

1. Coroner's Certificate signed by GERALD BERTINOT, Coroner, and JOSEPH H. BOYD, JR., H. J. BEATTY, LARRY DUPRE, BEN SCHEXNAYDER, and LOUIS D. LAFOND, Jurors. This certificate states that inquisitions were taken on the eighteenth and the twenty-first of November, 1951, at Opelousas, Louisiana, relative to the body of JOHN L. MITCHELL and that they reached the conclusion that JOHN L. MITCHELL "came to his death from a gunshot wound of the heart fired by DAVID LANCLOS, Deputy Sheriff (Special) when MITCHELL resisted arrest. The Jury finds that it was justifiable Homicide. Death and shooting at Opelousas, La., on Nov. 18, 1951."

2. Oath signed by Coroner GERALD BERTINOT and the above named jury, swearing to return a true inquest into the death of JOHN L. MITCHELL.

3. A sworn statement of KING BLACK which reads as follows:

"King Black, being duly sworn, made the following statement:

Q. Tell us what happened, loud and slow.

A. I had just came back from playing in a band and had a lot of cars out there. I couldn't park the station wagon in the usual place where I always park it, so I parked across the street by Carmouche's Grocery Store. I taken the key inside and gave it to Garland Lewis. I went back in the back and Garland came in a little later, gave me the key and told me to go move the car and bring it over. When I went out the side door the police and other fellow were tusseling. I don't know many people from here; I'm from Baton Rouge. Mr. Lanclos had a pistol in his hand and they were pushing either other; he kept on saying 'go home.' He continued saying 'go home before I have to shoot you.' So they kept on tusseling and the other fellow said 'Well shoot.' Mr. Lanclos said 'You're asking for it, so here it is.' And so when the fellow fell, I ran inside and told Garland 'A man just got shot outside.' When I told Garland that Garland told me, 'boy you're kidding.' Then Garland came outside. I picked his hat up and taken it inside.

note

Q. Black where are you from?

A. From Baton Rouge. I been living here a year and two weeks.

Q. Are you employed at the Chicken Shack club?

A. I play the music there sometime.

Q. Do you live there?

A. Yes sir.

Q. Are you well acquainted with the white or colored people in this town?

A. I don't know any white people at all.

Q. Did you know John Mitchell?

A. That was the second time I had seen him.

Q. Do you know Mr. Lanclos?

A. I know him from seeing him working around the place.

Q. You say this is the second time you saw John Mitchell.

A. I had talked to him twice.

Q. Did you see him get in trouble at any other time?

A. No sir.

Q. Did you see Mr. Lanclos hit, beat up, brutalize, shoot anybody in the place besides this incident?

A. No sir.

Q. Did you ever see Mr. Lanclos put anyone out of the place?

A. Most of the nights he was working I'd been off.

Q. On the nights you were there, did you see Lanclos pull anyone off the dance floor?

A. Sometimes he asked to get the people off the bandstand.

Q. The time you say he'd get people off the bandstand did you see him brutalize them?

A. No sir, he don't brutalize them.

Q. Exactly where were you when Mitchell and Lanclos were tusseling?

A. I was right in front of the door.

Q. Could you see them tusseling?

A. Yes.

Q. Was there anything between you and them; could you see them clearly?

A. Yes, I could see them.

Q. Did you see Lanclos when he fired the shot?

A. Yes.

Q. How far was Lanclos from Mitchell's body?

A. He was close; he wasn't far (indicating by three feet).

Q. Did he have the gun in his hand during the tussel?

A. Yes, he had the gun.

Q. Could you see Lanclos' face?

A. Lanclos' back was to me.

Q. Could you see Mitchell's face?

A. Yes.

Q. Could you tell from his expression if he was afraid?

A. He didn't look to be afraid.

Q. Did Mr. Lanclos appear to be threatening Mitchell, pointing it at him?

A. He had the pistol in his right hand, and he was shoving Lanclos off with his other hand.

Q. So the tussel amounted to each one pushing the other?

A. Yes.

Q. Mitchell was coming on Lanclos or Lanclos coming on Mitchell?

A. Witnesses demonstrated they were pushing back and forth.

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Q. How long did you remain there after the shooting?

A. I stay there; that's where I live.

Q. Did anybody try to move the body? Do you know who?

A. Howard Jolivette and some one else said they were going to take him to the hospital.

Q. Did they actually move the body?

A. Yes.

Q. How long was it before they removed the body?

A. About three minutes.

Q. Do you remember the exact time the shooting occurred?

A. I dont remember the exact time; it was Sunday morning.

Q. Did Mitchell have any weapon in his hand?

A. No.

Q. When you first saw Lanclos and Mitchell tusseling was his gun out?

A. Yes.

Q. Did you hear him tell Mitchell he was under arrest?

A. I didn't hear him, not while I was out there.

Q. Did you see Mr. Lanclos after the shooting?

A. Yes.

Q. His clothes showed like someone who had been in a fight?

A. I didn't notice.

Q. You didn't hear when this first started?

A. No sir; I don't know when it started.

/S/ KING BLACK"

4. A sworn statement of SHIRLEY MAY HAMILTON which reads as follows:

"Q. Tell us what happened that night.

A. As I foresaid, it was Sunday morning between 3:30 and 4 o'clock. I was coming from the back with a tray of glasses and I saw Mitchell and a guy by the name of Schexnayder sitting down at a table. One of them knocked a glass off the table; which one it was I couldn't see. An officer walked up and asked Mitchell to go home. Mitchell fell up against the door and said he wasn't ready to go home. The officer pushed him out of the door and told him to ahead on home. And he started struggling with the man and went on outside. And I walked on up to the front; I didn't see when he got shot. That's all I saw of it.

Q. Did you see Mitchell strike Mr. Lanclos?

A. No I didnt.

Q. Did you see Mr. Lanclos strike Mitchell?

A. No sir.

Q. You saw Mitchell or one of the men knock a glass off the table?

A. I was coming through at the time. All I seen was the glass hit the floor.

Q. Did you know John Mitchell?

A. Yes sir.

Q. Did John Mitchell ever have any trouble at the place before?

A. No, he sure didnt.

Q. Did you know Mr. Lanclos?

A. Yes sir.

Q. Did he ever have any trouble there before?

A. I would see people disturbing the peace and carrying on.

Q. You say you would see people distrubing the peace in the place. Did Mr. Lanclos hit them, brutalize them or shoot them for disturbing the peace?

A. No sir.

Q. Did you ever see Mr. Lanclos hit or strike anyone?

A. No sir.

Q. Did you ever hear Mr. Lanclos questioning anybody in that place as to whether they vote, or live here or don't live here?

A. No sir.

Q. In your observation of Mr. Lanclos as a peace officer in that club, is he courteous to the colored people or is he rough?

A. As far as I can see he tries to be as nice to them as he can.

Q. Did you look at the body after he was shot?

A. Yes.

Q. How long did you remain at the club after the shooting?

A. I stayed there all night, until one o'clock Sunday evening.

Q. Can you estimate the time he was shot until the body was removed?

A. No.

Q. Were you there when the body was removed?

A. Yes, I was standing outside by the door.

Q. You saw both incidents but you don't know long how it was between the time he was shot and the body was removed?

A. I sure don't.

Q. How long have you worked at the Chicken Shack?

A. One week Sunday.

Q. Did you work there when it was known as Jolie Blonde?

A. No.

Q. Prior to the time you were employed, did you visit that place?

A. Very often.

/S/ SHIRLEY MAE HAMILTON"

5. A sworn statement of GARLAND LEWIS which reads as follows:

"Q. Tell us what happened, loud and slow enough to hear.

A. I was in the front, tending the bar. A little waiter in the back she come by and told me that the law had gotten a guy from a table. She said he had carried him aside. I didn't know anything else till King Black come in and told me a man got shot. I say, 'Awe no, you're joking.' He said, 'shore enough, it.' I didn't see any of it. I was getting ready to close the front of the bar. For me seeing anyone get shot, I didn't. It was on the outside. That's all I know about it.

Q. Do you manage the Chicken Shack club?

A. Yes sir.

Q. How long have you been manager?

A. About three and one-half months, since it opened; maybe four.

Q. Did you know John Mitchell?

A. Yes.

Q. Did John Mitchell ever have any trouble in your place before?

A. No sir, not that I know of.

Q. Is Mr. David Lanclos employed by you?

A. Yes sir we hired him.

Q. Has Mr. David Lanclos had any trouble in your place before?

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A. No sir, not that I know of.

Q. Is Mr. David Lanclos employed by you?

A. Yes sir we hired him.

Q. Has Mr. David Lanclos had any trouble in your place before?

A. He never had hurt anyone before since he's been working there.

Q. Has he had occasion to put someone out of the place before?

A. Yes, sir.

Q. Was he courteous or rough to them?

A. I never seen him be rough to anyone since he's been working there.

Q. Did John Mitchell drink in your place that night?

A. I think he drank two bottles of beer, to my knowledge.

Q. Did he appear to be drunk to you?

A. I was very busy and I couldn't tell too much about him. There were a good many at the bar.

Q. Did you hear any conversation whatever between John Mitchell and Mr. Lanclos at the time of the trouble?

A. I did not.

Q. Who is the owner?

A. Mr. Tex Barnett.

Q. Who hired Mr. Lanclos, you or Mr. Barnett?

→ A. Mr. Barnett sent me to hire the law.

Q. Who actually paid him?

A. I pay off there.

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Q. You said he drank two or three bottles of beer?

A. Yes, to my knowledge.

Q. Did you serve him?

A. I think the girl who worked in the front served him.

Q. Who did he pay, you or the girl?

A. He paid me; I work the cash register.

Q. He paid you himself.

A. I don't remember if he paid himself or someone treated him.

Q. And both times he drank you don't know if he paid or someone else?

A. That's right.

Q. You say Mr. Barnett knows Mr. Lanclos is hired by you?

A. Yes sir.

Q. Did he say it was allright for you to take this person?

A. Yes sir.

/s/ GARLAND LEWIS"

6. A sworn statement by DAVID LANCLOS which reads as follows:

"You are David Lanclos?

A. Yes

Q. You tell us what happened slowly.

A. Tell me when you are ready.

Q. Okay.

A. Well the man was in the club. He nearly turned over a table, and spilled some bottles and glasses on the floor. I went to him and caught his arm politely, brought him to the door, and I brought him outside to talk to him. When I got outside, he told me, "Man, you're having yourself a fight". I told him, "Man, you don't want to fight, go home, come see me tomorrow night." He again told me, "Man, you have yourself a fight", and he jumped on me. He

started hitting at me, trying to caught me. I grabbed my glove and started hitting him. I asked him to surrender because he was under arrest. I fought with him as long as I could trying to make him understand and when I saw he was going to overpower me I shot him.

Q. Did he hit you?

A. He hit me on the left side of my head and on the chest.

Q. How long have you been a deputy? Are you on the payroll here?

A. I am not on the payroll here; I am on the payroll at the club.

Q. How could you tell he was going to overpower you?

A. I didn't have any more breathe or strength to fight him off.

Q. Did you have any trouble with him before?

A. No., I didn't know him.

Q. How long have you been working for this club?

A. I couldn't tell you how long; Garland can tell you that. About two months.

Q. How many clubs do you take care of?

A. That was my third one.

Q. How many have you hit?

A. None.

Q. Do you go from one place to another?

A. I work two regularly, when I come there about nine I stay until there are almost no more people.

Q. Did you tell him you would shoot if he didn't stop?

A. I don't remember if I did, but I told him he was under arrest to surrender.

Q. Did he look like he was drinking?

A. He may have been drinking but he wasn't drunk; he knew what he was doing.

Q. Lanclos, I read by your testimony that the man was trying to overpower you. What do you mean by trying to overpower you?

A. He had done got me worn out and was trying to get to my gun.

Q. Did you ever have any trouble with the deceased before?

A. I never have.

Q. Did you know John Mitchell before?

A. I didn't know him; I've seen him once or twice.

Q. Did you know where he lived, if in this parish or another, this state or another?

A. I did not.

Q. Mr. Lanclos, is he, namely Mitchell, the only man you had trouble with at the club.

A. He was not.

Q. What happened after you shot him?

A. He fell. I tried to get somebody to bring him to the hospital.

Q. Was he still living?

A. He was.

Q. Did you get someone to bring him?

A. I got two or three to pick him up; one of them said he was dead; those carrying him dropped him. I knelt down and felt his chest. His heart was still beating. I had them put him in my car and I drove him to the clinic myself. I had two colored boys to come with me.

Q. How long did he stay there from the time I shot him to the time you took him away?

A. Five to ten minutes; I couldn't get nobody to help.

Q. Did you have occasion that night or any other night at that particular club to have to take someone out of the club who was disturbing the peace?

If so, how many did you take out?

A. That same night I made six or seven of them go home.

Q. Did you beat or shoot any of those six or seven?

A. No, I told them to go home and they went.

Q. Did you ever brutalize, hit, beat up or shoot any more at that place at any other time?

A. I didn't.

Q. You say it was five minutes that you got him to the hospital.

A. Five or ten minutes.

Q. Did you see his wife?

A. Yes, I saw his wife; I didn't let her try to lift him up. I didn't want her to pass out. I had somebody take care of her. She thought he was dead.

Q. How far were you from the man?

A. Three or four feet.

Q. What kind of gun did you have.

A. A 38 Colt short.

Q. What time of day was it?

A. Between three and four o'clock in the morning.

Q. You stated you had to back off a step before shooting; was your way clear to back or was some object back of you?

A. There was no object in the back of me.

Q. Did you consider your life in danger at the time you shot?

A. I did.

Q. How many people were around after he was shot?

A. Afterwards, I didn't go back inside.

Q. Were there people on the outside?

A. Four or five.

Q. At the time you shot him how many people were outside?

A. Two or three.

Q. Did he try to take your gun?

A. He did reach for my gun.

/S/ DAVID LANCLOS"

EARNEST A. MCKINNEY, Chief Deputy Clerk of Court, St. Landry Parish, Louisiana, searched his records and advised that he could locate no record of the Oath or Commission of DAVID D. LANCLOS.

The Criminal Index of the Clerk of Court, St. Landry Parish, was searched for the name of JOHN LESTER MITCHELL but no record was located.

*copy
to
Lanclos*

CLAYTON GUILBEAU, Sheriff, St. Landry Parish, Louisiana, advised that subject is not on the payroll of the Sheriff's Office, hence his commission has not been recorded in the office of the Clerk of Court. Sheriff GUILBEAU stated that he deputized subject about one year ago and that the only record of subject's commission is a card that he gave subject and which subject carries on his person. Sheriff GUILBEAU stated that he deputized subject in order that the latter might serve as Keeper of the Peace at several local night clubs which hired and paid subject for his services. Sheriff GUILBEAU showed a blank card which he stated is like the one he executed and gave to subject, along with a badge. This card reads as follows: "State of Louisiana, Parish of St. Landry, Opelousas, La., this is to certify that _____ whose signature and photograph appear hereon is a regularly appointed Deputy Sheriff in and for the Parish of St. Landry, State of Louisiana, and as such he does solemnly swear, that he will support the Constitution and Laws of the United States and Laws of this state, and that he will faithfully and impartially discharge and perform all the duties incumbent on him as a Deputy Sheriff according to the best of his ability and understanding. This Commission expires _____ 194_____ Renewed to _____ 194_____ Renewed to _____ 194_____ Sheriff, St. Landry Parish, La.". On one end of this card is a space for