BAYOUBRIEF

Congressional Record—Senate
Sept. 10, 1985

Full Transcript of East Baton Rouge Parish Coroner Thomas B. Bird's Inquest into the Deaths of Sen. Huey Pierce Long, Jr. and Dr. Carl Austin Weiss, Sr.

Sept. 9 and Sept. 16, 1935

in the public schools and it surely will not be the last.

But we have reached a new stage in this debate and we should be clear what is being asked by this latest incarnation of school prayer in S. 47.

The stakes have been substantially raised in this debate. I have made no secret of my strongly held belief that instituting group religious practice of any kind in the public schools is a denigration of the Constitution.

Mr. President, this goes beyond denigration. It represents destruction of the separation of powers that makes our system unique in the governments of men. Why should citizens of the United States settle for two rather than three separate but equal branches?

Perhaps because S. 47 refers so directly to an issue considered critical by the framers of the Constitution, it has aroused the opposition of not only the Nation's major religious organizations, but also the president of the American Bar Association and former Attorney General William French Smith, among others.

It's no wonder, Mr. President, that legal scholars, despite their political dispositions and however they differ over personnel on the Federal bench, agree that Congress should never be allowed to prescribe the substance to come before that bench.

That is the essence of this legislation, court stripping, a blatant attempt to usurp the role of the Supreme Court and the Federal courts.

Where do we stop should this become law? Federal laws that protect the handicapped are considered a costly nuisance by some in our society, so are those protecting minorities or the rights of those imprisoned. Do we then consider stripping Federal judicial authority over the equal protection guarantees from Federal statutes and the 14th amendment? Should first amendment protections of the free press be left to the vagaries of State courts every time a powerful judge or politician is embarrassed in the newspaper?

As to the secondary issue at stake in this bill, school prayer, the Senate spoke on this matter during the last Congress. A constitutional amendment on this matter fell short of the required two-thirds majority by 11 votes.

As I said, Mr President, the Senate spoke last year but the Constitution spoke to the matter more than 200 years ago. Anyone has a right to pray at any time anywhere in this Nation. And the right not to pray. These rights should not be diminished by Congress and they will not be if we leave the Constitution alone.

Mr. SIMPSON. Mr. President, I yield to the Senator from North Carolina.

Mr. HELMS. I thank the Senator for yielding.

Mr. President, I appreciate the cooperation of my friend from Connecticut and all other Senators in this connection.

We have debated this issue since I came to the Senate, and I appreciate the opportunity for the Senate to have a free-standing vote on this subject. I am prepared to vote.

Mr. PACKWOOD. Mr. President, I do not want to delay a vote. I want to find out from the acting leader what the situation is.

Are we having an extended vote because some people have to leave and some people are arriving? I have a few remarks I would like to make, but I do not know what previous arrangements have been made.

Mr. SIMPSON. Mr. President, the leadership is indicating that several Members on both sides of the aisle are pressed for previous commitments; and if the vote can be held as soon as possible, those commitments can be met.

To accommodate the Members on both sides of the aisle, we will extend the vote from 15 minutes to some longer period, until the Members have voted. That is the intent—to get to it immediately, if at all possible.

Mr. WEICKER. Mr. President, I move to table S. 47, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. EAST] is necessarily absent.

Mr. CRANSTON. I announce that the Senator from North Dakota [Mr. BURDICK] is necessarily absent.

I also announce that if present and voting the Senator from North Dakota [Mr. BURDICK] would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 172 Leg.]

YEAS—62

Andrews	Danforth	Hatch
Baucus	DeConcini	Hatfield
Biden	Dixon	Heinz
Bingaman	Dodd	Hollings
Boren	Domenici	Inouye
Boschwitz	Durenberger	Kassebaum
Bradley	Eagleton	Kennedy
Bumpers	Evans	Kerry
Byrd	Glenn	Lautenberg
Chafee	Goldwater	Leahy
Chiles	Gore	Levin
Cohen	Gorton	Lugar
Cranston	Harkin	Mathias
D'Amato	Hart	Matsunaga
Melcher	Proxmire	Specter
Metzenbaum	Pryor	Stafford
Mitchell	Riegle	Stevens
Moynihan	Rockefeller	Weicker
Nunn	Rudman	Wilson
Packwood	Sarbanes	Zorinsky
Pell	Simon	

NAYS—36

Abdnor	Hecht	Nickles
Armstrong	Heflin	Pressler
Bentsen	Helms	Quayle
Cochran	Humphrey	Roth
Denton	Johnston	Sasser
Dole	Kasten	Simpson
Exon	Laxalt	Stennis
Ford	Long	Symms
Garn	Mattingly	Thurmond
Gramm	McClure	Trible
Grassley	McConnell	Wallop
Hawkins	Murkowski	Warner

NOT VOTING—2

Burdick	East

So the motion to table was agreed to.

Mr. WEICKER. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. EVANS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WEICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent tht the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRASSLEY). Without objection, it is so ordered.

THE DEATH OF FORMER SENATOR HUEY LONG

Mr. LONG. Mr. President, it was on this day 50 years ago that my father, the late Huey Long, a Senator from Louisiana, died in Baton Rouge. There have been many articles written and much speculation concerning his death.

I concluded, Mr. President, that it is appropriate to place into the RECORD a document which I believe provides the information that most students of this question would like to have. It is a transcript taken before the coroner's inquest held on Dr. Carl Austin Weiss, Jr., and conducted by Dr. Thomas B. Bird, coroner of the parish of East Baton Rouge on September 9 and 16, 1935, in the city of Baton Rouge.

Mr. President, in the course of this transcript, there were five witnesses who said that they personally saw Dr. Weiss shoot Huey Long.

One was John Fournet, who was a Justice on the Supreme Court and who later served with distinction as Chief Justice on the Supreme Court, elected and reelected.

Another was Mr. Lawrence Wimberly, a State representative from north

Louisiana, who served for many years with distinction in the State legislature.

Another was Murphy Roden, who, in my judgment, was one of the best policemen who ever served the State of Louisiana and in later years served in other important positions, such as head of the State police in Louisiana under a subsequent administration, and who also had an important appointment in the armed services in World War II.

Another was Mr. Paul Voitier, who I had the privilege of knowing personally, who had no reason to tell anything other than the truth as he knew it.

All of these persons were willing to accept the responsibility of testifying before the coroner's inquiry.

Another witness was Mr. C.A. Riddle, and we called him Ad Riddle, as I recall it, who was a State representative at the time from Avoyelles Parish.

Mr. President, I knew these people and in my judgment these people told the truth.

There is another witness to this matter who did not see the actual shooting of my father. He saw what happened immediately after. That man was Mr. Frampton, who was a reporter for many years. I believe he was working in the Governor's office at the time this matter happened. His statement corroborates what the other five eye witnesses said.

I know there are some who would say that these witnesses who testified all had one thing in common, that they all were Huey Long supporters, overall friends of Huey Long in one respect or another. One could say they would not believe anybody who was a friend of Huey Long even though they could be a Supreme Court judge. But that, to me, does not make too much sense, Mr. President.

I ask unanimous consent that this transcript of the coroner's inquest discussing this event be printed in the RECORD at this point.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

[Transcript of Testimony taken before the Coroner's Inquest held over the Body of Dr. Carl Austin Weiss, Jr., and conducted by Dr. Thomas B. Bird, Coroner of the Parish of East Baton Rouge, on September 9 and 16, 1935, in the City of Baton Rouge, LA]

STATE OF LOUISIANA, PARISH OF EAST BATON ROUGE

Before me, the undersigned authority, Lemuel C. Parker, a Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, personally came and appeared: Glenn S. Darsey, well and personally known to me, who, after being duly sworn, did depose and say:

That his name is Glenn S. Darsey; that he is a duly licensed and practicing attorney of the Bar of Baton Rouge, Louisiana, and a Notary Public in and for the Parish of East Baton Rouge, Louisiana, duly commissioned and qualified; that on the dates of September 9 and 16, 1935, he was the duly appointed and qualified Deputy Clerk of Court of the Nineteenth Judicial District Court of the State of Louisiana, in and for the Parish of East Baton Rouge, and official Court Reporter of said Court; that, on the dates aforesaid, he reported the testimony taken before the Coroner's Inquest held over the body of Dr. Carl Austin Weiss, Jr., and conducted by Dr. Thomas B. Bird, Coroner of the Parish of East Baton Rouge, on September 9 and 16, 1935, in the City of Baton Rouge, Louisiana; and that he does now, hereby and herewith, certify that the foregoing seventy-two (72) pages represent a true and correct transcript of said testimony.

GLENN S. DARSEY.

Sworn to and subscribed before me, aforesaid Notary Public, at Baton Rouge, Louisiana, on this 5th day of May, A.D., 1949.

LEMUEL C. PARKER,
Notary Public.

Dr. BIRD: The body of C.A. Weiss was examined by the Coroner and Jury. We found thirty bullet openings on the front of the body and twenty-nine on the back and two of the head, one penetrating the left eye and making its exit through the left ear; and other going through the tip of the nose and grazing the face. The body wounds, it was impossible to tell which were wounds of entrance and which wounds of exit there were so many in every direction.

Two bullets were recovered, one a .38 caliber and one a .45 caliber; they were just found under the skin.

Mr. E. Prampton called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Just narrate exactly what you saw immediately preceding the shooting at the Capitol last night. Describe in detail everything you did see.

A. Just immediately preceding the shooting I talked with Senator Long, first, on the floor of the House. then I went in the Governor's office and called my office in New Orleans; in response to questions that they asked me I telephoned Senator Long in the sergeant-at-arms office in the House. He was called to the telephone and I talked with him again. Within a minute or two he left the House and walked down the corridor to the Governor's office. I started from the Governor's office through the anteroom; just as I reached for the doorknob was when I heard the sound of a shot. As I opened the door I saw Senator Long walking down the hall clasping his side with his hands.

By Dr. Bird:

Q. A good many people said they heard two shots.

A. I heard only one at that time.

Q. I mean that first.

A. Yes. As I opened the door I saw two men struggling. One I recognized as Murphy Roden, as a State Highway policeman, and the other man, who was later identified as Dr. Carl Weiss. Murphy had his back towards the door.

By Mr. Odom:

Q. Towards the Governor's door?

A. Yes, and was in a stooping position as though he had fallen in struggling with the man. He backed away, firing as he backed away. As he backed away half a dozen or more started shooting. He pitched forward with his head in the corner near the marble pillar with his face down. He lay there and nobody touched him until the Coroner ordered the body moved.

Q. The corridor you speak of was the north side of the building on the second floor leading from the House down by the Governor's office?

A. And connected with the Senate along with other offices of State officials including that of the Governor.

Q. As I understand your testimony, you had not come into the hall when the first shot was fired?

A. No, sir.

Q. And didn't see him fire that shot?

A. I did not.

Q. Had you gotten out into the hall before the other shots were fired?

A. I was standing in the doorway. I naturally didn't step out in the hallway.

Q. Have you any way of approximating the lapse of time from the first shot to the firing of the succeeding shots?

A. It required the time for me to turn the doorknob and open the door and look out. I would say three or four seconds.

Q. The man whom you identify as firing the first shots after you looked out in the hallway, what is his name?

A. Roden, Murphy Roden.

Q. Was his fire returned by the the man who was subsequently identified as Dr. Weiss?

A. I didn't see him fire any shots.

Q. Was Dr. Weiss in plain view of you?

A. He was.

Q. As far as you could see, did he make any effort or any overt attack on the man who shot him?

A. When I opened the door he was struggling with Roden. He had a pistol in his hand.

Q. Could you tell from the nature of the struggle if Roden took it away from him?

A. They seemed to be struggling over the pistol or just quitting struggling over the pistol.

Q. When they separated could you tell whether Roden jerked away and backed off or whether the other man jerked away? How did the break take place?

A. Roden evidently jerked away. He was still in a crouching position, firing as he backed away.

Q. When he backed away, what did the other man do, Dr. Weiss?

A. Fell on the floor.

Q. Prior to the time he backed away, did Dr. Weiss make any effort to shoot Roden?

A. I don't think he had time to do it.

Q. Was there any motion of his you could construe as an overt act toward Roden?

A. I would say my first impression was Dr. Weiss with a pistol in his hand trying to either wrest it away or get it away from Roden or get in a position where he might use it. I don't know what his intentions were.

Q. You gained that Roden had the weapon and was wresting it from him?

A. No, the other man had it.

Q. The man had the weapon and Roden was trying to wrest it away from him?

A. Yes.

Q. Could you tell whether he wrested it away or turned loose and backed off?

A. I couldn't say. Murphy showed us his thumb that had evidently caught in the jam of the pistol, it evidently caught in the barrel of the pistol.

Q. Could you approximate how many shots Roden fired into Dr. Weiss?

A. I couldn't say, several times.

Q. What was the posture of Dr. Weiss at the time Roden opened fire, was he standing upright or crouching?

A. Crouching. As Roden backed away he shoved Weiss or the man away from him. He backed up and fired as he backed away.

Q. Dr. Weiss was then in a stooping position?

A. Yes, near the floor; he sank down.

Q. Prior to the shooting?

A. They were both in a stooping position.

Q. Which was nearer the floor, Roden or Weiss?

A. Weiss, I believe.

Q. You heard only one shot up until that time?

A. Yes.

Q. I appreciate it is almost impossible to space time. Have you any way of determining or estimating or approximating the time they were engaged in that struggle, hooked up together, the officer and Dr. Weiss?

A. It would be impossible to approximate or estimate it because I didn't see the beginning of it.

Q. Can you estimate or approximate the time that they were hooked up after you saw them?

A. It was practically a continuous action. The minute I opened the door the men I saw were struggling. Roden shoved the other man away and backed away and fired as he did that. He crouched and backed farther away and fired some more.

Q. As Roden fired the man fell?

A. That's right.

Q. You said some other people opened fire after that?

A. Yes.

Q. Do you know who they were?

A. No. There was a group of them there; six, I would say.

Q. Do you know any of them?

A. I am not positive; I saw so many people I am not positive.

Q. Were they what is commonly known as Senator Long's bodyguards?

A. I recognized half a dozen or more whom I knew and recognized to members of the State police.

Q. Can you say you recognized any other man who shot Dr. Weiss besides Mr. Roden?

A. It would be only a guess. Every one had a gun out. I don't know which ones.

Q. Can you tell who had guns out?

A. Paul Votier and, I believe, was firing; I think Joe Messina was, I am not positive.

Q. He was there?

A. He was there.

Q. Was that all or any one else?

A. I don't recall.

Q. Was Mr. McQuiston there?

A. He was there. I don't know whether he did any firing or not.

Q. Did he have his gun out?

A. I think he did.

Q. Was Louis Heard there?

A. I don't know him.

Q. Was Joe Bates there?

A. I don't recall seeing him.

Q. Did any one put his hands on Dr. Weiss besides Roden?

A. I couldn't say.

Q. Can you state the time between the time that Roden did the shooting and the others joined it?

A. They joined in almost simultaneously. It was almost a miracle that Roden was not hit by some of them.

Q. They were around him?

A. On all sides.

Q. Had Dr. Weiss fallen to the floor before the others opened fire?

A. Yes.

Q. The other people opened fire and shot after he was down?

A. Yes, the pistol was in his hand.

Q. He fell down?

A. Yes.

Q. On the north or the south side of the corridor?

A. At the southeast corner of the corridor, as regards the four pillars outside of the Governor's office.

Q. Was his face down flush with the floor?

A. It was partially on his arm.

Q. Was his face towards the north or south?

A. I don't recall. I couldn't see his face.

Dr. BIRD: His face was down; when I found him he had not been touched.

By Mr. Odom:

Q. Was there much of a crowd there?

A. The customary legislative crowd was there, in and out of the hall.

Q. Did you see Judge Fournet as you came out?

A. No, sir; if I did, I didn't recognize him.

Q. Did you recognize any one other than the bodyguards and Dr. Weiss and Senator Long?

A. I wouldn't remember because my attention was concentrated on the shooting and the victim of the shooting.

Q. Among these people whom you saw shooting—the crowd from whence the shots were being fired—could you see any one of the bodyguards in his entourage?

A. I didn't know the bodyguards. I think they were all officers of the State police force. Some may have been on guard duty.

Q. In other words, you don't recall seeing any one except State police?

A. Yes.

Q. They were not in uniform?

A. They were not.

Q. Were any of them in uniform?

A. No, sir.

Witness excused.

J. E. Dearmond, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. What is your occupation?

A. Hotelman.

Q. Were you at the Capitol last night?

A. Yes, sir.

Q. What was your business there?

A. Just visiting.

Q. Are you located in Baton Rouge or New Orleans?

A. New Orleans.

Q. Did you have any business at the Capitol?

A. No, sir.

Q. How did you happen to be there?

A. Just walking around meeting friends.

Q. Have you held any commission under the State or under the City of New Orleans?

A. Yes, sir.

Q. What was it?

A. A special commission from the Bureau.

Q. When was that?

A. Before this law was passed when they recalled all of them.

Q. Have you held any since then?

A. No, sir.

Q. Where were you when the shooting took place?

A. In the secretary to the Governor's office.

Q. Who was in there?

A. Mrs. McGuffey and some other gentleman was up there; I don't know who he was.

Q. What was the first thing that attracted your attention?

A. Senator Long walked in the office in a big hurry. He walked in and said, "We have to get all our men here tomorrow."

Q. Who said that?

A. Senator Long.

Q. Who was he addressing?

A. Nobody in particular.

Q. Who could he have been addressing?

A. He walked in and struck his head in—Mrs. McGuffey was there—he said, "We have to get all our men here tomorrow." He turned around and walked in the hall and repeated the same statement as he stepped in the corridor. Just about that time I heard one shot followed by others. I was not going to stick my head out.

Q. The first shot, you just heard one shot?

A. The way it was, one shot was not so loud.

Q. Have you any way of approximating or spacing the time between the first shot and the others?

A. Very rapidly, four or five seconds.

Q. Can you approximate how many shots there were?

A. Estimated twenty-five or thirty; that was my guess.

Q. Where the body lay, how far was that to the Governor's door?

A. From the Governor's or the Secretary's door?

Q. The secretary's door. That's the door Senator Long went out?

A. Yes, sir. I would say twenty-feet.

Q. When Senator Long came in, who accompanied him?

A. He came in and turned around the way he came and I only saw Murphy Roden.

Q.Were there others with him?

A. I imagine so.

Q. You recognized Murphy Roden?

A. Yes, sir, also Paul Voitier.

Q. They followed him out?

A. He turned around and went out the door, they naturally followed.

Q. What did Senator Long say?

A. "We will have to have all our men here tomorrow."

Q. Is that all he said?

A. Every word. He made the same statement twice. Once in the office and then I heard it as he was going out the door.

Q. Did you know Dr. Weiss?

A. No, sir, I never saw him before to know him.

Q. What was your business in the Governor's office, social or otherwise?

A. I just dropped in socially for a few minutes. I saw Mr. A.P. White, the Governor's secretary, and Bertram Barnett, the publisher of the Bienville Democrat in Arcadia.

Q. You are presently employed by the DeSota Hotel?

A. The National Hotel Company.

Q. Are you still there?

A. I was up until three—two days ago.

Q. You don't know who did the shooting?

A. No, sir, the shooting was so close to the door.

Witness excused.

[The following testimony was heard Spetember 16, 1935.]

John B. Fournet, called as a witness, being first duly sworn by Coroner, testified as follows:

By Mr. Odom:

Q. You are Judge John B. Fournet of the Supreme Court of Louisiana?

A. Yes.

Q. You are an Associate Justice of the Supreme Court?

A. Yes.

Q. Were you present at the Capitol on last Sunday night, say, about 20?

A. Yes.

Q. Did you witness the shooting as a result of which Dr. Carl A. Weiss and Senator Huey P. Long lost their lives?

A. I did.

Q. Will you please relate in your own words just exactly what you saw and what you heard immediately preceding the occurrence and what happened immediately afterwards?

A. Well, I was in the House. I knew Huey was in the House and I wanted to see him and talk to him about something I wanted to impart to him before he left Baton Rouge. I had been in the House a good portion of the evening trying to talk to Huey; he had been there. That's the reason I was there. When he left the House I started out behind him to follow him and get any opportunity to have a conversation with him. As usual, he walks very fast; it is almost hopeless to follow him. But I wanted to talk to him especially, there were two or three things I wanted to talk to him about. When I got into the corridor I didn't see him but I asked a couple of people standing there which way the Senator had gone—when I got there, I couldn't see him—I was told that he entered the Governor's office. I walked leisurely in that direction. I met Joe Messina and we walked together. He knew where Huey was. As we approached the Governor's office, the Senator walked out and walked towards our direction. About the time he reached this big circle in the middle of the corridor——

Q. Let me interrupt you a moment. That was going back towards the House?

A. He was facing the House of Representatives, east, I think, if I have my directions correct. About that time he made some statement as to getting everybody on hand early tomorrow morning. I think. Some one answered him, came and said that has been attended to, but I don't know who answered; quite a few people were there. Some of the Bureau men were there and there were several others up there. I didn't pay much attention to those because Huey was the man I wanted to talk to. My plan was to go talk to him in his room. Just about the time he was answered that was over and there was a little pause, not another word was said, when a man of small stature, a man dressed in a white suit—he was a slender man—flashed among us. He moved hurriedly, wedged in with him, flashed a gun and shot almost simultaneously. I was right next to me. I put my hands on the man's arm and tried to deflect the bullet. I had my hat in my left hand, but I dropped it or lost it in all the excitement. As I put my hands on his arm he shot almost simultaneously. Of course, there was quite a bit of confusion. One of the boys grabbed him at the same time almost that I did; others wedged in. I shoved him as hard as I knew how. When I shoved him somebody else grabbed him. Who, I learned afterwards, was Murphy Roden. He went to the floor; I shoved him and they went down in one continuous movement; there was no cessation; they both went down. The doctor, who I learned since was a doctor, did not go all the way to the floor, as I saw it. He jerked the gun loose and the other boy, who I have learned since was Murphy Roden, grabbed it with both hands when he was trying to shoot again; he was trying to keep him from doing this. All about that time there was no cessation. I made no effort to grab the gun. When the shooting started the gun was between me and the boy who was on the floor. The boy was in this position (indicating), he was almost over him. I, naturally, stepped back a few steps, two or three; the shooting kept on without cessation.

I immediately started to look for Senator Long. I ran down the stairs and found him in the arms of Jimmy O'Connor and somebody else—I don't know who it was. He said that he was shot. We asked him where he wanted us to take him and he said to the sanitarium, of course. We walked with him to the car. My hat stayed right there where it all happened, whether I lost it when I shoved him or not, I don't know; I know it stayed right there.

Q. Judge, at the time you saw Mr. Roden grappling with the man whom you subsequently learned to be Dr. Weiss, you say he was attempting to fire his gun again?

A. Yes.

Q. Could you tell who he was trying to shoot?

A. At the time it looked like he was trying to shoot Murphy, the boy on the floor.

Q. They were grappling?

A. No, Murphy was loose at that time.

Q. I understood you to say that simultaneously with the firing of the gun that you struck the man?

A. Yes, I shoved him hard enough that he went down with the boy that was grappling with him on the floor; he was almost under him up to the wall. I shoved him completely away.

Q. Do you remember just what portion of the body the weapon—what portion of the Senator's body the weapon was pressed against?

A. That's very hard to say. It was at his front with an upward trend. The gun came from his right hip. What he drew the gun from, where it came from on him, I did not see. I had not noticed him or seen him before he fired. He drew it from the hip and straight up and straight out; the man made one step and fired.

Q. It was you who shoved him away?

A. Whether the shoving was sufficient to deflect the bullet would be only conjectural or problematical.

Q. I didn't mean that. At the time you shoved him the force of your shoving forced him to the floor?

A. He didn't go to the floor completely.

Q. Did he go to his knees?

A. He stayed in a crouching position. He always stayed that way, attempting to shoot that other way.

Q. He still had the pistol?

A. In his right hand trying to shoot it with both hands.

Q. Did Roden ever grab him?

A. Yes, Roden held on to the gun.

Q. Were you attempting to get your hands on Dr. Weiss?

A. Yes, for the second time; after I shoved him I was making an effort to grab him when they began to shoot pretty lively around there.

Q. Judge, can you tell us who fired the first shot?

A. No sir. The shooting was from my right and left. All the shooting was done almost directly to my right and left a little behind me. None of them were close to me. I did not see Murphy draw his gun from a reclining position as he got up.

Q. How did he get on the floor?

A. That's pretty hard to say; I was not watching Murphy Roden as I was afraid of the other fellow until it started generally.

Q. Can you tell whether or not Mr. Roden fired the first shot at Dr. Weiss?

Q. If it was Roden, you couldn't recognize anybody. In other words if Dr. Weiss had escaped, I could not have identified him.

Q. The man who fired at Dr. Weiss, did he fire first?

A. The man on the floor did not shoot the first shot. I don't think he was because he was shooting before that while Murphy Roden who was on the floor was attempting to get the gun.

Q. When you say the man who shot first, you are not confusing that with the first shot?

A. No, sir, that was after that.

Q. Have you any way of approximating how many shots were fired?

A. I served in the World War and I was a machine gunner. A machine gun would fire 300 to 600 bullets a minute. I would say after the shooting started it was as fast as a machine gun. In other words, there were two or three or four shooting at one time but to say how many shots were fired, would be a pure guess.

Q. Do you know what sort of weapons were used?

A. It sounded like an automatic. There may have been a single action sandwiched in between.

Q. Were any machine guns used?

A. No, sir. If there were I did not see them. They were shooting from my left and right, practically to the rear.

Q. As a matter of fact, I understand it to be your testimony that while Dr. Weiss was on the floor with the gun in his hand and while he was attempting to use it that he was shot by some one to the rear of you—who it was you don't know, but it was not Mr. Roden?

A. No, sir, that's my firm belief. I know he was on his feet. I didn't see the gun drawn from him; I saw him make the move. The other man rolled over. He went around and down. He went down slowly when the first bullet struck him; he just had a quiver of the body. While he was still doing that the shots were pouring into him from both sides.

Q. Can you describe or denote the spacing of the shots? The first shot from the next shot?

A. Yes. Very close, so close that I thought Senator Long was shot with the first two shots, until the Coroner's verdict and other people, I was of the opinion he was shot twice. The Senator was of that opinion because he said, "You kept him from hitting me the second time."

Q. Can you approximate——?

A. In fact, it was so fast, you could just guess for yourself. Any attempt to give any definite time, would have to be an expert on shots and the time of the shots. I can give you what happened and you can figure it for yourself. There was never any cessation of action, it was one continuous action. The man came straight up to Senator Long and fired. I grabbed his hand and my next move was to shove him as hard as I could; my next effort was to grab him. In the meantime, he and Murphy Roden were mixed up; then I stepped back two steps. The firing was ceasing about that time. You can figure for yourself about how fast that was. I figure they shot forty or fifty times. As fast as you could shoot three or four automatics or revolvers one after the other, whichever way you want to put it, that would be the time. In other words, I have heard worlds of people not to express an opinion, say they thought it was a machine gun, those who heard it and didn't see it.

Q. Judge, was he shot after he was down?

A. The shots were continuous; there never was a cessation. Naturally, some of the shots hit him after he hit the floor. I am convinced of that.

Q. After the continuous firing was over were there any other shots?

A. No, sir. The last shooting that was done was done by an automatic also. It was continuous, there never was any cessation at all. There seemed to be more than one shooting at one time, two or three. When it was finished it was an end to everything. There was never a complete cessation of shooting until it actually stopped. There never was such a thing.

By Mr. Porterie:

Q. There was no conversation between Senator Long and Dr. Weiss at all?

A. He never uttered a word, he never gave any warning. He walked right among us. I was close to the Senator. As Dr. Weiss made one step he shot. There was no outcry at all except by Huey, the usual scream of a man injured or shot. He grabbed his side and that was all I saw of him until I saw him downstairs. When I stepped back I started looking for him. I opened the Governor's office and looked in there for him. I thought he might have gone in there. He was not there so I came back in the corridor, and was told that he ran down the corridor and down the stairs. I ran down and caught him as he was going out the east door.

By Mr. Odom:

Q. Do you recall who was there at the time he was shot?

A. It would be hard to say; there were a bunch of us. Strange to say, I know the boys who go out with Senator Long, but I know the names of only a few. I remembered after that I saw three or four; Joe Messina, Murphy Roden, the young fellow, the man they call George, I couldn't give his name, a big man; Mr. Coleman, a bald-headed fellow, I saw him. I saw this man Louis Lesage, a Standard Oil man; he was sitting in the window. I remember seeing Mr. White after it was over; I don't remember seeing him before that. I also remember seeing Dr. Smith before. There were several boys like that, I saw Joe Bates right after. By that time a great crowd was coming in. Men were running in and peeping out from the House and other directions.

Q. You didn't see any others?

A. No, sir; I made no effort to find out, to be frank with you.

Witness excused.

Rev. Gerald L. K. Smith, called as a witness, being first duly sworn, made the following statement:

I want to say I respect your court, but I do not respect this investigation, and I brand the District Attorney of this court as one of

* * * * *

I worshiped my hero. I will say nothing here and I will not harass these boys who are here in any way.

Witness excused.

Mr. Odom. I might add in view of this charge by this person, that I care nothing of his opinion of me or my actions. When he says I entered into a plot to kill Huey Long, he is a willful, vicious and deliberate liar.

R. William H. Cook, called as a witness, being first duly sworn by the Coroner, testified, as follows:

By Mr. Odom:

Q. Dr. Cook, you are a physician and surgeon practicing your profession in the City of Baton Rouge?

A. Yes.

Q. Were you present at the operation performed on Senator Huey P. Long on last Sunday night a week ago?

A. Yes.

Q. After the operation had been performed did you have occassion to notice his mouth?

A. Yes.

Q. Will you describe to the Coroner and Jury what you found?

A. Dr. Henry McKowen, who was giving the anesthetic, called the attention of all of us, that were present to an abrasion or brushburn on the lower lip of the Senator, and asked that some one put iodine on it which I did.

Q. Was it bleeding?

A. It was not bleeding until Dr. Henry McKowen wiped it off with a moist sponge. Then it did bleed just a little.

Q. It oozed blood?

A. That is correct.

Q. Was it a fresh abrasion?

A. It appeared to be.

Q. Of course, you have no way of telling how that was caused?

A. No, sir.

By Mr. Porterie:

Q. Doctor, an injury of that kind could readily occur to any person after a person was shot who would have to take the steps from the first floor of the Capitol down a step of four flights of stairs to the basement and might strike any sharp angles or the marble in the Capitol after being wounded as he was?

A. Any contusion or trauma could cause that abrasion.

Q. By trauma you mean a lick against a hard surface?

A. Yes.

Witness excused.

Dr. J. Webb McGehee, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Doctor, you are a practicing physician in the City of Baton Rouge?

A. Yes.

Q. Did you have an engagement with Dr. C.A. Weiss for an operation in which you were to administer the anesthetic on last Monday, a week ago today?

A. I did.

Q. When was the last conversation you had with him about that operation?

A. About Friday, when I talked to him personally.

Q. Did you have a telephone message from him?

A. I had a telephone message from him Sunday night about 8:15. My wife talked to him; he wanted to know if I knew that the operation had been changed from our Lady of the Lake Hospital to the Baton Rouge General Hospital.

Q. That was 8:15 Sunday night?

A. Yes, about that.

Witness excused.

C. Sidney Frederick, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mr. Frederick, you are a practicing attorney, are you not?

A. Yes.

Q. You are the District Attorney of the St. Tammany-Washington District, are you not?

A. Yes.

Q. Were you in the Capitol on Sunday night, a week ago?

A. I was.

Q. Were you there at the time of the shooting?

A. Yes.

Q. Just where were you in the building at that time?

A. I was leaving the Governor's office and had taken perhaps two steps in the reception room when the first shot was fired; that was followed by a second shot and then by a regular fusillade of shots in rapid succession. About that time I had gotten to the small entrance to the secretary's office. The shots had not ceased at that time. I looked out of the door for just a moment because I withdrew myself from exposure at the door immediately. I saw a number of men down the corridor in some confusion. As I say, I withdrew; I waited until the shots had subsided.

Q. Did you see any of the shooting?

A. I couldn't say that I saw any particular person fire any particular shot.

Q. Did you see any person fire any shot?

A. Yes.

Q. Who did you see?

A. I am not in a position to say who fired the shot.

Q. You mean you don't know the person?

A. No, I don't mean that. I mean that I didn't look long enough to determine who fired the shot. In other words, the shooting was going on while I looked down the corridor momentarily.

Q. Did you see more than one person shooting?

A. I saw revolvers in the hands of more than one person.

Q. Did you recognize any of them?

A. No.

Q. Did you know any of them?

A. I can only answer that question by hearsay. I learned the names of two gentleman afterwards.

Q. In otherwords, you learned the names of two men you saw firing?

A. I won't say that. I learned the names of two persons I recognized in the hallway.

Q. Were they contiguous to where the shooting took place?

A. Yes.

Q. How long after the shooting was it before you saw them?

A. Momentarily.

Q. Do you mind telling us the names of these two persons?

A. Murphy Roden and Elliot Coleman.

Q. Did you see revolvers in the hands of those men?

A. I would not swear I saw a revolver in the hands of Mr. Coleman. Mr. Roden, I did.

Q. Did you see the revolver in the hands of Mr. Roden firing?

A. I couldn't answer that truthfully.

Q. Can you approximate—did you see the body of Dr. Weiss at the time of the firing?

A. I was one of the first persons to get it.

Q. Did you see the body before the firing ceased?

A. Yes.

Q. What was—just describe where the body was.

A. The body was lying in a position just across the narrow corridor that leads to the Governor's office just a few feet to the west of the double doors that entered in the Governor's office by the large marble pillar.

Q. Did you see the body when it crumpled to the floor?

A. No.

Q. When you first saw the body it was down, is that correct?

A. I would say that is approximately correct. You must understand this happened so quickly. I didn't keep my head out in that corridor any great length of time.

Q. After you saw the body on the floor did you see who was shooting?

A. I will answer that question this way: There were shots fired after the body was on the floor.

Q. Did you say the only men you identified fired after the body was on the floor to your knowledge?

A. I couldn't say.

Q. I don't remember whether you stated you saw the body when it fell to the floor?

A. No, I would say the body was on the floor.

Q. Could you approximate how many shots were fired after you saw the body on the floor?

A. Perhaps five.

Q. Could you space the shots for us, the time elapsing?

A. Very little time had elapsed between shots.

Q. Would you say more time elapsed between the second and the subsequent shots?

A. I would say that more time elapsed between the firing of the first two shots and then the firing of the shots that followed after they started to fire.

Q. After the second shot was there a continuation of the shooting?

A. It sounded very much to me like a machine gun in action.

Q. Have you heard a machine gun in action or seen one?

A. Yes.

Q. Did you see a machine gun there, Mr. Frederick?

A. No.

Q. Of course, I know it is almost impossible for one to tell under the circumstances such as that the lapse of time between shots, but could you give us any approximate idea of the time between the first and second shots?

A. I would say it was a very short space of time, almost instantly.

Q. Was there a longer space of time between the first and second shots than the second shot and the subsequent shots?

A. I think there was a longer space of time between the second and third shots than between the first two.

Witness excused.

J. T. Cockerham, called as a witness, being first duly sworn, by the Coroner, testified as follows:

By Mr. Odom:

Q. You live at Denham Springs, do you not?

A. Yes.

Q. Were you in the State Capitol last night a week ago?

A. Yes.

Q. Did you witness the shooting there as a result of which Dr. C. A. Weiss and Senator Long lost their lives?

A. No, sir.

Q. Did you hear the shooting, Mr. Cockerham?

A. Yes, I heard it.

Q. Where were you ?

A. Right close to the doors at the front entrance.

Q. You mean out in Memorial Hall?

A. Yes sir.

Q. Did you see anything at all?

A. No, sir.

Q. Did you see any of the participants?

A. No, sir.

Q. Did you see anybody going to or coming from the scene of the shooting?

A. No, sir, just the crowd rushing.

Q. You heard the shooting?

A. Yes, sir.

Q. Describe what you heard.

A. I couldn't describe just what I heard. There were several shots, I don't know how many. Of course, a fellow didn't have time to count them.

Q. Was there any space of time between the first and second shots?

A. Yes.

Q. Between the second and third shots?

A. As well as I remember, there was very little space between the second and third, I don't think much. I remember when the first shot was fired there was a little space and then another.

Q. After the firing of those shots was there continuous shooting then from that time until it was over with?

A. Yes, sir, several shots fired along behind the other.

Q. Have you any way of approximating how many shots were fired?

A. No, sir, a good many. I have no idea how many. There was so much excitement and the firing was so fast I had no way of tellng how many.

Witness excused.

Cooper Jean, called as a witness, being duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mr. Jean, you live in this parish, do you not?

A. Yes.

Q. Were you present in the Capitol last Sunday night a week ago?

A. Yes.

Q. Were you there at the time of the shooting we are investigating now?

A. I was.

Q. Were you a witness to the shooting?

A. No, sir, I was not.

Q. Where were you at the time of the shooting? At the main entrance as you go up into the Capitol? Out in Memorial Hall?

A. Yes.

Q. Did you see anybody going to or coming from the shooting?

A. I saw people, some were trying to go in and some coming out.

Q. Did you recognize any of them?

A. No, I did not.

Q. Have you any way of approximating how many shots were fired?

A. No, sir, I couldn't answer that.

Q. Was there any space of time between the first shot that was fired and the second shot?

A. Very little if any, very little.

Q. Was there any space of time between the second shot and the third shot?

A. I couldn't say anything about the third shot.

Q. When did the beginning of the continuous fusillade of shots take place?

A. As well as I remember, after the second shot.

Q. You didn't see it and didn't see any of the participants?

A. No, sir.

Witness excused.

Ed Sharp, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mr. Sharp, were you present in the Capitol last night a week ago?

A. Yes.

Q. Last Sunday night?

A. Yes.

Q. Were you present at the time of the shooting which is the subject of this inquiry?

A. Yes, sir.

Q. Did you see the shooting?

A. No.

Q. Where were you?

A. In the lobby, just coming down from the balcony.

Q. The lobby of the House of Representatives?

A. Right in front.

Q. Out in Memorial Hall?

A. Yes, I guess so.

Q. Did you see any of the participants in the shooting?

A. No, sir, not that I know of.

Q. Did you see any one going to or coming from the shooting?

A. People were trying to go in and some were coming back. Most of them were coming out.

Q. You didn't see any of the shooting yourself?

A. No, sir.

Q. Was there any appreciable space of time between the firing of the first and second shots?

A. Half a minute or something like that. Two shots came ahead of the others.

Q. Between the first and second shots?

A. Yes, sir.

Q. And between the second and third shots?

A. About the same time, then a volley of shots.

Q. After the third shot? After the second shot? Your didn't do in there?

A. No, sir. My daughter was with me, and when it commenced she jerked me away and soon as we got away, and I got her quiet, I walked back to see what happened. Somebody said it was firecrackers; I went to find out.

Q. That's all you know about it?

A. Yes, sir.

By Mr. Porterie:

Indicate by the snap of your fingers the cracking of the guns.

(Snap-Snap)

Q. That's the time you call half a minute a little while ago? Is that what you mean?

A. That's as near as I could get at it.

Q. That's all I wanted to know. I have no reflection on you.

A. That's all.

Witness excused.

Earl Straughan, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Were you in the State Capitol last Sunday night a week ago?

A. Yes.

Q. Were you there at the time of the shooting?

A. Yes.

Q. Did you see the shooting?

A. No.

Q. Where were you?

A. About five steps before you go in the hall where the shooting had taken place.

Q. In which direction?

A. Down the hall in front of the House of Representatives.

Q. You mean in what is called the House lobby?

A. I guess that's it.

Q. Did you go out in the hallway when you heard the shooting?

A. No, sir. I was headed that way. When it started I stopped.

Q. You didn't see the shooting?

A. No, Sir.

Q. Did you see any of the participants?

A. I went in there after it was over.

Q. Describe what you saw when you went in.

A. When the shooting was over I walked down there and got almost to where the shooting occurred to see what happened. One fellow was laying on the floor in a white suit. About that time they run us all out. I didn't get up but about fifteen feet to the fellow on the floor.

Q. What did you say?

A. I say I got within about fifteen feet of the fellow laying on the floor and then they made us go out.

Q. Did you see any one there at that time?

A. Yes, several of them.

Q. Do you know who some of them were?

A. I didn't look at the faces; I probably would have but I was looking at the guns.

Q. Were they strangers to you?

A. I know some of them when I see them.

Q. Do you know any of them?

A. Not personally.

Q. Do you know who any of them are?

A. Not that I seen in there; I didn't recognize them.

Q. Have you had any of them pointed out since?

A. From what the papers say, I know several of them by their names.

Q. Who was it you saw there with guns in their hands that you knew?

A. I didn't see them, I couldn't tell.

Q. What sort of guns were they?

A. Not automatics, six-shooters, like the City Police carry here.

Q. About how many men would you say you saw with guns in their hands?

A. Four or five.

Q. You cannot identify any of them for us?

A. No, sir.

Q. Who was with you?

A. Nobody was with me. There was a crowd of people but nobody with me.

Q. Was Lloyd Straughan there?

A. Yes, sir, he is my brother.

Q. Was he there?

A. When the shooting occurred, he ran back in the balcony.

Q. Were you together when it started?

A. We were when it started.

Q. When it started he went the other way?

A. Yes, sir.

Q. Can you give us any idea how many shots were fired?

A. A couple of shots were fired and then a couple of seconds and then twenty-five or thirty; that's my version of it.

Q. Have you any way of approximating how many shots were fired?

A. No way, only guessing.

Witness excused.

C. A. Riddle, called as a witness, being first duly sworn, by the Coroner, testified as follows:

By Mr. Odom:

Q. You are a member of the House of Representatives from the Parish of Avoyelles?

A. Yes.

Q. Were you in the Capitol on the night of the shooting?

A. I was.

Q. Did you witness the shooting?

A. I think I did.

Q. Relate just what you saw, what you heard, and what you observed of the proceedings.

A. When the House adjourned, I came out the right door and turned into the first door to the right into the corridor, which is the east end. I proceeded down the corridor and noticed Senator Long come out of what I thought was the secretary's door.

Q. The secretary to the Governor?

A. Yes. He was coming up the corridor towards the east end facing me. He stopped about six feet from the set-off or setback from the column in the corridor, about the center of the square or circle in the floor of the corridor. I thought that was a good time to approach him and ask him to speak at a barbecue we were going to have in Marksville. When I reached within five or six feet of the Senator, a gun fired—it all happened about the same time. There was a young fellow holding a pistol in his hand pointed directly at Senator Long. I saw four or five inches—three or six inches—I would say, of the barrell which was very bright. Then somebody grabbed him, I think. Then it was just like touching off a bunch of firecrackers. My mind was first centered on Senator Long to invite him to speak. Then when the shot fired and I saw the gun pointed right at Senator Long's abdomen, then my mind was centered on him. Then I centered on myself.

Q. Were you looking at Senator Long at the time the shot was fired?

A. Right at him.

Q. Were you looking at the man who fired it?

A. I was looking directly at Senator Long. When the shot was fired I saw the man.

Q. Prior to that time you had not observed the man who fired the shot?

A. There were five or six men around Senator Long, none of whom I recognized because I was thinking of the Senator and inviting him to speak to us. About that time the gun fired and a body seemed to move from the right in the direction of Senator Long.

Q. Was the man who fired the shot between you and Senator Long?

A. No, he came more from a diagonal direction.

Q. You were facing Senator Long?

A. Yes.

Q. You were meeting him?

A. Yes.

Q. Some one came from the side and shot Senator Long?

A. Yes, somewhat in this direction (indicating). A body moved forward about the time the gun was pointed right at him with both hands, if I remember correctly.

Q. Did you hear any conversation or remark between Senator Long and this man?

A. None whatever. Of course, there were five or six people there. I heard nothing whatsoever. As the gun fired, Senator Long did this (indicating) and turned immediately. After he turned and marched down the corridor, then it was just like firecrackers. I couldn't describe it better than that.

Q. Did you see who did that firing?

A. You mean this fusillade?

Q. Yes.

A. No, sir, I didn't recognize any man, my attention was not on them. I thought it was a bunch of bandits or racketeers in there.

Q. When you last saw the man who shot Senator Long, was he standing up?

A. Yes, bent forward a little.

Q. Did any one put their hands on him at that time?

A. No.

Q. Did you see Judge Fournet there?

A. No, sir, I really didn't. I heard him testify and he must have been there, but I didn't see him if he was there.

Q. Did you recognize anyone who was there?

A. None whatever. My mind was centered on Senator Long. He was in a very good humor that night. I was looking at him. I loved him very much. I was thinking it would be a good time to invite him to speak at Avoyelles.

Q. Did you see this man put his hands on Senator Long, the man who did the shooting?

A. No, sir, I just saw him go forward with the gun.

Q. Did you see Senator Long put his hands on the man?

A. No, sir, I don't think they got that close. I would say they were about five or six feet away.

Witness excused.

Mrs. O.P. Kennedy, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mrs. Kennedy, you were subpoenaed as a witness and I have understood since that you said you didn't see the shooting and didn't know anything about it.

A. No, sir.

Q. Did your husband see the shooting?

A. No, sir.

Q. You don't know anything about it?

A. We were in the Capitol and did hear the shots.

Q. You were subpoenaed by mistake. I am sorry.

Witness excused.

Gordon Latham, called as a witness, being duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mr. Latham, you live in Baton Rouge, do you not?

A. Yes sir.

Q. Where are you employed?

A. The Louisiana Creamery.

Q. Were you in the Capitol last Sunday night a week ago?

A. Yes, sir.

Q. Did you witness the shooting?

A. No, sir.

Q. Where were you at the time of the shooting?

A. In Memorial Hall in front of the elevators.

Q. Describe the shooting as you heard it.

A. There were two shots right close together, a little lull and then the whole volley.

Q. Did you observe anybody going to or from where the shooting was?

A. I saw Joe Messina go around the side and get in the elevator running.

Q. Was he walking or running?

A. Running.

Q. Do you know whether he went up or down?

A. No, sir, I don't.

Q. Did you go around where the shooting had taken place?

A. No, sir.

Q. Did you see Mr. Messina subsequent to that?

A. No, sir.

Witness excused.

Dr. C.A. Weiss, called as a witness, being duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Doctor, you are the father of the late Carl A. Weiss?

A. Yes.

Q. Were you with him on Sunday, the day he was killed, the day of that night?

A. Practically the entire day until 7:30 that night.

Q. Will you describe to the Coroner and Jury just what your son did during that day and night up until he * * * sat on * * *. A. He and his wife and baby came to the house * * * there left the baby with my wife and I so they could go to church. They went to mass at St. Joseph's Catholic Church. After mass his wife returned to our home, he stopped in Scheinuk's florial establishment to see about * * * had treated the day before. In a little while he came in with a bouquet of flowers sent to his wife in honor

of the child's birth. He came in very proud, and handed the flowers to his wife saying, "Look what Mr. Scheinuk sent to the baby" Mr. Scheinuk had told him that he had not sent the baby anything when it was born, and had done it at this time. Then they went to their own home, and took the child with them. He was to take dinner with us that day. Between the time they left and returned my wife had occasion to telephone his house twice; one time his wife answered, and the next time he answered. About one o'clock, they came in the house for dinner. We had a very enjoyable meal; he ate heartily and joked and laughed during the meal. After the meal, he asked me if we cared to go to my camp on the Amite River. I told him that I had expected to go, and had already requested my younger son to go ahead and prepare the camp and open it up. So he and his wife and baby and my wife and I took the car and went out to the camp. When we arrived there my wife and I took care of the baby while he and his wife went in swimming. They were in the water about an hour and when they came out we closed up the camp and came home. We sat on the front seat and he and his wife and baby sat on the back seat; we arrived home about 7:30. Then he left there he and his wife and the baby went to their home.

Q. That was about 7:30?

A. Yes.

Q. Did you communicate with him or his wife subsequently?

A. His wife phoned me about ten o'clock—about ten minutes to ten—and asked me if Carl was there. I told her no and she said that he had gone out to make a call.

Q. The last time you saw him was about 7:30?

A. Yes.

Q. Dr. Weiss, can you tell us whether or not your son carried a pistol when he went out at night?

A. Occasionally, he did.

Q. Did he have any reason for it?

A. Recently, we have had at least three intruders in our garage; one he had to run out and I had to run one out; one my younger son called to one night.

Q. How old a man was your son?

A. Twenty-nine.

Q. Was he of robust or slight stature?

A. Very slight. I remarked to my wife that afternoon at the camp while they were in swimming that the boy was just skin and bones. She said, "Yes, he had been working so hard. We will have to get him to take a rest." He weighed about 132 pounds; he was quite a small man.

Q. Your son was a doctor, was he not?

A. Yes.

Q. Twenty-nine years of age?

A. Yes.

Q. Would you care to sketch for the jury a history of his education?

A. He graduated from the Catholic High School when he was fifteen. He then started in the premedical school at L.S.U., and then went to Tulane. In between every year's regular session, he attended summer school. At the age of twenty-one, he graduated with his degree.

Q. He was a doctor of medicine?

A. Yes. He had already taken his Bachelor of Science degree after his second year as a medical student. After he graduated he served an internship at the Touro for two years. He then secured an appointment to the American Hosptial in Paris. In between times he spent a year in Vienna studying under the Masters. Then he completed his internship in Paris. After that he obtained a two-year internship at Bellevue Hospital in New York; the last six months at Bellevue, he was the chief interne at the clinic for ear, nose and throat.

Q. Subsequently, he came to Baton Rouge?

A. And went in private practice with me.

Q. He was a specialist?

A. Ear, Nose, and throat specialist.

Witness excuse.

Murphy Roden, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. There has been some suggestion in the testimony here that you were one of the participants in the shooting that took place at the Capitol. If you were and for that reason or for any other reason, it is your desire not to talk, not to testify, you have that right. You have the right to refuse to testify and the right to stand on your constitutional grounds that your testimony might incriminate yourself. If you care to testify, we will be glad to hear you.

A. I have no objection to testifying.

Q. Mr. Roden, where are you from?

A. Arcadia, Louisiana.

Q. Are you a native of Arcadia?

A. I am a native of Bienville Parish.

Q. Arcadia is in Bienville Parish?

A. Yes, that is the Parish seat.

Q. Were you present or, rather, were you employed last Sunday night a week ago by the Bureau of Criminal Identification?

A. Yes.

Q. Were you discharging your duties as such?

Q. Yes, sir.

Q. Who had assigned you your duties?

A. General Guerre, Superintendent of the Bureau.

Q. Tell us what your duties were?

A. For some time my assignment was to stay with Senator Long and see that no one harmed him.

Q. When did that begin?

A. I have been with him constantly since the 15th of January.

Q. Were you with him in Washington too?

A. Yes, sir.

Q. Were you employed by the State Bureau of Criminal Identification?

A. Yes, sir, by the State.

Q. And paid by them?

A. Yes.

Q. You were assigned by General Guerre to accompany Senator Long, and see that no one did any harm to him?

A. Yes, I also held a commission through the Metropolitan Police Force in Washington for that purpose.

Q. You were acting for what is commonly known as a bodyguard for Senator Long?

A. I suppose so.

Q. How long have you been employed by the Bureau?

A. Since the second day of January, 1928, when I was a member of the Highway Patrol under Governor Simpson. I was transferred to the Bureau on the first day of November of last year.

Q. 1934?

A. Yes.

Q. You have been continuously in the employ of the State since that time?

A. With the exception of three months in 1930 when I resigned to accept an appointment to the air corps technical school in Illinois.

Q. Tell us everything you know about the shooting of Dr. Weiss.

A. We were in the House of Representatives just as it adjourned and Senator Long was talking to Representative Mason Spencer, and then he walked out of the House and down the corridor to the Governor's office. I was walking right behind him. He walked in and I stopped at the door; I was standing right in the door. He was in there for a second or two and turned around and walked out facing me. I backed right out. He walked out to about the left side of the circle on the floor in front of the main door. At that instant he had called to some one to have everybody there in the morning at 9:30; some one told him that had been attended to. At that minute some one brushed through; at that time I was standing directly in front of Senator Long—he brushed right through; at that moment, he pulled a gun and fired at Senator Long. When he went to thrust it into Senator Long, I grabbed him with my left hand over the gun; then there was a struggle and he fell to the floor and was trying to get up again. Guns were shooting around me and my eyes were full of smoke. I received powder burns on my hands and face. I thought at that time that it was a free-for-all; I knew I had the man that shot Senator Long; I was concerned over that. Finally, I fell to the floor with him. Then I jerked loose, got up, pulled my gun and commenced firing.

Q. Had he been fired at at that time?

A. Guns were shooting; I couldn't say whether he had been hit. Evidently, they were shooting at him. I couldn't see at the time they were shooting. My eyes were full of powder and smoke.

Q. You testified you were both down on the floor?

A. Yes, sir, I stumbled; that floor is very slippery and hard to stand up on.

Q. You mean you were off balance?

A. Yes, sir, in the struggle.

Q. Did either one of you fall to your knees that you recall?

A. Probable one knee.

Q. Did you ever get the gun?

A. No, sir.

Q. Did he say anything?

A. No, sir.

Q. Did he say anything at the time he shot Senator Long?

A. No, sir.

Q. Did Senator Long say anything?

A. No, sir.

Q. Except immediately preceding the shooting?

A. He kind of let out a yell of some kind.

Q. That was after the shooting?

A. Yes, sir, the minute the bullet hit him.

Q. Did the man act as if he had been shot before you broke away from him?

A. No, sir, if he had I couldn't tell it. You understand my position. Guns were shooting and I had smoke and powder burns in my eyes and couldn't see to tell just what was going on.

Q. Could you see well enough to see if he still had the gun in his hand?

A. Yes, I knew he had because I couldn't get it away from him and he kept trying to shoot it.

Q. Who was he trying to shoot?

A. Me. He was trying to work it around to me so it would be pointed at me.

Q. How far away from him were you when you opened fire?

A. I didn't get the question?

Q. I understand that you broke away and opened fire?

A. Yes.

Q. How far away did you get before you opened fire?

A. I was right on him; as far from here to the center of the table (indicating).

Q. How many times did you shoot?
A. Ten times.
Q. What kind of gun did you have?
A. A .38 Colt Super-automatic.
Q. As close as you were to him at that time you could not have missed him?
A. I don't know if my shots were effective or not.
Q. Just why did you shoot him?
A. Just why?
Q. Yes.
A. I shot him to keep from being shot.
Q. When you were trying to wrest the gun away from him what was your purpose?
A. To stop the fire. I have been a member of the National Guard for a good many years and that's the first thing they teach you, to put the enemy's gun out of commission.
Q. You didn't succeed?
A. No, sir.
Q. Why didn't you continue to try to get his gun?
A. I gave it up; I knew I couldn't do it.
Q. How old are you?
A. Thirty.
Q. What is your weight?
A. One hundred and fifty, a little less or a little more.
Q. What is your height?
A. Five feet seven and a half inches.
Q. Do you know whether or not you hit Dr. Weiss at all?
A. I wouldn't swear any one of my bullets hit him.
Q. How close were you to him when you opened fire?
A. Right close for the first shots and I continued to back away.
Q. Did you see him when his body crumpled?
A. After my gun went empty,
Q. Were any shots fired after you ceased firing?
A. I don't know; I can't answer that question. It all stopped about the same time. The whole thing was not over six seconds.
Q. Can you identify anybody who was doing any shooting?
A. I never saw a soul shooting a gun.
Q. Were the others in front of you or behind you?
A. Behind us but I was tussling with this fellow that I was trying to get the gun from.
Q. I don't suppose you have any way of estimating how many shots were fired.
A. No, sir; it would just be a guess.
Q. Were any machine guns used?
A. No, sir; there were not any machine guns there.
Q. How many shots did Dr. Weiss fire?
A. I couldn't exactly answer that. I am of the opinion that only one shot was fired.
Q. Mr. Roden, do you mind telling us what other employees of the Criminal Bureau were present?
A. George McQuiston and Joe Messina; that's all I could absolutely testify were there.
Q. At the time he was in the House were any others of the bodyguards there besides those you mentioned?
A. I couldn't say; we were hanging around the door; I had just walked in and saw he was fixing to come out. They were going to adjourn. As I walked in the door he was standing with his arm around Mason Spencer. As he came past I walked behind him..
Q. Did you see Mr. Riddle?
A. No, sir, I don't recall seeing him.
Q. Did you see Judge Fournet?
A. Yes.
Q. Was he walking with Senator Long?
A. Yes, walking down the hall with him.
Q. Did you see what he did?
A. At the time he shoved us? I would say he shoved us at the same time I grabbed the gun, or about that time.
Q. Mr. Roden, you mentioned Joe Messina and who else?
A. George McQuiston was there.
Witness excused.
Joe Messina, called as a witness, being first duly sworn by the Coroner, testified as follows:
By Mr. Odom:
Q. Mr. Messina, do you understand your constitutional rights?
A. Yes, sir.
Q. Were you present at the shooting of Senator Long in the Capitol last Sunday night a week ago?
A. I would like to make a little statement, please, before, I answer any questions.
Q. Yes, you can make a statement.
A. In the first place, Senator Long is a very close friend of mine, and, in the next place, with a plot that conspired before my friend Sidney Songy came to me and begged me to take him to Senator Long's room, that he wanted to confess a crime they wanted him to pull off. He said he couldn't do it. We got him up to Senator Long's room and he told about it. A lot of stuff was captured in that plot, bullets, guns and hand grenades. In a cowardly way Senator Long was shot. I am ready to answer any questions you want to ask.
Q. Tell what you know about the shooting.
A. It is nothing I know much until the time the shots were fired. When Dr. Weiss fired the shot I saw the Senator jump back and I knew he was killed. I immediately run up, pulled my gun out and unloaded it in Dr. Weiss.
Q. At the time you did that was he being held by Mr. Roden?
A. Two men were scuffling and I looked up to see who they were. I shot the man that shot Senator Long. I saw the pistol in his hand.
Q. Did you recognize the other man scuffling with him as Mr. Murphy Roden?
A. Yes, sir.
Q. Were they grappling at the time you fired?
A. Yes.
Q. Did you see Mr. Roden have hold of the pistol at that time?
A. No, sir, this man was free with it at that time; he jerked loose.
Q. What did he do?
A. I immediately fired?
Q. Why did you shoot him?
A. To keep him from shooting Roden or myself or any one else that might be there.
Q. Did he make any effort to shoot you?
A. That, I don't know. He had a pistol and would have shot any one there.
Q. Was the pistol pointed towards you?
A. I don't know; I don't remember much about that.
Q. Was it pointed towards Roden?
A. I don't know.
Q. Did you shoot him to keep him from shooting you or did you shoot him because he shot Senator Long?
A. One reason was he shot Senator Long; the next reason was to keep him from killing me or any one else.
Q. Which one of those reasons did you shoot him for? Because he shot Senator Long or to keep him from shooting you?
A. I thought he would kill any one in there.
Q. What was the primary reasons?
A. He had shot Senator Long and would shoot me and Roden and any one else in there.
Q. How close were you to him?
A. About the distance to this gentleman sitting right there (indicating).
Q. What did you do when you had emptied your gun?
A. I went downstairs to look for Senator Long.
Q. One witness has testified that you went in the elevator.
A. No, sir.
Q. Did you get in the elevator?
A. No, sir, I went downstairs.
Q. Do you know any one else that was shooting?
A. I was too busy watching my gun to look.
Q. Who else was in the party?
A. In what way do you mean?
Q. What bodyguards?
A. George McQuiston, Murphy Roden and myself.
Q. Did you see the man at the time he fired on Senator Long?
A. I saw him a moment after the shot was fired.
Q. Did you see him before the shot was fired?
A. I didn't notice him at that time.
Q. You didn't see him approach Senator Long?
A. I didn't see him until he fired.
Q. How far were you from Senator Long at that time?
A. Not more than eight feet, probably a little closed in the back.
Q. You were behind Senator Long?
A. I run up to see who it was. I saw them in a scuffle and recognized Murphy and began to fire on Dr. Weiss.
Q. You recognized Dr. Weiss at that time?
A. I never did know the Doctor.
Q. How close were you to him when you began to fire?
A. I must have been six or eight feet.
Q. What position was he in, standing up or down on the floor?
A. Standing up, yes, sir.
Q. Straight?
A. Yes, sir.
Q. What was he doing with his gun? In which hand was it?
A. I don't remember.
Q. Mr. Roden testified that several shots were fired before he broke loose from Dr. Weiss?
A. That's Murphy's statement.
Q. Did you fire any shots before he broke loose?
A. I didn't fire until he broke loose. When I saw who it was then I went to firing when he broke loose from Murphy with the pistol in his hand.
Q. You are employed by the State Bureau of Criminal Identification?
A. Yes.
Q. How long have you been so employed?
A. In my present position?
Q. Yes.
A. I have been with the Criminal Bureau since February.
Q. Were you detailed to go with Senator Long?
A. In Louisiana, yes.
Q. You didn't go to Washington?
A. I never did.
Q. Were you under the orders of General Guerre?
A. Yes, sir.
Q. What were your orders?
A. To stop any violence that might occur or anything.

Q. To Senator Long or any one else,
A. To Senator Long or any one else.
Witness excused.

George McQuiston, called as a witness, being first duly sworn by the Coroner, made the following statement:

I don't care to make any statements whatsoever.

Witness excused.

Louis C. Lesage, called as a witness, being first duly sworn by the coroner, testified as follows:

By Mr. Odom:

Q. Mr. Lesage, were you present in the Capitol last Sunday night a week ago?
A. Yes.
Q. Were you present at the time of the shooting?
A. Yes.
Q. Where were you?
A. In the east end window of the corridor leading up to the Governor's office.
Q. In the alleyway between the House and the Senate?
A. I was sitting in the east end corridor window.
Q. You were sitting there?
A. Yes, sir.
Q. Did you see the shooting?
A. No, sir, I did not.
Q. Describe to the gentlemen what you saw.
A. I was talking to Roy Heidelberg at the time Senator Long passed by going down the corridor. I didn't pay any further attention until the first shot was fired. I just had a second to realize or come to the conclusion that probably it was a firecracker. This shooting started almost instantly; it was not over two seconds from the time I heard the first shot. I jumped out of the window and ran into the restroom of the House.
Q. Going away or towards the shooting?
A. I had to take two or three steps towards it to get in there.
Q. When did you go in the restroom?
A. When the riot of shooting started after the first shot.
Q. Were you looking in that direction?
A. Yes.
Q. Could you see what happened?
A. No, sir, I couldn't. My eyesight is not so very good. I could see a crowd of people congregated down there; I judged it to be about opposite the Governor's office.
Q. How far would you say that was from where you were sitting?
A. Probably sixty or sixty-five feet.
Q. Can you approximate about how many shots were fired?
A. No, sir, I have no idea.
Q. Can you space the time between the first and second shots?
A. Not over two seconds.
Q. Between the second and third?
A. I didn't hear the second shot; the only one I heard was the first shot and then a riot of shooting started after that.
Q. Did you recognize any of the participants?
A. No, sir, not a soul. I didn't see a shot fired.
Q. As Senator Long passed you did you recognize anybody with him?
A. The only person I remember seeing was Joe Bates. He was a considerable little distance back of the Senator. Whether he was accompanying Senator Long or not, I don't know.

Witness excused.

Elliott D. Coleman, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Where do you reside?
A. Tensas Parish near Waterproof.
Q. What is your occupation?
A. I am connected with the Bureau.
Q. How long have you been so connected?
A. Since November 15, 1934.
Q. What duties were assigned to you?
A. General criminal work. Most of my work had been in the illicit whiskey traffic and other work.
Q. Were you present in the Capitol the night of the shooting?
A. Yes.
Q. Your name has been mentioned as having been present. Were you present?
A. Yes.
Q. In what capacity?
A. I was ordered to the Capitol by General Guerre to keep down any disturbance or lawlessness that might take place.
Q. Were you attached to the personnel of the man accompanying Senator Long?
A. No, sir, no such instructions were given.
Q. Did you go down the corridor with him?
A. When he came out of the House of Representatives he appeared to be alone. I turned and walked down the corridor with him to the Secretary's office. A couple of other men came on behind a little bit; maybe one was along with me or maybe a little bit behind. Senator Long went in the Governor's office and stayed a few seconds and came out and walked towards the House. When he got nearly opposite the private entrance to the Governor's office he met a bunch coming from the other direction and stopped there. He stopped there and said something about everybody being there the next morning. About that time a party off to the side stepped right up to Senator Long, pulled a gun and fired directly at Senator Long. I ran up and struck at the man that had the pistol but in the confusion my blow landed on some one else. I struck at him again and the blow carried him back because of the impact of the blow and the man who was grappling with him. Murphy Roden had grabbed him and they fell towards the marble wall and the pillar there. The man still had the gun at that time. I jerked out my gun and fired three shots. I thought probably it was a mass attack and I wheeled around and began looking things over holding my gun like this (indicating). Senator Long grabbed his stomach and said, "I am shot."
Q. Was anything said by the man who approached Senator Long that you heard?
A. Not a word, he never said anything.
Q. Was Judge Fournet with Senator Long?
A. If he was he had just walked up; I couldn't say about that.
Q. Did any one attempt to disarm this man besides you?
A. I couldn't say positively about that. I don't think any one would have had time to do it. When the second shot was fired, I thought his gun had fired.
Q. Did you grapple with him?
A. No, sir, I had hit him a blow on the jaw and followed it up to hit him again.
Q. Do you know Murphy Roden?
A. Yes, sir.
Q. Was he grappling with the man who shot Senator Long?
A. Just after I hit him and he was down; Roden was there. I think he was the man; I am satisfied he was.
Q. You said you fired three shots. Was that before or after they broke loose?
A. Just as they broke loose. As far as doing it while he was on the floor, I know he was shot while he was up because he fell up against the marble post there and there was blood on that post high up.
Q. Was that at the time?
A. Roden was just out of line.
Q. Had they been grappling with the gun?
A. Yes, sir.
Q. He shot after they broke loose or before?
A. Afterwards.
Q. Did you see Mr. Roden shoot at all?
A. No, sir, because after I shot three shots I turned around and stood looking in the other direction. Shots passed me to my right at that time.
Q. When you turned around who did you recognize if any one, Mr. Coleman?
A. You mean when I looked back?
Q. Yes.
A. I don't think I could say I recognized anybody. I think Mr. Heard was there and Mr. George McQuiston.
Q. Did you see either one of those men firing?
A. No, sir.
Q. Did you see any one with a gun in his hand?
A. I saw Mr. Heard with a gun in his hand after the shooting was over.
Q. You say you thought it was a mass attack?
A. Yes, sir. I noticed some of our men.
Q. Did any have guns?
A. As I say, two of them. The others were off to my right.
Q. Mr. Coleman, could you say who fired the second shot?
A. No, sir, I thought his gun did.
Q. They were in rapid succession, were they?
A. Yes, sir.
Q. Was there any appreciable delay between any of the shots?
A. No, sir, they were all together right good and then it was all over.

Witness excused.

Joe Bates, called as a witness, being first duly sworn by the coroner, testified as follows:

By Mr. Odom:

Q. Mr. Bates, did you view the shooting we are investigating?
A. Yes, sir, I did.
Q. Will you kindly tell us what you saw?
A. From the time the House adjourned?
Q. Yes.
A. Just before the House adjourned Senator Long told me to be sure and have everyone of our friends notified to be at a caucus the next morning at 9:30. That's one of my duties, to always notify our men when there is to be a caucus. I notified them. Senator Long had gone on out. The House adjourned and I left the House and came in the hall; I remember seeing Mr. Lesage there in the hall; I think Mr. Lesage was talking to some man whom I thought was Mr. Heidleberg. I might be mistaken about that. I walked on down the hall and as I got by Mr. Ellender's office I heard Senator Long say something about the meeting tomorrow morning. I answered and told him they had all been notified. He came moving fastly on up.
Q. Going on towards the Governor's office?
A. Yes, sir, he was talking to Mr. Fournet.
Q. He was going towards the Governor's office?
A. No, sir, he was out in the middle of the hall. Just about then a young man whom I did not know—dressed in white—I thought he was going to shake hands with Senator Long. He was moving out and as he did he pulled a gun, went in and shot the Senator. The Senator screamed and hollered, "He shot me" and turned and moved fastly away

in a crouching position holding his stomach. I knew there were enough men there to take care of everything for what might come up. My only thought was to see where the Senator was. I thought the senator might have opened the door and gone in the Governor's office because I did not see where he went. I ran in there and hollored, "Senator Long has been shot. Tell the Governor." He was not there and I came out. All that time shooting was going on. I then thought that Senator Long might have gone farther down the hall and stumbled in the Senate lounge room; I went down there but he was not there and as I came back the shooting was over and I found out that Senator Long had gone downstairs. I came back with the idea of trying to find out who shot the Senator. He was lying there with his face down and I never did see him. I went on in the Governor's office; he wanted to go to the Senator. I came on out and went downstairs and went over to the sanitarium. I got upstairs and hung around a few minutes in the hall near the Senator's room. Joe Messina came out and said that the Senator wanted to know who shot him. I said, "I don't know." And Joe said, "He wants to know." I ran down the stairs and got in my car but I had a terrible time with the traffic.

Q. Did you see who shot Dr. Weiss?

A. No, I did not.

Q. Did you participate in the shooting?

A. No, sir, my gun was never pulled from my pocket.

Q. Who was present with Senator Long at the time of the shooting?

A. Mr. Fournet. I know who was assigned there.

Q. Who was that?

A. From our department, Mr. Roden, Mr. Messina and Paul Voitier; that's all I can tell you.

Q. Were you assigned there?

A. No, sir, I was in charge of the men. In other words, the Cossacks, as they are called, usually come to me for orders when they were on duty.

Q. Had you given them orders that night?

A. They had standing orders.

Q. Those orders were to accompany Senator Long and see that nothing happened to him?

A. They were assigned; I had nothing to do with them.

Q. You had nothing to do with giving them orders?

A. No, sir.

Q. Can you tell us how many shots Dr. Weiss fired?

A. I thought it was a low caliber weapon; I think it was only one shot.

Q. You testified that you don't know who shot Dr. Weiss?

A. No, sir.

Witness excused.

Louis Heard, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. Mr. Heard, you are connected with the Bureau of Criminal Identification?

A. Yes.

Q. Were you in the Capitol the night of the shooting?

A. Yes.

Q. Did you see the shooting?

A. No, sir, I was twenty-five or thirty feet from him.

Q. Tell us what you saw?

A. I saw the Senator when he left the House; I was across on the other side. When he walked out I walked out. When I got out he was in the Governor's office.

Q. How far were you away?

A. Almost at the end of the corridor. In a couple of seconds he came back out to the Governor's office like he was coming back towards the house. I turned and walked ahead of him; then I heard a shot and wheeled around and pulled my pistol out. I saw the commotion up there near the Governor's office. I turned around to see if any one else was coming up the corridor. At that time there was a whole lot of shooting.

Q. Did you see who did the shooting?

A. No, sir, there were too many people between me and where the commotion was.

Q. You testified that you yourself did not do any shooting?

A. No, sir, I did have my pistol out in my hand.

Q. Do you know who was with Senator Long when he went down to the Governors' office?

A. When he walked out of the House coming out of the door, I saw Mr. Roden, and I think, Joe Messina. Those were the only two I saw. When I got in the hall I didn't walk any farther; people were beginning to get out in the hall and the lobby.

Q. Were you assigned to go with Senator Long's party?

A. Yes, sir.

Q. Were you of the party?

A. Yes.

Q. You didn't keep up with them?

A. No, sir.

Q. From whom did you get your orders?

A. General Guerre.

Q. What were your orders?

A. To keep disorders down and not let the Senator get hurt.

Q. You were just assigned to Senator Long when he was here?

A. Yes.

Q. You didn't go to Washington?

A. No, sir.

Witness excused.

Paul Voitier, called as a witness, being first duly sworn by the Coronor, testified as follows:

By Mr. Odom:

Q. Were you present at the Capitol at the time of the shooting?

A. I was.

Q. What was your business there?

A. My business was to stay with the Senator.

Q. Were you connected with the Bureau of Criminal Identification?

A. I am.

Q. Just what were your orders?

A. To see that nothing happened to Senator Long.

Q. How long had you been assigned to him?

A. The present job I have now, I think, last October, but I am in close contact with Senator Long now for four years, probably going on five years.

Q. Since October you were assigned to stay with him continuously?

A. No, sir, four years, nearly five years. When Allen ran for Governor I met Senator Long.

Q. Did you go to Washington with him?

A. Yes, sir.

Q. Where were you when the shooting took place?

A. Three or four feet from Senator Long.

Q. Did you see the shooting?

A. Yes, sir.

Q. Did you see the man who shot him?

A. Yes.

Q. Were you facing Senator Long or the man who shot him?

A. All together I was about two feet in the rear of Senator Long and about one foot from Weiss, the man who done the shooting.

Q. Just describe what you saw.

A. Senator Long walked out of the secretary's office, the Governor's secretary's office; he said that he would like to have all of his men appear tomorrow early, talking to Mr. Bates, I think. I was in about two feet of him all the time. The Senator walked towards Mr. Bates. He stopped right in front of the main door to the Governor's office, in the circle like right there. He was about there one or two seconds when this man—I learned later he was Dr. Weiss—passed on the side of Senator Long, not saying a word. He had a gun in his right hand, if I am not mistaken, with his left hand covering it. He made two steps towards Senator Long and fired his gun. The gun must have been one or two inches from Senator Long's side when he fired the gun.

Q. What happened then?

A. Senator Long, I think, said, "I am shot." It was Judge Fournet that knocked his hand down; in the meantime, Mr. Coleman, he rushed in and punched at Weiss after Weiss fired the shot, Mr. Coleman walked in and punched at Weiss, and, I think, struck Weiss and punched again and missed Weiss. I think he hit Senator Long in the mouth right where that bruise was.

Q. Who did that?

A. Coleman, he punched Weiss, and punched——.

Q. What happened after that?

A. I backed away one or two steps and kept shooting.

Q. What was Dr. Weiss doing at the time you began shooting?

A. Struggling with Murphy Roden and Judge Fournet; Dr. Weiss was in a position like this (indicating) with his two hands on the gun trying to pull it clear. He was finding it mighty hard to pull the gun away.

Q. How far were you from him?

A. About five feet.

Q. When you opened fire, did you shoot him in the rear or in the front?

A. In front.

Q. How could you do that?

A. I shot between Judge Fournet and Murphy Roden.

Q. How many times did you shoot?

A. Four times; then I backed away and made one more shot. All the time he was on his feet.

Q. Why did you shoot Dr. Weiss?

A. It looked like he wanted to shoot everybody around there.

Q. Mostly because he shot Senator Long?

A. Yes, and to protect myself and the others there.

Q. What do you mean when you say "mostly?"

A. My answer is this: I shot him because he shot Senator Long and tried to shoot me and anybody else around.

Q. Did you see anybody else firing?

A. No, sir.

Q. What sort of pistol did you have?

A. 38.

Witness excused.

L. M. Wimberly, called as a witness, being first duly sworn by the Coroner, testified as follows:

By Mr. Odom:

Q. You are a member of the House of Representatives, Mr. Wimberly?

A. Yes, from Bienville Parish.

Q. Were you present in the Capitol the night of the shooting?

A. Yes, part of the time.

Q. Kindly relate just what part you witnessed, what you saw and what you heard.

A. Immediately after the House adjourned, I walked out of the House chamber and proceeded up the corridor towards the Governor's office. As I got part the way up there I noticed Murphy Roden back back from the door. He attracted my attention as if he were clowning, so to speak, kind of like a goose-step, marching backwards that way. Senator Long came out the door; about the time he came out and turned around he made a remark to somebody: "We have got to have all our men present in the morning." He was answered by some one who said that had been attended to. Judge Fournet had about reached Senator Long. He was proceeding in the same direction I was, from the House chamber towards the Governor's office. At that time a man approached Senator Long, passed Murphy Roden and was between Judge Fournet and Senator Long when the shot was fired. Senator Long screamed out in pain and bent over and grabbed himself in the stomach. He said, "You have shot me," and his knees sagged and he struggled out.

Q. Long's knees?

A. Yes. At that time another shot was fired and seemed to me that somebody either pushed or shoved Murphy Roden, and I since learned Dr. Weiss, backward. At that time innumerable shots were fired, more on the order of a machine gun firing. They were firing so rapidly and bullets were ricocheting down that corridor so that I turned and sought cover.

Q. How close were you to Senator Long when he was shot?

A. About the third window there (indicating).

Q. Did you hear any remarks or any conversation passed between Senator Long and the man whom you subsequently learned was Dr. Weiss?

A. I did not.

Q. Were you close enough to have heard it?

A. I did not hear any but I heard other conversation and Senator Long speaks exceptionally loud.

Q. Who did you say you saw shooting?

A. At the time several people around there; this happened very quickly, much quicker than it takes me to tell it. When the shots were fired I naturally realized I had to get out of the way; they were firing towards me.

Q. Did you identify any one who was firing?

A. No, sir, I couldn't say.

Q. What position was Dr. Weiss in when fire was open on him?

A. I would say during the time he and Mr. Roden were struggling and it appeared that there was somebody else in the scuffle when the firing took place.

Q. Was there any scuffling when the second shot was fired?

A. Yes.

Q. Did you see them when they broke away?

A. No, sir, I went out the same door I came in.

Q. More quickly?

A. More quickly but not as fast as the man behind me, and I moved rather quickly myself.

THE CAREER OF HUEY P. LONG, JR.

Mr. LONG. Mr. President—

And it is here under this oak where Evangeline waited for her lover, Gabriel, who never came. This oak is an immortal spot, made so by Longfellow's poem, but Evangeline is not the only one who has waited here in disappointment.

Where are the schools that you have waited for your children to have, that have never come? Where are the roads and the highways that you send your money to build, that are no nearer now than ever before, Where are the institutions to care for the sick and disabled? Evangeline wept bitter tears in her disappointment, but it lasted only through one lifetime. Your tears in this country, around this oak, have lasted for generations. Give me the chance to dry the eyes of those who still weep here.—HUEY P. LONG

It has been 58 years since my father stood in the shade of that beautiful oak in St. Martin Parish and asked the people of Louisiana to trust him with their hopes and aspirations. His words were not the empty, demagogic promises so often made by politicians of that day. They were the sincere words of a man who was on the verge of taking Louisiana by storm and would soon assure himself a place as the most outstanding and successful Governor in our Nation's history.

Huey Long was nothing like those Governors who had preceded him. He was a brash young man who scoffed at the status quo, which for too long had kept most of the State's population chained in poverty, disenfranchised from the elective process. To be sure, he made many bitter enemies and was almost impeached by his opponents whose excessive advantage was threatened by his successes. It cannot, however, be disputed that Huey Long was a man of his word. He kept the promises that had been so casually abandoned by others. At a time when the common man had lost much of his faith in government's ability to work for the people's good, Huey Long appeared and restored that faith.

He promised the people roads where there was mostly dirt and mud. He kept that promise, building thousands of miles of concrete, asphalt, and gravel roads in just a few short years. He promised better schools and educational opportunities for a population that was largely illiterate. He kept that promise and built an educational system which for the first time gave opportunities for learning to all children, not just the privileged few. He told the people that government would provide them health care, when they could not afford it. That promise, like the others, was fulfilled. He ensured that a newborn child in the State's charity hospital had the proper care and within a few years the mortality rate dropped by more than one-fourth.

In matters of my father's life, I am a prejudiced man. He is my hero, the one person in this world who has inspired me above all others. But prejudice does not necessarily mean that your view of the matter is distorted or without basis in fact. It simply means that you have an opinion about a matter. In that regard, my view is indeed a prejudiced one. But this view is one that also sees Huey Long as a mortal man, not perfect by any means, with weaknesses like everyone. However, I strongly believe that what motivated my father was his love for mankind and his belief that every man and woman deserved the opportunity to enjoy a good life.

It has been 50 years since my father was struck down by an assassin's bullet in the marble halls of the State capitol in Baton Rouge. Although I was only 16 years old at the time, I was old enough to understand what was happening around me and to appreciate the wisdom and good sense of my father's philosophy. His idealism and love of the common man moved me to enter politics and run for the U.S. Senate 13 years after his death. I hope that he would be proud of me today, for I have tried to champion the causes of those who need a friend in government and to work to build a system which encourages everyone to enjoy a meaningful place in our economic system.

I do not believe in those ideals mainly because they were espoused by my father. I believe in them because they are right and motivated by a deep regard for the good of this country, with compassion for those less fortunate.

As a member of the railroad commission—now known as the public service commission—as Governor of Louisiana and then as a U.S. Senator my father preached fervently of the path this Nation needed to take if our form of Government was to survive.

Huey Long believed that the Government must provide better opportunity for the rank and file Americans. Simply put, he maintained the Government should assure all citizens' potential for leading the good life. It had to stand for the proposition that those who made an effort and worked diligently would have an opportunity to make something of themselves, to have a decent income and enjoy some of the good things. To my father's way of thinking, this was not too much to ask of a government that was founded on the principle that every man has a right to life, liberty, and the pursuit of happiness.

There is no doubt that Huey Long was ahead of his time in this regard. Just examine his Share the Wealth Program. Long before this country had unemployment insurance, he was advocating a program by which the Government would help those who, by no fault of their own, lost their jobs and simply could not afford to support their families. Eventually, the leaders of this country saw the wisdom in this and enacted the proper legislation, legislation that Huey Long had been advocating for years.

He was calling for a Social Welfare Program long before President Roosevelt proposed one. In fact, when Roosevelt presented his Social Security Program, he showed he was concerned about what Huey Long was proposing. Roosevelt administered it as insurance, requiring people to contribute for a certain period of time before becoming eligible for benefits.

Remember, this was in the midst of a cruel depression. Under Roosevelt's plan, the elderly got very little immediate help. They needed assistance, but had to wait for years before the help did them much good. Huey's idea was to launch right into a major program that would immediately begin lifting people out of poverty. The fact that it could be done the way he had in mind was demonstrated in my Uncle Earl Long's time as Governor. He promised there would be an old-age pension and we did it immediately and with a substantial portion of it paid with State funds.

I believe my father was correct in maintaining that the Government did not need to take the time it did in building up reserves before helping those in need. The fact is that Social Security today is more an intergenerational transfer payment with little in the way of reserves, somewhat as Huey would have had it. He respected the insurance principle, but I know he would not have wanted millions of aged persons living for years in poverty and wretchedness.

President Johnson, who as a young Congressman was close to President Roosevelt, once acknowledged my father's contribution to Social Security.

He thought that the old folks ought to have Social Security and old age pensions and I remember when he just scared the dickens out of Mr. Roosevelt and went on a nationwide radio hookup talking for old folks' pensions.

President Johnson said in a speech in New Orleans in 1964:

And out of this probably came our Social Security system.

Huey Long was looking down the road, with great vision, toward where I still think we should be headed in this country. The whole basis of his philosophy for the Nation was that none should be too rich and none too poor.

His contribution was extraordinary on the Federal scene. He forced the Roosevelt administration to alter the course it had chosen and forced it down a path that would turn out to be the way of the future. It was a course based on the belief that our Government should provide more security and better opportunity for everyone.

Because of Huey's prodding, the Federal Government did a lot more for the average man and for the less fortunate. But there is no doubt that if Huey had had his way, the Great Depression would not have been as severe. With Huey Long leading the way, I doubt it would have taken World War II to end the needless pain and suffering that afflicted this land for 12 years.

One of the earliest stories I heard about my father happened before I was born, but is very characteristic of the kind of man he was. Before he ever sought public office, he and my mother were living in Shreveport, LA. Every morning my father would ride the street car, which ran right in front of the house, to work and back at night. But one day the company raised its fare from 5 cents to 7 cents. You might not think 7 cents is much, but at that time a nickel was like a dollar today, considering how hard it was to earn money and how little people made when they did work.

Huey was outraged and he announced that he would file suit to restore the 5 cent fare. Meanwhile, he would refuse to ride the street car, even though it rolled right in front of his house.

So every morning he would walk down the tracks about 2 miles to his little office in the First National Bank Building. At night, he would walk back home. The men working on the railroad tracks thought he must be crazy. They would call out to him and he would wave back. I am sure they must have said to themselves, "There's that crazy kid Huey Long. He thinks he's going to make them put that street car fare back to 5 cents."

Well, he won the law suit, the fare was lowered back to 5 cents and he started riding the street car again. He made no money from that case, but that is not what he wanted. He told my mother at the time:

You know, if you want to be in public office and serve the people, you need to prove to them that you can do something for them.

Getting that 7-cent fare down to 5 cents proved a point: He was a man of action. It was not too long before he was elected to the public service commission. As public service commissioner he went to work even harder to establish himself as a person who could help the rank and file of citizens.

Huey was elected to the Louisiana Public Service Commission, then called the railroad commission, about the time of my birth. The campaign for public office kept him away from home much of the time and for that reason he was not in Shreveport when I was born. When the doctor asked my mother what she wanted to name me, she told him she had decided upon Huey P. Long III, after my father who was Huey Junior. My father, however, had other ideas. When he arrived back in town, he demanded that my name be changed.

He told my mother:

I was Huey Long Jr. and I hated being little Huey all my life. I'm not going to wish that off on a son. Furthermore, when a man is in politics he almost always winds up being repudiated. It's better for the boy to have his own name so if things go badly for me, he can have his own name to make it on.

So, he insisted I be named something else. It so happened that my parents had a respected banker friend, a relative of my mother's, Russell Billiu. They gave me his name and from then on I was known as Russell.

About 20 years later, when I joined the Navy, I needed a copy of my birth certificate. It was then that I discovered my name was still officially Huey P. Long III. Nothing hurt me more than to change my name to what it had been all my life. But if I had not, people would have assumed I was trying to capitalize on my father's name. I thought since I had always been known as Russell, I ought to honor his wish and have my own name and not his.

Huey knew early in his career that he would be controversial and make quite a few enemies, but it never stopped him from doing what he thought was right. Once, he was convinced that the electric company was charging too much. So he filed a law suit and made them refund checks all over the State to people who had been overcharged. Wherever prople wanted service, he took a great interest in it and was very aggressive at making the utilities give their customers a better deal.

Huey was never one to shy away from a fight and to try to change the system when he thought it was treating people unfairly. It was not too long before he started focusing his attention on those old families who owned most of the wealth in our State who had a way of claiming too much advantage and too much privilege for themselves. The rank and file, from his point of view, were not being treated fairly. The people who had the best of it just kept on getting the best of it and those who never had much chance continued to have very little chance. He wanted to do something to change all of that and went to work campaigning for Governor on the promise that the average man was going to get a better deal.

The first time he ran for Governor he lost. I have always maintained he lost, not because he lacked the support of the people, but because it rained all day long on election day. At that time, it was impossible to find more than a few miles of good roads anywhere in the entire State.

In fact, there were hardly any gravel roads worthy of the name, much less hard surface roads. The farmers and people in the rural areas where his supporters were the most numerous were essentially immobilized by the rain, especially in north Louisiana where he was most popular.

He tells a story in his autobiography. He said a friend asked him, "Have you heard about the first box out of Red River Parish?

"No, tell me about it," he said.

"That box is for you 50 to 1."

"Then that means I'm beat," he said. "That box should have been 100 to 2."

The story was different in New Orleans. There the people could get to the polls with relative ease, without having to trudge through miles and miles of mud. In New Orleans, he lost badly, but the weather was not the only reason.

In those days, the Old Regulars' organization had New Orleans so organized that they could deliver to their candidate, even though you may be a very popular candidate running against him. In years to come, he found he would have to build himself an organization able to contend with the Old Regulars in New Orleans and eventually he did to where, shortly before his death, he was successful in defeating the Old Regulars even in the city of New Orleans, but that took years to do.

Back at that time New Orleans had the ultimate in terms of home rule and nobody, not even the Governor, dared to interfere with the city's affairs, especially its elections. So on election day, when Huey's people would cry foul or try to defend their rights, the police would come and arrest all the Long poll commissioners and haul them off to jail, leaving the Old Regulars' commissioners to do their mischief. At that point, you would be finished. They did not have to be in complete control to those polls very long to make sure that the outcome was to their ultimate satisfaction.

In addition, the Old Regulars had thousands of people on the voting rolls who did not belong there. Some were dead and some were sailors coming through town who had registered to vote. Election day would come and the the sailors would be long gone, but curiously they still voted.

Huey soon learned that if he were going to be successful and do some good for Louisiana, he must learn to beat those people at their own game. So many people talk about how ruthless Huey was and the lengths he would go to win an election. Huey Long was simply fighting fire with fire.

Four years later, in 1928, Huey ran again and this time, of course, he won. I can still recall that election day vividly. I was a young fellow, just turning 10 years of age. My sister, my brother, and I were in tears because those early returns coming in out of New Orleans were overwhelmingly against our father. He called and told my mother that he was going to win that race. He had checked all over the State and the early returns for the precincts he counted on carrying were going just the way he thought they should. That was hard to believe when you have been seeing those early returns that looked so bleak.

The following day was a very bad one for us children at school. All the kids in school were just delighted to see that our father was trailing badly and probably was going to lose the election. But to their surprise, it had all turned around the following day and Huey was ahead. My mother went out and got three newspapers and pinned the headlines—"Long Leading" and "Long Takes Lead"—on each one of us children to let our classmates know that Huey was now leading and that he had been elected.

Once elected, he went to work to fulfill his campaign promises. And he did. Among them was his commitment to provide schoolbooks for little children.

He had told the people that there would be free schoolbooks for children and he kept that promise. I can recall that when I was a youngster the schools were all segregated. But even at schools for the white children I can recall that after the young people had been there for a few days, if their parents had not been able to buy them textbooks, the teacher would ask those poor little children to leave and not come back.

Mr. President, when free schoolbooks went in, enrollment of public schools increased by 20 percent. Think of all the little children who had been losing their chance in life because their parents could not afford those books.

It is very tragic to think of all the little children who lost their chance in life because their parents could not afford to buy them school books. Huey changed that and made sure that every child in Louisiana would have text books. He made himself quite a few enemies by doing that because he forced the oil companies to pay for it by drastically increasing the severance tax. One already existed, but he contended it should be much higher. Needless to say, that caused an uproar among the opposition. A friend of mine once said that those people who were against my father were not against children having schoolbooks. They were not against good roads and they were not against good hospitals. They were not really against any of that. They hated Huey because he made them pay for all that.

Possibly more than anyone else in his time, he fully recognized that you really cannot make an omelet without breaking some eggs. He knew that you will make some enemies if you plan to make some changes in the way government operates.

For example, after he had levied the tax and had put free textbooks in the schools, the Caddo Parish School Board was still refusing to accept them, saying they did not need a handout from the State. About that time, however, the people in Caddo Parish learned that the government was planning to establish an airbase in Bossier Parish, right across the Red River. But when the parish leaders came to Huey and asked him to routinely sign over some State property for the base, he refused to sign it.

Those Caddo Parish people were just outraged because they might lose this base and the hundreds of jobs that went with it. But Huey told them, "You people are so rich up there that you say the children don't need free schoolbooks. What do you need with an Air Force base if you're that rich?"

They had to swallow their pride and permit the children to have the free books if they wanted to have Barksdale Field. I'm not sure if he would have been willing to lose the base just to get free books in the school. I suspect he was playing a bluffer's hand. But to hear the other side talk, you would have thought he had committed an impeachable offense. In fact, when an effort was made to impeach him, speakers from Shreveport were heard orating about his tyrannical methods of forcing government-owned books into the hands of proud families who wanted none of it.

But that was the way it was when it came to my father. People either loved him or despised him. There never was, or has been, much in between.

THE OLD REGULARS AND THE STATUS QUO

Those Louisianians who never had to drive a car across the State in the 1920's cannot fully appreciate what Huey did for our State. When he became Governor in 1928, there was less than 100 miles of hard-surface roads in the entire State. Today, there are more than that in every individual parish. But then, if you were to add all the concrete and all the asphalt roads together, there would be less than a hundred miles, with a few other miles under construction.

During the 4-year period he was Governor, in spite of more opposition than any Governor has ever had before or since, he still managed to build a total of 2,300 miles of hard-surface roads. Two-thirds of that was modern, concrete highway, some of the best concrete roads in the United States at that point. That is enough road to build a highway from Baton Rouge to New York, and then build another from Baton Rouge to Chicago. All of this was in one relatively small State in a period of about 3 years, because it took about a year to obtain the authorizations, money, and rights-of-way to get started.

Under his administration, the effort to build roads in Louisiana exceeded that of New York, which was a very progressive State. New York, after all,

had six times our population. Louisiana, which was 2 percent of the Nation's population, was employing 10 percent of all those people in the country who were working on road projects, which was five times the national average. Most of that was during a time of depression when a large percentage of workers in country was unemployed.

Not only did he build roads, but he built 111 bridges. Did he receive a lot of acclaim from others who were in power? Not at all. Instead, they tried to impeach him.

Today, when you hear about Huey Long, you are likely to hear that he was almost impeached as Governor. To the unknowing, it would seem that the legislature of a great State would only seek to remove a Governor from office if he had done some dastardly deed. In my father's case, however, nothing could be further from the truth. Those people were angry at him because he was out to make the rich pay more taxes so the average family could live a better life.

There were a few outlandish charges against him, but the only one that passed was one alleging he had threatened to reveal certain information that might embarrass a prominent Louisiana opposition family. His defense was that it could hardly be an impeachable offense to reveal something that is a matter of public record. If it were a public record, then anyone had access to it.

Huey's people got busy and they found 15 senators willing to sign a statement declaring that they would not vote to impeach him no matter what the evidence. Those 15 votes meant that his opponents were beaten because they would not be able to get the majority they needed to convict him.

The position of those senators was that the session had been called for a certain number of days and the time for the session had expired, so the legislature had no right to extend it, without the Governor's consent. Although they could have proceeded with impeachment as a farce and a rump trial if they wished, Huey's opponents knew that would be useless. So they gave up, reluctantly and voted to adjourn.

TO WASHINGTON

Today most Governors who are regarded as great Governors are remembered because they did something significant for roads or for education. Taking those criteria alone, Huey was more outstanding in both respects than any Governor in this country's history, to my knowledge.

He arranged it so that a young person whose family had no means whatsoever to attend Louisiana State University could get a good education by means of a large number of work scholarships. For example, students produced and prepared the food that was served on campus.

I remember so many young people, my classmates, who went to school with no more than the shirt on their back. But Huey provided opportunities for young people to work and pay for their education. And a lot of those young people have been some of the outstanding leaders in our State and Nation since that time. Today, in large measure because of Huey's leadership and example, our Government's policy is to help those young people who cannot otherwise afford a college education.

In doing what he did, he took taxes off those who were least able to pay. When Huey became Governor, there were taxes on a man's cow, his hog, just about anything the Government could find to tax. Huey eliminated those taxes on a farmer's livestock and eventually was able to enact the homestead exemption so that the first $2,000 of assessed valuation, equal to about $30,000 today, would be untaxed. That meant that most people no longer paid a tax on their homes or small farms.

Another example of Huey's compassion: During the Depression, when the little people had no income and could not find the money to pay their bills, the banks would simply foreclose on them and take what little they did have for payment. Huey provided the leadership for a debt moratorium commission, a body set up so that a man could go before it and explain that he was doing his best but that he was on hard times. The commission would usually arrange to give him more time. It would say that a person could not be foreclosed on, allow the debtor more time and would find ways to have the State use its credit to assure the bank would eventually be paid.

He went to Washington in 1932, elected by the people as U.S. Senator and began to spell out his views about his Share the Wealth Program. Incidentally, he later changed their name to "Share Our Wealth Program," feeling that all the people of the country had a claim on the wealth of this great Nation. His theory was that most of our trouble comes from greed. His view was that we have enough of everything in this great country so that most people can live a comfortable life. He believed that the country permits a few people to hog up so much of the wealth that there is just not enough left for the remainder to have a fair share.

His argument was that if you tax away some of the money that those very wealthy people have and then spread it among those who were poor by providing them a home, some furniture, and an auto and paid a pension to the aged and put the unemployed to work on some desirable public works then the rest of the people could live a decent life. Basically, he wanted to assure that every family would have a home, an automobile, a reasonable amount of furniture—enough so they could live decently. Moreover, he wanted to assure that everyone would have a job and a chance to have an education. He wanted all the elderly to have a pension when they reached their declining years.

From the day he made his maiden speech, entitled "The Doom of America's Dream," he was branded by the special interests as a dangerous populist.

He kept speaking out for that until President Roosevelt found that he was going to have to change his way of doing business to keep Huey from stealing all his thunder. When Roosevelt was first elected President, he ran on the platform that could please anybody. Liberals and the conservatives both found things they liked. But in due course, the liberals, Huey in particular, found reason to be dissatisfied, and Huey would make his speeches to the effect that Roosevelt had claimed conditions would be better although they were getting worse and continued to get worse. So much so that Roosevelt decided he was going to have to change his approach. And he decided he would support a Social Security Program which, of course, Huey was glad to vote for, although it did not do near as much for the aged as Huey would like to have done. It required building up larger reserves before they could receive the benefits they would have otherwise.

I suppose Roosevelt had promised all sorts of things when he was running for president as most candidates tend to do. But he had campaigned in such a way that many rich and conservative people thought he was their man. The working folks, too, thought that he was on their side. But in the last analysis, the people from New York, where he was from, did not expect him to do many of the things that Huey Long was talking about.

So Roosevelt got off to a very conservative start, until he and his people started looking at polls that indicated that if Huey Long kept touting his program and ran as a third party candidate, Mr. Roosevelt was not going to be reelected. Huey probably would not have won the election either, but he would have gathered enough votes so that Roosevelt would have run behind the Republican candidate. That had Roosevelt worried. I have talked to people since that day who were with Mr. Roosevelt at the time who tell me just how scared he was of the impact of my father's proposals among the people generally.

One of those people told me that he was in the White House during the days they were talking about how they

would deal with Social Security and that Roosevelt had just a great deal more to say about Huey Long than he did about Social Security. Lyndon Johnson was a good friend of President Roosevelt and he said that because of what Huey Long was saying and the way it was catching on in the country, Roosevelt felt that he had to endorse some kind of Social Security Program. It is very clear to me that my father played a major role in the birth of a system by which our Government became more humane and set out to actively pursue a policy of creating jobs, rather than to leave people idle, homeless, and hopeless.

Of course, Roosevelt did not give Huey Long credit for what was being accomplished at that time. Since then, however, I have heard from many people, even those who were once enemies of my father, who tell me there was not any doubt why Roosevelt was moving in a more liberal direction. He was doing it because he was seeing the rising star of Huey Long moving on him and if he did not do something, he might not be reelected.

There was one thing, however, that President Roosevelt did credit to Huey Long a year or so after his death. It was the National Youth Administration, the program that gave young people all across the Nation a chance to work their way through school. And since that time, we have gone beyond that to make it a great deal easier for young people to attend college.

Mr. President, I have already addressed myself to the assassination. I would like to add one aspect to that matter. I doubt that my father would have been assassinated had he not succeeded in repealing the poll tax. Prior to the time he repealed the poll tax, he was winning the elections by somewhere between 50 and 60 percent of the vote. But you could see great numbers of people who were unable to vote because they could not afford to pay the poll tax, who would vote even if they could. It stands to reason that about 75 percent or more of the whites who could not vote would have voted for him if they had been free to do so.

This repeal of the poll tax did little to help the blacks. They were barred from voting by a so-called white Democratic primary, and he did not attempt to change that at that time because he felt to do so would cause him to be crucified on a cross as it so often happened to liberal Southern politicians. But he did feel that at least he should provide the leadership to start moving in expanding the electorate, and to fix it so that the poor whites could vote. What he did almost doubled the electorate. He never lived to see the results of that. If he had, he would have been winning the electorate by more than 70 percent.

Mr. President, if he had lived in a day such as we have today of the Federal voting rights laws, the blacks who constitute about 30 percent of the population of the State would have also been privileged to vote. How would they have voted? I know how they voted when I was a condidate on the ballot. About 95 percent or more voted for me. When Earl Long was a candidate for Governor, on more occasions than one, about 95 percent of the blacks voted for him. It is fair to assume that Huey would have had about the same thing.

When the opposition saw that they were not going to be able to defeat him at the polls, that caused many of them to feel that they should consider killing the man to have their way. Mr. President, I doubt that the man who appears to have assassinated my father would have wanted to make that move had he known or at least believed what Huey really had in mind. Huey Long had thought that it was too much to keep going back and forth from Washington to Louisiana to try to help a Governor and his friends do business in the State legislature and maintain control of the State every time the opposition sought to overthrow them.

He concluded that he should help to reelect his friends, run for reelection himself at the same election, then, to use his term, "to push the boat way from the shore"—leave it with a Governor who was competent, honest, and who would not tolerate dishonesty in others and to manage the affairs in his own way. He picked out the man he thought was qualified to do that.

That man is known to us who served here for more than 30 years as a great U.S. Senator. Allen Ellender was one of the most straightlaced men I have ever known in politics in my life. If Allen Ellender had been the Governor of the State, we would not have had the scandal that occurred years after Huey Long's death. It seems very unfair to me that many in the media sought to blame him for the scandals that occurred later on, years after his death when he was not the one who was responsibile for it.

None of the corruption in the years after his death could be traced to him for the simple reason that while he was calling the signals when he was Governor and Senator he did not tolerate corruption.

The scandal would not have occurred had his so-called political heirs listened to my mother, who pleaded to them to support Allen Ellender because he was the man she knew Huey Long wanted to succeed him as Governor. Had his opposition known that he was planning to support an independent type man who was as honest as the day is long and intolerant of corruption in others, I think many of them would have looked differently upon their thoughts about him. I think that even the person who shot him would have thought differently about his desire to kill Huey Long because he did not like the way Huey Long was doing business. I think he would have been willing to tolerate Huey making speeches here in Washington and advocating his share of the wealth program had he thought he was not the dominant force in local Louisiana politics.

It may make a point to suggest that we will never achieve perfection on this side of heaven, probably because we do not deserve it. Perhaps this world was intended to be a testing place rather than the ideal. Why else do we endlessly fail to appreciate good people until they are gone, and fail to trust those who are worthy of it until it is too late? In my own case, I have been elected to the U.S. Senate on 7 consecutive times over a period of 38 years. My first election at age 30 was by a close vote, but since that time I have achieved some very large majorities. The closest of the races found me ahead of my nearest opponent by 20 percentage points and I have had majorities of as much as 87 percent, 75 percent, 66 percent, and 70 percent, some of them against opposition that may have deserved more votes than they achieved. In some cases, I have been elected without any opposition whatsoever.

Mr. President, I have won not just some, but almost all of my victories, by larger margins than my father ever achieved. That was in spite of a statewide media which was thoroughly unfair and constantly critical of Huey Long for the last 50 years when he was not alive to defend himself.

Yet, I am convinced that much of my success, even in recent years, was because of my father. How could that be? It was because those who had heard him speak more than 50 years ago, by word of mouth, had a way of expressing their favorable opinions of him in spite of uniformly adverse comment both in print and over the electronic media for 50 years.

With those who had known and supported the man, he was the greatest Governor, not just in Louisiana, but in any State, ever. Those who shared that opinion represented about 60 percent of those who were privileged to vote when Huey Long was on the scene. They represented more than 75 percent of those who were white and could not vote and about 95 percent of those who were black and also could not vote. In other words, had Huey enjoyed the benefit of the Federal voting rights laws, he would have been achieving more than 75 percent of the vote in honest elections.

Among those who were old enough to know Huey Long and recall his speeches, he still rates in the polls more popular than any other Governor. Why? I will always maintain it is

because those who knew Huey Long will always remember what he did for them. Neither they, nor I, will ever forget the price he paid for trying to make this world a better place.

He stated his dream for American eloquently in the concluding lines of his autobiography when he said:

> Then no tear dimmed eyes of a small child will be lifted into the saddened face of a father or mother unable to give it the necessities required by its soul and body for life; then the powerful will be rebuked in the sight of man for holding that which they cannot consume, but which is craved to sustain humanity; the food of the land will feed, the raiment clothe and the houses shelter all the people; the powerful will be elated by the well being of all, rather than through greed.

THE 50TH ANNIVERSARY OF THE DEATH OF SENATOR HUEY PIERCE LONG

Mr. BYRD. Mr. President, 50 years ago today, September 10, 1935, Senator Huey Pierce Long of Louisiana died from an assassin's bullet. The distinguished Senator RUSSELL LONG has made some brief remarks in this regard earlier. I feel it is appropriate that this Chamber take the time today to reflect upon the memory of this great American, a distinguished Senator, the father of our own beloved colleague, Senator RUSSELL LONG.

Senator Huey Long was one of the most colorful persons ever to sit in this body. His flamboyant style and controversial methods have been portrayed in a plethora of books, movies, and songs. But the emphasis on his style and methods often distracts from the meaning of his life and political career, both of which were, tragically, far too short.

Born August 30, 1893, in Winnfield, LA. Huey Long seemed destined for a life of public service, and of helping the weak, the underprivileged, and the dispossessed. Regarding his career as a lawyer, Huey Long recalled: "Always my cases were on the side of the small man—the underdog, I have never taken a case against a poor person," he proudly proclaimed.

In 1918, at the age of 25, he was elected State railroad commissioner. In this position, he secured a reduction in telephone rates for the people of his State, prevented rate increases on street-railways, and attacked corporate abuses.

In 1928, Huey Long was elected Governor of Louisiana. His administration resulted in badly needed reforms for his State, free textbooks for the State's schoolchildren, and new bridges, paved roads, and other improvements. New hospitals were built; old ones were modernized; and his beloved Louisiana State University was vastly expanded and improved.

Taxes on the State's oil and gas industries were increased to pay for the programs of Governor Long, while the State's poll tax was abolished to increase the participation of the State's "poor whites" in the democratic process.

In 1930, Huey Long was elected to the U.S. Senate. In his maiden speech to this body, "The Doom of America's Dream," which he delivered amidst the worst days of the Great Depression, Senator Long remarked:

> This great and grand dream of America that all men are created equal * * * this great dream of America, this great light, and this great hope, have almost gone out of sight in this day and time * * * there is a mere candle flicker here and yonder to take the place of what the great dream of America was supposed to be.

Senator Long planned to resurrect the fading American dream with his "share the wealth" program which proposed a homestead allowance and a minimum annual income for every American family. He further proposed to redistribute wealth through limitation of inheritances, heavier taxes on the higher brackets, old-age assistance to the elderly poor, public works, and balancing farm production with farm consumption.

Although the feasibility of some of his plans and ideas has been questioned or challenged, it is certain that he was trying to ensure that every American could and would have a life of economic security and social dignity.

If some of his proposals were infeasible, his heart and mind were in the right place. If some of his plans were in error, at least he erred in trying to make life more comfortable and better for all the people, the poor as well as the rich, the weak as well as the powerful.

As a result, Senator Huey Long developed a tremendous following, not only in Louisiana but also throughout the country. Historian David Potter writes that Senator Long "was second only to the President (Roosevelt) in political importance when he went to Louisiana * * * for a special session of the (State's) legislature." While there, on September 8, 1935, Senator Long was shot by an assassin; he died 2 days latter—50 years ago today.

Upon the death of Senator Long, Senate Majority Leader Alben Barkley said,

> Life is not measured in years. Many men have lived to be 80, 90, or even 100 years old without accomplishing as much in the causes in which they believed and for which they fought as Huey Long accomplished in 40-odd years.

Then, too, there were the words of another U.S. Senator who also fell to an assassin's bullet. In his book, "Profiles in Courage," John F. Kennedy said:

> Must men conscientiously risk their careers only for principles which hindsight declares to be correct, in order for posterity to honor them for their valor? I think not . . . Surely in the United States of America, where brother once fought brother, we did not judge a man's bravery under fire by examining the banner under which he fought.

Senator Huey Long, however, never considered his actions and policies to require defense or explanation. He knew what he sought, and he never asked for quarter.

I think it is appropriate, as we acknowledge the memory of this larger-than-life American, to recall some lines from his favorite poem, "Invictus"—lines which themselves adequately summarize the life and political career of Senator Long:

> In the fell clutch of circumstance
> I have not winced nor cried aloud.
> Under the bludgeonings of chance
> My head is bloody but unbowed. * * *
> It matters not how strait the gate,
> How charged with punishment the scroll,
> I am the master of my fate;
> I am the captain of my soul.

Mr. President, the Scriptures teach us to "Honor thy father and thy mother." Senator RUSSELL LONG has honored his father and his mother—by words and by deeds. In so doing, he has brought honor upon himself. All Members of this body revere Senator RUSSELL LONG. Every Member counts him as a friend. He is a great Senator, a great Louisianian, a great American. History will long honor the memory of Senator Huey Long, and we will long honor the memory of the name of Senator RUSSELL LONG after he departs from membership in this body—which he has announced he will do voluntarily at the close of the 99th Congress.

Mr. President, I yield the floor.

ANTI-APARTHEID ACTION ACT OF 1985

Mr. BYRD. Mr. President, I move to proceed to consider the conference report on H.R. 1460 and offer a cloture motion on the motion to proceed.

The PRESIDING OFFICER [Mr. HECHT]. The clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of the Conference Report on H.R. 1460, The Anti-Apartheid Action Act of 1985.

Edward M. Kennedy, Paul Simon, John D. Rockefeller IV, Bill Proxmire, John F. Kerry, Spark M. Matsunaga, Max Baucus, George J. Mitchell, David Pryor, John Melcher, Gary Hart, Howard M. Metzenbaum, Lawton Chiles, Dale Bumpers, Don W. Riegle, Jr., Alan J. Dixon, J. James Exon, Patrick J. Leahy, Claiborne Pell, and Alan Cranston.