOND:

Your Honor, unfortunately, there was one  
bridge we had to cross before we  
came to it, and that was the selec-  
tion of a jury, and Your Honor would  
not permit us to go into Dallas at  
all on the voir dire, and I submit  
that that ruling is absolutely con-  
trary to any contention at this  
time that the State has a right in  
their evidence to go into this ques-  
tion.

THE COURT:

I don't know if you cited the d'Ingianni  
Case, but I tried the d'Ingianni Case  
and I remember specifically the  
Supreme Court stating although the  
State is limited in its proof, if the  
State were to prove, say, nine other  
overt acts but did not prove one of  
the six, I would have to grant you a

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1 directed verdict, but I will agree  
2 with the State's position that they  
3 can corroborate their evidence, and  
4 I therefore overrule your objections.

5 MR. DYMOND:

6 To which ruling Counsel reserves a bill of  
7 exception, making the opening state-  
8 ment being made by Mr. Garrison,  
9 Counsel's objections to the content  
10 of the opening statement, together  
11 with the reasons therefor and the  
12 ruling part of the bill.

13 THE COURT:

14 Your point is, "As to the planning -- "

15 MR. GARRISON:

16 As to the planning -- the conspiracy --  
17 our jurisdiction is limited to New  
18 Orleans, although we will later offer  
19 evidence concerning the assassination  
20 in Dealey Plaza in Dallas because it  
21 confirms the existence of a con-  
22 spiracy and because it confirms the  
23 significance and relevance of the  
24 planning which occurred in New  
25 Orleans.

1 . It is the position of the State of  
2 Louisiana that, regardless of the  
3 power which might bring about the  
4 execution of a President of United  
5 States, whether it be initiated by a  
6 small group or the highest possible  
7 force, neither the planning of his  
8 murder nor any part of it, will be  
9 regarded in Louisiana as being above  
10 the law.

11 And so, with DAVID FERRIE now dead and  
12 LEE OSWALD now dead, the State is  
13 bringing to trial CLAY SHAW for his  
14 role -- as revealed by evidence --  
15 in participating in the conspiracy  
16 to murder JOHN F. KENNEDY.

17 Returning our attention to the cluttered  
18 apartment of DAVID FERRIE: The  
19 evidence will show that PERRY RUSSO  
20 had been a fairly close friend of  
21 DAVID FERRIE for some time prior to  
22 the meeting between the defendant,  
23 FERRIE and LEE HARVEY OSWALD.

24 The evidence further will show that PERRY  
25 RUSSO first met LEE HARVEY OSWALD

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at DAVID FERRIE's apartment shortly before the principal meeting between the named conspirators took place.

At this meeting OSWALD, who was cleaning a bolt-action rifle with a telescopic sight, was introduced to RUSSO by FERRIE as LEON. PERRY-RUSSO saw LEE HARVEY OSWALD at FERRIE's apartment at least once after the meeting of the conspirators. On this occasion OSWALD appeared to be having some difficulty with his wife and he gave RUSSO the impression he was leaving town.

RUSSO also had seen the defendant, SHAW, once before the meeting. This was at the Nashville Street Wharf at the time PRESIDENT KENNEDY was speaking there in the Spring of 1962. The defendant, SHAW, also was seen by RUSSO with DAVID FERRIE subsequent to the assassination at FERRIE's service station in Jefferson parish.

The State will also introduce other evidence to show that CLAY SHAW, LEE

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1 HARVEY OSWALD and DAVID FERRIE knew  
2 each other. - 25

3 In connection with the testimony of PERRY  
4 RUSSO, the State will introduce into  
5 evidence pictures of the defendant,  
6 DAVID FERRIE and LEE HARVEY OSWALD,  
7 as well as pictures of the exterior  
8 and interior of DAVID FERRIE's apart-  
9 ment at 3330 Louisiana Avenue Park-  
10 way, and other corroborating evi-  
11 dence.

12 In connection with photographic evidence  
13 the State will qualify PETER SCHUSTER  
14 of the Orleans Parish Coroner's Office  
15 as an expert in the field of photo-  
16 graphy.

17 The evidence will further show that the  
18 defendant in accordance with the plan  
19 and in furtherance of it, did in  
20 fact head for the West Coast of the  
21 United States -- ostensibly to make  
22 a speech -- on November 15, 1963.  
23 He remained there until after  
24 PRESIDENT KENNEDY's assassination on  
25 November 22, 1963, thereby establish-

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1 ing an alibi for himself for the day  
2 of the shooting.

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3 The State will offer into evidence a  
4 ledger sheet of travel consultants  
5 and testimony which reflects the  
6 arrangements made by the defendant,  
7 SHAW, to go to the West Coast. This  
8 travel consultant firm -- which in  
9 1963 was located in the International  
10 Trade Mart -- was the same firm which  
11 arranged for LEE OSWALD to go to  
12 Europe, from which he went to Russia  
13 several years earlier.

14 The State will show that FERRIE drove to  
15 Houston on the day of the assassina  
16 tion, departing from New Orleans on  
17 the evening of November 22nd -- some  
18 hours after the President was killed,  
19 and two days before LEE OSWALD was  
20 killed. FERRIE drove, with two  
21 young companions, through a severe  
22 storm for the ostensible purpose of  
23 going ice skating in Houston. Upon  
24 arriving in Houston, FERRIE and his  
25 companions went to the Winterland

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1 Skating Rink where FERRIE loudly 27  
2 and repeatedly introduced himself to  
3 the manager of the rink. Despite  
4 the fact that he had driven all the  
5 way from New Orleans to Houston for  
6 the purpose of ice skating, DAVID  
7 FERRIE never put on any ice skates  
8 at all. While his young friends  
9 skated, FERRIE stood by the public  
10 pay phone as if waiting for a call.

11 The evidence will further show that

12 earlier, after LEE OSWALD's departure  
13 from New Orleans, he took a short  
14 trip to Mexico and then made his way  
15 to Dallas. On October 14, 1963, he  
16 rented a room at 1026 N. Beckley  
17 Street under the fictitious name of  
18 O. H. LEE. Two days later he went  
19 to work at the Texas School Book  
20 Depository, which was located at the  
21 intersection of Houston and Elm  
22 Streets in Dallas, Texas.

23 At the Book Depository, BUELL WESLEY

24 FRAZIER was employed in the order  
25 filling department. FRAZIER lived

1 in Irving, Texas, a suburb of Dallas, 28  
2 and was a co-worker of OSWALD's.

3 OSWALD's wife and baby daughter also  
4 lived in Irving with MRS. RUTH PAINE,  
5 a friend of the OSWALDS. FRAZIER's  
6 sister, LINNIE MAY RANDALL, was a  
7 neighbor of MRS. PAINE's in Irving.

8 Since OSWALD had an apartment in Dallas,  
9 he made arrangements with FRAZIER  
10 to ride to Irving with him only on  
11 weekends. OSWALD thereafter rode  
12 to Irving with BUELL FRAZIER every  
13 Friday except the one immediately  
14 preceding the assassination.

15 OSWALD did not go to see his wife  
16 and daughter on that weekend because  
17 he said, he was working on getting  
18 his driver's license. However, that  
19 next week OSWALD once more broke his  
20 ritual with FRAZIER. On Thursday,  
21 November 21, 1963, LEE HARVEY OSWALD  
22 asked FRAZIER if he could ride to  
23 Irving that night for the purpose of  
24 picking up some curtain rods for his  
25 apartment. On Friday morning,

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November 22, 1963, BUELL WESLEY  
FRAZIER drove OSWALD from Irving to  
the Texas School Book Depository.  
OSWALD had with him a package wrapped  
in brown wrapping paper. When he  
inquired as to its contents, FRAZIER  
will testify, OSWALD replied that  
the package contained the curtain  
rods he had returned home to pick  
up the night before. FRAZIER will  
further testify that OSWALD told him  
that he would not be returning to  
Irving that night, Friday, November  
22, 1963.

BUELL FRAZIER will testify that he entered  
the Texas School Book Depository  
building that morning about 50 feet  
behind LEE OSWALD. OSWALD was still  
carrying the package. FRAZIER will  
testify that he saw OSWALD a couple  
of times that morning, but never saw  
the package again. Around noon of  
that day, FRAZIER went to the front  
steps of the Texas School Book  
Depository to watch the presidential

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motorcade which was due to pass directly in front of the Book Depository as it made its turn off Houston Street onto Elm Street. While the motorcade was passing, FRAZIER heard three shots which sounded like they came from the area of the underpass -- near the grassy knoll -- in front of the President.

At the conclusion of FRAZIER's testimony, the State will introduce into evidence pictures of a paper sack found in the Texas School Book Depository, as well as pictures of Dealey Plaza as it appeared on the day of the assassination.

With regard to the assassination itself, the State will establish that on November 22, 1963, President JOHN F. KENNEDY and Governor JOHN CONNALLY, who was riding in the same limousine were wounded as a result of gunshot fired by different guns at different locations. Furthermore, the State will show that PRESIDENT KENNEDY him-

1 self was struck by a number of  
2 bullets coming from different guns  
3 at different locations -- thus show-  
4 ing that more than one person was  
5 shooting at the president. The  
6 evidence will show that he was struck  
7 in the front as well as the back --  
8 and that the final shot which struck  
9 him came from in front of him, knock-  
10 ing him backwards in his car. Once  
11 again, since LEE OSWALD was in the  
12 Book Depository behind the President,  
13 this will show that a number of men  
14 were shooting and that he was,  
15 therefore, killed as the result of  
16 conspiracy.

17 The State, in showing that a number of  
18 guns were fired during the assassina-  
19 tion of President JOHN F. KENNEDY, B  
20 will offer, in addition to eye-  
21 witnesses, various photographs and  
22 motion pictures of what transpired  
23 in Dealey Plaza on November 22, 1963.

24 First, the State will offer an 8mm color  
25 motion picture film taken by Abraham

1 Zapruder, commonly known as the  
 2 Zapruder film. This film, which  
 3 has not been shown to the public,  
 4 will clearly show you the effect of  
 5 the shots striking the president.  
 6 In this connection we will also offer  
 7 slides and photographs of various  
 8 individual frames of this film. The  
 9 State will request permission from  
 10 the Court to allow you, the jury, to  
 11 view this material. Thus, you will  
 12 be able to see -- in color motion  
 13 picture -- the President as he is  
 14 being struck by the various bullets  
 15 and you will be able to see him fall  
 16 backwards as the fatal shot strikes  
 17 him from the front -- not the back but  
 18 the front.

19 Also, the State will introduce as evidence  
 20 certain other photographs and motion  
 21 picture films, taken during the  
 22 assassination, as listed below:

- 23 1. The "Moorman picture" which is a  
 24 polaroid photograph taken by Mary  
 25 Moorman in Dealey Plaza on November

Reference copy, JFK Collection: HSCA (RG 233)

22, 1963. In addition to this

33

picture, but in connection with it,  
the state will offer various blow-up  
prints of this photograph.

2. Various photographs taken by Mr.

Philip Willis in Dealey Plaza on  
November 22, 1963.

3. Various photographs taken by Miss

Wilma Bond in Dealey Plaza on  
November 22, 1963.

4. A motion picture film with slides

and photographs taken by Mr. John  
Martin on November 22, 1963.

The state will qualify ROBERT H. WEST,

the County Land Surveyor for Dallas

County, Texas, as a licensed regis-

tered public surveyor and thus compe-

tent to testify as an expert as to

the topographical aspects of Dealey

Plaza, Dallas, Texas. In conjunc-

tion with the testimony of MR. WEST,

the state will offer into evidence a

certified survey, an aerial photo-

graph and a mock-up of Dealey plaza.

The state will also qualify DR. ROBERT

Reference copy, JFK Collection: HSCA (RG 233)

1 SHAW as an expert in the field of  
2 medicine, and in connection with  
3 this testimony we will offer x-rays  
4 and medical records concerning  
5 GOVERNOR CONNALLY's wounds and treat-  
6 ment at Parkland Memorial Hospital  
7 in Dallas, Texas.

8 The State will qualify and offer the testi-  
9 mony of DR. JOHN NICHOLS, a medical  
10 expert in the field of forensic  
11 medicine and pathology. In connec-  
12 tion with his testimony the State  
13 will offer certain exhibits, x-rays  
14 and photographs into evidence.

15 Furthermore, during the presentation of  
16 this case, the State will qualify  
17 and offer the testimony of Special  
18 Agent ROBERT A. FRAZIER of the  
19 Federal Bureau of Investigation as  
20 an expert in the field of ballistics.  
21 Special Agent LYNDA SHANEYBELL,  
22 is a photographic expert with the  
23 Federal Bureau of Investigation,  
24 be qualified and will testify.  
25 The State also will present eyewitness

1 testimony, corroborating what is 35  
2 shown in the Zapruder film, that  
3 the President's fatal shot was re-  
4 ceived from the front and that he was  
5 thrown backward -- not forward --  
6 from the force of this fatal shot.  
7 The eyewitness testimony will also  
8 show that the shooting came from a  
9 number of directions and that, there-  
10 fore, the President was murdered,  
11 not by a lone individual behind him  
12 but as the result of a conspiracy to  
13 kill him.

14 We will then show that a few minutes after  
15 the shooting LEE OSWALD came running  
16 down the grass in front of the Book  
17 Depository, that he climbed into a  
18 station wagon with another man, at  
19 the wheel and that this station wagon  
20 pulled away and disappeared into the  
21 traffic on Elm Street.

22 The evidence will further show that short-  
23 ly after the assassination of  
24 PRESIDENT KENNEDY, on November 25,  
25 1963, agents of the Federal Bureau

1 of Investigation interviewed DEAN  
2 A. ANDREWS, JR. in his room at Hotel  
3 Dieu Hospital in New Orleans. As a  
4 result of this interview with DEAN  
5 ANDREWS, a local attorney, the  
6 Bureau began a systematic and thorough  
7 search for a "CLAY BERTRAND."

8 A man who identified himself as "CLAY  
9 BERTRAND" called ANDREWS the day  
10 after the President's assassination  
11 requesting him to defend LEE HARVEY  
12 OSWALD, who by then had been formally  
13 charged with the murder of JOHN F.  
14 KENNEDY. The State will introduce  
15 evidence in the course of this case  
16 showing that the defendant, CLAY  
17 SHAW, and the "CLAY BERTRAND" who  
18 called DEAN ANDREWS on behalf of  
19 LEE HARVEY OSWALD, are one and the  
20 same person.

21 The evidence will further show that some  
22 time during the year 1966 the de-  
23 fendant CLAY SHAW, requested the  
24 U.S. Post Office to deliver mail  
25 addressed to him at his residence at

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1313 Dauphine Street to 1414  
Chartres Street, the residence of a  
long-time friend, JEFF BIDDISON.  
This change of address order was  
terminated on September 21, 1966.  
During the period that the change of  
address remained in effect, the U.S.  
Post Office letter carrier for that  
route delivered at least five letters  
to 1414 Chartres Street addressed to  
"CLEM BERTRAND," the name used by  
the defendant at the meeting between  
himself, DAVID FERRIE and LEE HARVEY  
OSWALD in FERRIE's apartment in  
mid-September, 1963. None of the  
letters addressed to "CLEM BERTRAND"  
were ever returned to the postal  
authorities for any reason. The  
period during which these letters  
addressed to "CLEM BERTRAND" were  
delivered to 1414 Chartres Street  
preceded by at least six months the  
publication of the fact that the  
Orleans Parish District Attorney's  
Office was investigating the