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INVESTIGATION OF
THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

HEARINGS
Before the President's Commission
on the Assassination
of President Kennedy

PURSUANT TO EXECUTIVE ORDER 11130, an Executive order creating a Commission to ascertain, evaluate, and report upon the facts relating to the assassination of the late President John F. Kennedy and the subsequent violent death of the man charged with the assassination and S.J. RES. 137, 88TH CONGRESS, a concurrent resolution conferring upon the Commission the power to administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas

Volume

XII



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Biographical information on the Commissioners and the staff can be found in the Commission's *Report*.

*Mr. Willens also acted as liaison between the Commission and the Department of Justice.

Preface

The testimony of the following witnesses is contained in volume XII: Charles Batchelor, Jesse E. Curry, J. E. Decker, W. B. Frazier, O. A. Jones, Jack Revill, James Maurice Solomon, M. W. Stevenson, and Cecil E. Talbert, Charles Oliver Arnett, Buford Lee Beaty, Alvin R. Brock, B. H. Combest, Kenneth Hudson Croy, Wilbur Jay Cutchshaw, Napoleon J. Daniels, William J. Harrison, Harold B. Holly, Jr., Harry M. Kriss, Roy Lee Lowery, Frank M. Martin, Billy Joe Maxey, Logan W. Mayo, Louis D. Miller, William J. Newman, Bobby G. Patterson, Rio S. Pierce, James A. Putnam, Willie B. Slack, Don Francis Steele, Roy Eugene Vaughn, James C. Watson, G. E. Worley, and Woodrow Wiggins, Dallas law enforcement officers who were responsible for planning and executing the transfer of Lee Harvey Oswald from the Dallas City Jail to the Dallas County Jail; and Don Ray Archer, Barnard S. Clardy, and Patrick Trevore Dean, who participated in the arrest and questioning of Jack L. Ruby.

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Hearings Before the President's Commission on the Assassination of President Kennedy

TESTIMONY OF ASSISTANT CHIEF CHARLES BATCHELOR

The testimony of Assistant Chief Charles Batchelor was taken at 8:30 p.m., on March 23, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. My name is Burt Griffin. I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Chief Batchelor.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Chief Batchelor, the nature of the inquiry today is to determine what facts you know about the security surrounding the protection of Lee Harvey Oswald and any other pertinent facts that you may know about the general inquiry having to do with the death of President Kennedy.

Chief Batchelor, you have appeared here today by virtue of a general request made by the general counsel of the staff of the President's Commission. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition. But the rules adopted by the Commission also provide that any witness may waive this notice. Do you now waive this notice?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Would you raise your right hand and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Chief BATCHELOR. I do.

Mr. GRIFFIN. Will you state your name for the record?

Chief BATCHELOR. Charles Batchelor.

Mr. GRIFFIN. What is your age?

Chief BATCHELOR. Fifty-eight.

Mr. GRIFFIN. Where do you live, Mr. Batchelor?

Chief BATCHELOR. 1022 Franklin Avenue, Dallas, Tex.

Mr. GRIFFIN. What is your occupation?

Chief BATCHELOR. I am assistant chief of police of the Dallas Police Department.

Mr. GRIFFIN. How long have you been with the Dallas Police Department?

Chief BATCHELOR. Since May 1, 1936.

Mr. GRIFFIN. How long have you been assistant chief?

Chief BATCHELOR. Since January 20, 1960.

Mr. GRIFFIN. Of course you and I have spoken at some length earlier this afternoon. In that conversation, we discussed your activities from the time that you learned that President Kennedy was shot on November 22 until Sat-

urday, November 23, when you first heard something about the movement of Lee Harvey Oswald from the Dallas City Jail to the Dallas County Jail. I believe you told me that sometime on Saturday night you were confronted by some newspaper reporters with respect to the movement of Lee Harvey Oswald?

Chief BATCHELOR. Yes, sir.

Mr. GRIFFIN. Would you tell us, Chief Batchelor, about what time of the night these reporters approached you?

Chief BATCHELOR. This must have been somewhere around 7:30 or 8 o'clock at night.

Mr. GRIFFIN. Where were you?

Chief BATCHELOR. I was in the administrative offices of the police department at headquarters.

Mr. GRIFFIN. That is on the third floor? On the third floor of the police and—

Chief BATCHELOR. Yes, sir.

Mr. GRIFFIN. Were you inside your own office?

Chief BATCHELOR. No; I was out in the outer office of the administrative offices where the secretaries are.

Mr. GRIFFIN. Do you recall how many reporters confronted you?

Chief BATCHELOR. There were two of them.

Mr. GRIFFIN. Do you recall who they were?

Chief BATCHELOR. No; I don't recall who they were now. It was a rather casual request. They asked, or they said, rather, that they were hungry and hadn't had anything to eat and they wanted to go out to dinner, and they didn't want to miss anything if we were going to move the prisoner. And I told them I had no idea when they were going to move the prisoner.

About that time Chief Curry came up and he told them, he said, "Oh, I think if you fellows are back here by 10 o'clock in the morning you won't miss anything."

So they left with that and went to eat.

Mr. GRIFFIN. Were there any other reporters around at that time?

Chief BATCHELOR. No, sir. Then later, just a very few minutes later, Chief Curry decided, well, he might tell the rest of the people out in the hall so they won't be hanging around, because they were apparently doing nothing, just waiting. So he went out and told them that if they would come back by 10 o'clock in the morning, they were not going to move the prisoner in the meantime.

Mr. GRIFFIN. Did you talk with Chief Curry after he first spoke to these two newspaper reporters?

Chief BATCHELOR. You mean with reference to the movement of the prisoner?

Mr. GRIFFIN. Yes.

Chief BATCHELOR. He told me that he didn't know exactly when they would move him, but he thought homicide bureau was about through with questioning him, but he knew that Captain Fritz wanted to question him again in the morning, and that after he had questioned him, why, we would move him.

Mr. GRIFFIN. Where did that conversation take place?

Chief BATCHELOR. In the administrative offices. One thing I think I omitted. From the time that he told these reporters that if they were to come back by 10 o'clock in the morning, he didn't think they would miss anything, he went in and discussed it with Captain Fritz as to how he was progressing with the interrogation and whether or not he thought he would be through with him in the morning.

Mr. GRIFFIN. You mean this was between the time he—

Chief BATCHELOR. Before he went out and announced it to the rest of the press.

Mr. GRIFFIN. About how much time elapsed, would you say, from the time he talked to the two reporters and the time he made the general announcement?

Chief BATCHELOR. Oh, I would estimate maybe 30 minutes; no longer.

Mr. GRIFFIN. Now, in between times, did he talk with you about the movement?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Afterwards, did he talk with you about the proposed movement?

Chief BATCHELOR. You mean the mechanics of moving him?

Mr. GRIFFIN. Anything?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. What was the next thing you learned about the proposed movement of Oswald?

Chief BATCHELOR. I just assumed that we would move him the next morning sometime after 10 o'clock. I didn't know exactly when, and I came down the next morning around 8 o'clock.

Mr. GRIFFIN. Did you learn anything about the movement between the time Chief Curry made the general announcement to the press and the time that you went home that night?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Was there any conversation around the building?

Chief BATCHELOR. Not to my knowledge.

Mr. GRIFFIN. Was there anybody else present from the police department when you talked with the two newspaper reporters?

Chief BATCHELOR. There were some secretaries in the office. This was not addressed to me particularly. They might have overheard it. We were in the office, in the outer office nearest Chief Curry's office at this time, and I believe Mrs. Ann Schreiber was holding down that desk.

Mr. GRIFFIN. What time did you leave the police department on Saturday night or Sunday morning?

Chief BATCHELOR. It was, I believe, on Saturday night, or Sunday morning. It was around midnight. It wasn't quite as late as it was the night before when I left.

Mr. GRIFFIN. So would it be your estimate that about 4 hours elapsed between the chief's press conference and the time you left?

Chief BATCHELOR. I would say maybe not quite that long, but that is not too far off.

Mr. GRIFFIN. Chief, maybe this will help you a little bit to refresh your recollection.

Chief BATCHELOR. I want to take that back. It was earlier than that when I left there on Saturday night. It was quite late on Friday night, but it was around 9:30 when I left Saturday night.

Mr. GRIFFIN. Are you referring to this, correcting this estimate? Are you referring to this report dated November 23d?

Chief BATCHELOR. I think the times in this are fairly accurate.

Mr. GRIFFIN. Chief, I want to hand you what has already been marked for identification as Stevenson Exhibit 5053. Can you identify that?

Chief BATCHELOR. Yes. This was a report signed by myself, Chief Lumpkin, and Chief Stevenson which was the result of a staff résumé made within a few days after Oswald was shot.

It was for the purpose of bringing together the facts and times and elements of events in a chronological order as we all remembered them. Some of the times, particularly with reference to the President's arrival, which had to do with meeting with some Secret Service people and other groups, and some of this we were a little bit hazy on at first and we went back and checked some facts.

As an example, we checked the Baker Hotel schedule on a room that was reserved for a meeting that was held, so we could be sure what time this meeting was, and things of that nature.

Mr. GRIFFIN. I see. The members of the police department held a meeting at the Baker Hotel sometime over the weekend?

Chief BATCHELOR. No. The hostess committee of the city which was hosting the President's arrival and arranging for the luncheon, it was kind of a planning committee, and we were asked, or I was asked to one of these meetings with some of the Secret Service people.

So this was a reference point for some of our thinking when this happened that we could relate some other things.

Mr. GRIFFIN. Now your report indicates that you left Saturday night at 9:30 p.m. Between the time that Chief Curry made his announcement to the

press and you left at 9:30 p.m., were you confronted by any other newspaper people about the movement of Oswald?

Chief BATCHELOR. No, sir. As a matter of fact, we left not too long after this because after this announcement was made, the press began to leave themselves. The third floor became fairly quiet and there wasn't anybody up there to speak of and it just died out.

Mr. GRIFFIN. Were you confronted by anybody after the chief made his announcement with respect to Oswald?

Chief BATCHELOR. No, sir; not that I recall.

Mr. GRIFFIN. Do you recall how you arrived at the time at 9:30, stated in the report? Was that based on your records?

Chief BATCHELOR. That was fresh in my mind when we wrote this report.

Mr. GRIFFIN. Now, who was left in charge of the police department that night after you left at 9:30?

Chief BATCHELOR. We have a night chief who comes on at 5 o'clock in the afternoon and he works until 2 in the morning.

Mr. GRIFFIN. Do you recall who it was that night?

Chief BATCHELOR. Well, there is only one. It would have been Chief Jack Tanner.

Mr. GRIFFIN. Who would then replace him at 2 o'clock in the morning?

Chief BATCHELOR. No one. There is a, well, I say no one. There is an inspector also who works around the clock. I don't recall which inspector was on duty that night, but there is an inspector on duty at night around the clock.

Mr. GRIFFIN. I notice—if you want to refer to your report on page 29, the report indicates that you received a telephone call at your home about 6:30 in the morning from Captain Talbert. Can you tell us what that call was about?

Chief BATCHELOR. Yes, sir. He called and informed me that he had gotten a call, and he didn't tell me at the time where he got it; he said an anonymous call.

Later I learned it came from the FBI, and they in turn had called him. That about a hundred men were going to take the prisoner Oswald and they didn't want to get any policeman hurt. So I told him to send a squad with Chief Curry's house and inform him about it. And at that moment we weren't concerned about him in the jail. We were concerned about him in the transfer.

Mr. GRIFFIN. Why did Talbert call you rather than some other member of the police department?

Chief BATCHELOR. He tried to call Chief Curry and he couldn't get him to answer his phone. I guess he was dog-tired and he couldn't get him up. And I told him to send a squad car by and tell him.

Mr. GRIFFIN. I see. Did you have any discussion with him at that point who had responsibility to make this decision? Did you feel you had the responsibility to give instructions on the basis of having received this report that some men were going to try to go after Oswald? Did you feel you had any responsibility to take any protective action?

Chief BATCHELOR. At that moment?

Mr. GRIFFIN. Yes.

Chief BATCHELOR. No. The way it came to me, it was my feeling that this was to happen when we attempted to transfer him, not to come up to the jail and get him.

Mr. GRIFFIN. What did you do after you received that phone call?

Chief BATCHELOR. I got up and dressed to come down to the office.

Mr. GRIFFIN. What time did you arrive down at the office?

Chief BATCHELOR. About 8 o'clock.

Mr. GRIFFIN. What did you do when you got to the office?

Chief BATCHELOR. Chief Stevenson and I got there about the same time. I parked my car in the basement and we walked into the city hall or into the police station, and we noticed a television camera set up in the areaway leading into the garage.

I made the comment that they would have to do something about the television camera because it was right in the path where they would bring the prisoner out. There was no one around the camera. It was just sitting there.

Mr. GRIFFIN. I want to hand you here, chief, a diagram of the inside of the basement garage area. Do you have a pencil or anything that you can mark with?

Chief BATCHELOR. Yes. The camera—can I mark here?

Mr. GRIFFIN. Yes.

Chief BATCHELOR. The camera was sitting right here.

Mr. GRIFFIN. Would you put a "C" there so we know it is a camera.

Chief BATCHELOR. [Complies.]

Mr. GRIFFIN. Now, what television station had this camera there?

Chief BATCHELOR. It was KRLD.

Mr. GRIFFIN. What makes you think it was KRLD?

Chief BATCHELOR. I just seem to recall that in my mind the letters on the side of the camera. I could be wrong. It could have been a WBAP camera.

Mr. GRIFFIN. Was the camera manned?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Were there any other people in the basement area at that time?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Who was it that you instructed to move the camera?

Chief BATCHELOR. I didn't instruct anybody at that moment. We merely commented it was going to be moved, but instructed it to be moved later when we came back down.

Mr. GRIFFIN. Now, what did you do after you passed the camera?

Chief BATCHELOR. Went up to the office.

Mr. GRIFFIN. How did you go?

Chief BATCHELOR. Went through the basement and into the elevator and went up.

Mr. GRIFFIN. You went up to the third floor?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. To your office. Do you remember what conversation you had with Chief Stevenson along the way?

Chief BATCHELOR. Well, we were commenting about that camera and that they were going to have to move it, and we were going to have to man that basement. But at the moment, plans hadn't jelled as to when we would move him. Actually, back in our minds, I suppose, was the idea that when the time came, that the sheriff's department would probably move him, because this is customary in moving a prisoner. They normally come down and get the prisoner.

Mr. GRIFFIN. Did you discuss with Chief Stevenson anywhere along the way upstairs this phone call which you received from Mr. Talbert earlier in the morning?

Chief BATCHELOR. Yes; I think I mentioned that to him.

Mr. GRIFFIN. Do you remember anything about that conversation?

Chief BATCHELOR. Not anything especially.

Mr. GRIFFIN. Do you recall whether he knew or Stevenson knew at the time you saw him down in the basement that there had been such a threat?

Chief BATCHELOR. I believe he did. I think someone from one of his bureaus had called him, if I remember right. It was rather common knowledge that a call like that had been received.

Mr. GRIFFIN. As you walked to the elevator in the basement, do you recall whether or not there were any people in the basement?

Chief BATCHELOR. No; I don't remember anybody except those people in the jail office.

Mr. GRIFFIN. The people in the jail office were employees of the jail?

Chief BATCHELOR. They were the jail crew that stay on all night long; yes. Not the all night. These would have been the morning shift just come on.

Mr. GRIFFIN. At what time did that morning shift come on?

Chief BATCHELOR. At 7 o'clock.

Mr. GRIFFIN. Chief, would you take this diagram and mark on there the time that you believe you saw that camera?

Chief BATCHELOR. [Marks.]

Mr. GRIFFIN. I am marking this, "Dallas, Tex., Chief Batchelor, March 23, 1964, Deposition Exhibit No. 5000."

As you walked into the building and went up to the third floor, did you see anybody in the garage area or along the ramp or near the record room other than police department employees?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Now, what happened when you got up to the third floor? What did you do?

Chief BATCHELOR. I went to my office. I don't remember exactly what I did. Chief Curry came in very shortly after that, and I went into this office and we started discussing the possibility of moving the prisoner.

Mr. GRIFFIN. Now will you try to remember who else was in the office with Chief Curry when you walked in?

Chief BATCHELOR. No one.

Mr. GRIFFIN. Did anybody come in after you?

Chief BATCHELOR. Stevenson came in a little bit later.

Mr. GRIFFIN. How much later, would you say?

Chief BATCHELOR. Oh, 2 or 3 minutes later, if I remember.

Mr. GRIFFIN. Did anybody else come in after that during this conversation?

Chief BATCHELOR. I don't recall that they did. I don't believe there was.

Mr. GRIFFIN. Did Chief Lunday come in?

Chief BATCHELOR. No. Chief Lunday didn't come down until later in the morning, I believe.

Mr. GRIFFIN. Did Captain Talbert join you?

Chief BATCHELOR. No.

Mr. GRIFFIN. Was Captain Talbert still on duty when you arrived at the police department?

Chief BATCHELOR. Captain Talbert was on duty that morning. He came on at 7 o'clock.

Mr. GRIFFIN. Talbert came on at 7, but as I understand it, Talbert called you at your home about 6:30. How did that happen?

Chief BATCHELOR. Well, he is a platoon commander, and a platoon commander comes down early before the rest of the men to get his detail, and he had gotten this information from the night commander. The information came into them before they came on duty, and someone had tried to call Chief Curry. When they came down, they told me about it and I called them and I told them to send a squad by and wake Chief Curry up and tell him.

Mr. GRIFFIN. What platoon was Talbert in charge of?

Chief BATCHELOR. The second platoon that month.

Mr. GRIFFIN. By "platoon," what do you mean?

Chief BATCHELOR. The first platoon is the night platoon that comes on theoretically at midnight. It actually comes on at 11 o'clock the preceding day and it goes to 7 o'clock the next morning.

Mr. GRIFFIN. What area does a platoon man?

Chief BATCHELOR. It mans the city. This is a uniform platoon. We have three substations and they change the same way. The substations are under the platoon commander, and each of the substations has a lieutenant in charge of the substation who accounts to the platoon commander, who is a captain.

Mr. GRIFFIN. Tell me if my understanding is right, that Talbert at this point had operational responsibility for all the men throughout the city?

Chief BATCHELOR. That's right.

Mr. GRIFFIN. Sort of like the executive officer on a ship or something?

Chief BATCHELOR. That's right.

Mr. GRIFFIN. Tell us what your conversation was with Chief Curry up in his office when you first went in?

Chief BATCHELOR. I asked him, I believe, if he had called Sheriff Decker.

Mr. GRIFFIN. What did he say?

Chief BATCHELOR. He said, no, he hadn't, but he was fixing to do that. And he did do it. He picked up the phone and called Sheriff Decker.

This was—I got down around 9 o'clock—I mean around 8 o'clock, correction—and it must have been somewhere around 8:30 or 8:45 when he called Decker.

Mr. GRIFFIN. How long did you talk with him before he called Sheriff Decker?

Chief BATCHELOR. Just a few minutes. He called Sheriff Decker, and Decker

said—and I was hearing only one side of the conversation, but I gathered that Decker had told him he thought he was going to move the prisoner. Curry said, "Well, if you want us to, we will." So he said, "I think you've got more manpower than we have. You move him if you will."

Then we had discussed this threat that had been received and——

Mr. GRIFFIN. You and——

Chief BATCHELOR. Curry.

Mr. GRIFFIN. Did Curry mention the threat to Decker in the telephone conversation?

Chief BATCHELOR. I just don't remember whether he did or not. I would think reasonably that he did, but I don't remember.

Mr. GRIFFIN. When Chief Curry talked with Decker, did he make any mention of what time Oswald would be moved?

Chief BATCHELOR. He didn't set any definite time. He told him that Captain Fritz wanted to question Oswald again that morning, and that when he got through, they would be ready to move him, and he thought this would be sometime after 10 o'clock.

Mr. GRIFFIN. Had Fritz begun to question Oswald when Curry was on the telephone with Decker?

Chief BATCHELOR. I really don't know. Shortly after we made the decision, Curry went back to the office and they were questioning him.

Mr. GRIFFIN. Now, when Curry and Decker talked on the telephone on this occasion, did Curry say anything about how Oswald would be moved?

Chief BATCHELOR. Well, I think he called him back later and told him how after we had talked, because we hadn't made the decision to use an armored car to move him, armored truck, until after we had determined that he wasn't going to move him and it was going to be our job. Then we decided to discuss the armored car.

Mr. GRIFFIN. Did Chief Curry have any discussion with Decker in this first telephone conversation about the route that would be followed in moving Oswald?

Chief BATCHELOR. I don't think so, because I am sure we didn't know at that moment just exactly what we would do. He went back and talked to Fritz about the advisability of this later, and we discussed it, and Stevenson came up and discussed it, and our plan was to take him down Elm Street originally. We would go out of the basement to Commerce, Commerce to Central Expressway, north on Central to Elm, and then west on Elm to Houston, and then go back east to the jail entrance door of the county jail and come in. This was our original plan.

Mr. GRIFFIN. In this first telephone conversation with Decker was Stevenson present in Curry's office?

Chief BATCHELOR. I don't believe he was. I know he wasn't when we started. He may have walked in there while I was talking to him, but I believe Curry and I was the only ones present.

Mr. GRIFFIN. When Curry finished talking with Decker and he hung up the phone, did he say anything to you?

Chief BATCHELOR. Yes; he said obviously Decker wants us to move him.

Mr. GRIFFIN. What did you say?

Chief BATCHELOR. I said we'd better start making some arrangements then. And he said, "What do you think about getting an armored car, an armored truck?"

And I said, "I think I know where I can get one."

Mr. GRIFFIN. Where was that?

Chief BATCHELOR. This was from the Armored Motor Car Service.

Mr. GRIFFIN. Where is that located?

Chief BATCHELOR. It is on—what is the name of that street?

Mr. GRIFFIN. In the downtown area?

Chief BATCHELOR. It just borders on the downtown area. It is off of Ross Avenue.

Mr. GRIFFIN. North or south?

Chief BATCHELOR. It is north of Ross Avenue. I should think of the name of the street. It is an old street here, but I just can't think of it offhand.

Mr. GRIFFIN. What is the name of the armored car company again?

Chief BATCHELOR. Armored Motor Car Service. It is actually a Fort Worth company who services both Dallas and Fort Worth, and they have an office here, too.

Mr. GRIFFIN. Go ahead.

Chief BATCHELOR. After this, I told him that I thought I could get one. I then went to the city directory to see who was in charge here, where I might get ahold of his phone number. And I called the vice president at his home. This was on Sunday morning. It was before he had gone to church. It must have been somewhere around 9 o'clock.

Mr. GRIFFIN. Can you give us the name of the vice president?

Chief BATCHELOR. It was Mr. Fleming. Mr. Fleming was the vice president, and I talked to him at his home, and he told me that he would be glad to furnish us one. As a matter of fact, he had two trucks which we could take our choice. One was a small truck, but would accommodate only one passenger in the back. The other one was what they call an overland truck, and it had seats on either side in the back and would accommodate several people.

And I said, "I don't know whether this will go down to the basement or not." But I asked him how tall it was and he said he didn't know, but he would have it measured and let me know. And I told him that I would find out what the height of the ramp was. We have a low place in the ramp as you go down at the bottom of the ramp, and it is only 7 feet 5 inches tall at that point, so I found out what that height was, and I called him back.

Mr. GRIFFIN. Now at the time you first talked with Mr. Fleming, did you indicate to him what time you would need the armored vehicle?

Chief BATCHELOR. Yes; I told him sometime around 10 or a little after. And he said he would get there as quickly as possible. He had to call a crew down to man the truck. And Mr. Hall, who is their Dallas representative here, brought the truck down with another driver driving the small one.

Mr. GRIFFIN. When was the truck brought down?

Chief BATCHELOR. It was brought down—probably it wasn't at 10 o'clock, because they didn't get there that early. It must have been closer to 11 o'clock when they finally got down there with it.

Mr. GRIFFIN. Did you say anything else to Mr. Fleming during this first telephone conversation? Did you tell him anything about the route?

Chief BATCHELOR. I don't believe that I told him the route we were going to take, no. I know I didn't tell him.

Mr. GRIFFIN. While you were on the telephone with Mr. Fleming, where was Chief Curry, if you know?

Chief BATCHELOR. He was in his office. I called Mr. Fleming from my office. I left his office and went into my office and called him.

Mr. GRIFFIN. How about Chief Stevenson, where was he?

Chief BATCHELOR. He was either in his office or in Chief Curry's office with him. We were all together.

Mr. GRIFFIN. At the time that Curry got off the first telephone call with Decker, was there anything that Stevenson was supposed to do?

Chief BATCHELOR. Well, he and I both, under Chief Curry's instructions, he said you'd better go downstairs and see what manpower you will need to cover that basement down there. One other thing, Chief Lumpkin had come in and he was the man I asked to find out for me how tall that ramp was down there, what the clearance was.

Mr. GRIFFIN. Now, did Lumpkin go down there before or after you called Fleming?

Chief BATCHELOR. I think he went down there. He called somebody down that knew how tall it was, but that was after I talked to Fleming the first time.

Mr. GRIFFIN. Does your office, Chief, maintain any records of outgoing telephone calls?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. At the time that you were talking to Fleming, between the time that the chief talked with Decker and you talked with Fleming, would there have been any occasion for a dispatcher to make any particular communication to the people in the field as a result of the conversation with Decker?

Chief BATCHELOR. No, sir. As a matter of fact, nobody knew this. I mean, except the few people on the staff.

Mr. GRIFFIN. I realize that nobody would have known about the particular contents of the conversation, but what I am getting at is, is there any reason that somebody might have said at this point he knew you were going to have to make a move, you'd better dispatch the men in? You'd better send out a general call to bring in more men?

Chief BATCHELOR. This would have been handled in a telephone conversation with the dispatcher, yet nobody would know the real reason for it. Talbert did have some men called in. He did have some men called in.

Mr. GRIFFIN. How did Talbert come to make this call in relation to the conversation?

Chief BATCHELOR. I don't know, unless he was anticipating. Well, I don't know how to say it. It had gotten on the radio and in the newspapers and everywhere else that this was going to be at 10 o'clock, I presume, because there was people all up and down the street, across the street from the city hall on Commerce waiting for this thing to happen.

Mr. GRIFFIN. Were they waiting there when you came in at 8 o'clock?

Chief BATCHELOR. Oh, there wasn't anybody there that early, but they were down there around 10 o'clock.

Mr. GRIFFIN. Can you think of anything that might have happened in the ordinary course of things after Decker and Curry talked, that would have been recorded in the police department?

Chief BATCHELOR. About the movement of the prisoner?

Mr. GRIFFIN. No. I am particularly referring to the movement of the prisoner, but I am thinking of something that might pinpoint the time in which this conversation with Decker occurred, that Curry might have said at this point, "All right, Stevenson, bring in so many men," and Stevenson would have told the dispatcher to send out a call, and nobody would have known the purpose of the call, but it would fix a time?

Chief BATCHELOR. Stevenson went back after we determined we were going to have to secure the basement and move the prisoner. He went back to his bureau and had them send some men down there, some detectives.

He didn't have to call them from the field. He had them back there.

Talbert sent out and got some men, and I don't know whose direction he did that on, but we went down there to see what manpower we would need. And when we got there, he had them there, and where he got this information, I don't know.

Mr. GRIFFIN. Now after you talked with Fleming the first time, what did you do? After you finished that telephone conversation?

Chief BATCHELOR. We went downstairs and that is when we had instructed them—it was Wiggins, I believe, in the jail office, to get that camera out of there. And we instructed them—Curry went down with us, too, and there were two cars sitting across from the jail exit door. They were sitting in these places right here.

Mr. GRIFFIN. You want to take a pen and mark?

Chief BATCHELOR. And we had these cars moved [marking on exhibit].

Mr. GRIFFIN. What time of the morning would you estimate that was?

Chief BATCHELOR. This must have been about 9:30 or 9:15, somewhere along in there.

Mr. GRIFFIN. You want to mark what you think the approximate time was in between the two cars where you marked?

Chief BATCHELOR. [Indicates time.]

Mr. GRIFFIN. Were there any other cars in the basement area at that time?

Chief BATCHELOR. Yes; there was several other cars. Chief Curry's car was over here, and mine was over here.

Mr. GRIFFIN. That is in the chief's normal parking place?

Chief BATCHELOR. These all are our normal spaces.

Mr. GRIFFIN. You want to mark those in there?

Chief BATCHELOR. [Marks.]

Mine is over here, and I don't know whether Chief Fisher was in there or not. I don't remember his.

Mr. GRIFFIN. You want to put the time in between those two also?

Chief BATCHELOR. [Marks time.]

Mr. GRIFFIN. What time they were parked in there, the time that you are talking about right now that you saw them there. That is the same time that was on the other cars?

Chief BATCHELOR. They were there all morning. They were parked there and they stayed there up until we moved them.

Mr. GRIFFIN. So they were there at 9:15 to 9:30?

Chief BATCHELOR. [Marks on chart.]

Mr. GRIFFIN. Were there other cars in the basement area?

Chief BATCHELOR. Yes, there were others. I don't recall just exactly. It wasn't full. It was a Sunday, and Chief Stevenson's car was parked over here somewhere, and Chief Lunday's, Lumpkin's car was parked here.

Mr. GRIFFIN. Was there general traffic of police cars in and out of the garage?

Chief BATCHELOR. There would have been. However, on Sunday morning, that time of day there is very little traffic in and out of there. It is one of the quietest times. There were two or three other cars parked in here.

Mr. GRIFFIN. When you went down to the basement at that time, were there news people in the basement?

Chief BATCHELOR. Yes, sir. When we went down in there the next time, there was some cameras setting up here that had just been rolled in. They weren't operative.

Mr. GRIFFIN. Let's focus on this trip that you took downstairs with, was it Stevenson?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. At 9:15 or 9:30. What is your best estimate of the number of news people that were down there?

Chief BATCHELOR. I don't know. I can tell you a better estimate when we finally went down there.

Mr. GRIFFIN. Was it crowded or sparsely crowded?

Chief BATCHELOR. It wasn't crowded; no. There wasn't any big congregation. There may be two or three people from—some television people standing around there, trying to get set up, and they had some cables and stuff in there, and the best I remember, we told them they were going to have to move those cables out of there. And we instructed Lieutenant Wiggins to move these two vehicles out.

Mr. GRIFFIN. Those were the two that are on the Main Street side of the entrance into the garage area?

Chief BATCHELOR. Yes, north side. And that we were going to have this for the news media to stand behind the rail.

Mr. GRIFFIN. Right where the two cars were that you wanted to be moved?

Chief BATCHELOR. Yes; and we instructed the television people that they would have to put their cameras on this side of the driveway.

Mr. GRIFFIN. Did you talk to any newspeople yourself?

Chief BATCHELOR. I didn't myself. I was present there. I don't remember exactly who directed, whether it was Chief Curry or Stevenson or myself, but I mean it was three of us standing there, and we all agreed that this needed to be done, and one of us told them.

Mr. GRIFFIN. Now this first trip down to the basement, what did you do besides direct that the two cars on either side of the garage entrance be moved, and that the camera be moved back there?

Chief BATCHELOR. We went over in here, and there were some detectives around in here.

Mr. GRIFFIN. Now can you indicate in words what you are referring to on the map?

Chief BATCHELOR. They were along in here. There was a man over here by this elevator.

Mr. GRIFFIN. This is—

Chief BATCHELOR. City hall elevator.

Mr. GRIFFIN. The first place that you referred to was the entrance way in the garage. Were some people congregated there, and was there a man at the No. 1 or No. 2 elevator?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Do you know who he was?

Chief BATCHELOR. No; I didn't pay any attention to who he was. It was a uniformed man standing over there. I later learned this was a reserve that was over there, but I didn't pay any attention.

Mr. GRIFFIN. The uniformed man was a reserve officer?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Who did you later learn that from?

Chief BATCHELOR. In the course of the investigation later.

Mr. GRIFFIN. I see. Some days after Oswald was shot?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Now after going over near the elevator where the uniformed reserve officer was, what did you do next?

Chief BATCHELOR. Well, we went back upstairs. And Stevenson had gone at this time. We went down this first time to see the layout, and there wasn't too many here. We went back upstairs, and Chief Stevenson sent some detectives down, and brought his uniformed men in. I came down the last time, was just before the removal of the prisoner, and in the meantime I had contacted Mr. Fleming about the armored motor car.

Mr. GRIFFIN. You came down three times?

Chief BATCHELOR. I went up once, and then Stevenson and I came down and looked this thing over, and then down with Curry, and then the last time.

Mr. GRIFFIN. On the first occasion when you were down there, you say you saw this uniformed reserve officer. Did you later learn what his name was?

Chief BATCHELOR. I don't remember it. It is in the report.

Mr. GRIFFIN. Would you mark with an "X" on the map where that reserve officer was standing and the approximate time?

Chief BATCHELOR (marking). He was standing over here.

Mr. GRIFFIN. Let the record indicate that he has marked it with a circle. This is again somewhere around 9:15 or 9:30?

Chief BATCHELOR. Somewhere along there.

Mr. GRIFFIN. Did you learn in the course of your investigation his name?

Chief BATCHELOR. I don't recall his name.

Mr. GRIFFIN. Would that appear anywhere in the report, do you think?

Chief BATCHELOR. Not in that report. It would appear in the reports that were made by Captain Jones in the course of investigating who was where. You have a diagram similar to this with everybody marked on it, and he is on one of those.

Mr. GRIFFIN. Had he been stationed there by somebody?

Chief BATCHELOR. Yes; now I could be mistaken about the exact time I saw him there. That is, whether it was this trip or the trip before. I could be mistaken about it, but I do remember seeing him here when we came down.

Mr. GRIFFIN. Excuse me, do you want to mark the map then what the alternate time might be? You might write whatever time you think it was.

Chief BATCHELOR (marking). He was there before then, but I am talking about when I may have seen him there.

Mr. GRIFFIN. Now, Chief, after you left the basement area on this first trip, where did you go?

Chief BATCHELOR. We went back upstairs to the office.

Mr. GRIFFIN. Did Chief Stevenson go back up with you?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. When you got back up on the third floor, were there news media personnel on the third floor?

Chief BATCHELOR. There were some up there.

Mr. GRIFFIN. I take it, it was not what you consider a crowded condition.

Chief BATCHELOR. No.

Mr. GRIFFIN. Were there television cameras still there?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. When you arrived at 8 o'clock in the morning, were there TV cameras up there?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Were the TV cameras manned at 8 o'clock in the morning?

Chief BATCHELOR. Yes; the best I remember, they were.

Mr. GRIFFIN. Do you recall what TV stations had cameras up there at that time?

Chief BATCHELOR. It was KRLD and WFAA, if I remember right. And I could be mistaken about the WFAA. It could have been WBAP.

Mr. GRIFFIN. How do you happen to remember KRLD?

Chief BATCHELOR. They were the first ones in there and they had their truck parked outside. And also, I am pretty sure it was WFAA, because WFAA had a truck parked on the Harwood Street side.

Mr. GRIFFIN. Were you able to tell at 8 o'clock in the morning if they were shooting footage?

Chief BATCHELOR. I couldn't tell. All the time that I remember, they had these little viewers in the back of the thing and you could see through them and see what was going on through them, look through the camera. Whether they were shooting footage, there wasn't anything to shoot that morning. It was pretty quiet.

Mr. GRIFFIN. Now, the second trip when you came back upstairs after your first trip downstairs, where did you go?

Chief BATCHELOR. After the first trip, I came back up to again get in touch with Mr. Stevenson and tell him.

Mr. GRIFFIN. Fleming?

Chief BATCHELOR. Fleming, I mean, and tell him what the height of that thing was. Then he told me, well, I will just send both trucks down there and you can take the one you want.

Mr. GRIFFIN. This second phone call, was Mr. Fleming at home?

Chief BATCHELOR. Yes, sir.

Mr. GRIFFIN. Do you know whether Fleming had been contacted by anyone in your office or Decker's office or anybody else prior to your first phone call to him?

Chief BATCHELOR. I would think not. He couldn't, because this was his first knowledge of it.

Mr. GRIFFIN. Could you tell us what else you said to him? What else this conversation involved?

Chief BATCHELOR. I don't recall saying anything other than expressing our appreciation for his help. And he said he would send both of the trucks down. I told him how to bring the trucks. I told him to bring them east on Harwood—I mean on Commerce Street, and that we would back it down the ramp so that we would be leaving the ramp in the right direction when they pulled out.

Mr. GRIFFIN. Up to the time that you had this second conversation with Fleming, had you discussed with anybody the route by which you would take Oswald to the county jail?

Chief BATCHELOR. Nobody but Chief Curry, that I recall, and probably Chief Stevenson. As a matter of fact, this route that they were to take was worked out more between Stevenson and Curry and Fritz than it was with me. My primary job here was to get the truck and get the cars placed, and it was decided that Chief Curry would lead the car down there, followed by a car of detectives, and then the armored car, and then followed by another car of detectives, and then followed by Stevenson and I in a rear car.

Mr. GRIFFIN. This planned route of the movement was to go from Commerce to Central Expressway, left to Elm Street, then down Elm Street?

Chief BATCHELOR. To Houston; yes, sir.

Mr. GRIFFIN. Now as a result of that decision, were any cars or officers called in from the field?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Who?

Chief BATCHELOR. Talbert called his officers in. He had called and scattered them up. And then there was some discussion about taking it down Main Street, and I am not too sure where I got this information, but anyway, he sent a sergeant and moved those officers over a block to Main Street.

Mr. GRIFFIN. Why was the route changed?

Chief BATCHELOR. Well, I don't know. The route was changed without my knowing it, really. When they decided to take Oswald in an automobile instead of the armored car.

Mr. GRIFFIN. Who participated in that decision?

Chief BATCHELOR. Chief Curry, Chief Stevenson, Captain Fritz, I believe—I was not in there when it was discussed.

Mr. GRIFFIN. After you talked to Fleming the second time what did you do?

Chief BATCHELOR. Then he said he would send them over, and we went down there to get the cars lined up. This must have been, oh, probably 10:45, 10:30 to 10:45. I went downstairs and I saw the basement well covered. We had a man at the top of the ramp on Main Street. We had several men in the basement leading into the garage area just before you get to the jail office, and I went through there, and Stevenson was with me.

Mr. GRIFFIN. Let me interrupt you here, Chief. I think I will pull out another map so that we can mark it. I am going to mark this map, for the purpose of identification, "Dallas, Tex., Chief Batchelor, March 23, 1964, Deposition Exhibit 5001." Now I want you to use this exhibit, Chief, to indicate what you saw on this second trip downstairs, which you indicated would be what time?

Chief BATCHELOR. I came out of the elevator into the basement and saw a number of officers across this area right here. There were several detectives.

Mr. GRIFFIN. Would you mark that with "X's"?

Chief BATCHELOR. [Marking.] Detective there. We walked through here. We noticed these cameras had been moved out.

Mr. GRIFFIN. You are talking about the passageway past the jail office?

Chief BATCHELOR. Past this jail office here. I noticed that inside the jail office there were three or four photographers inside the jail office.

Mr. GRIFFIN. At that point, you were at the jail office door nearest to the ramp driveway, and you looked in that door and you saw some news people?

Chief BATCHELOR. Yes; photographers.

Mr. GRIFFIN. Did you recognize any of them?

Chief BATCHELOR. I don't recall them. We went in there and moved them out. We went and instructed the jail supervisor that there was to be no one in that jail office except officers.

Mr. GRIFFIN. Who was the supervisor?

Chief BATCHELOR. Lieutenant Wiggins. And we moved them out and we instructed the reporters, and there were a number of them down there at that time, by no means all of them, that—later there were, but there was a good many—we told them they would have to stand back over here.

Mr. GRIFFIN. That is against the railing?

Chief BATCHELOR. Along the railing. And they had set up two TV cameras behind this railing.

Mr. GRIFFIN. Would you mark with an "S," where the two cameras were set up?

Chief BATCHELOR. [Marking.] Then there was another one right here.

Mr. GRIFFIN. Was that third camera there when you came down at 10:45?

Chief BATCHELOR. I don't think so. That was the one sitting over there. These were the two sitting out here.

Mr. GRIFFIN. Now the two cameras that you placed there had been originally near the record room?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. When did you see them near the record room? When you came in in the morning?

Chief BATCHELOR. No. That trip down after we came down.

Mr. GRIFFIN. Would you take Exhibit 5000, and would you mark those two TV cameras that you saw on the first trip?

Chief BATCHELOR. [Marks.]

Mr. GRIFFIN. I believe you said that that time was 9:15?

Chief BATCHELOR. Yes; now they had been moved here.

Mr. GRIFFIN. Behind the railing?

Chief BATCHELOR. Behind the railing, and this was one sitting here. That was dead.

Mr. GRIFFIN. You are marking in the entrance to the garage off the Main Street ramp?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. That camera that you are marking there in the garage?

Chief BATCHELOR. Not operating.

Mr. GRIFFIN. By that, do you mean that the——

Chief BATCHELOR. It wasn't hooked up.

Mr. GRIFFIN. But the other two cameras which you have marked behind the railing, were they taking shots when you walked down?

Chief BATCHELOR. No; I don't know that they were at that time. They didn't have any lights on, no floodlights on, and they had been told to keep their floodlights off. They didn't turn them on.

Mr. GRIFFIN. Prior to the time that you came down on the second trip at about 10:45, did you discuss with anybody up on the third floor where you wanted these TV people placed and what you wanted done with the lights?

Chief BATCHELOR. We told the men down here, and we told the reporters down here, just kind of announced to them.

Mr. GRIFFIN. As you walked down?

Chief BATCHELOR. Yes. Some of them—one of the supervisors came in and said they couldn't get them all along here and wanted to know if it would be all right to put them along here?

Mr. GRIFFIN. You are indicating at the bottom of the Main Street ramp?

Chief BATCHELOR. Main Street entrance ramp.

Mr. GRIFFIN. Between the railing and jail office?

Chief BATCHELOR. And the wall.

Mr. GRIFFIN. Yes. They wanted to put their cameras there?

Chief BATCHELOR. No; it wasn't cameras. They just wanted to stand there.

Mr. GRIFFIN. What did you tell them?

Chief BATCHELOR. Since we couldn't get them in there, he told them if they would stay back, they could stay there. And there were some officers that were stationed along there to hold them back.

Mr. GRIFFIN. But your original hope was that all of the news media people could be in the entrance to the garage?

Chief BATCHELOR. And they were scattered along here, too. Scattered along the entrance into the garage itself and along here, but some of them, there just wasn't room for them, and some got across here.

Mr. GRIFFIN. How long did you remain downstairs on this second trip?

Chief BATCHELOR. I don't think this is the second trip. I think, well, I guess it is. But I came down here, and Stevenson and I looked this thing over.

Mr. GRIFFIN. You are going to have to indicate in words.

Chief BATCHELOR. We looked over the basement to see that the security was in order. I noticed an officer at the Main Street ramp.

We walked up the Commerce Street ramp and noticed a crowd of people across Commerce Street, and was told by one of the supervisors that they were keeping them across there, and that they allowed no one on the side next to the police station of the city hall except officers. And the only people over here were either reservists or regular officers. They had officers across the street. Chief Lunday told me they had officers down at the courthouse across from the jail entrance. Was keeping that crowd back there.

Mr. GRIFFIN. Now as you looked along the sidewalk on the north side of Commerce Street, from the Commerce Street ramp to Pearl—from the Commerce Street ramp to Pearl Expressway—in other words, in the direction of the municipal building, could you see how the police officers were spaced, and how many officers were along the north side of Commerce Street?

Chief BATCHELOR. Well, it is a good ways to Pearl, and the crowd didn't extend anywhere near down to Pearl Street. It was mostly just across from the building up to Harwood Street rather than Pearl. There weren't that many people there. It wasn't like a parade. I guess there were, oh, a couple of hundred people across there, perhaps.

Mr. GRIFFIN. Do you know whether or not there was a police officer at the corner of Pearl and Commerce?

Chief BATCHELOR. I don't know. I don't remember whether there was or not. I'm sure there must have been one stationed there.

Mr. GRIFFIN. When you walked out on the sidewalk and were talking about this 10:45 trip down to the basement, what did you do?

Chief BATCHELOR. I turned around and walked back in there. They had parked Chief CURRY's car out east of the Commerce Street ramp on the street, double parked, parallel to some parked cars that were already there. Then I drove my car out of the basement and parked it west of the Commerce Street ramp exit, and I double parked it also right behind his, the intention being that when this convoy came out, that he would lead off and I would drop in behind Chief CURRY with Chief STEVENSON.

Mr. GRIFFIN. Would you mark on the map where Chief CURRY's car was and where your car was placed on Commerce Street?

Chief BATCHELOR. This confuses me a little here. There is not any offset.

Mr. GRIFFIN. Unfortunately, this black line that confuses you represents a basement wall. It doesn't represent the street.

Chief BATCHELOR. [Marks on map.]

Mr. GRIFFIN. What did you do after you moved your car out on Commerce Street?

Chief BATCHELOR. Shortly after that just within a few minutes these armored cars arrived.

Mr. GRIFFIN. Where were you standing when the armored cars arrived?

Chief BATCHELOR. I was in the basement, but somebody told me down there, shouted that these armored cars had arrived, so I came up again out of the ramp to look at the two cars to see which one we wanted. I looked in the inside of the larger armored car and decided that this one is the one we would have to use because it had room not only for the prisoner, but two guards to be placed in there with him.

And this one—Mr. HALL, I believe is his name—I think it is Mr. HALL that drove the truck up there. And this truck was too large or too tall to drive clear to the foot of the basement ramp. It wouldn't clear this ceiling at that point, so I asked Mr. HALL to back it in, and he started backing it in, and he got the truck inside of the ramp with all of the body inside and the cab on the outside, on the sidewalk. He stopped and suggested that he not go to the bottom of the ramp with it because of its weight. He was afraid that in trying to pull out, he might kill the motor and stall it on the ramp, and suggested that since it blocked the entrance, if we could use it from that point, he would rather it go from that point.

Mr. GRIFFIN. At the point this conversation took place, had you or anyone else to your knowledge told HALL what route would be taken?

Chief BATCHELOR. No; we told him he would follow a lead car, and pointed out the car that he would follow.

Mr. GRIFFIN. At that point, did you indicate to him how soon it would be before OSWALD would be brought down?

Chief BATCHELOR. No, sir; this truck was parked in the ramp, and I thought that this would be a safe place to park it because on one side of the truck next to the west wall of the ramp there was only about 12 inches of space. And between the truck and the east wall, there was only 18 to 24 inches of space. I placed an officer between the west wall and the truck, which totally blocked it. And I placed two officers between the truck and the east wall, and that totally blocked that. Then I believe it was Lieutenant SMART and I got in the truck and searched it. We found a soft drink bottle in the truck, which we took out. I found a loose bolt lying on the floor, which I took out.

There was a device on the back side of the truck which was sort of a gauge and a lever which I didn't understand what it was and I asked Mr. HALL what that was, and he said it was an emergency brake in the event something happened to the driver, that whoever was in the back of the truck could pull that lever and stop the truck. We got these items out of the truck and took them away, left the back doors of the truck open to receive the prisoner, and then I went back down to the foot of the ramp and waited, and in a few minutes shortly after the arrival of the truck, Chief STEVENSON came down, and this was, oh, nearly 11:30. It was just a matter of minutes before—and told me of the change of plans, and that they were going to send the truck in convoy down through Elm Street, and that the car carrying—

Mr. GRIFFIN. You mean Main Street?

Chief BATCHELOR. No; Elm Street, and that the truck carrying OSWALD and

a car of detectives would drop out of the convoy, out on Main Street and drive down Main Street by themselves. In other words, the truck was to be a decoy, and the lead car and all the other cars would follow it on down Elm Street, while the car carrying the prisoner would go down Main Street.

Mr. GRIFFIN. What security was there going to be?

Chief BATCHELOR. We had moved the officers over from Elm Street to Main Street on the corner. The only security would have been a car carrying detectives, following the car carrying the prisoner and detectives.

Mr. GRIFFIN. How were the officers moved, by a radio dispatcher, or was somebody sent out?

Chief BATCHELOR. A sergeant was sent out, a three-wheeler. Talbert had it done. I don't recall who did that.

Mr. GRIFFIN. Now, did you know at this point whether there was an officer stationed at the corner of Main and Commerce? Main and Pearl Expressway?

Chief BATCHELOR. No; I don't know whether there was or not.

(Short recess had.)

(Discussion off the record.)

Mr. GRIFFIN. Why don't we state this for the record, that we have had a recess and an off-the-record discussion between Mr. Griffin and Chief Batchelor, and so that the record may be clear about where the policemen who were to guard the route which was originally planned for the transfer of Oswald, on the streets of the city of Dallas, I will let Chief Batchelor at this time explain where they were originally to be stationed, and where they were moved to.

Chief BATCHELOR. They were originally stationed along Elm Street, and later were moved to Main Street where the prisoner would actually go.

Mr. GRIFFIN. I believe that before we took the recess that I was asking you if at the time that you were down in the basement and examining the armored car, you were aware that a man was or was not stationed at the corner of Main and Pearl Expressway?

Chief BATCHELOR. I do not know. I was not aware. I hadn't given that any thought at the time. Actually, Main and Expressway would pose no traffic problem of a turning movement, at that point, because Pearl Expressway, which is a one-way street, and the convoy would have been next to the curb, and it would pose no problem at this point, trafficwise.

Mr. GRIFFIN. When Chief Stevenson came downstairs and told you that the route had been changed, where did he tell you that the caravan would turn off Commerce Street?

Chief BATCHELOR. On Central Expressway.

Mr. GRIFFIN. When it turned left on Central Expressway, where would it next turn?

Chief BATCHELOR. The convoy would go to Elm Street, but the prisoner and a car of detectives would turn off at Main.

Mr. GRIFFIN. Now, did you discuss with him the reasoning behind this decoy?

Chief BATCHELOR. I merely asked him why the change, and he said they decided to change it up in the Homicide Bureau in a discussion with Chief Curry, because if anyone attacked, they would have the prisoner in a car separate from the convoy and the public would not know this, and they thought this would be a wise move.

Mr. GRIFFIN. Now you all were aware that the TV cameras were going to be focusing on the car or the vehicle that Oswald was placed in, didn't you? The people in the downtown streets wouldn't be able to see that, but there were also newsmen down there who were broadcasting and they would be able to tell people listening in on the radio what car?

Chief BATCHELOR. You are arguing with me. I had nothing to do with moving the prisoner.

Mr. GRIFFIN. I didn't mean to argue with you, chief.

Chief BATCHELOR. I didn't make the decision and I don't know whether it was wise or not. It is a moot question now.

Mr. GRIFFIN. Well, now, what next happened after you talked with Chief Stevenson about this change in plan?

Chief BATCHELOR. This happened when he told me about it, just moments before they actually brought him down, and he told me they were bringing a

car up on the ramp, two cars up on the ramp, one to carry the prisoner and one to carry the detectives.

Mr. GRIFFIN. Let me go back one bit here. You stated that you came down. This one time you are talking about was an episode where you went through the armored car, and this would have been your third trip downstairs?

Chief BATCHELOR. And my last one.

Mr. GRIFFIN. And your last one. Now the first trip that you came down the stairs was when you saw these reserve officers over by the elevators?

Chief BATCHELOR. Actually, that was the second trip down, I believe.

Mr. GRIFFIN. That would have been about what time?

Chief BATCHELOR. Oh, probably 10 or 10:15, somewhere along in there.

Mr. GRIFFIN. I see. So that the trip that we have been referring to in the past, the 10:45 trip, is really most clearly distinguished by the—

Chief BATCHELOR. I may be a little mixed up on my time, but the last trip, the trip we are talking about when we searched the armored car and put that in place, that was fairly close to the movement of the prisoner, and I would say somewhere around 10:45 to 11 o'clock.

Mr. GRIFFIN. Now that happened somewhere around 11:20?

Chief BATCHELOR. About 10:45.

Mr. GRIFFIN. But you never went back upstairs, from the time that you moved your automobile up onto Commerce Street and the time that you searched the armored car?

Chief BATCHELOR. No; Chief Stevenson did, but I didn't.

Mr. GRIFFIN. How long would you say you were downstairs from the time that you walked down and moved your car out on the street and Oswald arrived?

Chief BATCHELOR. Possibly 30 minutes or 35.

Mr. GRIFFIN. Now after you finished examining the armored car and you talked with Chief Stevenson, did you get a chance to look at the placement of the news personnel, the news media people in the basement?

Chief BATCHELOR. Shortly before he came down, yes.

Mr. GRIFFIN. Now looking toward the Main Street ramp, how many rows deep, if there was more than one row at all, were the policemen who were blocking the Main Street ramp?

Chief BATCHELOR. How many rows deep were the policemen?

Mr. GRIFFIN. I'm sorry, the news people, if you understand what I mean?

Chief BATCHELOR. There was about, as I remember it, about two deep along there. Some places there might have been a third man behind, but most about two deep.

Mr. GRIFFIN. Would you come here and mark along the Main Street ramp about how deep these people were?

Chief BATCHELOR. [Marking.] There weren't many along there because there were cameras there.

Mr. GRIFFIN. How many people would you estimate were in that area there?

Chief BATCHELOR. Oh, there couldn't have been too many in that particular area there. It is only 15 feet wide, maybe 20 or 25 in there, maybe 30.

Mr. GRIFFIN. Now, just before Oswald was brought down, where were the rest of the news people placed?

Chief BATCHELOR. They were along here.

Mr. GRIFFIN. That is blocking the garage entrance?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. About how many people would you say were in that area?

Chief BATCHELOR. I don't know. Altogether there must have been, gee, we had around 70 policemen in that basement altogether, and there must have been 60 or 70 reporters and photographers and press people. They were fairly deep across here. But this is wider and they were two or three deep across there.

Mr. GRIFFIN. You want to mark in there where you have indicated?

Chief BATCHELOR. [Marks chart.]

Mr. GRIFFIN. Would you say that they were deeper across the entrance to the garage than they were blocking the Main Street ramp, or were they about the same?

Chief BATCHELOR. I wasn't paying too close attention to how deep they were. There was more than one line of them.

Mr. GRIFFIN. There was?

Chief BATCHELOR. Yes; they were two to three deep across here [marking].

Mr. GRIFFIN. Were there police officers in there also?

Chief BATCHELOR. Yes; there was police officers intermingling all along here.

Mr. GRIFFIN. Had you given any instructions to the police officers up to this point as to how they should stand in relationship, where they should be facing?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Now after talking with Chief Stevenson, what next happened?

Chief BATCHELOR. Almost immediately the car containing Lieutenant Pierce and I believe Sergeant Maxey pulled out of here, and these people had to step back, and they pulled out, and the detective cars were pulled here in on the ramp and backed into position.

Mr. GRIFFIN. Chief, at this point, just before Oswald was brought down, were there any automobiles in the portion of the garage which would be the north half of the garage, do you recall?

Chief BATCHELOR. As I recall it, there were one or two vehicles parked back in here, police vehicles.

Mr. GRIFFIN. I see. Were there any police vehicles, and if you don't have any recollection, state that. Do you recall if there were any police vehicles along the railing of the Main Street ramp?

Chief BATCHELOR. I don't recall. If there were, they were back from this entrance. There weren't any in the immediate entrance to the jail door.

Mr. GRIFFIN. Do you recall if there were any people other than the people manning these TV cameras, behind the railing?

Chief BATCHELOR. I don't recall that. I don't think there were, because these people here went up to just about where the cameras were. This curved a little bit around here. It wasn't just a straight line. It would curve a little bit like this, then, but they were standing away from the front of those cameras, because those cameras were on a tripod at a level on the floor, which was lower than this ramp level.

Mr. GRIFFIN. Now, as Pierce and Maxey's car went up the ramp, did you watch it go up the ramp?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. What did you do as it went up the ramp?

Chief BATCHELOR. I don't recall. I was up here. I was more concerned with this truck here and getting this truck out of there when this thing started.

Mr. GRIFFIN. Did you watch Pierce and Maxey's car go through the line of newsmen?

Chief BATCHELOR. I saw it. I wasn't——

Mr. GRIFFIN. Were you paying any attention?

Chief BATCHELOR. Not particularly. I do remember seeing it.

Mr. GRIFFIN. After Pierce and Maxey's car broke through the line of newsmen, what do you remember next happening?

Chief BATCHELOR. I remember backing these or pulling up these two detective cars that were to carry Oswald, and one detective pulled up here a little ways, and he had to pull up a little further so this one could get up, and they then backed up. And this one had hardly gotten in place, barely had stopped, when somebody shouted, "Here he comes."

Mr. GRIFFIN. All right, now, are you sure—how certain are you that these two detective cars pulled out after Pierce and Maxey?

Chief BATCHELOR. I don't think Pierce and Maxey could have gotten out with those two detective cars where they were.

Mr. GRIFFIN. Sounds pretty good to me.

Chief BATCHELOR. While they were in place, they couldn't have pulled around here, because they were blocking this entrance here.

Mr. GRIFFIN. All right. Now, who drove those two detective cars?

Chief BATCHELOR. I don't recall. Men out of the Homicide Bureau, but I don't know which ones.

Mr. GRIFFIN. Are they listed in this report, do you recall?

Chief BATCHELOR. I don't think they are listed in that report. I am pretty sure they are not.

Mr. GRIFFIN. Detective Brown?

Chief BATCHELOR. Where do you see that?

Mr. GRIFFIN. It is on page 32. "Stevenson then proceeded across the driveway to the entrance to the garage where Detective C. W. Brown, driving one car, and Detective Dhority, driving the second car, was preparing to pull the cars behind the armored car." Do you remember Brown or Dhority walking to the cars in the basement?

Chief BATCHELOR. I wasn't directing my attention to them at the moment they did that.

Mr. GRIFFIN. Do you know or have you heard whether they were sitting in those cars for a long period of time, or a few minutes, or whether they—

Chief BATCHELOR. I don't know, but I imagine so. I think they came down for that express purpose, after this plan was changed.

Mr. GRIFFIN. Where were you standing as the rear car—that is, the car closest to the exit from the jail office—

Chief BATCHELOR. I was standing over in here.

Mr. GRIFFIN. Would you place an "X" on the map where you were standing?

Chief BATCHELOR. Well, I don't remember exactly where I was standing at the time that they pulled those cars up, but I think I was standing over here, and then moved to this position as they were backing in, because I had been talking to Chief Stevenson just about that time, and we were talking right up in here.

Mr. GRIFFIN. Now at the time you heard the shots fired, would you place on this map where these two automobiles were and where you were standing?

Chief BATCHELOR. One car was right here, approximately, and the other car was ahead of it, and I am not drawing this in very good proportion, but this is the order they were in, and I was standing, and this I know in good order, because I was standing about midway of this thing, which was along about the back fender of this car, that I was standing right along here. But these cars were larger than that.

Mr. GRIFFIN. Why don't you cross out that Ford car there and redraw it up where it was?

Chief BATCHELOR. I was standing here, and this one was back here more in this position.

Mr. GRIFFIN. Would you put your name where you have made the circle?

Chief BATCHELOR. (Marks on chart.)

Mr. GRIFFIN. Now do you remember what other officers or people were around you?

Chief BATCHELOR. No; I don't remember who. There was a whole bunch of people.

Mr. GRIFFIN. What happened when you heard the shot fired? What did you do?

Chief BATCHELOR. Well, actually before the shot was fired, when I was standing along here, and when somebody shouted, "Here he comes." I started to go to that truck, that armored truck and close the doors on it, the back doors so it could take off. And I turned to do that when I heard the shot. I hadn't taken over a step or two over to the door when he was shot.

Mr. GRIFFIN. Then what did you do?

Chief BATCHELOR. I turned around and looked back and came over there. There was a whole group of people had him down. It was a big—

Mr. GRIFFIN. Had Ruby down?

Chief BATCHELOR. Had Ruby down. They had pulled Oswald into the jail office, and then pulled Ruby in behind him.

I went into the jail office to look at them, and they had Ruby down on the floor on his back and was trying to handcuff him.

Mr. GRIFFIN. Let's focus on the time when they had Ruby down on the ground out there on the ramp, the ramp area. Where did you stand at that point?

Chief BATCHELOR. I stood off in the crowd. I didn't even see what was going on. There was such a crowd.

Mr. GRIFFIN. Did you hear Ruby say anything at that point?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Did you hear any of the police officers say anything?

Chief BATCHELOR. No, sir; not when I walked right up there to it. But I did hear someone shout, "Jack, don't you so-and-so," but this was before they got him down. I mean, this was almost simultaneous with the shot.

Mr. GRIFFIN. Did you follow Ruby and Oswald into the jail office then?

Chief BATCHELOR. After a little bit, a minute or two after, I remained in the jail office and asked Lieutenant Wiggins if they had called an ambulance, and he said they had.

I walked over and looked at Oswald, and this intern had come in and was giving him some pressure on his lower rib section.

Mr. GRIFFIN. Where did you see Ruby at that time?

Chief BATCHELOR. I saw him on the floor. I couldn't see him too well. There was several men on top. He was still struggling in the jail office, but they had already gotten the gun away from him and they were trying to get him handcuffed and get him down and laying still, but he was fighting them.

Mr. GRIFFIN. Did you hear him say anything?

Chief BATCHELOR. No; I don't recall anything he said.

Mr. GRIFFIN. Did you hear the officers say anything to him?

Chief BATCHELOR. No.

Mr. GRIFFIN. How long did you remain there?

Chief BATCHELOR. Just a few minutes. The ambulance came almost immediately. It was just—I walked out of there before the ambulance came and walked back. Someone shouted right after this happened, and there was a lot of confusion, and someone shouted, "Don't let anybody out."

There were a bunch of reporters that started running like they were frightened. I suppose they were running to telephones, but they tried to run up the Main Street ramp, and I remember very clearly the officer at the top of the ramp pulling his gun and said, "Get back down."

They turned around and walked back down, but most of them escaped through the corridor. Not out the ramp, but went out through the corridor.

Mr. GRIFFIN. This is the corridor that leads from the record room to Commerce Street?

Chief BATCHELOR. Well, yes. They escaped out the corridor off the hallway that leads in front of the jail office into the Records Bureau, and then to Commerce Street.

Mr. GRIFFIN. Did they escape out Commerce Street?

Chief BATCHELOR. I don't know where they went from there, whether they went upstairs to use the telephone, or out in the street. But there would have been nobody over there that heard the command not to let them out. This was kind of a spontaneous command.

Mr. GRIFFIN. What percentage of people would you say got out of the basement? News media people got out of the basement that way?

Chief BATCHELOR. I don't know. They scattered pretty quickly. Still a lot hung around after it was over. I would say half, at least, got out that way.

Mr. GRIFFIN. Now, were you in the jail office when Ruby was taken upstairs in the elevator?

Chief BATCHELOR. Was I in the jail office when he was taken upstairs?

Mr. GRIFFIN. Yes.

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Where were you?

Chief BATCHELOR. I went as soon as the ambulance came and got him, I ran up the ramp and told him to get that truck out of there, that it was blocking the entrance to the ramp, and then I left and went upstairs and told Chief Curry what happened. By the time I got up there, somebody called him and he knew what happened.

Mr. GRIFFIN. What did you do next?

Chief BATCHELOR. Lord, I don't remember what I did next. We sat there kind of dumbfounded for a while.

Mr. GRIFFIN. Did there come a time during the rest of the day when you talked with Ruby?

Chief BATCHELOR. I never did talk with Ruby.

Mr. GRIFFIN. Do you recall the rumors, stories that began to come in about how Ruby got down into the basement?

Chief BATCHELOR. In the course of the next day or two we heard lots of rumors that he had a press card. This was the prevailing rumor, that he had a press card, but there wasn't a press card found on him.

Mr. GRIFFIN. I am trying to direct your attention to the events fairly close after the time of, the time Oswald was shot. What did you do in connection with attempting to find out how Ruby got down in that basement?

Chief BATCHELOR. I don't know that I did anything specifically to try to find that out. We began to think in terms of an overall investigation into the matter.

Mr. GRIFFIN. Did Chief Curry convene any sort of meeting or gather together any of the top officers to discuss this?

Chief BATCHELOR. He discussed it with Lumpkin and Stevenson and I. I don't recall exactly when this happened, whether it happened just—I am sure it didn't happen just immediately after it happened, because there were obvious things that would take place first, and that would be the investigation, that homicide would carry on, an interrogation of Ruby himself.

We even got some rumors the next day that some of our officers had borrowed money from a bank and Ruby was a cosigner on the note, and we ran a check at every bank in Dallas, but the banks where this—the most probable one was the Republic Bank. We ran a check there by sending the name of everybody that was in that basement over to the bank, and having them check for us and see if they had any notes on these people.

We also checked with, I believe, the Mercantile, and we checked with the Oak Cliff Bank and Trust Co., because Ruby happened to live out in that area.

We didn't know whether he had an account, but none of them found anything to date.

Mr. GRIFFIN. This meeting or a little conference that you referred to that you and Curry and Lumpkin and Stevenson had, about how long after Oswald was shot did this occur?

Chief BATCHELOR. I don't remember whether that was that day or the next day, but it resulted in Chief Curry pulling some men out of the special service division with Captain Jones in charge, and we had about six men on the team besides the captain to investigate every aspect of this, which was in terms of locating all of the people that were assigned down there, locating as many of the press as they knew were down there, and getting statements from all of these people. Then also we discovered this matter of this money order, and we followed that thing out.

Mr. GRIFFIN. Did you personally talk with Officer Dean at any time on the Sunday that Oswald was shot? After Ruby shot Oswald, did you talk to Dean?

Chief BATCHELOR. Dean said something to me, and I don't remember whether it was Sunday or not. I believe it was Sunday afternoon, sometime, or evening, to the effect that he had been up and talked to Ruby with Mr. Sorrels, I believe was present there, and that Ruby told him he came down that ramp.

He told him that an officer, that a car came in, and an officer stopped and talked with the fellows in the car, and while he was talking to them, he walked down there.

There is nothing to indicate that the officer did talk to the officers that went out other than maybe to speak to them. I mean, but it appears evident now that while the officer did walk away momentarily a few feet from the entrance is when he got in.

Mr. GRIFFIN. When Dean made this statement to you, did you know that he had spoken to a newspaper reporter also?

Chief BATCHELOR. No, sir.

Mr. GRIFFIN. Do you know whether this conversation you had with Dean was before or after he spoke to the newspaper people?

Chief BATCHELOR. No, sir; I don't know.

Mr. GRIFFIN. Did you have an occasion to talk with an officer by the name of Newman that day?

Chief BATCHELOR. No.

Mr. GRIFFIN. Did you have occasion to talk to Officer Vaughn on that day? Chief BATCHELOR. No; over on top of the ramp?

Mr. GRIFFIN. Yes.

Chief BATCHELOR. No; as a matter of fact, I never have talked with Vaughn. And I wasn't talking to Dean in the nature of interrogating. He voluntarily told me this.

Mr. GRIFFIN. Was anybody else present when Dean told you that?

Chief BATCHELOR. I don't recall that there was. I don't think there was.

Mr. GRIFFIN. Do you recall where this conversation occurred?

Chief BATCHELOR. No; it was there in the city hall, but I don't remember exactly where. It was probably up on the third floor.

Mr. GRIFFIN. Now I am going to mark for identification, "Dallas, Tex., Chief Batchelor, March 23, 1964, Exhibit 5002."

Can you tell us briefly what that is, Chief?

Chief BATCHELOR. That is a monthly assignment board or bulletin, which has the names of all the members of the police department in it and their assignments for the month of November 1963.

Mr. GRIFFIN. Is that a true and accurate roster of the people who were employed in the department on the day that Ruby shot Oswald?

Chief BATCHELOR. It would be, with the exception of any few that might have been reassigned, or any few that might have, in the course of the month, been transferred from one division to another, which occurs frequently. But for the most part it is correct.

Mr. GRIFFIN. Or, also a few that had been hired?

Chief BATCHELOR. Or a few that had been hired during that month. They are not on there; yes, sir.

Mr. GRIFFIN. Now you and I have spoken at some length during the last day, not counting the length of time we spent here. Do you recall that in your office this morning we talked some about security measures in the protection of the President?

Chief BATCHELOR. Yes.

Mr. GRIFFIN. Do you have any suggestions that you would make as to how, as a result of your experience, you think the President might be more effectively protected?

Chief BATCHELOR. I don't know how you would correct this exactly. One of the problems that we experienced was the fact that such, of such a short time to do some of the planning that we had.

We didn't know until just one afternoon, actually, in terms of Love Field security, actually where the President's plane would be placed.

We didn't know until 2 days before his arrival what the parade route would be. This posed some problem in terms of assignment of personnel and properly instructing personnel as to what their procedures should be.

I think one thing that would be helpful would be for a standard general procedure of things that those responsible for protection of the President could put out to police departments such as certain standard types of coverage that would always apply.

Mr. GRIFFIN. Can you give us any example from your own experience where this would have been useful on this unfortunate trip?

Chief BATCHELOR. One thing you need in a situation like this is explicit written instructions to officers as to such things as watching the crowd rather than the President.

This is a general accepted thing in most police departments.

Sometimes you have new personnel that comes in and they need to be told this specifically. We had an instance in which we were asked to guard all of the overpasses, railroad and vehicular, and we instructed the officers verbally that they were to let no unauthorized personnel on these overpasses. But there was no definition of what "authorized personnel" was.

And in one case, there were people on an overpass which the President had never reached.

Mr. GRIFFIN. Was this the triple railroad overpass at the base of Elm Street?

Chief BATCHELOR. Yes; they would have just gone under, or would have gone under momentarily had he not been shot.

There were a number of railroad track workers on this overpass, and we had officers up there, but they considered them to be authorized personnel because they worked for the railroad, and they were all lined along there watching for the parade which never did go under them.

Mr. GRIFFIN. How many persons do you remember having been up there?

Chief BATCHELOR. I was not there. I heard about it. I understand there were probably 10 or 12 people up there. But actually, there should be nobody over the immediate route the President goes under. But there are certainly, there seems to me, certain generally accepted procedures that, and certain general types of security that every police department ought to be aware of, that is standard operating procedure, plus whatever specific thing that the various circumstances might want done; some sort of suggested procedure on their part, with it published, that might be helpful to police organizations.

Mr. GRIFFIN. I want to go off the record here a moment.

(Discussion off the record.)

Mr. GRIFFIN. Let's go on the record on this.

We have been speaking off the record about other suggestions which Chief Batchelor has, and one of the things that he has pointed out is that there is not enough advance notice of what the Presidential route is going to be to enable the police department to satisfactorily handle the administrative problems of selecting people to place them at particular intersections.

Do you want to add any more to that statement that I have made of what you have just told me?

Chief BATCHELOR. No. I realize there is another aspect on this too, on the part of the Secret Service, that they want, that is, that they don't want too much advance notice to the public. This is the reason I am not criticizing.

(Further discussion off the record.)

Mr. GRIFFIN. Let me go on the record and ask you a question here. Do you think, Chief, it would have been possible to station people in the middle of the downtown block with the instructions to watch various buildings in a periphery of their vision.

Chief BATCHELOR. Yes. This would be feasible. We did have men in the middle of the downtown, several of them in each block, they were primarily watching the crowd of people rather than the windows.

When you are in an area of skyscrapers and you are standing right at the foot of these skyscrapers, you couldn't see windows too far up more than just a few floors, but we did have men in the middle of the block, but they weren't instructed to watch the windows as much as they were to watch the people.

Mr. GRIFFIN. Did these men actually have any specific instructions as to how they were to go about watching the people or the windows?

Chief BATCHELOR. We had experienced detectives down there in the immediate block watching in the crowd and then we had some reservists, too, and we had instructed our people in the course of training that when somebody comes by, that you are supposed to secure, that you are not supposed to watch that person, but supposed to watch the crowd.

Whether all of them remember this or not—when you don't get a President here but every number of years, why you don't know. That is the reason I think that in some places where they have these kind of people frequently, this is probably routine.

Mr. GRIFFIN. Did you have men stationed in the neighborhood of Elm and Houston and the School Book Depository that were instructed to be watching the crowds?

Chief BATCHELOR. No, sir; I don't think anyone was stationed below Houston Street. At that point, I don't know whether any crowd along that particular point was even anticipated or not. It was away from the business section and it was not any buildings on either side of the street there, actually.

The School Book Depository faces on Elm Street, which is parallel to the Elm Street ramp that goes under the triple underpass.

It is a couple of hundred feet across from the street to that Building and there wasn't anybody placed down there.

Mr. GRIFFIN. You don't recall that there was a police car stationed either along Elm Street or Houston near that intersection?

Chief BATCHELOR. There was a police car that preceded the two of them, as a matter of fact, that preceded the Presidential convoy. One was a quarter of a mile ahead and one was back of that one.

Mr. GRIFFIN. I am referring to a stationary car at the intersection.

Chief BATCHELOR. No; there wasn't one, that I know of.

Mr. GRIFFIN. Okay, I think that is it.

TESTIMONY OF ASSISTANT CHIEF CHARLES BATCHELOR RESUMED

The testimony of Assistant Chief Charles Batchelor was taken at 12:30 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. Chief Batchelor, I think that you made a deposition before Burt Griffin, a member of the advisory staff of the President's Commission, now on March 23, 1964, is that not a fact, sir?

Chief BATCHELOR. That is correct.

Mr. HUBERT. I think also that you have now read the transcript of that deposition and that you have made certain corrections of typographical errors in pen and ink and by initialing those. You advise me now that you are willing to sign the deposition except that there are two statements, one on page 199, and one on page 219, that you wish to clarify, or change; is that correct?

Chief BATCHELOR. That is correct.

Mr. HUBERT. Now chief, are you willing to consider this deposition as a continuation of the deposition taken by Mr. Griffin on the 23d?

Chief BATCHELOR. Yes.

Mr. HUBERT. Are you willing also to waive any notices that you would be entitled to before we begin this continuation of the deposition?

Chief BATCHELOR. That's correct.

Mr. HUBERT. Do you consider yourself to be under the same oath that you were at the time you made the deposition before Mr. Griffin?

Chief BATCHELOR. I do.

Mr. HUBERT. All right, sir. Now, I understand that you wish to comment, or change the following: On page 199, lines 9 and 10 read as follows:

"Chief BATCHELOR. You are arguing with me. I had nothing to do with moving the prisoner."

Now, Chief, what do you say about what I have just read?

Chief BATCHELOR. That statement was inadvertently incorrect. I wished to say that I had nothing to do with changing the plans of moving the prisoner.

Mr. HUBERT. Now turning to page 219, we find that lines 11 through 14 read as follows, to wit:

"I don't know how you would correct this exactly. 'One of the problems that we experienced was the fact that such, of such a short time to do some of planning that we did'".

Do you wish to make a comment about that statement, sir?

Chief BATCHELOR. I don't recall the exact language I used in the statement, but the sentence is grammatically incorrect. It should read:

"One of the problems that we experienced was the fact that we had such a short time to do some of the planning that we had to do."

Mr. HUBERT. Other than that, Chief, have you found that the transcription of your deposition is correct?

Chief BATCHELOR. Yes.

Mr. HUBERT. All right, sir. Then, when these notes concerning the corrections have been typed out I think you will be in a position to sign the original deposition, now, making a notation that you signed it approving all except such as has been corrected this morning?

Chief BATCHELOR. That's correct.

Mr. HUBERT. And then you will also sign the second deposition, as it were, which is this morning's deposition?

Chief BATCHELOR. Yes, sir.

Mr. HUBERT. Thank you, sir.

TESTIMONY OF CHIEF JESSE E. CURRY

The testimony of Chief Jesse E. Curry was taken at 9:15 a.m., on April 15, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Jesse E. Curry of the Dallas Police Department.

Mr. Curry, my name is Leon Hubert. I'm a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order of the President, No. 11130, dated November 29, 1963, the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission and in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Mr. Curry.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Curry, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry of the security of Oswald, the transfer of Oswald, and so forth.

Now, Mr. Curry, I think you have appeared here today by virtue of an informal request—

Mr. CURRY. Yes.

Mr. HUBERT. By the Commission's General Counsel to appear here. It is my duty to state to you that under the rules adopted by the Commission, every witness who appears before the Commission is entitled to a 3-day written notice before his deposition can be taken. The rules also provide, however, that the 3-day written notice can be waived if a witness wishes to waive it and go ahead and testify, so I ask you now if you are ready and willing to testify now and are willing to waive the 3-day notice?

Mr. CURRY. I am.

Mr. HUBERT. Will you raise your hand and stand, sir, so that you may be sworn?

Do you solemnly swear that the testimony you are about to give before the Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CURRY. I do.

Mr. HUBERT. Would you state your full name?

Mr. CURRY. Jesse Edward Curry.

Mr. HUBERT. Your age, please, sir?

Mr. CURRY. Fifty years of age.

Mr. HUBERT. Where do you reside?

Mr. CURRY. 2508 Loving Avenue.

Mr. HUBERT. Dallas?

Mr. CURRY. Dallas, Tex.

Mr. HUBERT. What is your present occupation, Chief?

Mr. CURRY. Chief of Police, Dallas Police Department.

Mr. HUBERT. And how long have you been occupying that position?

Mr. CURRY. Since January 20, 1960.

Mr. HUBERT. How long have you been with the Dallas Police Department altogether?

Mr. CURRY. Since May 1, 1936.

Mr. HUBERT. And how did you begin?

Mr. CURRY. I began, I believe, as a traffic police officer—well, I worked in a squad car a few days as a patrolman, and then worked as a traffic officer for several months.

Mr. HUBERT. How old were you when you began?

Mr. CURRY. Twenty-three—I lacked a few months being twenty-three.

Mr. HUBERT. What education have you, Chief?

Mr. CURRY. I graduated from the Dallas high schools—Dallas Technical High School. I did not go to college. I studied a short time—optometry a short time after that, after graduating from high school.

Mr. HUBERT. What employment did you have between leaving high school and joining the police force?

Mr. CURRY. I worked a short time for Vitalic Battery Co., as I recall, and at the time I entered the police field, I owned a small cleaning and pressing shop out in East Dallas, which I owned and operated.

Mr. HUBERT. Are you married?

Mr. CURRY. Yes; I am.

Mr. HUBERT. You have a family?

Mr. CURRY. Yes.

Mr. HUBERT. Would you state who they are, how many children?

Mr. CURRY. I have three step-children—no, it's two step-children, one son of my own and one daughter of my own.

Mr. HUBERT. I take it that you're practically a lifetime resident of Dallas?

Mr. CURRY. Yes; I moved here when I was less than a year old.

Mr. HUBERT. It appears to me from what you have said that you began at the bottom of the ranks in the police department?

Mr. CURRY. That's right.

Mr. HUBERT. And would it be fair to say that you worked your way through, as it were?

Mr. CURRY. Yes, sir.

Mr. HUBERT. Up the line?

Mr. CURRY. Yes, sir; I worked in practically every assignment the police department has, and through civil service examinations was able to gain promotions to a detective, sergeant, lieutenant of police, captain of police, inspector of police, and inspector of police is the highest civil service rank obtainable.

Mr. HUBERT. When did you attain that rank, Mr. Curry, roughly?

Mr. CURRY. I believe it was about 1951, along about that as inspector—I don't recall exactly.

Mr. HUBERT. Does the obtaining of that rank in the civil service system involve special studies?

Mr. CURRY. Well, you must make some special studies in order to compete with the other men who are trying to reach promotion through examination. During these years I won a fellowship to Northwestern University Traffic Institute and attended that school in 1945-46. I graduated from there. In 1951 I was sent to the FBI National Academy in Washington, D.C., and I graduated from that school.

Mr. HUBERT. I wish you would tell us other schools or training sessions you have attended.

Mr. CURRY. Well, I've been to several schools conducted in the Dallas area. I have been to 2 weeks training school by the department of public safety in Austin. I have been to several schools conducted by Southern Methodist University and the FBI here in the Dallas area through the years. I have also taken correspondence training courses from the City Managers' Association, and I believe that's about the extent of my training.

Mr. HUBERT. Were you in service during the war, sir?

Mr. CURRY. I was in what was called the CPA, Civilian Pilot Training. It was a program that was open to people who were over combat age—in the Air Force. We did not receive any pay when we first went in. We volunteered our services and we were taught to fly. We attended ground training school; I was assigned to Gainesville Junior College and flew out of Gainesville, out of the airfield there. I was then sent to TCU in Fort Worth where I continued

my studies at TOU and flew out of Meacham Field, and then I was sent to Amarillo Air Force Base. We were not on the base, but we were assigned in that area and we waited there for, it seemed to me like 2 or 3 weeks and never received any training. We were then notified that we had an opportunity to either ask for release or discharge from the service because we understood—because of an oversupply of pilots, or else to remain in the program and be sent to various branches of the Air Force for various assignments.

At that time, I, along with my buddy whose father advised us that he thought it was best for us to get out—we applied for a discharge, and I was discharged, so I was in this about 11 months, at which time I was discharged and I returned to Dallas and I reported back to my draft board, and that's the last contact that I had with my draft board.

Mr. HUBERT. And you went back to your duties?

Mr. CURRY. I went back to my duties as police officer. I was assigned as a detective at the time, and I worked for undercover a few months; I was then assigned as a sergeant in the traffic division; promoted to lieutenant of the traffic division; subsequently promoted to captain of the traffic division. I was then assigned to a police training school. I attended the FBI school then.

Upon my return from the FBI school, I completed an examination for promotion to inspector of police and was able to obtain the No. 1 position and was promoted to inspector of police, and assigned to the police training school.

Mr. HUBERT. Now, that examination and that promotion was civil service?

Mr. CURRY. That's right.

Mr. HUBERT. Under the laws of Texas?

Mr. CURRY. That's right.

Mr. HUBERT. And perhaps it would be better if you would just continue testifying—to tell us the various stages.

Mr. CURRY. I was assigned to the various training schools, had charge of the police training, and also personnel investigation. I was then appointed assistant chief of police in charge, which assignment is actually the second in command of the police department—that was in October of 1953.

Mr. HUBERT. Now, that is a non-civil-service position?

Mr. CURRY. That's an appointive job.

Mr. HUBERT. Who appointed you to that job?

Mr. CURRY. Well, the chief appointed me, I'm sure, on the approval of the city manager.

Mr. HUBERT. Who was the chief at that time?

Mr. CURRY. Carl F. Hansson [spelling], H-a-n-s-s-o-n.

Mr. HUBERT. All right; go on.

Mr. CURRY. I served in that capacity until Chief Hansson resigned, and at that time I was appointed chief of police. I was appointed acting chief of police in December and when his name was removed from the rolls in January 1960, I was appointed chief of police.

Mr. HUBERT. He resigned voluntarily?

Mr. CURRY. Yes; he did.

Mr. HUBERT. Was it because of old age?

Mr. CURRY. I don't know exactly why he resigned. He left us to go as executive secretary of the Citizens Traffic Commission here in Dallas, and he served in that capacity for some year or so and resigned from that capacity, and then he went as chief of the Mesquite Police Department and remained there a year or two and at the present time is in an advisory capacity at Richardson, Tex.

Mr. HUBERT. Well, you were second in command at the time you were appointed chief of police?

Mr. CURRY. That's true.

Mr. HUBERT. And you had been actually for some time?

Mr. CURRY. About 7 years.

Mr. HUBERT. Who was the city manager who appointed you?

Mr. CURRY. Elgin Crull, I believe he was at the time I was appointed. He was when I was appointed chief of police, because I recall—I don't recall exactly who was city manager at the time I was appointed assistant chief. I believe Chuck Ford, I believe, was.

Mr. HUBERT. Of course, as you said, the assistant chief of police and the chief of police, are non-civil service?

Mr. CURRY. Yes.

Mr. HUBERT. Do you still maintain civil service status in the event of a reduction?

Mr. CURRY. In a reduction?

Mr. HUBERT. Yes.

Mr. CURRY. In rank; you are supposed to return to the rank where you were when appointed.

Mr. HUBERT. Now, you, of course, as chief of police, have under you a number of assistant and deputy chiefs of police and then captains of the various divisions and so forth. Who made those appointments?

Mr. CURRY. They are under civil service except for the assistant chief and the deputy chiefs and I make those appointments.

Mr. HUBERT. You made those appointments?

Mr. CURRY. Yes. Now, I didn't make all the appointments, because some of them were in those positions when I was appointed chief. I appointed Batchelor as assistant chief of police and I appointed Fisher, who is in charge of radio patrol, as deputy chief of police, and I think the rest of them were in their positions when I was made chief and I left them there.

Mr. HUBERT. You had the authority to move them, I take it, but you chose to leave them there?

Mr. CURRY. That's right.

Mr. HUBERT. All right. Now, everybody else was in his position by virtue of civil service?

Mr. CURRY. Yes.

Mr. HUBERT. Now, I would like to direct your attention to the time when the Dallas Police Department first arrested Oswald, and, I assume, became responsible for him and for his security. I believe that it was that he was arrested at the Texas Theatre?

Mr. CURRY. Yes, sir.

Mr. HUBERT. And almost immediately moved to the Dallas Police Department offices?

Mr. CURRY. So I understand; yes.

Mr. HUBERT. Can you tell us what you know about the matter from that point on, and it may be just as well if you will tell it in a narrative fashion. I will ask you some questions as we go along, or perhaps wait until the end to fill in. We will see how it works out. Briefly, what we want to know is what you know about the whole thing.

Mr. CURRY. Well, on November 22, I was in the lead car of the Presidential caravan. With me were Secret Service Winston Lawson and Forrest Sorrels, and the sheriff of Dallas County, Bill Decker, and we were nearing the triple underpass in the western part of Dallas, and which is near Stemmons Expressway—it was necessary for us to move to Elm Street in order to get on the Stemmons Expressway to get the President's caravan down to the Trade Mart where they were going to have a luncheon.

I heard a sharp report. We were near the railroad yards at this time, and I didn't know—I didn't know exactly where this report came from, whether it was above us or where, but this was followed by two more reports, and at that time I looked in my rear view mirror and I saw some commotion in the President's caravan and realized that probably something was wrong, and it seemed to be speeding up, and about this time a motorcycle officer, I believe it was Officer Chaney rode up beside us and I asked if something happened back there and he said, "Yes," and I said, "Has somebody been shot?" And he said, "I think so."

So, I then ordered him to take us to Parkland Hospital which was the nearest hospital, so we took the President's caravan then to Parkland Hospital and they were—the President, the Vice President and the Governor—were taken into the hospital and I remained at the hospital for—oh—some hour or so.

At about 1:15 that day—this first incident occurred about 12:30 or so, and about 1:15 I was notified that one of our officers had been shot, and a few minutes later was told that he was dead on arrival at the hospital.

At that time we didn't know who shot him. I was just told it was in Oak

Cliff. I was still at the hospital at this time and I was told by some of the Secret Service people, I don't recall who, to get my car ready and another car ready to take the President—we were informed that President Kennedy had expired—and we were asked to have two automobiles standing by to take President Johnson to Love Field.

Mr. HUBERT. Let me stop you and ask you this: When you had the news of the death of Tippit, or the shooting of Tippit, did you associate that in any way with the President's assassination?

Mr. CUBBY. No; I didn't at the time.

Mr. HUBERT. All right, sir; go on.

Mr. CUBBY. In a little while President Johnson came out, and some of his aides, and got into my car and some of his other people came and got into another vehicle driven by Inspector Putnam of the Dallas Police Department, and we were instructed to go to Love Field, to get there by the nearest route with the least amount of noise, but to go there as quickly as we could. So I drove to Love Field and the President got out of the car with his group and went aboard the Presidential plane.

Mr. HUBERT. Do you have any idea about what time you left the hospital to go to Love Field?

Mr. CUBBY. No.

Mr. HUBERT. Well, perhaps you can arrive at it this way; you know the time you arrived there?

Mr. CUBBY. It seemed we were there about 30 minutes at the hospital—30 minutes or so, and we probably got there a little after 12:30, so that would have been around a little after 1:15, I believe.

Mr. HUBERT. It was a little after 1:15 that you started to move to Love Field?

Mr. CUBBY. Yes.

Mr. HUBERT. Now, did you know Jack Ruby prior to that time?

Mr. CUBBY. No, sir; I didn't.

Mr. HUBERT. You had never seen him?

Mr. CUBBY. If I had ever seen him, I didn't know it. I might have seen him but I didn't recognize him.

Mr. HUBERT. Of course, now, you know who Jack Ruby is; you have seen him?

Mr. CUBBY. I have seen him in the courtroom.

Mr. HUBERT. Can you tell us whether or not among any of the people that you saw at the hospital anywhere, whether Jack Ruby was at the hospital?

Mr. CUBBY. If he was, I didn't know it.

Mr. HUBERT. That's what I'm asking—you didn't see the man that you now know to be Jack Ruby?

Mr. CUBBY. No, sir; I didn't.

Mr. HUBERT. Do you know a reporter from the Washington, D.C., newspaper who is called Seth Kantor?

Mr. CUBBY. I believe he used to be in Dallas.

Mr. HUBERT. I believe he was, and moved on to Washington.

Mr. CUBBY. Yes.

Mr. HUBERT. Did you see him out there?

Mr. CUBBY. I don't recall who all I saw out there—I saw a number of people out there. If I saw him, I don't recall it. I very easily could have seen him out there.

Mr. HUBERT. And it follows from what you said before, of course, that you did not see Kantor with Ruby?

Mr. CUBBY. No, sir.

Mr. HUBERT. So, let's go back then to the point we left off, and that is to say—the arrival at Love Field.

Mr. CUBBY. Yes, sir; we arrived at Love Field with the President and his party and they got out of the car and got on the plane.

I was informed by someone a little later that Judge Sarah Hughes was coming out to swear in the President, to give him the oath of office, and we stood by and when she arrived I escorted her onto the plane and into the presence of the President and was there while she gave to him the oath of office. Immediately after he was given the oath of office, as I recall it, the President said, "Let's get out of here." And I left the plane with Judge Sarah Hughes and

returned to my car and in the meantime while we were at Love Field, Mrs. Kennedy and some others came and they loaded the casket onto the plane and she went into the plane. After I got off the plane, I talked to Mrs. Cabell and to Mayor Cabell and I waited until the planes left Love Field, and then I went to the city hall.

Now, as best I recall, it was probably around 4 o'clock when I got to the city hall, and I started to my office on the third floor, and when I got off of the elevator there I could see that there was just pandemonium on the third floor. There was dozens and dozens of newsmen just crammed into the north end of the corridor. There were television cables running from down the halls, from the administrative office, and I went to my office and talked with some of my staff—I don't recall who all was in there at the time—about what was going on, and I was told by someone, I believe Chief Stevenson that they had a man named Oswald whom they believed to be the murderer of Officer Tippit, and they had been questioning him in Captain Fritz' office.

Mr. HUBERT. Did they advise you at that time, or did they know to your knowledge that he was also a suspect in regard to the assassination of President Kennedy?

Mr. CURRY. Someone mentioned that he was also a strong suspect in the assassination of the President.

Mr. HUBERT. That was at that same time?

Mr. CURRY. Yes, sir.

Mr. HUBERT. When you got back there?

Mr. CURRY. After I returned from Love Field.

Mr. HUBERT. Now, you say Captain Fritz was carrying on the interrogation?

Mr. CURRY. Yes; that's his responsibility, to investigate murders, robberies, and rapes, and extortions and things of that kind.

Mr. HUBERT. It's fair to say, then, that the interrogation of Oswald with respect to either the death of Tippit or of President Kennedy was in accordance with the normal procedures of the department?

Mr. CURRY. That's correct.

Mr. HUBERT. How long had Captain Fritz been in that position, sir?

Mr. CURRY. A number of years—I don't recall exactly when he was appointed to his position with the homicide division—probably 15 years anyway.

I had received a call from the FBI or someone in the FBI, I don't recall whether it was Shanklin or who, and they were requesting that a representative of their Bureau be allowed to be present when Oswald was interviewed.

Mr. HUBERT. Did you agree to that?

Mr. CURRY. I called Fritz in his office and told him we had this request, and Fritz said, "Okay; we'll let them in."

At that time I understood there was a representative from Secret Service already in the room and the representative from the FBI went in—one or two FBI representatives.

It was some time before I ever went to the homicide office myself.

Mr. HUBERT. Did you receive any message around that time or a little later relayed to you as it were, through FBI agents, that Mr. J. Edgar Hoover, the head of the FBI, wanted you to know of his concern about Oswald's security?

Mr. CURRY. Specifically, I don't remember anyone coming to me and telling me that.

Mr. HUBERT. Now, let's see—I think the last statement you made was that it was sometime before you actually went to Fritz' office yourself. Is there anything that happened of significance or that you want to put in the record with reference to what happened between the time you got there around a little after 4 and the time you did get in to see Oswald?

Mr. CURRY. No, sir; I wasn't particularly interested in seeing him or interfering with the investigation in any way. I stayed up in the administrative offices most of the time. I had a number of calls from various people, I don't recall just who all I talked to. I conferred with some of my staff during that time and I was kept informed of the progress of the investigation.

Mr. HUBERT. How were you kept informed?

Mr. CURRY. Usually through Chief Stevenson.

Mr. HUBERT. In other words, you would move from Captain Fritz' office—

Mr. CURRY. Either by telephone or go down to the office and talk to him.

Mr. HUBERT. All right, go ahead.

Mr. CURRY. Well, nothing of significance that I can recall occurred. Later in the evening someone told me that they had enough evidence that he had been identified as the slayer of our police officer.

Captain Fritz thought he had better go ahead and file on him and I think it was about 7:30 on the day they did file on him, and I think he had been down—had been to the showup a time or two—there were some witnesses who had identified him, so I was told, as being the man who shot Tippit.

Mr. HUBERT. Did you see Oswald then, or when was the first time you saw him?

Mr. CURRY. I don't recall exactly the first time I saw him, but I believe it was in the evening—in the early evening. When I did see him I remember that he impressed me as being a sullen, arrogant individual, and he didn't seem particularly perturbed with the fact that he was being interrogated or that he was causing such a commotion—he was pretty cool.

Mr. HUBERT. You didn't question him yourself, did you?

Mr. CURRY. No, sir; I did not.

Mr. HUBERT. So, he was filed upon about 7:30 with respect to Tippit?

Mr. CURRY. Somewhere around in there—I don't know exactly when it was.

Mr. HUBERT. All right, go ahead.

Mr. CURRY. Then, after he was filed on for this offense, I believe it was Captain Fritz who told me that they were working now on the possibility that he was the same suspect or the assassin of the President, and they began to, when I say "they" I mean Captain Fritz, principally, told me of some of the evidence that was piling up against him. In fact, he told me that he worked in this Building and that that morning he had carried a package into the Building.

Mr. HUBERT. This information was being relayed to you?

Mr. CURRY. Relayed to me by Fritz—just summing up what they found out about him. He told me that, as I recall, he told me that Oswald had been in the Building on this day and that one of the Negro porters had seen him go to the sixth floor, I believe, at lunch time, and that after the shooting, some of our officers went into the Building and they saw Oswald at a lunch counter or in the recreation room and started to approach him or question him and they were told by Mr. Truly, who is the Building manager, that this was one of their employees, and I think the officer passed him on up and went on upstairs to try to determine where these shots came from.

In the meantime, I believe Inspector Sawyer was several blocks away from there, from that location, and when he heard what was happening, he immediately went to the location to take over all security and searching there.

Chief Lumpkin and some of his party went on to Love Field with me and they went back to the Texas School Book Depository. So, several minutes elapsed from the time of the shooting until anyone could have gotten—any officers could have gotten actually to the Building.

As soon as it was feasible or possible, they did seal off this Building and also that they had checked all of the employees of the Building and found out that there was one missing, and I think this is when they suspected him of being involved in the fatal shooting of the President, and from the description, I believe they began to tie the two suspects together—the suspect of the shooting of the officer, and all this was told to me by people of the homicide bureau.

Mr. HUBERT. Well, when we last talked about Oswald, I think it was when he was being charged with respect to Tippit, and then I gather that the information you are giving us now is the background for charging him as the assassin of President Kennedy?

Mr. CURRY. Yes, sir.

Mr. HUBERT. And you were aware of that too—you were still in the Building?

Mr. CURRY. Yes.

Mr. HUBERT. Do you recall a meeting—it has sometimes been called a showup or a lineup—I don't know that that is accurate, but it took place in the assembly room.

Mr. CURRY. And some of the members of the press were there, yes, sir.

Mr. HUBERT. Well, can you tell us what that was about? About what time?

Mr. CURRY. I don't recall exactly the time it was—it was in the evening, sometime after they had interrogated, I think, Oswald. I think he had been in the showup once or twice previous to this for witnesses to observe him, and there were so many newsmen in the halls that they were not all of them able to see or to get any pictures or any thing else in the north corridor of the third floor, and some of them asked me to—sometime during the evening—when they could see Oswald, how does he look, can we see him?

At this time Henry Wade, the district attorney, was up there and Alexander was up there.

Mr. HUBERT. He is the assistant district attorney?

Mr. CURRY. Yes; and something was said about—how about letting us see him or could we see him?

Mr. HUBERT. That was said by Wade or Alexander or by the newsmen?

Mr. CURRY. By the newsmen.

Mr. HUBERT. In the presence of Wade and Alexander?

Mr. CURRY. Yes; as I recall it, I asked Henry Wade, "Do you see anything wrong with it," and as I recall, he told me, "Not that I know of, I don't see anything wrong with it." And, so, we told them if they would go to the assembly room that we would let them see Oswald.

Mr. HUBERT. Is the assembly room located on another floor?

Mr. CURRY. Yes, in the basement; we were on the third floor.

Mr. HUBERT. And the assembly room is in effect—it is a room, as I recall it, that might seat 50 or 75 people?

Mr. CURRY. Yes.

Mr. HUBERT. And it has a little stage with the usual showup apparatus?

Mr. CURRY. Yes.

Mr. HUBERT. That is to say, there is gauze in front of the prisoners, so that the audience can see them, but the prisoners can't look out. And there are markings on it as to height and their numbers?

Mr. CURRY. Yes.

Mr. HUBERT. That's the room we are talking about?

Mr. CURRY. Yes, that's the room he was taken to. He was not put on the stage, he was just put in front of the stage for the showup.

Mr. HUBERT. In other words, he was not put behind the gauze?

Mr. CURRY. Not this time, I think he was on previous occasions.

Mr. HUBERT. Yes; when there was a real lineup for identification?

Mr. CURRY. Yes.

Mr. HUBERT. But this was not an identification lineup?

Mr. CURRY. No; it was the news media clamoring to see him, and they wanted to know when they could look at him or when they could observe him, and on the third floor when he was brought to and from the interrogation room, which was Captain Fritz' office, they had to go about 20 or 25 feet, and they almost mobbed him every time they would bring him through.

Mr. HUBERT. You are saying they had to go about 20 or 25 feet to get to the elevator?

Mr. CURRY. Yes.

Mr. HUBERT. That is the inside elevator, not the public elevator?

Mr. CURRY. That's right.

Mr. HUBERT. It's the inside elevator—

Mr. CURRY. The prisoners' elevator.

Mr. HUBERT. That leads all of the police department down into the basement into the jail?

Mr. CURRY. Yes.

Mr. HUBERT. All right, sir; go ahead.

Mr. CURRY. So, we warned them not to try to interfere with him or anything else and we would let them see him. We did take him down and let them briefly see him—this was just a very short time.

Mr. HUBERT. Were you present then?

Mr. CURRY. Yes; I was.

Mr. HUBERT. Who else was present, among the police officers you recall?

Mr. CURRY. I don't recall—I think Fritz was—I don't know that he was in

the room, and there was a couple of detectives who brought the suspect in. Henry Wade and Alexander were in the vicinity—they were not right there with me, so when we brought him in, the news media started then to trying to talk to him and he was only there for a few seconds and we removed him.

Mr. HUBERT. Did you see, during the time you were in the assembly room that you have just been speaking about, the man you now know as Jack Ruby in that room?

Mr. CURRY. No, sir; I didn't. I understood he was there, but I didn't see him, and would not have known him had I seen him.

Mr. HUBERT. Well, that's correct, but now that you do know him?

Mr. CURRY. I didn't recognize him.

Mr. HUBERT. You didn't recognize him?

Mr. CURRY. No.

Mr. HUBERT. Your present memory doesn't associate the man you now know as Jack Ruby with being in that room?

Mr. CURRY. That's right.

Mr. HUBERT. Now, can you tell us why Oswald was moved for the purpose of charging him in the case of Tippit, and subsequently in the case of the President?

Mr. CURRY. I don't know in the case of Tippit. I wasn't there. I mean, I wasn't present when he was charged, but he was charged with the murder of the President—he was charged in the lobby of the identification bureau, which is on the fourth floor of the police department, and he was brought out of the jail into the identification bureau and the charge was read to him by Judge David Johnston.

Mr. HUBERT. What I am trying to get at is what security measures were observed with reference to him during the time that he was moved through these crowds of people?

Mr. CURRY. Officers surrounded him. We had officers in front and in the back and by the side of him as he was moving—usually two detectives, two or three uniformed officers, when he moved through the crowds.

Mr. HUBERT. I understand you said that there was a huge crowd on the third floor?

Mr. CURRY. Yes.

Mr. HUBERT. And I would take it that there was a rather large crowd in the assembly room?

Mr. CURRY. Yes; there were several—a good many there.

Mr. HUBERT. Is it fair to say that other than on the third floor, when he was being moved and when he was in the assembly room, he was not exposed in any way?

Mr. CURRY. No; he was not.

Mr. HUBERT. That is to say, there were no persons around him but police then?

Mr. CURRY. That's right.

Mr. HUBERT. Now, when he was moved through the hall, however many times he was at the third floor—of course, you had this mob of newsmen and there were a group of newsmen in the assembly room?

Mr. CURRY. Yes.

Mr. HUBERT. What I am getting at—what security measures were taken, if you know, with respect to who was in that crowd of newsmen of the people in the assembly room?

Mr. CURRY. I don't know, other than on the third floor. I know that there was some police reservists and a police sergeant who was screening people who came up on the third floor.

Mr. HUBERT. Now, how would they screen them?

Mr. CURRY. As they got off of the elevator, I would observe that they would check them, apparently asking for identification.

Mr. HUBERT. The elevator would be the only way to get up there?

Mr. CURRY. The stairway, they could get up the stairway. The officers were so located that had someone come up the stairway they would have seen them too.

Mr. HUBERT. In other words, the officers checking the elevator could also check the staircase?

Mr. CURRY. That's right.

Mr. HUBERT. Do you know whether any instructions had been given to those officers?

Mr. CURRY. I don't know of my knowledge, but I observed them checking the people who came in.

Mr. HUBERT. Whose responsibility would it have been to post those officers for the purpose of checking there?

Mr. CURRY. Usually the captain on duty in that building—that would have been Captain Talbert, I believe, but it could have been someone else. Had they observed the need for it, they could have issued orders to get someone else.

Mr. HUBERT. Obviously, someone must have posted two men there?

Mr. CURRY. Yes.

Mr. HUBERT. Would you say you have in the department any standard operative procedures to cover a situation like that?

Mr. CURRY. Not exactly this type incident.

Mr. HUBERT. So, in any case, you observed that that was a security check going on?

Mr. CURRY. Yes.

Mr. HUBERT. Is the same thing approximately true about the group that was in the assembly room when Oswald was brought down?

Mr. CURRY. Well, now, I don't know that they were all checked as they went into the assembly room.

Mr. HUBERT. Did you give any instructions about the security of Oswald there?

Mr. CURRY. No; I just told them to keep the newsmen—and I told the newsmen they would have to stay back inside the confines of the room and not approach the prisoner.

Mr. HUBERT. Let me put it this way—generally speaking, did you give any specific instructions regarding the security of Oswald, during that period we are talking about?

Mr. CURRY. No, not this period—no.

Mr. HUBERT. Do you know what system of checking for identification was being used by the officers on the third floor guarding the elevator and staircase?

Mr. CURRY. I don't know of my own knowledge. I could see them checking the people to see whether they were up to do police business or whether they were newsmen trying to cover the incident. We were carrying on the normal business we would conduct, and this would bring a great many people to the third floor, relatives of prisoners, complainants, various people that would come to the other bureaus.

Mr. HUBERT. Normally, there would be no police checking those two elevators?

Mr. CURRY. No, sir.

Mr. HUBERT. So that, I suppose it is fair to state, isn't it, that the main function of that check was to keep curiosity seekers out of the way?

Mr. CURRY. That's right—that's right.

Mr. HUBERT. And to check also to see if anybody had any legitimate business there?

Mr. CURRY. That's right.

Mr. HUBERT. Well, I think we can just continue on then.

Mr. CURRY. Well, after Oswald was arraigned, I went back to my office—I went home a little while after that and that was, I believe, Saturday night.

Mr. HUBERT. No; that would be Friday night.

Mr. CURRY. Yes; Friday night, yes; and Saturday morning I came down to the office and I don't remember any particular outstanding incident that occurred during the day. It was a rather routine investigation—there continued the investigation from the homicide division section on the murder of the President.

Mr. HUBERT. Was the crowd of newspapermen still there?

Mr. CURRY. Yes, sir; they stayed there.

Mr. HUBERT. Were the security measures you have described still in force?

Mr. CURRY. Yes, sir; they stayed.

Mr. HUBERT. It was neither more nor less?

Mr. CURRY. It was about the same. I had several conferences during the day with various staff members and I was kept informed of the progress of the

investigation. Late that evening, the different members of the press, news media, began to ask me when we were going to transfer Oswald because he had been filed on, and I told them I didn't know, that this was something that would be left up to Captain Fritz because he was conducting the investigation and the interrogation, and usually he would be the one to determine when he was ready to transfer the prisoner.

Mr. HUBERT. When a prisoner is formally charged, as Oswald had been, what is the normal procedure to transfer the prisoner to the State prison?

Mr. CURRY. There are two ways it is done. Sometimes the bureau transfers the person to the sheriff's office, and sometimes the sheriff's office sends up and gets them.

Mr. HUBERT. And either type is usual?

Mr. CURRY. Either one is acceptable.

Mr. HUBERT. Had Decker made any request to you to deliver what, in effect, was his prisoner?

Mr. CURRY. Not at this time.

Mr. HUBERT. So, on Saturday night, that would be the 23d, you were asked, I think, by the newsmen?

Mr. CURRY. When we were going to transfer him and I told them I didn't know.

Mr. HUBERT. All right; go on from there.

Mr. CURRY. And some of them asked if "They are going to transfer him tonight?" And I said, "I don't think so." Then, I talked to Fritz about when he thought he would transfer the prisoner, and he didn't think it was a good idea to transfer him at night because of the fact you couldn't see, and if anybody tried to cause them any trouble, they needed to see who they were and where it was coming from and so forth, and he suggested that we wait until daylight, so this was normal procedure, I mean, for Fritz to determine when he is going to transfer his prisoners, so I told him, "Okay." I asked him, I said, "What time do you think you will be ready tomorrow?" And he didn't know exactly and I said, "Do you think about 10 o'clock," and he said, "I believe so," and then is when I went out and told the newspaper people, the news media that we were not going to transfer him that night and some of them asked, "When should we be back, when are you going to transfer him?" And I said, "I don't know," because I didn't know when we were going to transfer him. Some of them said, "When should we back?" I made the remark then, "I believe if you are back here by 10 o'clock you will be back in time to observe anything you care to observe."

Mr. HUBERT. Can you tell us whether on Saturday night any plans had been made for the transfer?

Mr. CURRY. Not on Saturday night, I don't believe.

Mr. HUBERT. Then, you went home?

Mr. CURRY. Yes.

Mr. HUBERT. Then, let's pick up with the 24th.

Mr. CURRY. On Sunday morning, I came down to the office, and, as I recall, it was probably 8:30 or 8:45 when I got to the office, and as I parked my car in the basement of the city hall and started up to our office, I noticed that a large camera had been set up out in the hallway between the jail office and the end of the corridor immediately in front of the jail office, and it was in the way of traffic, and Lieutenant Wiggins came out and I told him—I told Lieutenant Wiggins, I said, "You are going to have to move this camera out of here," and then I told Wiggins, I said, "Now, if the news media come down here and want in, put them over behind the rail." There is a rail separating the ramp that comes down in the basement from the parking area. There were two cars in there, I believe a patrol wagon and a squad car and I told him to move those vehicles out and if the news media came down and wanted to observe from the basement, that they were to be placed back over in this area.

Mr. HUBERT. Is it fair to state, then, that in your own mind, you had determined that the way to move him was through the basement area?

Mr. CURRY. Yes. I believe about this—Chief Stevenson and Chief Batchelor approached me—I think they had been there earlier, and I told them I thought

the best thing to do was to set up our security down there and bring Oswald down there and transfer him on to the county jail.

I went on up to the office and Chief Batchelor and Chief Stevenson, I think, remained in the basement a while and Captain Talbert was down there.

Mr. HUBERT. Did you delegate to any specific person the security of Oswald?

Mr. CURRY. No, sir; I could see that he was being taken care of by the captain on duty, Captain Talbert, and Lieutenant Wiggins was assisting in it, so I didn't see any need to particularly call some officer over there and say, "Look, you are in charge of this security in this basement." It was being taken care of, I could see.

Mr. HUBERT. Well, for the record, will you tell us what you saw that satisfied you that it was being taken care of?

Mr. CURRY. Officers were being stationed at the strategic points in the basement to screen people coming in, and they were moving out the vehicles as I asked them to, so I went on upstairs and I told Chief Batchelor and Chief Stevenson that we should clean out everything in the basement and screen everything that came back in.

Mr. HUBERT. When you ordered everything to be "screened" did you give any specific instructions?

Mr. CURRY. No; I didn't.

Mr. HUBERT. Or does that term have any significance in police work?

Mr. CURRY. Well, it means to satisfy yourself that they were people who had a legitimate reason to be there when you screen them.

Mr. HUBERT. In other words, within the organization of the police department, the word "screening" is understood so that you were satisfied that there would not be people there who were not supposed to be there?

Mr. CURRY. Any unauthorized people.

Mr. HUBERT. Just one more point on that—under the system, who would be considered as unauthorized persons?

Mr. CURRY. I think I specifically stated that only newspaper reporters or police officers would be allowed in the basement.

Mr. HUBERT. Only the news media?

Mr. CURRY. Yes.

Mr. HUBERT. Television people—would be included, too?

Mr. CURRY. Yes.

Mr. HUBERT. Was there any discussion of the route to be taken?

Mr. CURRY. Not at that time.

Mr. HUBERT. All right; let's go ahead.

Mr. CURRY. Then, I went on upstairs and a little while later I went to Fritz' office and they were interrogating him—they—there were several people in there, some I recognized as FBI agents, some were Secret Service agents, some were Dallas detectives, and Captain Fritz was talking to Oswald at the time, I believe, and I stood around a few moments and when there was a lull in the interrogation, I asked Captain Fritz if he was about ready to transfer Oswald and he said, "Well, no; they were still talking to him," so I left the room.

Mr. HUBERT. That was about what time?

Mr. CURRY. As I recall, it was probably 10:30, but I didn't care when they transferred him at all. It didn't make any difference to me. The arrangements had been made to transfer him and then when it was brought to—

Mr. HUBERT. What arrangements had been made?

Mr. CURRY. That we would transfer him to the sheriff, but at that time we did not have any armored cars down there. We were just at that time, I believe it was—understood that we would just put him in the car and drive him down there.

Someone asked me if I had heard of the threats that had been made against him, and I had. They had called me at home about it, and I called Sheriff Decker, I think, from Fritz' office, and when Fritz said they were ready to transfer the man, and this is something after 11 o'clock—probably a little after 11, and Decker said, "Okay, bring him on," and at that time I said, "I thought you were coming after him."

Decker said, "Either way, I'll come after him or you can bring him to me," and I thought since we had so much involved here, we were the ones that were

investigating the case and we had the officers set up downstairs to handle it, so I told Decker—I said, "Okay, we'll bring him to you."

Mr. HUBERT. In other words, at first your security precaution in the basement was to take care of the situation of either your having to move him from the jail or Decker coming after him?

Mr. CURRY. Or Decker coming after him; that's right. Then, I saw Chief Batchelor, and I believe, Chief Stevenson, and we discussed the threats that we had had.

Mr. HUBERT. Now, that was, of course, after you had heard about the threats and after you had talked to Decker?

Mr. CURRY. Yes.

Mr. HUBERT. And I think you mentioned you talked to Decker a little after 11 o'clock?

Mr. CURRY. Well, it was probably before that.

Mr. HUBERT. I wanted to bring that to your attention because it seems to me it must have been earlier than that.

Mr. CURRY. Yes; it was. Because we had to get the armored car in there after that. Anyway, after it was determined we would move him, Chief Batchelor, I believe, and Chief Stevenson and myself discussed this security and we decided it would be best to get an armored car down there in the event some one, some group tried to take our prisoner away from us, it would be better to have him in an armored car.

So, Chief Batchelor called the man, I don't recall his name now, that runs the armored motor service here in Dallas, and requested that we be furnished with an armored car, and I was told later that they had two sizes, an overland truck and a city truck and they would send them both over there when they could get the drivers and we could use whichever one we wanted.

Well, as I understand it, during this time the questioning of Oswald continued up in Captain Fritz' office, and I believe it was about a quarter to 11 or around 11 when we were told the armored cars were there and they backed them into the basement and they wouldn't go all the way down because of the height of the vehicle, and one of them was parked on the ramp and officers were placed on each side of it. In the meantime, I understand that the basement had been completely cleaned out of any unauthorized persons.

Mr. HUBERT. Can you tell me why it was that the Commerce Street exit was chosen to put the armored car in and for the cars carrying Oswald to leave in, rather than the Main Street exit?

Mr. CURRY. Because Commerce Street is one way east and all the traffic comes in on Main Street.

Mr. HUBERT. Main Street is two-way traffic?

Mr. CURRY. It is two-way traffic and the exit is one way east, so the vehicles were placed there.

Mr. HUBERT. As a matter of geographical fact, except for the fact that you would have been going the wrong way, up the Main Street ramp and that you had two-way traffic on Main Street, the actual closest route would have been to go up the Main Street ramp, turn left up Main Street and go down?

Mr. CURRY. Yes; it would. It would have been about three or four blocks closer, because when we came out of Commerce you had to go east to the second block and make a turn one block and make a turn back west.

Mr. HUBERT. Chief, have you any comment to make as to why the longer route instead of the shorter route was taken?

Mr. CURRY. Well, just because ordinarily we don't violate traffic rules and regulations in the transfer of prisoners and we thought this was the normal route that should be taken and that's the reason it was set up that way.

Mr. HUBERT. The original decision, as I remember it, was to go through the Commerce Street exit and then turn left up to North Central?

Mr. CURRY. Yes.

Mr. HUBERT. And then turn left again and go to Elm and then go on down to the county jail?

Mr. CURRY. When I went back up into the homicide office and told Fritz about our plans of transferring the prisoner, he was not particularly pleased with the idea of putting the prisoner in the armored car.

Mr. HUBERT. Did he say why?

Mr. CURRY. He said if someone tried to take our prisoner, he felt like we ought to be able to maneuver and he felt that this would be too awkward in in this heavy armored car and he preferred that the prisoner be transferred in a regular police car with detectives.

Mr. HUBERT. Was a policeman to drive the armored car?

Mr. CURRY. No; not the armored car.

Mr. HUBERT. Is that a factor, too—I suppose—it wouldn't be a member of the police force under your control driving that car?

Mr. CURRY. No; but he felt like—Fritz said if anyone tried to take our prisoner we should be in a position to be able to cut out of the caravan or to take off or do whatever was necessary to protect our prisoner.

So, I didn't argue with him about it—there was some merit to his plan, so I told him, "Well, okay, but we would still use the armored car as a decoy and let it go right on down just as we had planned and if anyone planned to try to take our prisoner away from us, they would be attacking an empty armored car," and that his vehicle with the prisoner in it would have cut out of the caravan and proceeded immediately to the county jail and the prisoner would be taken into the county jail, and the way we figured it, he would be there before the other caravan got there.

Well, he asked me if everything was ready and I said, "Yes, as far as I know, everything is ready to go," and this was a little after 11 o'clock and I said, "Well, I'll go on down to the basement," and was en route to the basement when I was called to the telephone and Mayor Cabell was on the telephone wanting to know something about the case, how we were progressing, what was going on, and while I was talking to him they made this transfer and Oswald was shot in the basement, and he was rushed to Parkland Hospital and I was notified that he had been shot in the basement.

Mr. HUBERT. Did you know about his being shot before he moved to the hospital in the ambulance?

Mr. CURRY. Yes, they called me from the jail office and said he had been shot and an ambulance had been ordered.

Mr. HUBERT. Now, after the shooting, what action did you take—that is, the shooting of Oswald?

Mr. CURRY. Well, I don't recall any particular action I took. I was told the man who shot him was in custody and was up in the jail. I think I notified the mayor that the man had been shot while I was still on the telephone with him and then I waited up in my office for word from Parkland Hospital, and about 1:30, or I believe about 1:30, we were informed that he had expired, and during this time I had been informed that the man who shot him was a nightclub operator named Jack Ruby, and that he was in custody up in the jail.

After I was informed that Oswald had died, I made an announcement to news media that he had expired and that we had the man who shot him in custody and as I recall, that's about the extent of my activity on that day.

Mr. HUBERT. Do you remember whether on Sunday, November 24, it came to your attention that Ruby had stated that he entered the jail through the Main Street ramp?

Mr. CURRY. I heard that, but I don't know who told it to me. I just heard a rumor that he had come in through the Main Street ramp. I understood that he told some more people that up in the jail.

After this happened, I immediately set up an investigative team to try to find out what happened.

Mr. HUBERT. Now, when you say "immediately," you mean on the 24th?

Mr. CURRY. Yes.

Mr. HUBERT. And who was that?

Mr. CURRY. Inspector Sawyer, Capt. O. A. Jones.

Mr. HUBERT. What were your instructions to them?

Mr. CURRY. To interrogate everyone that had anything to do with this and find out what they knew about it, what had happened and how and why and how it occurred.

Mr. HUBERT. Is it fair to state that your instructions were then to find out exactly the truth?

Mr. CURRY. Yes; absolutely.

Mr. HUBERT. Now, you did receive a report from them ultimately?

Mr. CURRY. Yes, I did.

Mr. HUBERT. And I take it, of course, that you studied it?

Mr. CURRY. Yes, sir.

Mr. HUBERT. As I remember the report, it made certain specific findings as to how Ruby entered and so forth?

Mr. CURRY. Yes, according to the report he did come down the Main Street ramp.

Mr. HUBERT. From your study of the report and all the statements that you got, are you satisfied with the conclusions reached in the report?

Mr. CURRY. I believe this is the way he came in. I don't believe the officer at the top of the ramp where he came in, I don't believe that he knew that he went by, but I do state this, that I think the proper security was set up, and that had each officer carried out his assignment, I believe the transfer would have been made safely, and while I, as head of the department, have to accept responsibility for the security, I can say this, that the proper security was set up.

It was a failure of one man to carry out his assignment properly that permitted this man, apparently, to come into the basement of the city hall.

Mr. HUBERT. And that man you mean is Roy Vaughn?

Mr. CURRY. Vaughn—Officer Vaughn, the officer assigned to the Main Street ramp.

Mr. HUBERT. Was there any kind of influence of any sort whatsoever or suggestions exercised upon you or made to you concerning the transfer of Oswald by either Mayor Cabell or City Manager Crull?

Mr. CURRY. No, sir; they left it up to me.

Mr. HUBERT. Chief, as you know, there has been some suggestion that a desire to satisfy the press dictated the time of the movement and the route. I think you ought to have an opportunity at this time to recall your own observations as to what influence, if any, considerations of pleasing the press entered into any of these plans?

Mr. CURRY. Well, I would only say this, that we were trying in the police department to let the press have an opportunity to observe the proceedings as they were. This is an event that had not been—the like of the event had not been seen or heard, I think, in this century.

I didn't have any particular ones to come to me and insist that this be done in this manner. I saw no particular harm in allowing the media to observe the prisoner, and with no laws against it, and no policies that had ever been set up stating that the news media would not be allowed to see a prisoner.

There was no way for us to take the prisoner from the homicide office to the jail and back without the news media seeing him. I was besieged actually by the press to permit them to see Oswald. They made such remarks as, "The public has a right to see, to know," I didn't want them to think that we were mistreating Oswald; that we were carrying on this investigation in a normal manner, and that this case was handled as probably any other case would have been handled, although this had more national appeal, you might say, and had some curiosity to it, than some of the other cases we have handled.

But certainly the fact that the news media was permitted to see him and to take pictures of him was not anything unusual. This has always been done, but not to this extent because we didn't have this much press present.

Mr. HUBERT. As I understand what you are saying, it is that had it not been for the fact that the victim was Oswald, if it was Oswald, and it was the President involved, this would have been quite normal procedure, that is to say, the press would have been allowed to see him, you would have told them when he was going to be moved?

Mr. CURRY. That's right.

Mr. HUBERT. And allowed them to take pictures?

Mr. CURRY. That's right.

Mr. HUBERT. Was any suggestion made to you by anybody that it would be best to disregard those considerations with respect to the press and use another route in making the transfer at another time?

Mr. CURRY. No, sir; not that I recall. Fritz and I, I think, discussed this briefly, the possibility of getting that prisoner out of the city hall during the night hours and by another route and slipping him to the jail, but actually Fritz was not too much in favor of this and I more or less left this up to Fritz as to when and how this transfer would be made, because he has in the past transferred many of his prisoners to the county jail and I felt that since it was his responsibility, the prisoner was, to let him decide when and how he wanted to transfer this prisoner.

Mr. HUBERT. Well, you didn't, in any case, give him instructions not to transfer the prisoner at a time when he could not be observed by the press?

Mr. CURRY. No, sir; that's right.

Mr. HUBERT. Is it fair to state that had he done so, it would have been satisfactory to you?

Mr. CURRY. I would not have complained about it.

Mr. HUBERT. Do you know whether Fritz' decision not to move him prior to the time that had been announced to the press was motivated by considerations of the press?

Mr. CURRY. I don't know whether it was or not. I think this—that he didn't know how long he would be interrogating. I don't believe Fritz wanted to move him at night. I think he wanted to move him in the daytime so that he could see anyone that might be trying to cause him any trouble.

Mr. HUBERT. Your thought is that, therefore, Fritz' decision not to move him at night was dictated by considerations of security?

Mr. CURRY. I believe so; yes.

Mr. HUBERT. Chief, I believe that I ought to offer you the opportunity to state for the record here as an overall proposition what you consider to be the cause of what was obviously a security breakdown?

Mr. CURRY. I think the cause of the breakdown was the fact that Officer Vaughn left his post to assist this Lieutenant Pierce, and I believe Sergeant Dean, and I don't know who else was in the car, as they left the basement of the city hall going the wrong way on the ramp, and Officer Vaughn stepped across the sidewalk which he had been instructed, so I am told, to guard that ramp—to let only police officers or bona fide news media enter there. He momentarily stepped away from his assignment and while he was away from this assignment, our investigation shows that Jack Ruby went behind him and entered the ramp and went to the bottom of the ramp and stood behind some detectives and news media.

Mr. HUBERT. Concerning the security at the top of the Main Street ramp where Vaughn was, what observations have you to make about that means of entry being guarded by one man only instead of, say, more?

Mr. CURRY. Well, actually, this seemed to be the least risk in our security plan. All of the crowd and vehicles and everything was over on Commerce Street and there was very little over on Main Street, actually very little activity at all. It was only about a 12-foot ramp there that he had to guard.

Mr. HUBERT. And he was standing right in the middle of it?

Mr. CURRY. Had he stayed on his assignment, I don't see how Ruby could have gotten in.

Mr. HUBERT. Of course, when the Pierce car came up, he obviously had to move away, but your thought is he moved too far away from his assignment?

Mr. CURRY. He moved too far away from his assignment. He apparently was assisting this vehicle to get across the sidewalk, I think it was 10 or 12 feet wide, and into the street. Actually, he should have just stepped to one side and let the vehicle come by.

Now, this officer was put on a polygraph to determine whether or not he knew that Ruby went by him and according to the test, the results of the test, he did not realize that Ruby went by him.

Mr. HUBERT. Chief, in addition to your testimony, I have shown you two documents which I think you have read, and I am marking for identification as follows, to-wit: The first one is a report of an interview of you by FBI Agent Vincent Drain on November 25, the document consisting of two pages, and I am marking on the first page "Dallas, Tex., April 15, 1964, Exhibit 5313, deposi-

tion of Chief J. E. Curry," and I am signing my name on that, and on the second page I am placing my initials.

With respect to the second document, it seems to be a copy of an interview of you made by FBI Agent Leo Robertson on December 10, 1963, and I am marking on the margin of the first page, as follows: "Dallas, Tex., April 15, 1964, Exhibit 5314, deposition of Chief J. E. Curry," and I am signing my name at the bottom of that page, and since the document has a second page, I am placing my initials at the bottom of the second page.

Now, I am going to ask you if you would mind signing your name where my name appears and your initials where my initials are, so that the record will show we both are talking about the same document?

Mr. CURRY. Okay.

(Signed document as requested by Counsel Hubert.)

Mr. HUBERT. Then I am going to ask you whether you have any comments to make about those two documents? Would you initial the second page, too?

Mr. CURRY. Yes; I will.

(Witness Curry initialed instruments as requested by Counsel Hubert.)

Mr. HUBERT. Now, Chief, have you had an opportunity to read both of those documents?

Mr. CURRY. Yes; I looked them over.

Mr. HUBERT. Do they represent the truth so far as you know of the interviews that they purport to cover?

Now, if you have any comments to make or deletions or modifications or changes, or if you find that those documents are incorrect, I would like for you to say so, because what we will have to do is to get into the record what is correct and not what is not correct.

Mr. CURRY. [Examining instruments as referred to.] Yes, sir.

Mr. HUBERT. Are they correct, sir? Do you have any comments or deletions?

Mr. CURRY. No; I don't have any comments. As far as I know—as far as I can recall, this is about what happened.

Mr. HUBERT. Now, have you ever been interviewed by any member of the Commission's staff prior to this time?

Mr. CURRY. No, sir; I had a little conversation with you over in my office.

Mr. HUBERT. That was about 2 weeks ago when I was present in Dallas?

Mr. CURRY. Yes.

Mr. HUBERT. Was there anything that occurred during that conversation that has not been covered here?

Mr. CURRY. Not to my knowledge.

Mr. HUBERT. Now, finally, is there anything at all you would like to make a matter of record concerning this whole thing? You are at liberty to say anything you want to say.

Mr. CURRY. No; the only thing I would like to say is that I deeply regret the incidents that occurred and I feel like we did everything that could be expected of us as a police department to set up the security of the President and to cooperate with all agencies that had a responsibility in this matter, that we certainly would have liked for Oswald to have remained alive and faced trial.

According to the information that was given to me by the homicide bureau, we had developed a very good case on him and would have been able to, I'm sure, would have been able to convict him in a court of law.

Jack Ruby—I do not know, I did not know. It has been intimated that a great many of the Dallas police officers did know him, but from what I've been able to find out, there were some police officers who knew him, but most of them knew him because of the fact they had conducted police business with him at his place of business. There were a few, perhaps, that knew him and had gone to his place of business for social activities, but it was certainly not—he is not known by the majority of the police department.

Mr. HUBERT. Chief, perhaps you would like to comment on two things—one, is that, as you know, there has been some talk or rumor, of course, that the police department cooperated, or some members of it, with Ruby for an opportunity for Ruby to shoot Oswald.

Have you looked into that, and if you have, would you give us your observations about it?

Mr. CURRY. My instructions to the investigating officers were to go into every facet of this incident and to uncover any information that might indicate that any police officer cooperated in any way with letting Ruby get in a position to where he could have an opportunity to shoot Oswald.

Mr. HUBERT. Did you find any evidence that would indicate anything?

Mr. CURRY. No evidence whatsoever were we able to find.

Mr. HUBERT. You were looking for such?

Mr. CURRY. Yes; we certainly were.

Mr. HUBERT. Chief, what was your intention had you found such evidence?

Mr. CURRY. Proper action would have been taken.

Mr. HUBERT. And by that you mean what?

Mr. CURRY. The officer, if criminal negligence had been established, he would have been filed on by us.

Mr. HUBERT. Now, there has been also the rumor that while the police did not actively cooperate, that they saw Jack Ruby there, didn't pay much attention to him, were really appalled when he did what he did, and then after that, engaged in a cover-up activity to preserve the reputation of the police department. Can you tell us whether your investigative efforts were directed toward uncovering any evidence which might throw light on that matter?

Mr. CURRY. This investigation which was conducted was a completely impartial investigation.

We in the police department for a number of years have felt like if there is anything wrong in our department, we want to know it, and if actions of the officers are improper, an examination of our records through the years will show that we have taken whatever action was indicated, whether this be filing on a man for law violations or for improper conduct or whatever it might be. The seriousness of the offense is certainly not covered up and through the years we have a reputation for a high standard of conduct and the integrity of the department has not been questioned.

Mr. HUBERT. You are satisfied that from all you know that there has been no effort to cover up?

Mr. CURRY. No, sir; not to my knowledge, and had there been and it had come to my knowledge, I certainly would have done something about it.

Mr. HUBERT. You are satisfied that the evidence shows that really Ruby came through one man?

Mr. CURRY. That's right.

Mr. HUBERT. And that was Vaughn?

Mr. CURRY. That's right.

Mr. HUBERT. Have you anything else to say, chief?

Mr. CURRY. No, sir; I believe not.

Mr. HUBERT. Well, sir, on behalf of the Commission and myself personally, I want to thank you very much for coming here and being frank and contributing, I think, a great deal of the permanent record in this matter.

Mr. CURRY. Thank you, sir, if there is anything that I might know that I haven't brought out, I will be happy to. The only thing I can say is that our security broke down at one place. I can't deny that, and I don't think it intentional on the part of the police department to have this thing occur.

Mr. HUBERT. I think that's covered. I wanted to ask you those questions and I think they are going to be asked and we are going to have an answer to them now and you are the man to do it. Thank you very much, chief.

Mr. CURRY. All right. Thank you.

TESTIMONY OF SHERIFF J. E. (BILL) DECKER

The testimony of Sheriff J. E. (Bill) Decker was taken at 10:44 a.m., on April 16, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of J. E. (Bill) Decker.

Mr. Decker, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission under the provisions of Executive Order 11130, dated November 29, 1963, the joint resolution of Congress 137, and the rules of procedure adopted by the Commission in conformity with the Executive order and the joint resolution. I have been authorized to take a sworn deposition from you, Sheriff Decker. I state to you now that the general nature of the inquiry of the Commission's inquiry is to ascertain, evaluate, and to report upon facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Sheriff Decker, the nature of the inquiry today is to determine what facts you may know about the death of Oswald and any other pertinent facts you may know about the general inquiry, including the security of Oswald, and the method and so forth by which he was killed.

I think, Sheriff Decker, that you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin?

Mr. DECKER. Yes; I think that's correct.

Mr. HUBERT. Who is the General Counsel of the staff of the President's Commission?

Mr. DECKER. I know there was a letter—anyway, I am here due to that reason.

Mr. HUBERT. I had the impression you had a letter, but let me say this, that in any event, you are appearing here by virtue of a request made to appear here?

Mr. DECKER. I was notified by the U.S. Secret Service to appear here and I presume that was a summons.

Mr. HUBERT. Then, that would be because we did not wish to go through the formalities here?

Mr. DECKER. That's right.

Mr. HUBERT. In that case, however, I must state to you that under the rules and regulations of the Commission, every witness is entitled to a 3-day written notice before appearing.

Mr. DECKER. I understand.

Mr. HUBERT. But the Commission does provide that the witness may waive that 3 days' notice and I now ask you if you are willing to waive it and testify now?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Will you stand up, please, and I will administer the oath? Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Will you state your name?

Mr. DECKER. Bill Decker.

Mr. HUBERT. Your age?

Mr. DECKER. Sir, 66.

Mr. HUBERT. And your residence?

Mr. DECKER. 6302 Palo Pinto.

Mr. HUBERT. What is your occupation?

Mr. DECKER. I am sheriff of Dallas County.

Mr. HUBERT. How long have you been sheriff?

Mr. DECKER. Since January 1, 1949.

Mr. HUBERT. Well, you have been reelected a number of times?

Mr. DECKER. Yes, sir.

Mr. HUBERT. How many times?

Mr. DECKER. I am serving my 16 years—I had two of those—one of those terms for a 4-year term, but we caught 2 years prior to that—that makes 4 from 16, leaves 12, 3 and 1 is 4 terms and I am coming for my fifth now.

Mr. HUBERT. What was your occupation prior to the time that you became sheriff?

Mr. DECKER. I was chief deputy sheriff for Dallas County 14 years prior to that. Prior to that I was chief deputy constable since 1924, prior to that I

was in the courthouse as a court clerk and prior to that I was elevator operator in the courthouse. Now, that's it—that's my life.

Mr. HUBERT. You started really at the bottom you might say, and went up?

Mr. DECKER. Yes, sir.

Mr. HUBERT. You are married, of course?

Mr. DECKER. Yes.

Mr. HUBERT. You have a family?

Mr. DECKER. I have one adopted son.

Mr. HUBERT. Now, I—as I understand it, it is your responsibility to operate the State or county jail for those prisoners who are either serving terms that may be served there, or who are awaiting a trial in Dallas County and do not make bond, is that correct, sir?

Mr. DECKER. That is correct. I am keeper of the county security building, of the county jail, which maintains the prisoners.

Mr. HUBERT. That is located where?

Mr. DECKER. 505 Main Street, the corner of Main and Houston, and it extends to the corner of Elm and Houston in the rear.

Mr. HUBERT. Now, when prisoners are put in your custody or you take them into your custody who are awaiting trial, where are they placed, in cell blocks or something of that sort?

Mr. DECKER. Oh, yes; we have a jail there with a capacity of 750 prisoners.

Mr. HUBERT. Do you have what might be called maximum security there?

Mr. DECKER. Yes; I do—there are many maximums—I have 450 maximum-security cells that's the latest that can be built. The others are built in the old jail which was built in 1913. Of course, my steel isn't so good in that old jail.

Mr. HUBERT. By maximum security, you mean, of course, maximum security from the standpoint that the prisoner can't get out?

Mr. DECKER. It is tool proof steel, one, and two, it is the modern locks. The man who maintains it—the opening and closing of the doors to it is in a cell block where the prisoners could not get to him unless he did as a couple of my boys did the other day, I'm sorry to say. You don't need to put that in there. They are no longer with me. They opened the door when they had no business to and they lost their jobs and I lost five prisoners.

Mr. HUBERT. Does maximum security as it operates with you include considerations of security to the prisoner himself?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Do you consider it to be your function, not merely to secure the prisoner so that he may be brought to justice or acquitted, but also so that his personal security will be maintained and he will not be injured, either by other prisoners or by outsiders?

Mr. DECKER. Well, I even go further than that.

Mr. HUBERT. Well, will you tell us about that?

Mr. DECKER. A prisoner that is delivered to me—when the crime is committed, he is then delivered to me and when he is delivered to me, from then on I am his keeper. I must furnish his food, his clothing, get his medication and all the necessities of life required. I must protect him from a violent prisoner and I also must protect him from a citizen who would desire to do harm to him.

Mr. HUBERT. Do you consider that your physical set up, and by that I mean, bricks and cement and steel as well as personnel is adequate to accomplish the purposes that you have described as maximum security?

Mr. DECKER. We feel that our men are qualified from the training that is given to them, one; that the jail has passed Federal jail inspection on many occasions; and we feel that our jail is so constructed that the prisoner is protected.

Mr. HUBERT. Now, of course, you are aware that a man by the name of Lee Harvey Oswald was in the custody of the Dallas police?

Mr. DECKER. Yes; I had some officers present when he was arrested.

Mr. HUBERT. From the sheriff's office—sheriff's officers were present?

Mr. DECKER. Yes; sheriff's officers were present in Oak Cliff at the time. They responded to the assassination of the killing of Tippit, the same as others. You see, I was at the scene of the assassination of the President.

Mr. HUBERT. Yes.

Mr. DECKER. When my officers were dispatched there, I also told some other agencies to send their men over there.

Mr. HUBERT. Now, what is the custom with respect to prisoners who are captured or taken into custody by the city police when there is no warrant of arrest?

Mr. DECKER. Most prisoners taken in custody by the city police are arrested within the corporate limits of the city of Dallas and they in turn are moved to the city jail, which is located at the corner of Main and Harwood, or better still, in the 2000 block of Main Street, and there confined until their period of investigation is completed.

Mr. HUBERT. How long is that?

Mr. DECKER. Well, now, that's a problem I couldn't—there would be no way to answer that—how long does it take to make some investigation?

Mr. HUBERT. What I had in mind was whether there was any rule, regulation, or law?

Mr. DECKER. No; someone said once you couldn't hold them over 24 or 36 hours, but where it is, I don't know. The city ordinance under which most municipalities work is—they have a right to arrest and hold for investigation until they could determine if a crime has been committed. That leaves it pretty blank.

Mr. HUBERT. All right. Now, let's assume that a man has been formally charged and that there has been a *capias* or warrant—

Mr. DECKER. It's a warrant in this case.

Mr. HUBERT. Of arrest, which authorizes you to arrest the particular prisoner?

Mr. DECKER. I or one of the constables.

Mr. HUBERT. What is your custom—are there any rules or regulations or laws?

Mr. DECKER. No; there's no rules or regulations—only this—when a warrant is issued—when a complaint is filed with my district attorney or the magistrate, which is the justice of the peace, the warrant is issued and delivered to the agency. If it is a felony and in the justice court, it goes to the constable, which this offense we are speaking about was a felony and should have gone to David Johnston, justice of the peace, precinct 2, and the warrants were delivered to the city police.

Mr. HUBERT. Now, you are talking about the charge with respect to Tippit, are you, or the death of the President, or both?

Mr. DECKER. Well, I rather think it was both.

Mr. HUBERT. The warrants then were not put into your possession at all?

Mr. DECKER. No, sir; not at that time.

Mr. HUBERT. And that is in accordance with the custom, too?

Mr. DECKER. Yes.

Mr. HUBERT. What would normally happen in circumstances such as we are dealing with here, where warrants were issued about 7 o'clock in one case, as to Tippit, and a little later about 11 o'clock on the 22d of November, as to the death of the President, what would be the normal situation as to your getting control and custody and your becoming the keeper of these prisoners?

Mr. DECKER. The whole thing would be that if we, if those warrants had come through the regular channels to us, we would have contacted—I imagine we would have contacted Captain Fritz because it was a homicide and that is in his division, and asked him about the prisoner and discussed with him if he was ready for transfer—if he was going to transfer or did he want us to transfer. That would have been the normal procedure with us.

Mr. HUBERT. In other words, it is normal to have them transfer the prisoner to you, rather than for you to go and get them, or both?

Mr. DECKER. No; it is normal but it is not too much—they transfer maybe one-tenth of maybe 1 percent, but as hot a piece of merchandise as this prisoner was, chances are Captain Fritz and his men would have attempted to bring him from the city hall to the courthouse.

Mr. HUBERT. In other words, except in rare instances, meaning a situation of this sort, you send your men to the city jail to get them?

Mr. DECKER. Day in and day out. We have a paddy wagon for that purpose and a driver for the purpose and uniforms and insignias and all on it.

Mr. HUBERT. Now, when did you make any efforts to take custody of Oswald?

Mr. DECKER. I can't tell you that as to when—the homicide occurred and the boy was taken in custody in the afternoon and that was on a Friday—I'm not going to tell you for certain because there was so much and on Friday afternoon we were taking statements in my office—you know—this thing happened, occurred just across the street from my office and we moved all the witnesses when we were on the ground there at the scene, all the witnesses we could locate—I was working there and I had Inspector Sawyer, who is there with me, and also Heitman of the FBI and my assistant chief deputy, and every witness, just as we picked up a witness that had any information at all, we sent him directly across the street to my office and reduced his statement to writing. Then, I talked to Fritz after he arrived.

We had by then located the gun and the ammunition, my officers had located it in the building, and was awaiting the arrival of the scene searchers and also the arrival of my scene searchers and Fritz arrived and then I talked to Fritz and then we went across the street and he phoned and that's when I learned Oswald had been formerly employed there at that building.

And, Fritz went to the city—now, here's something I'm uncertain about—whether I talked to him that afternoon or the next day about this removal, I cannot tell you because there was so much happening and so much press in our hair, I couldn't say, but I did discuss with him and advise with that I wished to be notified when he started to move this boy, so that I would have my security in shape to receive him when he arrived there.

Mr. HUBERT. You think that was no later than Saturday, the 23d?

Mr. DECKER. Oh, no; it wasn't. I don't think it was any later than that—no.

Mr. HUBERT. In other words, as I understood you, you couldn't tell whether it was on Friday or Saturday, but it could not have been Sunday?

Mr. DECKER. No; it wasn't Sunday. I remember there were different conversations on Sunday, different conversations on Saturday and different conversations on Saturday night.

Mr. HUBERT. Well, now, perhaps if you can, you can tell us about these various conversations, if you remember them—who they were with and about what time?

Mr. DECKER. Well, on Saturday, the homicide, I believe, if I'm correct—now, the date of the homicide of Oswald was what?

Mr. HUBERT. It was Sunday the 24th.

Mr. DECKER. The 24th—Sunday. Friday, after we had completed our investigation and gotten our files together to some extent, we then closed shop, shall we say, and went back into our routine work, and on Saturday arrival at our office we then again, I'm reasonably sure that was the day, we talked about moving Oswald but I just don't remember. That's one of those things you just don't remember the date.

Mr. HUBERT. But you talked to Fritz?

Mr. DECKER. That's when I talked to Fritz.

Mr. HUBERT. What did Fritz tell you, do you know?

Mr. DECKER. He said he would notify me when he was ready to move.

Mr. HUBERT. He wasn't ready at that time?

Mr. DECKER. He wasn't ready at that time, witnesses were being brought in, he was still interviewing witnesses. Now, then, later that afternoon the rumor was out that they were going to bring him down—of course, we had rumors, rumors, rumors all the day, because we had worldwide press and they were in the city hall, you couldn't get in the city hall for them and they were running back and forth down to our pressroom, and this word was here that they were coming, so late that afternoon, on Saturday, Jim Kerr was the first man that brought me the date of the 10 o'clock transfer Sunday morning. Jim Kerr is associated with channel 5, and there were several of the pressmen in my office and members of my staff and we were discussing it and later in the evening, later about 9 o'clock it was getting on to be, and he notified us they were going to move in and I think I then confirmed that with someone in the

city and they said yes—the next morning at 10 o'clock and then I went to my home.

Mr. HUBERT. Did they say "Next morning at 10," or not before 10?

Mr. DECKER. They said "around 10 o'clock."

Mr. HUBERT. You got that, though, from newsmen, you think?

Mr. DECKER. Jim Kerr is the man that gave me the information.

Mr. HUBERT. You didn't talk to Fritz or Curry about that?

Mr. DECKER. No; but I checked it up at the city with somebody there, and I don't know who it was now.

Mr. HUBERT. You, yourself, don't know who it was?

Mr. DECKER. I checked it on the telephone.

Mr. HUBERT. But you don't remember who you talked to?

Mr. DECKER. No; I don't remember who I talked to.

Mr. HUBERT. And it was confirmed that he would not be moved that night?

Mr. DECKER. It was confirmed that he wouldn't be moved that night and that's all there was to it.

Mr. HUBERT. But you say your normal operations went on and I assume you went to your home?

Mr. DECKER. Yes.

Mr. HUBERT. What time did you get to your office on Sunday, the 24th of November?

Mr. DECKER. It was before 10—around 10 o'clock—wait a minute, let me see if I can refresh my memory just a little bit here [examining records in his possession]. I am considering that time of when I was advised by the city that transfer might be made the first time, if you care to incorporate this in there—the first time was 3:30 p.m. Saturday. At that time it was not at 10 o'clock. I have this note—however, I arrived at my office early Sunday morning to recheck all security measures that had been provided for the transfer of Oswald, so what would be early for me, sir, I am a man that doesn't get down to the office until 9 o'clock, and so if I arrived at 9 o'clock, that would be early arrival for me, so you can place it near that period.

Mr. HUBERT. Mr. Decker, I would like for you to carry on from there in narrative form as to just all of the events that happened as they came to your knowledge.

Mr. DECKER. You mean on that morning, on Sunday morning?

Mr. HUBERT. Yes, sir.

Mr. DECKER. For additional security, I placed all members of the press—you see, I forgot to give you this a moment ago—on Saturday afternoon and Saturday night when they learned that they were going to transfer Oswald down there, the world's press moved from the 2000 block on Main to the 500 block on Main. They were laying on my floor, they were laying on the sidewalks—

Mr. HUBERT. You mean that was Saturday night?

Mr. DECKER. That was Saturday night, waiting for the Sunday morning transfer. They just started moving out of the city hall and moved down there—suddenly they were all over the streets, the sidewalks, the floors, we had cameras running out our ears.

Mr. HUBERT. Television too?

Mr. DECKER. Yes; everything—live television moved in, and some remained at the city, you see, and they set up down there a press—back and forth—so, I heard that my halls were full and my carport was full, so I moved them all out. I told them to come in the building, bring their cameras with them, that they were going to utilize, and the remainder not operate unless they were on the street—into a room—you will have to see my building to realize it—it's where you walk in the front, you see, the building is on Main and you come in the rear from the carport. There is a room that runs down about 45 or 40 feet, which is just an open hall space and a room where people stand who are attempting to get information out of the jail or visit someone in the jail, and I moved them into that and closed the doors on them.

Mr. HUBERT. In other words, you cleared them from where?

Mr. DECKER. I cleared them from the carport, where the man would be brought in, and put them behind locked doors—I'm talking about steel doors, now.

Mr. HUBERT. So, there was no news press or anybody else at the spot where the prisoner would be brought?

Mr. DECKER. Well, there may have been some on the street—I'm not so sure of that—but what I mean, I cleared the port and kept them in this room where they could only see him as he came by one door and by the second door, and they were away from him a distance then. He was to be in the carport and they were 20 or 25 feet back in the building.

Mr. HUBERT. You say you had them under lock and key, but they could see out—could they see through windows?

Mr. DECKER. No; bars, they were barred doors.

Mr. HUBERT. Oh, I see.

Mr. DECKER. They were barred doors.

Mr. HUBERT. And you put all the press people out there?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Did you check to see whether they were press people or not?

Mr. DECKER. All in all—I was under the impression that they were—that the majority of them were press people. I don't think there was anybody in that room that wasn't.

Mr. HUBERT. I mean, did you have any system of checking?

Mr. DECKER. No; I didn't personally check and search each one of them because they had so darn much equipment—everybody had equipment—I don't care who they were, and I had my officers mix and mingle with them and knew most of them. You see, we got pretty well acquainted with that press for 2 or 3 days there because they were continually in our hair, you see.

Mr. HUBERT. All right, sir; go ahead.

Mr. DECKER. At the outside drive, or at the entrance to my carport—I moved a couple of my men—four or five of my special men there to be sure that it was clear when the man did arrive. I had been notified by Curry that maybe they would bring him down in an armored car and I had some other rumors—they would be bringing him in a car, and about that time on those live TV cameras in that room, the flash came that shots had been fired, that there was a riot on in the basement of the city hall, and if you will pardon my French and you don't need to put this in here, young lady, "We caught lightening in the jug in that room," sir. There is no question. They tried to crawl the walls, they tried to tear down those barred doors, they tried to do everything to get out of there and it looked like I would never get them out of the damn room.

Mr. HUBERT. You mean the ones you had locked up?

Mr. DECKER. The press—they were locked up and couldn't get out of there with all of their equipment, so as I say, "We caught lightening in the jug." There wasn't any question. Finally, I got the doors open and they tore out on Main Street and out on Houston Street and commandeered cars with cameras hanging on their backs, some of their own equipment, back up Main Street. I lost the majority of them then for a few minutes.

Mr. HUBERT. Have you been given any warning by the FBI that they had received a message, or had the message been received, I think, by your office, that some attempt would be made by a group to injure Oswald?

Mr. DECKER. That's along 12:30 or 1 o'clock in the morning—that's when that occurred. That's when I got on the telephone, you see, sir—I'm sure that you don't understand this, but, you know, but no man—it makes no difference how long he is an officer, ever imagined that he could work on an investigation the size of this one and therefore, of course, you realize that my officers and I'm sure some of the city officers, myself included, were working under just a little bit of pressure.

Anyway, this thing you are talking about came to me from my office man, Sergeant McCoy, and he had received a call from the Federal Bureau of Investigation, Milt Newsom, who stated to him that this boy was going to be killed and that he had good information. He relayed that message to me at my home, and I asked him had the city been notified and he said, "Yes."

Mr. HUBERT. That was early in the morning, as I recall?

Mr. DECKER. It was 12:30; 12:30 in the night.

Mr. HUBERT. 12:30 on the morning of the 24th?

Mr. DECKER. Yes; and I called that office and I talked to a man whom I believe to be Frazier, is that correct?

I don't know the gentleman only there by telephone conversation.

Mr. HUBERT. You, yourself, talked to him and told him what you had heard?

Mr. DECKER. I told him what I had heard and talked to him about the transfer, and I even went so far as to advise McCoy to call in a pair of my supervisory personnel to stand by my office, that should they decide to transfer this man, they would be available and we would have the other men moved in there to make it secure—to have the security.

Mr. HUBERT. Did you make any suggestions that he be moved earlier than the time that had been announced?

Mr. DECKER. I did. I suggested to get the man on down to the lower end of Main Street.

Mr. HUBERT. Before the time announced?

Mr. DECKER. Yes; then.

Mr. HUBERT. Who did you say that to—Frazier?

Mr. DECKER. I'm sure I told it to Frazier and I'm sure there was one or somebody in Fritz' office—I don't remember whether it was Baker or Wells, I talked to one of those persons.

Mr. HUBERT. That was when you got this call from the FBI?

Mr. DECKER. When I got this call from my night sergeant.

Mr. HUBERT. It was still nighttime?

Mr. DECKER. Yes—it was in the morning—12:30 in the morning.

Mr. HUBERT. It was your suggestion that he should be moved immediately?

Mr. DECKER. I felt that he should be moved—yes, sir.

Mr. HUBERT. What reply did you get?

Mr. DECKER. They stated that they were going to ask him if he wouldn't feel better to talk to his superiors and see what could be done. He called me back shortly and stated that he had had no success in contacting them, and I think that was about the extent of our conversation. I kept my men, my supervisory personnel standing by in the event that they did change their timing or anything and notified us. I asked him if he had any success to call me and that we would make arrangements to take care of the prisoner either way, and I meant by that that we would transfer him or whatever was necessary to be done.

Mr. HUBERT. At this point let me ask you: When a man is transferred to your custody, may he thereafter be interviewed by the city police?

Mr. DECKER. Anybody who wishes to.

Mr. HUBERT. So that Captain Fritz and others could have continued their investigation?

Mr. DECKER. It's not customary for them to bring a prisoner down until they have finished their investigation in the city.

Mr. HUBERT. I understand that, but the transfer to you would not have cut off their opportunity to investigate?

Mr. DECKER. Oh, no—no—it wouldn't have cut it off to anybody—any law enforcing agency. Just the same as Ruby, Ruby has been interviewed in my jail by city police, the FBI agents, and incidentally may I ask you a question?

Mr. HUBERT. Well—

Mr. DECKER. If you can answer it, all well and good—I can't. I keep getting information here that we are going to have you people—you people are going to attempt to interview this prisoner that I have now, and if that is correct, why of course I would like to make some provisions to talk to somebody before it happens. Of course, it will take a court order for me to move him, which of course you know is no trouble to obtain—you know that.

Mr. HUBERT. I can't comment on that.

Mr. DECKER. Don't, if you can't, sir—it's all right, but of course I am leaving that with you that I would like to have some advance knowledge. You can comment on that—that you will do it if you have any knowledge.

Mr. HUBERT. Well, I'm sure if such a decision is made by the people who are authorized to make it, that they will cooperate with you in every way possible.

Mr. DECKER. And, I would like to keep it out of the press also because every time I turn around with Mr. Ruby, I am blasted with this.

Mr. HUBERT. Of course, that's another matter—that's out of my control.

Mr. DECKER. Yes.

Mr. HUBERT. I repeat that I think that if such a thing should come about, that you would be contacted and that the various problems that might exist in the matter would be discussed with you fully and that the persons representing the Commission would cooperate with you.

Mr. DECKER. I'm sure they will.

Mr. HUBERT. In every way you wish them to do so, consistent, of course, with their mission.

Mr. DECKER. It makes no difference. I'm sorry, but I don't seem to have in this file Perry McCoy's statement. I think you have a statement from McCoy.

Mr. HUBERT. Yes.

Mr. DECKER. He made one—stating the times that he talked to the man, the conversations, and substantiated exactly practically what I said to you.

Mr. HUBERT. I think we have covered the point.

Mr. DECKER. I know you have because I sent him up there to be interviewed.

Mr. HUBERT. I have heretofore shown you two documents identified as follows: The first being a report of an interview of you by Officer Neeley.

Mr. DECKER. That's correct.

Mr. HUBERT. On November 27, 1963.

Mr. DECKER. That's where I told him I didn't wish to discuss the matter any further over the telephone.

Mr. HUBERT. I have identified it by marking on the margin, "Dallas, Texas, April 16, 1964, Exhibit 5321, Deposition of Sheriff J. E. Decker." That consists of one page.

The second document also consists of one page. It is a report of an interview by James W. Bookhout of you on November 28, 1963. That document I have marked for identification as follows:

"Dallas, Texas, April 16, 1964, Exhibit 5322, Deposition of Sheriff J. E. Decker," and I have signed my name. I think you have had an opportunity to read these two?

Mr. DECKER. Yes.

Mr. HUBERT. I should like to ask you, sir, if these documents are fair statements of the interviews that you had with the FBI agents indicated?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Are they correct?

Mr. DECKER. Yes, sir.

Mr. HUBERT. Have you any comment to make with respect to either one of them?

Mr. DECKER. No, sir; I think they speak for themselves, sir.

Mr. HUBERT. May I ask if you have any particular comment, sheriff, to make with regard to the last paragraph of exhibit 5321, which reads in part as follows:

"Sheriff Decker stated that he had no desire to discuss this matter further and does not desire to furnish any details of the conversations he had with the Police Department and declined to say whether he advised the Police Department he had a preference as to the time of day the transfer of the prisoner should be made."

Mr. DECKER. That was a telephone conversation. I had an office full of people and that's what it was and I didn't make any statement—no more than I made directly to you here about the call, and which McCoy made, which is a statement which you have from McCoy in your files.

Mr. HUBERT. As I understand it, then, your explanation of the paragraph is that you did not wish to discuss the matter further over the telephone and in the presence of the people who were there?

Mr. DECKER. Well, I don't believe I went that far. I just said I didn't care to discuss it any further and I got my friend Neeley off the line. That's all there was to it. And I never had the opportunity to talk to him afterward again until I met him several days ago, you know, he works in north Texas and is in and out, but that's all the conversation he and I had—what you have there.

Mr. HUBERT. Well, what I had in mind to ask you was this: On the face of the paragraph that I have just read from Exhibit 5321, it looks like there was an attitude on your part that you didn't wish to cooperate with the FBI—I am just simply wanting to get the record straight from your point of view—as to what was your intention.

Mr. DECKER. As I said at that time—I didn't care to discuss it any further at that time. That's all there is to it.

Mr. HUBERT. Yes; I understand, but this paragraph is correct and stands as it is?

Mr. DECKER. Yes, sir; I did not—at that time I didn't discuss it. There was no reason to go into why, and why—I told him my reasons a moment ago.

Mr. HUBERT. Now, sheriff, I have noticed that you have looked from time to time at a book which I gather must be your own or the official record?

Mr. DECKER. No; it's part of my records there. It doesn't have all the statements in it as it should have.

Mr. HUBERT. Were copies of those statements made—are they available?

Mr. DECKER. They are yours—you can have them if you want them to keep them.

Mr. HUBERT. This copy?

Mr. DECKER. You can have the whole thing. The only thing that is not in there is McCoy's and about three or four other statements. I will submit the whole thing to you if you want it right now. You can take it with you. I have no objections.

Mr. HUBERT. Do you wish to have this returned to you—this seems to be a copy anyway—this is not the original.

Mr. DECKER. Yes; those are photostatic copies. I can furnish you those others—I can furnish you that copy on McCoy and I can furnish the copy on two or three others that I have down there but I don't know where McCoy's is and I don't know whether they left it out of there or not—since McCoy's I have testified to, I would like to furnish it to you.

Mr. HUBERT. All right.

Mr. DECKER. And will send it to you shortly.

Mr. HUBERT. Let me mark this document, then—I am marking it, "Dallas, Tex., April 16, 1964, as Exhibit 5323, Deposition of Sheriff J. E. Decker," and I am signing my name to it.

The document is actually a dark brown heavy folder with an Acco fastener. It is called Acco Press on the inside and bears the label on the outside, "Harvey Lee Oswald, WM 24, Murder—11-22-63 of John Fitzgerald Kennedy; W-M-46, President of the United States. Assault to murder: Gov. John B. Connally." On the left hand bottom side of the cover is a sticker on which there is typewritten "File of: Sheriff's Department, Dallas, Tex., Bill Decker, Sheriff," under which I have written the identification of it as I dictated it a moment ago into the record.

Turning on to the inside of the book, it seems to be divided up into parts. There is a yellow, light cardboard division marker, which in the left hand bottom says, "Crime Reports." In that are 2 yellow sheets and 10 white sheets. I am marking the cover with my initials and the yellow and white sheets with my initials, all in the lower right hand corner. The next subdivision which is made by a light cardboard sheet, is entitled, "Witness affidavits." I am marking it with my initials.

Mr. DECKER. Now, you are supposed to have copies of all of those affidavits come to you from some agency—I don't know which.

Mr. HUBERT. And, each of the sheets thereof I am marking with my initials. There are 35 of such sheets.

Then, in the last part of the book, also divided by a light yellow cardboard sheet on which I am putting my initials, that division sheet is entitled "Officers supplement," and there are 42 sheets which I have marked with my initials. Is this document, Sheriff Decker, that you have handed me a complete record of what you have concerning Oswald? I think you mentioned that there might be one document or two that you wished to send me?

Mr. DECKER. I would like to send you a copy of McCoy's statement, a copy of McCoy's report in there and maybe a couple of other statements, that's all.

There may be some others—I can send those to you anywhere—Washington or anywhere, it makes no difference, or I can send them up here to you in the next 45 minutes after I leave here.

Mr. HUBERT. After lunch will be all right.

Mr. DECKER. Fine, I will send them up.

Mr. HUBERT. I will just attach them to this exhibit.

Mr. DECKER. That's all right—they belong in there and I don't know how they got out, but in comparing them, making a new one up, you lose some once in a while—as much paperwork as we do in law enforcement fields this day and time, you lose a heck of a lot of it.

Mr. HUBERT. Now, Sheriff Decker, has any member of the Commission's staff interviewed you other than myself?

Mr. DECKER. No, sir.

Mr. HUBERT. Have you anything further you wish to add?

Mr. DECKER. I don't know why I should take any more of your time. You have practically everything I have that is of value to you. If there is anything further you want—we are available and you have a big job to do—

Mr. HUBERT. Well, that's all right—that's what I'm here for.

Mr. DECKER. I know that.

Mr. HUBERT. But if we know all that you know, then that's all right.

Mr. DECKER. That's right—so, there is no reason of going over it.

Mr. HUBERT. Is it your thought that considering your testimony here today and what you have told the FBI and your records—

Mr. DECKER. And my records that I have given to you—turned over to you and what my other deputies have given to you, I don't know of any reason to take up any more of your time, sir.

Mr. HUBERT. All right, thank you very much.

Mr. DECKER. I will be delighted to have you come and see my operation before you leave and it might clear up some things there for you.

Mr. HUBERT. All right, thank you.

Mr. DECKER. Thank you.

TESTIMONY OF CAPT. W. B. FRAZIER

The testimony of Capt. W. B. Frazier was taken at 2 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. W. B. Frazier, Dallas Police Department. Captain Frazier, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission on the Assassination of President Kennedy.

Captain FRAZIER. Yes.

Mr. HUBERT. Under the provisions of President Johnson's Executive Order No. 11130, dated November 29, 1963, and the Joint Resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among many officers of the detective bureau. Your name has been specifically mentioned as a person from whom I could take a sworn deposition. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Captain Frazier, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Captain, you have appeared here today by virtue of a letter addressed to Chief Curry by Mr. J. Lee Rankin, who is the general counsel for the President's Commission. Under the rules adopted by the Commission every witness is entitled to a 3-day written notice prior to the taking of his deposition. The rules also

provide, however, that if the witness wishes he may waive the 3-day notice in writing. I say to you that you have a right to the 3-day notice, which you have not received, but I ask you if you wish to waive that 3 day——

Captain FRAZIER. No.

Mr. HUBERT. You don't wish——

Captain FRAZIER. Oh, I will waive it.

Mr. HUBERT. You do not wish to persist in your right to have the 3-day notice?

Captain FRAZIER. No.

Mr. HUBERT. Then I'll ask you to stand, sir, and raise your right hand to be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Captain FRAZIER. Yes, sir.

Mr. HUBERT. Will you state your full name, please?

Mr. FRAZIER. William Bennett Frazier.

Mr. HUBERT. Your age?

Mr. FRAZIER. Forty-three.

Mr. HUBERT. Where do you live, sir?

Mr. FRAZIER. 2205 Newcastle, Garland, Tex.

Mr. HUBERT. What is your occupation?

Mr. FRAZIER. Police officer.

Mr. HUBERT. How long have you been on the police department of Dallas?

Mr. FRAZIER. For 17½ years.

Mr. HUBERT. You have the rank of captain?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. What particular function or duties are you assigned to in the department, sir?

Mr. FRAZIER. I am in charge of the radio patrol platoon.

Mr. HUBERT. Who is your immediate superior?

Mr. FRAZIER. Chief N. T. Fisher.

Mr. HUBERT. Did you have the same rank and the same duties during the period November 22 to 24, 1963?

Mr. FRAZIER. I did, yes, sir.

Mr. HUBERT. Now, I understand that you were on duty on the morning of the 24th of November, is that correct, sir?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. What time did you come on duty? Do you know?

Mr. FRAZIER. At 11 p.m., on the 23d.

Mr. HUBERT. I think that is what they call the first shift?

Mr. FRAZIER. First platoon.

Mr. HUBERT. First platoon, rather, and that goes until roughly 7 in the morning?

Mr. FRAZIER. Around 7; yes, sir.

Mr. HUBERT. Had you been on duty the night before, that is, on first platoon. That would have been——

Mr. FRAZIER. What day would it have been, sir?

Mr. HUBERT. Well, it would have been the 23d.

Mr. FRAZIER. I mean, what day of the week.

Mr. HUBERT. Oh, the day before would have been Saturday.

Mr. FRAZIER. Yes, sir; I was on duty at the time. That would have been the first platoon. Yes, sir; I was on duty at the time.

Mr. HUBERT. Was your office, in fact, in the building?

Mr. FRAZIER. On the second floor.

Mr. HUBERT. Did you have anything to do at all with the interrogation, or the security of Oswald?

Mr. FRAZIER. No, sir.

Mr. HUBERT. Now, on the 24th of November, about in the middle of the shift there, about 3 or 3:30 or 3:45 that morning, I understand you received a telephone call from an FBI agent, is that correct?

Mr. FRAZIER. Yes, sir; Mr. Newsom, I believe his name is.

Mr. HUBERT. Can you tell me how it came to you? How did the call come to you?

Mr. FRAZIER. Mr. Newsom called me and said he had received a threat from

some man to the effect that a group of men, I believe he indicated they had 100 or 200, I don't recall the exact number, were going to attempt to kill Oswald that day sometime. That he didn't want the FBI, Dallas Police Department or the sheriff's office injured in any way. That was the reason for the call. So, Mr. Newsom called me and related that story to me.

Mr. HUBERT. Were you in charge of the police department at the time?

Mr. FRAZIER. I was in charge of the patrol section.

Mr. HUBERT. Patrol section?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. What other senior officers were on duty?

Mr. FRAZIER. I guess I was the senior on any division at that morning; yes, sir.

Mr. HUBERT. As I understand it, Chief Curry was not there, Chief Batchelor was not there?

Mr. FRAZIER. No, sir.

Mr. HUBERT. Stevenson was not there?

Mr. FRAZIER. No, sir.

Mr. HUBERT. Who is your immediate superior?

Mr. FRAZIER. Fisher. He was not there.

Mr. HUBERT. You, in fact, were the ranking officer?

Mr. FRAZIER. On duty at that time; yes, sir.

Mr. HUBERT. Were you aware of that? I mean, are you made aware of that?

Mr. FRAZIER. Oh, yes, sir; yes, sir.

Mr. HUBERT. How is it done?

Mr. FRAZIER. Well, just the fact that the officers under—who rank under you are there, and there is nobody of equal rank or higher present in the entire police department, it reverts to you.

Mr. HUBERT. The highest in rank is in charge of the whole operation?

Mr. FRAZIER. It is.

Mr. HUBERT. So, if someone had asked for who was in—if Newsom had asked to speak to the top man in charge, you were that man, that day?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. Had you heard any of that news of that sort from another source?

Mr. FRAZIER. No, sir.

Mr. HUBERT. Do you know a man by the name of Deputy Cox, or Coy in the sheriff's—

Mr. FRAZIER. I talked to that man later on in the morning after Mr. Newsom called me. But I don't know the name, whether it was Coy, or Cox, but he indicated that Sheriff Decker wanted to talk to Chief Curry in regards to moving Oswald, so, I, in turn then attempted to contact Chief Curry by telephone and his line was busy.

Mr. HUBERT. That was about what time?

Mr. FRAZIER. I don't know. 5:45, 6 o'clock, somewhere along there. Then I tried for some 10 or 15 minutes to get his line, and it was busy, so, I asked the operator to check into it. She came back and said the line was out of order, so, I, in turn, was preparing to send a squad by the chief's home and tell him of the information and that Decker wanted him to call him and Captain Talbert relieved me around 6 or 6:15. I give him the information and he said he sent a squad later and told the chief about it.

Mr. HUBERT. I think earlier you had called Captain Fritz, hadn't you?

Mr. FRAZIER. Yes, I called Captain Fritz once or twice in an effort to see if they were handling it or if the chief was handling it, or if homicide—Captain Fritz was handling it. Since he is the captain in charge of that particular bureau, so, naturally I called him first.

Mr. HUBERT. That was when you got the message from Newsom?

Mr. FRAZIER. A little while later; yes, sir.

Mr. HUBERT. What did he say about it?

Mr. FRAZIER. He said I should talk to Chief Curry, that he was handling the transfer.

Mr. HUBERT. That Chief Curry—

Mr. FRAZIER. Yes, sir; not him.

Mr. HUBERT. Not him? Did he tell you of any plans made for the transfer? Did Captain Fritz tell you of any plans made for the transfer?

Mr. FRAZIER. I don't recall, sir. He may have said—I'm not sure. I heard this later on in the morning, I think, but I'm not sure. He may have said then that he planned to move him around 10 the next day. I don't recall whether he said it or some other officer said it later on in the morning, but I did hear it. Now, I don't say whether Captain Fritz is the one that told me or not. I don't recall the exact conversation there other than the fact that I had asked him if he was handling it and he said, "No." Chief Curry was handling it.

Mr. HUBERT. Do you remember when you spoke to Mr. Newsom from the FBI whether Mr. Newsom told you that the Dallas Sheriff's Office had received a similar call to the one he was relating to you?

Mr. FRAZIER. No; I don't recall that. He possibly—he could have said it, but I do not recall it, sir.

Mr. HUBERT. When the gentlemen from the sheriff's office, either Cox or Coy, called you that was simply about when the transfer was going to take place, is that correct?

Mr. FRAZIER. I assume that is what it was. He indicated to me that Decker wanted to get hold of Chief Curry and move him as soon as possible.

Mr. HUBERT. Did that man mention to you about the receipt of any threats such as Newsom had told you about?

Mr. FRAZIER. I believe he did.

Mr. HUBERT. That was the second threat you had received that morning? In other words, the threat came from two sources, so far as you know. You heard it from the FBI, and this man from the sheriff's office?

Mr. FRAZIER. Indicated—

Mr. HUBERT. Indicated that he had received a threat?

Mr. FRAZIER. I believe he did; yes.

Mr. HUBERT. Do you remember saying to Mr. Newsom that the plan to transfer Oswald to the county jail might be changed in view of the threat that he had conveyed to you?

Mr. FRAZIER. No, sir; no, sir. That wasn't any of my business, that transfer, and I'm sure I didn't relate that to him, because I'd be telling him something that I didn't know about, really, at that time.

Mr. HUBERT. Do you remember telling Mr. Newsom of the FBI, on the occasion that he called you that morning around 2 or 2:30, that Oswald's plans of transfer had been publicized primarily as a form of cooperation with press and news agencies?

Mr. FRAZIER. No, sir.

Mr. HUBERT. You did not make that—

Mr. FRAZIER. Huh-uh.

Mr. HUBERT. You did not make that statement?

Mr. FRAZIER. I did not make any such statement.

Mr. HUBERT. Was there any planned transfer, to your knowledge?

Mr. FRAZIER. All I knew that they was supposed to move the next day, and then perhaps later in the morning I—maybe Captain Fritz told me that they were supposed to move him around 10 a.m., that morning.

Mr. HUBERT. That is as to time, but did you know of any plans prior to going off duty that day as to the method, the route, and the vehicles to be used?

Mr. FRAZIER. No, sir; no, sir.

Mr. HUBERT. What time did you go off duty, sir?

Mr. FRAZIER. It was around 6 or 6:15, or something like that, sir.

Mr. HUBERT. What time did you come back then?

Mr. FRAZIER. If that was—

Mr. HUBERT. Did you leave the department and go home?

Mr. FRAZIER. Yes; I went home and I went to bed. I was asleep when Oswald was shot.

Mr. HUBERT. When did you hear about that?

Mr. FRAZIER. My wife awakened me shortly thereafter. She had seen it on TV. She was watching the transfer on TV, and she awakened me.

Mr. HUBERT. Did you go down there?

Mr. FRAZIER. No, sir; I called and asked if they needed me. They said, "No, stay where you are. You will have to work tonight." So, I stayed there.

Mr. HUBERT. Fritz has said—did I understand you to say, that Curry was in charge of all transfers?

Mr. FRAZIER. Was in charge of that transfer.

Mr. HUBERT. Of that particular—of Oswald's transfer?

Mr. FRAZIER. Yes.

Mr. HUBERT. Do you know a man by the name of W. J. Harrison, I think they call him "Blackie," a detective?

Mr. FRAZIER. Yes, sir; he is a patrolman temporarily assigned to CID. Yes, sir; I believe he is in the juvenile bureau. I'm not sure, but I think he is.

Mr. HUBERT. Did you ever hear him talk about his experiences on the 24th?

Mr. FRAZIER. No, sir; I haven't seen him. I haven't seen "Blackie" in, I guess, 6 months or so, maybe longer.

Mr. HUBERT. Do you know Patrick Dean?

Mr. FRAZIER. P. T. Dean? Sergeant Dean? I know him; yes, sir.

Mr. HUBERT. Have you spoken to him about his activities on that day?

Mr. FRAZIER. No, sir; he works on another platoon and another captain and I don't come in contact with him very often except just to say hello as we are going off duty or coming on and only one I confer with is the captain in charge of the platoon coming on when I leave.

Mr. HUBERT. The radio patrol is what, actually?

Mr. FRAZIER. It is the regular squad car, two-man squad car that patrols the entire city. We have anywhere from 185 to 205 men on duty at most platoons. However, our day platoon is our lowest. It will run 120, 125.

Mr. HUBERT. These men are cruising areas?

Mr. FRAZIER. Yes, sir; districts.

Mr. HUBERT. And they are controlled by radio communication from your office?

Mr. FRAZIER. No, sir; from the dispatcher's office, which is—

Mr. HUBERT. So, if you want to contact any of those people you can do it directly, you do it through a dispatcher?

Mr. FRAZIER. Through the dispatcher; yes, sir.

Mr. HUBERT. When you—were you on duty when the President was shot?

Mr. FRAZIER. No, sir.

Mr. HUBERT. Were you called in?

Mr. FRAZIER. No, sir.

Mr. HUBERT. You just took your regular shift at 11 o'clock that night?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. You had gotten off at 7 o'clock?

Mr. FRAZIER. 6 or 7 that morning; yes, sir.

Mr. HUBERT. If we would want to find out about the dispatch sent out right after the President's death, or right before, whom would we contact? What would be the name of the officer?

Mr. FRAZIER. Lumpkin, George Lumpkin.

Mr. HUBERT. Lumpkin?

Mr. FRAZIER. Yes, sir; he is in charge of all communications and I believe most of that is on tape. They tried to tape most of the conversations.

Mr. HUBERT. They keep the tape?

Mr. FRAZIER. Yes; permanent records, as I understand it.

Mr. HUBERT. Now, I show you a document which I have marked for identification with the following inscription, in my own handwriting, "Dallas, Tex., March 25, 1964, Exhibit 5086, deposition of W. B. Frazier." I have signed the first page, and placed my initials in the lower right hand corner of the second page. I'll ask you if that statement—if you have read that document and whether it is substantially correct?

Mr. FRAZIER. Yes, sir; it is.

Mr. HUBERT. I would ask you, therefore, if you would sign your name under mine and place your initials under mine on the second page?

Mr. FRAZIER. Right here, sir?

Mr. HUBERT. Yes; right there and then sign your name on the front page right under my signature there.

Mr. FRAZIER. Over here?

Mr. HUBERT. Yes.

Mr. FRAZIER. All right, sir.

Mr. HUBERT. Now, I hand you another document which I have marked for—"Dallas, Tex., March 25, 1964, Exhibit 5087, deposition of W. B. Frazier." I have signed my name to the bottom of this document which purports to be a report by Special Agent Melton L. Newsom of the FBI, of a conversation which he had over the telephone with you on November 24, 1963, at about 3:20 a.m., and I'll ask you if that report by Mr. Newsom of that conversation is a correct report of that conversation?

Mr. FRAZIER. No, sir; I don't believe it is.

Mr. HUBERT. Would you indicate what parts are correct and what parts are wrong?

Mr. FRAZIER. Now, you are asking of my own knowledge, is that correct?

Mr. HUBERT. Yes, sir.

Mr. FRAZIER. Now, this first paragraph here, I know nothing of this. Mr. Glassup. He didn't talk to me.

Mr. HUBERT. No; I think the—

Mr. FRAZIER. And, he received the call I understand here, and it goes into, "I represent a committee that—it is neither right nor left wing," and so forth. I didn't get all that in the conversation with Newsom, that I recall. Newsom told me that a group of men, I believe he indicated a hundred or two were going to kill Oswald the following day, the day after the night—or, you know, the next day or two. Now, that was essentially what he told me.

Mr. HUBERT. Do you say he didn't tell you that had been received by Glassup?

Mr. FRAZIER. No, sir; he said they received information, or threats.

Mr. HUBERT. Nor did he give you the exact language of the threat, as indicated in that?

Mr. FRAZIER. No, sir; he did not.

Mr. HUBERT. He simply told you that they had received the threat and the sense of the threat was along the lines of the paragraph, first paragraph?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. But, neither mentioned Glassup's name, nor did he speak the exact quoted language which—when he spoke to you?

Mr. FRAZIER. That's right.

Mr. HUBERT. Now, what about the next paragraph, second paragraph?

Mr. FRAZIER. Yes, sir; that is essentially correct. However, I believe he did advise the Dallas sheriff's office had received a similar call. That is essentially correct, that paragraph.

Mr. HUBERT. All right; what about the third paragraph?

Mr. FRAZIER. The third paragraph, I don't recall making that statement.

Mr. HUBERT. What about the fourth paragraph?

Mr. FRAZIER. Because, at that time, I did not know exactly what the plans were to move Oswald, see.

Mr. HUBERT. And what about the last paragraph?

Mr. FRAZIER. No, sir; no, sir.

Mr. HUBERT. You mean to say that you do not recall?

Mr. FRAZIER. No, sir; I do not recall making that statement to Mr. Newsom.

Mr. HUBERT. I would like for you to do this then with reference to that document. Just place the word, next to the last paragraph, "incorrect," and initial it.

Mr. FRAZIER. All right, sir.

Mr. HUBERT. Have you initialled it?

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. All right; now, with that—

Mr. FRAZIER. And the top paragraph.

Mr. HUBERT. Well, the top paragraph—

Mr. FRAZIER. I couldn't attest to that either.

Mr. HUBERT. Please explain what your position is on it, and if you would like to sign your name just below mine so then we have the matter in hand.

Mr. FRAZIER. Yes, sir.

Mr. HUBERT. Now, is there anything else that you would like to state that has not been said?

Mr. FRAZIER. No, sir; nothing more to my knowledge.

Mr. HUBERT. Prior to the commencement of this deposition with you, have you been interviewed by any member of the Commission's Staff?

Mr. FRAZIER. No, sir.

Mr. HUBERT. You were not interviewed by me, in fact, before it began?

Mr. FRAZIER. No.

Mr. HUBERT. Thank you very much.

TESTIMONY OF CAPT. O. A. JONES

The testimony of Capt. O. A. Jones was taken at 9 a.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the Dallas deposition of Capt. O. A. Jones, Forgery Bureau, Dallas Police Department. My name is Leon D. Hubert, Jr. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy.

Under the Provisions of the Executive Order 11130, dated November 29, 1963, the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the Commission, I have been authorized to take the sworn deposition from you, Mr. Jones. I state to you now that the general nature on the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you Captain Jones, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent fact you may know about the general inquiry. Captain Jones, you have appeared here today by virtue of a general request made by the general counsel on the staff of the President's Commission to Chief Curry.

Under the rules adopted by the Commission you are entitled to have a 3-day written notice prior to the taking of this deposition. The rules of the Commission also provide that the witness may waive the notice. Do you waive the 3-day notice now?

Captain JONES. Yes, sir; I do.

Mr. HUBERT. Will you be sworn, please?

Captain JONES. Yes, sir.

Mr. HUBERT. Raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Captain JONES. I do.

Mr. HUBERT. Captain Jones, please state your full name?

Captain JONES. Orville [spelling] O-r-v-i-l-l-e Aubrey [spelling] A-u-b-r-e-y Jones.

Mr. HUBERT. Your age?

Captain JONES. Forty-nine.

Mr. HUBERT. And your residence?

Captain JONES. 2603 Alco [spelling] A-l-c-o Avenue, Dallas 11, Tex.

Mr. HUBERT. What is your present occupation, Captain Jones?

Captain JONES. Captain in the city police department, Dallas, Tex.

Mr. HUBERT. How long have you held that rank, sir?

Captain JONES. April of 1957.

Mr. HUBERT. What is your particular assignment now?

Captain JONES. Commanding officer in the forgery bureau.

Mr. HUBERT. You are under Chief Stevenson?

Captain JONES. M. W. Stevenson is my superior officer.

Mr. HUBERT. And your rank and duties were the same during the period of November 22 and 24, 1963?

Captain JONES. Yes, sir.

Mr. HUBERT. Now, Captain, I show you three documents which I am numbering—I show you three documents upon which I am writing the following in the lower right-hand corner. "Dallas, Texas, March 24, 1964. Exhibit No. 5054, deposition of Capt. O. A. Jones." Beneath which I have signed my name, Leon D. Hubert. The second document which I am endorsing "Dallas, Texas, March 24, 1964, Exhibit No. 5055, deposition of Capt. O. A. Jones," and I am signing my signature below that. That document consisting of three pages, and I am initialing—two other—to revert back for a moment to No. 5054, that has a second page and I am placing my initials on the second page of that document in the lower right-hand corner. Third document, I am writing on the right-hand margin the following: "Dallas, Texas, March 24, 1964. Exhibit 5056. Deposition of Capt. O. A. Jones," and I am signing my name below that. That document containing three pages. I am taking my initials and placing them on the second and third pages. Now, Captain, I think you have read these three documents which I—

Captain JONES. I have; yes, sir.

Mr. HUBERT. Now, I would like you to place your name below mine on each one of these pages, please, and your initials below mine on the other pages, after which I'm going to ask you some questions concerning these documents.

Captain JONES. All right, sir.

Mr. HUBERT. Just below mine and then initial the second and third page below my initials there. Now, Captain, I think you have already stated that you have read these three documents?

Captain JONES. Yes, sir.

Mr. HUBERT. Exhibit 5054, 5055, and 5056, and I am going to ask you if, in your opinion, those documents represent the truth, or if you have any kind of amendments, modifications, or additions that you want to make?

Captain JONES. There are some additions.

Mr. HUBERT. Would you state for the record what amendments or modifications, whatever else you have to about the documents.

Captain JONES. This is off the record.

(Discussion off the record.)

Mr. HUBERT. Now, back on the record. Anyhow, with reference directed at 5054, Captain, what have you to say as to that? That being a report of Special Agents James W. Bookhout and Joseph M. Meyers, of an interview of you by those gentlemen on November 25, 1963.

Captain JONES. First, let me say that they make reference—they are correct, but they have grouped together under "specific instructions that I received." I received, at two different times, that is not at the same time. At first, when I was sent downstairs Chief Stevenson gave me instructions to go to the Commerce Street ramp, place two patrolmen there to assist an armored car down that ramp to get it backed as far down as possible, down in the basement—

Mr. HUBERT. Before you leave that, do you know about what time it was?

Captain JONES. I'd say only about 11 o'clock, and it could have been a little before because of the amount of time required on that, but I didn't look at my watch.

Mr. HUBERT. Thank you.

Captain JONES. Do you want me to go on to the other points?

Mr. HUBERT. Yes.

Captain JONES. The other part. In one sentence I gave, he has specific instructions about keeping them back, and Chief Batchelor and Chief Stevenson did so later when they came to the basement, and I called the attention that photographers were out in the other part of the jail office now, and there was nothing said upstairs—said about clearing anything except what I said that one thing, except—take—taking any detectives remaining on the third floor and placing them where I wanted them, where I felt they would be needed. That goes into it a little more in detail, but by having that in front of me right now. If you could, I can show you the point that he states he instructed me to secure the area for the transport of Lee Harvey Oswald from the Dallas City Jail to

the Dallas County Jail—with additional specific instructions from Chief Stevenson or Chief Batchelor or to have detectives under their supervision to question the news media to keep the basement east of the driveway—that came up after we got down in the basement, and it reads maybe as if it was given at another place.

Mr. HUBERT. What you have just read and commented upon is from the first paragraph of a document 5054? Right?

Captain JONES. Yes, sir; right.

Mr. HUBERT. Go ahead now.

Captain JONES. The—in other words, the two instructions given previously before I went to the basement were: One, to arrange to have officers assist the armored truck which they told me was en route, to back into the Commerce Street ramp down into the city hall and as far as possible. Number two; take any remaining detectives from the third floor down to the basement and place them where I thought they might be needed.

Mr. HUBERT. Would you state for the record how you carried out those specific orders?

Captain JONES. Yes, sir; I made a round of all CIB Bureaus, with the exception of homicide and robbery, which was working on the assassination, and got.—I can't tell you, two or three or some detectives that were remaining, and we went down the elevator. This is the one I went down with the—and I don't know who they were, and don't have any names. Didn't make a detail—but I went up and did see Patrolman Jez and one other patrolman that I don't know his name—

Mr. HUBERT. They were in uniform?

Captain JONES. They were in uniform. They would remain and assist the armored truck in backing down there. And the detectives that had come with me were standing at the jail office. I had left them at the door of the jail office, and coming back toward the ramp, I came upon Captain Talbert, in charge of the patrol division, and told him that Patrolman Jez and the other officer were up there and what the Chief had said.

Mr. HUBERT. All right. Now, have you any other comments to make about—

Captain JONES. Now, that is all about that.

Mr. HUBERT. Now, I understand that that is document 5054?

Captain JONES. Let me check on this now for sure. That is—yes; that is all right now.

Mr. HUBERT. All right. And Exhibit 5055.

Captain JONES. May I ask you a question?

Mr. HUBERT. Yes, sir.

Captain JONES. Now then, the instructions about checking that, you want to get to that later that I got—where Chief Batchelor and Chief Severson—

Mr. HUBERT. What I want to do is get through these documents.

Captain JONES. All right, sir. Now, our next exhibit. That would be 5055?

Mr. HUBERT. Yes. That is the letter addressed on November 26th, to Chief J. E. Curry?

Captain JONES. Yes, sir.

Mr. HUBERT. This is a copy of the original which apparently was signed by you?

Captain JONES. Yes, sir; that's right.

Mr. HUBERT. I think you have read it.

Captain JONES. I have read it, and only one thing on that. That is on page 2, at the top—where I had two different directions running from the jail office door across the ramp running east, and then I turned and went south, and we called that east, too, but it is—only thing the right is running, instead of east, should have read south.

Mr. HUBERT. Where is that, sir?

Captain JONES. All right, sir. I will show you. Up here this word "east," probably should be "south."

Mr. HUBERT. Suppose we change that from "this point running east," and I will encircle it and put the word "south," and putting my own initial below the change, and ask you if you would—

Captain JONES. Running east from the door of the jail office to the rail

on the opposite side, and down a line from this point running south. Yes, sir; that's right.

Mr. HUBERT. So, just initial the change then and the word "east," which we encircled and changed to "south," and Captain Jones and myself are initialing the change.

Captain JONES. Yes, sir.

Mr. HUBERT. Other than that, do you have any changes that should be made?

Captain JONES. Let that stand.

Mr. HUBERT. Then this document which I have identified as Exhibit 5056, being the report by the FBI, specifically by Agents Edward Mabey and Kenneth Hughes [spelling] H-u-g-h-e-s, of an interview with you, apparently, on December 2, 1963, and ask you if you have any corrections to make as to that?

Captain JONES. Yes, sir; there are one or two changes that I would like to make in that.

Mr. HUBERT. All right.

Captain JONES. Let's see. Can I see it just one moment, sir?

Mr. HUBERT. Sure.

Captain JONES. All right. I would like to make the following changes. At the bottom of page 1, of Exhibit—that is 5056, I believe?

Mr. HUBERT. That's right.

Captain JONES. The last sentence that reads, "Jones assisted in holding back the press line during the process, and gave instructions to all officers near the jail office and the door to allow no one in the area from the jail to the automobile, down the route the prisoner was to take."

Mr. HUBERT. Now, what is your comment?

Captain JONES. The comment is that the sentence should have read, "Jones assisted holding back the press lines through the process of moving the automobile onto the ramp." The rest of the sentence refers back to just prior to that when the instructions had been given to keep those things clear. Immediately following the clearing of the jail office is when I gave those instructions at that time, to hold the people back and get those—I did not have time or the opportunity, and did not turn at that time and tell everybody that we were trying to get the car back up into position.

Mr. HUBERT. Have you any change or comments to make upon the document—5056?

Captain JONES. Yes, sir; on page 2, of this same exhibit.

Mr. HUBERT. Off the record.

(Discussion off the record.)

Mr. HUBERT. Now, back on the record.

Captain JONES. Beginning with the first complete paragraph that says, "Jones was walking up the Commerce Street ramp when he heard from behind him, 'Here he comes,' from an unidentified individual," and on that, there is only one change.

Whereas, Jones was walking toward the Commerce Street ramp instead of up it, now.

Mr. HUBERT. In other words, you were not——

Captain JONES. In other words, I was not up on the rise itself. I was walking toward it.

Mr. HUBERT. Heading from what direction?

Captain JONES. From the general area in front of the jail office door, out in the flat area. The ramps come down like [indicating] straighten out. The jail is here [indicating].

Mr. HUBERT. In other words, what you wish to point out is that the Commerce Street ramp takes an upturn about half way up the ramp?

Captain JONES. Yes, sir.

Mr. HUBERT. And that you want to indicate that you had not reached the up-rise?

Captain JONES. No, sir; I had not.

Mr. HUBERT. But, you were in the ramp that runs between Main and Commerce, but on the level part?

Captain JONES. On the level part, and walking toward the rise.

Mr. HUBERT. Walking toward the rise. Any other comments concerning that?

Captain JONES. Yes, sir; on page 3—

Mr. HUBERT. 5056?

Captain JONES. 5056.

Mr. HUBERT. What paragraph?

Captain JONES. It will be the last sentence; begins on page 2.

Mr. HUBERT. All right; the last sentence beginning on page 2. Will you read it then?

Captain JONES. "Jones then placed two officers at the swinging door just outside the jail office, and advised them not to let persons leave who had proper identification—

Mr. HUBERT. Latter part of that sentence is at the top of page 3, of that Exhibit 5056, is that right?

Captain JONES. Yes, sir. The correction, sir, that is "Jones then placed two officers at the swinging doors just outside the jail office and advised them to let the reporters and news media who had identification come to the third floor."

Mr. HUBERT. Other than that change, that sentence, you think, is correct?

Captain JONES. That's correct, yes, sir. Now, I have one more.

Mr. HUBERT. All right. What page?

Captain JONES. It is the last paragraph of page 3, first sentence that reads—

Mr. HUBERT. Now, you are talking about Exhibit 5056?

Captain JONES. Yes, sir.

"Due to the fact that Jones was recalled from vacation, he wasn't present at any briefing on the security measures that were to be in effect in the basement on November 24, 1963."

Mr. HUBERT. All right?

Captain JONES. Now, on that, I had been due to go on vacation on Friday. I had continued on through. I don't know why I wasn't in on any briefing or anything. I am going to say that is the reason I wasn't, for I was down there, and that was, I'm sure—I have told the gentlemen these facts and so forth, but that I didn't attend a briefing, that I had planned to go on vacation immediately after the President's speech at the the Trade Mart, and—but I can't say why I wasn't called in on any briefing. I just wasn't in on any of them.

Mr. HUBERT. Just while we are on that subject, is it a fact that you were supposed to go on a leave as soon as the President left Dallas?

Captain JONES. On Friday; yes, sir.

Mr. HUBERT. On Friday?

Captain JONES. Yes, sir.

Mr. HUBERT. In fact, did you go?

Captain JONES. No, sir.

Mr. HUBERT. Would you state very briefly for me your activities from the time of the night before the President's visit up until the 24th? Just very briefly.

Captain JONES. All right, sir. I had been assigned previously in the week to have charge of the fourth floor at the Trade Mart where the President's luncheon was to be held. On Thursday night before—

Mr. HUBERT. Wait. Thursday night?

Captain JONES. Thursday night before the luncheon. I was rather wakeful and a little nervous, certainly not anticipating an assassination, but because of some unfortunate incidents in Dallas, there was a desire not to have anything happen that would reflect on the city, and certainly even a humiliating incident such as throwing paper, eggs, or shouting or anything such as that. A little apprehensive about it, and didn't sleep very much. Went out to the Trade Mart on Friday and stationed quite a few officers at all the places on the fourth floor.

I had a listing and a schedule and all that. Remained there until afternoon—that is, after news of the assassination, and until we were told that we could leave. I then returned to the city hall and en route had cleared with the dispatcher that if he didn't have further instructions for the group with me that we would return to the city hall.

I returned, and I immediately made every officer available to Captain Fritz.

I don't know how long that we worked that night for sure, but I do know it was after 2 o'clock when the FBI Agent Vince Drain left the city hall with some—some evidence he was going to take, and that was about 2 o'clock, Saturday morning, the 24th.

Mr. HUBERT. Did you go home—

Captain JONES. Yes, I did go home for possibly 2 to 3 hours and laid down. Didn't rest very much. We came back down Saturday and continued working with Captain Fritz. Making my offices available and my men available to him during the day Saturday until Saturday evening when we filed our—our bureau filed the assault to murder charge on Oswald for the shooting of Governor Connally, which is our bureau that, assault to murder—that handles assault to murder.

Captain Fritz' bureau handles murder, and by this time I—that was filed, I began to help take incoming calls and to assist in any way that I could up there in the administration offices. Stayed up there until at least nearly midnight Saturday night. Went home, got a few hours of troubled sleep that night. Before I left, Chief Stevenson told me that it looked like my cases were all filed, everything was in pretty good shape, I might as well go ahead and take my vacation as I had planned and I told him I couldn't enjoy—a little fishing trip was what I had planned—until it was all over.

Mr. HUBERT. Let me go back a moment. There was a lineup of some kind on the night of Friday, November 22, at which Oswald was brought into the lineup in the assembly room at the police department, at which a number of news media were present.

Captain JONES. Yes, sir.

Mr. HUBERT. Were you present that night?

Captain JONES. No, sir; I was on the third floor at that time.

Mr. HUBERT. Do you know Jack Ruby?

Captain JONES. I have known him.

Mr. HUBERT. Just state how well and under what circumstances.

Captain JONES. Yes, sir; I will be glad to do that. And I do want to ask—can I say something off the record here?

Mr. HUBERT. Yes.

(Discussion off the record.)

Mr. HUBERT. Get back on the record.

During the off-the-record period, Captain Jones simply explained to me that he had omitted something from his comments relative to what?

Captain JONES. Relative to knowing Jack Ruby. I've got to find—

Mr. HUBERT. Relative to what document?

Captain JONES. 5056. Document 5056; that would be the first complete paragraph on page 3, where it states, "Jones states that he did know Ruby and had known him prior to 1952, when he ran the Silver Spur, a nightclub on South Central. He stated that prior to 1952, he was a lieutenant covering this district and did go into the Silver Spur, at the most, six times looking for white subjects."

Mr. HUBERT. Would you state your comments on that?

Captain JONES. The comment is that, "Jones stated that he did know Ruby and had known him prior to 1952, when he ran the Silver Spur, a nightclub on South Ervay." The next sentence should read, "He stated that prior to 1952, he was a detective assigned mostly to colored cases, but that occasionally we were assigned cases involving white suspects, and on a few occasions did go in the Silver Spur during those investigations."

Mr. HUBERT. All right.

Captain JONES. I was asked how many times, and I could not estimate how many times. I said, "Not over six times, probably, altogether."

Mr. HUBERT. Let me put it this way to you. Did you know him well enough so that you would have recognized him had he walked into a room?

Captain JONES. That is a question in my mind that I doubt very much that I would have. I did recognize him in the basement after someone said—before I ever saw who it ever was in custody, that it was Jack Ruby, and when I was told that in advance I did recognize him. Otherwise, it is possible that I might have recognized him had I been given that opportunity but I did not have the opportunity.

Mr. HUBERT. Did you see him, that is to say, Jack Ruby, in your rounds of the basement any time, from the shooting of the President until the shooting of Oswald?

Captain JONES. To recognize him as such, I did not see him to recognize him then. And after seeing him at the time of the arrest, I did not recall having seen him even as a face in the crowd prior to that.

Mr. HUBERT. Would you say that now with the consideration after having been told that it was Jack Ruby and recognizing him, you still don't remember having seen—

Captain JONES. I did not see that particular man in there, and not having recognized him, I don't recall seeing that face, at any time. This is with the full knowledge that since this matter I have found that one of my own men filed a simple assault case on him about a year ago, but I wasn't aware of that.

Mr. HUBERT. Did you know of any plans that had been made at that time for the transportation of Oswald, prior to leaving to go home on Saturday night, the 23d of November?

Captain JONES. That is one of the questions that I am going to have to say that things have come up that during my investigation that I headed following the shooting of Oswald, by Ruby—that I headed a team of several lieutenants, and one detective investigating the security in the basement—and I have some knowledge as a result of that investigation, that no one came to me and told me about the possible transfer, or—possible transfer, or any plans for a transfer prior to me going home Saturday night.

Mr. HUBERT. Were you aware that the plan was not to transfer Oswald until at least 10 o'clock on Sunday morning?

Captain JONES. It seems to me as if possibly there was something about that in my mind, but I can't tell you where I got it, but there was some talk around there. I don't know whether the time was 10 o'clock, or 9 o'clock, and since that time I have talked to people that said, "I don't know," but it does seem to me that I was under the impression that when I got up Sunday morning that if I got down there before 9 o'clock, he possibly would not have been transferred by that time, but so help me, I cannot think—I cannot say how that I knew that.

Mr. HUBERT. Let me put it to you another way. Were you given any specific duty to perform or anything relative to the transfer whenever that would take place?

Captain JONES. You mean prior to that 11 o'clock, when I was sent to the basement?

Mr. HUBERT. Yes; prior to Saturday night.

Captain JONES. No, sir.

Mr. HUBERT. Prior to leaving on Saturday night—

Captain JONES. In fact, I was told that if I wanted to go on my fishing trip, I could go.

Mr. HUBERT. So, then you got back at what time?

Captain JONES. I would say somewhere roughly around 9 o'clock, couldn't have been much after that.

Mr. HUBERT. Did you do anything between 9 and, say, 10 o'clock?

Captain JONES. Yes, sir; I sure did.

Mr. HUBERT. Tell us what you did.

Captain JONES. I was answering the telephone, and I can't recall specific things. It was just things that come up that needed doing right then. Getting calls—

Mr. HUBERT. Let me ask you the same question I asked about the other period. Were you given any specific duties to do, or specific functions as to supervising concerning the transfer of Oswald during this period of 9 to, say, 11 o'clock, or roughly 11 o'clock, on the 24th?

Captain JONES. No, sir.

Mr. HUBERT. Were you simply answering the phone?

Captain JONES. I came in and started answering the phone, and started doing whatever appeared necessary for me to do.

Mr. HUBERT. What then happened next?

Captain JONES. Well, that went on for almost 2 hours or somewhere near

that and then at approximately 11 o'clock is when Chief Stevenson came to me, and I don't know whether he came in from one of the offices. I was in the big lobby out front of the chief's office, but I came to the double doors where the secretaries have their desks, and he came to me and told me to go down to the basement of the city hall, go up the Commerce Street ramp and place two officers there to assist an armored truck that was en route to be used in the transfer of Oswald. Have those two officers there assist that truck in backing down into the basement as far as possible. "I don't know whether it will go all the way or not," also to take any available detectives on the third floor to the basement and place them where I thought they might be needed.

Mr. HUBERT. Did you follow those instructions?

Captain JONES. I did.

Mr. HUBERT. Can you tell us in what way you did so?

Captain JONES. All right, sir. I went to the automobile theft bureau, juvenile bureau, my own forgery bureau and—burglary and theft bureau, and got any detectives available to have them report to me at the jail office, and it seems to me, as I say, as if two or three detectives went with me. I couldn't tell you how many it was in the elevator going down with me, but—nor who they were, but I do know that when we got to the jail office I then asked them to remain in one place and I went out the door on the ramp, or on the driveway and up the ramp to Commerce Street, called Patrolman Jez and another officer, uniformed policeman, then. Relayed Chief Stevenson's instructions not to leave there that the truck was en route.

In coming back down the ramp I encountered Captain Talbert, who is in charge of the patrol division, and because Chief Stevenson had sent me down there to do that, I informed him of the instructions I had so that he wouldn't inadvertently move them, and then I returned to the officers in the basement—jail office, and just standing outside there. And from here on in—many times—I can tell you most of the things that happened, I am sure I may be a little unsure of the time, or sequence of things, for there in a matter of a few minutes quite a lot of things were done, but I returned into there and told the officers to remain there, that—

Mr. HUBERT. When you say that you returned—

Captain JONES. To the jail office on the basement floor. Now, who they were, I don't know. I am sure some of it is mentioned in the individual officers' reports that we have, of the ones that were there that I was talking to and told them as far as I knew the armored car was going, that was going to transfer him, that was backed up, it was backed up there and we would see the prisoner was safely escorted over to that. Meantime, someone, I couldn't tell—

Mr. HUBERT. Just 1 minute. Before that, had you been told by Chief Stevenson when he instructed you to go down to the Commerce Street ramp and make arrangements for the handling of the armored truck—

Captain JONES. Yes.

Mr. HUBERT. Had you been told what route would be followed by the armored truck, or whatever vehicle?

Captain JONES. I had not been told that. I had heard some discussion. We have a large map of downtown, city of Dallas, that sits inside of the chief's office where the secretaries sit outside there, and one of the chiefs, I don't recall which one it was, was over there talking to someone else about a proposed route. I don't know what it was. I was not told.

Mr. HUBERT. About what time was that?

Captain JONES. Oh, just prior to my going to the basement.

Mr. HUBERT. In other words, just prior to 11 o'clock?

Captain JONES. Yes, sir.

Mr. HUBERT. They were discussing what route to take?

Captain JONES. Discussing route, and I don't know what arrangements was made.

Mr. HUBERT. Let's go back into the basement where you left off at the end of the last sequence of questions. What time, roughly, would it have been when you had completed the duty of informing the police who were at the top of the Commerce Street entrance, and after you had informed Captain Talbert, and after you had gotten these three men—

Captain JONES. To the jail office there?

Mr. HUBERT. What time was it, about?

Captain JONES. Well, it would take a minimum, I would say, of 5 minutes, to come up that. It would vary a little, and possibly more, depending on how fast the elevators came up and so forth.

Mr. HUBERT. What did you do next then?

Captain JONES. Next thing I did—it was brought to my attention—we don't have a chart here so I will have—

Mr. HUBERT. Here; I am going to mark it, "Dallas, Texas, March 24, 1963. Exhibit 5057, deposition of Capt. O. A. Jones." I am signing my name below it and I would like you to sign your name, here.

Captain JONES. All right, sir.

Mr. HUBERT. And then will you use the exhibit as you see fit. Let me say to you that if you do refer to the exhibit please indicate in words where it is rather than pointing to it because it will not make sense later on.

Captain JONES. All right.

Mr. HUBERT. Now, you were saying about the basement—

Captain JONES. When I got off the elevator, came out and left the elevator—all right, now, someone brought it to my attention that photographers and news media were in this part of the jail.

Mr. HUBERT. In the jail?

Captain JONES. Jail office, outside.

Mr. HUBERT. Outside of the desks?

Captain JONES. Outside the booking area, outside of the desk part of the jail office, and newsmen all out in here [indicating].

Mr. HUBERT. When you say "here," you are pointing to the jail area?

Captain JONES. The corridor they have from the driveway from the basement jail office.

Mr. HUBERT. On the east side of the swinging doors?

Captain JONES. On the east side of the swinging doors; yes, sir.

Mr. HUBERT. Well, what did you do?

Captain JONES. I did not know the instructions given to the other officers down there prior to that. Nothing. So, immediately after seeing them—I saw Chief Batchelor and Chief Stevenson come out the swinging doors into the area, and Batchelor, being the highest ranking officer present, I pointed these people out to him, and—

Mr. HUBERT. That is to say, in the jail office?

Captain JONES. In the jail office—were they supposed to be in there, and wouldn't it be better, if we could get those people out of the jail office, that it would be easier to watch the prisoner, and so, I don't know the exact words, I used, and they walked around and looked around, and then agreed that it would be. So, he and I, and at least one other officer, and I don't know who he was, but at least one more removed everyone out of the outer part of the jail office to just outside the swinging doors coming from the basement of the city hall going east.

Mr. HUBERT. In the direction—

Captain JONES. In the direction of the driveway, and after getting them out there, not knowing the specific instructions that might have been given I said, "Chief Batchelor, would it be possible to have all this media be placed north of a line from the east corner of the jail office—all right. To move all the news media north of a line formed from the corner of the jail office from the corridor to across the ramp leading down from Main Street, to have all reporters north of that line, and that east of a line running off from this point across the driveway going south down to the exit from the basement parking area."

Mr. HUBERT. All right, I am going to mark, as you have indicated on the map, by making a line starting—with the letter "A" on the corner formed by the intersection of the jail corridor and the basement ramp moving east to a point, "B", which I am marking—

Captain JONES. Yes, sir.

Mr. HUBERT. Which is the east side of the ramp, and to another point marked "C".

Captain JONES. Well, now, actually, that line would extend all the way up here at that time. I meant to keep them back on those two—and in order—

Mr. HUBERT. Am I correct in what your suggestion was that the news media should be kept north of the line marked A and B?

Captain JONES. That's right.

Mr. HUBERT. And east of the line which runs "B to C," the point "C"?

Captain JONES. I didn't spell it out in those details, but that is the general idea, yes, sir.

Mr. HUBERT. "B" being the top of the Commerce Street ramp?

Captain JONES. For this reason, that we would have only two sides to watch. The rest of it would be more or less brick wall, and he agreed to that. The officers were stationed previously by other people along these lines, so, I went out there with some of these officers and I don't know how many, and we did get those people back.

Mr. HUBERT. You got them back?

Captain JONES. We got them back fairly well at that time.

Mr. HUBERT. Behind the lines?

Captain JONES. Behind these lines. In fact, there at one time it was completely clear.

Mr. HUBERT. That would have been how long before Oswald came down?

Captain JONES. There again, I couldn't say. It was a matter of a few minutes.

Mr. HUBERT. Can you tell me how many people were in the area that I am marking with a pen, "Area A"?

Captain JONES. I cannot tell you.

Mr. HUBERT. Which is to say, the area north of the line "A", which you recently drew?

Captain JONES. Mr. Hubert, that would be truly a guess on my part along with knowledge obtained later and watching these TV films. Unconsciously, I would have to use that, for I don't have any idea on it.

Mr. HUBERT. Were they standing shoulder to shoulder across the ramp?

Captain JONES. It wasn't when we first pushed them back there, it was possibly six or eight people, and possibly a few more than that including officers. I didn't stop to—told the officers, "Get them back," "get them back."

Mr. HUBERT. Now, I am talking about an area called "B", can you give me any comment as to how many people roughly were in there?

Captain JONES. I couldn't guess. A few minutes later I can tell you there was quite a few people there, but—

Mr. HUBERT. We'll get to there. Suppose we get to that. Now then, at the time Oswald was brought down, can you tell me how many people, roughly, were in Area "A" and Area "B"?

Captain JONES. No, sir; I find myself with figures there that—that I do not know whether they are right or not.

Mr. HUBERT. All right.

Captain JONES. What I would want to say, that I did see several people, and I was up there personally, and I don't know exactly who they were, but I was attempting to push them back at that time. So, we can get to that any minute, but as far as giving you a figure or definite number or something, I couldn't do it with any degree of accuracy.

Mr. HUBERT. All right, sir. Do you know of your own knowledge what procedures were being used for checking people in that whole downstairs or basement area, including the ramp and so forth?

Captain JONES. I know only one instance of—somewhere on the way down there that morning, whether it was up on the third floor or whether—I believe it was off of the elevator, just coming off of the elevator I was asked for an identification.

Mr. HUBERT. You were in civilian clothes?

Captain JONES. I was in civilian clothes, yes, sir. I was asked, and that is the only time. I did not give the instruction. These officers were placed there prior to that, on the outside lines, and I don't know of my own knowledge.

Mr. HUBERT. Well, then, proceed with the chronological sequence.

Captain JONES. The chronological sequence, after getting these people out of the jail office and out of the corridors and driveway to these two points of which

we were speaking, then I was somewhere just south of this point marked "B" on the driveway when Chief Stevenson approached me and said, "There has been a change in plan. We are going to put two cars on the driveway and use them." Now, sometime in between there, and I can't tell you the exact time I am aware of a blur of a car going out the wrong way. I didn't see who was in it, and I didn't take too much awareness of it. I don't know just when it was.

Mr. HUBERT. When you say, "going the wrong way——"

Captain JONES. I mean it came out of the basement area and headed up toward Main Street which ordinarily is the down ramp and you go out the ramp going up Commerce Street. There was a car out there, and in light of the investigation I know the circumstances now, but at that time I couldn't tell you about that one which did go out. Chief Stevenson said—came to me just before or after the car pulled out and said—said there was a change in plans, "We are going to put two cars in the driveway and transfer him in a car." Almost immediately some cars started up back in this area [indicating].

Mr. HUBERT. When you say "this area," that is the basement?

Captain JONES. All right, the parking area of the basement, east of the driveway, and I am very sure one car that I saw pull up and go up the Commerce Street ramp from a ways, and I think I am aware of a second car pulling up behind. Now, the second car was having a little difficulty backing down into position to where it would—where it should go, so that when I stepped forward and became aware of quite a mass of people, I couldn't tell you how many in this area "B".

Mr. HUBERT. And you were standing in the west side of the area?

Captain JONES. Yes, sir; the west side of area B, but the east side of the ramp. I was somewhere in there, and I attempted to push the people back, and I'm afraid I may have delayed the driver by pushing these people back, but along about that time someone shouts, "Here he comes."

Mr. HUBERT. Would you just make a little circle as to where approximately you were?

Captain JONES. I think—I think—I think I was somewhere right in this area here [indicating].

Mr. HUBERT. Just put a circle.

Captain JONES. Well, I don't know. That is as close as I can put it.

Mr. HUBERT. You have drawn a circle, and I'm just going to put here, as you said, that it was somewhere around in here, around in the circle that you have drawn and I am marking that "approximate position of Capt. O. A. Jones at the time that Jones heard someone say 'Here he comes,'" is that correct, sir?

Captain JONES. Yes, sir.

Mr. HUBERT. Now, actually, there was an automobile, as you say, backing up towards east, right?

Captain JONES. Well——

Mr. HUBERT. But when they begin——

Captain JONES. It would have been backing north attempting to back north.

Mr. HUBERT. Backing north, but with the front of the car facing south?

Captain JONES. Now then; from here is something that was a mystery to me for 2 weeks——

Mr. HUBERT. You didn't answer the question.

Captain JONES. That's true. In the basement area, onto the ramp, heading out towards Commerce, and attempting to back toward north.

Mr. HUBERT. Now, did you say there was something else?

Captain JONES. The police vehicle—car is ahead of me a little bit.

Mr. HUBERT. It is what?

Captain JONES. Ahead of me, backing toward it, and I am probably in the way, and when they shout, "Here he comes," and the line up ahead of me—up toward the Commerce Street ramp, and I know of some officers, Chief Stevenson and Chief Batchelor, uniformed men up at the ramp, but I'm not sure about Captain Talbert. I'm sure, I believe he is ahead of me. Quite a few officers, however, someone yells, "Here he comes," there is a big furor, so then as I turned and looked back into this area "B", there are some people in there which—hands out, looking them, completely. I am looking east.

Mr. HUBERT. You are looking away from the—

Captain JONES. From the approximate point.

Mr. HUBERT. But you are also looking away from the point which Oswald exited?

Captain JONES. That's right. In watching the people, I was aware, in fact, in trying to get them out of the way.

Mr. HUBERT. Would it be correct to say that the televisions were to your left?

Captain JONES. I think so. I mean, that is my impression, and I cannot—I couldn't swear. I can give you the impression to the best of my knowledge, but here is one thing that I know. I am in that area, I think the television is to my left. I turned to make sure the people stay out of way. Some of the previous instructions—can I go back?

Mr. HUBERT. Yes.

Captain JONES. Some of the previous instructions that I had given to this officer here [indicating].

Mr. HUBERT. Here?

Captain JONES. I'm sorry, just outside of the swinging doors leading into the basement of the city hall and just after clearing the jail office of the reporters, just keep the people out of the area. I told both the officers and the newsmen there, "When the prisoner comes down, you will not be allowed in this area. You will not be allowed to step forward to take pictures, or converse with the prisoner."

Mr. HUBERT. You gave that instruction?

Captain JONES. I gave this instruction to them. I can't say to this officer, or to that officer.

Mr. HUBERT. All right.

Captain JONES. Things had changed. First, I was under the impression that the armored car would back all the way down. I didn't know whether it could get all the way down, may do it at some intermediate point. If it comes all the way down there would be a line. That was the—that was where I wanted the officer here coming out of the jail office. The door of the vehicle that opens—

Mr. HUBERT. I say, that was your idea?

Captain JONES. It was my idea, if the transporting vehicle backs all the way to the jail door.

Mr. HUBERT. All right.

Captain JONES. If it comes partially down here and has to stop, which would be somewhere around this area here [indicating], the—just past—just at the point where the ramp starts to rise there is a beam, I believe, or low point in the ceiling there, that if it cannot get to that point these officers in the line here can form an L-shaped line around the prisoner, between them and the two sides where the news media had been told to stay and form a buffer in between to walk up there. Then the change—going to put two cars up there. There is no reason why that back car can't get all the way back to the jail office. The original plan would be that the line of officers would be from the jail door to the vehicle. Then they say, "Here he comes," and I am off up here, to the point that I indicated on the map. It is too late to get the people out of the way of the car and form the line. I am aware that Oswald is already coming because of the furor, so, I was trying to keep everybody out of the way and keep the way clear and I heard a shot.

Mr. HUBERT. All right.

Captain JONES. And I place that as to why it is my last awareness of—the back car is ahead of, towards Commerce Street. The prisoner is coming from back here [indicating]. The car is backing like this [indicating]. I am looking at—

Mr. HUBERT. You were looking at the automobile?

Captain JONES. At the automobile. They say, "Here he comes." I turned and these people back this way—

Mr. HUBERT. Looking away from the direction?

Captain JONES. Into this basement parking area. I heard a shot, and I

distinctly remember looking over my left shoulder and behind me to the scene of the scuffle.

Mr. HUBERT. What did you see?

Captain JONES. Just mass confusion of people.

Mr. HUBERT. All right; let me ask you this; had you at any time seen Ruby in the basement?

Captain JONES. No, sir.

Mr. HUBERT. At the time of the shooting, did you see him?

Captain JONES. Not at the moment of the shooting. I was looking out into the basement area, parking area.

Mr. HUBERT. After the shooting, did you see him?

Captain JONES. I did; after he was in custody and on his feet and just prior to them taking him into the jail office.

Mr. HUBERT. Did you recognize him then?

Captain JONES. At that time, after having someone say it was Jack Ruby, then I did recognize him as Jack Ruby.

Mr. HUBERT. Did you hear him say anything?

Captain JONES. No, sir; in fact, I wasn't that close to him.

Mr. HUBERT. Did you have anything more to do with Ruby? Did you see him after that?

Captain JONES. Can I continue on the chronological thing there? I don't believe I did see him—

Mr. HUBERT. Go ahead.

Captain JONES. It will be just about that same thing that after I turned and looking back, and also someone running out to the street, out at the extreme edges of the crowd and all, and that is when I hollered, "Block the exits." Or "bar the exits," or "don't let anybody out." Or—I couldn't tell you the words I used. I shouted over my shoulder and took a few running steps and shouting to the officers, for some of them was running down towards the scene that I yelled, "Block the exits, don't let anybody out." The two or three officers stopped. I couldn't tell you who they are, and then I turned and went back down to the scene or near the scene of the shooting, somebody says, it was Jack Ruby. In fact, it was said more than once. I heard the words—and they got the man standing up. I can see his head and I do recognize in my mind that it is Jack Ruby, but—about to get him in the jail office, shouted to that officer that way, whether he heard me or not, I don't know, but this man here Lieutenant Swain [indicating] was having a lot of difficulty. He was standing between point "B" on the driveway and this circle, approximately. Standing near the television cameras, and having difficulty keeping the television men from getting down in the driveway. So I stopped there and I assisted him in keeping those people back for a few minutes until we can get it cleared up. We get that more or less under control. The people are not trying to force their way in there, and I go into the jail office and see Oswald lying on the floor with a bullet hole in the left side, upper rib cage, it appears to me. His shirt has been pulled up. Whether, at that time Ruby was still in the jail office or had started upstairs, he—it seems to me possibly he was getting on the elevator, but I can't say for sure.

Mr. HUBERT. Did you speak to Ruby at that time?

Captain JONES. I did not speak to Ruby.

Mr. HUBERT. Did you see him?

Captain JONES. There—if that was him getting on the elevator, or if he was in there. After that, no, sir.

Mr. HUBERT. Now, did you have anything to do with the clearing of the basement area at an earlier time?

Captain JONES. No, sir.

Mr. HUBERT. Were you ever told as to what the original route would be from the police department to the county jail?

Captain JONES. I was never told by some officer coming to me and saying, this is the route. As I said, I heard some of the higher ranking officers talking of a possible route, but I was on a long-distance phone call at a desk nearby.

Mr. HUBERT. So, you can say to me now that you really did not know the planned route?

Captain JONES. I was not told, and I do not know for sure what route they were going to take. I was aware of talk and some routing being planned.

Mr. HUBERT. Can you tell us when you first heard that Ruby was supposed to have come down the Main Street ramp?

Captain JONES. I don't remember; I don't understand that question, sir.

Mr. HUBERT. Let me put it this way; you have heard since that Ruby claims that he came down the Main Street ramp?

Captain JONES. Yes, sir.

Mr. HUBERT. Do you remember when you first heard that?

Captain JONES. When I first heard that it was probably as a result of me being in charge for the Police Department Committee investigating the operational security about that transfer, and why it broke down, and that heading that committee, I am sure that was passed to me by some of the officers who had talked to him following his arrest.

Mr. HUBERT. In other words, later, on the date of the 24th, or could it have been later than that?

Captain JONES. If I heard it prior to that, or heard rumors, the first official knowledge that I do have would have been even following Thanksgiving Day, for that is the time I was called back from the vacation and called from vacation to head that investigation, and it was subsequent to that that we had our investigation.

Mr. HUBERT. So that if you heard anything about Ruby's version of how he got there, it would have been just passed on to you prior to going on your vacation? That is to say, you would have heard it from someone—

Captain JONES. I would have heard it—or put out on the radio or newspapers or some source like that. I could have read that.

Mr. HUBERT. When did you go on vacation?

Captain JONES. I left here—

Mr. HUBERT. That is Dallas?

Captain JONES. I left Dallas about 7:30 on Thanksgiving morning and got back in town at 8 o'clock that night. Drove to Shreveport, spent 4 or 5 hours with my father and ate lunch and came back. They called for me by the time I got there.

Mr. HUBERT. And you were not on the special committee to investigate security until that time?

Captain JONES. When I returned, went to Chief Stevenson's house that night. He told me what they had in mind. I reported for that the morning following Thanksgiving, Friday morning.

Mr. HUBERT. Now, Captain, is there anything else you want to state concerning the facts, in your deposition this morning?

Captain JONES. I can think of no other at this time, Mr. Hubert. I only wish there was some definite facts I could give you, and wish I could have been more definite in my answers, but I can think of no other right now. We have covered the situation pretty thoroughly.

Mr. HUBERT. Now, have you been interviewed by any member of the Commission, other than myself?

Captain JONES. No, sir; I'm sure I haven't. I mean I would remember that.

Mr. HUBERT. I mean, you have been interviewed by me prior to the commencement of this deposition, isn't that correct?

Captain JONES. We went over the details briefly a while ago; yes, sir.

Mr. HUBERT. And that was this morning?

Captain JONES. That was this morning; yes, sir.

Mr. HUBERT. Now, can you tell me whether you observed any inconsistencies between the interview that you had with me this morning and your testimony in this deposition?

Captain JONES. I am not aware of any, sir.

Mr. HUBERT. Have you provided any material information in that interview with me this morning which has not been talked about in the record of this deposition today?

Captain JONES. I don't know of any, sir.

Mr. HUBERT. I think that is all, sir. Captain, if you have anything else to say—

Captain JONES. I will be happy—if there is anything that I can say that will shed some light on the truth, that's what I want, sir.

Mr. HUBERT. Is there anything at all that you haven't said to me, or during the interview, or during any statements that you may have made to anybody which you would like to say now?

Captain JONES. I can think of none—I got—I told you the facts as I know them. The book that the Commission has, has a copy of—has the conclusions that were reached by our Committee, and those are just opinions based on our investigation of it and certainly we do have opinion on it but I have tried to stay away from my opinion, and—I will answer any questions in the future that you or any member of your Commission wants to know.

Mr. HUBERT. Thank you very much. Let me say that if you should think of anything that has been omitted please feel free to call upon me or any member of the Commission staff to convey that information.

Once again I thank you personally and on behalf of the Commission.

Captain JONES. Thank you.

Mr. HUBERT. Just a moment.

(Discussion off the record.)

Mr. HUBERT. Let me say that I am recommending this deposition about a minute after it finished. You are still under the same oath, of course, that you were before.

Captain JONES. Yes, sir.

Mr. HUBERT. I think that you did prepare, or it was prepared under your supervision, a chart, or diagram that showed the basement area, and by the use of circles and identifying code showed the positions of individuals.

Captain JONES. Yes, sir; that was prepared under my direction by an officer and places people who were not available to our office in this city, where they were placed by the statements, or statements of people who were nearby and said they were there. That was to the best of our ability to determine where they were at the time.

Mr. HUBERT. As I recall it, that was quite a large chart, wasn't it?

Captain JONES. The original that they made.

Mr. HUBERT. And it showed the positions of people like that by circles in which numbers were—

Captain JONES. Were numbered.

Mr. HUBERT. And I think you used a color as well?

Captain JONES. Color to denote the occupation.

Mr. HUBERT. Whether reserve officers—

Captain JONES. Designated from—

Mr. HUBERT. Newspapermen.

Captain JONES. And those numbers applied to one other, then they applied to the number of the page in the book of the ones they took affidavits from.

Mr. HUBERT. That is to say that these circles with the number in it designating the position of a particular individual, that same number was used to identify his report?

Captain JONES. That's right.

Mr. HUBERT. In your security report?

Captain JONES. Yes, sir.

Mr. HUBERT. But note for the record: The report which Captain Jones is referring has been designated as Commission Report No. 81-A. This is a copy of that, isn't it?

Captain JONES. Yes, sir. That is it.

Mr. HUBERT. All right. So, that the chart really is an estimation based upon the persons involved, what they said themselves, and also as to what other people said as to where they were.

Captain JONES. Yes, sir; we were limited as to the miles and distances of contacting some of the witnesses.

Mr. HUBERT. Once again I thank you for appearing.

TESTIMONY OF LT. JACK REVILL

The testimony of Lt. Jack Revill was taken at 9:15 a.m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Lt. Jack Revill [spelling] R-e-v-i-l-l-e. Lieutenant REVILL. No. No "e."

Mr. HUBERT. No, "e"? But two "l's."

Lieutenant REVILL. Yes.

Mr. HUBERT. My name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order No. 11130, dated November 29, 1963, joint resolution of Congress No. 137, in the rules and procedures adopted by the Commission in conformance with the Executive order and joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Lieutenant Revill, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other facts you may know about the general inquiry.

Now, Lieutenant Revill, you have appeared here today by virtue of a general request made to Chief Curry by J. Lee Rankin, who is the general counsel of the Commission. And under the rules of the Commission you are entitled to a 3-day written notice prior to the taking of the deposition, but the rules also provide that a witness may waive that 3-day written notice. Do you wish to do so? Do you wish to waive the 3-day—

Lieutenant REVILL. I will waive it, yes.

Mr. HUBERT. All right. Now, let's swear you.

If you will stand and raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Lieutenant REVILL. I do.

Mr. HUBERT. State your name, please.

Lieutenant REVILL. My name is Jack Revill.

Mr. HUBERT. Your age?

Lieutenant REVILL. My age is 34 years of age.

Mr. HUBERT. Your residence?

Lieutenant REVILL. My residence is Dallas, Tex., 5617 Meadowick Lane.

Mr. HUBERT. What is your occupation, sir?

Lieutenant REVILL. I'm employed by the Dallas Police Department, lieutenant of the police.

Mr. HUBERT. How long have you been so employed?

Lieutenant REVILL. I have been employed by this police department for a period of 13 years.

Mr. HUBERT. How did you start?

Lieutenant REVILL. I was employed and assigned a patrolman. From there I was promoted to my present rank of lieutenant.

Mr. HUBERT. When did you receive your present rank?

Lieutenant REVILL. June 26, 1958.

Mr. HUBERT. Now, what are your specific functions or duties or assignments within the department?

Lieutenant REVILL. I am presently assigned as section supervisor of criminal intelligence, which is a part of the Special Service Bureau.

Mr. HUBERT. How long have you been in that section?

Lieutenant REVILL. Since February of 1959.

Mr. HUBERT. Who is your immediate superior there?

Lieutenant REVILL. My immediate supervisor is Capt. W. P. Gannaway.

Mr. HUBERT. And then over him?

Lieutenant REVILL. Chief Curry.

Mr. HUBERT. In other words, you don't work for any other captain or supervisor?

Lieutenant REVILL. No.

Mr. HUBERT. You report to the Chief himself, I mean, you don't go through Stevenson or Batchelor?

Lieutenant REVILL. Just directly to the Chief.

Mr. HUBERT. Now, I would like you to state briefly, so that we get the full story, just what function you have had with respect to the investigation of the shooting of Oswald. First let me ask you: Were you present when Oswald was shot?

Lieutenant REVILL. No, sir; I was not.

Mr. HUBERT. Did you have anything to do with the transfer of Oswald?

Lieutenant REVILL. No, sir.

Mr. HUBERT. Were you on duty that day?

Lieutenant REVILL. No, sir; later I was, but not the morning of the shooting.

Mr. HUBERT. Not at the time of the shooting?

Lieutenant REVILL. No.

Mr. HUBERT. Now, then, go ahead and tell us about just what you did with reference to the investigation of this.

Lieutenant REVILL. After Jack Ruby shot Lee Harvey Oswald I was assigned to an investigative committee to determine how and why Jack Ruby gained access to the basement of the city hall. This committee was comprised of myself, Lt. F. I. Cornwall, Lt. P. G. McCaghren, Lt. C. C. Wallace, Capt. O. A. Jones and Inspector Sawyer, and I do not recall his initials, but our function was to interview the people present in the basement on the morning of the shooting, and any other leads that might be developed from these interviews. We were to follow up on these.

Mr. HUBERT. When did the official committee you have just mentioned come into existence and who put it in existence and who gave you your orders?

Lieutenant REVILL. This committee was formed—created at the orders of Chief J. E. Curry. The exact date I do not recall. It was in December.

Mr. HUBERT. All right. Go ahead.

Lieutenant REVILL. As previously stated, our function was to interview these people.

Mr. HUBERT. Had any other interviews of these people been made prior to the commencement of the functions of your committee?

Lieutenant REVILL. Interviews, as such, no. Most of the officers had submitted written reports as to their specific duties on the morning of November 24, 1963.

Mr. HUBERT. Do you know when that was done?

Lieutenant REVILL. I presume that it was done on the date of the shooting and immediately thereafter.

Mr. HUBERT. Isn't it a fact, as I recall it, that the individual reports made by every officer who was in the basement more or less followed a form in the sense that they were submitted a list of questions, at least they had to answer that much, and they could, perhaps, go further if they wanted to?

Lieutenant REVILL. I believe the form letter you make reference to was given to the police reserve officers. These are the people that I devoted my efforts toward, the police reserve, but Lieutenant Cornwall and I, our duty was to interview these reserve policemen.

Lieutenant McCaghren, O. A. Jones and Wallace interviewed the sworn officers.

Mr. HUBERT. By the way, where is Cornwall now?

Lieutenant REVILL. He is in Louisville, Ky., at the Southern Police Institute. He left a week ago.

Mr. HUBERT. And I understand that he is going to be there——

Lieutenant REVILL. 3 months.

Mr. HUBERT. 3 months?

Lieutenant REVILL. Now, Lieutenant Cornwall and I were together throughout the existence of this committee.

Mr. HUBERT. Are you familiar with the document entitled, "Investigation of the Operation and Security Involved on the Transfer of Lee Harvey Oswald, on November 24, 1963," which I now show you?

Lieutenant REVILL. Yes, sir; I am.

Mr. HUBERT. Let the record show that I am showing Lieutenant Revill, a document which has been identified as Commission's Report 81-A. Are you familiar with the letter of transmittal of this report dated December 16th, 1963, which is at the first part of the report, and runs for 11 pages, signed by Sawyer, Westbrook, and Jones?

Lieutenant REVILL. Yes, sir; I am.

Mr. HUBERT. I believe that this report, in its very last paragraph, says that you have read it and concur?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. Some of the reports in there are actually signed by you?

Lieutenant REVILL. Yes, sir; that's correct.

Mr. HUBERT. Do you know an officer, a reserve officer by the name of Mayo?

Lieutenant REVILL. Mayo?

Mr. HUBERT. Lamar Mayo. I think his civilian employment is in—he is an accountant or chief of credit department of Sears, Roebuck here.

Lieutenant REVILL. This is R. L. Mayo?

Mr. HUBERT. It could be R. L. Mayo.

Lieutenant REVILL. I looked here and I found a copy of an interview of a reserve officer, Sgt. R. L. Mayo, signed by myself and Lieutenant Cornwall.

Mr. HUBERT. Lamar W.?

Lieutenant REVILL. We do have an L. W. Mayo. It is possible that we made an error on this up here, the girl—

Mr. HUBERT. It is L. W. Mayo, I think.

Lieutenant REVILL. It will be the same. I was looking at his report, and what we had put in our report about his position or duty assignment and what happened here, they—

Mr. HUBERT. When you say "here," you are talking about—

Lieutenant REVILL. In the report. It is page 70.

Mr. HUBERT. Page 70 of Commission's Document 81-A.

Lieutenant REVILL. What happened, the secretary in typing the report put the wrong initial. She placed R. L. Mayo, and it should read L. W. Mayo.

Mr. HUBERT. I noticed that you are talking about the part of the letter which starts off "Re: interview of Reserve Officer, Sgt. R. L. Mayo, 826," that being a heading on the letter of December 3, 1963, but the next document also numbered page 70, in Commission's Document 81-A, shows that the initial report dated November 26, addressed to Chief Curry is signed, "L. W. Mayo," and it is your thought—that it is an error in the first document which is entitled, "Interview of Reserve Officer, Sgt. R. L. Mayo," and it should have been, "L. W. Mayo?"

Lieutenant REVILL. Yes.

Mr. HUBERT. It is your opinion that that is the same person?

Lieutenant REVILL. Yes, sir; this is my opinion.

Mr. HUBERT. I understand that Sergeant Mayo, when he was interviewed by you stated that he had been approached by some individual who was either a minister or posing to be a minister in any case, who was trying to get into the jail through the Commerce Street entrance on November 24, prior to the shooting, stating that he wanted to see Oswald, and that you had told him, well, that wasn't pertinent to your inquiry, and all I want to do is ask you what—if it is true, and just what comment do you have to make on it?

Lieutenant REVILL. I don't recall making that, because it would have been pertinent to my inquiry, because in the reports I make reference to an individual who was on the street trying to get in who was wearing a Whitehouse—a streamer with the words, "Whitehouse Press." This, to me, was pertinent, and this minister—of course, the minister wanted to see Oswald prior to the shooting.

Mr. HUBERT. Yes. In other words, your statement is that you do not recollect that Mayo made such a statement to you?

Lieutenant REVILL. No, sir; he might have made such a statement, but—

Mr. HUBERT. If he did, your thought would be you would have put it in?

Lieutenant REVILL. Yes, sir; because to me it would have been pertinent. Anything.

Mr. HUBERT. Do you recall his statement to you, Mayo to you, that after the

shooting when Mayo was stationed in the Main Street ramp that there was a man who came to Mayo, I think, identified himself as Ruby's roommate, and was trying to get in to see Ruby, that being after the shooting. Do you recall that Mayo reported that during the course of the interview?

Lieutenant REVILL. It seems like I do recall Mayo saying something like that, and I believe he referred this man to Lieutenant Gilmore of the Special Service Bureau. I believe he told me that, but I don't see it here and I don't know why we omitted that, but I think we—I do recall him making such a statement. George Senator, I believe he would have been the individual.

Mr. HUBERT. Yes. He described him as having a slight limp, too, I think he said.

Lieutenant REVILL. This, I don't know.

Mr. HUBERT. But, you do not recall right now why it was not made a part of the interview?

Lieutenant REVILL. Just an oversight on my part. It should have been listed here.

Mr. HUBERT. There is one other thing that Mayo states that he told you, which apparently is not in the report, that is about a man and a woman who had been hanging around the Main Street entrance apparently after the shooting. Apparently they were tourists from Springfield, Ill., and they wanted to take some pictures and stated that to you that—

Lieutenant REVILL. No, sir; he did not state this to me.

Mr. HUBERT. As to that episode, then, you do not recall that that was stated to you?

Lieutenant REVILL. I would say that he did not relate this to me.

Mr. HUBERT. Well, as I see the three episodes then, as to the first one regarding the minister, your thought is that he may have stated to you, but you do not remember?

Lieutenant REVILL. I don't recall.

Mr. HUBERT. Nor do you recall why he omitted it from your report?

Lieutenant REVILL. This might have happened. It was subsequent to this I found a preacher who wanted to talk to Oswald, and he went to Chief Batchelor's office, and—

Mr. HUBERT. When subsequent to what?

Lieutenant REVILL. Subsequent to the shooting.

Mr. HUBERT. Oh, I see.

Lieutenant REVILL. No, prior to the shooting, and subsequently—he was probably talking to—let's see, he arrived at city hall at 9:30. This preacher's name is Ray Rushing. He is an evangelist, Radio Evangelist.

Mr. HUBERT. And that was reported and the man was interviewed?

Lieutenant REVILL. It was not reported because I myself found this man.

Mr. HUBERT. But—

Lieutenant REVILL. There is no report on it, because it is in—it had nothing to do with the shooting. He had gone to Sheriff Decker's office, and Decker referred him to the city thinking that Oswald had not been transferred, so, he came to the city hall and went to the third floor, and—by the way, he rode up on the elevator with Jack Ruby, now—

Mr. HUBERT. This Rushing?

Lieutenant REVILL. Yes.

Mr. HUBERT. Rode to the third floor—

Lieutenant REVILL. Now, he says this.

Mr. HUBERT. Oh, he says this.

Lieutenant REVILL. Yes, for the past 7 weeks I have been assigned to the district attorney's office, the prosecution of Ruby, running down leads and interviewing witnesses and this preacher was one of the people that we located, and he related this story to me, that he rode up on the elevator with Jack Ruby on the morning of November 24. Mr. Wade did not use this man. He didn't need the testimony, because he had placed Ruby there the morning of the shooting.

Mr. HUBERT. In other words, Rushing says that he rode up with Ruby on the morning of the 24th, prior to the shooting?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. What was his name?

Lieutenant REVILL. Ray Rushing.

Mr. HUBERT. You don't know how we could reach him?

Lieutenant REVILL. No; he lives in Richardson, Tex.—correction, please—Plano, Tex.

Mr. HUBERT. How do you spell that?

Lieutenant REVILL. P-l-a-n-o, north of Richardson, and at this time he does not have a phone.

Mr. HUBERT. Did you make a report on the interview with him?

Lieutenant REVILL. No, sir; I did not. This was an interview conducted by the—at the district attorney's office in the presence of Assistant District Attorney Alexander.

Mr. HUBERT. Did Rushing say what time that was?

Lieutenant REVILL. 9:30. He was sure of the time, because he had let his wife and family out at the First Baptist Church, and traveled directly to the city hall.

Mr. HUBERT. Was he sure it was Sunday the 24th?

Lieutenant REVILL. Yes, sir; he had gone there to speak to Oswald.

Mr. HUBERT. How did he recognize Ruby? Did he say?

Lieutenant REVILL. He said he recognized him from the newspaper article that appeared that day, and later days.

Mr. HUBERT. Did he say whether he had any conversation with him?

Lieutenant REVILL. He talked about the weather. I asked him.

Mr. HUBERT. Did he say whether he was—whether he saw Ruby there afterwards?

Lieutenant REVILL. He said he turned to the right and—went up to the third floor and after arriving on the third floor, he turned to the right and went to the administrative office and talked to Chief Assistant Batchelor.

Mr. HUBERT. But, anyhow, after you interviewed this man Rushing, you turned over the information concerning your interview to Assistant District Attorney Alexander?

Lieutenant REVILL. What I did is, I interviewed Mr. Rushing one night and asked him if he could come to the district attorney's office and relate this to Mr. Wade. Possibility that the district attorney might use him as a witness, and Alexander was of the opinion that the man might be mistaken. That he saw this as a means of getting publicity. Of course, I disagree with that thinking. I think that the man is truthful in that he is reporting what he thinks he saw.

Mr. HUBERT. When you interviewed him did he give you what you considered a fairly accurate description of Ruby?

Lieutenant REVILL. Yes. Of course, so many photographs had appeared in the newspapers and it would be easy for someone to—

Mr. HUBERT. Where did you interview him?

Lieutenant REVILL. At the district attorney's office.

Mr. HUBERT. Did he give you a specific address in Plano?

Lieutenant REVILL. It is out in the country. It is a box number. I can't—

Mr. HUBERT. What is he? A Baptist minister?

Lieutenant REVILL. He is, yes; I guess he would be. He attends the First Baptist Church. He is one of these Evangelist—that his calling is to dry up the liquor industry, throughout the nation, so they tell me.

Mr. HUBERT. Did he state to you what his purpose was in seeing Oswald?

Lieutenant REVILL. Yes, he felt that Oswald needed spiritual guidance at that time. He was in trouble and he felt like he could possibly help him.

Mr. HUBERT. Did he say whether he got to see Oswald?

Lieutenant REVILL. He did not get to see him.

Mr. HUBERT. Did he say how he got into this building?

Lieutenant REVILL. He walked into the building.

Mr. HUBERT. Did he have any difficulty getting in?

Lieutenant REVILL. Not at that time, no.

Mr. HUBERT. Did he state whether he was stopped and asked for identification by anyone?

Lieutenant REVILL. No, sir; I don't believe he was. At that time, of course,

I don't know for sure—I don't know that they were—had the building secured.

Mr. HUBERT. Now, as to the second thing that Mayo told you. To wit, about Ruby's roommate who may or may not be Senator, you do recall that he said that, but you don't know why it was left out of the—

Lieutenant REVILL. It was an oversight. It seems as though I do recall him telling me something about that, and that he referred this man to Lieutenant Gilmore, who was assigned to the special service section.

Mr. HUBERT. The third thing, that man and wife from Springfield, Ill., you have no recollection of that?

Lieutenant REVILL. No, sir; no recollection whatsoever.

Mr. HUBERT. Do you recall interviewing Pat Dean?

Lieutenant REVILL. Sergeant Dean? No, sir; I did not interview Sergeant Dean.

Mr. HUBERT. Or Archer?

Lieutenant REVILL. No, sir; these interviews were conducted by Lieutenant McCaghren and Wallace. Now, Dean, being a uniformed officer, he might have been interviewed by Captain Westbrook.

Mr. HUBERT. Your function was to find out how Ruby got into the—

Lieutenant REVILL. Basement. This basement; yes, sir.

Mr. HUBERT. When did you first learn of Ruby's version that he came in the Main Street entrance?

Lieutenant REVILL. When I first learned it? I read it in the newspaper.

Mr. HUBERT. You didn't know it on the 24th?

Lieutenant REVILL. No, sir.

Mr. HUBERT. Of course, actually, you hadn't been assigned the job—

Lieutenant REVILL. No, sir; no, sir. What happened, my people were—the people, the detectives assigned to my unit and myself were assigned to the Trade Mart, where Mr. Kennedy was to speak. Upon hearing of the shooting, three of us, or four of us, went to the Texas School Book Depository and started a systematical search and there were many, many officers present at that time. I made a report to Chief Lumpkin naming all of the officers that I could recall being there. This was on a Friday. The following Saturday, the next day, we were to locate witnesses. People who were employed at the School Book Depository, get them and bring them to Captain Fritz' office. This took all day. Saturday night we terminated and went home approximately 8 o'clock. The next morning none of us were assigned to duty. Now, by that I mean the intelligence unit. I was at home and I saw the shooting on television and from there I got a phone call to report to Mayor Cabell's home, because there had been a threat on his life. I went to Washington with Mr. Cabell that night and got back the next day.

Mr. HUBERT. You haven't, then, spoken to Dean at all about how Ruby got into the basement or how Ruby, says he got into the basement?

Lieutenant REVILL. I am sure I have discussed it with him, but as far as a formal interview; no.

Mr. HUBERT. But, in any case, your first knowledge didn't come from any particular individual, but from the newspaper?

Lieutenant REVILL. Newspaper.

Mr. HUBERT. In your discussion with Dean, do you recall whether he stated to you how he found out about Ruby's alleged entry through the Main Street ramp?

Lieutenant REVILL. No, sir; I do not.

Mr. HUBERT. Do you know the reserve officer by the name of Holly?

Lieutenant REVEL. Holly? Yes, sir; I talked to Mr. Holly.

Mr. HUBERT. Do you recall the nature of the conversation?

Lieutenant REVILL. Yes, sir; I do.

Mr. HUBERT. Would you tell us about it, please?

Lieutenant REVILL. If I may find the report.

Mr. HUBERT. There is an index there.

Lieutenant REVILL. Yes; and they are filed alphabetically. Ordinarily I can find it probably easier this way. Holly, yes, Holly was interviewed and he stated that he had been assigned to a traffic corner and after the shooting occurred he was reassigned to Parkland Hospital, and that while there some

unknown police reservist told him that he had observed, or admitted Ruby into the basement of the city hall, and that Ruby had presented press credentials.

Mr. HUBERT. Well—

Lieutenant REVILL. Well, what we did, we have photographs of all of the police reserve, and Holly could not identify anyone as being this officer, or reserve officer.

Mr. HUBERT. Where did this take place, that is to say, where was Holly shown these pictures?

Lieutenant REVILL. In the city hall, in the special services bureau.

Mr. HUBERT. Did you say that when Holly was interviewed he was interviewed by Captain Solomon?

Lieutenant REVILL. Well, Holly was interviewed by Captain Solomon, and both Lieutenant Cornwall and I.

Mr. HUBERT. All at once?

Lieutenant REVILL. No; see what happened, Holly came to us with his story. Well, we jumped on it because there might be something to it, so I called Captain Solomon, who has access to all of the records and photographs of the reserve officers, and he brought them to the special services bureau in the city hall. Holly was unable to identify this officer. We talked to Captain Arnett, who is a reserve captain, and both Solomon and Arnett were of the opinion that Holly might be fabricating this thing.

Mr. HUBERT. Now; what did Holly say—

Lieutenant REVILL. Holly—

Mr. HUBERT. That this reserve officer told him?

Lieutenant REVILL. That he had seen Ruby in the basement of the city hall, and that Ruby had presented press credentials to someone in the basement of the city hall. We were never able to locate this reserve officer.

Mr. HUBERT. Did Holly tell you that a reserve officer, possibly the same one, possibly another, had told him that he had seen Ruby coming down the ramp, Main Street ramp, and just about a minute before the shooting?

Lieutenant REVILL. No, sir; Holly did not say that to me. I found a reserve officer who was present in the basement of the city hall who saw some individual coming down the ramp, the Main Street ramp.

He could not identify this person as being Ruby. As you said, approximately a minute or minute and a half after the shooting—I mean, prior to the shooting. Have you got a—

Mr. HUBERT. I don't want to suggest anything to you, but to assist you, tell me if you don't recognize the name, Officer Newman?

Lieutenant REVILL. I believe that it is Newman. I can show you. You—he was assigned—

Mr. HUBERT. Did you interview Newman?

Lieutenant REVILL. Yes; I did.

Mr. HUBERT. Newman said that he had not recognized Jack Ruby?

Lieutenant REVILL. Yes; he did not recognize the man coming down the ramp, and the distance involved, I can readily see why he could not identify him.

Mr. HUBERT. Did Newman mention to you in your interview that as a matter of fact, there were two people he saw in the basement area. One, a man coming down the ramp about a minute before the shooting, and another person who jumped the rail down there from the parking area into the ramp on the Main Street side, but that he could not identify either?

Lieutenant REVILL. Yes.

Mr. HUBERT. And that, as to the man jumping the rail he didn't know whether it was before the shooting or after.

Lieutenant REVILL. The man that he is making reference to jumping over the rail was an electrician, and this was prior to the shooting.

Mr. HUBERT. Was this Chabot? [Spelling] C-h-a-b-o-t?

Lieutenant REVILL. Tommy Chabot, I believe he is a mechanic.

Mr. HUBERT. Did he, Newman, identify him as such?

Lieutenant REVILL. Newman did not identify him as such, nor did he identify the man running down the ramp.

Mr. HUBERT. Well, I can understand then that when he saw the man running

down the ramp he did not know who that was, but did he tell you later he identified that man as being Ruby by comparing him to the pictures?

Lieutenant REVILL. No, sir; he did not.

Mr. HUBERT. Now, when Holly was asked to pick out the reserve officer who had told him what you said he did in the hospital, was Captain Solomon present?

Lieutenant REVILL. Yes; Solomon was present and had brought these photographs to special services bureau, and he was unable to identify any of these people.

Mr. HUBERT. He didn't pick out any picture at all?

Lieutenant REVILL. No, sir.

Mr. HUBERT. You know, of your own knowledge, whether or not Solomon had another interview with this man?

Lieutenant REVILL. No, sir; I do not.

Mr. HUBERT. Have you ever heard that Holly actually did pick out a picture in an interview with Solomon and state that he thought that was the reserve officer who had spoken to him. Now, apparently that didn't happen when you were present?

Lieutenant REVILL. No, sir; I don't recall this happening in my presence. I do recall, I believe, Holly thinking that a specific officer was the individual that—we interviewed this officer and he was not the one, and I couldn't tell you his name, because we talked to so many of them.

Mr. HUBERT. Then Holly did say that he thought that this might be the individual, and he picked out then a particular picture?

Lieutenant REVILL. As I recall, he picked out a picture, and as it turned out, the man that he picked out wasn't even present at the basement of the city hall. He had been fishing, was on a fishing trip, and I talked to this reserve officer, I couldn't tell you his name. There were two of them that came from Arlington directly to the hospital.

Mr. HUBERT. But, in any case, it wasn't Newman?

Lieutenant REVILL. No, sir; he was not.

Mr. HUBERT. Newman is a reserve officer?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. So, the picture Holly picked out as being possibly the man who told him about seeing someone coming through with a pass or something like that sort was not Newman?

Lieutenant REVILL. Right.

Mr. HUBERT. That reserve officer was interviewed?

Lieutenant REVILL. Yes, sir; he was interviewed and the report is in here, if I could find it.

Mr. HUBERT. And your recollection of the interview was that he wasn't even in the place at all?

Lieutenant REVILL. He had been fishing.

Mr. HUBERT. You have no recollection at all of Holly picking out Newman's picture?

Lieutenant REVILL. No, sir; he did not pick out Newman's picture.

Mr. HUBERT. That is to say, in your—

Lieutenant REVILL. In my presence.

Mr. HUBERT. Nor, have you heard that he picked out Newman's picture when you were not there?

Lieutenant REVILL. No, sir; I have not heard this.

Mr. HUBERT. I think the report indicates that you interviewed Ruby?

Lieutenant REVILL. Yes, sir; on two occasions.

Mr. HUBERT. What was the first one?

Lieutenant REVILL. The first occasion, the date would have been on the Sunday following the shooting.

Mr. HUBERT. When? One week later?

Lieutenant REVILL. One week later, yes, sir.

Mr. HUBERT. I can show you a calendar of—

Lieutenant REVILL. I can give you the date.

Mr. HUBERT. Can you?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. Would you do so?

Lieutenant REVILL. Would have been on December the 1st in the county jail. Present at that interview was Lieutenant Cornwall, a jailer, whose name I do not recall. This man was present at both interviews, at Mr. Decker's request.

Mr. HUBERT. The jailer was?

Lieutenant REVILL. The jailer; yes, sir. And this proposed interview took place just outside the cell where Ruby was confined in, I believe it would be the chief jailer's office.

Mr. HUBERT. Will you tell us about what happened?

Lieutenant REVILL. Yes, sir; Lieutenant Cornwall and I, after interviewing all these people, trying to determine how Ruby got into the basement, decided that the best thing was to talk to Ruby himself, so, we finally got clearance to go talk to him and we did, and——

Mr. HUBERT. Now, by that time you had already heard from the press that he had said that he had come through the Main Street ramp?

Lieutenant REVILL. Something to the effect that, "You may not believe me, but I walked down the ramp." Anyway at the interview, Ruby was there with Cornwall and I, and this unknown jailer, and he refused to disclose how he gained access into the basement stating that this is a part of his defense, so, we then had Sheriff Decker call Tom Howard, who was representing Ruby at that time as a legal counsel. Mr. Howard came to the jail and was present throughout the interview. Ruby was very precise as to his activities on Friday, the date of the shooting of President Kennedy. He refused to discuss with us any of his activities on Saturday, November 23 or November 24, the day of the shooting.

Mr. HUBERT. Did he give you any reason?

Lieutenant REVILL. This was part of his defense, so he stated. The interview approximately took 45 minutes. It was a lot of——

Mr. HUBERT. Did you ask him specifically whether the story in the press, that he had come through the Main Street entrance, was correct or not correct?

Lieutenant REVILL. Yes, sir; I asked him this, and he refused to discuss it. He said that he did not want to get anyone in trouble.

Mr. HUBERT. Did you pursue that?

Lieutenant REVILL. Yes; I did. I was assigned to this committee to find out what happened, and I really wasn't concerned who we got in trouble, because if someone was wrong, then they suffer the consequences and I asked him about officers by name who were present in the basement, if they had seen him or talked to him, and he wouldn't discuss it. Knowing Jack Ruby, Jack Ruby is the type of individual that can't be anywhere for a period of time without talking to someone.

Mr. HUBERT. Did you mention to him specifically Roy Vaughn's name?

Lieutenant REVILL. Yes, sir; the officer——

Mr. HUBERT. At the Main Street exit?

Lieutenant REVILL. Yes, sir; I did.

Mr. HUBERT. He made no comment?

Lieutenant REVILL. No, sir; he wouldn't discuss this. I asked him about Detective Harrison. The films showed that Ruby was standing at Harrison's shoulder.

Mr. HUBERT. What did he say about that?

Lieutenant REVILL. He became very upset.

Mr. HUBERT. Did——describe how he was upset?

Lieutenant REVILL. This is when he said——well, he got real angry at me and cussed me and told me——

Mr. HUBERT. Ruby did?

Lieutenant REVILL. Oh, yes; told me I was a hatchet man and trying to get the man's job.

Mr. HUBERT. When he said you were trying to get the man's job, that is Harrison's job?

Lieutenant REVILL. He meant Harrison's job, so, what I did, was later got it approved to put Harrison on the polygraph to determine if he had seen Ruby prior to the shooting and if he had talked to Ruby. Well, the polygraph examination showed that Harrison had no knowledge of Ruby being present.

Mr. HUBERT. Did you interview Harrison, too?

Lieutenant REVILL. Yes; I did. Showed him the film.

Mr. HUBERT. Did you sort of put him through any cross examination?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. What is your opinion of his veracity? Do you think he is telling the truth?

Lieutenant REVILL. If you believe a polygraph examination; he is.

Mr. HUBERT. I was interested in your impression.

Lieutenant REVILL. Yes, sir; and if this is being recorded, then I'd rather not state an opinion as to his truth and veracity.

Mr. HUBERT. I understand. Did you mention on that first occasion any other names to Ruby? I think you have mentioned already, Vaughn and——

Lieutenant REVILL. I mentioned the officers who were in the positions to have seen Ruby.

Mr. HUBERT. Did you mention to him the name of Daniels, ex-police officer?

Lieutenant REVILL. I may have. I might have asked him if he knew Daniels.

Mr. HUBERT. But, in any case, that is all of your questions. He refused to discuss and at this time he—his lawyer wasn't present?

Lieutenant REVILL. On the second interview, which would have occurred on December the——

Mr. HUBERT. Before you leave that, I want to get a little bit more information concerning this, I think you said, "Fit of anger," when he cursed you and told you you were a hatchet man.

Lieutenant REVILL. What upset him——

Mr. HUBERT. Did he say any other things?

Lieutenant REVILL. What upset him was that I was involved in this thing. When I walked in he said something to the effect, "Well, the Intelligence people are involved in it now. They think I am a Communist." I don't know what gave him that idea, but I have known Jack Ruby since 1953. I have never been a friend with him. I knew him enough to talk to him. Lieutenant Cornwall took the position of being his friend, and I was the foe, and that is the way we conducted our interview. We were unable to get any information from him.

Mr. HUBERT. But the mention of Harrison, apparently is the thing that set——

Lieutenant REVILL. Set him off, and I have never been satisfied, personally, with Harrison's statement. Of course, this is my personal opinion.

Mr. HUBERT. I think that kind of answers the other question.

Lieutenant REVILL. Yes; it does. They were reluctant—I say, "They," the other members of the committee were reluctant to have him submitted to a polygraph examination, but I thought that this was one way of determining if he was truthful or not.

Mr. HUBERT. It was as a result of your insistence that he was put under one?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. All right, perhaps we can go to the second interview. On what date was that?

Lieutenant REVILL. This would have occurred on the 3d of December.

Mr. HUBERT. Tuesday?

Lieutenant REVILL. On a Tuesday, yes, sir. The afternoon of December 3. What we had been attempting to do was to put Jack Ruby on a polygraph machine, and his lawyer, Tom Howard, had been approached during the first interview as to doing this. He stated that there were other lawyers coming into the case and that he would have to have their permission before agreeing to let Jack take this examination.

On Monday we communicated with Tom by telephone and he kept hedging with us, and telling us he had not heard from the other lawyers. By "Tom," I mean Tom Howard, the lawyer. On Tuesday, we discussed it again with him and he stated that he was still trying to work this thing out. So, Cornwall and I again decided—that we would go directly to Jack Ruby. He was the person involved, and we would give him the opportunity to submit to the examination. If he wanted to, fine. If he doesn't want to then it's also fine.

So, we went to Jack on the 2d—on the 3d of December and gave him the opportunity to take the polygraph.

Mr. HUBERT. That is to say, you asked him?

Lieutenant REVILL. Asked him, yes, sir.

Mr. HUBERT. Was his lawyer present then?

Lieutenant REVILL. Not in the beginning. We later called Tom Howard to the interview so that he could be present, and they refused to have Jack submitted.

Mr. HUBERT. At first when you asked Jack about going on the polygraph machine prior to Tom Howard's being present, what did he say?

Lieutenant REVILL. He said—during the second interview he said that his lawyer would have to—

Mr. HUBERT. All right, then his lawyer came and—

Lieutenant REVILL. They declined.

Mr. HUBERT. Did you talk about the basement?

Lieutenant REVILL. Tried to.

Mr. HUBERT. What was the result of that?

Lieutenant REVILL. And again, this was part of their defense, and—

Mr. HUBERT. Did he show any anger at you then?

Lieutenant REVILL. Yes; I think it was a carryover from the first interview, but this was a strategy that we used. Let him be angry with me, thinking maybe that he might tell us something, but he never did.

Mr. HUBERT. Did you mention Harrison's name on the second interview?

Lieutenant REVILL. I possibly did, but at this time he was more composed, and there was no—I don't recall any outbursts.

Mr. HUBERT. I gather that the second interview was not fruitful, in that nothing—

Lieutenant REVILL. No, sir.

Mr. HUBERT. No information was gathered?

Lieutenant REVILL. Neither interview was fruitful, other than from his outburst. It led me to believe that possibly he had talked to some officer, or had been seen by some officer prior to the shooting, but I was never able to confirm this.

Mr. HUBERT. At the time you saw Ruby, I take it you had not interviewed this man, Ray Rushing?

Lieutenant REVILL. No, sir.

Mr. HUBERT. And didn't know anything about it?

Lieutenant REVILL. No, sir.

Mr. HUBERT. By the way, how did you find out about it?

Lieutenant REVILL. He called me.

Mr. HUBERT. Ray Rushing called you?

Lieutenant REVILL. Yes; I had assisted him, oh, approximately a year ago on a problem he was having with one of his preachers. He has got several preachers in his employment, and it was—involved a theft, and I was able to assist him, and he called me.

Mr. HUBERT. What date, about?

Lieutenant REVILL. When he called me?

Mr. HUBERT. Yes.

Lieutenant REVILL. It was during the trial. During the picking of the jurors. The specific date, I do not recall.

Mr. HUBERT. Anyhow, he came in and you interviewed him and made a verbal report to Alexander.

Lieutenant REVILL. Oh, Alexander was present at the interview.

Mr. HUBERT. Do you know whether the result of that interview was passed to the FBI or to any Government agencies?

Lieutenant REVILL. No, sir; it was not.

Mr. HUBERT. Nor is there a written report?

Lieutenant REVILL. No, sir; no written report. Rushing was reluctant to take the stand.

Mr. HUBERT. Did he say why?

Lieutenant REVILL. Yes, he did. Because of his fight with the liquor industry they would use this to fight him with. Any publicity they might get of a

derogatory nature would hurt him. We tried to emphasize the point that this would not be derogatory publicity.

Mr. HUBERT. Did you point out to him that the position was somewhat inconsistent with the fact that he was a volunteer?

Lieutenant REVILL. Yes.

Mr. HUBERT. What did he say?

Lieutenant REVILL. He decided he would testify if his testimony was needed.

Mr. HUBERT. What was his statement as to his original motivation for reporting this matter, that is to say, that he had seen Ruby?

Lieutenant REVILL. I don't believe he ever said what motivated him to report this incident.

Mr. HUBERT. Was he ever asked, that you know of, why he had delayed so long?

Lieutenant REVILL. Yes, sir; I asked him that myself.

Mr. HUBERT. What did he say?

Lieutenant REVILL. Well, he used the same story, that he did not want to become involved in this thing because of his fight or his crusade to dry up the liquor industry.

Mr. HUBERT. But, how did he then explain the fact that he had volunteered?

Lieutenant REVILL. He didn't explain it. Now, this is an assumption on my part. I believe this is why Mr. Alexander was reluctant to use him, because Mr. Rushing is the type that there is a Communist under each tree or each rock.

Mr. HUBERT. How old a man is Rushing?

Lieutenant REVILL. Late forty's, or early fifty's.

Mr. HUBERT. Has he been in the Dallas area long?

Lieutenant REVILL. No, sir; he had just recently moved to Dallas from South Dakota. He tells me he is a personal friend of Senator Mundt and the Governor of South Dakota and other influential people, which may or may not be true.

Mr. HUBERT. Did you check to see whether he actually does have a church?

Lieutenant REVILL. Yes, sir; he is on the radio throughout the Nation.

Mr. HUBERT. Now, you showed me prior to the commencement of this deposition, a large folder which you identified as—which is identified from the title page of the jacket cover "File No. INT—"

Lieutenant REVILL. That's intelligence.

Mr. HUBERT. "Intelligence 25— 1 through INT—intelligence 25—subject Jack Ruby, DPD," which, I believe means Dallas Police Department. "36398," which is the jacket, I suppose, and folder of the special services bureau?

Lieutenant REVILL. Well, yes.

Mr. HUBERT. And you also advise me that most of this information, or most of this folder, all except actually the first five pages are reports that have been built up after the shooting?

Lieutenant REVILL. Yes, sir; this is correct.

Mr. HUBERT. You state to me also, I think, that this jacket has been made available to the Secret Service?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. Did they make copies of it? Do you know?

Lieutenant REVILL. They made copies of much of this information.

Mr. HUBERT. You dealt with Mr. Sorrels?

Lieutenant REVILL. Not directly with Mr. Sorrels himself. Some of his agents. If I might use that, I might be able to explain it more fully. If it is necessary for the record—

Mr. HUBERT. Well, I was considering making it a part of the record, but I don't want, obviously, to take it away from you and I don't have authority at the present time to subpoena it.

Lieutenant REVILL. I will make you copies of anything you want.

Mr. HUBERT. That is what I wanted to get at. If copies have been made already and turned over to the Secret Service, that would be unnecessary.

Lieutenant REVILL. For example, here was toll calls, telephone long-distance calls placed from the telephone at the Carousel at 1312½ Commerce. The Ruby residence, at 223 South Ewing, and also the Vegas Club at 3508 Oak Lawn, and also his sister's residence, Eva Grant's.

Mr. HUBERT. As of what date?

Lieutenant REVILL. These go back to September 24, 1963, through—correction on that. Some of them go back to May of 1963.

Mr. HUBERT. Well, let's deal with it this way, suppose I check to see how much of this the Secret Service, or the FBI has?

Lieutenant REVILL. The FBI has this, because I gave it to them personally.

Mr. HUBERT. The whole thing?

Lieutenant REVILL. Of this particular—

Mr. HUBERT. Analyses of phone calls?

Lieutenant REVILL. The phone calls.

Mr. HUBERT. Well, dealing with the whole report, suppose we do it this way, if we find that there is not, in possession of one of the Federal agencies, the entire record, I may ask you at a later time to make it available for photostating, or if you could do it—

Lieutenant REVILL. We can do it. Anything we can do.

Mr. HUBERT. And then what we would do is that you could execute an affidavit instead of having to come and make a deposition to the effect that the attached report is true, is a true and correct copy of the originals. I think that is possibly the best way.

Lieutenant REVILL. Any way that it is the easiest for you.

Mr. HUBERT. All right, do you have any other things that you would like to say?

Lieutenant REVILL. No, sir; I can't think of a thing.

Mr. HUBERT. All right, now—

Lieutenant REVILL. Wish there was something I could do to shed some light on it.

Mr. HUBERT. Was it a part of your function to check out all rumors concerning connections between Ruby and Oswald?

Lieutenant REVILL. Yes, sir; it was.

Mr. HUBERT. Or between Ruby and other groups from the left, right, and middle of the road, or whatnot?

Lieutenant REVILL. Yes; this was our function.

Mr. HUBERT. Did you, in fact, check out those that came to your attention?

Lieutenant REVILL. All that came to our attention, yes, sir.

Mr. HUBERT. Is there a special report on that checkout?

Lieutenant REVILL. There are many reports. Each lead that came in as a possible connection, investigation was conducted and a report submitted concerning that specific rumor.

Mr. HUBERT. In other words, every rumor was investigated and an individual report made on it, but they are not collected together anyway?

Lieutenant REVILL. No, sir; no synopsis.

Mr. HUBERT. They are not part of this document 81-A? The investigation that you identified earlier?

Lieutenant REVILL. No, sir.

Mr. HUBERT. Do you think there are copies of these various reports that could be made available to us?

Lieutenant REVILL. Yes, sir; I can make them available to you.

Mr. HUBERT. I would appreciate it if you would, because if you have a lot of that checkout work that would be helpful. How much of a job would it be to photostat all of those things? Did you turn them over to the FBI?

Lieutenant REVILL. No, sir.

Mr. HUBERT. Or any other Federal agent?

Lieutenant REVILL. Anything that they wanted we gave to them.

Mr. HUBERT. I understand that, but I mean, this mass of documents, as I gather, are individual reports on individual rumors and so forth, you didn't turn those over?

Lieutenant REVILL. No, sir.

Mr. HUBERT. As a block?

Lieutenant REVILL. Now, I say we didn't. Let me qualify this, our reports that we make up, a copy is submitted to Chief Curry daily. Now, what he

does with these reports, I do not know. He may have turned these over to some Federal agency.

Mr. HUBERT. I tell you what I would like for you to do, if you please, is to find out if they have been turned over to the FBI. I know a lot of rumors have.

Lieutenant REVILL. All right.

Mr. HUBERT. It may be that all that you ran out and reported on they have too, and therefore, it would be repetition to have them in there, but what we would be interested in is the copy of the reports and investigation of those reports or rumors that have not been turned over to the FBI. Now, I wonder when you could let me know?

Lieutenant REVILL. Let you know today.

Mr. HUBERT. All right.

Lieutenant REVILL. And if they have not, what we will do is pull from our file copies, and we will make copies available to you of each and every investigation that we conducted of a connection, or rumor, or connection between Ruby and Oswald.

Mr. HUBERT. In other words, make photostatic copies and turn them over to me.

Lieutenant REVILL. Yes.

Mr. HUBERT. I would appreciate it and just write at the bottom of it, if you will, and sign it, that this is one of the investigations concerning a rumor, conducted by you, or whoever it was.

Lieutenant REVILL. Do you want this as to each individual report, or collectively

Mr. HUBERT. You would have to initial each individual report so that we would be sure.

Lieutenant REVILL. Yes.

Mr. HUBERT. That those are the reports that you referred to in this deposition.

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. That would be very helpful to me. Then you can turn that over to me and we will make it a part of this deposition. In other words, you would certify that these reports are the ones that you were talking about during this deposition, and that to the best of your knowledge, they are correct. In effect, it will be as though you were here or under oath telling us that that is correct and that will close the record up. The only other way would be to have you come here and identify each one and I am trying to avoid that—

Lieutenant REVILL. Let me ask you a question. These reports that we make reference to were submitted by officers under my supervision.

Mr. HUBERT. Yes; well, I see your point.

Lieutenant REVILL. Will each one of these officers need to initial them, or can I do this?

Mr. HUBERT. Well, we'll have the understanding that this was done under your supervision, that you can't vouch for the absolute accuracy of every one of them, but that it is a report made in the course of police department business and that you and the police department rely upon those reports.

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. I think that will be fine. Have you been interviewed by any member of the Commission's staff by—prior to the deposition of this morning, and other than the interview that you and I had just preceding this interview this morning?

Lieutenant REVILL. No, sir; I have not.

Mr. HUBERT. Now, as to the interview that you and I had this morning before this deposition began right here in this room have we, in this deposition, covered all that we talked about in that interview?

Lieutenant REVILL. Yes, sir.

Mr. HUBERT. Is there any material information that we talked about in the interview that has not been brought out in the deposition?

Lieutenant REVILL. I do not know of any.

Mr. HUBERT. That's it.

TESTIMONY OF CAPT. JAMES MAURICE SOLOMON

The testimony of Capt. James Maurice Solomon was taken at 2 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. J. M. Solomon of the Dallas Police Department. Captain Solomon, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provision of Executive Order No. 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission, in conformance with that Executive order and joint resolution, I have been authorized to take a sworn deposition from you, Captain Solomon.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Captain Solomon, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you might know about the general inquiry.

Captain Solomon, you have appeared today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, who is the general counsel on the staff of the President's Commission.

Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of your deposition. But the rules also provide that any witness may waive that 3-day notice if he wishes to do so. Now, I would like to ask you if you are willing to waive the 3-day notice?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. All right, then; would you please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOLOMON. I do.

Mr. HUBERT. Will you please state your full name, Captain?

Mr. SOLOMON. James Maurice Solomon.

Mr. HUBERT. What is your age, Captain?

Mr. SOLOMON. Fifty-four.

Mr. HUBERT. And your residence?

Mr. SOLOMON. 1502 East Ohio.

Mr. HUBERT. What is your present occupation?

Mr. SOLOMON. My occupation at the present time at the police department is reserve coordinator.

Mr. HUBERT. You are a member of the Dallas Police Department?

Mr. SOLOMON. Yes.

Mr. HUBERT. How long have you been a member of the department?

Mr. SOLOMON. Thirty years last September.

Mr. HUBERT. Your particular assignment now is to coordinate the reserve affairs?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. Of the Dallas Police Department?

Mr. SOLOMON. My offices are at the police academy, and I am used out there in training recruits.

Mr. HUBERT. Were you in that same position during the period November 22 to 24, 1963?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. I would like you to state for the record just how the reserve program of the Dallas Police Department is set up, because I don't think we have it in the record otherwise.

Mr. SOLOMON. Well, I am sure you don't. The reserve operates different in every city that I know, and just to their particular needs.

Now, the reserve organization in Dallas is strictly what the name implies. It is, really a reserve intended to be called upon when there is a catastrophe, some real bad emergency, to augment our manpower.

It is a semimilitary organization in that we call it the reserve platoon. It has three companies commanded by a captain. Each company has three platoons. And each platoon has three squads. There are approximately—it fluctuates just a little bit—but there are approximately 300 men in the organization.

Mr. HUBERT. Who is the reserve captain?

Mr. SOLOMON. There are four reserve captains. Now, the reserve major is Major Tropolis, the major in command. We call him the reserve commander. He is George Tropolis.

Mr. HUBERT. Who are the captains?

Mr. SOLOMON. The captains are J. E. Marks, C. O. Arnett—I believe you talked to him last night—L. C. Crump and O. S. Muller.

Mr. HUBERT. Do these men train at regular intervals?

Mr. SOLOMON. Yes, sir. They are all required to go through a training program of about 72 hours. They do that 1 night a week. Takes about 8 months to complete that before they are used in any way, before they are given a uniform or anything of that nature.

After they complete this training, they are outfitted with a uniform at their own expense, and from then on the participation that they do is considered observation training.

In other words, there is a program set up whereby they report at least two times a month. We have it set up twice a month, and mandatory that they come every third month. If they don't we drop them.

But each reserve is required to report at least once a month for observation training. He can do this in a squad car, in the jail office, or dispatcher's office, or in any phase of the police operation, really, and he is in uniform, and he works right alongside the regular officer and just assists him in his work in anything he wants him to do if he has a belligerent prisoner, but still that is considered observation training.

Here in the last year or so, we have been using our reserves more maybe like an auxiliary, but there have been times such as a parade or football parade—in other words, it wasn't an extreme emergency, but it was an event that we realized we needed more manpower, and they were anxious and willing and eager to help us, and they were being in uniform and were doing a good job.

You want me to continue?

Mr. HUBERT. Do these men get any pay for this?

Mr. SOLOMON. No. There is no pay at all.

Mr. HUBERT. As a matter of fact, they buy their own pistol and uniform?

Mr. SOLOMON. Yes. They buy their own initial uniform. After that their uniforms are maintained with the old uniforms that the regular officers outgrow or something like that.

Mr. HUBERT. I gather from what you have said that you are rather strict as to the training program that these people must observe, otherwise you drop them?

Mr. SOLOMON. Yes.

Mr. HUBERT. What about the basic selection of these people? How do you go about that? What are the criteria you use to select them?

Mr. SOLOMON. We have just an application form similar to what anybody would fill out in applying for a job, which is for their background, their schooling, what type of work they have been engaged in, where they have lived, and so forth. Then, of course, I submit that application to our personnel bureau which runs a background check on them, criminal and civil, or any court record they might have that might show their emotional stability or we run a credit check on them for bad debts or something like that, that kind of indication that they are not stable. And traffic arrests.

If it is somebody out of the ordinary, why we are kind of strict along that score. I have these reserve captains that I just mentioned that comprise the reserve staff, and each applicant I get after the personnel board submits their findings, they interview the men, and they have some information to go on there, and whether he is accepted to go to school. After they interview him and ask him questions about trying to feel out if they think he is emotionally suited for that kind of work.

Mr. HUBERT. What, in your opinion, is it that interests a man to want to be in the reserve program?

Mr. SOLOMON. Well, that may be a vocation a little bit. You know, before I got into the program, I thought maybe it was just a group of people that were just trying to—they were just eager, I would say, in other words.

I thought they were, how should I say it, I just felt like they were kind of overeager, or just nosy, so to speak, and they just wanted to see around. But after I got into the program, I was amazed to find the caliber of men. I have only been in 7 years. I went in 1957. It was begun in 1952. And the man that had it then has since made a promotion to inspector, and I was assigned out there.

Mr. HUBERT. In other words, you have satisfied yourself, I gather, that the motivation of these people for getting in the reserves is that they consider it a civic duty?

Mr. SOLOMON. A civic duty, yes, sir; civic minded.

Mr. HUBERT. It is not just that they want the authority of the uniform?

Mr. SOLOMON. Yes, sir. Of course, we have applicants like that. It is the duty of the staff, in a drawn-out process of training, which is really drawn out 8 months, and long enough to observe them, to eliminate the ones they don't feel are suitable. I nearly always start off with a class of 50 men and I rarely ever graduate over 30—27 to 30.

During that period of time some naturally drop out and some I ask to leave, or just wash out, one way or another, as quickly as I can. After all, it is a public relations program, and if I understand somebody is in there that I know will get us in trouble, I find some excuse for him to leave.

Mr. HUBERT. So, actually, about 60 percent of the people who start ultimately get into the program?

Mr. SOLOMON. That's right.

Mr. HUBERT. Do you watch their conduct very carefully? On duty, of course I know, but off duty too?

Mr. SOLOMON. Well, yes. We have had a few occasions where a few got into some trouble. I guess just drinking or some did get into some bad debts and embarrass us, but we counseled with them. And I have had to let some go. Percentagewise this hasn't been much greater than in our regular department.

Mr. HUBERT. All right. Now, I want to get to the matter of the interview you had with Harold Holly, who I think is a reserve officer?

Mr. SOLOMON. Yes.

Mr. HUBERT. Can you state in your own words just what that was all about?

Mr. SOLOMON. Well, Holly was with us a long time. He was in the organization, I have forgotten how many years, but I don't guess that is important.

But frankly, Holly was—he is confused. I am not exactly satisfied that he is sure about what he is saying. His statements were so general, such a general nature, and when I showed him the pictures he was unable to positively identify them.

This man that he did pick out and said that he looked most like the man that was in the basement was W. J. Newman. He was in the basement, but he wasn't out at Parkland Hospital where he told them he saw him, and I just got the impression that Holly was—he just wasn't too reliable a witness.

Mr. HUBERT. What did he say to you? Of course, we will get his testimony, but what do you remember that Holly said to you?

Mr. SOLOMON. Well, he first approached me—you see, I was at the courthouse down in the area when Oswald was shot, so I knew immediately from the previous slaying that one of our big headaches was going to be at the Parkland Hospital, and I rushed on out there to try to set up a little security out there. And Holly showed up out there after awhile, and he made the statement to me that he thinks he knew a man—that is the way he put it, that he thought he saw one of the men out there that was in the basement of the city hall who knew something about that. And I said, "Who was it," and he said, "I couldn't tell you, but I would know him if I saw him."

Mr. HUBERT. Did he say the man was in uniform?

Mr. SOLOMON. Yes; he said he saw him out there at Parkland Hospital, so I tried to check.

Mr. HUBERT. This was told you at Parkland Hospital?

Mr. SOLOMON. Yes; this afternoon.

Mr. HUBERT. The 24th?

Mr. SOLOMON. Yes.

Mr. HUBERT. Did he indicate that he thought he was a reserve officer?

Mr. SOLOMON. Yes.

Mr. HUBERT. That is why he told it to you, I suppose?

Mr. SOLOMON. Yes; right. So I tried to find out who he was talking about, and he went with me and we couldn't find anybody that he thought he saw. And just from the way he talked to me, I just lost confidence in what he was trying to tell me. But I pursued it as far as I could, naturally, and asked him if he could identify some pictures, and I got all the pictures of the men that reported out there, and he picked out this man. And from there on, I didn't question him any further.

Mr. HUBERT. He did pick out the picture of W. J. Newman and he said that was the man?

Mr. SOLOMON. He said he thought it was, it looked most like him. I don't think that it was, but it looked most like him.

Mr. HUBERT. Of course, Newman was subsequently——

Mr. SOLOMON. He was interviewed by Jack Revill.

Mr. HUBERT. Did you ever talk to Newman yourself about the matter?

Mr. SOLOMON. No; I didn't engage him in any conversation about it because I knew they were going to and I just didn't want to get him upset or say anything. I didn't know what he wanted to exactly question him about.

Mr. HUBERT. So that you have not talked to Newman about what he might have seen or thought?

Mr. SOLOMON. No.

Mr. HUBERT. Or what he reported or didn't report?

Mr. SOLOMON. No; that is right.

Mr. HUBERT. Were you present at the time in the basement, at the time Oswald was killed?

Mr. SOLOMON. I was not. I was at the county courthouse.

Mr. HUBERT. You were not in the basement itself?

Mr. SOLOMON. No.

Mr. HUBERT. You don't know anything about what happened?

Mr. SOLOMON. They were anticipating trouble.

Mr. HUBERT. You were in the city hall?

Mr. SOLOMON. No.

Mr. HUBERT. I thought you meant the Dallas Police Building?

Mr. SOLOMON. No, sir; that is the county courthouse.

Mr. HUBERT. I am going to mark for identification a document purporting to be a report of an interview with you, Captain Solomon, made by FBI Agents Hughes and Mabey on December 9, 1963, composed of two pages, and I am identifying it by marking along the right margin line, "Dallas, Texas, March 26, 1964, Exhibit 5106, Deposition of Capt. J. M. Solomon," and I am signing my name on the first page and putting on the second page my initials in the lower right-hand corner. Captain Solomon, have you read this document?

Mr. SOLOMON. Yes.

Mr. HUBERT. So that we may recognize that we are talking about the same thing, would you put your signature at the bottom and your initials on the second page.

Mr. SOLOMON. I don't think that this is what I did awhile ago. You want my initials here?

Mr. HUBERT. Just write by the margin and initials by the second page.

Mr. SOLOMON. [Signs and dates.]

Mr. HUBERT. Now, you have read that document, I think, Captain?

Mr. SOLOMON. Yes.

Mr. HUBERT. Is that a correct report of your interview with the FBI Agents?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. Is there anything that is omitted or that you want to change, or modify?

Mr. SOLOMON. No.

Mr. HUBERT. Captain, do you know anything about this matter other than what we have talked about, that you would like to put into the record, sir?

Mr. SOLOMON. No, sir; I do not.

Mr. HUBERT. All right. Now, have you been interviewed by any member of the Commission staff?

Mr. SOLOMON. No.

Mr. HUBERT. As a matter of fact, before the commencement of this deposition, I did not interview you?

Mr. SOLOMON. No.

Mr. HUBERT. I think, Captain, that I mentioned the word "pistol" a moment ago in connection with arming of the reserves?

Mr. SOLOMON. Did you? I didn't recall it.

Mr. HUBERT. You indicated to me that actually these men are not armed with firearms?

Mr. SOLOMON. No; they are not armed. Would you want to make part—this part of the record? This is what I call an information sheet about what the reserve is. A lot of times a citizen calls me and wants to know something about it, and I mail them that.

(Hands to Mr. Hubert.)

Mr. HUBERT. All right. I will accept this. I will mark on the front page, "Dallas, Tex., March 26, 1964, Exhibit 5107." You call that a brochure?

Mr. SOLOMON. I call it an information sheet. We generally refer to it as a poop sheet.

Mr. HUBERT. I am writing on this sheet, "Exhibit 5107, deposition of Capt. J. M. Solomon." I am signing my name, and for identification, if you will sign yours?

Mr. SOLOMON. Yes. That just gives a little more detail than what I told you about it, and I had forgotten that. That might be important that they are not armed. That is why we don't let them work in any capacity unless they are in the company of an officer.

Mr. HUBERT. On the day in question, to wit, the 24th of November 1963, the reserve officers were in uniform but of course not armed?

Mr. SOLOMON. That's right.

Mr. HUBERT. I notice that this Exhibit 5107 contains information about the minimum standards that are required?

Mr. SOLOMON. Yes.

Mr. HUBERT. For admission and maintaining the status of a reserve officer, is that correct?

Mr. SOLOMON. Yes.

Mr. HUBERT. Can you state that these minimum standards are in force?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. One other question. Can you state that the reserve officers that were on duty on the 24th did meet these minimum standards?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. Do you have anything else to say?

Mr. SOLOMON. Well, I don't suppose you want to know that we had some on duty during the Presidential Parade? Is that important?

Mr. HUBERT. It might be in another aspect of the matter, but the one I am inquiring about, it is not. However, I am sure that the information that you have given me, generally speaking, should be made a part of the record, and that is why I have done that. Thank you very much, sir.

Mr. SOLOMON. You are so welcome.

Mr. HUBERT. I appreciate your coming down.

Mr. SOLOMON. All right. Thank you very much, sir.

TESTIMONY OF M. W. STEVENSON

The testimony of M. W. Stevenson was taken at 7 p.m., on March 23, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Assistant Deputy Chief M. W. Stevenson of the Dallas Police Department.

Mr. Stevenson, my name Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy.

Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

Mr. Stevenson, I state to you now, that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald, and in particular as to you, Mr. Stevenson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts that you may know about the general inquiry.

Mr. Stevenson, you have appeared here today by virtue of a general request made by the general counsel of the staff of the President's Commission.

Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition. But the rules provide also that a witness may waive this notice of the taking of his deposition. Are you willing to waive this notice in time?

Mr. STEVENSON. I am; yes, sir.

Mr. HUBERT. Now, will you rise and be sworn, please.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STEVENSON. I do.

Mr. HUBERT. Will you please state your full name, your age, your residence, and your occupation, and how long you have been in that occupation?

Mr. STEVENSON. M. W. Stevenson. I am 60 years of age. I reside at 3452 Boulder Drive. I am with the Dallas Police Department. Have been for 36 years.

Mr. HUBERT. What position do you now occupy with the Dallas Police Department?

Mr. STEVENSON. I am deputy chief, commanding the criminal investigation division.

Mr. HUBERT. Did you hold that same position during the period November 22 to 24 of 1963?

Mr. STEVENSON. Yes; I did.

Mr. HUBERT. How long have you held that position?

Mr. STEVENSON. Since November of 1954.

Mr. HUBERT. Generally speaking, what are the functions of your job? What are your duties and responsibilities?

Mr. STEVENSON. I am in command of the criminal investigation division, and as such, I am responsible for the criminal investigation division of the Dallas Police Department.

I coordinate the work among the five bureaus which constitute the criminal investigation division.

Mr. HUBERT. Would you state what those bureaus are, please, sir?

Mr. STEVENSON. I have a homicide and robbery bureau, an automobile theft bureau; I have a juvenile bureau; a burglary and theft bureau; and a forgery bureau.

Mr. HUBERT. Could you tell us now who was in charge of each of those bureaus during the period November 22-24, of 1963?

Mr. STEVENSON. Captain Fritz was in charge of the homicide bureau as the immediate supervisor. Captain Jones was in charge of the forgery bureau. Captain Nichols was off that day, and I don't know which lieutenant was on.

Mr. HUBERT. You say, "that day." I was really speaking of the 3-day period.

Mr. STEVENSON. Captain Nichols, I am sorry, was in charge of the automobile theft bureau. Capt. F. M. Martin was in charge of the juvenile bureau. Capt. W. C. Fannin was in charge of the burglary and theft bureau.

Mr. HUBERT. Just to get the record clear, insofar as Captain Nichols is concerned, you indicate he was off on 1 day of the 3-day period. Which day was that?

Mr. STEVENSON. I believe that was the 24th.

Mr. HUBERT. Now each one of these bureau chiefs reports to you and is responsible to you, is that correct?

Mr. STEVENSON. That's right; yes, sir.

Mr. HUBERT. Who are you responsible to?

Mr. STEVENSON. To the assistant chief of police.

Mr. HUBERT. Who is that?

Mr. STEVENSON. Chief Charles Batchelor.

Mr. HUBERT. In the course of this examination, it would be helpful to us if you would try to state an approximate time as to each episode or fact that you testify to, and also indicate whether the fact or matter or episode that you are testifying to is within your own knowledge; that is to say, gained from your own observation, or whether the information you give us was obtained from someone else, in that case, tell us if you can remember who gave you the information.

Mr. STEVENSON. Yes, sir.

Mr. HUBERT. Now, would you just give us briefly an account of what you did from about 12:30 on November 22 on forward.

Mr. STEVENSON. At about or approximately 12:30 p.m., on the 22d, I was at the Trade Mart on Industrial, as I had charge of the officers and the security of the building for the luncheon of President Kennedy.

At about 12:30, approximately, I was notified by Secret Service Agent Grant and Captain Souter that the President had been shot. We didn't know how severe. It was stated that he was on the way to the hospital.

I immediately contacted Captain Fritz and two of his homicide men and relieved them from their assignment at the Trade Mart and assigned them to the investigation. As soon as I had done that, I relieved 13 other detectives and supervisors. I believe it was 13. I told them to notify headquarters they were available for assignment, and if no assignment, to report to the Texas Book Depository, as it was reported that there was a possibility the suspect might still be in the building.

After that, as fast as I could safely in my own opinion relieve the balance of men who I had on duty, because it had not been announced to the entire group there what had happened—that was at the request of the Secret Service that we didn't want a stampede there—as fast as I could relieve the others, I started relieving and putting them on duty and telling them to report to headquarters or notify headquarters they were available for assignment and any assistance they could give.

At approximately 1 or 1:15, I would say, Mr. Eric Jonsson notified the group of people in the Trade Mart that the President had been shot and had succumbed. Then as soon as we could empty the building, we relieved everyone and put them all back on duty with instructions to report to headquarters, where we kept them on duty as long as we needed any on any of the assignments. Chief Batchelor was still at the Trade Mart when we finally relieved all of the men.

He and I left the Trade Mart and drove to Parkland Hospital to see if we could render any assistance out there. When we got out there, we found Mr. Lawson of the Secret Service. He stated he would be ready in a few moments, to transfer the President's body to Love Field to be flown back to Washington. He had no escort. He asked if we would escort the hearse bearing the body to Love Field. We told him that we would. He, and I believe it was a member of the White House staff, rode in the car with us. We led the hearse to Love Field. Arrived at Love Field—

Mr. HUBERT. Do you know what time you left the hospital, approximately?

Mr. STEVENSON. I would say around 1:40, that is as near as I could say offhand, Mr. Hubert. I would say 1:40 to 2 o'clock.

Mr. HUBERT. So you provided the escort for the hearse leaving the hospital about 1:40?

Mr. STEVENSON. About 1:40 or 1:50. It's got to be somewhere in there, because the body was not held at the hospital but a short while.

Mr. HUBERT. Did you know Jack Ruby prior to the time that he shot Oswald?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Of course, you have seen pictures of him since, I take it?

Mr. STEVENSON. Oh, yes.

Mr. HUBERT. While you were at the hospital, and I would like you to state if you can, the time you arrived there, did you see Jack Ruby at any place around the hospital?

Mr. STEVENSON. No, I did not. In fact, I did not get out of the car. I sat in the car by the radio while Chief Batchelor walked into the hospital to see if we could be of any further assistance.

Mr. HUBERT. That was about what time that you arrived there, Mr. Stevenson?

Mr. STEVENSON. I would say we arrived at the hospital around 1:40.

Mr. HUBERT. All right, then go on.

Mr. STEVENSON. After we reached Love Field, the Secret Service men loaded the casket onto the President's plane. They told us that they had called Judge Sarah T. Hughes to administer the oath of office to President Johnson.

She arrived in a short time. We remained at Love Field until she administered the oath and the plane was airborne. After the President's plane was airborne, we left and came back to the city hall. We arrived back at the city hall around 4 o'clock, I would say.

Mr. HUBERT. When you say city hall, do you mean police department?

Mr. STEVENSON. Police Courts Building, our headquarters.

Mr. HUBERT. For the record, I wish you would describe the relationship between what is the police building and the municipal building of the city hall.

Mr. STEVENSON. The Police and Courts Building is what was, until a few years ago, the city hall proper. A new building was constructed adjacent to this building and adjoining it just east of the Police and Courts Building.

It is now ordinarily referred to as the city hall, the building which is on the corner of Main, Harwood and Commerce, which is the old city hall, now known as the Police and Courts Building, and houses the jail, the police department, and one or two offices of our city government. But primarily it is referred to, or should be referred to as the Police and Courts Building.

Mr. HUBERT. All right. Now, go on. So you arrived back at the police department.

Mr. STEVENSON. We arrived back at the office about 4 o'clock, or maybe a few minutes later. I went directly to the homicide bureau. Chief Batchelor went to the administrative offices.

Before leaving the Trade Mart, I had gotten information through Captain Souter that the suspect in the shooting of Officer Tippit had been arrested. On the air on the way to the hospital, we heard several squads being dispatched to Texas Theatre. I asked the dispatcher what we had working at Texas Theatre, and he advised me that it was the suspect who had shot Officer Tippit, that he had been arrested at the Texas Theatre.

At that time I advised them that Chief Batchelor and myself, or "2" and "3," as I told him, which are our call numbers, were en route to Parkland Hospital and would be in the area and back to the office as soon as possible. When I arrived back at the city hall I went to the homicide bureau to see what progress on our investigation was made, I was advised that Oswald had definitely been identified in murder of Officer Tippit.

Mr. HUBERT. Who advised you of this?

Mr. STEVENSON. Lieutenant Wells in the homicide office.

Mr. HUBERT. Did you see Oswald at that time?

Mr. STEVENSON. No, sir; I didn't; he was being interviewed, but I did not see him.

Mr. HUBERT. Who was interviewing him?

Mr. STEVENSON. Captain Fritz and some FBI agent, I don't know who, and I believe a Secret Service agent.

Mr. HUBERT. Are you aware now of a message that had been sent by the FBI to the Dallas Police Department concerning the security of Oswald?

Mr. STEVENSON. Not at that time, no, sir. That was Friday afternoon?

Mr. HUBERT. Yes; but you didn't learn that Mr. Hoover had sent word that great care should be taken for the security?

Mr. STEVENSON. Not at that time, I had not; no, sir.

Mr. HUBERT. Will you tell us without detail, generally speaking, of your activities on the rest of the 22d, and the 23d.

Mr. STEVENSON. After I was advised that he had definitely been identified and from evidence which was being checked, it looked like he possibly might be the same man who shot the President, I returned to my office in the administrative offices, and was in and out of the homicide bureau on numerous times, staying in touch with the investigation, and they were in touch with my office.

About 7 p.m., I believe it was 7, approximately 7, Oswald was filed on for the murder of Officer Tippit, and was arraigned in the Police and Courts Building by Justice of the Peace Dave Johnston, I believe it was.

Now at approximately, I would say, 7 or 8 o'clock, some word came to me from Chief Curry, which apparently was from Mr. Hoover or someone from Washington, that they wanted an agent of the FBI or Secret Service present at all interviews. That was the first that I had heard of anything from this, and that came to me through Chief Curry.

At about 12 midnight, I was advised by Lieutenant Wells, and I talked to Mr. Alexander, assistant district attorney, and Mr. Jim Allen, former first assistant district attorney and a friend of the department, and was advised that sufficient evidence had been obtained and that charges were being filed in the death of President Kennedy.

Mr. HUBERT. Charges against Oswald?

Mr. STEVENSON. Oswald; yes, sir. He was arraigned.

Mr. HUBERT. They did not tell you at that time, did they, what evidence it was, but simply that it was sufficient evidence?

Mr. STEVENSON. No, sir; not all of it, but they told me at that time that they had found a rifle that they were sure was the one. They had talked to witnesses. The officer had seen him in the Texas Book Depository a few minutes after the shooting. He was an employee down there. He had left the building after the shooting.

Mr. HUBERT. They told you all this at the time they told you that they had enough in their opinion to charge?

Mr. STEVENSON. Yes; charges were filed. And at about 1:30 a.m., on the 23d, he was arraigned in the identification bureau on the charge of murdering President Kennedy, before Judge Dave Johnston, and was returned to his cell under guard at that time after the arraignment. I was present at that arraignment. I was not present at the arraignment on the Tippit case.

After he was arraigned, I returned to my office and was in my office, the homicide office or bureau where I might have business for the balance of the night up until about 3 o'clock, at which time the homicide office was closed until the following morning. I remained on duty in the administrative offices with detectives whom we had working that night standing by for any assignments or any other information we might get, that we wanted to investigate during the night—and left the city hall, the Police and Courts Building at about 12:35 Saturday afternoon.

Mr. HUBERT. Now are you familiar with the lineup conducted in the regular assembly or lineup room of the Dallas Police Department of Oswald when some newspaper people were present?

Mr. STEVENSON. Yes.

Mr. HUBERT. Could you tell us about that? First of all, what time was it?

Mr. STEVENSON. That was a few moments after charges were filed, I believe, by the district attorney.

Mr. HUBERT. Charges on Oswald?

Mr. STEVENSON. On Oswald in the President's death. The district attorney, Mr. Wade, and the assistant, Mr. Alexander, were present.

Mr. HUBERT. Were you present?

Mr. STEVENSON. I did not go into the room, I just went to the door down there. I was present when they did go down for the showup, but I did not go into the room.

Mr. HUBERT. You say you did not look into the room?

Mr. STEVENSON. I did not go into the room. The door, of course, was open, but I was present when they left the third floor, the homicide office, to go down for this lineup.

Mr. HUBERT. You went down to the door of the lineup room?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you recall looking in at all?

Mr. STEVENSON. Yes, I could look in through the open door.

Mr. HUBERT. Did you see a man since identified as Jack Ruby, in that room?

Mr. STEVENSON. Oh, no, sir; I did not.

Mr. HUBERT. Did you hear him say anything?

Mr. STEVENSON. No, sir. Frankly, I was not close enough. The only ones that I could see or did see were those lined up in the front of the room.

Mr. HUBERT. How many people were in that room, do you suppose?

Mr. STEVENSON. I would say, and this is an estimate on my part, Mr. Hubert—I would say from 100 to 125, including officers and news media and everything.

Mr. HUBERT. Do you know what security plan or actual operations were put into effect with respect to Oswald during that period?

Mr. STEVENSON. When he left upstairs, he was taken back through the jail office. From the jail office down, there is an elevator to the downstairs jail office, onto the "showup stage," as we call it in the assembly room. He was taken down through the jail; was not taken out from there.

Now to take him into the showup room, I was not where I could see how many officers were around him. But it was necessary to bring him from the elevator next to the homicide bureau every time we brought him down to interview him. At that time we would have as many as three officers with him, and from four to half a dozen officers on the route through to the next door.

Mr. HUBERT. Do you know what check was made of the people who were allowed into the assembly room?

Mr. STEVENSON. No one was supposed to have been in the assembly room or on the third floor except news media properly identified.

Mr. HUBERT. How was this established?

Mr. STEVENSON. We had officers at the elevators and the stairways with instructions that unless they were an official or connected with an official news media, they were not to be permitted on that floor unless they had business in one of the other bureaus, and the officer was to escort him to that bureau.

We later eliminated as much of that as we could that night by calling the jail office. If he wanted to visit some prisoner at the jail, the jail personnel called the bureau and were instructed as to whether a pass would be permitted.

Mr. HUBERT. But do you know whether or not, as these newsmen and the rest of the other news media went into the assembly room for this lineup, whether they were checked in any way again upon entering?

Mr. STEVENSON. No, sir; I don't, because when I went down to the basement, they were already in the room. In other words, they had already filed into the room.

Mr. HUBERT. What else do you know in general terms about the security of Oswald when he was in the cell? I think you have already covered when he was being moved?

Mr. STEVENSON. Yes; there was a guard on his cell at all times, and at some times there were as many as two, but around the clock a guard was placed outside his cell door. He was not permitted to converse with other prisoners. In fact, he was placed in a cell where it would be impossible for other prisoners to get to him.

For the arraignment in the murder of the President, he was brought from the jail into the identification bureau, where there is a barred door coming in to identification room from jail. He was not brought back through the Police and Courts Building proper. He was brought directly from the jail into the identification bureau when he was arraigned.

Mr. HUBERT. I think that takes us then to 12:30 on Saturday. You were on duty until 12:30 a.m. on Saturday?

Mr. STEVENSON. Right.

Mr. HUBERT. When did you come back to duty thereafter?

Mr. STEVENSON. I came back to the city hall Saturday evening about 7 or 7:15, and went immediately to the homicide bureau to check on any further developments, and was advised that the case was building stronger, other

evidence being accumulated, and if I might go back a little bit now, at around 1 o'clock, on Saturday morning—I am trying to get my time straightened out here—the pertinent evidence that we had checked in the case of Oswald's shooting of the President was forwarded to the Federal Bureau of Investigation Laboratory in Washington, D.C., to be processed, the rifle and other evidence as that for fingerprints and any other evidence that might help us in the investigation.

After I had gotten back to the city hall Saturday afternoon, through discussion, I don't recall from whom, but in the hallway, that the prisoner would not be transferred before 10 o'clock the next morning.

I went to Chief Batchelor and asked him about the authenticity of that particular remark, and he said, "Yes, that's right." And I said, "Has the press been notified?" And he said, "Yes."

Mr. HUBERT. What time was it that you first heard about the fact that Oswald would not be moved Saturday night?

Mr. STEVENSON. Approximately 7:30 p.m., on the 23d.

Mr. HUBERT. Now just what was it you heard and what was it that was confirmed by Batchelor?

Mr. STEVENSON. I heard, as I stated, I don't know who made the remarks, but from the discussion in the hall, that Oswald would be moved not before 10 o'clock the next morning.

Mr. HUBERT. Did the information that you received indicate a time of removal the next day?

Mr. STEVENSON. Nothing but that it would not be before 10 o'clock.

Mr. HUBERT. It didn't say what time after 10 o'clock?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did Batchelor tell you what time it would be after 10 o'clock?

Mr. STEVENSON. No, sir. I went to Chief Batchelor—the reason I went to Chief Batchelor with that when I heard these remarks, I wanted to know if the press had been told. I went to Chief Batchelor and affirmed the fact that the statement had been made and that the press had been told.

Mr. HUBERT. All right; just go ahead then.

Mr. STEVENSON. I remained at my office in the Police and Courts Building until approximately 10:30 Saturday night, at which time I went home.

And returned to the Police and Courts Building at approximately 8 o'clock, Sunday morning, the 24th.

Mr. HUBERT. Now before you left your duty on Saturday night, do you know of any plans that had been made for the transfer of Oswald and the security of that transfer?

Mr. STEVENSON. No, sir; not on Saturday night, to my knowledge, I don't recall.

Mr. HUBERT. All right, then, proceed to Sunday, please, sir.

Mr. STEVENSON. I arrived at the basement of the Police and Courts Building at approximately 8 o'clock. Maybe 8:15.

I believe Chief Batchelor arrived at about the same time, and Chief Curry either came in near that time or a few minutes later. Now, I don't recall.

When Chief Batchelor and I were in the basement; we observed a Captain Talbert had already started setting up security in the basement and on the streets outside.

Mr. HUBERT. Will you describe what you mean when you say he had already started setting up security?

Mr. STEVENSON. He had placed officers on the Commerce Street side of the city hall at the top of the ramp.

There was two or three officers at that time, we observed, in the basement. And I believe Captain Talbert was in the basement, and one of the sergeants, possibly Sergeant Dean. I could be wrong on Dean being there at that time.

Mr. HUBERT. That was when you first came in?

Mr. STEVENSON. That was when we first arrived at the city hall. It was too early at that time to see just where we would want the men assigned, or where he would have them assigned, rather, because I was not assigning the men to security other than being of any assistance to the men in my division that I could possibly be. Chief Curry, Chief Batchelor, and myself looked over the basement shortly after, or I would say 8:45. Chief Curry observed a large TV

camera sitting back in the alcove as you go into the double doors into the Police and Courts Building of the basement.

Mr. HUBERT. Is that the basement side of those double doors, or on the jail side?

Mr. STEVENSON. That was just outside the jail windows after you get through the double doors from inside the Police and Courts Building. It was sitting outside the doors in the part of what is a part of the basement.

Mr. HUBERT. I see.

Mr. STEVENSON. He instructed that the camera would have to be moved and moved across the driveway into the parking area proper. He also instructed at that time, I believe it was at that time, that the two cars that were parked, I would say it was a squad car and a plain car, in spaces one and two, as I will refer to them, were directly across from the door leading out of the basement, that they would be moved and those spaces left unoccupied, no cars would be parked in there.

Mr. HUBERT. Chief Stevenson, I have before me the chart of the basement area including the jail office and parking area and the ramps and so forth. I am going to date it, and I am doing so now, "Dallas, Tex., March 23, 1964, as Exhibit 5050," in the deposition of Chief M. W. Stevenson. I am signing it with my own name, and I am going to ask you to sign it just below mine, because in your testimony from now on out, I am going to ask you to refer to this chart and put certain positions down on it.

Now, when you mentioned just now, a moment ago when you said that Chief Curry asked that two cars in spots one and two be moved off, would you indicate on Exhibit 5050 by putting "Spot 1," and "Spot 2," what cars he was talking about?

(Writing on chart.)

Mr. STEVENSON. Right here.

Mr. HUBERT. Just put "Spot," so we will know. "Spot 1," and "Spot 2."

All right, was that done? Were the cars moved?

Mr. STEVENSON. Yes, sir; they were moved from those two parking spaces.

Mr. HUBERT. What happened next?

Mr. STEVENSON. At that time we all returned back up to the third floor. That was approximately, I would say, 8:40 or 8:45.

Mr. HUBERT. That would be you and Captain Batchelor?

Mr. STEVENSON. That would be me and Assistant Chief Batchelor and Chief Curry.

Mr. HUBERT. All right.

Mr. STEVENSON. We went back upstairs, and I would say 30 minutes later, or approximately 9 or 9:15, Chief Curry and Chief Batchelor had discussed the possibility of moving the prisoner in an armored car due to some threats—incidentally, I have to drop back a little.

Chief Batchelor notified me, when I met him down there that morning, that Captain Frazier, I believe it was, had called him at home and told him that the FBI had called up with some information that, I won't say how many, but a group of people were going to take Oswald away from the officers on the transfer.

Mr. HUBERT. Did Captain Frazier tell you?

Mr. STEVENSON. No; he called Chief Batchelor, and he told me that Captain Frazier had called him.

Mr. HUBERT. Told him there had been a message received from the FBI that someone had called the FBI?

Mr. STEVENSON. Yes.

Mr. HUBERT. Stating that there would be an effort made; is that correct?

Mr. STEVENSON. Right.

Mr. HUBERT. Did Captain Batchelor indicate to you at that time whether the FBI knew who had made this call?

Mr. STEVENSON. No, sir; he did not.

Mr. HUBERT. Did he indicate to you that it was an anonymous call?

Mr. STEVENSON. I believe, as I remember, he did say that the message that he got was that an anonymous caller had notified the FBI.

Mr. HUBERT. All right; go ahead with it then.

Mr. STEVENSON. They had discussed the possibility of transferring the prisoner in an armored car due to these threats. I walked in the office, in the chief's office while that was being discussed, and the chief asked me what I thought about it.

I told him I thought it would be a good idea, in view of the threats. Chief Batchelor went to his office to contact one of the local armored truck operators, who was, I believe, a Mr. Fleming, and made arrangements to get an armored truck. I remained around the office on the third floor, and I believe Chief Batchelor and I made another trip down in the basement before I went after some coffee.

Chief Batchelor advised Chief Curry he had ordered the armored truck and told Chief Curry, he and I were going to the basement and look the area over. We went to the basement, and Captain Talbert had set up, what we thought, was a very good security.

Mr. HUBERT. Did you see it yourself?

Mr. STEVENSON. Yes; I saw the officers, where they were distributed.

Mr. HUBERT. Would you state then for the record just what you saw, what you stated you considered to be good security? And it might be that you will want to use that chart to indicate what you mean.

Mr. STEVENSON. He had placed officers—he had not stationed them definitely, but he had officers there checking everybody that came into the basement. He had officers down there that searched the entire basement area, searching cars, on top of the heat conduits, and so forth. He had officers on the ramp up here.

Mr. HUBERT. Wait a minute, you say, "up here"?

Mr. STEVENSON. At the top of the Commerce Street ramp.

Mr. HUBERT. How many officers did he have there?

Mr. STEVENSON. I don't know just how many. He had some reserve and regular officers. And Captain Arnett advised us, I believe it was on this trip, that he had been instructed by Captain Talbert to move all of the people to the southside of Commerce Street, permit none of them to congregate on the city hall or Police and Courts Building side of Commerce, and that he had done that. We observed that the crowd was across the street. He had an officer stationed up here at the top of the Main Street ramp.

Mr. HUBERT. Do you know that officer's name?

Mr. STEVENSON. Vaughn, I believe it was.

Mr. HUBERT. I wonder if you would write his name there in your own handwriting.

Let the record indicate that Mr. Stevenson is writing the name of the Officer Vaughn on Exhibit 5050.

Can you tell us what officers you saw in the basement area?

Mr. STEVENSON. At that time when I was down there, I cannot say other than that I did see Captain Talbert. He was all over the area.

Mr. HUBERT. What time was this, about, again?

Mr. STEVENSON. This was around 9:45, I guess. As best I recall the time on that.

Mr. HUBERT. Any of the news people there then?

Mr. STEVENSON. Yes, sir; there were a few. This camera had been moved. They were back over in this area back in here.

Mr. HUBERT. Well, now, you are indicating on the chart that they had been moved to what is called there the parking area?

Mr. STEVENSON. Parking area of the basement; yes.

Mr. HUBERT. All right; go ahead.

Mr. STEVENSON. We returned back upstairs to the third floor. Chief Lumpkin and I went to the second floor to the patrol captain's office. Captain Talbert came up to the office and asked us to have a cup of coffee with him, which we did. He asked us at this time about the time of the route of the transfer. We told him at that time that we didn't know definitely, but that we believed that it would be east on Commerce to Central, north on Central to Main, and west on Main to the county jail.

Mr. HUBERT. You say that you were not certain of that information, but that you had gathered it? Could you expand on that and tell us where you think you got that information? As far as you are concerned, then, there had been no plans that you knew of as to the route?

Mr. STEVENSON. Not the exact route at 9:45 or 10 o'clock, somewhere in that area. He asked us what route it would travel, and we told him that we believed that it would go up to the Central Expressway and west on Main at that time.

Mr. HUBERT. When you used the pronoun "we," whom do you mean?

Mr. STEVENSON. Chief Lumpkin and I.

Mr. HUBERT. So that the route, so far as you knew it at that time, would be out of the Commerce Street exit, turning left, going beyond Pearl Street, which was one way against the direction which you wanted to go, and then over to North Central Expressway?

Mr. STEVENSON. Yes.

Mr. HUBERT. Turning left again and going to Main Street, turning left again, and then all the way down Main to Houston?

Mr. STEVENSON. Right.

Mr. HUBERT. Did he give any instructions, or did he indicate what he was going to do in connection with that plan?

Mr. STEVENSON. He said that he would call 10 men from his outside patrol and place one at each intersection on the route that would be taken to the county jail, which, as I said, at that time we figured would be Main Street, and he did make necessary arrangements.

Mr. HUBERT. All right then; go ahead.

Mr. STEVENSON. After we had drunk a cup of coffee, we returned back to the third floor and were advised a few moments later—Chief Batchelor advised me that the man had called him and that he was preparing to send the truck now. We again went to the basement, he and I, to see about the arrival of the armored truck.

I instructed Detective Captain O. A. Jones to go to the top of the Commerce Street ramp leading out of the basement to notify the two officers who were on duty there, to assist the truck when it came up and get it backed in as far as it would go down the ramp. Captain Jones did this and advised me that he also told Captain Talbert what he had done so that Captain Talbert would not move the officers when they got there. The truck was en route at that time.

After the truck arrived and was backed in, Chief Batchelor advised me that he and Lieutenant Smart opened the truck up and searched it completely, taking out, I believe, a couple of empty Coca-Cola bottles or soft drink bottles.

I had returned to the third floor, went to the homicide office, homicide bureau office, Chief Curry, Lieutenant Pierce, Captain Fritz, and I believe an FBI agent, and Lee Harvey Oswald was in Captain Fritz' office and some Federal officer had been interviewing him, oh, I would say at least for an hour, and I was advised at that time by Chief Curry—

Mr. HUBERT. What time was that?

Mr. STEVENSON. That was about 11:10 or 11:15—that they had changed their plans after discussing it with Captain Fritz and that instead of using the armored truck to transport the prisoner to the county jail, they would use the truck as a decoy because a car would be much more maneuverable if a crowd tried or anyone started to stop the car or take the prisoner, that the truck would proceed east on Commerce from the Commerce Street ramp to the Central Expressway north, north to Elm Street, Elm Street west to Houston, and would turn left and not stop at the county jail, but pass by the county jail on Houston, that the car carrying the prisoner followed by another car of detectives, and Chief Curry's car, which was also parked out in the street, would leave the truck at Main Street on North Central and turn west down Main Street and proceed directly to the county jail.

And the sheriff's office had been notified and would have the steel gate open where the car could drive in and the gate could be closed directly behind it. When given this information, I left the homicide bureau and started back to the basement.

I met Chief Lumpkin at the elevator on the way to the basement and I advised him of the change in plan. On arriving at the basement, I advised Chief Batchelor and Captain Jones of the change in the plan.

I had been in the basement a minute or two after I had advised them of the change, and two detectives were bringing two police and plain cars from the parking area proper onto the ramp from the parking area.

I stepped across the driveway and instructed the officers there to assist the detective in getting these cars up on the ramp where it could back into, to pick the prisoner up, and follow the last car which was driven by Detective Dhority. As I came out of the parking area, the car pulled onto the ramp to back up.

I stepped across behind the car right over here.

Mr. HUBERT. All right, would you draw a little square roughly the size of the automobile driven by Dhority, and then place a circle to indicate your own position of that time?

Mr. STEVENSON. That is a long automobile, but as I recall, this post, I was standing right here, and the car had gotten back to right along here.

Mr. HUBERT. You were on the south side of that post, standing?

Mr. STEVENSON. I believe I was standing right here at the edge.

Mr. HUBERT. Is that the very front of the automobile on the right side?

Mr. STEVENSON. No; I was just about at the right door hinge. The right front door hinge, that is where I was standing. That is a very poor drawing of the car, Mr. Hubert.

Mr. HUBERT. That is all right. Just put in there, "police car," in that square.

Now you have also drawn a circle to the south of that post, and I wish you would draw a little arrow and put your initials indicating that that was your position.

Now let me get this. Did your position change from the way you have marked it here at all up until Ruby shot Oswald?

Mr. STEVENSON. No, sir; it did not. If I may explain this a little bit, from where I have drawn this circle, this post that extends out here is built onto the wall, and where I was standing, I could see plumb back into here. I was not behind the post as it looks like here.

Mr. HUBERT. How much space was there between the post and the right side of the automobile?

Mr. STEVENSON. I would say there was 3 feet.

Mr. HUBERT. Now, would you describe for us the position of the news media in the basement area there, giving us as much as possible the number of people, say, on the Main Street ramp, and the number of people in the basement area proper?

Mr. STEVENSON. I would say from the corner of the building here, straight across.

Mr. HUBERT. When you say, "here," just mark a point. Let's call that "number 1" to point number 2.

Mr. STEVENSON. I can make that up this way, I believe.

I would say in this area, from here to here, and over here.

Mr. HUBERT. Let's say you are talking about the southwest wall of the—

Mr. STEVENSON. From the west wall—we term that the west side of the driveway of the ramp to the east side, and back up to here.

Mr. HUBERT. And back up to approximately where the ramp begins to go up, is it?

Mr. STEVENSON. Let me look at my small map.

I may have that marked wrong. I may not be saying what I want to say. If I have those maps with me, I hope I have as much as I worked on that thing. I ought to tell you with my eyes closed.

I evidently left them.

Mr. HUBERT. All right. Let's get at it this way.

Mr. STEVENSON. The driveway end out from right here.

Mr. HUBERT. Don't say from right here. Let me put it to you this way. On the Main Street ramp, it is from the—

Mr. STEVENSON. That would be the entrance into the—

(Discussion off the record to orient positions.)

Mr. HUBERT. From the corner which is formed by the intersection of the jail corridor and the Main Street ramp on a line roughly due east or northeast, rather, and another line running along the Main Street ramp, and then another line across the ramp to the wall, how many news people were in that area?

Mr. STEVENSON. I would say, and it is purely a guess, from 30 to 40 on the north ramp, Mr. Hubert.

Mr. HUBERT. How many people can you estimate could stand abreast along there?

Mr. STEVENSON. It is 12 feet and 6 inches wide, the ramp is. I would say 5 people could stand in there side by side.

Mr. HUBERT. It actually is a little wider, is it not?

Mr. STEVENSON. It is down here. That is why I was looking for another little map I had there. It is 15 and 2 here.

Mr. HUBERT. Well, roughly speaking, how many people did you see abreast there, and how many ranks of such people were there?

Mr. STEVENSON. I don't know how many ranks there were. I would say there were, counting the officers and the detectives, and that is what I would have to go by, because we had detectives ranging that whole area.

I would say they were 6 or 7 or 8 deep.

Mr. HUBERT. And about 5 or 6 across?

Mr. STEVENSON. Yes.

Mr. HUBERT. So that somewhere between 40 and 50 people?

Mr. STEVENSON. Possibly; yes, sir.

Mr. HUBERT. Now, in the basement area itself, in, and particularly that portion which faces into the jail corridor, how many people were there?

Mr. STEVENSON. I would say, counting police officers and everybody, and again that is what I'd have to go by, I would say there were at least 50 in this area in here.

Mr. HUBERT. When you say this area in here, you are describing a semi-circle?

Mr. STEVENSON. From the two spaces which were cleared in the parking area proper back to—

Mr. HUBERT. Just draw a line.

Mr. STEVENSON. [Compliance.]

Mr. HUBERT. Would you just mark within that line the number of people that you think were within that space?

Mr. STEVENSON. [Compliance.]

Mr. HUBERT. Now mark the same way on the Main ramp the number of people that were in the area on the Main ramp?

Mr. STEVENSON. [Marking] Well, it is purely a guess. I would say 40 to 50, in that area.

Mr. HUBERT. Let me see if I can recapitulate it.

On the Main ramp there were between 40 and 50 newspeople standing abreast?

Mr. STEVENSON. Not news—police and all.

Mr. HUBERT. And news people standing abreast is roughly five to six to seven to eight, perhaps?

Mr. STEVENSON. Right.

Mr. HUBERT. In this other area which you have marked with a rough semi-circle, there were between 50 and 60 people?

Mr. STEVENSON. That is an estimate, estimate on it; yes, sir.

Mr. HUBERT. Now, when you came down and observed the moving of the vehicle driven by Dhority, were those people in the ramp and basement area already located there?

Mr. STEVENSON. Yes, sir; they were.

Mr. HUBERT. Do you know what security arrangements had been made with respect to checking the presence of those people?

Mr. STEVENSON. Yes, sir; the same security arrangement we had used all the way. No one was to be permitted into the basement without being a bona fide member of the press or news media, and to our knowledge, or to my knowledge, there was no one down there except members of the press or police officers, or officers from some department, a Federal officer or sheriff's office.

Mr. HUBERT. Do you know of any instructions that had been given with reference to checking these people for identification?

Mr. STEVENSON. Only what was given to them on the third floor. Now, I don't know what instructions Captain Talbert had given the men, but he told me he had instructed that no one would be permitted in there unless they had a press pass and was officially connected with the news media.

Mr. HUBERT. Did he tell you how that would be ascertained?

Mr. STEVENSON. By the officers checking them and checking his credentials.
Mr. HUBERT. I think you had gone there earlier on the occasion of about 9:45, I believe it was, when you and Batchelor went to get coffee?

Mr. STEVENSON. That was Chief Lumpkin and I drank the coffee, Mr. Hubert.

Mr. HUBERT. Anyhow, I am thinking about the last time that you were there prior to your going down finally, or to put it another way, the second to the last time you were down?

Mr. STEVENSON. The next to the last time was after I drank the coffee, Chief Batchelor and I went down there.

Mr. HUBERT. What time was it then?

Mr. STEVENSON. About the best I recollect, around 10:30.

Mr. HUBERT. Now were these news media people in those areas at that time?

Mr. STEVENSON. Not on the Main Street or north ramp, not at that time.

Mr. HUBERT. Do you know where they were?

Mr. STEVENSON. They were back in here.

Mr. HUBERT. That is to say, back in the basement area?

Mr. STEVENSON. Yes; in the basement area.

Mr. HUBERT. So at that time you think there were approximately, well, twice the number of people that you have since described as were in the Main ramp and the basement area, roughly about a hundred people?

Mr. STEVENSON. At that time there might not have been, because that was some 40 or 50 minutes before the prisoner was transferred.

Mr. HUBERT. Were there people upstairs or elsewhere?

Mr. STEVENSON. Some of them were on the third floor. Some of them were on the first floor. Now just where they all were, Mr. Hubert, prior to the time the transfer was actually made, I don't know, but about 10:30, I would say that there was not that many down there at that time.

Mr. HUBERT. When you said the first floor, you meant the first floor of the police and courts—of the police department?

Mr. STEVENSON. Of the police and courts building; yes.

Mr. HUBERT. You have already testified concerning the relation of what you call the courts?

Mr. STEVENSON. The police and courts building.

Mr. HUBERT. To the municipal building or the city hall?

Mr. STEVENSON. Right.

Mr. HUBERT. Do you know of your own knowledge whether there was any security as to the entrance to the city hall's first floor?

Mr. STEVENSON. Oh, only what Captain Talbert advised me, that they did have it sealed off and had the elevators stopped on the first floor and nothing to come below the first floor of the city hall proper.

Mr. HUBERT. Do you know about what entrances do exist to the city hall municipal building's first floor?

Mr. STEVENSON. Yes.

There is an entrance off of Main Street. There is an entrance off of Commerce Street. There is also an entrance into what we call a freight elevator off the alley on the east side which the alley runs between Commerce and Main and right up to the east side of the city hall.

To my knowledge, those are the three entrances to the city hall proper other than from the basement and the elevators up from the basement.

Mr. HUBERT. Isn't there a corridor, however, that leads from the first floor of the city hall to the first floor of the police department?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you know what security there was with respect to that corridor?

Mr. STEVENSON. To my own knowledge, Mr. Hubert, I don't know other than he did have, Captain Talbert said he had men on the first floor of the police and courts building and I believe that you will find a steel gate that closes off the police and courts building from the municipal building.

Mr. HUBERT. Do you know whether that gate was closed?

Mr. STEVENSON. No, sir; I do not. I did not inspect that.

Mr. HUBERT. Do you know whether the entrance to the first floor of the municipal building on Main and Commerce were locked or not locked?

Mr. STEVENSON. I did not inspect them; no, sir. I do not know of my own knowledge, but usually on a Sunday, those doors are locked.

Mr. HUBERT. Is that statement true about the door on the alley?

Mr. STEVENSON. To my knowledge, only the maintenance crews have keys.

Mr. HUBERT. Now were any policemen assigned to any of those three entrances from the outside into the first floor of the municipal building? To wit, Main Street entrance, Commerce Street entrance, and the service door on the alley?

Mr. STEVENSON. To my own knowledge, I don't know whether Captain Talbert told me that he had security on the outside of the doors of the city hall and the municipal building, but I did not go out and check those to see.

Mr. HUBERT. Were you aware then—that is to say, on November 24th, of the position of two reserve officers called Brock and Worley?

Mr. STEVENSON. Not by name; no, sir.

Mr. HUBERT. Do you know that there were two reserve officers in the basement area, one of them near the elevators and one of them near the—

Mr. STEVENSON. This is a driveway into the parking area.

Mr. HUBERT. The driveway into the parking area proper?

Mr. STEVENSON. To my own knowledge, no, sir; I don't. I did not go back to the elevators over here to check on that. My officers were in this general area in here.

Mr. HUBERT. That is to say, you are indicating from the intersection of the jail corridor and the ramp at the basement?

Mr. STEVENSON. Directly out in front of the jail office entrance, and in this area in here, and up this way and back here.

Mr. HUBERT. Do you know anything about the removal of those two men from the positions indicated?

Mr. STEVENSON. No, sir; I do not.

Mr. HUBERT. Now, did you observe the shooting?

Mr. STEVENSON. No, sir; I did not witness the shooting. If I may explain that, when Mr. Dhbrity backed the car that was to carry Lee Harvey Oswald to the county jail, then, as I have stated before, I stepped to the west side of it and was right about the front hinge of the door. I heard someone remark "They are coming out."

I looked around and observed Captain Fritz coming right through here.

Mr. HUBERT. From the jail corridor?

Mr. STEVENSON. From the jail corridor. When I saw him, I immediately directed my attention to the overall basement area of our security setup to observe anything that went on, and they had not taken but a few steps and had not reached the back of the car when I heard a shot, and immediately again I directed attention to the prisoner and observed a group of officers, I would say, some 8 or 10, subduing someone.

And as I stepped back here, I saw Detective Graves who had been with Oswald.

Mr. HUBERT. When you say, "stepped back"—

Mr. STEVENSON. Back to where the shooting had taken place, I saw him rise from the crowd with a gun in his hand still holding it around the cylinder.

Ruby was picked up and taken into the jail office, who I afterwards learned was Ruby, and Oswald was also carried into the jail office. Lieutenant Wiggins instructed an ambulance to be called.

I then stepped back out of the jail.

When the shooting took place, the officers on the Main Street ramp, this one up here—

Mr. HUBERT. That would be Mr. Vaughn?

Mr. STEVENSON. I don't know that he was one that pulled his gun, but there were several reserve officers and other officers down in here.

Mr. HUBERT. That is on the Main Street ramp?

Mr. STEVENSON. I was told by, I believe it was, Captain Jones, that the officers up there had their guns out. And I stepped back out of the jail office after seeing that Ruby and Oswald had been taken care of.

The north ramp was quiet, but the officers were having difficulty with people.

Mr. HUBERT. On the Commerce Street ramp?

Mr. STEVENSON. At the top of the Commerce Street ramp, or near the top.
I stepped back up here and told those officers that the man that did the shooting was in custody and there was no more trouble. Ruby was taken upstairs and the ambulance picked up Oswald.

Mr. HUBERT. Did you go up with Ruby yourself?

Mr. STEVENSON. No; Captain King, Detective Archer, and I believe McMillon went up with Lee Harvey Oswald.

Mr. HUBERT. You mean with Ruby?

Mr. STEVENSON. I mean with Ruby, pardon me. With Ruby up to the jail office.

Captain King advised me when I came back down that they had stripped Ruby of his clothing, searched him to see that he had nothing on him with which he could harm himself or harm anyone else, and in about, oh, I would say possibly 10 minutes after he was taken upstairs, Secret Service Agent Forrest Sorrels did go up and talk with him, and Sergeant Dean, I believe it was, took him up there.

Now this was told to me by Sergeant Dean, that Mr. Sorrels did request to go up and talk to him, and he did take him up there.

Mr. HUBERT. Did you observe Ruby before he was stripped of his clothing?

Mr. STEVENSON. Yes; I observed him in the jail office after he had been picked up, after he had shot Oswald.

He had been picked up from just outside the jail office door near the ramp and was taken into the jail office, and he was standing in the jail office with the detectives holding him, when I walked in there.

Mr. HUBERT. Did you observe any kind of press pass on his person?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did you know Ruby prior to that time?

Mr. STEVENSON. No, sir; I had never seen him before, as far as I know.

Mr. HUBERT. Had you seen him in the crowd?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did Ruby say anything in your presence that you yourself heard?

Mr. STEVENSON. Not that I heard myself.

Mr. HUBERT. Did you give any orders concerning the search of Ruby's automobile?

Mr. STEVENSON. Yes, sir; I did.

Mr. HUBERT. Will you tell us what they were, please?

Mr. STEVENSON. I don't recall who contacted me or called me and told me where his car was on the parking station near the Western Union, advising me that he had a dog in the car, a dog of some kind.

I contacted my Automobile Theft Bureau, which handles and is responsible for all impounded cars, and asked Lieutenant Smart to go up and get the car.

He took someone with him, I don't recall who, to impound the automobile, search it, and take everything out of it that he could find.

Mr. HUBERT. Now you did not get your information about the location of the car from Ruby himself?

Mr. STEVENSON. No, sir; I did not.

Mr. HUBERT. And you think you got it from someone whose name you don't know or now remember?

Mr. STEVENSON. I don't recall who it was. It is possible someone who had talked to Ruby, but now I can't say about that because I just don't recall who it was that advised me that his car was up there at the Western Union, but I did receive the information and directed Lieutenant Smart to get the car and search it thoroughly, impound it, and have the pound take the dog.

Mr. HUBERT. So that when you did get the information about Ruby's car, you also got the information that there was a dog in it?

Mr. STEVENSON. Yes, sir.

Mr. HUBERT. Do you know who was assigned to control traffic at the corner of Main and Pearl? That is, by the Western Union Office?

Mr. STEVENSON. No, sir; I don't.

Mr. HUBERT. Or Main and Harwood?

Mr. STEVENSON. No, sir; I don't.

Mr. HUBERT. Now, you have made a statement, I think, to the FBI, have you not, sir?

Mr. STEVENSON. Yes; I was interviewed by the FBI.

Mr. HUBERT. I will hand you a document that I am going to mark now for identification as follows: Dallas, Tex., March 23, 1964, an Exhibit 5051, Deposition of Chief M. W. Stevenson. I am signing my name, and I would like you to read it, sir.

Mr. STEVENSON. (Reads.)

Mr. HUBERT. Now, Mr. Stevenson, you are signing it.

Do I take it by that, that that statement is correct, so far as you know?

At least that there are no errors in it?

Mr. STEVENSON. As far as I can see, there are no errors. Only one thing on this, unless I missed it right here, this does not say anything of the change of plan.

Mr. HUBERT. No?

Mr. STEVENSON. It sure doesn't.

Mr. HUBERT. Well, it just speaks for itself. But apparently you called to our attention an omission from that statement which has been covered by a part of this deposition, is that correct?

Mr. STEVENSON. This was taken on the 25th. I guess that is right. Isn't that the date here?

Mr. HUBERT. Yes; the 25th is correct.

Mr. STEVENSON. I don't understand why that part was omitted, but I was interviewed, and there is nothing in here, as far as I am concerned, that is wrong, to my knowledge, with the exception of that omission of the change in method, of transfer.

Mr. HUBERT. There may be other things also in your deposition that do not appear in that document which we have marked as Exhibit 5051.

Now I show you another document which I have marked "Dallas, Tex., March 23, 1964, Exhibit 5052, Deposition of M. W. Stevenson," and I have signed it with my own name. It is a part of the Commission Document 81-A, Page 95-A, and ask you, sir, if that is a correct statement of your interview with Captain Sawyer?

Mr. STEVENSON. Yes, sir; it is. I might add on this one, this was to find out about our security, the reason this one was put out, and that is the reason they didn't go any further. You want me to sign this?

Mr. HUBERT. Yes. As I understand you, that is correct, so far as it goes?

Mr. STEVENSON. That's right.

Mr. HUBERT. Would you care to state for the record, Chief Stevenson, what, in your opinion, was the cause of the breakdown of security which resulted in the death of Oswald?

Mr. STEVENSON. Mr. Hubert, I don't know whether I can tell you the cause or not, but there is no doubt we had a breakdown. And if our investigation is right, it was at the Main Street ramp into the basement through which Ruby claimed that he walked down that ramp while this officer had his back turned. And our investigation showed that he did leave the Western Union Office some 4 or 4½ minutes prior to the shooting.

Our breakdown, although this is my opinion, it was unintentional on the part of Officer Vaughn, in my opinion, he did come down that ramp.

Mr. HUBERT. Is there anything else you would like to say, sir, concerning any part of this matter whatsoever?

Mr. STEVENSON. Mr. Hubert, I don't recall a thing that I haven't attempted to cover. However, if there is anything that I have not covered, I will be glad to attempt to or to answer any questions that you might think pertinent to it, and anything that I have failed to cover has been unintentional, I assure you.

Mr. HUBERT. I simply want to give you an opportunity now to say anything else that you might want to say, realizing, of course, that there may be other things which don't come to your mind at the moment, but I would like you to think about it and tell us if there is anything at all that has not appeared in any statement you have made or in any part of this deposition.

Mr. STEVENSON. The only thing that I could say that comes to my mind

at the present is, up until Oswald was killed in the basement, we felt like we had built a good case on Oswald as the slayer of President Kennedy, and we felt we had done a good job on the arrest and the accumulation of the evidence.

We just had a breakdown. We were let down unintentionally, in my opinion, from the investigation, by one officer that permitted Ruby to get into the basement.

Mr. HUBERT. Have you made any other statement, Mr. Stevenson, other than those that you have identified as Exhibits 5051 and 5052?

Mr. STEVENSON. Not to my knowledge that I recall, other than the overall chronological report that we made to the chief of police regarding the entire operation and plan for the visit of the President all the way through until Oswald was slain by Ruby in the basement.

Mr. HUBERT. Was that a joint report?

Mr. STEVENSON. Yes.

Mr. HUBERT. Tell us who prepared that.

Mr. STEVENSON. It was Chief Batchelor, Chief Lumpkin, myself, Chief Fisher, Chief Lunday, Captain Souter, and all of the supervisors who had a definite responsibility in preparing and carrying out the plans for the President's visit to our city on November the 22d.

Mr. HUBERT. Was that a written report?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you have a copy of that, sir?

Mr. STEVENSON. It's in this. I believe I have it. (Looking.)

It isn't in there, sir. I believe that is the entire report.

(Handing papers to Mr. Hubert.)

I don't think it would be in there. That is our security investigation report, Mr. Hubert. You will find that that is signed by Chief Batchelor, Chief Lumpkin, and myself.

All of the officers did not sign it. We merely got their version, their reports and things and incorporated them in one chronological report.

Mr. HUBERT. You have, Mr. Stevenson, handed me a document consisting of 34 numbered pages, the first page apparently being unnumbered, dated November 30, 1963, addressed to Mr. J. E. Curry, chief of police, and bearing on page 34, the typed names of Charles Batchelor, George Lumpkin, and M. W. Stevenson.

You have also stated to me that this copy was available to the Commission.

I am therefore marking it as follows:

"Dallas, Tex., March 23, 1964, Exhibit 5053, Deposition of M. W. Stevenson."

I am signing it with my name, Leon D. Hubert, Jr.

I am going to ask you to sign your name under mine, and I am initialling myself, each one of the pages, and I would appreciate it, if you would also initial each one of the pages.

I am placing my initials on each one of the pages in the lower right-hand corner of each page.

Mr. STEVENSON. (Initials each page.)

Mr. HUBERT. Mr. Stevenson, I have now signed the first page under my signature, that being the unnumbered page. I ask you if you have checked the sequence of pages thereafter and find that they run in perfect sequence 1 through 34, page 34, being the last page?

Mr. STEVENSON. I have.

Mr. HUBERT. You have also placed your initials on each one of those pages in the lower right-hand corner below my signature, is that correct?

Mr. STEVENSON. I have.

Mr. HUBERT. The original of this was signed by you, sir?

Mr. STEVENSON. By Chief Batchelor, Chief Lumpkin, and myself.

Mr. HUBERT. And you delivered that to Chief Curry?

Mr. STEVENSON. Yes.

Mr. HUBERT. Now, have you been interviewed by any of the Commission staff prior to the taking of this deposition?

Mr. STEVENSON. No, sir; I have not.

Mr. HUBERT. Well, let me correct you. You were interviewed by me just before the beginning of this deposition?

Mr. STEVENSON. Yes; I was. I answered too quick then.

Mr. HUBERT. That interview took place this afternoon for about an hour and a half, I think, immediately preceding the time that we started to take the deposition?

Mr. STEVENSON. That's right.

Mr. HUBERT. You have not been interviewed by any other member of the Commission staff except that interview with me?

Mr. STEVENSON. No, sir; I have not.

Mr. HUBERT. Can you tell me whether you perceive any inconsistency between the deposition you have given and the interview that I conducted with you prior to the taking of the deposition?

Mr. STEVENSON. No, sir; I don't believe I can see any inconsistency.

I did do this at your request, or I say with your permission I looked over some of my notes before the taking of this, and the only thing that I think was any change made was in answer to Captain Talbert's question as to what the route of transfer would be.

I think when I discussed it with you prior to the taking of this deposition, I told you that we told him we thought it would go down Elm. When I reviewed my notes, it was Main Street that we had told him.

Mr. HUBERT. Now do you know of any other material information that was covered in the interview that preceded this deposition which has not been developed during the deposition?

Mr. STEVENSON. No, sir; not that I recall.

Mr. HUBERT. I think that is all unless you have anything else.

Mr. STEVENSON. I don't recall a thing else, Mr. Hubert.

Mr. HUBERT. Thank you very much.

TESTIMONY OF CAPT. CECIL E. TALBERT

The testimony of Capt. Cecil E. Talbert was taken at 7:30 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. Cecil T. Talbert, patrol division, Dallas Police Department.

My name is Leon D. Hubert, Jr.; I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolutions, I have been authorized to take a sworn deposition from you, Captain Talbert. I will state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Captain Talbert, the nature of the inquiry tonight is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry of the Commission. Now, Captain Talbert, you have appeared here tonight by virtue of a general request made by the general counsel of the staff of the President's Commission, Mr. J. Lee Rankin. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but those rules also provide that a witness may waive the 3-day notice in writing. Are you willing to waive that notice?

Captain TALBERT. I'd like to waive it, sir.

Mr. HUBERT. Now, will you stand and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Captain TALBERT. I do.

Mr. HUBERT. Will you please state your name?

Captain TALBERT. Cecil Earl Talbert.

Mr. HUBERT. Your age?

Captain TALBERT. I am 44.

Mr. HUBERT. Your residence?

Captain TALBERT. 1211 Toltec, Dallas.

Mr. HUBERT. What is your present occupation, sir?

Captain TALBERT. Police department. Captain of patrol division.

Mr. HUBERT. How long have you been with the police department?

Captain TALBERT. Seventeen years.

Mr. HUBERT. How long have you held the rank of captain?

Captain TALBERT. You will have to forgive me just a minute.

Mr. HUBERT. Well, just approximately is all right.

Captain TALBERT. January 26, 1960.

Mr. HUBERT. What are your duties and responsibilities on the Dallas Police Force?

Captain TALBERT. I have a patrol platoon. Three captains assigned to the patrol division. Each has a platoon. We rotate around the clock and while on duty would have the patrol function.

Mr. HUBERT. That is the patrol function throughout the city.

Captain TALBERT. Throughout the city; yes, sir.

Mr. HUBERT. Who is your immediate superior?

Captain TALBERT. Chief Fisher; N. T. Fisher.

Mr. HUBERT. And he is head of the patrol division in general?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Three captains under him?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Who are the other captains?

Captain TALBERT. J. M. Souter relieves me, and Capt. William Frazier, who relieves Souter.

Mr. HUBERT. Were you in that same position with the same duties and responsibilities on the 24th of November 1963?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Were you on duty on the 23d of November 1963?

Captain TALBERT. Yes, sir.

Mr. HUBERT. What hours did you serve then?

Captain TALBERT. Seven to three.

Mr. HUBERT. 7 a.m. to 3 p.m.?

Captain TALBERT. Yes.

Mr. HUBERT. Did you go off duty at 3 p.m. on the 23d?

Captain TALBERT. Close to that, I mean close to that time; yes, sir.

Mr. HUBERT. At the time you went off duty about 3 p.m. on the 23d of November, had you been informed of any plans for a transfer of Oswald to the county jail?

Captain TALBERT. Not by police supervisors. I had heard the information the chief had given the news media who had insisted on setting up their equipment in our jail office, or adjacent to the jail office, and he insisted that they not set it up there, and that they would be in the general public way, and only that they could report after 10 o'clock on the next day.

Mr. HUBERT. Now, you didn't hear that from the chief himself?

Captain TALBERT. Not from the chief. Only—that is hearsay.

Mr. HUBERT. You obtained from the radio or television or newspapers?

Captain TALBERT. Possibly radio and newspapers, yes, sir. You might know we were attentive to all news media at the time.

Mr. HUBERT. Now, what time, then, did you go on duty on the 24th?

Captain TALBERT. The morning of the 24th I reported when—I gave my time of duty as 7 to 3. Actually, we report about an hour early so that we can prepare the platoon, or any revision in the platoon that we have to make. So, at approximately 6 o'clock, I reported to our office and relieved Captain Frazier.

Mr. HUBERT. Now, at the time that you relieved Captain Frazier, did he convey any information to you?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Tell us what he said?

Captain TALBERT. Said he had a communication with Sheriff Decker and Mr. Newsom, with the FBI, and both were anxious to transfer Oswald at the time. Transfer him immediately to the county jail, and that he had been unable to contact the chief due to a phone malfunction. That he couldn't call him.

Mr. HUBERT. Did he tell you what time he had received that information?

Captain TALBERT. He did; but I don't recall what time, sir.

Mr. HUBERT. Did he tell you of any security plans that had been made to transfer Oswald?

Captain TALBERT. No, sir.

Mr. HUBERT. Did he tell you of any security plans that should be made, or had been ordered?

Captain TALBERT. No, sir.

Mr. HUBERT. Did he then go off duty? I am talking about Captain Frazier now.

Captain TALBERT. Yes, sir; I relieved him and he went off duty.

Mr. HUBERT. What did you do then with reference to the transfer?

Captain TALBERT. Continued his efforts to contact the chief through—going through the telephone exchange. I wanted to contact him by telephone. He had contacted Captain Fritz with the information from both Mr. Newsom and the sheriff, and Captain Fritz said he couldn't transfer him until the chief authorized it.

Mr. HUBERT. Did you talk to Fritz yourself?

Captain TALBERT. No, sir; that was conveyed to me by Captain Frazier before he left.

Mr. HUBERT. I see.

Captain TALBERT. And I got the telephone company to put a buzzer on the chief's line, and there is no response, and they have something that is louder than a buzzer. I can't recall the term they use, but you have to get permission from the chief operator to utilize that. I had that put on the chief's line, and still no response. Obviously the line was defective, so, I had a squad sent to the chief's home with the request that he call me.

Mr. HUBERT. Did he call you?

Captain TALBERT. Yes, sir.

Mr. HUBERT. From his home?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Was his phone out of order?

Captain TALBERT. I don't know, sir, but by all appearances, it was out of order. I think that latter item I was speaking of was around the entire neighborhood, almost. It is quite loud, even though a phone may be off the hook.

Mr. HUBERT. What did you say to the chief?

Captain TALBERT. I repeated the conversation that Frazier had told me that the sheriff had told him, and also Mr. Newsom had told him about two calls received by the FBI office during the night. Both by men speaking in a calm voice and both conveyed the same message that before Oswald reached the county jail "A hundred of us will see that he is dead." And the request by Sheriff Decker, and Mr. Newsom, that he be transferred immediately.

Mr. HUBERT. It was your understanding that Newsom had received a message twice?

Captain TALBERT. His office. Not Mr. Newsom personally. His office.

Mr. HUBERT. I see. Do you know whether any such message had also been received by the sheriff's office independently?

Captain TALBERT. No, sir; I don't.

Mr. HUBERT. What time did you convey that information?

Captain TALBERT. It was approximately 6:30, my conversation with Chief Curry.

Mr. HUBERT. Did he give you any instructions?

Captain TALBERT. He said if I would call the sheriff and Mr. Newsom, tell them that he would be in his office between 8 and 9, and he would contact them.

Mr. HUBERT. Did you do that?

Captain TALBERT. Yes, sir.

Mr. HUBERT. All right. After that, what did you occupy yourself with?

Captain TALBERT. The usual duty of getting my platoon on duty and balancing the detail.

Mr. HUBERT. Did you do anything looking toward the ultimate transfer of Oswald?

Captain TALBERT. Not at that time; no, sir.

Mr. HUBERT. When did you begin to do anything with reference to the transfer?

Captain TALBERT. Approximately 9 a.m. Traffic was building up rather heavy on the downtown streets. Primarily on Commerce, people going by the intersection of Commerce and Houston and the—viewing the Book Depository Building, and we had a few people gathering on Commerce Street side of the city hall.

Mr. HUBERT. Did you ever see them gathering on the Main Street side?

Captain TALBERT. No, sir.

Mr. HUBERT. Do you know why?

Captain TALBERT. Evidently the people who were gathering realized that our exit side was Commerce and our entrance side was Main.

Mr. HUBERT. Is that a fact?

Captain TALBERT. That is a fact.

Mr. HUBERT. That is to say internally, your traffic goes from Main to Commerce, and goes no other way?

Captain TALBERT. That's right.

Mr. HUBERT. That is a one-way ramp?

Captain TALBERT. Yes, sir; all of our vehicles enter on Main Street and exit on Commerce Street.

Mr. HUBERT. Of course, there is no physical reason why it couldn't be the opposite?

Captain TALBERT. Yes, sir; there is. Commerce is one way, and makes it more difficult to—Oh, I'm sorry. There is no physical reason.

Mr. HUBERT. No. That's all right. You have explained it. You had misunderstood what I meant when I said, "physical."

Captain TALBERT. Sure.

Mr. HUBERT. Actually, it is an internal rule, that is, a normal rule because of the fact that Commerce is a one-way street.

Captain TALBERT. The accessibility to the street.

Mr. HUBERT. Main is a two-way street?

Captain TALBERT. Yes, sir.

Mr. HUBERT. What time did Chief Curry come in?

Captain TALBERT. I don't know, sir. I didn't see him all day.

Mr. HUBERT. You didn't see him all day on the 24th?

Captain TALBERT. No, sir. I mean I don't recall having seen him. I didn't converse with him. If I saw him I didn't converse with him.

Mr. HUBERT. Did you take any action about looking to the movement or transfer and the security thereof, of Oswald?

Captain TALBERT. That is a very broad statement and can we narrow it down into my actions taken of any probable disturbance that we might have around the city hall?

Mr. HUBERT. Just tell us what you did.

Captain TALBERT. All right, sir. At 9, or about, Lieutenant Pierce, that is Sam Pierce.

Mr. HUBERT. That is Rio Pierce?

Captain TALBERT. Sam.

Mr. HUBERT. Sam Pierce?

Captain TALBERT. Rio Sam Pierce. R. S. Pierce. [spelling] R-i-o, just like the river. Rio Sam Pierce is my central area lieutenant, and I talked the situation over with him about the traffic problem, and the people that were giving the appearance of going to start gathering on the Commerce Street side, and what we should do about the possible security around the city hall. It would have to alleviate having to call the squads in over the dispatcher.

At the time, we were working on a Sunday detail, which is one of our smallest. Sunday is a less active day, and we have fewer people working on Sunday, that is, than we do any other. That is the day we try to get most of our—not “most,” I’m sorry, that is a poor term. We cut our detail down on Sunday due to the fact that police activity is light. So, I talked it over with him about what we should do about the method of security of the area, and finally decided that if—for him to pull three squads from each of the three substations, and four squads out of the central station, and to pick two-men squads where possible so that we could build up the total number of men that we had as quick as possible.

This second platoon, the day platoon, works primarily one-man squads, and our two-man squads are trainee squads. The trainees work with an older officer and create a two-man squad there. Could you leave this off just a moment? That is something—

Mr. HUBERT. All right; off the record.

(Discussion off the record.)

Mr. HUBERT. All right; then, you decided to set up some system of security for the police department building?

Captain TALBERT. I further told Lieutenant Pierce to have the basement cleared of all personnel. Have them searched. Thorough search, and secure it, letting only the authorized news media and police officers into the basement.

Mr. HUBERT. What—

Captain TALBERT. The basement area that—

Mr. HUBERT. What system of authorizing newsmen was in use?

Captain TALBERT. Using their press identification.

Mr. HUBERT. Had that been issued specially?

Captain TALBERT. That is the general order, 81, I believe that is the number of it. I don’t know whether you want to include that in here or not. I believe general order 81, is that we would utilize—this is a long-standing—that we will utilize the normal press identification to permit news media into scenes of incident areas. The amateurs, bystanders, were kept out because they don’t have those identification—

Mr. HUBERT. Is that an identification commonly known to police personnel?

Captain TALBERT. They scrutinize it. No, sir; each could utilize these different types, but you have to scrutinize their identification.

Mr. HUBERT. Do you say that you permit these persons to enter, but civilians without news identification could not enter?

Captain TALBERT. Yes, sir.

Mr. HUBERT. That was in effect that day?

Captain TALBERT. I utilized it.

Mr. HUBERT. Well, I mean, the order was in effect?

Captain TALBERT. It had not been revoked.

Mr. HUBERT. So, you utilized it?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Therefore, it was determined that when you were clearing out the basement, you would clear out all persons who were not police officers or news media properly identified?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Now, can you tell me why you did that as to the basement?

Captain TALBERT. The basement—I am using a very loose term in “basement,” I meant, and did convey to Lieutenant Pierce, “the area,” in which Oswald would be—if he was transferred, and I used that term, “if he was transferred,” I didn’t know that he would be. Although, our basement was becoming cluttered with newsmen at that time.

Mr. HUBERT. Had you been told by anyone that Oswald would be removed from the upper story of the building by use of the jail elevators to the jail office, and from the jail office through the jail corridor into the basement ramps.

Captain TALBERT. At that time; no, sir.

Mr. HUBERT. But—

Captain TALBERT. But, of my own knowledge that is the only way he could be removed to a car unless he went through another floor and out on the street. That is the way you go in the normal police building area.

Mr. HUBERT. And do you mean that the normal method for handling would be one where he would be brought to the elevator to the jail office, and into the basement?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Now, would you state just what you did by way of clearing the basement area?

Captain TALBERT. Lieutenant Pierce gave the assignment to Sergeant Dean, and in turn to Sergeant Putnam to carry out, and in various stages of the searching of the basement I think he checked it himself, at approximately 10 o'clock, and I gave, by the way, the initial instructions to bring those squads in. I told them to disperse their cars, park them on the street, but disperse them. Not have them grouped up, and to report to my office by at least 9:30, and he did have that accomplished, and he gave the instructions to clear the area and search it to Sergeant Dean, who got Sergeant Putnam to assist him in it. About 10 o'clock, I went down to check and see how he had progressed at that time. They had checked the news media, they were set up in the jail office. The jail office proper. They had cameramen, cameras, reporters on top of the booking desk, on top of everything available. The news media was taking over the jail office rather heavily, and insisted the chief had given them permission to do so. That was about 10. I went into the basement area and Sergeant Putnam gave me a lengthy rundown, step by step, on what he had done, or had done—see what I mean about my English?—and had accomplished in clearing that area, and I personally checked all the doors to the several rooms that led from the parking area to see that they were locked.

Mr. HUBERT. Can you specify for the record what doors you did check?

Captain TALBERT. Starting in around on the side of the ramp, janitor's room. Could you hold it a minute and let me see if I can identify it?

Mr. HUBERT. All right.

(Discussion off the record.)

Mr. HUBERT. All right. Now, I think we'll get on the record.

Captain TALBERT. Shall we just say "checked the painters' room"?

Mr. HUBERT. No; I want to get more particular points than that. Now, since you are about to describe your activities with reference to a definite area, I want to show you a map or chart of the basement and jail office area, and in order that we may properly use it in connection with your testimony, it is necessary for me to identify it. Therefore, I am marking it, "Dallas, Texas, March the 24th, 1964. Exhibit 5070, deposition of Capt. C. E. Talbert." And I am signing my name to it, and for the purposes of identification, I'll ask you to sign your name just below mine. Now, you say that you, yourself made a personal check of what is shown on this Exhibit 5070, as the parking area?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Wait. Where did you begin? Right in here?

Captain TALBERT. Right about here, to here [indicating].

Mr. HUBERT. Now, I am marking with a numeral, "1" in a circle, a point that you have indicated to me as the starting point of your inspection tour, and exactly just what did you do there?

Captain TALBERT. Well, that's—

Mr. HUBERT. And then I am going to ask you to just simply draw a line as to the general portion that you want, and whenever you stopped, we will mark the stop with No. "2, 3 and so forth", and just use this map and mark it in that way, keeping in mind that you must speak in such a way that a person who reads this later on may be able to understand the movements. Now, you are starting at a point that is marked No. "1" in a circle?

Captain TALBERT. I checked the door No. "1", which is the painters' room to see that it was properly locked. I proceeded to the doctor's room, and I checked it.

Mr. HUBERT. And you are marking that—

Captain TALBERT. That is "2."

Mr. HUBERT. "2" in a circle?

Captain TALBERT. I asked what has been done about the doctor's services. Sergeant Putnam told me he had moved that doctor out of that room and into the police locker room.

Mr. HUBERT. Did you check those doors?

Captain TALBERT. Checked the door to see that it was locked, and it was; yes, sir.

Mr. HUBERT. It was locked from the outside? Could somebody in there have come in?

Captain TALBERT. There should have been no one in there, because there is no entrance to it.

Mr. HUBERT. Did you check in the doctor's room?

Captain TALBERT. No, sir; I had no key to get in. The doctor and the porter would have the key, but I didn't have. I went to this [indicating]. This is the stairway, and this—there is another—there is another stairway coming in here [indicating].

Mr. HUBERT. From point "2"?

Captain TALBERT. Actually, this is—can you stop?

Mr. HUBERT. Yes.

(Discussion off the record.)

Captain TALBERT. I went to point "3" and tried the other door which was locked externally. Went to point "4"—

Mr. HUBERT. Before you leave point "3," did you know whether that door was locked from the other side?

Captain TALBERT. No, sir.

Mr. HUBERT. So, that a person in the stairwell—

Captain TALBERT. That is not the stairwell, sir, that is the second door of the first aid station.

Mr. HUBERT. Oh, the second door of the first aid station?

Captain TALBERT. "3" it is the second door of the first aid station. "4" to the stairwell leading downstairs to a subbasement, engineroom, and leading from the first floor down to the basement area is a fire escape type—that door was secured from the outside.

Mr. HUBERT. Do you know if anybody on the inside of that door could have come from the stairwell into the basement?

Captain TALBERT. Yes, sir; it has—that particular door, I have since learned—I didn't know it at that time, but I have since learned that that particular door has a fire escape type latch. That bar-type latch, and I did check and find that the first floor—not the basement, but the first floor of the city hall had its interior door, both on the Commerce Street, Main Street, and the hallway locked. It is a procedure that they use over the weekend, and after 6 p.m., in the afternoon, those doors are locked, so, anyone not in the building at the time wouldn't have had access to this unless someone unlocked it for them.

Mr. HUBERT. Did you check those entrances at the first floor of the municipal building on the 24th?

Captain TALBERT. Yes, sir.

Mr. HUBERT. How did you do that?

Captain TALBERT. As I recall, just from the—this particular time after finishing this search, I went to the sidewalk area on Commerce, and into the entrance that is left open for payment of water bills and the interior door there was secure and locked.

Mr. HUBERT. So, then a person could not get into the first floor of the city hall through that door on Commerce Street?

Captain TALBERT. Yes, sir; and in further checking around the building I went through the police courts building and in checking the Main Street door and then, in turn, checked the Main Street entrance, and it was locked.

Mr. HUBERT. Main Street entrance to the municipal building?

Captain TALBERT. To the municipal building.

Mr. HUBERT. And it was locked?

Captain TALBERT. And it was locked; yes, sir.

Mr. HUBERT. Now, did you check the several entrances on the alleyway which runs from Main to about halfway up the block and makes an L-turn and then runs to Pearl?

Captain TALBERT. I did not check that entrance, because the thing is locked any time after 6, and on the weekends. We can't enter that way. Matter of fact, we have orders not to enter that way at anytime, but sometimes we, in

parking, we find it convenient to enter through that elevator and the service elevator from that entrance, and we always find it locked. We have to get a porter's attention by banging on the door to get it unlocked.

Mr. HUBERT. Since we are on that subject, how would you go through that service entrance on the alleyway into the first floor of the municipal building?

Captain TALBERT. The service entrance has some side doors leading off of it. I don't know whether they are broom closets, or go into rooms or what, but into the service elevator, both sides of the elevator has operable doors.

Mr. HUBERT. That is—so call it the Harwood side on the elevator, and the Pearl Street side.

Captain TALBERT. This is going to the Central Expressway over here [indicating].

Mr. HUBERT. Yes.

Captain TALBERT. And, so, the—the expressway side and the Harwood Street side has doors that do open. Both sides of that elevator have doors that would open, and the operator could open either one of them, and you can come in from the entrance and exit from this Harwood Street side. Enter from the expressway side and exit from the Harwood Street side.

Mr. HUBERT. If it were possible for a person to gain entrance through the service entrance into the first floor of the municipal building by use of the service elevator, that is to say, by walking through both of the doors of the elevator, he could then get into the stairwell of the fire escape on the first floor, could he not?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And by walking down to the basement level at the point—

Captain TALBERT. Designated "4"?

Mr. HUBERT. Designated "4," he could get into the basement area in that way.

Captain TALBERT. Yes, sir; but we had an operator on the service elevator with instructions not to allow anyone to basement, and he was—allowed no one to come in.

Mr. HUBERT. Do you know who that person was?

Captain TALBERT. I believe his name is Mitchell, sir, to the best of my memory, is his name.

Mr. HUBERT. Is he a member of the police department?

Captain TALBERT. No, sir; he is a porter, a colored porter who works within the city hall building, itself.

Mr. HUBERT. Did you talk to that man?

Captain TALBERT. Yes.

Mr. HUBERT. What did you tell him?

Captain TALBERT. At the time, I told him to take his elevator up on the first floor. I put the parking attendant on that elevator, or instructed the parking attendant to get on that elevator and go up to the first floor, and for the parking attendant to maintain a vigil lookout on this elevator marked Nos. "1" and "2" here, which will be "5" and "6" in my route. I told him to see that no one came nearby those elevators, and told the operator of the service elevator to stay on it, and not bring anyone to the basement.

Mr. HUBERT. Who was the parking attendant?

Captain TALBERT. I'm going to have to utilize his nickname, and it is rather far-afeld. I should know his name. His nickname is "King," it is one we have used for quite some time.

Mr. HUBERT. Is he a member of the police department?

Captain TALBERT. No, sir; he is a colored parking attendant who works for the municipal garage.

Mr. HUBERT. Do you know whether he carried out your orders, Captain Talbert?

Captain TALBERT. To my knowledge, he did. I don't know that he did, but to my knowledge, he did.

Mr. HUBERT. You don't know to the contrary then?

Captain TALBERT. No, sir.

Mr. HUBERT. Well, will you continue, then, your security search which we had left off, I think, at a point marked "4"?

Captain TALBERT. I went from point "4," the elevator—the stairwell, to the

elevator. The first service elevator to the building on the—not service elevator, delete that, young lady—first elevator in the building marked “1”, here, but will be marked “5” in this route. And that door was closed. Went to the next elevator which was immediately adjacent to the first one marked “6,” that door was closed, indicating the elevator was not on that floor. These are automatic elevators and the doors would be open if it was. Then went to the service elevator, and had the foregoing conversation with the operator and the parking attendant. That is marked No. “7.”

Mr. HUBERT. All right, just continue your search?

Captain TALBERT. From that area, or in that immediate area I had another discussion with Sergeant Putnam and asked him about the engineroom elevator, this elevator being on the extreme corner of the parking area on Commerce Street, next to the ramp. This elevator comes from the engineroom to the parking area only, and doesn't go to the first floor. Anyone entering through that elevator would have to be in the engineroom, which is a subbasement, to enter into this basement. That is the only place it goes. One floor.

Mr. HUBERT. And you have marked that how?

Captain TALBERT. Marked that “8.” Sergeant Putnam had placed a reserve officer at that point to—

Mr. HUBERT. All right. Now, were any other reserve officers placed in the parking area, to your knowledge, or any other officers for that matter?

Captain TALBERT. May I mark on—

Mr. HUBERT. Surely.

Captain TALBERT. A reserve officer whose name I do not recall, was placed at a point marked “9,” with the instructions not to permit anyone to enter the parking area from the elevators or stairwell. But a reserve officer was placed in the point marked “8.” We—I think we have that in the deposition now. Reserve officers were, at that time, brought forward when I asked if the conduits had been searched, the top of the conduits, and—the air-conditioning conduits, if they had been searched. They brought the two reserve officers forward who had the filthiest uniforms. It was quite obvious that they had been crawling around on top of them. They had searched them, and I took their condition to state that their search had been thorough and the fact that Sergeants Putnam and Dean told me that they had covered each one, that the engines, engine compartments, the trucks as well as the vehicles parked in the basement had been searched for possible hiding places, and all of this was accomplished. After the search was accomplished, after officers were placed in the adjacent ramps on the Commerce Street side, on the Main Street side, and from the lobby of the police building marked “10,” lobby of the police building into the area in front of the jail office leading into the ramp area—may I mark the places where the officers were now? The reserve officers—we are getting a—can I hold it for a minute?

Mr. HUBERT. Yes.

(Discussion off the record.)

Captain TALBERT. All right, now, I will go ahead and mark the area where we had each—

Mr. HUBERT. Yes; you marked “10,” that you had an officer there.

Captain TALBERT. I had an officer and—a reserve officer was at “11.” Two detectives were—Lowery and Beaty—Beaty and Lowery. “12” and “13” most of this period. Number “14” on the Main Street entrance to the police park was Vaughn, R. E. Vaughn, and number “15” and “16” were Patrolman Jez and Patrolman Patterson.

Mr. HUBERT. Now, did you ever order the reserve officer at the point “9” removed?

Captain TALBERT. No, sir.

Mr. HUBERT. Do you know that he had been?

Captain TALBERT. No, sir; at 11 o'clock, when the detail was made up to put traffic men on Elm Street, it was gathered in that area, and that man was in place at that time, at 11.

Mr. HUBERT. Do you know that?

Captain TALBERT. If he was moved after 11 I don't know who moved him or where he went, but the reserve officer “9” was in place at that time.

Mr. HUBERT. You don't know what his name was?

Captain TALBERT. I believe Brock is going to be his name, but I am not sure.

Mr. HUBERT. I think it is Brock. Now, then, you mentioned something about drawing off persons to patrol the intersection of Elm Street?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Would you tell us something about that, please?

Captain TALBERT. We had kept as many officers out of the basement area as possible to keep from adding to the confusion of the search so we could make a systematic search, and I had retained all of the excess officers, and, as I recall, numbered about 13 regular police officers in my office and the reserve officers, and excesses were retained in an assembly room which would be behind the jail office, and after about 11—let's back up and make that about 10:45—in that vicinity, Chief Stevenson and Chief Lumpkin contacted me about the route of the proposed transfer of Lee Harvey Oswald, and they asked—correction—I asked if we were going to use marked cars or plain cars, or if we were going to utilize sirens to stop traffic at intersections?

Chief Stevenson said he didn't want any attention attracted to the transfer that wasn't already attracted to it, and asked if I had enough personnel to put in the intersection of Elm Street. First he said Main Street. The first route planned was Main, and it was changed to Elm before I could so disperse the personnel, so, actually, we utilized Elm all through this.

Mr. HUBERT. Just as it was?

Captain TALBERT. And they said first Main and then before—after I had removed the men from my office to the ramp—not the ramp area, but the parking area and told Sergeant Dean and Sergeant Steele to place them on each intersection to stop traffic for the lights as the people making the transfer approached them. Found then that it was to be Elm Street instead of Main, that it was to be Elm rather than Main and the traffic could go—the reason being that they could swing off of Elm into Houston, directly into the prisoner loading area of the sheriff's office, and those 13 men were placed by Sergeant Steele at each intersection. He didn't have enough. I instructed him that he obtain any additional men he might need from the captain who was in the area of the county jail, and he later called me by phone and told me of the traffic conditions down there, and I had an estimate, I don't recall whether from him or some other officer of the approximate number of people in that area, said around 600 or so gathered up around the county jail; so I instructed Steele to have each one of the men fall in behind or follow fairly closely behind the conveying vehicle so they would be available for any trouble that might develop around the county jail.

Mr. HUBERT. Were you ever told by anyone of the plans of the transfer?

Captain TALBERT. Yes.

Mr. HUBERT. That is, the ultimate plan or the——

Captain TALBERT. Well——

Mr. HUBERT. Any sequence of plans?

Captain TALBERT. After the plans had been instituted, Lieutenant Pierce, who I had sent to the homicide bureau previously to see if we could be of any assistance, or see if he could do anything—I didn't see him enter the basement, but as he pulled up onto the ramp—or in an effort to enter the ramp, he stopped his vehicle and called me over and asked me to get in his car. I opened the door, got in on the right-hand side of his car and he told me my—I omitted something, I believe, about this armored car, haven't I? Do you want that in there?

Mr. HUBERT. We'll come back to it.

Captain TALBERT. All right. He told me that he had been instructed to take a car out and get in front of the armored car which was backed into the ramp on the Commerce Street side and to lead the armored car. He was to be the lead vehicle and the armored car, it would go up northbound on Central to Elm, west on Elm and swing in off of Elm on to Houston Street. That two plain cars would pull up behind of the armored car. The prisoner would actually be in the last plain car, and the first plain car would be full of armed homicide officers, and it would cut off on Main Street, west. It would leave the city hall with the cavalcade, and when it hit Main Street the two plain

cars with the homicide officers in them with the prisoner would make a left and go west and the armored car and the lead vehicle there would continue to Elm and then west. The two vehicles, or rather the two groups of vehicles would be paralleling each other. One on Main, and one on Elm.

Mr. HUBERT. Do you know what the plans were with reference to the controlling of traffic on Main Street on which the prisoner was actually going to be transferred?

Captain TALBERT. No, sir; that was the first information I had is the fact that the prisoner would not be in the armored car. Up until that point, I assumed he would be in the armored car.

Mr. HUBERT. But, at that point, it became apparent that he was not going to be in the armored car?

Captain TALBERT. Right.

Mr. HUBERT. You had already set up a traffic-control system by having assigned men at various intervals on Elm?

Captain TALBERT. Elm; yes, sir.

Mr. HUBERT. But, if they were going to use Main Street, what control would be used for cross traffic, crossing Main Street?

Captain TALBERT. I have no knowledge, sir. Probably normal transportation, more than likely. That is strictly my idea.

Mr. HUBERT. Now, you said that you wanted to say something about the armored car.

Captain TALBERT. Yes, sir; I had previously been instructed about the armored car by Chief Stevenson and Chief Lumpkin, that was at the time they asked that the officers be placed on Main, and later transferred in to Elm Street, and at the instruction I had, was to have a man be observant, to make sure that the armored car didn't hit—didn't jam it into the overhead of the rampworks.

When the armored car arrived they did back it into the Commerce Street side, and the driver left it up near the front of the ramp because of its weight, rather than height. Although, due to its height, it couldn't have backed much farther down the ramp, but he was afraid that due to the weight of the car that—it wouldn't pull it out. The engine wouldn't have enough power to pull it out of the ramp, and so it was left in that position until after Lieutenant Pierce pulled the plain car that was his normal assignment car, I think equipment 239, although, that is irrelevant, attempted to pull it up the ramp. He couldn't get through the news media, which I would like to add to a little later. I previously had the news media in the jail office. Now, during one of my inspection trips I inspected the first floor of the Police and Courts Building from the doors for Harwood and Main Street to see that there was no congestion, and also, to look the crowds over on Commerce, and during one of my trips, or perhaps I was contacting the dispatcher—I was still conducting my regular patrol duties—the news media was moving from the jail office to the ramps to clear the jail office of them.

Mr. HUBERT. Did you supervise that movement?

Captain TALBERT. No, sir; Chief Batchelor arrived and was told of the preparation that had been made in the basement, and I assumed looked at the office. I wasn't present, but I assume he looked in the office and asked that that news media be removed. He was talking to Sergeant Putnam and Sergeant Dean. I wasn't present, nor was Lieutenant Pierce there.

Mr. HUBERT. So, the news media were moved out of the jail area and where did they then go?

Captain TALBERT. I was told—and this by Sergeant Putnam—that they were first placed on each side of the ramp leading from Main and Commerce, and after the chief observed the conflict there, he had those on the Harwood Street side of the ramp moved across the ramp onto the Main Street side to keep—to make more room for vehicular traffic, and that, of course, was from Sergeant Putnam to me. I don't know what instigated—

Mr. HUBERT. Well, did you have occasion to observe the news media in the ramp and parking areas just prior to the shooting of Oswald?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Well, now, I think I should like to have you describe that, and in order to facilitate that, I am going to draw a general oblong figure which I am

marking "Area A," and I'm going to draw another general oblong figure which I am marking "Area B," and I would like you to tell us for the record—

Captain TALBERT. May I inject another—

Mr. HUBERT. Well, then, I will mark another oblong area, which I will call "Area C."

Captain TALBERT. All right, sir.

Mr. HUBERT. I would like you to describe that for the record—that is, what were the conditions of those areas particularly with reference to congestion of people?

Captain TALBERT. Across from "Area A," there was complete double line and in some instances triple line of men. That was men with cameras and those without. Just the reporters who had no cameras, and in "Area B," in the center of "Area B" I—

Mr. HUBERT. Before you leave "Area A," would you say that the men were shoulder to shoulder?

Captain TALBERT. Oh, more than that. Crammed in there. Jammed—

Mr. HUBERT. Touching each other?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And about three ranks back toward Main Street?

Captain TALBERT. That is my impression, yes, sir, about three ranks back.

Mr. HUBERT. Describe "Area B," then?

Captain TALBERT. And "Area B," you had a railing as indicated here by a dotted line. In front of that railing you had at least two or—probably three ranks of people all the way down to the turnoff area, which is the beginning of "Area C." In the center of "Area D," there were two fixed cameras.

Mr. HUBERT. Television cameras?

Captain TALBERT. Television cameras, yes, sir. The others were movie or still cameras and other cameramen, or strictly reporters, and in "Area C," we had a fairly dense group in the immediate Main Street side, and two to three ranks over towards the Commerce Street side dividing it in half.

Now, immediately after Lieutenant Pierce informed me of the change in plans, we had to remove the people from the ramps so that he could get out on the Main Street side, and they immediately closed back up, and as he cleared the parking area to enter the ramp, a plain white or light-colored car pulled onto it, and pulled up behind the armored car on the Commerce Street side, and another plain light-colored car attempted to pull up behind him, but he wasn't up far enough, so, we had to holler at them to pull up a little further, which he did. That car was attempting to back in, and had to cut to the left in order to back up the vehicle—go to the right to get back into the jail-office entrance. That was my understanding of his efforts to do, and the news media was crowding in on him, so, that there was danger of him running over them with his vehicle, should it move. So, I was by the left front fender of that vehicle, Chief Batchelor was to my right, Captain O. A. Jones to my left and we were—and one or two—perhaps more reserve officers were there, too, pushing the news media back to let that car have room to maneuver.

Mr. HUBERT. I am going to mark on the map an area which I am marking "auto," and—

Captain TALBERT. All right, sir.

Mr. HUBERT. With the understanding that the front of it indicated by an arrow is pointed toward Commerce Street?

Captain TALBERT. All right, sir.

Mr. HUBERT. All right. Now, would you mark the circle where you were about the time of the event you have just described?

Captain TALBERT. This auto is angled in here.

Mr. HUBERT. Maybe we had better angle it then.

Captain TALBERT. Would you like that black pen?

Mr. HUBERT. You do it. We are changing the blue-pen marking because Captain Talbert indicates that the automobile was on an angle, and he is now marking it with the black pen. Would you put the word "auto," in that, please. Now, draw a circle and indicate where you were standing.

Captain TALBERT. I was standing by the left front fender of the car, as I previously said.

Mr. HUBERT. [Drawing a circle and indicating it number "7."]

Captain TALBERT. Compared with the other, yes. And Chief Batchelor was standing just to the left front of the vehicle, and—I can't draw it in there with this circle correctly, but—we'll indicate that "18," Capt. O. A. Jones was standing to my left, or to the rear of the vehicle from me. Indicating that to be "19," and at the time that vehicle was attempting to back up, we had pushed them back far enough for it to maneuver. At the time it was attempting to back up, there was a muffled report, a muffled shot and bedlam broke out in the vicinity of the jail office entry into the ramp.

Mr. HUBERT. Did you see the shot?

Captain TALBERT. No, sir; I heard it, but did not see the shot and that there was my first knowledge that the prisoner was in the ramp area.

Mr. HUBERT. Which way were you facing just before the shot?

Captain TALBERT. Just before the shot, I was facing the crowd. I had faced, alternately, the automobile and the crowd, as we were attempting to get the thing back, and I was facing the crowd and could feel the automobile pushing against me, I was turning around and pushing back against the car, and as I made a little room, faced the crowd again and pushed them back.

Mr. HUBERT. Did you see Lieutenant Pierce's car leave?

Captain TALBERT. No, sir; I didn't see Lieutenant Pierce's car leave, because of the news media across "Area A." They screened it from me and also because of my preoccupation of getting these two plain cars up behind the armored vehicle.

Mr. HUBERT. Do you know Ruby?

Captain TALBERT. I know his face. I know his name. I know his reputation well. I don't know him personally.

Mr. HUBERT. Have you ever met him before?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you see him that day?

Captain TALBERT. No, sir.

Mr. HUBERT. I mean after the shot?

Captain TALBERT. After the shot, yes, sir. I'm sorry. After the shot, or after this muffled report, I went over the back of the trunk of this automobile we were trying to back in. Because of these people pushing in I couldn't get—so, I went over the back trunk of it to get to the officers. I saw they were down, and the melee that was taking place, as news media was crowding around in on them, and I give them a little room, and saw both Oswald and another man there who was being dragged into the jail office by the other officer. As soon as we got some room for them to drag them in, I shouted to the top of the entrance both on Commerce and on Main—this may not give you the perspective scope correctly, but it is about 90 feet on—from the place of the shooting to the Main Street entrance. I shouted up to the entrance, "let nobody out," or "nobody out," or something to that effect, and shouted to the top past the armored car the same thing. "Nobody out," and officers on this door told them, "Nobody out," and then went into the jail office, and Ruby was lying on the jail office floor where—with the officers at the time, attempting to handcuff him, as I recall.

Mr. HUBERT. Did you recognize him at that point?

Captain TALBERT. I saw his face. That I recognized, but I didn't recognize him as "Ruby." I asked a question, and may I say this in front of the young lady? I have to apologize. Do you want it verbatim?

Mr. HUBERT. Yes. I'm afraid so.

Captain TALBERT. I asked the question—I said, "Who is this son-of-a-bitch?" And he was saying, "I'm Jack Ruby. Everybody knows me. I'm Jack Ruby." At the same time another officer, or perhaps to answer that—"That's Jack Ruby, he operates the Carousel Club."

Mr. HUBERT. That was when you first recognized him?

Captain TALBERT. Yes, sir.

Mr. HUBERT. As being someone that you knew?

Captain TALBERT. Yes, sir.

Mr. HUBERT. You had not seen him prior to that time on that day, to your knowledge?

Captain TALBERT. No, sir, nor for 2 years prior to that, to my knowledge.

Approximately 2 years prior to that I was having breakfast at the Pancake House at the Ramada Inn with other officers when a man going out—we were sitting down and the man was going out and passed by and stopped. Was—and he was obtrusively friendly with the other officer, one of them he knew. He knew Lieutenant Pierce who was with me, and Lieutenant Pierce introduced me to him, and from that point until the point where he was on the floor at the jail office, I don't recall having seen him, and the only reason that I remember the Pancake incident, it was after the incident I was reminded of the incident by Lieutenant Pierce. I don't recall of having met him at any time since the old days of his operation at the Silver Spur.

Mr. HUBERT. Did you talk to him, or see him after that?

Captain TALBERT. No, sir, I asked—at that time, I didn't know they had the gun. I didn't see the gun, so, I thought it was still in the crowd, and I asked Chief Batchelor for permission to put all of the news media in the police assembly room for interrogation, or somebody said, "I don't think we have the gun." One of the officers who was kneeling on Ruby—literally, you couldn't hardly see Ruby for this officer kneeling on him—said, "I have the gun." Or perhaps he said, "Graves has the gun." And then I told Chief Batchelor that it wouldn't be necessary to search them.

I got a batch of memo pads from the jail office and gave some of them to Sergeant Everett, passed some out myself, told the officers to get the names, identification and location at the time of the shooting of anyone before they let them out of the basement. Chief Batchelor had told me to go to Parkland and secure it. I immediately got in my car, got on there and told the dispatcher to gather up all of my squads and to have them to report to me code 3, at Parkland and followed the ambulance out to Parkland.

Mr. HUBERT. When did you first hear that Ruby had stated that he had come down the Main Street ramp?

Captain TALBERT. I started my own investigation. Of course, I had nothing to do with this official investigation of the incident in the basement, but it is only natural that a police officer and a police supervisor is going to instigate his own investigation. I started mine from the hospital on the phone, and that question would be impossible to answer. I may have heard it through the news media. I heard—may have heard it through another officer who had overheard what they said up in the jail. It could have been something of that sort. I couldn't tell you exactly, sir.

Mr. HUBERT. Did you, in fact, conduct an independent investigation of your own?

Captain TALBERT. Just a very cursory one, and during a very brief period until the official investigation got underway.

Mr. HUBERT. How long a time would that have been?

Captain TALBERT. Well, maybe—

Mr. HUBERT. Put it this way, what did you do by way of instigating the investigation?

Captain TALBERT. Contacted, attempted to ascertain how Ruby entered the ramp, or entered the parking area rather. I contacted each of my officers who were on the entrances, and I did that while I was at the hospital. That was before the death of—or during the operation on Oswald, and while we still had the hospital secured by the squads, and I contacted the supervisors who were there, and after that I was told that an official investigation would be conducted, and I dropped it.

Mr. HUBERT. Would you say that it was about an hour?

Captain TALBERT. No, sir; I wouldn't estimate the time.

Mr. HUBERT. Did you contact Vaughn particularly?

Captain TALBERT. Yes, sir; I had contacted Vaughn. Then contacted him the next day. I found that Vaughn had let one man in onto the ramp that he hadn't included in his report the next day. This man being a city employee, a—one who Vaughn thought was authorized to enter the ramp. He was Chenault, the mechanic in charge of the garage, so Chenault told Vaughn. This was not in Vaughn's report, but when Vaughn was broached with it, and this was on the 26th—I believe that could have been the 27th. Could you hold the—

Mr. HUBERT. Well—

Captain TALBERT. Let me just say that when Vaughn was broached with having described this one entry into the ramp, that was the day after his report had been written, and I had had a chance to review all the reports, I obtained a copy of all the officers' reports and let them stand even though some of them were conflicting and deleting things—now, these were not the officers on the door, but the officers on the street. That some of them conflicted about who told them to do what. But I didn't have them change them as I normally would, because of the incident, and also because of the nature of the incident, and also because of my involvement in this.

Mr. HUBERT. Isn't it a fact that Vaughn had filed a report in which he failed to report that he had let Chenault go down the ramp?

Captain TALBERT. Yes, sir; Vaughn, in his report, did not note anything about anyone coming in the ramp other than squad cars and the paddy wagon. No pedestrian traffic denoted, but when I went over it with him in the presence of Chief Fisher and Sergeant Putnam, he recalled—Vaughn without our having to bring it to his attention.

Mr. HUBERT. He recalled Chenault?

Captain TALBERT. I'm sorry. He recalled Chenault without our having to bring it to his attention and inserted it in his verbal report, and that was after the written report, which was an oversight on his part. Chenault, may I add, was immediately evicted from the basement by Sergeant Putnam when he saw him come down the ramp. He had him leave. Chenault said that he needed to check the vehicles in the basement and to see if any of them needed to be in the garage, and Sergeant Putnam told him that he could do that later; to leave the ramp area at that time, and he did.

Mr. HUBERT. You mentioned the paddy wagon coming down the Main Street ramp.

Captain TALBERT. It is a fact that the paddy wagon did come in. However, each vehicle coming in was searched, and the paddy wagon was operated by an officer named Lewis. The front seat of the paddy wagon was searched and the back of the paddy wagon was searched—

Mr. HUBERT. By whom?

Captain TALBERT. Chief Fisher—before they let them into the ramp. By Sergeant Putnam, himself, as I recall.

Mr. HUBERT. You don't know of any record of how many paddy wagons or other vehicles came down Main Street ramp after Vaughn was posted and until the shooting?

Captain TALBERT. I recall three in the reports. I didn't see any of it—of them, but I recall three in the reports. One being a paddy wagon. One vehicle contained two detectives. Another vehicle operated by R. A. Watts, with a juvenile prisoner. Watts was not permitted to leave the station and the prisoner was booked, and he was retained to assist in the security.

Mr. HUBERT. Now, Captain Talbert, I am going to mark for identification an FBI report of an interview which you made on November 24, 1963, Dallas, Tex., March 24, 1964, as Exhibit 5065, deposition of C. E. Talbert, and I have signed my name to it. It is a one page document. I am marking another document consisting of two pages. Placing upon it, "Dallas, Tex., March 24, 1964, Exhibit 5066, deposition of C. E. Talbert." I am signing my own name below that, all of which is on the first page of the document which is the FBI report by Special Agent Vincent Drain, dated November 25, 1963. It consists of two pages and I am placing my initial on the bottom right-hand corner on the second page. I also am marking for identification another document, being a copy of a letter apparently addressed by you, Capt. Cecil Talbert to Chief Curry, dated November 26, containing five pages. The first page I am marking as follows: "Dallas, Tex., March 24, 1964, Exhibit 5067, deposition of Capt. C. E. Talbert." And I am signing my name below that now, and I am placing my initials in the lower right-hand corner of each of the following pages. I am marking on a single page document purporting to be an FBI report made by Special Agents Logan and Bramblett, dated December 10, 1963, by placing upon that document the words, "Dallas, Tex., March 24, 1964, Exhibit 5068, deposition of Capt. C. E. Talbert," and I have signed my name, and that document—that exhibit consists just of a single page. And finally

marking upon a report of an interview which you had with Special Agents Bramblett and Logan of the FBI, on December 12, the following: "Dallas, Tex., March 24, 1964, Exhibit 5069, deposition of Capt. C. E. Talbert," under which I am signing my name. Now, that document consists of eight pages, and I am marking the seven other pages with my initials on the lower right-hand corner, on each of the pages. Now, Captain, I ask you if you have had a chance to study and to read these various documents?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Let the record note, by the way, that Exhibit 5070, is the tour of the basement which has been previously identified and signed. In a moment I am going to ask you to identify and endorse your signature or initials below my signature or initials on each one of these pages of the various documents. In other words—in order to separate them, I direct your attention now to Exhibit 5065, being the FBI report of November 24, 1963. As to each one of these documents, I want to ask you this: Does that document correctly represent the truth and facts such as you know them? Has anything been deleted? Has anything been omitted? Do any facts stated need any modification or change of any sort whatsoever?

Captain TALBERT. You want me to read them again; do you, sir?

Mr. HUBERT. Just enough to identify them. You have already studied them.

Captain TALBERT. The first document marked—

Mr. HUBERT. 5065?

Captain TALBERT. 5065. In the last three and a half lines reading: "He said the press and other news agencies had set up for Oswald's transfer from the city jail to the county jail, and that day he did not feel the police department would want to cross the news agencies," and if those were my words it wouldn't be—it is probably a matter of semantics. Probably a matter of our conversation with the sheriff—after he conversed with me, I had an interview, a brief conversation with Newsom concerning the fact that chief would contact him upon returning to city hall, and I do not recall that. I don't recall that. I don't refute it. I just don't recall it. Shall I initial it?

Mr. HUBERT. Please. If you will please sign your name under it. I understand, therefore, that you have no recollection of having said that you doubted that they were changing the plans because of any fear that they might have of crossing the press?

Captain TALBERT. Sure, it would be improper, and the—even an inference of a statement like that sort would be improper for a police captain to make, and those are not my words.

Mr. HUBERT. Do you think you expressed any idea of the same nature, but in other words?

Captain TALBERT. Perhaps the time lapse, I can't recall, but, as I say, it may be a matter of semantics, and the way he understood it and what I had said. As I recall my conversation with him, it was rather difficult to get him back to the phone. I went through two or three people to get him to the phone, and as I recall about the conversation, it was rather brief and to the point, that I had contacted the chief and the chief would contact him when he got to the office, which would be between 8:30 and 9.

Mr. HUBERT. Do you remember discussing any possible change of plans at all with him?

Captain TALBERT. None. I discussed no change of plans with Mr. Newsom.

Mr. HUBERT. Did you discuss the possibility of a change of plans in the light of the new—

Captain TALBERT. No, sir.

Mr. HUBERT. Do you recall mentioning, in any way, the concept, the basic concept of that sentence, that is, that the press would be considered whatsoever in the thinking about those plans for the transfer?

Captain TALBERT. In conversing with the sheriff, and our conversation either from the sheriff or from me, and I think probably from the sheriff, the subject arose that the chief had told the press that they could arrive at the city hall at 10 o'clock, or thereabouts, the previous day, and that was with Sheriff Decker. Not with Mr. Newsom, as I recall it. Now, I have—several months have passed since—and my memory becomes vague on it, so, must have been—possibly maybe

a matter of semantics, maybe a matter of conversing, or conversation between Newsom and the sheriff of our having had this brief conversation. Now, the rest, when you ask if we had any conversation regarding a change of plan in the transferring, I answered you incorrectly and I don't recall discussing it with Newsom at all. I did discuss it with Sheriff Decker and said that the chief would contact him. Any discussion with him was very brief and that the chief would contact him about the transfer of Oswald when he arrived at the office.

Mr. HUBERT. All right. Have you any other comments to make concerning this document?

Captain TALBERT. No, sir.

Mr. HUBERT. Would you pass then on back to 5066, which also is an FBI statement.

Captain TALBERT. Yes, sir; on this document 5066, it indicates—and this too is a matter of semantics, I am thinking. It indicates that Ruby rushed in with newsmen. That—shall I read it and finish it?

Mr. HUBERT. Yes, put the part you read in quotes and end the quote and make your comments. Just start off with the word "quote" where you want to start.

Captain TALBERT. "There were approximately 150 news reporters and television cameramen that—"

Closing the quote. The 150, in my opinion, mind, which is relatively fluid, by the way anybody will estimate a crowd, "150 including police officers, news media and television cameramen," approximately 150 in the basement. Now, not news media alone, and—" He stated in the rush to get down into the basement in which the loading ramp was located and Oswald was being brought down from the jail, it is highly possible that Jack Ruby may have been—walked down the ramp with the newsmen, unnoticed."

That is, again, something that I couldn't—could not and would not have stated, because the newsmen were in the basement. There was no rush of newsmen into the basement. They were in the basement, and they had been in the basement some hour before Oswald was brought into the basement. I don't know how this was injected into this report, but it is incorrect.

Mr. HUBERT. All right, sir. Have you any other comments to make in regard to Exhibit 5066?

Captain TALBERT. Yes, "According to Captain Talbert, now, Will Fritz was in charge about removing Oswald to the Dallas County Jail, and the attempted removal of the prisoner Oswald about 11 a.m." That was my opinion. Shouldn't that be inserted there? It was my opinion that Captain Fritz was in charge of the removal of Oswald from the city jail to the county jail. I had no prior information on it, and still have no information on it.

Mr. HUBERT. Do you know what was the basis of your opinion?

Captain TALBERT. The fact that he wanted him in his office from the jail. He had taken him out of the jail on a "tempo," which is a temporary release from the jail to the CID bureau, or CID office, is the fact that he had him out of the jail at the time is what I based it on.

Mr. HUBERT. I see. All right, now, have you any further comments on 5066?

Captain TALBERT. No, sir.

Mr. HUBERT. I would ask you to sign your name below mine and initial these pages. Have you done that?

Captain TALBERT. Yes.

Mr. HUBERT. Now, pass then to 5067, and I will ask the same basic questions as to that document and its several pages.

Captain TALBERT. 5067, is my report to the chief of police, and I have no exceptions on it. I read the report, and it is, in fact, similar to one that I had issued to the chief regarding the incident on the date of the 26th—November 26th.

Mr. HUBERT. You are initialing now each page below by initial, and you are signing your name to the first page below my signature?

Captain TALBERT. All right, sir.

Mr. HUBERT. Now, will you turn then to Exhibit 5068, and address yourself to the same basic questions that I asked you originally.

Captain TALBERT. In Exhibit 5068, I have no exceptions whatsoever.

Mr. HUBERT. Just sign your name below mine then. Finally that brings up to Exhibit 5069. Do you have any comments to make with reference to that document?

Captain TALBERT. Yes, sir; on Exhibit 5069, in there—and again due to semantics or to my lack of ability to express myself, some corrections that need to be made on the first page of 5069. It indicates "Captain Talbert directed Lieutenant Pierce to call in 3 squads from their district assignments from 3 different stations to take 4 individuals from the headquarters station." The word "individuals" should be squads.

Mr. HUBERT. In other words, you weren't talking about 4 people, but 4 squads?

Captain TALBERT. Four patrol squads.

Mr. HUBERT. Which would constitute a number of people—

Captain TALBERT. Which I had already directed him to get as many 2-man squads as possible. I do not have a copy of the details but I could get it.

Mr. HUBERT. No, that's all right.

Captain TALBERT. The actual number—and on to the next page of the same exhibit, he added at this time that there were no reserve officers utilized in the basement of the police building, and that specific arrangements were made to inspect the vicinity of the basement. There were reserve officers used in the police building. When it says "basement,"—there were reserve officers used in the basement of the police building. This up here about the "CID," I mean the "detectives," rather than the "supervisor," that should be changed too, and "Pierce's car," also.

Mr. HUBERT. Now, you are speaking of the fifth page of—

Captain TALBERT. Let me initial that down there.

Mr. HUBERT. Now, you were talking about something which appears on the fifth page of Exhibit 5069, in the top paragraph. Will you read the sentence, starting with the word "quote" and ending with the word "quote" and then comment upon the sentence?

Captain TALBERT. "Captain Talbert could also recall that upon arrival of the armored car, at the Commerce Street exit a plain car with three detectives were sent out the Main Street rampway so as to be in position in front of the armored car for the purpose of escort." The word "detective," should be changed to "three supervisors," "uniformed supervisors," and those men were Lieutenant Pierce and—it identifies them later, but they were uniformed supervisors, and this 5-minute element here, now, hold—

Mr. HUBERT. All right.

(Discussion off the record.)

Captain TALBERT. On page 5, of the same exhibit, quote—

Mr. HUBERT. First, top paragraph?

Captain TALBERT. The top paragraph quote, "Captain Talbert identified the occupants of this car as being Lieutenant Pierce, who was at that time driving, Sgt. J. A. Putnam who was in the right front seat, and Sgt. B. J. Maxey, he was in the left rear seat. He was later informed by Lieutenant Pierce that it was approximately 5 minutes prior to the shooting of Oswald that they had proceeded from the basement, left the city hall." That this seems to indicate the time element from the vehicle leaving the basement, and the time that Oswald was shot was indicated to me as being 5 minutes. That was incorrect and I believe now that the indication was that it was approximately 5 minutes from the time Lieutenant Pierce had left the homicide office until the time Oswald was shot.

Mr. HUBERT. In other words, your recollection is now that what Pierce told you later was that 5 minutes elapsed from the time of the shooting and the time prior thereto, that he had left the CID office?

Captain TALBERT. That's it.

Mr. HUBERT. Whereas, the statement that you have just read and quoted would indicate that the 5 minutes was between the time of leaving the basement and the shooting?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And you think that it was a mistake, that you did not intend to convey that idea of what Pierce told you?

Captain TALBERT. That's quite correct. I didn't intend to convey that idea.

Mr. HUBERT. That, in fact, is your recollection now of what Lieutenant Pierce told you?

Captain TALBERT. As I recall now, Lieutenant Pierce told me that from the time he left the basement until the time—and from the time he left the basement ramp and the time he reached the Commerce Street ramp, the shooting had occurred, and that time lapse would be a minute and three quarters, or 2 minutes at the most.

Mr. HUBERT. Do you recall whether Pierce ever talked to you about a 5-minute interval?

Captain TALBERT. The 5-minute interval, I can't recall; no, sir. I don't recall that, but if we want to leave it in here it could have been from the time—it would have been right from the time he left the homicide office until the time of the shooting. I don't recall the 5-minute interval. Now, at the time, it may have happened, but my memory now is—does not bring it back.

Mr. HUBERT. Well, your correction really—

Captain TALBERT. Is incorrect?

Mr. HUBERT. Is, in a way, incorrect, because you have corrected to refer to a 5-minute interval and you now tell me that you have no recollection of talking about a 5-minute lapse at all.

Captain TALBERT. Right, sir. I am merely trying to account for the minutes there in my own—

Mr. HUBERT. But you do not recollect Pierce telling you anything about 5 minutes at all?

Captain TALBERT. I can recall the route he took and where he stopped, but I can't recall the 5 minutes entering into it at all, and—

Mr. HUBERT. All right; any further corrections or observations?

Captain TALBERT. Rather a minute one on page 6. Let me get that. That is about passing out the pads. I don't—to get that identification—I don't think there is any point in answering that.

On page 7, of the same exhibit and the first paragraph, "In regard to this particular assignment Captain Talbert advised that he was acting on his own behalf concerning the security measures and it wasn't on instructions by any particular superior as to what he was or was not to do. At no time prior to the transfer did Talbert receive specific instructions concerning the details of the transfer, and most of this information was obtained during the course of the morning."

In essence, that's true, but to understand the setup of the police function—I was the patrol commander on duty during that period and there was no necessity to give me instructions by anyone in—any superior or any of my superiors as to any incident that would require emergency action or restrictive action. The patrol function is for an emergency function, and to take care of the immediate difficulties, or immediate trouble. So, it leaves the impression in that paragraph that someone was derelict in their not informing me prior to that morning, about not informing me of the course of the transfer and the other details, when actually, it wasn't necessary. And had Captain Souter or Captain Frazier been on duty I think they would have taken the same action. This is a patrol function.

Mr. HUBERT. As I understand it, your comment is that what you did was standard operating procedure?

Captain TALBERT. Standard operating patrol function. If you find trouble arising, try to offset it.

Mr. HUBERT. And that you would be expected to put into operation such standard operating procedure?

Captain TALBERT. Yes.

Mr. HUBERT. And that they would understand that you would take such procedures without any particular orders?

Captain TALBERT. Yes.

Mr. HUBERT. That is the essence of your—

Captain TALBERT. The essence of what I was trying to convey. And, second paragraph, same page, it refers, "Captain Talbert continues to say he has never worked for Jack Ruby in any way whatsoever, but did hear through rumors that an individual by the name of Cox was alleged to be a reserve

officer, was at one time employed by Jack Ruby." That statement arose from having read the newspapers in which Cox gave a statement to the newspaper, the newsmen, and said that he had worked for Jack Ruby. It was not of my knowledge. I didn't know Cox. We have no police sergeant—that is supposed to have been a Sergeant Cox, and we have no police sergeant named Cox.

Mr. HUBERT. As I understand your explanation, you do not deny that you made that statement, but the information you based the statement on you received from the newspapers and not from your own knowledge at all?

Captain TALBERT. True, sir.

Mr. HUBERT. And do you have any knowledge on the point?

Captain TALBERT. No, sir; I still don't know Cox.

Mr. HUBERT. Any other comments?

Captain TALBERT. And the fourth paragraph, same page. That is fourth paragraph, page 7, same exhibit. "In regard to any background information concerning Jack Ruby, Captain Talbert stated that he was never personally acquainted with Jack Ruby, and when he did see Jack Ruby, he could only recall that it was a familiar face. He related that he could not associate the name with the face, and was not aware that Ruby was a nightclub owner in Dallas * * *." I intended to convey that the face of Ruby did not associate itself in my mind with nightclubs in the Dallas area. Although, the name of Ruby associates itself with a reputation of Ruby by—as a nightclub operator in Dallas, quite vividly. I am quite familiar with his nightclubs by name, and associate the name with the unsavory background.

Mr. HUBERT. And that knowledge concerning Ruby, had you used it prior to the events of the 24th?

Captain TALBERT. Yes; that knowledge existed prior to the events of the 24th, and were police records. And other police officers conveying their information to me as to activities around his club, I—around his sister's club out on Oak Lawn, the Vegas Club and the whole name of Ruby and Ruby's sister and their operation of their clubs was familiar to me.

Mr. HUBERT. I think you used the word "unsavory" in connection with him?

Captain TALBERT. Yes, sir; I did. Can she hold this?

Mr. HUBERT. Well, I'd rather—

Captain TALBERT. You can put it in later.

Mr. HUBERT. All right.

(Discussion off the record.)

Mr. HUBERT. All right. Do you have any other things, other comments to make with reference to it?

Captain TALBERT. Not to that specific exhibit, sir.

Mr. HUBERT. All right; will you then initial—

Captain TALBERT. I think that is the final one.

Mr. HUBERT. Do you know whether it was ever considered moving Ruby by use of the Main Street basement entrance?

Captain TALBERT. No, sir.

Mr. HUBERT. I mean moving Oswald.

Captain TALBERT. No, sir; I had no information on that and—

Mr. HUBERT. You did not hear that discussed?

Captain TALBERT. I had—I never heard any rumors to that effect. Didn't hear it discussed and I never heard any rumor.

Mr. HUBERT. Is there anything else that you would like to say concerning any of the matters that we have discussed, Captain Talbert?

Captain TALBERT. Only say that with the explanation of how the basement has been secured, and my personal examination of the basement, I was of the opinion that no unauthorized person could enter that basement.

Mr. HUBERT. To what did you attribute the failure of the security?

Captain TALBERT. The final reason, or the official investigation is one that I can't refute, and I am sure you are familiar with it, that Officer Vaughn on the Main Street entrance stepped out to the curb as Lieutenant Pierce pulled the plain car out to put it in front of the armored car just prior to the shooting, and that is the route that Ruby said he took into the station, and it—as far as any investigation has been, that is the route he took. I can't—

Mr. HUBERT. There is no positive evidence indicating any other route?

Captain TALBERT. No, sir; and the only—hold it a minute. I want—there was an extra police officer standing—still wanted in?

Mr. HUBERT. Well, all right.

(Discussion off the record.)

Mr. HUBERT. Is there anything else you would like to add other than what we have talked about?

Captain TALBERT. My primary concern that morning was with the crowd control, the mob control. Our warning had been against a possible larger group of people taking Ruby away from the officers. They had told the—

Mr. HUBERT. You mean Oswald?

Captain TALBERT. I'm sorry. Taking Oswald away from the officers. They had been told, the person who answered the phone in the FBI office, that he wanted the information transmitted to the police department that no police officers would be injured, and, of course, that was discounted as no police officer being injured by it, but nevertheless, the crowd action was highly probable, and our primary objective was to prevent, or control, crowd action. I had a total of three gas grenade kits and projectile kits in the basement, that is my own, and the officer's riot guns, if that becomes necessary, although, the crowd can be controlled by gas if we couldn't do it with brute force, we could do it with gas. But the event that did occur, where one person dashed out of a crowd and shot a person and literally laid down, said, "Here I am. I did it," in pride was rather stunning.

Mr. HUBERT. Now, captain, have you been interviewed by any member of the Commission other than the interview that you have had with me?

Captain TALBERT. No, sir.

Mr. HUBERT. As to the interview with me, now, there was one yesterday, I think that is about it, is that right?

Captain TALBERT. That's right.

Mr. HUBERT. They—the one with you yesterday and this one has been the only interview?

Captain TALBERT. The only interview has been with you yesterday.

Mr. HUBERT. Now, is there anything that you can think of between the deposition you have given today and the interview we had, which is inconsistent with one another?

Captain TALBERT. No, sir.

Mr. HUBERT. Have you, or did you provide any material or facts in any of the interviews which haven't been developed on the record?

Captain TALBERT. No, sir.

Mr. HUBERT. All right. Then one final thing; is there anything else you wish to say?

Captain TALBERT. I don't think there is anything else I could say that would add materially to your investigation, sir. It is—if there were, I'd be delighted to do so.

Mr. HUBERT. If something should occur to you which has not been covered here or in any other report, I want you to feel free to contact us and tell us that you want to add what should be added.

Captain TALBERT. I would do so immediately. There is no one more concerned with finding out how Ruby got in the basement to shoot Oswald than myself, so, I am with you. I would love to find out how he got there.

Mr. HUBERT. I certainly thank you, and on behalf of the Commission, I want to thank you for your cooperation and time.

TESTIMONY OF CHARLES OLIVER ARNETT

The testimony of Charles Oliver Arnett was taken at 8 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. GRIFFIN. I am Burt Griffin, and I am a member of the advisory staff of the general counsel's office for the President's Commission on the Assassination of President Kennedy. The Commission itself was set up under an Executive order issued by President Johnson and congressional resolution passed by Congress.

Pursuant to these official acts, the Commission itself has promulgated a set of rules of procedure, and under these rules of procedure I have been authorized to come here and take your sworn deposition. Captain Arnett, I want to explain to you a little bit of the general nature of our inquiry here. We are concerned with the assassination of President Kennedy and the final death of Lee Harvey Oswald, and we have been empowered and requested by the President to investigate all the facts and evaluate and then report this back to the President.

We have asked you to come here because we believe that you may have some facts that might be pertinent, particularly to the death of Lee Oswald. However, we are also concerned with the entire picture in the examination, and if there is anything that you think would be helpful to us, why, of course, we want to take that. Mr. Hubert and myself are not working on an intensive basis on the other aspects of things, outside of Ruby. So what I will do is ask you a few general things which might have some bearing upon the death of the President that would enable other people to look at it and see if you were somebody that might have information, and then we will get into the other problems.

Now, the mechanics by which we asked you to come here by, the general counsel of the Commission sent a letter to Chief Curry indicating that we would like to talk to you and certain other police officers. Actually, under the rules of the Commission you are entitled to have a written letter from the Commission, 3 days in advance of your testimony here, but the rules also provide that you can waive this notice. Before I swear you in, I would like to ask you if you are willing to waive the notice provision?

Mr. ARNETT. Oh, sure.

Mr. GRIFFIN. Now, you are also entitled to have an attorney, and I see that you don't have an attorney, and I take it that you don't want one.

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Well, do you have any questions you would like to ask me about the thing before I swear you in?

Mr. ARNETT. No.

Mr. GRIFFIN. Will you raise your right hand? Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Would you give the court reporter your full name?

Mr. ARNETT. Charles Oliver Arnett.

Mr. GRIFFIN. And when were you born, Mr. Arnett?

Mr. ARNETT. September 6, 1911.

Mr. GRIFFIN. And where do you live now?

Mr. ARNETT. 1223 South Waverly Drive, Dallas, Tex.

Mr. GRIFFIN. And you are employed with the Dallas Police Department, is that right?

Mr. ARNETT. No. I am a captain on the reserve.

Mr. GRIFFIN. Now, will you explain what the difference is between the reserve and the police department?

Mr. ARNETT. Yes sir. Reserves were established about 10 or 11 years ago, to assist in, say, tornadoes or, you know, something that came up that they needed more help in to be trained on that. We don't draw any pay from the Dallas Police Department at all.

Mr. GRIFFIN. Who does pay you?

Mr. ARNETT. Nobody.

Mr. GRIFFIN. This is a completely voluntary thing on your part?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. I take it you have a regular occupation on the side?

Mr. ARNETT. Yes, sir; I drive a truck.

Mr. GRIFFIN. And for whom do you work?

Mr. ARNETT. Certain-Teed Products Co.

Mr. GRIFFIN. Is that here in Dallas?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. How long have you been with them?

Mr. ARNETT. Fourteen years.

Mr. GRIFFIN. How long have you been in the police reserve?

Mr. ARNETT. A little over 10 years.

Mr. GRIFFIN. Now, have you had any special training in connection with your duties in the police reserve?

Mr. ARNETT. Yes, sir; went through school.

Mr. GRIFFIN. Can you tell us a little bit about that school?

Mr. ARNETT. Well, when I was going through, we went on Friday night, I believe it takes 7½ months, if I remember right, to complete the course.

Mr. GRIFFIN. How long ago was this that you went through the school?

Mr. ARNETT. Well, it's been a little over 10 years now.

Mr. GRIFFIN. And you went every Friday night?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. For how many hours a night?

Mr. ARNETT. Two hours.

Mr. GRIFFIN. And as a result you became an officer in the reserve?

Mr. ARNETT. Yes sir.

Mr. GRIFFIN. Now, since you have been in the reserve, how frequently would you be called to duty?

Mr. ARNETT. Well, I was a sergeant to start with. We had 2 nights a month, I believe it was, that we were assigned to be here. You could come more times than that if you had the opportunity. Then I made lieutenant, which put me over more men, and April 6, either 3 or 4 years ago, I was made captain, and I have, I believe 80 some odd men under my company B. I am captain over company B.

Mr. GRIFFIN. Now, after you go through the training school, do your men engage in regular training of any sort, with the police department?

Mr. ARNETT. Well they ride on the squads and observe what's going on and special things like Texas-Oklahoma football rally. We work in that. State Fair of Texas. Usually somebody assigned to that every night during the Fair, and such as the President's parade. There were, I believe say 30 some odd—27 or 28, I believe it was, was assigned to that. Just things like that, or what we are assigned to, and then we have our regular nights that we ride squads, that we ride with squads or whatever—

Mr. GRIFFIN. I see. How often are you assigned to ride squads?

Mr. ARNETT. Well, the patrolmen usually ride on their regular nights.

Mr. GRIFFIN. Is that once a week or once every 2 weeks?

Mr. ARNETT. Now, they are assigned twice a month, but if they have the time they usually come down once a week.

Mr. GRIFFIN. And for how long do they ride?

Mr. ARNETT. Oh, usually report around 7 or 7:30 at night until 10:30, 11 o'clock. Some of them ride longer than that, but that's the usual case.

Mr. GRIFFIN. Are they in uniform at that time when they ride?

Mr. ARNETT. Yes sir.

Mr. GRIFFIN. Do they receive any pay for that?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Now, are there any other training programs that these men undergo once they have gone through the initial 7-month program?

Mr. ARNETT. Well, each fall they go out to the pistol range. I would say for four or five Saturdays, something like that. I might be off a week or something like that, but somewhere in that neighborhood, for training out there.

Mr. GRIFFIN. Anything else you can think of?

Mr. ARNETT. Well, right offhand, I don't believe there are.

Mr. GRIFFIN. Now, I want to mark these couple of documents here, and then we will talk about these [indicating].

Mr. ARNETT. All right.

Mr. GRIFFIN. I am going to mark what is an interview that you had with two agents of the Federal Bureau of Investigation, Mr. Mabey and Mr. Kenneth P.

Hughes, on December 4, 1963. I am going to mark that Dallas, Tex., C. O. Arnett, 3-25-64, Exhibit 5032. And the next document that I am going to mark is what purports to be a copy of a letter that you prepared—signed, rather, dated November 27, 1963, and addressed to Chief Curry, having to do with the events that you observed on November 24, 1963. I am going to mark that Dallas, Tex., C. O. Arnett, 3-25-64, Exhibit 5033. Now, I am going to hand these two exhibits to you, Captain Arnett, and I want to ask you if you have examined those. Have you had a chance to read them?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, are there any additions or corrections, changes that you want to make in those, after having had a chance to read them?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. All right. Tell us where they are and we will see if we can't do that.

Mr. ARNETT. Right here. "He was stationed at the door of Chief Curry's office—" [indicating].

Mr. GRIFFIN. All right. Now, this is on Exhibit 5032, and you are referring to the language in the second paragraph on the first page. You stated that you were stationed in the door of Chief Curry's office. Go ahead.

Mr. ARNETT. I was stationed at Captain Fritz' office.

Mr. GRIFFIN. All right.

Mr. ARNETT. See, they have got it wrong. They have got it down Chief Curry, when it was Captain Fritz' office.

Mr. GRIFFIN. All right. Would you take my pen, then, and make the change on there, and cross out what's wrong and make an entry nearby to indicate what's correct, and then initial it?

Mr. ARNETT. Just scratch out this?

Mr. GRIFFIN. I would say scratch out Chief Curry and write in Captain Fritz, if that's correct.

Mr. ARNETT. How do you spell Fritz?

Mr. GRIFFIN. [Spelling] F-r-i-t-z.

Mr. ARNETT. [Spelling] F-r-i-t-z?

Mr. GRIFFIN. Yes. Apostrophe s, I guess. [Spelling] F-r-i-t-z-'s.

Mr. ARNETT. All right.

Mr. GRIFFIN. Would you initial, put your initials by each one of those changes and put a date out there, 3-25-64. Are there any other corrections that you think ought to be made there?

Mr. ARNETT. I don't remember any right now.

Mr. GRIFFIN. Okay. Now, did you serve in connection with the President's parade?

Mr. ARNETT. Was I at the parade?

Mr. GRIFFIN. Did you have any duties as a reserve officer in connection with President Kennedy's arrival?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Would you tell us what those duties were?

Mr. ARNETT. I was at large, but I worked between Harwood and St. Paul, on Main Street.

Mr. GRIFFIN. Now, when were you first told that you would have some responsibility in connection with the procession of the President through Dallas?

Mr. ARNETT. Well, probably the day before. I am not going to say that for sure. I could be wrong a day or two, but I think it was the day before.

Mr. GRIFFIN. Now, did you have any men that you were responsible for supervising?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. How many men did you supervise on that particular day?

Mr. ARNETT. If I remember right, we had 27 or 28 reserves in the detail. We assigned them out of the assembly room to various locations up and down where the parade would be.

Mr. GRIFFIN. Now, did you attend any meeting prior to November 22, in which you got instructions as to what you were going to do in connection with the parade?

Mr. ARNETT. No, sir; other than the assembly room that morning, when we assigned the men out.

Mr. GRIFFIN. Now, when you arrived at the police department on the morning of November 22, what time was it that you got there, do you remember?

Mr. ARNETT. Well, it seems like it was around 10 o'clock.

Mr. GRIFFIN. Now, prior to 10 o'clock on November 22, had you received any instructions as to what your duties were going to be, in particular with respect to the parade?

Mr. ARNETT. Other than just work in the parade is all.

Mr. GRIFFIN. All right. When you arrived, who did you report to?

Mr. ARNETT. To the assembly room. And right offhand, now, I can't tell you who was in charge of the regular officers. At that time I knew, and it seems to me like it was Lieutenant ----- I can't recall his name right now. Maybe I will think of it directly.

Mr. GRIFFIN. Well, that's all right. Was there a meeting of all the reserve officers in the assembly room?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you receive instructions at that time?

Mr. ARNETT. At that time they were each one assigned their location to work.

Mr. GRIFFIN. All right.

Mr. ARNETT. And not to—if they was booing the President or not—you know, getting out of line or anything, not to bother anybody, but if you saw anybody that was—acted as though they was going to bodily harm—you know, injure body, well, to notify the police officer, regular officers, you know, of what was going on.

Mr. GRIFFIN. Now, do you recall who gave—you say this was the lieutenant that gave these instructions?

Mr. ARNETT. It was a lieutenant that assigned us out.

Mr. GRIFFIN. Do you remember who gave you these instructions that you are talking about?

Mr. ARNETT. It seems like it was Captain Lawrence, but I couldn't swear to that, but it's—

Mr. GRIFFIN. Did Captain Solomon have any responsibility in that regard?

Mr. ARNETT. It may have been Captain Solomon that gave us that. It was a captain, I am almost certain and I feel like—I know Captain Solomon was in the building, in the meeting with us, and it could have been him that gave us instructions.

Mr. GRIFFIN. All right. The instructions that were given, did they have to do with anything other than watching the crowd, were you instructed to watch any other places besides the crowd?

Mr. ARNETT. You mean any particular buildings?

Mr. GRIFFIN. Or just buildings generally; were you instructed to watch the windows in buildings or watch the roofs or anything like that?

Mr. ARNETT. Well, I wouldn't say that anything like that in particular was named, but it was, you know, to watch and see—keep the crowd back out of the street and see that nobody, you know, rushed out there against the President's car.

Mr. GRIFFIN. Now, had you served in connection with other parades?

Mr. ARNETT. Yes.

Mr. GRIFFIN. Any other Presidential or political parades like this?

Mr. ARNETT. At one time Vice President Nixon came to the opening of the Fair, and I was there for that. Some man walked up to me and told me that he would like to present a pair of boots to the Vice President. A Secret Service man, I suppose, was standing close enough that he heard what the man said to me, and he asked me what the man said, and I told him, and he said, "Certainly he can't give him a pair of boots. Get his name and address and if he wants to mail the Vice President a pair of boots he can later." That's all.

Mr. GRIFFIN. Now, the instructions that were given down in the assembly room, did they differ in any way from the instructions that would normally be given at any other parade that you worked in?

Mr. ARNETT. Well, I wouldn't think so.

Mr. GRIFFIN. I mean at other parades was it the custom to bring you into the assembly room or—

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Then give instructions as to what you should do and what to watch out for?

Mr. ARNETT. That's right.

Mr. GRIFFIN. Were any of the men under your supervision assigned to the area of the Texas School Book Depository?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Do you know whether there were any men at all of the reserve officers assigned to the area of the Texas School Book Depository?

Mr. ARNETT. I don't recall any.

Mr. GRIFFIN. Now, the fact that you don't recall; would you have been made aware of that?

Mr. ARNETT. I had a list of it.

Mr. GRIFFIN. You did. And did that list show the areas where they were assigned?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Do you still have a copy of that list?

Mr. ARNETT. Captain Solomon does.

Mr. GRIFFIN. Now, on this list did it show where each particular man was to stand, was to be placed?

Mr. ARNETT. They would either be on the west side of Harwood or they would be on the east side of Harwood, between block so-and-so; Main the same way.

Mr. GRIFFIN. But would it show Charles O. Arnett, corner of Main and Harwood?

Mr. ARNETT. I was working at large.

Mr. GRIFFIN. Well, would it show, if I were working there, would it show Burt W. Griffin, corner of Main and Harwood?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. All right. What did you do when you heard that the President had been shot?

Mr. ARNETT. Had an aunt that was to be buried at 2 o'clock that afternoon, and the President's parade was later than it had been predicted, and when it was over with, prior to the President's arrival at the—between Harwood and Pacific on Main, a young lady in her twenties, maybe 30 years old, came up to me and said, "There is some kids right down there that's got a gun and some toy handcuffs and a knife." I said, "Would you show them to me?" She said, "Well, I rather not." So I went and got Earl Sawyer, a police officer that was working the corner of Harwood and Main, and told him of it. He and I went back to the lady and he asked her. She said, "Oh, it's just a toy pistol." But some little girls there with us told us where they were, about where they were standing, and we walked up to them, asked them about the gun and stuff. They said the boy with the gun had walked off, but one of them give us a pair of handcuffs and a knife, and I taken him, and Sawyer went with me, and we carried him to the juvenile department up on the third floor.

Mr. GRIFFIN. Was that a real knife that the kid had?

Mr. ARNETT. Yes, sir. The gun turned out to be a blank, like they shoot—oh, at starting races or something like that, you know. When the parade was past us, one of these smaller boys that was in the group come up to me and asked me when his buddy would be turned loose. I said, "I don't know, son, but I will go up there with you to try to find out where he is." So we went up there on the third floor of the juvenile department. While I was in there someone rushed in and said, "The President has been shot."

Mr. GRIFFIN. Who was up there with you at that time in the juvenile department; do you recall any of the officers that were there?

Mr. ARNETT. No; I believe Captain Martin—now, I could be wrong on the name, but he is over the juvenile department, or was. You know, the captain that they—that had the kid that we had carried up there. So I came back downstairs then and I saw two or three highway patrol, driver's license men—

Mr. GRIFFIN. Let me interrupt here just a second, give you a few names of

people who were in that department, juvenile department, and see if you recognize any of those as having been present. Was Detective Lowery there?

Mr. ARNETT. I don't remember him being. Now, he may have been.

Mr. GRIFFIN. Officer Goolsby there?

Mr. ARNETT. I don't recall him.

Mr. GRIFFIN. Was Detective Miller there?

Mr. ARNETT. Well, I couldn't say, and I wouldn't say without telling you the truth.

Mr. GRIFFIN. Yes; do you know L. D. Miller, Louis D. Miller?

Mr. ARNETT. I don't know whether I do or not. I do know Lowery, and I do know the officer—

Mr. GRIFFIN. Lowery and Goolsby. How about the Officer Harrison?

Mr. ARNETT. Blackie Harrison?

Mr. GRIFFIN. Blackie Harrison?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Do you know him?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Was he there at the time?

Mr. ARNETT. I don't recall him being there at the time.

Mr. GRIFFIN. Where did you go after you left the boy in the juvenile bureau?

Mr. ARNETT. That was when I carried the second boy up to see about his buddy?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I went downstairs and on the street. As I say, I saw three or four Texas Highway Department driver's license men, and I said, "The President has been shot." And they said, "Oh, Arnett, what size camera was he shooting?" They thought, you know, I was joking. So I went on and got in my car. By that time squads were going everywhere.

Mr. GRIFFIN. Was this your private car?

Mr. ARNETT. Yes; went home to change clothes out of my uniform into civilian clothes, to go to my aunt's funeral.

Mr. GRIFFIN. Now, which way did you drive?

Mr. ARNETT. I believe I went down Young Street. I did. I went down Young Street to avoid all this traffic of squads and everything going—

Mr. GRIFFIN. Young Street in what direction?

Mr. ARNETT. West.

Mr. GRIFFIN. Headed west?

Mr. ARNETT. Yes, sir. Over the Houston Street viaduct to Oak Cliff.

Mr. GRIFFIN. I see. Does Young intersect Jackson any place?

Mr. ARNETT. Jackson runs along beside it.

Mr. GRIFFIN. Runs parallel to it. Did you go by the Greyhound Bus station?

Mr. ARNETT. Did I go by it?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I would have been one block south of it.

Mr. GRIFFIN. Now, what time would you estimate that it was that you went over the Houston Street viaduct?

Mr. ARNETT. I would say it was shortly before 1 o'clock, because I had to rush to get out of these clothes into other clothes to get to Grapevine, which is only 20 miles, something like that, to be there at 2 o'clock.

Mr. GRIFFIN. Now, when you got across the Houston Street viaduct, is there a point where you come to Zangs Boulevard?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you go to Zangs?

Mr. ARNETT. I went Zangs to Jefferson.

Mr. GRIFFIN. Did you get to the corner of Zangs and Beckley at any point in your trip out there?

Mr. ARNETT. No. Beckley would have been a block east of where I was.

Mr. GRIFFIN. Now, you drove this route, did you see anything?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Of any importance to the Commission?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. All right. Now, I take it then you went on out to the funeral, or wherever you had to go?

Mr. ARNETT. I went on home. I had my police radio on. Before I arrived at my home I heard someone come in on the radio and say, "A police officer has been shot." And further, maybe a block or two, he says, "I believe he is dead." And I changed my clothes right quick and got in my car to go to Grapevine. I came back down Clarendon to the R. L. Thornton Expressway, taken R. L. Thornton Expressway to Highway 114—well, it turns into Stemmons Expressway, you know, automatically, Highway 114, and I was listening all the time of this transaction of the police officer.

Mr. GRIFFIN. Were you listening on a police radio?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Okay. Let me ask you this, this is your own private car?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Does the police radio broadcast over a frequency that can be heard on ordinary radio receivers?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. What kind of special adaption do you have to have on your receiver to pick this up?

Mr. ARNETT. They call it a converter. It's hooked in with your radio.

Mr. GRIFFIN. Is this an FM converter; do they broadcast on an FM frequency, do you know?

Mr. ARNETT. Well, seems to me like it used to be AM and you could pick it up then by having your radio fixed a certain way, but they quit that. You couldn't do it no more, so you had to buy this converter to go with your radio to get it. And I listened to the move from the library over in Oak Cliff to the Texas Theater, and was listening to it when they got him, but I was at Grapevine.

Mr. GRIFFIN. Did you hear the automobiles called in from the outlying districts over your radio, when you were listening to it; did you hear any communications from the dispatcher or otherwise, calling police cars in from the outlying districts?

Mr. ARNETT. They were giving a description of the man that they had a description on, and then after the policeman was shot, Tippit, well, they was giving the description of it, and they first thought he was in the library over in Oak Cliff. Then they moved to a vacant house, then they moved to the Texas Theater.

Mr. GRIFFIN. All right. Now, did you go back to the police station on Friday, after you heard that Tippit had been shot?

Mr. ARNETT. After the funeral, after my aunt's funeral was over, I came home, ate supper and went back in uniform, came back down here and worked on the third floor at the elevator.

Mr. GRIFFIN. What time would you estimate that you arrived at the third floor?

Mr. ARNETT. I would say 6 o'clock.

Mr. GRIFFIN. Now, at the time that you arrived at the elevator, had there been a system set up for admitting people to the third floor—let's put it this way, excluding people from the third floor?

Mr. ARNETT. That's what I started doing.

Mr. GRIFFIN. Now, was there anybody else doing that at the elevator before you arrived, before you got there?

Mr. ARNETT. I couldn't say whether there was anybody assigned there before I got there or not, but there was a Sergeant Ellis, I believe, and Sergeant Dugger, were there with me when I was working there.

Mr. GRIFFIN. All right. Did you replace anybody?

Mr. ARNETT. Now, I am not going to say that I did or I didn't, because I couldn't tell you and be telling you the truth.

Mr. GRIFFIN. Who did you get your instructions from?

Mr. ARNETT. I believe it was Sergeant Ellis, I believe it was, now.

Mr. GRIFFIN. Is he a regular sergeant?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, did you ride on the elevator?

Mr. ARNETT. No, sir. I was in front of it, and as people got off they had to show their identification.

Mr. GRIFFIN. I see. Did you recognize Jack Ruby?

Mr. ARNETT. Did I recognize him?

Mr. GRIFFIN. Yes; I mean, did you know Jack Ruby up to this point?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. What kind of identification did you ask for when people got off of the elevator?

Mr. ARNETT. Well, if they was a press reporter, they had a press card, showing who they were, and they were from everywhere, coming in there. You would be surprised how far they had traveled that day. You know, I was—I didn't think about people being there that day, you know, from so far up. One man told me he was asleep in Chicago. They woke him up and told him the President had been killed, and he was there that night, I would say by 8 o'clock. There was one man in particular that I remember, that came up. He said he was a postal inspector.

Mr. GRIFFIN. Postal inspector?

Mr. ARNETT. He showed me his identification, said he would like to talk to Captain Fritz, that he had a key to the post office box down there that this fellow had, and he wanted to see if that key did fit it, or he had a key and he wanted to see if it would—was to that box.

Mr. GRIFFIN. Now, how many of you were standing there at the third floor elevator, checking identification of people who got off the elevator?

Mr. ARNETT. I would say four. Two elevators.

Mr. GRIFFIN. What did you do about people who came up, who said they came up to see somebody who was being questioned, or in connection with some other business other than being a photographer or—

Mr. ARNETT. If they didn't have an identification of pressmen or ranger or lawmen of some kind, they were turned back. There were two Spanish men came up there who wanted to talk to some officer about a ticket, and we notified whatever officer they wanted to talk to about it, and told him to go downstairs and see them.

Mr. GRIFFIN. Suppose somebody had showed you a justice of the peace card, would you have admitted him?

Mr. ARNETT. A justice of the peace?

Mr. GRIFFIN. Suppose somebody had showed you a card that said he was an honorary deputy sheriff, or a courtesy card, some of the law enforcement agents give out, are you familiar with those?

Mr. ARNETT. Yes.

Mr. GRIFFIN. Suppose someone had showed you one of those, would you have let him in?

Mr. ARNETT. I wouldn't let anybody in who didn't have proper identification, without notifying one of these regular officers standing there.

Mr. GRIFFIN. Would you have considered this a proper identification?

Mr. ARNETT. I don't remember having that come up. Now, there were two or three rangers there. One of them from Gainesville, Tex. I talked to him a little bit and the captain of the rangers was there. I don't know where he was from. He might have been from Dallas.

Mr. GRIFFIN. Did you have any lawyers come up?

Mr. ARNETT. Lawyers?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I don't remember any.

Mr. GRIFFIN. Did you have any newspaper people come up who didn't show you press cards who appeared to be newspaper people from the way they conducted themselves?

Mr. ARNETT. Two or three different times a news reporter would come up and show a press card and say, "I have got a friend with me that's just with me". I said he would just have to wait downstairs, and they did.

Mr. GRIFFIN. Well, you know, a number of police officers have stated that they saw Jack Ruby up on the third floor on Friday evening. How do you imagine that Ruby could have got by?

Mr. ARNETT. I don't know. After I was there that afternoon or that night, I

would say. I wasn't in the afternoon, because I was at that funeral, but I don't believe Jack Ruby got up there after that time of night. I didn't see Jack Ruby the entire time of that thing, until he was in front of me in the basement, the 24th.

Mr. GRIFFIN. Would you have recognized him?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Now, did you remain at the elevator doors all of the time you were on duty on Friday?

Mr. ARNETT. Friday night?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I would say I was there until around 11 o'clock that night.

Mr. GRIFFIN. After 11 o'clock what did you do?

Mr. ARNETT. I went home.

Mr. GRIFFIN. Did anybody replace you on those doors?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Do you recall who that was?

Mr. ARNETT. No, sir; I don't.

Mr. GRIFFIN. Did you give him any instructions as to what he was to do in admitting people?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, did you come in on Saturday?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. What time did you come in on Saturday?

Mr. ARNETT. Around 2 o'clock.

Mr. GRIFFIN. And how late did you stay?

Mr. ARNETT. Until about 11.

Mr. GRIFFIN. Did you do the same sort of thing on Saturday?

Mr. ARNETT. That afternoon I didn't work in front of the elevators, but I did work over where the stairways are. There is a stairway that you can walk down.

Mr. GRIFFIN. Yes.

Mr. ARNETT. I worked there with an officer. I believe his initials is L. M. Baker.

Mr. GRIFFIN. Now, there came a time Saturday night when you were stationed by Captain Fritz' office?

Mr. ARNETT. That's right.

Mr. GRIFFIN. About what time was that?

Mr. ARNETT. I would say around 7 or 8 o'clock that night.

Mr. GRIFFIN. Now, did you notice while you were there whether any newspaper people were going in to use the telephone in the homicide office?

Mr. ARNETT. No, sir; I didn't.

Mr. GRIFFIN. You say you were stationed outside Captain Fritz' door. Do you mean that you were inside the homicide office?

Mr. ARNETT. No; I was outside.

Mr. GRIFFIN. In other words, you were stationed outside of the homicide door?

Mr. ARNETT. In the hallway.

Mr. GRIFFIN. Now, that wasn't really the door to Captain Fritz' office?

Mr. ARNETT. No; his office is back inside, but you had to go through that door to get to his office.

Mr. GRIFFIN. I wonder if it wouldn't be clearer if we even edited this other, instead of Captain Fritz, if we crossed that out and said to the door to the homicide office?

Mr. ARNETT. All right. Go ahead and write it in if you want to.

Mr. GRIFFIN. All right. Let me mark it [indicating].

Mr. ARNETT. That would sound more reasonable, sensible, anyway.

Mr. GRIFFIN. Now, would you initial those two places and date them where I marked them [indicating]?

Mr. ARNETT. Yes, sir. We got the date, is that all right?

Mr. GRIFFIN. That's okay. All right. Now, did you see newspapermen going in to use the telephone in other offices besides the homicide bureau?

Mr. ARNETT. Well, really I just tell you the truth, there were so many people

in there and out—what I mean, there was a crowd there, and as far as seeing what was going on in other offices, I couldn't tell you.

Mr. GRIFFIN. Now, did there come a time on Saturday night when you received some instructions from one of the other officers?

Mr. ARNETT. Did there?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you call Lieutenant Merrell sometime that night?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, about what time was that?

Mr. ARNETT. It seemed to me like it was around 9 o'clock.

Mr. GRIFFIN. All right. And what did Lieutenant Merrell tell you?

Mr. ARNETT. That Captain Solomon had called him and asked to get a few reserves down there the next morning to help with the transfer.

Mr. GRIFFIN. All right. Now, where was this told to you?

Mr. ARNETT. It was told to me there at the door, to call Lieutenant Merrell. I am trying to think where I went and called from.

Mr. GRIFFIN. Somebody came up to you at the homicide office——

Mr. ARNETT. That's right.

Mr. GRIFFIN. And said, "Call Lieutenant Merrell"?

Mr. ARNETT. That's right.

Mr. GRIFFIN. Then you went and made a telephone call?

Mr. ARNETT. I believe I went in Chief Curry's—not in his office, now, but into the room where all the secretaries and everything are, and used the telephone. I am almost certain I did.

Mr. GRIFFIN. Did you call Merrell some place outside of the building or——

Mr. ARNETT. He was at home.

Mr. GRIFFIN. He was at home. Is he a regular officer?

Mr. ARNETT. He is a reserve lieutenant.

Mr. GRIFFIN. He is a reserve lieutenant?

Mr. ARNETT. He is my assistant.

Mr. GRIFFIN. Then Merrell told you that you would have to have some men?

Mr. ARNETT. That they wanted some men, yes, sir.

Mr. GRIFFIN. So somebody apparently had called Merrell to tell him that, is that right?

Mr. ARNETT. Captain Solomon, I believe.

Mr. GRIFFIN. Captain Solomon had called Merrell. Now, did you attempt to locate some reserves that night?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. And did you attempt to locate reserves that were already in the police department building?

Mr. ARNETT. I called Lieutenant McCoy, who was on duty, riding in a squad car, put out a call for him to call me at the office, and he did, and I gave him those instructions, to call some of his men the next morning to be there.

Mr. GRIFFIN. And what time did you tell Lieutenant McCoy that the men should be there?

Mr. ARNETT. Nine o'clock.

Mr. GRIFFIN. Now, at this point did you have any understanding as to generally when Oswald would be moved; did you have any idea generally when he would be moved?

Mr. ARNETT. Chief Curry told the newsmen that if they were back by 10 o'clock they would be plenty early.

Mr. GRIFFIN. Did you hear Chief Curry tell them that?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Other than what you heard Chief Curry say, did you receive any other information?

Mr. ARNETT. Of what time it would be?

Mr. GRIFFIN. Yes.

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Now, did you have your conversations with Lieutenant Merrell and Lieutenant McCoy before or after Chief Curry made the announcement to the press?

Mr. ARNETT. I would say it was probably a few minutes before I heard him say that. I could be wrong about it. I am trying to, you know, think whether it was or wasn't, but I am not certain about it.

Mr. GRIFFIN. Now, the call that you issued to Lieutenant McCoy, would that have gone through the dispatcher's office?

Mr. ARNETT. For him to call me would—yes.

Mr. GRIFFIN. And they would have made a record of that, isn't that right?

Mr. ARNETT. It would have been recorded, but our conversation wouldn't have been.

Mr. GRIFFIN. If we were to look at that record, would that be the most accurate reflection of the approximate time that you had information concerning the transfer of Oswald; in other words, is that the most accurate—

Mr. ARNETT. It would be recorded all right.

Mr. GRIFFIN. My question is, we want to try to find out just exactly how soon people would have known that something was going to happen.

Now, is that record, that would be in the dispatcher's office the most accurate or earliest record that would have been made of anything you did in connection with the information you received about the move, that Oswald was going to be moved the next day?

Mr. ARNETT. Well, it would show—you would have to first check and see what squad McCoy was riding, to get the number.

Mr. GRIFFIN. Yes.

Mr. ARNETT. You see?

Mr. GRIFFIN. It wouldn't go out to McCoy specifically?

Mr. ARNETT. No; it would go to the squad he was riding with. His name wouldn't have been on there.

Mr. GRIFFIN. But now, would the dispatcher's statement over the radio, would that say number such-and-such call number such-and-such, or would it say number such-and-such call Captain Arnett?

Mr. ARNETT. No; I believe it would have said call the office. I don't believe our names would have been mentioned on the air.

Mr. GRIFFIN. All right. Now, would there be a record of some kind that we could use to find out what number designated Lieutenant McCoy?

Mr. ARNETT. Well, there would be a work sheet, assignment sheet, of what squad he was riding in that night, the number of it. For instance, we will just say 243 or 242 or—I don't know what number it was now, but I am just saying those numbers, that it's possible he could have been in.

Mr. GRIFFIN. Well now, do you know how long records of that sort are retained by the police department?

Mr. ARNETT. I suppose they are kept for a long time.

Mr. GRIFFIN. Now, what time was it that you arrived at the Police and Courts Building the next day?

Mr. ARNETT. Nine o'clock a.m.

Mr. GRIFFIN. All right. How many men would you estimate that you contacted about this between the time that you got the word from Lieutenant Merrell and the time you arrived at 9 o'clock?

Mr. ARNETT. If I remember right, I called Lieutenant Merrell—I mean Lieutenant McCoy, and I saw Lieutenant Nicholson and told him to call some of his men. If I remember right, though, those are the only two people I contacted on it.

Mr. GRIFFIN. Now, would Lieutenant Merrell have had occasion to contact any other officers, to give instructions to men?

Mr. ARNETT. He could have called some of the sergeants and told them.

Mr. GRIFFIN. I see. Would there have been any other captains who would have given instructions similar to ones you gave?

Mr. ARNETT. Well, there are three more captains, but so far as I know there wasn't any contacted, unless it was Captain Crump and I didn't contact him.

Mr. GRIFFIN. All right. How many men did you attempt to get in that next morning?

Mr. ARNETT. I told them to have 8 or 9 to 10 men.

Mr. GRIFFIN. I see. Each; each lieutenant?

Mr. ARNETT. No; each one just get two or three men. We had 18.

Mr. GRIFFIN. Had 18 all together?

Mr. ARNETT. Uh, huh.

Mr. GRIFFIN. Now, do you remember where you parked your car before you came in the building on Sunday morning?

Mr. ARNETT. I either put it in the parking station west of the city hall on Commerce Street or I parked it on the side street of Commerce.

Mr. GRIFFIN. Do you remember entering the building?

Mr. ARNETT. Do I remember entering the building?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Do you remember what entrance you came through?

Mr. ARNETT. Yes, sir. Down in the basement, from Commerce Street.

Mr. GRIFFIN. Now, as you walked down that Commerce Street entrance, at that time were there any TV cables strung through there?

Mr. ARNETT. The cameras were set up on the Commerce side, out there, and I do believe that there were cables running through the door.

Mr. GRIFFIN. Now, there is one door there that enters into the hallway that runs to the records room, as you get down the bottom of the steps from Commerce Street, you open up the door and you can go down a hallway toward the records room?

Mr. ARNETT. Down that way [indicating].

Mr. GRIFFIN. Going north?

Mr. ARNETT. Uh, huh.

Mr. GRIFFIN. Now, there are also in there, at the bottom of those steps from the street, two other doors; do you recall that there are two other doors there?

Mr. ARNETT. They would be on Harwood Street, then?

Mr. GRIFFIN. No.

Mr. ARNETT. You mean there are two more doors on Commerce Street?

Mr. GRIFFIN. Yes. One of them leads to the engine room. Are you familiar with that door?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Another one leads into the subbasement. Are you familiar with that door?

Mr. ARNETT. Now, that's the one I am talking about I came in.

Mr. GRIFFIN. You went down into the subbasement?

Mr. ARNETT. See here, this is Commerce Street, and you walk down a flight of steps, and there is a door, and you are going right towards the records building.

Mr. GRIFFIN. All right. Now, there is a subbasement to that building?

Mr. ARNETT. No; I misunderstand what you are talking about.

Mr. GRIFFIN. Are you familiar with the subbasement in the—where the police officers' locker room is?

Mr. ARNETT. Yes. Oh, yes. If that's what you are talking about.

Mr. GRIFFIN. All right. Were you aware of the fact that there was a door that led up from the subbasement right up under the stairs, on the Commerce Street side?

Mr. ARNETT. I don't know whether I understand what you mean or not.

Mr. GRIFFIN. You walk off of the sidewalk on Commerce Street—

Mr. ARNETT. And go down in the basement.

Mr. GRIFFIN. And go down in the basement, you get down there in the basement and there is a door that goes into the hallway that runs up to the records room?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, there are two other doors in that area. One of them is, if I am not mistaken, off to the right, as you face the hallway, and that goes into the engine room; and there is another area—door, rather, sort of at your back, as you look down that hallway, and that goes down in the subbasement. Were you aware of that?

Mr. ARNETT. No.

Mr. GRIFFIN. So you would have no recollection of whether any of the TV wires were strung any place except through the hallway to the records room?

Mr. ARNETT. No; I sure wouldn't.

Mr. GRIFFIN. Okay. Now, when you entered there, where did you go—and got inside the building?

Mr. ARNETT. I saw Lieutenant Wiggins, and he asked me if I could replace one of his regular men that was out there behind the TV cameras that—in other words, this is the basement [indicating].

Mr. GRIFFIN. Well, I think I can help you out here. Here is a diagram of the basement, and here is the jail office and here is the parking area, here is the ramp from Main Street, here is the ramp going up to Commerce Street [indicating].

Mr. ARNETT. We have got it turned right around to me.

Mr. GRIFFIN. Well, whichever way is easiest for you. All right. Now, this is coming down from Main. That's Main [indicating].

Mr. ARNETT. This is Commerce going out?

Mr. GRIFFIN. That's right.

Mr. ARNETT. All right. The TV cameras were set up right in here. They wanted to keep this open here. They didn't want any cars parking in here [indicating].

Mr. GRIFFIN. Let me draw two TV cameras; is that about where they were placed, where I have got them there [indicating]?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, behind the TV cameras—

Mr. ARNETT. It's wide enough for two automobiles to park.

Mr. GRIFFIN. All right. Was there a man stationed behind those two TV cameras?

Mr. ARNETT. There was a regular and they needed him out there, so I put a reserve officer out there.

Mr. GRIFFIN. Who was that reserve officer that you put there?

Mr. ARNETT. Worley.

Mr. GRIFFIN. All right. Now, I am going to put an X—well, you put an X on the map where you think Worley was, and write his name in there, if you will, please.

Mr. ARNETT. [Spelling] W-o—

Mr. GRIFFIN. [Spelling] W-o-r-l-e-y.

Now, what's your best estimate of what time it was that you put Worley in there?

Mr. ARNETT. Shortly after 9 o'clock.

Mr. GRIFFIN. You want to say whatever it was, 9:15, whatever you think it was?

Mr. ARNETT. Well, this may not be exact on the minute, but it will be within 5 minutes or so [indicating].

Mr. GRIFFIN. All right. Okay.

Mr. ARNETT. I am going to put 9:10 [indicating].

Mr. GRIFFIN. All right.

Mr. ARNETT. Because I did it as quick as I could after I was asked to.

Mr. GRIFFIN. All right. Now, what did you do after you placed Worley at that spot?

Mr. ARNETT. I went into the assembly room, and there were a few men in there. I walked back outside and I believe that I talked to some captain that needed five men down at the Elm-Houston Street viaduct, and I went back in and asked them if they could send five men down there and they said yes. They assigned five men to go down there and they were sent down there in a squad car.

Mr. GRIFFIN. What did you do after that?

Mr. ARNETT. After that, I got some more men out of the assembly room. They were just coming in, you know, and Sergeant Dean and Sergeant Putnam, we searched the basement.

Mr. GRIFFIN. All right. Now, did you accompany Sergeant Dean?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you accompany him all the way around?

Mr. ARNETT. In this area, I did [indicating].

Mr. GRIFFIN. That's the area, sort of the Main Street portion?

Mr. ARNETT. That's it [indicating].

Mr. GRIFFIN. Did you go with Sergeant Dean to the area that's marked on the map stairs up, behind elevators No. 1 and No. 2.

Mr. ARNETT. Did I go up the stairs?

Mr. GRIFFIN. No. Did you go to that area with him?

Mr. ARNETT. Well, this is the area I covered with him, from here, all this right in here [indicating].

Mr. GRIFFIN. The reporter can't see that, but you are indicating—we have to get this down in words, so that the members of the Commission, Chief Justice Warren and so forth will understand what we are talking about here.

Mr. ARNETT. Yes.

Mr. GRIFFIN. You are indicating that you searched with Sergeant Dean that portion of the garage which includes the elevators No. 1 and No. 2 and the doorway to the stair up, correct?

Mr. ARNETT. Right.

Mr. GRIFFIN. Now, when you got to those elevators, what did you and Sergeant Dean do?

Mr. ARNETT. As we searched them out, we placed men in this area as we searched it out, there was a regular officer stationed here [indicating].

Mr. GRIFFIN. Regular officer stationed—

Mr. ARNETT. At the elevators [indicating].

Mr. GRIFFIN. You want to put on the map where that regular officer was, and put an X there?

Mr. ARNETT. It was here in front of these elevators [indicating].

Mr. GRIFFIN. Do you want to write regular officer—do you know his name?

Mr. ARNETT. No, sir; I don't. [Spelling] R-e—

Mr. GRIFFIN. Regular, yes. All right. Now, were these elevators operating, these elevators No. 1 and No. 2, were they in operation?

Mr. ARNETT. I couldn't say whether they were or not. They wasn't working at the time I was there.

Mr. GRIFFIN. All right. You didn't see any boys, Negro boys in there?

Mr. ARNETT. No.

Mr. GRIFFIN. Is there a door at this entranceway to the stairs up?

Mr. ARNETT. Did you say are there a door there?

Mr. GRIFFIN. Is there a door there; do you remember if there is a door there?

Mr. ARNETT. There is a door here that goes into this [indicating].

Mr. GRIFFIN. Into the first aid station?

Mr. ARNETT. Yes, sir. But now, I couldn't say whether there are or not.

Mr. GRIFFIN. All right. Do you recall what investigation was made in the area of that doorway there, toward the stairs up? What check you and Sergeant Dean made?

Mr. ARNETT. Well, they probably were finishing their investigation here and we were back over here. There is a building extends out from the walls, and it doesn't go completely back against this ramp. There is room for a man to walk in there, and I went and got a flashlight and—

Mr. GRIFFIN. Now, I want to talk about this area right here. Do you recall whether you and Sergeant Dean went over to that doorway that leads to the stairs up?

Mr. ARNETT. I didn't.

Mr. GRIFFIN. You didn't go?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Right. Did you go to that area where the first-aid station is?

Mr. ARNETT. I didn't make that part of the search there. We started and came around this way, searched all these cars down through here, and this building back here that I am telling you about, that doesn't extend against the wall. I went and got a flashlight and Sergeant ----- I will think of his name in a minute, reserve. His name starts with a H.

Mr. GRIFFIN. Well, that's okay. His name isn't necessary. You went back there searched the—

Mr. ARNETT. We taken a flashlight in there and I held the flashlight for him, and he got up in there and I give him the flashlight, and he taken the flashlight and walked all back in here. There was room for a man to walk in there [indicating].

Mr. GRIFFIN. The area you are indicating is an area behind the jail office——

Mr. ARNETT. No; it's not behind it.

Mr. GRIFFIN. Well, here is the jail office [indicating].

Mr. ARNETT. Well, the one I am talking about, here is the ramp, see, and the one I am talking about is like this, doesn't go completely against the ramp. There is room for a man to walk in behind there [indicating].

Mr. GRIFFIN. Now, other than this northern portion of the basement, did you search any other area with Sergeant Dean?

Mr. ARNETT. No, sir; I stayed right in here. Some more reserves came in [indicating].

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Could you tell me where I was?

(The record was here read by the reporter.)

Mr. GRIFFIN. After you searched the basement, where did you go?

Mr. ARNETT. After I searched this portion of the basement [indicating]?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I stayed right here. That's where the cars come in and out [indicating].

Mr. GRIFFIN. Now, would you place an A where you stationed yourself after the search of the basement, and would you put a circle around that; would you write around that, after search of basement [indicating]?

Mr. ARNETT. [Spelling] B-a-s-p——

Mr. GRIFFIN. [Spelling] B-a-s-e-m-e-n-t. Now, captain, how long did you remain there at that position?

Mr. ARNETT. Oh, it seems like 10 or 15 minutes.

Mr. GRIFFIN. And then where did you go?

Mr. ARNETT. J. C. Hunt took my place, another reserve officer.

Mr. GRIFFIN. Replaced by J. C. Hunt?

Mr. ARNETT. Hunt.

Mr. GRIFFIN. After about 15 minutes. Now, then where did you go?

Mr. ARNETT. I had sent some men outside——

Mr. GRIFFIN. No; where did you go?

Mr. ARNETT. I went to different ones that were, you know, around in here, of the reserves [indicating].

Mr. GRIFFIN. You circulated in the basement?

Mr. ARNETT. In the basement.

Mr. GRIFFIN. And did you make assignments?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. What assignments did you make?

Mr. ARNETT. I sent Sergeant Cox and Sergeant ----- this little sergeant that I was trying to name while ago—Could I call the man and ask him that boy's name?

Mr. GRIFFIN. That's not really important.

Mr. ARNETT. It isn't?

Mr. GRIFFIN. No; did you assign people outside of the building?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you make assignments to the various intersections?

Mr. ARNETT. To keep people back. They were over here on the Commerce south-side street.

Mr. GRIFFIN. Yes, sir.

Mr. ARNETT. Keep people back off, on the sidewalk, and not let them on the street [indicating].

Mr. GRIFFIN. You sent all your men to Commerce?

Mr. ARNETT. No; not all of them. I sent three men up there at that particular time.

Mr. GRIFFIN. Where did you send your other men?

Mr. ARNETT. Well, earlier, before this, I sent one to Commerce and Pearl to work a signal light that had gone out of order.

Mr. GRIFFIN. Did you ever assign anybody to Main and Pearl?

Mr. ARNETT. Main and Pearl?

Mr. GRIFFIN. Yes, sir.

Mr. ARNETT. I don't believe so.

Mr. GRIFFIN. Did you ever assign anybody to Elm and Pearl?

Mr. ARNETT. Not before the shooting.

Mr. GRIFFIN. All right. Did you make any assignments on Elm Street?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. All right. Did you make any assignment on Main Street?

Mr. ARNETT. I don't remember of any. I did have a man in front of the Credit Building—what do they call it, the Employees Credit Association or Credit Union or something another. I did have a man up on the ramp of it. That's out on Commerce Street.

Mr. GRIFFIN. Did you assign Mr. Newman to a place in the basement?

Mr. ARNETT. I didn't make the assignment myself.

Mr. GRIFFIN. Did you leave the basement at any time after this particular period that we are talking about, when you made these assignments, did you leave the basement area?

Mr. ARNETT. I don't believe so. Not until after the shooting.

Mr. GRIFFIN. All right. While you were in the basement, were you in the garage and ramp area the entire time?

Mr. ARNETT. After I left this particular spot here [indicating]?

Mr. GRIFFIN. Yes; where we marked the A?

Mr. ARNETT. I was in this area right in here, and about 11:05 I took my stand right in here [indicating].

Mr. GRIFFIN. All right. Now, you spent your entire time then in the——

Mr. ARNETT. Basement.

Mr. GRIFFIN. Area between the entrance to the garage at the bottom of the Commerce Street ramp and the portion where the Main Street ramp narrows at the bottom, or widens out at the bottom?

Mr. ARNETT. [No response.]

Mr. GRIFFIN. Now, would you put a mark on the map where you were, where you stationed yourself at about 11:05?

Mr. ARNETT. Let's see if we understand each other here on this. Is this the office where they come out of the jail [indicating]?

Mr. GRIFFIN. Yes, it is.

Mr. ARNETT. And this comes out so far and then this is the ramp [indicating]?

Mr. GRIFFIN. Yes, it is.

Mr. ARNETT. All right. I was right along in here then [indicating].

Mr. GRIFFIN. Would you put an A there, also?

Mr. ARNETT. Okay [indicating].

Mr. GRIFFIN. And put a circle around that.

Mr. ARNETT. All right [indicating].

Mr. GRIFFIN. Now, would you mark the time that you think you first arrived there?

Mr. ARNETT. I would say 11:05.

Mr. GRIFFIN. All right. How do you fix that time 11:05?

Mr. ARNETT. I believe I looked at my watch.

Mr. GRIFFIN. Did you write up a report on this on November 24?

Mr. ARNETT. Did I write it up?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I made the statement.

Mr. GRIFFIN. Did you write a letter to Chief Curry?

Mr. ARNETT. Well, that's the letter [indicating].

Mr. GRIFFIN. Now, you didn't mention in that letter anything about 11:05. Was the first time that you thought about 11:05 when you were interviewed by the FBI agents on December 4?

Mr. ARNETT. You mean was that the first time I thought about it being 11:05 when I went there?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Well, no; I wouldn't say it was the first time I thought about it. It might have been that I didn't think about it when I was writing that letter.

Mr. GRIFFIN. Now, captain, if you were to place the time that you stationed

yourself here, in terms of how much before—well, in terms of the time that the armored car was in the ramp, did you place yourself before or—

Mr. ARNETT. It was here before I went there.

Mr. GRIFFIN. All right. This was after the armored car arrived?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. And how long before Lee Oswald was brought down?

Mr. ARNETT. After I placed myself over there?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Well, around 15 minutes.

Mr. GRIFFIN. Do you know what time Oswald was brought down?

Mr. ARNETT. I know what time the ambulance was called.

Mr. GRIFFIN. What time was that?

Mr. ARNETT. 11 :21.

Mr. GRIFFIN. When you stationed yourself at that point, were the floodlights from the TV cameras on?

Mr. ARNETT. Were they on?

Mr. GRIFFIN. Yes.

Mr. ARNETT. If I remember right, they had been on all the time.

Mr. GRIFFIN. They had been on all the time?

Mr. ARNETT. They wasn't alive all the time.

Mr. GRIFFIN. You mean the cameras weren't alive?

Mr. ARNETT. No.

Mr. GRIFFIN. At the time you searched the basement, were the floodlights on from those TV cameras?

Mr. ARNETT. Well now, whether they were on or not, I don't know. I believe the machine was lighted up. Now, whether that's what you call—

Mr. GRIFFIN. No; I mean the floodlights.

Mr. ARNETT. Well, I am not going to say either way on that, because I am not going to tell you anything I don't think is the truth.

Mr. GRIFFIN. Are you sure the floodlights were on when you stationed yourself at the point that we have marked as point A at the bottom of the ramp?

Mr. ARNETT. I would say lights were on. Now, whether they were floodlights or not, I couldn't tell you. I don't know whether you say just a light fitting there was a floodlight or the lights in the camera or—

Mr. GRIFFIN. No; I am talking about the lights they use to illuminate the picture they are going to take, throw out on the subject?

Mr. ARNETT. I will say the cameras had a light in them. I will say that. Now, whether you call them floodlights or not, I don't know. Now, they tell me that they can be on and not be taking pictures unless there is a red light burning. Now, whether that's true or not, I don't know.

Mr. GRIFFIN. All right. Over where these TV cameras are, were there some lights placed in association with those cameras?

Mr. ARNETT. All I can remember of, and I am trying to tell you the truth—

Mr. GRIFFIN. Yes.

Mr. ARNETT. Is that the light was on in the camera. You know what I mean, that [indicating] was burning.

Mr. GRIFFIN. I don't know if you have taken home movies or anything like that, or just had your picture taken in a photographer's studio, often they beam a lot of lights down?

Mr. ARNETT. I know what you are talking about there.

Mr. GRIFFIN. Were there any lights like that over by these TV cameras?

Mr. ARNETT. I don't remember any like that, but they had to be for it to be alive, I guess, but I don't remember them being on when this happened.

Mr. GRIFFIN. Before Oswald came out you were where we put this A at the bottom of the ramp, when you had occasion to look off into the garage area, was it possible to distinguish objects, or distinguish people or cars in there?

Mr. ARNETT. There was a car came out the ramp, after we got in line, and went out the ramp on North Main, up the ramp, out on North Main. We broke up—

Mr. GRIFFIN. I am going to ask you this simple question, as you looked out

over in there, could you see cars or people or anything over behind those TV cameras; could you see anything beyond those TV cameras?

Mr. ARNETT. Well, I saw this car that was coming out. Now, that was before Lee Oswald was brought down.

Mr. GRIFFIN. But did you see that car before it came out of the garage?

Mr. ARNETT. I saw it coming out of the ramp.

Mr. GRIFFIN. All right. Now, did you see it before it came to the ramp?

Mr. ARNETT. I don't believe I did.

Mr. GRIFFIN. All right. So do you have any recollection as to whether you could see objects in that area?

Mr. ARNETT. No, sir; I don't, I sure don't.

Mr. GRIFFIN. Now, you watched that car come out of the garage?

Mr. ARNETT. Uh huh.

Mr. GRIFFIN. Now, where did you watch it go?

Mr. ARNETT. It went out the Main Street entrance, up the ramp.

Mr. GRIFFIN. And did you see it get to the top of the ramp?

Mr. ARNETT. I didn't look at it as it entered the top of the ramp. We were getting back into position, but we did have to break up, because we were all the way across the ramp, and we had to break up for it to go out, but you know how you would do, you would back up against the wall or something out of the way, for it to go by.

Mr. GRIFFIN. Now, you say you had to break up. Was there a line formed across there before the car came out?

Mr. ARNETT. Well, we were standing just, you know, side of one another all the way across there.

Mr. GRIFFIN. Was that Sam Pierce's car?

Mr. ARNETT. They say it was.

Mr. GRIFFIN. They say it was. Do you remember how many people were in that car?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Was this the last car that came out of the garage before Lee Oswald was shot?

Mr. ARNETT. There was one come out and backed up in position.

Mr. GRIFFIN. Yes; but was that the last one that went up the Main Street ramp?

Mr. ARNETT. I said there was two cars to start with, and some of them said there wasn't but one, and I said I guess there was just one, but I thought at that time I remembered two cars going out, but I am not going to swear that there were, because I could be wrong about that.

Mr. GRIFFIN. I know that, but I want to know just what you remember and whatever your recollection is. Then we will try to see how good it really is. But what do you think you saw when this car—you say you think you saw two cars go up the ramp?

Mr. ARNETT. I think so. That's my honest opinion about it.

Mr. GRIFFIN. That's what I want. Now, when you saw that first car go up the ramp, how long would you say after the first car went up did the second car go up?

Mr. ARNETT. Well, it wasn't very long.

Mr. GRIFFIN. All right. Now, did you watch that first car go up the ramp?

Mr. ARNETT. No, sir; I did not.

Mr. GRIFFIN. Now, as you were standing here where we have marked the A and as you looked over toward the armored car, did you have occasion to look over at that armored car?

Mr. ARNETT. It was straight in front of me.

Mr. GRIFFIN. That was up near the top of the Commerce Street ramp, wasn't it?

Mr. ARNETT. Yes, sir; or just inside. I don't believe it was all the way under the shed.

Mr. GRIFFIN. Did you see Chief Batchelor up there?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Did you see Captain Butler up there?

Mr. ARNETT. Captain Butler?

Mr. GRIFFIN. Yes, sir.

Mr. ARNETT. I don't remember Captain Butler.

Mr. GRIFFIN. How about Sergeant Dean, did you see him up in that area?

Mr. ARNETT. Sergeant Dean. I believe I did. There was a bottle fell out of it.

Mr. GRIFFIN. Now, did you see the bottle fall out?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Could you actually see the bottle from where you were standing?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Now, when you had occasion to look up the Main Street ramp—

Mr. ARNETT. Well now, my back was to the Main Street ramp.

Mr. GRIFFIN. Not the entire time; there were times when you looked up that ramp too, wasn't there? You were down there for quite awhile?

Mr. ARNETT. Well, I don't remember just, you know, turning around and looking back up that way.

Mr. GRIFFIN. Do you remember whether or not there was an officer stationed up there?

Mr. ARNETT. Yes, sir; there was.

Mr. GRIFFIN. Did you ever see him up there?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. All right. Did you know who he was?

Mr. ARNETT. No, sir; he was a regular officer, though.

Mr. GRIFFIN. How did you know that?

Mr. ARNETT. Well, a regular officer patrolman has a green patch on his shoulder up here. A reserve officer has a white patch; a radio accident investigator has a red patch. I believe traffic wears a brown. He was a regular patrolman.

Mr. GRIFFIN. Now, did you see him before he got up to the top of that ramp?

Mr. ARNETT. Did I see him before he got up there?

Mr. GRIFFIN. Yes.

Mr. ARNETT. You mean did I see him going up there? Now, I may have seen him in the basement, before he was sent up there. I don't know about that.

Mr. GRIFFIN. Would you have remembered him, though; do you remember seeing him in the basement before he was sent up?

Mr. ARNETT. Not that I recall; no sir.

Mr. GRIFFIN. Do you remember seeing him walk up the ramp?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. So from where you were standing, I take it you could see the green patch on his—

Mr. ARNETT. Uh-huh.

Mr. GRIFFIN. Coat. And you wear glasses, don't you?

Mr. ARNETT. Not all the time.

Mr. GRIFFIN. Were you wearing glasses that time?

Mr. ARNETT. No, sir; I use them mostly to read with or some work like this [indicating].

Mr. GRIFFIN. Now, is your eyesight without glasses 20-20?

Mr. ARNETT. No, sir; if they was I wouldn't be wearing glasses.

Mr. GRIFFIN. But you still tell me—

Mr. ARNETT. I see off at a distance good, but I can't see to read a newspaper or something, a fine print or something close to me, but off at a distance—I drive without glasses.

Mr. GRIFFIN. You and I are sitting here maybe 6 or 8 feet away. Take off your glasses. Do you have any trouble seeing me [indicating]?

Mr. ARNETT. No, sir; not a bit. Where I have my trouble is fine print and something like that [indicating].

Mr. GRIFFIN. Take your glasses off a second.

Mr. ARNETT. Okay [complying].

Mr. GRIFFIN. I am going to hold up something here, and do you see a colored spot on there [indicating]?

Mr. ARNETT. I see a red one.

Mr. GRIFFIN. And I am holding this dictaphone package, about 10 feet away from you, aren't I [indicating]?

Mr. ARNETT. I would say something like that.

Mr. GRIFFIN. And how many red spots do you see on there?

Mr. ARNETT. I only see one.

Mr. GRIFFIN. One big one?

Mr. ARNETT. Well——

Mr. GRIFFIN. Or one blurred one?

Mr. ARNETT. I don't know what you call a big one. It's about like my little finger, end of it [indicating].

Mr. GRIFFIN. Can you tell what sort of shape it is?

Mr. ARNETT. Yes, sir [indicating].

Mr. GRIFFIN. Does it look like a triangle or an arrow?

Mr. ARNETT. It looks like it goes up to a point and comes down to a point and goes straight across the bottom [indicating].

Mr. GRIFFIN. Let me state for the record that is pretty good for a man born in 1911. This thing that I am holding up is a red arrow which appears on the back of a Dictaphone belt holder, and this arrow, the stem part of the arrow is not more than a quarter of an inch long. The pointed part of the arrow is unquestionably the most prominent part of it.

I am going to ask you to hold it up and I am going to stand back here and I will tell you that I have got my glasses on, but I am not corrected at 20-20 vision. If I didn't know how that came up I would have some difficulty telling what that is [indicating].

Mr. ARNETT. Is that right?

Mr. GRIFFIN. Yes; I think that's pretty good. So you could see this man's green patch on his——

Mr. ARNETT. That's right. He was a patrolman.

Mr. GRIFFIN. Well now, did you ever have occasion to look up that ramp? How many times did you have occasion to look up that ramp?

Mr. ARNETT. Well, it's like I say, I don't remember just turning around and, you know, just looking up the ramp, but maybe walking into this place to get into position or something or other, I was facing that way.

Mr. GRIFFIN. Sort of looking around generally up there; I mean as you walked around in this area we have marked "A," did you from time to time glance up in this general direction?

Mr. ARNETT. From where you marked "A," I couldn't see from there. You are talking about this "A" here [indicating]?

Mr. GRIFFIN. No; I am talking about this "A" here at the bottom of the ramp [indicating].

Mr. ARNETT. Oh, yes. I could from there.

Mr. GRIFFIN. Did you glance up from time to time?

Mr. ARNETT. I won't say I did, because I don't remember whether I did or didn't. More than likely I did.

Mr. GRIFFIN. Now; did you glance back at the TV cameras from time to time?

Mr. ARNETT. Well, I would say I did; yes.

Mr. GRIFFIN. Now, after this second car moved out, did you have occasion to glance over at the TV cameras at any time, toward the TV cameras at any time?

Mr. ARNETT. Well, I would say, just right offhand, I would say I looked around, but as far as just watching the TV cameras, I didn't.

Mr. GRIFFIN. Now, did you observe what any other officers were doing in your area on that side of the ramp?

Mr. ARNETT. There was a man to the side of me, to my right, that was in civilian clothes, and was a news reporter that had a microphone in his hand.

Mr. GRIFFIN. Was he to your right or was he in front of you?

Mr. ARNETT. He was to my right.

Mr. GRIFFIN. Directly to your right. Now, where was Officer Harrison?

Mr. ARNETT. Right in front of me and a little to my left. In other words, we were standing facing this direction and Officer Harrison was more or less like this. I was looking over his right shoulder [indicating].

Mr. GRIFFIN. You were looking over his right shoulder. Were you pressed right up against him at the time Lee Oswald moved out?

Mr. ARNETT. I wouldn't say I was pressed against him. I was directly—you know, next to him.

Mr. GRIFFIN. Was there anybody behind you?

Mr. ARNETT. Not that I know of.

Mr. GRIFFIN. I am going to state for the record that we have here a Mr. Robert Davis with the attorney general's office with the State of Texas, who has been sitting in on these hearings, and he just walked into the room, and I am holding up, at about the same distance that I held this thing from Captain Arnett—is that right, Captain Arnett [indicating]?

Mr. ARNETT. That's right.

Mr. GRIFFIN. I am holding this about the same distance from Mr. Davis, and I am asking him if he sees any colored items on the back of this Dictaphone card that I am holding up [indicating]?

Mr. DAVIS. Yes.

Mr. GRIFFIN. How many colored things do you see?

Mr. DAVIS. Six.

Mr. GRIFFIN. He has got better——

Mr. DAVIS. Five dots and a colored arrow.

Mr. GRIFFIN. Now, as far as this arrow was concerned, how would you describe that arrow; can you see the stem on the arrow?

Mr. DAVIS. See what?

Mr. GRIFFIN. Stem on the arrow.

Mr. DAVIS. Yes; it's fat, kind of heavy, bulky stem on the arrow. Looks more like a house turned on its side than its does an arrow.

Mr. GRIFFIN. Have you got 20-20 vision?

Mr. DAVIS. (Nods head.)

Mr. GRIFFIN. You don't wear glasses?

Mr. DAVIS. No.

Mr. GRIFFIN. The record should reflect he did a better job than you.

Let me ask you this, Captain Arnett: I am going to ask you to step to the back of the room over there.

Mr. ARNETT. Back where?

Mr. GRIFFIN. Step over to the doorway there.

Mr. ARNETT. Okay.

Mr. GRIFFIN. Now, take your glasses off. You didn't have them on. I am going to hold up a card here, and can you see the colors on that card?

Mr. ARNETT. I see green and white [indicating].

Mr. GRIFFIN. See any other colors [indicating]?

Mr. ARNETT. There is a little lighter up at the top of it.

Mr. GRIFFIN. Can you tell me whether you see any objects on there or whether you see a circle or a band or something exact or what do you see on there [indicating]?

Mr. ARNETT. Well, to that end I see something light running up and down, in the upper part of it, just a portion of it is a lighter—kind of a blue color. Then it's a green, then down closer to your thumb it's white [indicating].

Mr. GRIFFIN. Well, let me state for the record that what I held up was a Mobil gas credit card, which has in the top half of it a band that has a blue background on it, and against that blue background there is a picture of a Mobil gas station, which is white, and some background scenery which runs behind the Mobil station in some sort of a band, which is green, looks like grass and trees, and just above the blue field there is a completely white area, and in that white area there is written the word credit card, and there is a Mobil gas seal.

I think that is a fair description of what's on this card [indicating].

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. And you are now seated close enough to me now that you can see it with your glasses on [indicating]?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Mr. Davis, do you think that is a fair description of it?

Mr. DAVIS. Yes; I think that is a fair description of it.

Mr. ARNETT. Do you think I got anywhere close to it?

Mr. DAVIS. Yes; I think so.

Mr. GRIFFIN. I understand there was nobody standing behind you?

Mr. ARNETT. Not that I know.

Mr. GRIFFIN. Was there anybody directly to your left?

Mr. ARNETT. To my left?

Mr. GRIFFIN. Yes; as you faced the direction that Lee Oswald was coming from?

Mr. ARNETT. There was another reporter with a pencil and pad to my left. Then I said Captain King and another man beyond him that I don't know.

Mr. GRIFFIN. Now, were these people in the same line that Blackie Harrison was in?

Mr. ARNETT. No, sir. They were in the line with me. Blackie Harrison was in front of me.

Mr. GRIFFIN. Now, I am going to mark this "Dallas, Tex., Captain Arnett, 3-25-64," and this is Exhibit 5034, and I am going to start another one here.

All right. Now, Captain, I want you to put an "A" on this copy of the map where you were standing, put an "A" where you were standing when Oswald came out [indicating]?

Mr. ARNETT. Okay. Now, this is the brick building here. Now, I want to be sure that I am looking at this right [indicating].

Mr. GRIFFIN. Yes.

Mr. ARNETT. Okay. There was a news reporter [indicating].

Mr. GRIFFIN. Now, put an "A" where you were standing.

Mr. ARNETT. [Indicating.]

Mr. GRIFFIN. All right. Now, put an H in the circle around it where Blackie Harrison was standing.

Mr. ARNETT. [Indicating.]

Mr. GRIFFIN. Now, who was the other officer that you said was to your left?

Mr. ARNETT. A news reporter and Captain King, and I don't know where this other one was.

Mr. GRIFFIN. Put a "K" where Captain King was standing, and put an "X" where that newspaper reporter was.

Mr. ARNETT. [Indicating.]

Mr. GRIFFIN. Now, was there anybody between Captain King and the railing?

Mr. ARNETT. There was one person, but I couldn't tell you whether he was in civilian clothes or who they were or anything about it.

Mr. GRIFFIN. All right. Put a question mark there. All right. You put a question there.

Mr. ARNETT. Got it wrong, didn't I? [Indicating.]

Mr. GRIFFIN. Now you have changed it. You put a dot to your right where there was a newsman?

Mr. ARNETT. Uh-huh [indicating].

Mr. GRIFFIN. Is this the man that had the microphone?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Was there anybody in front of that man?

Mr. ARNETT. Yes. They were lined up down this wall here. I don't know whether there was anybody standing directly in front of him. I wouldn't say [indicating].

Mr. GRIFFIN. Was there anybody directly to Blackie Harrison's left?

Mr. ARNETT. I would say they were.

Mr. GRIFFIN. You don't remember?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. How do you happen to remember these people that you put on the chart here?

Mr. ARNETT. Well, standing there with them, well——

Mr. GRIFFIN. Did you see photographs, did you see movies of this after Oswald was shot?

Mr. ARNETT. I have seen them; yes, sir.

Mr. GRIFFIN. Did you see——

Mr. ARNETT. That didn't have any bearing on that.

Mr. GRIFFIN. Were you able to see yourself in those movies?

Mr. ARNETT. I am in some magazines.

Mr. GRIFFIN. You were able to see yourself in the magazines?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. And is that how you were able to distinguish—

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Those people?

Mr. ARNETT. Huh, uh. This letter that was written the 27th was before I ever saw any films or magazines, either one.

Mr. GRIFFIN. Now, do the magazine shots which you have seen, in which you have seen yourself, do they show the man to your left, who you thought was a newsman?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Do they show Captain King?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. How is it that just you come through on these magazine shots?

Mr. ARNETT. Well, I don't know how they come through, but the Dallas Morning News and the Times Herald that had the big complete picture, all the front page was completely covered, I am not in it. Now, this newsman that was on my right, it shows the microphone but it doesn't show me at all.

Mr. GRIFFIN. What magazine did you see yourself in?

Mr. ARNETT. Four Dark Days in History, Four Days, Kennedy From Childhood to—I don't remember just exactly what it did say on that.

Mr. GRIFFIN. Do you happen to remember in Four Dark Days, what page your picture was on?

Mr. ARNETT. No, sir. But if you got one I can show it to you, but it's not before the shooting, no.

Mr. GRIFFIN. Oh, this is the shot that's taken after the shooting?

Mr. ARNETT. Shows me scuffling with—

Mr. GRIFFIN. But you haven't seen a picture of yourself standing there in that line, have you?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. All right. Now, where did you see that picture?

Mr. ARNETT. In Four Days.

Mr. GRIFFIN. In Four Days you saw that?

Mr. ARNETT. Yes, sir. And it didn't show anybody standing beside me, either.

Mr. GRIFFIN. Does it show Blackie Harrison in that picture?

Mr. ARNETT. I believe it does.

Mr. GRIFFIN. All right, there is only one picture of you in Four Days?

Mr. ARNETT. In Four Days?

Mr. GRIFFIN. Yes.

Mr. ARNETT. No. There is three.

Mr. GRIFFIN. Three pictures of you?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Are they all on the same page?

Mr. ARNETT. I don't remember for sure whether they are on the same page or not, but they are in the same connection.

Mr. GRIFFIN. They are all in connection with the shooting?

Mr. ARNETT. Do you want me to tell you what they are?

Mr. GRIFFIN. Yes.

Mr. ARNETT. One of them shows me standing like I told you. The next one shows me in the scuffle with Jack Ruby from here up, doesn't show any other part (indicating).

Mr. GRIFFIN. Just shows the top of your head?

Mr. ARNETT. From right here up. The next one shows the top of my cap, from my back, following Oswald out to the ambulance. That's it [indicating].

Mr. GRIFFIN. All right. There is only one that shows you standing there?

Mr. ARNETT. That's the only one I have seen.

Mr. GRIFFIN. Does it show anything but your face?

Mr. ARNETT. From about right here up [indicating].

Mr. GRIFFIN. About the middle of your chest up?

Mr. ARNETT. Something like that. One in Four Days in History shows me standing looking down like this, and L. C. Graves is wrestling with the gun, before I took hold of Ruby.

Mr. GRIFFIN. All right. Now, did you see Ruby move forward out of the crowd?

Mr. ARNETT. Not out of the crowd. He was in front of me before I saw him.

Mr. GRIFFIN. Did you see him move in front of you?

Mr. ARNETT. I can give you an illustration better than I can tell you.

Mr. GRIFFIN. All right. Illustrate.

Mr. ARNETT. Okay. I was standing like this, facing this way (indicating).

Mr. GRIFFIN. All right. Now, let's put Mr. Davis up in front of you, about where Blackie Harrison was.

Mr. ARNETT. All right.

Mr. GRIFFIN. You place him up there. And Oswald is going to be to your right.

Mr. ARNETT. I was looking over his shoulder [indicating].

Mr. GRIFFIN. All right.

Mr. ARNETT. The first thing—

Mr. GRIFFIN. You were about that far away from him [indicating]?

Mr. ARNETT. Something like that.

Mr. GRIFFIN. You were about 4 inches away from Blackie Harrison?

Mr. ARNETT. I would say something like that.

Mr. GRIFFIN. And looking over his right shoulder?

Mr. ARNETT. That's right. Lee Oswald came out—[indicating]—

Mr. GRIFFIN. You are looking to your right?

Mr. ARNETT. To my right. Lee Oswald came out, the two detectives, Leavelle and Graves, Leavelle was handcuffed to Oswald. Graves was on the left side of him, had him by the arm. The first time I saw Jack Ruby he was just about in this position, just pow, that's just how quick it happened.

Mr. GRIFFIN. Now, you get back there in the position where you first saw Jack.

Mr. ARNETT. [Indicating.]

Mr. GRIFFIN. No. You get where you saw Jack [indicating].

Mr. ARNETT. Yes.

Mr. GRIFFIN. Is that about how far Jack was from—

Mr. ARNETT. From Oswald when I saw him, I guess [indicating].

Mr. GRIFFIN. Is that how far he was from Harrison?

Mr. ARNETT. He might have been a little further out this way from him, but (indicating).

Mr. GRIFFIN. In other words, the first time you saw Ruby, Ruby was standing forward, he was standing between—in front of Harrison in the direction of the Commerce Street ramp?

Mr. ARNETT. Right.

Mr. GRIFFIN. But he was off to Harrison's left?

Mr. ARNETT. He was to Harrison's left a little bit.

Mr. GRIFFIN. What direction was Ruby facing when you saw him?

Mr. ARNETT. Just as you and I [indicating].

Mr. GRIFFIN. Facing almost directly at Oswald?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. At that point?

Mr. ARNETT. In this position [indicating].

Mr. GRIFFIN. Now, did you see anybody standing behind his back?

Mr. ARNETT. Did I see anybody behind Ruby's back?

Mr. GRIFFIN. Yes.

Mr. ARNETT. No, sir.

Mr. GRIFFIN. All right. Now, who would have been directly—as you are standing, directly toward Ruby's right, which would be up the Main Street ramp, who would have been standing right in that position along the row that you were in, directly to Ruby's right, toward the Main Street ramp [indicating]?

Mr. ARNETT. Well, I named this newsman with a pad, I mean, I said—I didn't know his name. I said he was to my right.

Mr. GRIFFIN. To your left?

Mr. ARNETT. Yes; left.

Mr. GRIFFIN. All right. Now, that man was to your left. Was Ruby right in front of him or was he right in front of Captain King?

Mr. ARNETT. Well, he was just to the left of Blackie Harrison. Now, whether he was out in front in this manner right in front of King, I wouldn't say for certain [indicating].

Mr. GRIFFIN. Are you able to state whether Ruby was a different man from the man you saw next to you holding the pad?

Mr. ARNETT. Well, yes; I would say he was a different man.

Mr. GRIFFIN. How are you able to state that?

Mr. ARNETT. Well, I don't believe the newsman was dressed like Ruby.

Mr. GRIFFIN. But did you see that newsman again?

Mr. ARNETT. Did I see him again; is that the question?

Mr. GRIFFIN. Yes. After the shooting?

Mr. ARNETT. Well, I couldn't say whether I did or not.

Mr. GRIFFIN. How would you describe the dress of that newsman; did he have on a hat?

Mr. ARNETT. I don't believe he did.

Mr. GRIFFIN. Did he wear glasses?

Mr. ARNETT. I couldn't say.

Mr. GRIFFIN. Did he have a suit on?

Mr. ARNETT. I thought he had a kind of raincoat, jacket on, something of that type.

Mr. GRIFFIN. How long did you see that man around before Oswald was shot?

Mr. ARNETT. Well, I had been in this position, I said 15 minutes, and so far as I know Blackie Harrison had been standing in front of me all that time, and this man beside me, I believe, had been there all this time. I believe they had all been there all this time.

Mr. GRIFFIN. Now, about 1 minute before Oswald was shot there was a car that drove up and split the lines up?

Mr. ARNETT. That's right. I don't know whether it was 1 minute.

Mr. GRIFFIN. But shortly before?

Mr. ARNETT. Shortly before there was; yes, sir.

Mr. GRIFFIN. Was that man standing over next to you before the car went up the ramp; was that man in the raincoat next to you before the car went up the ramp?

Mr. ARNETT. I believe so.

Mr. GRIFFIN. Are you sure of that?

Mr. ARNETT. Well, I think he was.

Mr. GRIFFIN. What makes you think he was?

Mr. ARNETT. Well, I think I remember him being there with me.

Mr. GRIFFIN. Have you talked to Captain King about this man?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Now, how long did you remain in the police building after the shooting of Oswald?

Mr. ARNETT. After the shooting?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Whenever he shot Oswald, I made a dive for him, and L. C. Graves, the detective, had him, and he had him like this, had the gun like this, and they were scuffling. I got him by the leg. I don't know what leg I got him by, but I got him by the leg, and I would say there were seven or eight of us had ahold of him. We carried him back into the jail office, and while we had him down, handcuffed, he said, "I am Jack Ruby. All of you know me." They had him handcuffed by that time. I turned him loose and walked back over here where Oswald was laying [indicating].

Mr. GRIFFIN. All right. Now, let me ask you this: how long were you in the building the rest of the day?

Mr. ARNETT. I believe I went home about 1:30.

Mr. GRIFFIN. Now, by the time you went home had you heard any rumors about how Ruby got down into that basement?

Mr. ARNETT. That day?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I don't believe so. I have heard rumors since then, but I didn't that day.

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Let the record reflect that Mr. Davis has left the room, and I hope the record reflects that we had a short break, a very short break, about 2 minutes, and we are back and ready to go. Would you read the last part back? (The record was here read by the reporter.)

Mr. GRIFFIN. I am going to mark for identification, Dallas, Tex., Captain Arnett, 3-25-64, Exhibit 5035, and I am going to hand this to you. I am going to ask you, Captain Arnett, if what I am showing you is the dictaphone belt case with the red arrow on it that you identified earlier in the testimony [indicating]?

Mr. ARNETT. Do you want me to initial it [indicating]?

Mr. GRIFFIN. Now, is the side which I have got the identification on the side that I showed you?

Mr. ARNETT. It was up like this. Yes [indicating].

Mr. GRIFFIN. I mean the side [indicating].

Mr. ARNETT. Oh, yes.

Mr. GRIFFIN. Now, would you sign that?

Mr. ARNETT. Just sign it?

Mr. GRIFFIN. Yes, sir. Okay. Now, I am also going to mark for identification, Dallas, Tex., Captain Arnett, 3-25-64, Exhibit 5036.

Now, this is the diagram of the basement on which you placed markings indicating where you and Harrison and King and the reporter were standing, [indicating]?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. Just before Oswald came out?

Mr. ARNETT. [Nods head.]

Mr. GRIFFIN. Now, just before Oswald came out, did you see a man right next to Blackie Harrison's left?

Mr. ARNETT. To his left?

Mr. GRIFFIN. Yes.

Mr. ARNETT. As he would face up Commerce Street?

Mr. GRIFFIN. As Blackie would face Commerce Street, did you see a man to his left?

Mr. ARNETT. Well now, there were men out, you know, on the camera and stuff, to his left, if that's what you are talking about.

Mr. GRIFFIN. Did you see anybody standing to his left, other than men manning the cameras?

Mr. ARNETT. Well, I wouldn't say for certain that I did, because he may have been the last one in that row, I don't know.

Mr. GRIFFIN. Well, he was in the front row, wasn't he; Blackie?

Mr. ARNETT. He was in front of me; yes. And I would say he was in the front row, but—

Mr. GRIFFIN. Was there a solid line of people between Blackie and the TV cameras, in the row that Blackie was standing in?

Mr. ARNETT. It seems to me like there was somebody by the side of Blackie, but I am not going to say that there were because the first time I saw Jack Ruby he was to his left, coming up. Now, whether there was somebody right beside of Blackie Harrison, I am not going to say.

Mr. GRIFFIN. The first time you saw Jack he was sort of hunched over with the gun?

Mr. ARNETT. He was hunched over. He was in this position, and whenever he shot him he went down like that [indicating].

Mr. GRIFFIN. Did you see Ruby when he was moving toward Oswald?

Mr. ARNETT. I saw him moving from where I told you, up to Oswald.

Mr. GRIFFIN. Did you ever see Ruby standing still?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Now, do you recall whether there was a solid line of people or how that line of people was from Blackie Harrison on to the TV cameras?

Mr. ARNETT. Well, like I said, I think there was somebody the other side of him, but I am not going to be certain about it.

Mr. GRIFFIN. Well, were there any other police officers up in the same row that Blackie Harrison was in?

Mr. ARNETT. They were people lined up all the way up the wall and on this wall over here, they were lined all the way up to the edge of it [indicating].

Mr. GRIFFIN. Let me ask you this, Captain Arnett, did you receive instructions before Oswald came out as to where these newspaper people were to stand?

Mr. ARNETT. Where the newspaper—no; I did not.

Mr. GRIFFIN. Were you present when some men convened around Officer Jones, Captain Jones, prior to Oswald's coming down, when Jones gave some instructions?

Mr. ARNETT. Sergeant Jones?

Mr. GRIFFIN. No. Captain Jones.

Mr. ARNETT. Captain Jones. I remember seeing Captain Jones there, but I don't remember any group being around him.

Mr. GRIFFIN. Well, did you have any instructions to the effect that you were not to permit newspaper people to be over here on the Main Street side?

Mr. ARNETT. No, sir. I did not.

Mr. GRIFFIN. Did you have any instructions that you were to try to keep these newspaper people over toward the entrance of the garage?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Well, what instructions did you have as to what you were to do there?

Mr. ARNETT. Well, the main instructions I had was to—when we was placing these men around, searching the building, see that there was nobody in there at all, other than was supposed to be.

Mr. GRIFFIN. But that was an hour before?

Mr. ARNETT. That's right.

Mr. GRIFFIN. All right. Now, you knew Oswald was going to come out that door from the jail, jail office?

Mr. ARNETT. Yes, sir.

Mr. GRIFFIN. And did you have some idea that you were supposed to keep the area free?

Mr. ARNETT. Well, wasn't supposed to let anybody in there.

Mr. GRIFFIN. Well, if newspaper people had crowded up in front of him, did you have any instructions as to what you were to do?

Mr. ARNETT. I didn't.

Mr. GRIFFIN. Well, do you know if any of the other people had instructions like that?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. When did you write the report that has been marked as Exhibit 5033?

Mr. ARNETT. When did I write it?

Mr. GRIFFIN. Yes, sir.

Mr. ARNETT. That one was—let me see, now. That happened on Sunday, I went to Tippit's funeral on Monday, I went to Corpus Christi on Monday night, I was in Corpus on Tuesday. I believe I wrote that on Wednesday [indicating].

Mr. GRIFFIN. Right. Now, Sunday was the 24th—

Mr. ARNETT. Monday would have been the 25th, Tuesday the 26th, be the 27th.

Mr. GRIFFIN. All right. Would you indicate on here, would you put composed November 27, and initial that [indicating]?

Mr. ARNETT. How do you spell composed?

Mr. GRIFFIN. [Spelling] C-o-m-p-o-s-e-d.

Mr. ARNETT. [Spelling] C-o-m-p—

Mr. GRIFFIN. [Spelling]—o-s-e-d.

Mr. ARNETT. November 27?

Mr. GRIFFIN. Yes, sir. Okay. Now, in between this time, in between the time that you left the police building on the 24th and the time you prepared this statement, did you talk with any of the members of the police department about the events?

Mr. ARNETT. You mean how it was—how they were set up or something?

Mr. GRIFFIN. No. Any conversations—did you talk with any of the police officers?

Mr. ARNETT. Well now, on Monday, after this on Sunday, I was down there

and called some men to meet me out at the Baptist Church on Beckley, to work traffic for the Tippit funeral. I talked to Lieutenant Pierce. He asked me if I would get some reserves out there to help, that they was going to need some, and I said I will call and get some and go out there myself, and I did.

Mr. GRIFFIN. Did you talk with Pierce about the things that had happened on November 24?

Mr. ARNETT. Not that I know of now. Not that I remember about. We were talking about this one particular area.

Mr. GRIFFIN. Now, did you ever talk with Pierce at that time, prior to the time you wrote this statement, did you ever talk with Pierce about how Ruby got into the basement?

Mr. ARNETT. I don't know whether I did prior to that letter or not. I have heard since then that when Lieutenant Pierce drove out, that the officers stepped out to stop the traffic and that Jack Ruby said that's when he walked in. Now, when I heard that I couldn't say, the date, but I don't know, but I have heard that.

Mr. GRIFFIN. Before you prepared the statement, did you talk with any of the reserves or any members of the police department, about how Ruby might have got down in the basement?

Mr. ARNETT. Well, it seems that maybe some people would say, well, he must have come in with a camera or something, you know, like that. As far as just individuals talking to anybody about it, I don't remember, you know, just particularly talking about that one thing of how he got in there. But I am confident that he wasn't in there. I am confident of that, as I am that Jack Ruby shot Oswald, and I saw that. I may be wrong about it, but now, that's just the way I feel about it, that he wasn't in that basement.

Mr. GRIFFIN. Where do you think he was?

Mr. ARNETT. Well, I don't know where he was. But as far as him being in there any length of time, I just don't believe he was.

Mr. GRIFFIN. Would you have seen him if he came across the railing?

Mr. ARNETT. Would I have seen him?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Well, it seems like I would have, but I don't know that I would have.

Mr. GRIFFIN. Why do you think you would have?

Mr. ARNETT. Well, you know, if you are just looking off, like this, and something happens over here in 10 or 12 feet of you, you will almost—

Mr. GRIFFIN. Wasn't your attention focused almost all the time—after Pierce's car went up the ramp, wasn't your attention focused towards the jail office?

Mr. ARNETT. Well, I would say yes, most of the time, but you can just let anything—you can be driving down the road and a bird or something fly by, you will get a glance of it, and I believe if he had come over that rail I would have got the glance off of it.

Mr. GRIFFIN. Could you see things happening over by that railing?

Mr. ARNETT. Well, I am not going to say that you could or you couldn't, but I believe if he had come over that railing, I believe I would have saw him.

Mr. GRIFFIN. Well now, if he had come over the railing behind the line that you were standing in you wouldn't have seen him, would you?

Mr. ARNETT. No. Sure wouldn't have.

Mr. GRIFFIN. All right. If you were drawing a straight line across your shoulders—well, let's not do it that way. You have got this thing marked on the map here where the A is and where I placed the TV cameras. If you were drawing a straight line across the Main Street ramp, where would that line—how far would that line have come from the TV cameras that I have placed here [indicating]?

Mr. ARNETT. How far would it come?

Mr. GRIFFIN. Yes. In other words, how far up the [indicating]—

Mr. ARNETT. I would say a straight line behind the cameras would have been about like Mr. Davis from me [indicating].

Mr. GRIFFIN. What I am asking you here, I am asking you to tell me about how far up the Main Street ramp you were standing from the TV cameras; would

you say that the TV cameras and you were the same distance up the Main Street ramp or they were a little bit in front of you?

Mr. ARNETT. They were a little in front of me.

Mr. GRIFFIN. How much; by a little bit, would you say?

Mr. ARNETT. Well, 5 feet.

Mr. GRIFFIN. Maybe 5 feet in front of you. Could they have been less than 5 feet?

Mr. ARNETT. I don't believe they would have been. They could have. I am just roughly guessing now.

Mr. GRIFFIN. Now, were there people congregated around those TV cameras, in front of those TV cameras?

Mr. ARNETT. In front of it?

Mr. GRIFFIN. Yes.

Mr. ARNETT. I don't remember any of them being in front of it.

Mr. GRIFFIN. How about along the sides of the TV cameras?

Mr. ARNETT. If I remember right, there was a man at each one of the cameras, operating it.

Mr. GRIFFIN. But there weren't other people crowded down around them?

Mr. ARNETT. Not that I remember; no, sir.

Mr. GRIFFIN. Well now, wouldn't Captain King and that newspaperman have blocked your side vision over in the direction of the TV cameras?

Mr. ARNETT. It could have.

Mr. GRIFFIN. If Jack Ruby had walked down that Main Street ramp would you have seen him?

Mr. ARNETT. Not without turning around and looking back, I wouldn't have; no, sir.

Mr. GRIFFIN. Did you have any occasion to turn back and look around after Rio Pierce's car went up?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Do you mean you don't remember or——

Mr. ARNETT. I don't remember looking around, no sir.

Mr. GRIFFIN. Did anybody suggest to you before you wrote this statement that you should have seen Ruby in there?

Mr. ARNETT. No, sir.

Mr. GRIFFIN. Did anybody ask you if you did see Ruby in there before you wrote this statement?

Mr. ARNETT. Other than I just said, I saw him just like I have told you.

Mr. GRIFFIN. Who asked you to write this statement?

Mr. ARNETT. Captain Solomon.

Mr. GRIFFIN. Now, did Captain Solomon ever ask you before you wrote the statement whether you saw Ruby in there?

Mr. ARNETT. I don't recall that he did. But I told him just like I told you, the first time I saw him, where he was, the position he was, so there would be no cause for him to ask me that, because I am telling you the truth about where he was when I saw him. He was too close.

Mr. GRIFFIN. Well, do you feel——

Mr. ARNETT. Whenever I had ahold of him, I felt like there could be some more shots fired. I believe you would have felt the same way, because I wasn't figuring on that first one being fired.

Mr. GRIFFIN. Okay. I am going to ask you to sign all these things [indicating].

Mr. ARNETT. All right [indicating].

Mr. GRIFFIN. I ask you to sign them, and I assume that when you sign them you are indicating that you think they are accurate and wouldn't make any changes to them?

Mr. ARNETT. Yes, sir. I have tried to tell you just as near the truth as I can. Just sign it or——

Mr. GRIFFIN. Just sign it and put the date. Now, will you sign that one and this one here [indicating]?

Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Have I interviewed you before the beginning of this deposition?

Mr. ARNETT. Before tonight?

Mr. GRIFFIN. Yes.

Mr. ARNETT. Not that I know of.

Mr. GRIFFIN. Has any other member of the staff interviewed you before I took your deposition?

Mr. ARNETT. The only one that interviewed me was the FBI men, came to my home, one of them was from Memphis, Tenn., and I don't know where the other one came from.

Mr. GRIFFIN. I don't have to ask you this, but we say it for the record anyhow. If anything should come to your attention which you think would be helpful to us or which you find maybe you want to make a correction in anything that you have told us, will you come to us and—

Mr. ARNETT. Absolutely.

Mr. GRIFFIN. And advise us?

Mr. ARNETT. I am for you 100 percent.

Mr. GRIFFIN. I certainly appreciate your assistance. That's all.

TESTIMONY OF BUFORD LEE BEATY

The testimony of Buford Lee Beaty was taken at 9 a.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. For the record, I am Burt Griffin, and I am a member of the advisory staff of the general counsel's office for the President's Commission on the Assassination of President Kennedy.

This Commission has been appointed pursuant to Executive Order of President Johnson issued on November 29, 1963, and pursuant to a joint resolution of Congress No. 137.

Under the provisions of the Resolution and Executive order, the Commission has authority to establish rules and procedure which they have done, and pursuant to those rules and procedures I have been designated to come here to Dallas to take your sworn deposition.

You are appearing here by virtue of a letter which was sent from the general counsel of the Commission, Mr. J. Lee Rankin, to Chief Curry.

Actually, you are entitled to receive a 3-day written notice. However, under the rules of the Commission, if you want to, you can waive the notice, and we can go forward without the actual letter, I will ask you a little later whether you want a letter, or waive it.

The scope of this investigation is that we are directed to investigate and evaluate and report back to President Johnson all the facts that surround the assassination of President Kennedy and the subsequent murder of Lee Harvey Oswald.

Our particular concern in calling you is in connection with the death of Lee Oswald, although I am going to ask you some questions that will develop a little background that people who are working on the assassination of the President can use to decide whether you were in a position to provide some physical action that something might have happened in which they are particularly concerned about and as to which they need more witnesses.

But our primary concern in talking to you is to find out the matters which might be relevant to Ruby, although we are interested in anything else that you might know of your own knowledge that is valuable to the Commission.

Let me ask you first of all, would you like us to get you a written letter.

Mr. BEATY. No.

Mr. GRIFFIN. He is shaking his head no. I might say, she has to take your answer down.

Mr. BEATY. I am sorry; no.

Mr. GRIFFIN. Now, also, you are entitled to an attorney.

Mr. BEATY. What do I need an attorney for?

Mr. GRIFFIN. Some of the people come with attorneys. I don't want you to feel that maybe if you come with an attorney that you are prejudiced.

Mr. BEATY. I don't need an attorney, I don't think.

Mr. GRIFFIN. Would you raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEATY. I do.

Mr. GRIFFIN. Would you state your name for the record?

Mr. BEATY. Buford Lee Beaty.

Mr. GRIFFIN. Where do you live, Mr. Beaty?

Mr. BEATY. 404 Freeman, Garland.

Mr. GRIFFIN. When were you born?

Mr. BEATY. July 10, 1924.

Mr. GRIFFIN. Where are you employed?

Mr. BEATY. Police department, Dallas, Tex.

Mr. GRIFFIN. How long have you been so employed?

Mr. BEATY. Fifteen and a half years.

Mr. GRIFFIN. Are you in any particular bureau of the police department?

Mr. BEATY. Narcotics.

Mr. GRIFFIN. How long have you been there?

Mr. BEATY. Altogether, about 4 years. This last time, about 6 months, something like that.

Mr. GRIFFIN. What was the earlier period that you were with the narcotics bureau?

Mr. BEATY. From 1957 to 1960. And then I came back this time in June.

Mr. GRIFFIN. Now from 1960 until you came back, what bureau?

Mr. BEATY. Burglary and theft.

Mr. GRIFFIN. Do you hold a particular rank?

Mr. BEATY. Detective; yes, sir.

Mr. GRIFFIN. Now, did you know Ruby announced that you would recognize him?

Mr. BEATY. Oh, yes.

Mr. GRIFFIN. Could you tell us how you happened to first become familiar with Mr. Ruby?

Mr. BEATY. When I first met him?

Mr. GRIFFIN. Yes.

Mr. BEATY. Well, I wrote him a traffic ticket one time about 1951, or something like that. But I knew of him before then.

He had a joint down on South Ervay, and he was always calling the police to pick up drunks and one thing and another. Everybody knows Jack Ruby.

Mr. GRIFFIN. It was the Silver Spur?

Mr. BEATY. That's right.

Mr. GRIFFIN. In connection with your duties in the narcotics bureau, did you ever have occasion to talk with him or conduct any investigation in connection with him?

Mr. BEATY. About narcotics specifically?

Mr. GRIFFIN. Well, in connection with any of your duties, investigating duties with the police department, as opposed to traffic tickets? Let me ask you that question generally.

Mr. BEATY. Not that I ever recall. I can't think of anything specifically at all where I could say I had occasion to interrogate him about anything.

Mr. GRIFFIN. What I am getting at is, was Jack Ruby ever treated by you as a person whom you might go to if you needed to find out about somebody?

Mr. BEATY. A confidant? No, sir; absolutely not.

Mr. GRIFFIN. Do you know whether other people you worked with in the narcotics bureau might have attempted to use him?

Mr. BEATY. No, sir; I don't know.

Mr. GRIFFIN. Were you familiar with any narcotics investigation that ever took place with respect to Jack Ruby?

Mr. BEATY. None.

Mr. GRIFFIN. Now how often would you say that you saw Ruby during the last 3 years?

Mr. BEATY. Possibly, four, maybe five times.

Mr. GRIFFIN. What were the occasions for seeing Jack?

Mr. BEATY. Well, I saw him one time. I was working late nights and I saw him walking his dog after his joint closed down on Commerce Street, and I run into him on the street, and I go by his joint. You don't say hello and look around. You say hello.

Mr. GRIFFIN. Did Jack ever stop in and visit you while you were in your office at the police department?

Mr. BEATY. Yes; that was the last time I saw him before the shooting. He came by—didn't particularly come to see me, but he just came to the office.

Mr. GRIFFIN. Do you recall about when that was?

Mr. BEATY. No; it seemed like it was about a month before all this happened, something like that.

Mr. GRIFFIN. Did he speak to anybody in the narcotics office?

Mr. BEATY. Yes; he talked to myself, and I believe Lieutenant Cornwall was in and out of the office, and Dan Asabell.

Mr. GRIFFIN. Do you remember what you all talked with Jack about?

Mr. BEATY. Yes; he talked about a girl. He had a stripper down there. Let me think if I remember what her name was. Jada from New Orleans.

The whole thing was how he thought Jada was just a little indecent about her act and he would have to turn the lights off every once in a while and tell her to clean it up a little bit, and one thing and another. And how they went through a little "Hazel" in Judge Richburg's court over all this. It was all in the papers, the whole story was and that is about the gist of what we talked about. And Jada testified at the previous thing.

The bureau I work in, the special bureau, also handles all the dancehall licenses and the liquor licenses and it could be that, I don't believe he made a special trip to our office, I think he came to the bureau and might have had a little business for a liquor license, or something, I don't know. I didn't ask him about it at all.

Mr. GRIFFIN. All right, the narcotics bureau, is that correct to call it a bureau?

Mr. BEATY. Section.

Mr. GRIFFIN. Narcotics section is a subdivision of the special service bureau, is that correct?

Mr. BEATY. Yes.

Mr. GRIFFIN. Within the special service bureau, there is a department which handles dancehall policemen?

Mr. BEATY. That's right.

Mr. GRIFFIN. Now, does everybody who is a part of the special service bureau occupy the same suite of offices?

Mr. BEATY. No, sir.

Mr. GRIFFIN. Does the narcotics bureau occupy the same suite of offices as the dancehall bureau?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. What other people occupy the same suite of offices?

Mr. BEATY. Vice squad.

Mr. GRIFFIN. Do you remember, Detective Beaty, that you were on duty on November 22, the day the President was shot?

Mr. BEATY. Yes; I was.

Mr. GRIFFIN. Do you recall where you were when you first heard he had been shot?

Mr. BEATY. Trade Mart.

Mr. GRIFFIN. Where did you go from the Trade Mart?

Mr. BEATY. Went back to our office.

Mr. GRIFFIN. How long did you remain there?

Mr. BEATY. I think until about 9 o'clock that night.

Mr. GRIFFIN. Were you on duty on the 23d?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. Did you remain in the police department all day on the 23d?

Mr. BEATY. Yes, sir. What day was the 23d?

Mr. GRIFFIN. That was Saturday.

Mr. BEATY. Yes.

Mr. GRIFFIN. Directing your attention to Friday, did you see Jack Ruby in the hallway at all on Friday, or any place in the police department?

Mr. BEATY. No.

Mr. GRIFFIN. Now on Saturday, did you see Jack Ruby any time on Saturday?

Mr. BEATY. No, sir.

Mr. GRIFFIN. What time would you estimate that you left the police department on Saturday?

Mr. BEATY. Worked a lot of overtime. I am trying to remember. It was probably 6:30 or 7 o'clock that night; Saturday night.

Mr. GRIFFIN. Now do you recall whether when you left the police department that night you had heard any rumors or had received any kind of information that would indicate that Oswald was going to be moved from the city jail to the county jail on Saturday?

Mr. BEATY. No, sir.

Mr. GRIFFIN. Was Sunday a regular day for you to report to duty?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. What time did you report for duty?

Mr. BEATY. Eight o'clock that morning.

Mr. GRIFFIN. Do you remember where you parked your car that morning?

Mr. BEATY. In the basement, I believe. No; that is not right. It is Sunday you are talking about now?

Mr. GRIFFIN. Yes.

Mr. BEATY. I couldn't tell you to save my life.

Mr. GRIFFIN. At anytime on Sunday did you ever have occasion to come in the Commerce Street, come down the steps from Commerce Street and walk down the hallway in the basement that leads to the records room?

Mr. BEATY. The pedestrian entrance to the city hall basement?

Mr. GRIFFIN. Yes.

Mr. BEATY. I don't remember that either. If I park my car on Commerce Street around there somewhere, I probably did. If I parked it on Main, I probably took that other entrance, but I don't remember.

Mr. GRIFFIN. If you don't remember, that is all right.

Mr. BEATY. I couldn't tell you.

Mr. GRIFFIN. Now, when you arrived for duty, did you report up to the narcotics bureau?

Mr. BEATY. Yes.

Mr. GRIFFIN. Is that on the third floor?

Mr. BEATY. No; on the second floor.

Mr. GRIFFIN. How long did you remain in the narcotics bureau?

Mr. BEATY. Until about 9:15 or something like that.

Mr. GRIFFIN. Then what did you do at 9:15?

Mr. BEATY. Everyone decided we wanted to get some coffee, and as we got off the elevator in the basement, I noticed all the newspaper people standing out there and a couple of reserve officers and a policeman, I think, whose name was Nelson. I didn't know him at the time. He was guarding the entrance. And just curiosity made me, instead of going to get coffee, stay around to see what was going on.

Mr. GRIFFIN. Were the people that you were going to go to coffee with in the narcotics bureau?

Mr. BEATY. No; vice and narcotics, and some administrative section.

Mr. GRIFFIN. Any people from the third floor?

Mr. BEATY. No.

Mr. GRIFFIN. Do you know where they went after coffee?

Mr. BEATY. No.

Mr. GRIFFIN. Did they go out of the building?

Mr. BEATY. Yes; out of the building.

Mr. GRIFFIN. Now, tell me what happened when you saw this fellow Nielson.

Mr. BEATY. Right away, nothing. I mean I just happened to glance over here and here's two officers, and nothing happened. I just kind of lingered behind and I didn't care for coffee anyway, and I told them I would wait for them, and I kind of figured they would maybe move Oswald, and I just wanted to see him and that is what it amounted to.

Mr. GRIFFIN. Did you—you expected that Oswald would be moved fairly soon?

Mr. BEATY. Yes.

Mr. GRIFFIN. Had you received some word before that?

Mr. BEATY. Everybody in the world, at 10 o'clock. They said in the newspaper and radio.

Mr. GRIFFIN. By this time when the boys in your group went out for coffee, had there been any instructions to standby?

Mr. BEATY. None.

Mr. GRIFFIN. Did you later receive some instructions to standby to help in the Oswald move?

Mr. BEATY. As Capt. O. A. Jones got off the elevator, and as he walked by, he said, "Come here, I want to talk to you."

Mr. GRIFFIN. Did this take place in the basement?

Mr. BEATY. Right by the elevator door to the basement. He said there will be some officers come down from the third floor, and told me to wait for them right here, and he indicated close by the entrance to the jail office.

Mr. GRIFFIN. Now Detective Beaty, what is your best estimate of how long this encounter with Jones was before Oswald actually came downstairs?

Mr. BEATY. What time did he get shot? It was about probably 30 minutes before he actually came down and Ruby shot him.

Mr. GRIFFIN. That is the important thing. I would rather have you fix it in terms of that time rather than some specific time.

Mr. BEATY. Around 30 minutes or something like this.

Mr. GRIFFIN. Because I noticed in the interview which you gave to the FBI, you indicated that this was about 10 o'clock that you saw Jones. Did you have any idea at the time when you gave this interview to Agents Dallman and Quigley—that was on December 3—did you have anything specific in mind when you told them that it was 10 o'clock.

Mr. BEATY. I just was trying to remember when Captain Jones told me to remain there. No; I was just trying to remember about the lapse of time, it seemed to me like.

Mr. GRIFFIN. Let me ask you to look over this with me. Let me point out, you indicated here that you thought Oswald came down about 11:30?

Mr. BEATY. I do.

Mr. GRIFFIN. Now, they have reported that you told them that it was 10 o'clock. Now it may be that that was that time it could be a mistake on their part writing it down?

Mr. BEATY. Well, I don't know.

Mr. GRIFFIN. Go ahead.

Mr. BEATY. Boy, it is hard to remember, but it seems to me like he breezed through in just probably about 30 minutes—could possibly be longer—after Mr. Jones told me this. I waited around for probably another 4 or 5 minutes and the elevator doors opened up, and here all the officers from the third floor, and we moved from there out into the middle hallway. And they describe it here as a, whatever, I don't know, right outside the jail office door, the little hall where they brought him out of the jail office door there, and we remained there for about 30 minutes. And if the shooting actually occurred around 11:30, I have made an error about the original time Captain Jones said that.

Mr. GRIFFIN. Would you want to take my pen and on this statement would you want to put a circle around the 10 o'clock and make some note out on the side that what you meant was 30 minutes before the shooting, or whatever you think was the accurate time?

Mr. BEATY. Gosh, I don't remember. I just can't remember to save my life what time it was.

Mr. GRIFFIN. How is your memory as to the fact that it was about 30 minutes before the shooting?

Mr. BEATY. Thirty minutes, may be an hour. That times passes so fast along in there.

Mr. GRIFFIN. Do you think it could have been longer than an hour?

Mr. BEATY. I don't think so; no, sir.

Mr. GRIFFIN. Would it be fair to say, and I want you to be very frank about

this, because I don't want to change this in any way that isn't fair, would it be fair to change this time 10 a.m., to read—

Mr. BEATY. That it was 10 or 10:30, would that be all right, because I don't remember?

Mr. GRIFFIN. To read a half hour or—to an hour before Oswald was shot?

Mr. BEATY. Well, I don't carry a watch so I never know what time it is unless I ask somebody and it would be a matter of kind of remembering, and if you want to say 10 or 10:30, that would be about the same time, wouldn't it?

Mr. GRIFFIN. Would it be just fair to say, "I am not certain about the exact time?"

Mr. BEATY. That would be fine.

Mr. GRIFFIN. I wish you would do this in your own handwriting and write in there, "I am not certain about the time."

Mr. BEATY. [Makes statement and initials.]

Mr. GRIFFIN. Put a date after your initials.

Mr. BEATY. 3-26-64. I don't even remember what month.

Mr. GRIFFIN. All right, now, do you recall any of the people who came down in the contingent with Captain Jones?

Mr. BEATY. They are listed on the back of that, the best I remember.

Mr. GRIFFIN. You have listed on page 32, of what we have labeled Commission Document 85 (Beaty Exhibit 5040), the names of about a dozen police officers. Did you see all these people come down together, or these people that you remember as having been in the basement?

Mr. BEATY. They came—let me read them.

Mr. GRIFFIN. Let me read them for the record. B. H. Combest. J. H. Hutchinson.

Mr. BEATY. Those two, boy, they are supposed both special service officers, too, and I don't know how in the world they could have received word unless they called and told them to come down, because they were the only ones from the special service bureau down there with me at the time. I can't remember them getting off the elevator at the time, but Captain Martin—

Mr. GRIFFIN. Let me read them. W. J. Harrison.

Mr. BEATY. Yes; I remember him.

Mr. GRIFFIN. Wilbur Jay Cutchshaw. James Watson.

Mr. BEATY. Yes.

Mr. GRIFFIN. L. D. Miller.

Mr. BEATY. Yes.

Mr. GRIFFIN. R. L. Lowery.

Mr. BEATY. Yes; he was on.

Mr. GRIFFIN. J. Charles Goolsby?

Mr. BEATY. Yes.

Mr. GRIFFIN. W. E. Chambers.

Mr. BEATY. Yes.

Mr. GRIFFIN. Captain Frank Martin.

Mr. BEATY. Yes.

Mr. GRIFFIN. Lieutenant W. Wiggins?

Mr. BEATY. No; he wasn't. He was a jail supervisor. He was already down.

Mr. GRIFFIN. R. C. Wagner?

Mr. BEATY. Yes.

Mr. GRIFFIN. That is the complete list.

Mr. BEATY. They must have been on two elevators.

Mr. GRIFFIN. Now, have these men that you saw come down, Harrison, Cutchshaw, Watson, Miller, Lowery, Goolsby, Chambers, and Martin, were all those people attached to the juvenile bureau?

Mr. BEATY. No; Chambers is forgery. Goolsby is juvenile. Lowery is juvenile. Wagner, I believe, is forgery. Watson is auto theft. Harrison is juvenile. I don't know where Miller works.

Mr. GRIFFIN. How about Cutchshaw?

Mr. BEATY. Cutchshaw is juvenile. Hutchinson and Combest are both special services.

Mr. GRIFFIN. But Wagner was not in the elevator?

Mr. BEATY. Yes; he was with them.

Mr. GRIFFIN. He came down in the elevator?

Mr. BEATY. Yes; Wiggins wasn't.

Mr. GRIFFIN. Wiggins wasn't in the elevator. Now, when these men got off the elevator, what did they do? Where did they go?

Mr. BEATY. Walked straight out there in front of the elevator to the windows by—are you familiar with that place down there?

Mr. GRIFFIN. Yes; I am.

Mr. BEATY. What I call it, where you go through that.

Mr. GRIFFIN. Might as well call it the window in front of the jail office, if that is where it was.

Mr. BEATY. That's right.

Mr. GRIFFIN. I am going to sketch a diagram of the basement. Did they go through the swinging doors?

Mr. BEATY. We waited right about here.

Mr. GRIFFIN. You are indicating just about at the first window of the jail office as you come from the elevator?

Mr. BEATY. That's right.

Mr. GRIFFIN. The elevator we are talking about is the general elevator that services all floors and is available to anybody that comes into the building?

Mr. BEATY. We are not talking about the jail elevator?

Mr. GRIFFIN. That's right.

Mr. BEATY. That's right.

Mr. GRIFFIN. Now, when you all congregated outside that window, what took place?

Mr. BEATY. Within 5 or 10 minutes, Captain Jones came through and spoke to me, and we walked through the small hall by the jail office window into the double doors and he instructed us to stand on either side of that hallway, which would be just outside the double doors as you enter into the basement parking area.

Mr. GRIFFIN. Now, Mr. Beaty, I am going to hand you my pen. I am going to ask you if you will mark on this diagram where was your understanding that people were to place themselves.

Mr. BEATY. Where they were assigned?

Mr. GRIFFIN. Yes; what assignments did Jones make at that point?

Mr. BEATY. He said, "Divide yourself up about half and half. Half on this side and half on this side."

Mr. GRIFFIN. Now, you have drawn a line on either side, straight line on either side of the hallway that leads out between the swinging doors and the Main Street and Commerce Street ramp.

Mr. BEATY. That's right.

Mr. GRIFFIN. Did he tell officers to stand any place except along those two walls where you have drawn the line?

Mr. BEATY. No, sir. He instructed us to, when they brought Oswald out of the smaller swinging door in the outside hall, to make a path for him and be sure that nobody got to him or slowed him down. In other words, indicating that—I don't remember whether he said to get to him or not. He just said keep the people back so we can get him through, something like that.

Mr. GRIFFIN. Let me ask you this: What was your understanding that you people were to do, if anything, when Oswald got abreast of you?

Mr. BEATY. To keep the people back. Of course, over here where I was, there was nobody behind me.

Mr. GRIFFIN. Would you place on the chart where it was you were stationed? Put an "X" there.

Mr. BEATY. [Complies.]

Mr. GRIFFIN. Let me ask you again. As Oswald moved out of the jail office and approached the car that he was to get in, did you have any understanding as to any action that you were supposed to take?

Mr. BEATY. Like I said before, of course, there was nobody at that time, we thought, but the press and police officers down there, and at that time we were, television cameras were set up across the ramp behind a railing about 4 foot tall.

Mr. GRIFFIN. Will you place the TV cameras?

Mr. BEATY. Somewhere right there.

Mr. GRIFFIN. Let me ask you to put the TV cameras in a square.

Mr. BEATY. [Complies.]

Mr. GRIFFIN. Now, were there only two TV cameras in the basement?

Mr. BEATY. The best I remember.

Mr. GRIFFIN. Do you recall if there was a TV camera in the garage entrance-way to the garage?

Mr. BEATY. No, sir; I sure don't. There were so many of them, and guys had them on their shoulders, and little tape recorders, and one thing all over the joint.

Mr. GRIFFIN. Now, I am talking only about TV cameras, the big things that set on a tripod as opposed to little movie cameras.

Mr. BEATY. They had some of the shoulder cameras.

Mr. GRIFFIN. I wasn't thinking of them. I am just talking about the stationary cameras.

Mr. BEATY. I suppose I didn't pay any attention to them at all.

Mr. GRIFFIN. I am only talking now about the instructions that you remember that came from Captain Jones. Do you have any idea as to what you were to do when Oswald got abreast of you?

Mr. BEATY. Yes, sir. He told us we would keep this aisle clear, and at this time the cameras were run in and out of this door and something through this door, and around here, and then he returned in about 3 or 4 minutes later and said, "All you people from the press move back into the driveway." And I will indicate it by a dotted line across here.

Mr. GRIFFIN. Okay.

Mr. BEATY. And over into the driveway entrance of the parking area from the Commerce Street, Main Street ramp. Would you want a dotted line?

Mr. GRIFFIN. Yes. Let me ask you a question about that. What is your best estimate of the number of people that were over in the garage entrance area?

Mr. BEATY. Counting the people here behind the camera?

Mr. GRIFFIN. No; not counting the people behind the camera.

Mr. BEATY. Right along in here?

Mr. GRIFFIN. Yes; along the dotted line.

Mr. BEATY. Thirty-five or forty.

Mr. GRIFFIN. Was that congested?

Mr. BEATY. No; it wasn't. You can get that many people in. It is a pretty wide area. Looks like it might be 50 feet across there, if this is 15.

Mr. GRIFFIN. Now, across that 50-foot area, was there just a single line across there?

Mr. BEATY. They could be doubled or tripled. They were all scattered out, of course. But there seemed like there was some congestion right around there and behind the cameras.

Mr. GRIFFIN. Will you draw a half circle in the area or quarter circle in the area where the congestion was?

Mr. BEATY. Right along in here, best I remember.

Mr. GRIFFIN. Now, did there appear to be people standing behind the TV cameras?

Mr. BEATY. Yes.

Mr. GRIFFIN. Were there people standing up above the TV cameras, if you recall?

Mr. BEATY. I don't know what they would stand on. There is nothing for them to stand on unless they had a box or something like that.

Mr. GRIFFIN. Now, how did the congestion in this area that you have indicated by a half circle which runs from about the position of the TV camera close to the Main Street side, to about the middle of the entrance to the garage, how did the congestion in that area compare to the congestion along the Main Street ramp or across the Main Street ramp?

Mr. BEATY. The best I remember, most of the people that moved out of this area moved into this area here. Then they moved over here. It looked like there might have been as many here, or more, as there were over here. There must have been a hundred all together all scattered out all in the basement, and they wouldn't stay still. They would mill around as long as they didn't

get past this line here, and we weren't too concerned with them, because they had uniform officers out here in the basement and they brought those down earlier and shook down all the cars a time or two, and I don't know what was going on out here.

Mr. GRIFFIN. Now, how many uniformed officers did you see stationed back here in the basement area?

Mr. BEATY. Earlier?

Mr. GRIFFIN. No; at the time Oswald came out.

Mr. BEATY. I didn't see any.

Mr. GRIFFIN. Is it possible that there might not have been officers there?

Mr. BEATY. No; there were some earlier, about 50.

Mr. GRIFFIN. About 50 in there? Did you see them search the basement?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. Did they search the basement, can you remember, before or after you got the instructions from Captain Jones?

Mr. BEATY. I couldn't remember. I don't know.

Mr. GRIFFIN. Were you down in the basement?

Mr. BEATY. What do you call the basement now, this or this?

Mr. GRIFFIN. I am talking about the whole bottom area, all the way from the elevators that come down from the upstairs.

Mr. BEATY. After the instructions, because I wouldn't be out here.

Mr. GRIFFIN. Were you, prior to the time that your friends planned to go out for coffee, down in the basement at all?

Mr. BEATY. No, sir.

Mr. GRIFFIN. But you were down in the basement at the time the search of the basement was conducted?

Mr. BEATY. This was a good hour and a half or something like that, later on.

Mr. GRIFFIN. The basement was searched substantially after you got down there?

Mr. BEATY. Yes. And I understand that this was the second time it happened.

In other words, well, I heard somebody say we have swept the basement out twice already and I don't remember who said this. This is to indicate that they searched the cars.

Mr. GRIFFIN. Do you recall who was in charge of the search that you saw take place?

Mr. BEATY. I would assume that since it was uniformed officers, it would be Captain Talbert, because they were all uniform officers.

Mr. GRIFFIN. Do you remember whether or not Sergeant Dean was in charge of that search?

Mr. BEATY. No; Sergeant Dean was there and so was Sergeant Putnam, and I don't think you could say one was in charge or the other one was in charge. It was a joint operation. I would say Captain Talbert was in charge. And, actually, he wasn't down there. He would drop by and leave a few instructions, some for Dean and some for Putnam and the like.

Mr. GRIFFIN. During the period that you were down in the basement, did you see cars going in and out, coming up and down the ramp?

Mr. BEATY. Saw one leave, it was a squad car, and it left and went this way.

Mr. GRIFFIN. Up the Main Street ramp. Did you see any other cars coming in the basement? Were officers coming in on routine duty and so forth?

Mr. BEATY. I am sure there were, but I don't remember whether they were or not. I know that they closed it from 9 o'clock on, but I can't remember exactly what time they shut it off.

Mr. GRIFFIN. Now, when you first walked out in here in front of the swinging doors toward the ramp, do you recall if the TV lights were on?

Mr. BEATY. No, sir; they weren't.

Mr. GRIFFIN. Now, do you recall when the armored car came in?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. Do you recall if the TV lights were on at that time?

Mr. BEATY. No, sir; I am quite sure that they took some picture of it, but I don't remember whether, and there again which lights are you talking about?

Man, they were everywhere down there. And the armored car backed down this ramp.

Mr. GRIFFIN. Commerce Street?

Mr. BEATY. Commerce Street ramp. And there were people with cameras on the Main Street ramp back over here, back behind this 55-foot entrance to the garage. They were everywhere.

Mr. GRIFFIN. Was there some sort of floodlights set up in connection with the TV cameras?

Mr. BEATY. I am sure there were. They were awful bright. I don't know whether they were hooked onto the cameras or something. They brought in this material, but the best I remember, there was a bunch of them over in this area.

Mr. GRIFFIN. Behind the camera?

Mr. BEATY. Well, not necessarily. They could have been under or over. You couldn't hardly tell.

Mr. GRIFFIN. Now, at the time that the armored car came down the ramp, did you see what happened around that armored car?

Mr. BEATY. Like what now?

Mr. GRIFFIN. Did you see anything that happened?

Mr. BEATY. No.

Mr. GRIFFIN. You saw the armored car come down?

Mr. BEATY. It took them quite a while to get the armored car down.

Mr. GRIFFIN. Did you actually see it come down?

Mr. BEATY. Not the whole time.

Mr. GRIFFIN. As you looked up toward that armored car, were you able to see people around that armored car from where you were standing?

Mr. BEATY. Well, tell me when you are talking about?

Mr. GRIFFIN. At anytime.

Mr. BEATY. It took it about 5 minutes to back down, because it was too tight for the ramp, and they didn't get it all the way in there. They were very, very cautious and careful, and it parked up the ramp, and I don't remember seeing anybody around.

Mr. GRIFFIN. Do you recall Chief Batchelor coming down into the basement and going up to the armored car?

Mr. BEATY. No, sir; I don't.

Mr. GRIFFIN. Do you recall any police officers up in the area of the armored car?

Mr. BEATY. No, sir; I don't.

Mr. GRIFFIN. Now, do you recall whether there was an officer—did you see an officer stationed up at the top of the Main Street ramp?

Mr. BEATY. No, sir; I couldn't see that way.

Mr. GRIFFIN. Is that because of the police that were stationed that you didn't have a straight view of the ramp?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. Now, as you looked over in this direction over here, could you see any police officers over in there? The place that I am indicating is in the direction of the Main Street ramp. Did you see any police officers?

Mr. BEATY. Yes, sir; some of those officers I mentioned, I don't remember exactly how they were stationed, which ones. The plainclothes officers were standing on this side here.

Mr. GRIFFIN. Could you tell us—I am not asking you who you subsequently learned was over there, but who you actually remember seeing in that line?

Mr. BEATY. I don't know. I couldn't tell you. The only reason I could on this report I made, I remember who all was down there. That I could remember. And I remember one was on our side, and I assumed the others were on the other side.

Mr. GRIFFIN. Now, as you look over here toward the TV cameras—

Mr. BEATY. I am not looking over there much.

Mr. GRIFFIN. If, when you did on occasions look over there, could you see people around the TV cameras?

Mr. BEATY. Yes.

Mr. GRIFFIN. Did you have any trouble distinguishing their faces?

Mr. BEATY. After the lights were on, you couldn't see nothing.

Mr. GRIFFIN. After the lights were on, you couldn't see anything over there?

Mr. BEATY. No.

Mr. GRIFFIN. Now, do you recall whether or not Captain Jones instructed the men that when Oswald was brought out from the jail office to where you men were standing, that you were supposed to begin to start walking alongside of Oswald toward the armored car?

Mr. BEATY. He told us to keep the path open, and then he changed this detail here and pushed them all back.

Mr. GRIFFIN. If all of the members of the press were along the Main Street ramp and were over behind, roughly behind the railing, or at least behind the TV camera in the direction of the garage area, what function did you people who were stationed along where you have marked your "X," that wall that you have your "X," and up the Commerce Street ramp, what function were you people going to have?

Mr. BEATY. I couldn't tell you. I couldn't tell you.

Mr. GRIFFIN. You certainly didn't expect that you were going to have any trouble from newspaper people, because you were all backed up against the wall, weren't you?

Mr. BEATY. I couldn't tell you, sir.

Mr. GRIFFIN. Now, before Ruby shot Oswald, what did you do?

Mr. BEATY. When?

Mr. GRIFFIN. Before Ruby shot Oswald.

Mr. BEATY. When we first, it occurred to me at the time that—you don't have policemen for 15 years, you don't have to sit down and draw them a diagram to have them cover somebody, and Captain Jones said make the way open, and it occurred to me that if we had to move around that corner, fine. At that time there were people all around here and out in the driveway.

Mr. GRIFFIN. At the time Captain Jones set you up, there had been people there? .

Mr. BEATY. Yes; there had.

Mr. GRIFFIN. You then displaced news people, is that right?

Mr. BEATY. No: whenever Captain Jones come back down, and I think he had Sergeant Putnam or Dean, and he instructed them all to get back there.

Mr. GRIFFIN. The area you are pointing to is on the opposite side from where you were?

Mr. BEATY. That's right.

Mr. GRIFFIN. Okay.

Mr. BEATY. If you go on with your interview, I can tell you what my opinion is why we was there.

Mr. GRIFFIN. That is what I want you to tell me, what your opinion was.

Mr. BEATY. Well, of course, the people from the press, they brought Oswald out here, they all, Captain Jones asked them to please don't ask him no questions, and let's get this over with as fast as we can. Those are not his exact words, but that is what he meant. So, we all moved back behind this line, and as they brought Oswald out to just about the entrance to the Commerce Street and Main Street ramp right along here——

Mr. GRIFFIN. Put a circle where Oswald was.

Mr. BEATY. The three of them were there along here.

Mr. GRIFFIN. All right. I have written "Oswald."

Mr. BEATY. And, by the way, after that they moved these people back, these officers on the north side of the hallway were moved out into the ramp area here.

Mr. GRIFFIN. These started to move out?

Mr. BEATY. Yes, sir; they did.

Mr. GRIFFIN. Now, how about the people on your side?

Mr. BEATY. There was only about four of us over there.

Mr. GRIFFIN. You people stayed where you were?

Mr. BEATY. Yes.

Mr. GRIFFIN. Let me ask you this. Do you think these people who were on the ramp side, which you call the north side——

Mr. BEATY. Yes, sir; I would call it the north side.

Mr. GRIFFIN. What you have called the north side opposite where you were standing, do you think those people began to move out sort of instinctively?

Mr. BEATY. No; they moved out before he got out there.

Mr. GRIFFIN. I see.

Mr. BEATY. And I am sure that there were some more officers that, I don't know, that were along here. They had two people stationed out here, a reserve and a—

Mr. GRIFFIN. Put an "X" where these reserves were.

Mr. BEATY. To keep these people from coming through here.

Mr. GRIFFIN. This was between the swinging doors and the main elevators?

Mr. BEATY. Yes.

Mr. GRIFFIN. All right, were there two reserve officers?

Mr. BEATY. No; they had one reserve and one officer stationed here.

Mr. GRIFFIN. All right.

Mr. BEATY. Yes, and before they brought Oswald out, there was some photographers in this area inside the jail office.

Mr. GRIFFIN. You have placed circles in the jail office where there were photographers?

Mr. BEATY. And they were removed by a uniformed officer and asked to come out here, or out here, or back here, and I recall some of them went this way and went on out and took their place.

Mr. GRIFFIN. Some of them went toward the garage area and some on the Main Street ramp?

Mr. BEATY. Some came back through these double doors, and were standing along this hallway like they might be going to try to photograph through the window. I remember one guy had a big shoulder camera and one at—at one of these windows here.

Mr. GRIFFIN. So, is it fair to say that one of the functions you people served in standing along the wall that you were on, was to make sure that as these photographers cleared out the jail office, they didn't line up along the wall?

Mr. BEATY. Yes; also, to double check this double door after he went by, and somebody might have gotten instructions, I don't remember whether they did or not.

Mr. GRIFFIN. Now, detective, after Oswald was shot, did you go into the jail office?

Mr. BEATY. Yes, sir.

Mr. GRIFFIN. Did you go upstairs with Ruby?

Mr. BEATY. No, sir.

Mr. GRIFFIN. What did you do after Ruby shot Oswald? After Ruby was taken upstairs? What did you do?

Mr. BEATY. Captain Jones said, "Do you have a car out," and I told him, "Yes, sir."

He said, "Get about five of these officers," and I don't remember which one, "and go to Parkland Hospital and help them with security." And within 5 minutes after he was shot, we were on our way to Parkland.

Mr. GRIFFIN. Do you remember if Sergeant Dean was out there?

Mr. BEATY. I don't think he was. He might have been. I didn't remember seeing him.

Mr. GRIFFIN. Do you remember if he went in your group?

Mr. BEATY. No; I am pretty sure of both of the detectives in our group.

Mr. GRIFFIN. How long did you remain at Parkland Hospital?

Mr. BEATY. Let's see, probably after 2 o'clock, maybe 3 o'clock that afternoon.

Mr. GRIFFIN. While you were out at Parkland Hospital, did you hear any rumors about how Ruby got down to the basement?

Mr. BEATY. No, sir.

Mr. GRIFFIN. When you got back to the police department, did you hear any rumors back there as to how Ruby got into the basement?

Mr. BEATY. No, sir.

Mr. GRIFFIN. How soon after you got back to the police station were you

asked to prepare a report to Chief Curry? Don't look at this. I want you to do this from your own recollection.

Mr. BEATY. Probably the next day. I don't even remember. I couldn't tell you. Somebody said, you got to write a report. But this was the second or third one. We wrote a little report along as we went to kind of, each day we have a daily report we turn in.

Mr. GRIFFIN. Did you write a report at the end of the day?

Mr. BEATY. I am not sure whether I did that or not.

Mr. GRIFFIN. Would you do this. After you leave, would you check back at the police department and find out if you did write a daily report.

Mr. BEATY. If I did, it would be a special assignment. It wouldn't have anything to do with the narcotics.

Mr. GRIFFIN. Would it have any details of what you did?

Mr. BEATY. No.

Mr. GRIFFIN. Now, I am going to mark this map we have been working with, "Dallas, Tex., Detective Beaty, March 26, 1964, Exhibit 5039." Now, is this Exhibit 5039 the document that you have been making marks on during this discussion?

Mr. BEATY. Yes; it is.

Mr. GRIFFIN. I wonder if you would sign that and then date it?

Mr. BEATY. [Signs and dates.] What is the date, the 26th?

Mr. GRIFFIN. Yes. All right, I am going to mark the interview report by Agents Dallman and Quigley of the interview with you on December 3, 1963, as "Dallas, Tex., Detective Beaty, 3-26-64——"

Mr. BEATY. That happened in Garland.

Mr. GRIFFIN. But we are marking it here in Dallas.

Mr. BEATY. Okay.

Mr. GRIFFIN. I am going to mark what purports to be a copy of a letter which you prepared to go to Chief Curry, which is dated November 27, 1963, and mark that "Dallas, Texas, Detective Beaty, 3-26-64, Exhibit 5041." I want you to look at 5041 and tell me if you had a chance to read that over?

Mr. BEATY. Yes.

Mr. GRIFFIN. Is that a true and accurate copy of a letter that you sent to Chief Curry?

Mr. BEATY. That looks like it might be; yes, sir.

Mr. GRIFFIN. You have read over both the interview report, Exhibit 5040, and this letter, Exhibit 5041? Other than the changes you have already made on Exhibit 5040, and the testimony which you have already given here today, are there any additions or corrections that you would want to make in either of these?

Mr. BEATY. Not that I can remember or think of. I have thought about it some since it happened to see if I could remember anything that I didn't tell the FBI agents, and I can't think of a thing. Actually, I didn't see a whole lot of the actual shooting.

Mr. GRIFFIN. Is there anything that you would want to tell the Commission that you think would be important to us in connection with our investigation?

Mr. BEATY. I don't think of a thing. You have covered it pretty well.

Mr. GRIFFIN. Did you and I have any interview of any sort prior to the time we took this deposition.

Mr. BEATY. You talked to me in the hall and said read this, is all.

Mr. GRIFFIN. I handed you Exhibits 5040 and 5041, but other than giving it to you and asking you to read it before the interview?

Mr. BEATY. No, sir.

Mr. GRIFFIN. Have you been interviewed by any other member of the Commission staff?

Mr. BEATY. You are speaking of the Warren Commission?

Mr. GRIFFIN. Yes, sir.

Mr. BEATY. No.

Mr. GRIFFIN. Now, other than the interview that you had with Dallman and Quigley on December 3, 1963, do you recall whether you were interviewed by any other Federal agent?

Mr. BEATY. No; I am pretty sure I wasn't.

TESTIMONY OF ALVIN R. BROCK

The testimony of Alvin R. Brock was taken at 9:30 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Alvin R. Brock, the patrolman, Dallas police department. Mr. Brock, my name is Leon Hubert, I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of the Executive Order 11130, dated November 29, 1963, joint resolution of Congress 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take a sworn deposition from you, Mr. Brock. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report on the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you Mr. Brock, the nature of the inquiry is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Mr. Brock, you have appeared here today by virtue of a general request made by J. Lee Rankin, general counsel of the President's Commission, to Chief Curry, asking him to make his men available. Under the rules adopted by the Commission you are entitled to 3-day written notice prior to the taking of this deposition, but the rules also provide that a witness may waive the 3-day written notice if he wishes to do so. And now I ask you if you are willing to waive the 3-day notice?

Mr. BROCK. Yes.

Mr. HUBERT. Will you stand then and raise your right hand so that I may swear you?

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. BROCK. I do.

Mr. HUBERT. Please state your name?

Mr. BROCK. Alvin R. Brock.

Mr. HUBERT. Your age?

Mr. BROCK. Twenty-five.

Mr. HUBERT. Where do you reside?

Mr. BROCK. 207 East Place, Ennis, Tex.

Mr. HUBERT. What is your employment?

Mr. BROCK. Patrolman, for the city of Dallas, police department.

Mr. HUBERT. How long have you been on the Dallas police department?

Mr. BROCK. Three and a half years.

Mr. HUBERT. Prior to that time, how did you make your living?

Mr. BROCK. Worked as assembler in aircraft.

Mr. HUBERT. Assembler—aircraft—what?

Mr. BROCK. As an assembler of aircrafts.

Mr. HUBERT. How long did you work at that?

Mr. BROCK. Once I worked for approximately a year, 10 months, Temco, and before that approximately a year and a half at Chance Vought.

Mr. HUBERT. I guess prior to that you were going to school?

Mr. BROCK. Prior to that I worked at Lone Star Gas for approximately a year, and high school before that.

Mr. HUBERT. You graduated from high school?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Now, what particular part of the police department are you in?

Mr. BROCK. Radio patrol.

Mr. HUBERT. That is under what captain?

Mr. BROCK. I work for Captain Talbert.

Mr. HUBERT. Cecil Talbert?

Mr. BROCK. I don't know his first name.

Mr. HUBERT. Cecil Talbert. And are you in one of the prowl cars?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Now, I'm going to ask you some questions about November the 24th. What time did you go on duty that day?

Mr. BROCK. 7:30 a.m.

Mr. HUBERT. Then your shift would have ended——

Mr. BROCK. 3:30.

Mr. HUBERT. P.M.?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Where did you report at 7:30?

Mr. BROCK. Well, assembly room, I guess is what you call it. We all reported there.

Mr. HUBERT. At the Dallas police department?

Mr. BROCK. In the basement of the city hall; yes, sir.

Mr. HUBERT. Then you are assigned to your cars and go cruising?

Mr. BROCK. Yes, sir.

Mr. HUBERT. And you had communication by radio, two men——

Mr. BROCK. We were working two men.

Mr. HUBERT. Who was with you that day?

Mr. BROCK. M. L. Wise.

Mr. HUBERT. Did you actually get out on the streets and start prowling?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Then what happened?

Mr. BROCK. We received a call from the dispatcher to call 511, that is radio patrol office.

Mr. HUBERT. And did you do that?

Mr. BROCK. And we called them and they advised us to come on down there as soon as we could.

Mr. HUBERT. What time did you get down there?

Mr. BROCK. It was a few minutes after 9. I don't know exactly.

Mr. HUBERT. What prowl car were you driving? Do you remember the number of it?

Mr. BROCK. We were working squad 71. That is the number of the squad, not the car.

Mr. HUBERT. Do you have a different car number every day or drive the same car usually?

Mr. BROCK. You mean the same——

Mr. HUBERT. Talking about squad 71—I mean, the automobile has a number on it, doesn't it?

Mr. BROCK. Yes; I don't recall what the number—we usually have the same one.

Mr. HUBERT. Same car? What did you do? Park your car in the——

Mr. BROCK. We took it down there and parked it in the alley there just north of the—on Commerce at Pearl Street, and walked on down to the city hall.

Mr. HUBERT. You parked it on Pearl Street, or in the alley?

Mr. BROCK. In the alley, just north of Commerce, just off Pearl Street.

Mr. HUBERT. That is the alleyway that runs from Pearl up to the back of the city hall building and then makes a right to Main Street?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Has the form of an L-shape, is that right?

Mr. BROCK. Yes.

Mr. HUBERT. You put it in that alleyway?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Did you drive it all the way up that alleyway up there?

Mr. BROCK. No, sir; it was down close to the street there.

Mr. HUBERT. But, you walked up the alley?

Mr. BROCK. No, sir; we walked back out on the street and then down to the building and then——

Mr. HUBERT. You didn't go in the building through the back door.

Mr. BROCK. No, sir.

Mr. HUBERT. Through that back door?

Mr. BROCK. No, sir.

Mr. HUBERT. Did you try the back door?

Mr. BROCK. No, sir.

Mr. HUBERT. In other words, you all parked your car near Pearl Street and didn't even walk up or ride up the alley at all?

Mr. BROCK. Oh, no; we walked back out and went down the street sidewalk.

Mr. HUBERT. Went down Pearl Street to Commerce?

Mr. BROCK. Went down Commerce, cut across a parking lot to Commerce, down to the city hall that way.

Mr. HUBERT. And you say it was about what time?

Mr. BROCK. A few minutes after 9.

Mr. HUBERT. All right.

Mr. BROCK. I don't know exactly.

Mr. HUBERT. Whom did you report to? What did you do?

Mr. BROCK. We reported to 511 patrol office, to Lieutenant Pierce.

Mr. HUBERT. That is Rio Pierce?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Rio Pierce, I think you call him?

Mr. BROCK. Yes, sir.

Mr. HUBERT. What orders did he give you?

Mr. BROCK. He told us just to sit down there for a few minutes, until they decided what they wanted us to do. Then about 9:20, I guess it was, he told me to go down to the basement and report to Sergeant Dean and Sergeant Putnam.

Mr. HUBERT. That is Patrick Dean, I think?

Mr. BROCK. P. T. Dean.

Mr. HUBERT. Did you report to him?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Then what happened?

Mr. BROCK. Sergeant Putnam assigned me on what they call the elevator area there, there in the basement at the east end of the basement.

Mr. HUBERT. About what time were you posted there?

Mr. BROCK. It would be about 9:30, I would imagine.

Mr. HUBERT. What were your orders?

Mr. BROCK. To not let anyone in except police officers and members of the press.

Mr. HUBERT. Into what?

Mr. BROCK. Into the basement area.

Mr. HUBERT. From what?

Mr. BROCK. Well, about from anywhere—see there was an elevator there that goes to the next floor on it—in the municipal building.

Mr. HUBERT. You are talking about the service elevator, are you?

Mr. BROCK. Yes, sir; there is a service elevator, and the other elevators, they were not working, but the service elevator was the one.

Mr. HUBERT. How do you know they weren't working?

Mr. BROCK. Well, I presumed they wasn't. They never did open the time I was—actual time I was there.

Mr. HUBERT. Were you aware of a fire staircase in that general area?

Mr. BROCK. There was a, I believe it is, right to the—right around the corner from the elevators on the—

Mr. HUBERT. Be to your—

Mr. BROCK. Be to the left of the elevators, I guess it would be then.

Mr. HUBERT. If you were facing the east elevator?

Mr. BROCK. Yes, sir; I was in a position where I could watch it and the elevator, too.

Mr. HUBERT. Now, I want—you know, it won't show up on here, so, I want to show you a map or chart of the basement area and in order to identify it so that the record may show that we are both talking about the same thing, I am going to ask you to sign this with me, and I am marking it, "Dallas, Texas, March 26, 1964." This will be Exhibit 5113, deposition of A. R. Brock. I am signing my name beneath that and I'll ask you to sign your name just for the purposes of identification. And now have a look at the map and I would just like you to put, not one spot, because obviously, you can't stand in one spot, but just sort of draw by making sort of an area, circle or oblong just the way you walked and watched.

Mr. BROCK. What I done, I was in a position here. I didn't move out of it.

Mr. HUBERT. All right, you can mark it then. Just put a circle.

Mr. BROCK. I would stay in this position where I could watch the stairs and the elevator, too.

Mr. HUBERT. You are facing, most of the time, toward Main Street?

Mr. BROCK. Well, I would be facing one or the other there.

Mr. HUBERT. Where you marked the circle, I am drawing a line from it, then I am writing, "Position of A. R. Brock during the time he was guarding elevators and staircase." Right?

Mr. BROCK. Yes, sir.

Mr. HUBERT. I am putting a circle around that language and connecting it by a line to the circle that you drew showing your position. I think you have testified that all the time you were there, the regular service elevators, which are on this chart, denoted as elevators Nos. 1 and 2, weren't working at all?

Mr. BROCK. They never opened them the entire time.

Mr. HUBERT. Did anybody go up or down the staircase here, which I am marking by putting in "X"?

Mr. BROCK. No one went in or downstairs on the staircase.

Mr. HUBERT. Did you ever—did you observe this first aid station?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Did you see anybody come in or go out of that the whole time you were there?

Mr. BROCK. At the time that I was assigned there, the doctor was in the first aid station, and Sergeant Putnam contacted him and told him he would have to leave the basement area.

Mr. HUBERT. So, he got out?

Mr. BROCK. No one entered after that.

Mr. HUBERT. By the way, I think you stated the time that you were posted, but let's repeat it to be sure.

Mr. BROCK. I think it was about 9:30.

Mr. HUBERT. And you stayed there how long?

Mr. BROCK. Oh, I believe it was 10:45 when I left there.

Mr. HUBERT. All right, now. Was there any—any people either entered or left this service elevator during the time you were there?

Mr. BROCK. When I first got down there there were three city employees and the elevator operator standing there at the door of the elevator around in front, looking around, just seeing what was going on and shortly after I got there, I told them they would have to leave the basement.

Mr. HUBERT. Were they in some kind of a janitorial uniform so that you could tell that they were employees?

Mr. BROCK. I have seen them before.

Mr. HUBERT. Do you know their names?

Mr. BROCK. No, sir; I don't know.

Mr. HUBERT. Men and women?

Mr. BROCK. There was one woman. I haven't seen her before, but from what I gather, the way she was talking to the others, she was a telephone operator there at the city hall.

Mr. HUBERT. White woman?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Were they all white people?

Mr. BROCK. No, sir; there was one building engineer. Engineer, I believe, is what he was called—a white man. There was a Negro, two Negroes, one was the elevator operator, one parked cars in the basement there.

Mr. HUBERT. Well, you made them all go upstairs?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Did they come down any more?

Mr. BROCK. The elevator came down one other time. Sergeant Putnam brought one of the TV men over there, wanted to go up the fourth—fifth floor to do some kind of work with the equipment there, and the elevator come and picked him up and went up and brought him back in a few minutes, and that was the only person went up or down the elevator.

Mr. HUBERT. As long as you were there?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Did you all give the elevator operator any instructions about what he was to do?

Mr. BROCK. We told him to take it up on the first floor and not bring it back in the basement, that is, open the door of it in the basement.

Mr. HUBERT. That was after the TV man had been brought up and down?

Mr. BROCK. Yes, sir.

Mr. HUBERT. In other words, at that point, after the TV man had been brought up and down, he was issued instructions, "Now, don't come down here any more."

Mr. BROCK. Yes.

Mr. HUBERT. And all the time you stayed there he didn't?

Mr. BROCK. It didn't come down any more.

Mr. HUBERT. Who got off of that spot at 10:45?

Mr. BROCK. Sergeant Putnam.

Mr. HUBERT. Where did he put you after that?

Mr. BROCK. He assigned me over to a traffic intersection where the auto was going to take to the city jail—county jail.

Mr. HUBERT. And you went and helped there?

Mr. BROCK. Yes, sir.

Mr. HUBERT. You drove?

Mr. BROCK. My partner drove; M. L. Wise drove my car.

Mr. HUBERT. Dropped you off?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Where did he drop you off?

Mr. BROCK. Elm and Ervay.

Mr. HUBERT. And you stayed there for how long?

Mr. BROCK. Until about 11:30.

Mr. HUBERT. Who relieved you then?

Mr. BROCK. 11:30 my partner picked me up and reported to Parkland.

Mr. HUBERT. How long did you stay at Parkland? What time did you get there and what time did you leave, we'll put it that way.

Mr. BROCK. I would just be guessing. Stayed there probably an hour or hour and a half.

Mr. HUBERT. Did you see any reserve officers around?

Mr. BROCK. Where?

Mr. HUBERT. Parkland?

Mr. BROCK. There was lots of officers out there. I don't remember seeing any reserve officers out there.

Mr. HUBERT. Actually, can you tell the difference from the uniforms?

Mr. BROCK. Yes, sir.

Mr. HUBERT. What? The badge?

Mr. BROCK. They have a patch on their arm that says, "Dallas Police Reserve Officer," or "Reserve Officer," of some sort and they don't carry guns. All they carry is a nightstick.

Mr. HUBERT. Do you know a reserve officer by the name of Newman?

Mr. BROCK. No, sir; I don't. I don't know any of them, I don't guess, by name, that I can recall right now.

Mr. HUBERT. All right. Did you see another officer on duty in the basement but closer to the ramp that runs between Main and Commerce?

Mr. BROCK. There was a, I believe, a reserve officer standing somewhere in this area.

Mr. HUBERT. Now, the arrow points—let the record show that the arrow pointed to by the witness is being marked by me with a circle, and I am writing, "Position of Reserve Officer, as testified to by A. R. Brock," and I am putting a circle around that language and connecting it with this smaller circle. Do you know that reserve officer's name?

Mr. BROCK. No, sir; I just noticed him there. I didn't—

Mr. HUBERT. Did he stay there about the same time you did?

Mr. BROCK. I believe he was still there or somewhere in that area when I left, and there was another reserve officer assigned in this area here [indi-

cating], because he was walking around, back and forth in this area around the staircase and around where I was assigned, also.

Mr. HUBERT. Well, suppose I draw a line, I will start the line with "1," and—

Mr. BROCK. I would say he went over in this area rather than come up on it this way.

Mr. HUBERT. He went out to about the place marked "2" and I am putting the number "1" and "2" in a circle. Now, the line "1" and "2" is where you saw this reserve officer walking up and down?

Mr. BROCK. Yes, sir.

Mr. HUBERT. But, you don't know his name?

Mr. BROCK. No, sir.

Mr. HUBERT. Was he there when you first got there?

Mr. BROCK. No, sir.

Mr. HUBERT. He came later? Was he there when you left?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Now, I think you have read these two statements?

Mr. BROCK. Yes, sir.

Mr. HUBERT. I want to mark them for identification as follows: "An FBI report of an interview of you made by FBI Agents Wilkinson and Hardin on December 4, 1963, for identification. I am marking it, "Dallas, Tex., March 26, 1964. Exhibit No. 5114, deposition of A. R. Brock." And signing my name underneath it. It has two pages, and so, I am placing my initials in the left-hand corner on the second page, and I'm also marking for identification what seems to be a copy of a letter dated November 26, addressed to Chief Curry, the original, apparently, has been signed by you, and I am marking it, "Dallas, Tex., March 26, 1964, Exhibit No. 5115, deposition of A. R. Brock." I am signing my name. It has only one page. Now, I understand that you have read both of these documents?

Mr. BROCK. Yes, sir.

Mr. HUBERT. Have you any comment to make? I would like you to express yourself as to whether those documents represent the truth and are they complete, or do they have omissions or should anything be deleted as wrong or just tell me your thoughts about the documents dealing first with the FBI report which has been marked "5114"?

Mr. BROCK. These are true, to the best of my memory.

Mr. HUBERT. Is that true of 5115, too?

Mr. BROCK. That would be the other one? Yes, sir.

Mr. HUBERT. Have you any comment to make on these? Do you think they represent what you know?

Mr. BROCK. Yes, sir; they—I think they represent all that I know about it.

Mr. HUBERT. Would you say that between those two documents, to wit, 5114, 5115, and the material we got on the chart and your deposition, itself, that we now know just everything you know about the matter?

Mr. BROCK. Yes, sir.

Mr. HUBERT. All right, sir; do you care to add anything else in any way?

Mr. BROCK. No, sir; I don't know of anything else that would—

Mr. HUBERT. All right. Now, have you been interviewed by me or any other member of the Commission staff prior to the starting of this deposition?

Mr. BROCK. No, sir.

Mr. HUBERT. All right, that's all. Thank you.

TESTIMONY OF DETECTIVE B. H. COMBEST

The testimony of Detective B. H. Combest was taken at 9 a.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of B. H. Combest. Mr. Combest, my name is Leon D. Hubert, and I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution I have been authorized to take a sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Combest, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Mr. Combest, you appeared here today by virtue of a general request made to your Chief Curry by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of the deposition, but the rules, however, also provide that a witness may waive this notice. Are you willing now to waive the 3-day notice?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Will you raise your right hand to be sworn, please?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. COMBEST. Yes.

Mr. HUBERT. Will you please state your name, sir?

Mr. COMBEST. Billy H. Combest.

Mr. HUBERT. Now, your name is Billy and not William?

Mr. COMBEST. Yes, sir; it is Billy.

Mr. HUBERT. And your age?

Mr. COMBEST. Thirty-three.

Mr. HUBERT. Where do you reside, sir?

Mr. COMBEST. 2803 Linhaven, Mesquite, Tex.

Mr. HUBERT. Mesquite, Tex.

Mr. COMBEST. Yes, sir.

Mr. HUBERT. What is your occupation, sir?

Mr. COMBEST. Detective for the city of Dallas Police Department.

Mr. HUBERT. And how long have you been so employed?

Mr. COMBEST. With the department a little over 9 years. I have been a detective about 4 years.

Mr. HUBERT. Were you on duty on Sunday, November 24th, 1963?

Mr. COMBEST. Yes, sir, I was.

Mr. HUBERT. Was that one of your regular working days or had you been called in specially?

Mr. COMBEST. No, my regular working day.

Mr. HUBERT. Do you know Jack Ruby?

Mr. COMBEST. Yes, sir; I did.

Mr. HUBERT. How well did you know him?

Mr. COMBEST. Well, I knew him very well by sight. I had seen him numerous occasions before, over a period of approximately 4, 4½ years. I knew him through business with the—checking his location for violations, routine checks by the police.

Mr. HUBERT. Would there be any doubt that you would recognize him as soon as you saw him?

Mr. COMBEST. No, sir.

Mr. HUBERT. You would recognize him even in a crowd of people?

Mr. COMBEST. Yes, sir; I would have.

Mr. HUBERT. Would it make any difference in your recognition if he had a hat on or not?

Mr. COMBEST. No, sir.

Mr. HUBERT. Now, Mr. Combest, I ask you to identify some documents and in order for the record to show that we are talking about the same thing, I am going to mark them. I now mark what appears to be a copy of a letter

dated November 26, 1963, addressed to J. E. Curry, chief of police, and the original apparently was signed by you, as, "Dallas, Texas, March 26, 1964. Exhibit No. 5099. Deposition of B. H. Combest." I am signing my name Leon D. Hubert, Jr., on the first page. On the second page, I am placing my initials in the lower right-hand corner. I am also marking for identification what purports to be a report of the FBI of an interview with you by Special Agents Dallman and Quigley on December 2, 1963, consisting of four pages, putting on this first page, in the right side margin the following, "Dallas, Texas, March 26, 1964. Exhibit No. 5101. Deposition of B. H. Combest." I am signing my name on the first page below that and placing my initials in the lower right-hand corner of the three succeeding pages. Now, Mr. Combest, you have read the letter dated November 26, addressed to Chief Curry, which I have marked Exhibit 5099. Does that document represent the truth, so far as you know it?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Have you any comments to make about it?

Mr. COMBEST. No, sir.

Mr. HUBERT. All right. Now let's turn to a document which I have marked 5101, which is the FBI report, and I will ask you if you have read that?

Mr. COMBEST. Yes, sir; I have.

Mr. HUBERT. If you have any comments to make on that, corrections, deletions, anything been omitted?

Mr. COMBEST. Well——

Mr. HUBERT. In other words, I want to know whether this represents a true, full statement of the interview and what you said, or didn't say, and let's have an explanation of it.

Mr. COMBEST. Okay, sir. On the fourth page there, the third paragraph where——

Mr. HUBERT. Yes.

Mr. COMBEST. They relate to the person named as Newman. They misunderstood me, evidently, on that. He does work at the Theatre Lounge as it so states there, but Ruby does not have anything to do with the Theatre Lounge. This is another so-called strip joint in the downtown area.

Mr. HUBERT. Here is the sentence we are talking about. "He did recall, however, that an individual by the name of Newman, first name unknown, was formerly district supervisor for the liquor control board, worked for Ruby at the Theatre Lounge." Now, your statement is that that is an incorrect statement of what you said?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Will you correct it, please?

Mr. COMBEST. Well, the question was did I know of any police officers that had worked for Ruby.

Mr. HUBERT. Yes.

Mr. COMBEST. At the time I told him, "No," I did not and I explained possibly where they had gotten their information was that a reserve police officer had made a statement to some news media that he had worked for Jack Ruby, but he is not a regular policeman for the city of Dallas, and I also told him that possibly what they had heard that this L. L. Newman, who formerly worked for the Texas Liquor Control Board was working at the Theatre Lounge in the downtown area, and possibly that was what they had heard.

Mr. HUBERT. In other words, you actually told them that there were two Newmans involved, one who had been a reserve officer——

Mr. COMBEST. No, sir; I do not recall the name of the reserve officer.

Mr. HUBERT. Two different individuals, one, who had been a reserve officer and one who had been with the Texas Liquor Control Board?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And your statement to them was that possibly what they were thinking about when they were questioning you was that the Newman who had worked for the Texas Liquor Control Board was the one you thought had once worked for the Theatre Lounge?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, did Ruby have any connection with the Theatre Lounge?

Mr. COMBEST. No, sir; none whatsoever.

Mr. HUBERT. Who did, as a matter of fact?

Mr. COMBEST. It is either Abe or Barney Weinstein. One of the brothers owned the Theatre Lounge. One of the brothers owns the Colony Club.

Mr. HUBERT. Now, I think that perhaps I should call your attention to the next sentence, too, because you may want to correct it in the light of this testimony. The next sentence which is the last sentence of the very top paragraph of the last page of Exhibit 5101 reads as follows: "Newman terminated his employment with the State about a year and a half ago and it would have been possibly about that time that he started working for Ruby."

Mr. COMBEST. No; there again, evidently they misunderstood me. It was possibly that time that he went to work for the Theatre Lounge.

Mr. HUBERT. All right. Have you any other comments to make with reference to the FBI report, which is Exhibit 5101?

Mr. COMBEST. Well, I believe it is on page 3, first paragraph, in—where they say, I didn't—didn't observe Ruby make any statement at the time of the shooting, could not recall Ruby making statements.

Mr. HUBERT. All right. Now, I understand that you wish to comment on or make some correction in a sentence on the third page of Exhibit 5101, which sentence begins on the sixth line from the top of the page and reads as follows: "As best he could recall Ruby had what could be described as a determined look, or grimace on his face, and he could recall Ruby making no statement in conjunction with his action." Now, I understand you want to comment on that sentence?

Mr. COMBEST. Yes, sir; it may be correct as it is said there. I don't—the way I was—the way I say it is not exactly the way I meant it. I told them he was talking. He was making statements but I could not recall anything word by word to tell them or any exact words that he said at the time.

Mr. HUBERT. Well, I suppose that is true now, that you can't recall any exact words that he said at the time.

Mr. COMBEST. Yes.

Mr. HUBERT. But, can you tell us without using the exact words, the sense of what he was saying?

Mr. COMBEST. Well, it appeared to me that at the time he was cursing Oswald, but again, I wasn't close enough to hear the words, his exact words. I could tell he was talking, tell he was making some statements, but I cannot recall anything he said exactly. I wasn't that close.

Mr. HUBERT. I see. In other words, what you are really changing to, instead of the affirmative statement that you couldn't recall Ruby making any statement, you are changing it to say you think he was saying something but you couldn't hear?

Mr. COMBEST. Yes, sir; that's right.

Mr. HUBERT. What other corrections do you have then?

Mr. COMBEST. That's all I have, sir.

Mr. HUBERT. With the corrections that you have noted in the FBI report, which have been marked for identification as Exhibit 5101, did you consider that the FBI report is a fair statement of what you said to the FBI agent involved?

Mr. COMBEST. Yes, sir; I do.

Mr. HUBERT. And it represents the truth?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, and so that the record may show that we are both speaking of the same document, I would like you to sign your name below mine here on Exhibit 5099 and initial the second page below my initial, and do the same thing with Exhibit 5101.

Mr. COMBEST. Yes, sir. Did you say that there was four pages on that earlier? There are five, I believe, aren't there?

Mr. HUBERT. Beg your pardon, sure are. It has been brought to my attention that Exhibit 5101, which I have previously identified as having four pages, in fact, has five, and I notice now that I have failed to place my initial on the second page, apparently having missed it, so, I now place my initial on the second page. All being initialed now. I have marked for identification a chart, or floor plan of the Dallas Police Department basement area showing

the jail office, the parking area, down ramp from the Main Street, the upper ramp to Commerce Street, and for the purpose of identification with this testimony, I have marked this document as follows: "Dallas, Texas, March 26, 1964. Exhibit 5100. Deposition of B. H. Combest." I have signed my name under that in order also that we may recognize that we are talking about the same document. I will ask you to put your signature below mine on that document, sir.

When did you first learn about the time of the plan to transfer Oswald?

Mr. COMBEST. Sometime late the preceding day that I heard it through the news media that we were going to transfer him the next morning, and I don't recall the exact time, but the time of transfer was supposed to be pretty early the next morning, the way I understood it.

Mr. HUBERT. You mean 5 or 6?

Mr. COMBEST. Well, 7 or 8.

Mr. HUBERT. What time did you come on duty?

Mr. COMBEST. I believe it was 9 o'clock in the morning.

Mr. HUBERT. Didn't your shift go on at 7, your regular shift?

Mr. COMBEST. No, sir.

Mr. HUBERT. On Sunday it begins at—

Mr. COMBEST. We have a 9 to 5, and a 10 to 6 squad working Sundays.

Mr. HUBERT. Well, I know that, the FBI report indicates that. But, you reported to central police headquarters at 7 a.m.?

Mr. COMBEST. No, sir; I overlooked that.

Mr. HUBERT. That is incorrect then?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. So, you want to change the first sentence of the third paragraph on the first page? Exhibit 5101 which states you reported at 7 a.m., to show that you reported at 9 a.m., on that Sunday, November 24?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Did you have any particular assignment as to the transfer of Oswald?

Mr. COMBEST. No, sir; not before, just shortly before the transfer.

Mr. HUBERT. In other words, from 9 o'clock when you reported until you were given the assignment which we are going to in a minute, you went about your normal duties?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, who gave you that particular assignment and what was it?

Mr. COMBEST. Well, it was Captain Jones who works in the forgery bureau of the Dallas Police Department. He came through the basement of the jail and talked to Detective Beaty and Officer J. D. Hutchinson and, I believe, some other officers there at the time, and told us to remain in the basement and we would be given more specific orders shortly.

Mr. HUBERT. What time was that about?

Mr. COMBEST. I would have to refer to my letter there. I don't remember at this time.

Mr. HUBERT. The letter says 10:50 approximately 10.50, is that about right?

Mr. COMBEST. Yes.

Mr. HUBERT. What did you do?

Mr. COMBEST. We remained there in the basement and shortly Captain Jones came back off the elevator with what appeared to be all the on-duty officers in the building at that time. He told us to go outside the jail office in the parking area and into the basement, itself, and there he would station us.

Mr. HUBERT. Did he do so?

Mr. COMBEST. Yes, sir; he did. When he got outside he told us to form a line either side of the passageway leading into the ramp where the vehicles were parked to transfer Oswald, and he gave us orders not to let anyone rush in, not let the lines close in. He also told us to make sure that they didn't fall in behind him, to follow him out after they had passed.

Mr. HUBERT. So, there was a line formed on either side of the jail corridor from the jail door to the basement area where the car was to transport Oswald?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, if you will step over here, please, and have a look at this

mockup here. First of all, this is the inside jail office. This is really—this is the corridor swinging door. This is the outside corridor of the jail door. Now, looking at this first, try to fix your position and then I'm going to ask you to place your position on this map once you have related this map to the mockup, so we will have a record on this map of where you were.

Mr. COMBEST. Yes, sir; would have been standing just about here [indicating], just almost to the corner.

Mr. HUBERT. Now, I am placing—is this it?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. I am placing a circle where you say you were standing. That is just off the corner of the intersection formed by the jail corridor and the basement ramp, but toward the swinging door in the basement and the jail office?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Right?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And, I'm going to put there, "Position of Combest as stationed by Jones." Is that correct?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. I am circling that language and attaching the language to the circle that you have indicated. Now, what time did you reach the position that we just marked on the map?

Mr. COMBEST. It would have been approximately 20 minutes before the shooting, which would have placed it at 11, wouldn't it? 11 a.m.

Mr. HUBERT. Did you remain at that position until the shooting?

Mr. COMBEST. Yes, sir; I did.

Mr. HUBERT. Of course, I understand that you didn't remain absolutely still, but you didn't walk around?

Mr. COMBEST. No, sir; I stayed in that immediate area right there.

Mr. HUBERT. Do you remember who was on your right?

Mr. COMBEST. R. L. Lowery. Detective R. L. Lowery.

Mr. HUBERT. I am going to mark his position. That would have put him almost—

Mr. COMBEST. Right at the corner.

Mr. HUBERT. Right at the corner?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. I am marking that, encircling the language, "Position of R. L. Lowery," and do you remember who was to your left?

Mr. COMBEST. Detective Beaty, Detective B. L. Beaty.

Mr. HUBERT. You were facing in the direction of the Main Street ramp, in the parking area on the Main Street side of the building?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And you were there for approximately 20 minutes?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Could you see out into the parking area on the Main Street side of the building?

Mr. COMBEST. No, sir; I could not. They completely blocked me, television cameras and newsmen on this side—on this side of the rail, and of down in the basement, itself.

Mr. HUBERT. I am marking an area which I am going to call "area B," with an oblong circle. Is that the area you are talking about?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And you say that "area B," had television cameras and personnel attending them?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And other people there, so that you were unable to see into the parking area, is that correct?

Mr. COMBEST. That's correct.

Mr. HUBERT. Now, I'm going to mark another area, "area A," and ask if there were any people standing in that area?

Mr. COMBEST. Yes; there were.

Mr. HUBERT. Roughly, how many?

Mr. COMBEST. There were several officers standing here [indicating]. There were some——

Mr. HUBERT. When you say "here," you are just pointing to the Commerce Street side of the area that I have marked "area A"?

Mr. COMBEST. Yes, sir; also down the line.

Mr. HUBERT. In other words, they were on the opposite side of the corridor from you?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. A semicircle curving toward Commerce Street?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And I'm marking a line, which I am going to start off at a point called "1," and have it curve over to a point called "2," is that approximately the line you are talking about?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, on that line from "1," to "2" you say there were a number of detectives, or members of the police department?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Did you recognize any of them?

Mr. COMBEST. Well, I remember "Blackie," that is the nickname, Harrison.

Mr. HUBERT. That is W. J. Harrison?

Mr. COMBEST. Yes, sir; I believe it is.

Mr. HUBERT. Where was he, about?

Mr. COMBEST. I don't recall exactly. I know that he was on that side, and I lost contact with him as soon as Oswald started out. I don't remember if he had moved, or if he was still standing directly across.

Mr. HUBERT. He was in front of the people that I have marked here in "area B," and "area A"?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Well, other than the detective, how many people do you suppose were in that "area A," right back of the curving line marked "1" to "2"?

Mr. COMBEST. It would be an estimate on it at this time. I don't recall. There were several. I would say 15, at least.

Mr. HUBERT. Do you think they were standing shoulder to shoulder?

Mr. COMBEST. Yes; it was pretty crowded all the way around.

Mr. HUBERT. That would make about what, two or three ranks of people?

Mr. COMBEST. I don't recall exactly. I know there was a very large crowd in the basement that day.

Mr. HUBERT. You are talking about the whole basement?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Were there any people in the area which I am marking roughly by an oblong figure, "area C," which is the ramp leading from the parking area into Main Street, Commerce Street ramp?

Mr. COMBEST. Yes, sir; there were.

Mr. HUBERT. Did you go in there, too?

Mr. COMBEST. Yes, sir; there were several people there, newsmen and also, several officers stationed in that area out there.

Mr. HUBERT. Now, were the television lights on all the time you were standing there?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Did they bother you?

Mr. COMBEST. Yes, sir; they did.

Mr. HUBERT. In what way?

Mr. COMBEST. Well, when we first came downstairs it was a little hard to distinguish faces in this area here [indicating].

Mr. HUBERT. "Area B," the witness is pointing to "area B."

Mr. COMBEST. And until you got used to them it was pretty hard to look into them.

Mr. HUBERT. Did you get used to them?

Mr. COMBEST. Yes, sir; I was pretty well used to them at the time the actual transfer took place.

Mr. HUBERT. So, you could distinguish faces of people in "area B"?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Could you distinguish faces in "area A"?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. The lights gave you no trouble by the time the transfer actually took place, is that correct?

Mr. COMBEST. Yes, sir; that's correct.

Mr. HUBERT. All right. When did you first see Ruby in that crowd?

Mr. COMBEST. Just as they started to lead Oswald past me, at the corner there I observed him lunge from the crowd. Almost the whole line of people pushed forward when Oswald started to leave the jail office, the door, the hall—all the newsmen were poking their sound mikes across to him and asking questions, and they were everyone sticking their flashbulbs up and around and over him and in his face. I don't—when he first lunged forward I don't think anyone noticed him. I didn't until he came apart from the crowd and continued on towards Oswald.

Mr. HUBERT. Now, did he come from the area—we have marked on this Exhibit 5100, as "area A," or as "area B," sir?

Mr. COMBEST. The best I could tell he would be coming approximately half way between them there, between what you have marked as "area A," and "area B."

Mr. HUBERT. Sort of from the corner there?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. I would like for you to take the pen and mark an "X" on the spot that you first saw Ruby.

Mr. COMBEST. About approximately [indicating], because—

Mr. HUBERT. This was really the front line "1," through "2."

Mr. COMBEST. Yes, sir.

Mr. HUBERT. And I'm writing on the map, "Position where Ruby was first seen by Combest." Was he standing still then?

Mr. COMBEST. No, sir; he was stepping forward and—or lunging forward, I guess would be the best way to put it.

Mr. HUBERT. You had not seen him, of course, prior to that moment?

Mr. COMBEST. No, sir; I had not.

Mr. HUBERT. Had you seen him in the crowd at all?

Mr. COMBEST. No, sir; I had not.

Mr. HUBERT. Had you seen him coming down?

Mr. COMBEST. No, sir; when I was standing with the crowd I couldn't see the ramp there, the Main Street ramp.

Mr. HUBERT. You could see a part of it, couldn't you, the bottom?

Mr. COMBEST. Well, no, sir; it slanted up and they had an air conditioner sitting across here where you have to be almost in your—standing directly in the bottom of the ramp you couldn't see the top of it very clearly.

Mr. HUBERT. But, you testified that you knew Ruby's face well enough so that you could distinguish it in a crowd?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. You had looked into that crowd and your eyes had become accustomed to the lights?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Now, I ask you if you saw him in the crowd before he lunged forward?

Mr. COMBEST. No, sir.

Mr. HUBERT. Do you think you would have seen him had he been in that crowd during the 15 minutes or so prior to that shot, the shooting?

Mr. COMBEST. Quite possibly if he had been there very long I believe I would have spotted him. I might not have, but knowing that he didn't belong there I believe I would have spotted him right off.

Mr. HUBERT. Well, now, what precautions were taken to assure that people who did not belong there would not be there?

Mr. COMBEST. Well, everyone that went out into the basement from the jail office had to have the press card, proper identification showing that they were members of the press and police officers. Other than that no one was admitted to the basement parking area.

Mr. HUBERT. What kind of press cards were honored, and what were dishonored?

Mr. COMBEST. Well, most of the news personnel there had the—had a press card for that—I don't remember the wording. It was something about—"Presidential press party," or something that they had. Of course, it was recognized and then any other card that did have their picture on it, and it had to say they were a member of a press, any newspaper. I remember the Oklahoma City newspaper came in, and they were admitted with their press cards.

Mr. HUBERT. Did they have to have their picture on the press cards?

Mr. COMBEST. The ones I checked, I remember now I wasn't actually stationed there at the cars. There were two uniformed officers here who were actually doing the checking. Of course, I did check some to expedite travel through that narrow corridor.

Mr. HUBERT. What I'm trying to get at, there were no particular press cards issued for this particular occasion?

Mr. COMBEST. Not that I recall; no, sir. Not that I know of.

Mr. HUBERT. Do you remember any instances in which you were involved or in which you observed in which persons who were not properly—who didn't have a press card, were removed or questioned?

Mr. COMBEST. Yes, sir; in my letter there to Chief Curry I recall there was a girl that worked at the police information desk, which is in the basement, by the records bureau, had went out into the basement, at least on one occasion to summon officers that were wanted on the telephone. On the next time that I noticed her start to go into there, she was stopped by Sergeant Putnam, as I recall it. He advised her that she would not go into the basement if she had messages to officers that were in the basement, and she was not to leave her assignment behind the information desk until the transfer was over. Also, to a civilian employee that worked in the jail booking office proper. He had come out into the parking basement, appeared to have a look around to see what was going on. He was told to get back behind the desk in the jail booking office and remain there until after the transfer was over. Also, one other incident, I think I have also put in my letter there and regarding a reporter for the Oklahoma City News, I believe his name is Jim Standard. He did not have a press card. He was stopped and questioned, but he did have proper identification to prove that he did work for the Oklahoma City newspaper. He had a hospitalization card made out to a group policy of this newspaper in Oklahoma City. Had some letters and correspondence to him, addressed to him at that location, and after convincing myself and Beaty, he convinced Captain Talbert that he was a legitimate member of the press and he was admitted. Two or 3 days after the incident I was in Oklahoma City and I saw the article he had written showing this incident in Dallas and his picture was also in the Oklahoma City paper, and I remembered him. I recognized him. And he wrote a pretty good article on the security in the basement.

Mr. HUBERT. Did you speak to Ruby after the shooting?

Mr. COMBEST. No, sir.

Mr. HUBERT. Did you hear him say anything?

Mr. COMBEST. Again, I heard him talking when he came into the jail office proper, where the booking office is located. As I recall it, they laid him on the floor to put the handcuffs on him more securely. He was talking then as they led him past the spot where Oswald was laying, near the elevator, to take him to jail. He was also talking. He was looking in the direction of Oswald and was talking to the officers that were leading him away. I don't recall any specific statement he made.

Mr. HUBERT. Did you hear Oswald say anything?

Mr. COMBEST. No, sir. He—I didn't hear him say a word hardly, after he had been shot. He was moaning at the time Jimmy Leavelle, Graves, and I laid him down on the floor and removed the handcuffs that he had on him.

Mr. HUBERT. That was in the jail office?

Mr. COMBEST. Yes, sir. At the time I asked him and talked to him trying to get him to make a statement to me at the time. Especially, after I realized how serious the wound was. When we first asked him he appeared to comprehend what I was saying.

Mr. HUBERT. What did you ask him?

Mr. COMBEST. Well, I told him was there anything that he wanted me to tell anybody or was there anything he wanted to say right now before it was too late, and I don't remember my—exactly the words that I did say to him, but after I realized the seriousness of the wound, of course, trying to let him know if he was ever going to say anything he was going to have to say it then.

Mr. HUBERT. You thought he was dying?

Mr. COMBEST. Yes, sir; I did.

Mr. HUBERT. And do you think you used language to him to convey to him your idea that he was dying?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Did you get any indication that he actually understood what you were trying to convey to him?

Mr. COMBEST. When I first started asking him he did. He looked up at me, seemed to recognize that I—who was talking to him.

Mr. HUBERT. You don't mean that he recognized you as a person?

Mr. COMBEST. He recognized that I was the person talking to him.

Mr. HUBERT. But, he didn't say anything?

Mr. COMBEST. No, sir; just shook his head and I said, "Do you have anything you want to tell us now," and he shook his head.

Mr. HUBERT. He did not say the word "No"?

Mr. COMBEST. No, sir; he did not say anything at all.

Mr. HUBERT. Did you indicate to him that if he had any accomplices or wanted to clarify the shooting of the President, that he had better do it right quick?

Mr. COMBEST. Not in those words. I didn't mention "accomplice," or anything. I was real excited at the time but I kept talking to him as long as I thought that he would try to answer me, hoping that he would give a dying declaration on the shooting.

Mr. HUBERT. And you think you used language sufficiently clear to him to indicate to him that in your opinion he was dying and on account of the fact that he was dying it was just about the last time he would have a chance to say anything about the shooting of the President, or the shooting?

Mr. COMBEST. Yes, sir; that's correct.

Mr. HUBERT. Did you see Ruby thereafter?

Mr. COMBEST. What was the question, sir?

Mr. HUBERT. Did you see Ruby, thereafter?

Mr. COMBEST. I didn't see him until after he had passed through the jail office. Now, in the jail elevator. The next time I saw him at the preliminary hearing in Judge Brown's office in the court house.

Mr. HUBERT. You didn't hear him say anything else?

Mr. COMBEST. No, sir.

Mr. HUBERT. Had you heard anything that would indicate to you that any member of the police department actually saw Ruby in the garage prior to the shooting?

Mr. COMBEST. No, sir; not on this day, this particular day.

Mr. HUBERT. I am talking about this day.

Mr. COMBEST. No, sir.

Mr. HUBERT. Did any member of the police department ask you whether you had seen Ruby prior to the shooting?

Mr. COMBEST. Yes, sir.

Mr. HUBERT. Who was that?

Mr. COMBEST. Lieutenant Revill, Jack Revill and Lieutenant Cornwall. Now, they were members of a group that were investigating within the police department, and I was interrogated by them as to if I had seen him that day.

Mr. HUBERT. And your answer was the same as it was—

Mr. COMBEST. Yes, sir; it was "no."

Mr. HUBERT. Was there any suggestion by these gentlemen or anybody else that you should say that you had not seen him?

Mr. COMBEST. No, sir; none whatsoever.

Mr. HUBERT. Have you any other statements or comments that you would like to make that have not been said or reported in any way that you know of by you concerning the matter that we have been talking about this morning?

Mr. COMBEST. No, sir; I don't know.

Mr. HUBERT. It is your opinion, and concerning your letter, which has been identified as 5099, the FBI report of the interview with you which has been identified as 5101, and this deposition today represents all you know about this, completely?

Mr. COMBEST. Yes, sir; it does.

Mr. HUBERT. And all of it is correct and true?

Mr. COMBEST. Yes, sir; it is.

Mr. HUBERT. All right, sir. Now, has there been any interview between me and you, or you and any other member of the Commission's staff other than this deposition this morning?

Mr. COMBEST. No, sir; there have not.

Mr. HUBERT. Thank you very much, sir.

TESTIMONY OF KENNETH HUDSON CROY

The testimony of Kenneth Hudson Croy was taken at 10:30 p.m., on March 26, 1964, in the office of the U.S. Attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. My name is Burt Griffin, and I am a member of the advisory staff to the General Counsel of the President's Commission on the assassination of President Kennedy. This Commission was set up under Presidential Resolution No. 11130, signed by President Johnson on November 29, 1963, and also pursuant to a joint resolution of Congress No. 137. As a result of this Presidential Executive order and the Presidential resolution, the Commission has been given authority to promulgate certain rules of procedure, and I have been authorized in accordance with those rules to take your sworn deposition, Mr. Croy.

I want to explain to you a little bit first before we go forward with the deposition of what this testimony, why we are taking the testimony. The Commission has been set up for the purpose of investigating, evaluating, and reporting back to the President on all of the facts surrounding the assassination of President Kennedy and the subsequent murder of Lee Harvey Oswald. We are particularly concerned here today in calling you, with delving into the events surrounding Oswald's death, although if you have any other information that you feel would be useful to us in any other areas of our inquiry, we would like very much to have that.

Now, I also want to explain to you, Mr. Croy, that you have been asked to appear here today as a result of a letter which was sent by Mr. J. Lee Rankin, who is the general counsel of the Commission, to Chief Curry, and your name was listed on that and Chief Curry arranged to set up the schedule. I should tell you that under the rules of the Commission you are actually entitled to get a 3-day written notice before we can require you to appear here. However, we do have a provision in the rules that permit you to waive the notice if you are agreeable to it.

Now, the first thing I want to do is ask you if you would like us to send you the letter, and I want to make it clear that we do send these letters out as a routine matter, and if for any reason you feel that you would like to have advance notice and so forth, that we haven't really given you, why feel free to tell me now.

Mr. CROY. No; I would just have to come back down here.

Mr. GRIFFIN. Then you are willing to waive?

Mr. CROY. Yes.

Mr. GRIFFIN. I also want to explain to you that you have a right to be represented by counsel before this Commission and again, many of the people are represented by counsel. I want you to understand that we, in fact, encourage people to come here with an attorney if they feel there is any reason at all

that it might be useful to them. I see that you are not here with an attorney right now, and I presume that this is of your own choice.

However, if you would like to have an attorney, I wish you would let me know about it and we would be happy to make arrangements for further time when you could have one.

Mr. CROY. I don't see what I would need an attorney for.

Mr. GRIFFIN. Well, I think in most cases it is not really necessary, except from the attorney's standpoint.

Mr. CROY. He gets paid for doing nothing anyway.

Mr. GRIFFIN. Well, some of them do.

Mr. CROY. This one does.

Mr. GRIFFIN. Are you an attorney?

Mr. CROY. No. I have my own attorney.

Mr. GRIFFIN. I shouldn't have asked that question. All right, if it is agreeable with you, I will ask you to raise your right hand and I will administer the oath.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CROY. Yes.

Mr. GRIFFIN. Will you give us your full name?

Mr. CROY. Kenneth Hudson Croy.

Mr. GRIFFIN. Where do you live?

Mr. CROY. 1658 Glenfield.

Mr. GRIFFIN. Is that in Dallas?

Mr. CROY. Dallas, Tex.

Mr. GRIFFIN. When were you born?

Mr. CROY. February 21, 1937.

Mr. GRIFFIN. What is your occupation?

Mr. CROY. I have several.

Mr. GRIFFIN. Let's have them in order.

Mr. CROY. I am in the real estate business. I have a Mobil service station. I am in the steel erection business. And I am a professional cowboy, and that is about it that I can think of right now.

Mr. GRIFFIN. We Yankees up North don't know what professional cowboys are.

Mr. CROY. Rodeo. You got rodeos up North.

Mr. GRIFFIN. Yes; they come up once in a while and alternate with circuses. How long have you been doing that?

Mr. CROY. Oh, about 12 years.

Mr. GRIFFIN. I would not like to waste all the court reporter's time talking about this, I don't think the Commission would probably be too interested.

Are you also connected in some way with the Dallas Police Department?

Mr. CROY. I am in the reserves.

Mr. GRIFFIN. How long have you been in the reserves.

Mr. CROY. Since August of 1959.

Mr. GRIFFIN. Do you hold any rank in the reserves?

Mr. CROY. I am a sergeant.

Mr. GRIFFIN. Now, I am going to take out a little time here and mark two documents. One of them is a report of an interview that you had on December 4, 1963, with FBI Agents John E. Dallman and R. Neil Quigley.

I have marked this particular document that I just referred to "Dallas, Tex., Mr. Croy, 3-26-64, Exhibit 5051."

I want to hand this to you, Mr. Croy, and ask you if you have had an opportunity to read that over?

Mr. CROY. Yes.

Mr. GRIFFIN. Let me ask you this: Do you have any additions, deletions, or corrections that you feel should be made in that report?

Mr. CROY. No.

Mr. GRIFFIN. If you are satisfied with the report, let me ask you then to sign it and date it.

Mr. CROY. Where at?

Mr. GRIFFIN. On the front page there some place near where we have marked it with an exhibit number, some conspicuous spot.

Mr. CROY. [Signs name.]

Mr. GRIFFIN. Now, I am marking what purports to be a copy of a letter dated November 26, 1963, addressed to Chief Curry and signed by you in the following manner: "Dallas, Tex., Mr. Croy, 3-26-64, Exhibit 5052."

Would you look at this, Mr. Croy, and would you tell me if you have had an opportunity to read that over?

Mr. CROY. Yes; I have.

Mr. GRIFFIN. Are there any additions, deletions, or corrections that you would make with the respect to the accuracy of that letter?

Mr. CROY. No.

Mr. GRIFFIN. Okay, would you sign that and date it also in the same manner that you did the other one?

Mr. CROY. [Signs and dates.]

Mr. GRIFFIN. Now, I have also marked for identification what purports to be a copy of an affidavit in fact, sworn to before A. L. Curtis, a notary public, by you on December 1, 1963, and I have marked that "Dallas, Tex., Mr. Croy, 3-26-64, Exhibit 5053."

I am going to hand you that, Mr. Croy, and ask you if you have had an opportunity to look that over?

Mr. CROY. Yes; I have.

Mr. GRIFFIN. Now, is that a true and accurate copy of an affidavit which you prepared on that date?

Mr. CROY. Yes, sir.

Mr. GRIFFIN. Would you then sign it and date it, please?

Mr. CROY. [Signs and dates.]

Mr. GRIFFIN. Did you report to the jail or the police department on Sunday, November 24?

Mr. CROY. Yes; I did.

Mr. GRIFFIN. About what time did you come in, do you recall?

Mr. CROY. No; I don't.

Mr. GRIFFIN. Well, your letter of November 26 indicates you came in at 8:35?

Mr. CROY. That is probable.

Mr. GRIFFIN. Now, sometime after you came in, you were assigned to guard a particular area of the basement; is that correct?

Mr. CROY. No.

Mr. GRIFFIN. Would you tell us what you were assigned to do?

Mr. CROY. When I came into the city hall, I went to the assembly room, and that is where any initial assignments are made, in the assembly room, making up the muster and the roster of the reserve officers that arrived.

Mr. GRIFFIN. How long did you remain there?

Mr. CROY. Well, I was in and out of there, between there and the basement.

Mr. GRIFFIN. How long did you remain on that duty?

Mr. CROY. I never was relieved from that duty. I went in there, but I never was relieved from it.

Mr. GRIFFIN. Now, you have stated in your letter to Chief Curry of November 26, 1963, in paragraph 3, "I was assigned to the basement and jail office entrance, and my assignment was that of a guard."

Mr. CROY. Well, that was in the entire thing down there is what—everyone in the basement was considered a guard at the same time, if you are standing in front of the entrances, elevators, or in the back of the basement.

Mr. GRIFFIN. So you never had any particular station of duty there?

Mr. CROY. No. I wasn't just assigned a spot and told to stay there.

Mr. GRIFFIN. Now, did there come a time when you stationed yourself at the foot of the Main Street ramp in the basement?

Mr. CROY. Yes.

Mr. GRIFFIN. About when was that? For how long before Oswald came out, would you estimate?

Mr. CROY. Well, I couldn't really estimate, because it has been almost 4 months ago and I don't really know how long it was.

Mr. GRIFFIN. Well, when you took up your position at the base of the ramp, had the armored car arrived?

Mr. CROY. Yes.

Mr. GRIFFIN. The armored car was already there? You weren't there at any time when the armored car was not there?

Mr. CROY. No.

Mr. GRIFFIN. All right. Can you give us any statement of how long you were there? Were you there for 2 minutes prior to the time Oswald came down?

Mr. CROY. I was longer than that.

Mr. GRIFFIN. Were you there 15 minutes?

Mr. CROY. I couldn't say. I don't remember whether I was.

Mr. GRIFFIN. You think you were there as long as 5 minutes?

Mr. CROY. Yes.

Mr. GRIFFIN. How about as long as 10 minutes?

Mr. CROY. I couldn't say that.

Mr. GRIFFIN. Did you remain in one general area when you stationed yourself at the bottom of the Main Street ramp?

Mr. CROY. Yes.

Mr. GRIFFIN. How did you come to be stationed at that position?

Mr. CROY. There was another officer, a regular officer, I believe, commented that they needed at least three more officers at that particular position.

Mr. GRIFFIN. Do you recall who that regular officer was?

Mr. CROY. No; I don't. I don't even know who he was. I just remember there was a regular officer, supervisory officer in uniform stated they needed at least three more.

Mr. GRIFFIN. Did he state this to you personally, or were you in a group at that time?

Mr. CROY. I was just standing out there on this ramp leading into the basement where the two ramps lead down into the basement, and he stepped out there, and as well as I remember, just made a quick check and pointed out that he needed at least three men at that location.

Mr. GRIFFIN. Well, from the time that you finished doing your clerical work when you first came in, until you all were ultimately stationed at the base of the Main Street ramp, did you have any particular responsibilities?

Mr. CROY. Yes. There were several reserve officers that were coming right directly into the basement, and the first reported to the assembly room to get their assignments or be told what to do.

I would take these men and take them in there and get them mustered in on the roster so we would know they were there and have a record.

I would either tell them where to report, or take them to a certain station and station them there.

Mr. GRIFFIN. All right, do you recall if you were in the basement when Captain Jones was there?

Mr. CROY. No; I don't.

Mr. GRIFFIN. Do you recall if you were in the basement when a group of regular police officers, detectives and so forth came into the basement from the public elevators that go up into the police building, and walked through the swinging door and were given assignments by a regular officer of some sort? Were you there at that time?

Mr. CROY. I don't guess I was; I don't recall it at all.

Mr. GRIFFIN. All right. Now, while you were stationed at the base of the Main Street ramp, do you recall if you saw any cars go in and out of the basement?

Mr. CROY. There was one.

Mr. GRIFFIN. You saw one car?

Mr. CROY. Yes.

Mr. GRIFFIN. Now, during the period that you were in the basement generally before you were stationed at the ramp, did you see any cars go in and out of the garage or basement area?

Mr. CROY. Yes.

Mr. GRIFFIN. Can you describe how much traffic there was?

Mr. CROY. No. There wasn't any squads bringing prisoners in, that I recall. I don't recall any of that.

I recall one car leaving, going up the south ramp, one car that I know of, because I knew who was in that car.

And other than that one and the one that went up the north ramp, I don't recall any other cars going out of the basement area. There could have been.

Mr. GRIFFIN. Now, how much before you saw that one last car go up the Main Street ramp, how long would you say you had been in the basement? How long before that had you been at your station in the basement?

Mr. CROY. What do you mean?

Mr. GRIFFIN. Let me start over again. How long had you been at this station which you had at the base of the Main Street ramp prior to the time that the last car went up the Main Street ramp?

Mr. CROY. How long had I been in the basement before then?

Mr. GRIFFIN. How long had you been in the general area at the base of the ramp? Continuously?

Mr. CROY. I don't know, I guess a couple or 3 minutes, something like that. I remember that because he nearly ran over my toes.

Mr. GRIFFIN. While you were standing at the base of the ramp prior to the time that the car went up the ramp, do you remember whether any equipment of any sort was moved into the basement area?

Mr. CROY. Equipment?

Mr. GRIFFIN. Yes.

Mr. CROY. Just anything moved in there?

Mr. GRIFFIN. Yes.

Mr. CROY. No.

Mr. GRIFFIN. Do you recall any activities of newspaper people or of TV people?

Mr. CROY. Oh, they were milling all over the place.

Mr. GRIFFIN. Do you recall any movement of equipment?

Mr. CROY. No.

Mr. GRIFFIN. Do you remember a TV camera being rolled through the swinging double doors at the entrance, almost at the entrance to the Main Street ramp or the bottom ramp, and being wheeled in any direction? Being pushed, a TV camera?

Mr. CROY. I don't recall any bringing in there. They had them down there in the basement all morning, that I remember. I don't remember bringing in any more in there.

Mr. GRIFFIN. Where do you recall the three TV cameras being stationed there? At this point I would like to hand you my pen and ask you if you would mark on there?

Mr. CROY. You want an "X"?

Mr. GRIFFIN. Make a rectangle and write TV inside of it.

Mr. CROY. [Marks.]

Mr. GRIFFIN. Now, you have indicated on the map that there were two behind the railing, sort of directly opposite the hallway that leads out from the double doors?

Mr. CROY. Yes.

Mr. GRIFFIN. And that there was a third one over against the railing of the entrance to the garage closer to Commerce Street?

Mr. CROY. Yes.

Mr. GRIFFIN. Are you sure that all of those were placed in that position that they were in, or do you think they could have been someplace else?

Mr. CROY. They were placed there when I walked in the basement.

Mr. GRIFFIN. I see. Would you tell us what happened at the time that this automobile went up the Main Street ramp? Which side of the automobile were you standing on? Were you standing between it and the railing, or were you standing between it and the wall?

Mr. CROY. It and the wall on the left hand side of the car.

Mr. GRIFFIN. About how many people were in that area, would you say, in the general area across from the wall that you were near, and the railing across?

Mr. CROY. Police officers and press?

Mr. GRIFFIN. How many would you say were there?

Mr. CROY. I couldn't say. I don't know. There was several there. They were all standing out in here, and when the car came out, everybody had to get out of the way and let the car get through.

Mr. GRIFFIN. Did you make any effort to help push the people back?

Mr. CROY. No.

Mr. GRIFFIN. As cars went up the ramp and got ahead of you people, what did you do?

Mr. CROY. I watched it go up the ramp.

Mr. GRIFFIN. Did you see it stop at the top of the ramp?

Mr. CROY. No; I just watched it going up the ramp.

Mr. GRIFFIN. Did you see the police officer there at the top of the ramp?

Mr. CROY. Not at that time, I didn't.

Mr. GRIFFIN. At what point did you lose sight? Where was the car when you lost sight of the car at the top of the ramp?

Mr. CROY. When he got almost to the top of the ramp, I turned back around. I didn't watch it drive on out.

Mr. GRIFFIN. I see. As you looked around, did you see anything of significance?

Mr. CROY. No.

Mr. GRIFFIN. Did there come a time when somebody gave you instructions to move the press back against the railing?

Mr. CROY. Yes, sir; there was.

Mr. GRIFFIN. When was that?

Mr. CROY. Prior to them bringing Oswald down.

Mr. GRIFFIN. Was that before or after the car went up the ramp?

Mr. CROY. It was after.

Mr. GRIFFIN. Was it any substantial length of time after?

Mr. CROY. I don't know.

Mr. GRIFFIN. Now, what makes you sure that it was after the car went up the ramp?

Mr. CROY. Because it was just prior to them bringing, just prior to them bringing him out.

Mr. GRIFFIN. Well, if you were told that, if you were to assume that that car moved out of the ramp, approximately 1 minute before Oswald was shot, would you still feel that this order to move the people back from the railing was given after the car went up the ramp?

Mr. CROY. Yes.

Mr. GRIFFIN. In other words, you think it could have been as little as, no more than a minute after the car went up the ramp?

Mr. CROY. I don't know how long it was.

Mr. GRIFFIN. Do you feel it was more than a minute after the car went up the ramp?

Mr. CROY. Yes.

Mr. GRIFFIN. You think this order was given more than a minute after the car went up the ramp?

Mr. CROY. Yes.

Mr. GRIFFIN. Where was the officer standing who gave that order?

Mr. CROY. Somewhere in this general area. He just stepped out of the little hallway leading to the jail office. I don't know who it was. He was a detective.

Mr. GRIFFIN. I see.

Mr. CROY. In plain clothes.

Mr. GRIFFIN. You saw him emerge from the jail office?

Mr. CROY. Yes.

Mr. GRIFFIN. He said move everybody back?

Mr. CROY. Well, he didn't say move everybody back. He said move back against the railing. At that particular time they were all crowded out in here and all the way around.

Mr. GRIFFIN. You are indicating the area right in front of the TV cameras?

Mr. CROY. And he said, move the press back against the railing, this group right here. They didn't move them back because they wasn't actually—what

they were trying to do was clear a hall because they were crowded right up to the entrance right here.

Mr. GRIFFIN. You say there was a group that was standing across the Main Street ramp that wasn't pushed back?

Mr. CROY. Yes.

Mr. GRIFFIN. Where were you standing? Would you mark on the diagram where you were standing when the order was given to push the people back?

Mr. CROY. Do you want me to put an "X"?

Mr. GRIFFIN. Put a "C" in there and put a circle around it.

Mr. CROY. [Complies.]

Mr. GRIFFIN. Did you turn around and move the crowd back?

Mr. CROY. There was a man with a camera, movie camera, sitting on his shoulder, standing next to me.

Mr. GRIFFIN. Which direction were you facing?

Mr. CROY. I was facing to the south.

Mr. GRIFFIN. Toward Commerce Street?

Mr. CROY. Yes; he would have been to my left. And there was also another fellow standing just slightly in back of him.

And when he gave this order to move the people back, I thought he referred to everyone moving against the rail, because I was in back of this other group of the press. I didn't bother with them. I let the ones in front of them take care of them, and I turned to the man with the camera and this other fellow and told them to move back against the rail.

Mr. GRIFFIN. Did you recognize this other fellow?

Mr. CROY. No.

Mr. GRIFFIN. Now, then, what did you do?

Mr. CROY. I turned back around and watched the reporters in front of me.

Mr. GRIFFIN. Did you see someone there that you recognized?

Mr. CROY. Where?

Mr. GRIFFIN. Where the reporters were in front of you?

Mr. CROY. No.

Mr. GRIFFIN. Well, maybe I don't understand your affidavit here. You stated in here, "someone in authority gave instructions to move the press back against the rail. At that time I turned and told two men standing to my left to move back against the rail. One of these men had a motion picture camera. The other one was in a dark maroon coat with black thread woven into it. He was wearing a black hat. My father has a coat something similar to the man I spoke to.

"I then turned my attention back to the reporters which were standing in front of me. I believe this man to have been Jack Ruby."

The "to" is underlined. Which man are you referring to?

Mr. CROY. The man with the maroon coat that was standing to my left. The other man I told to move back against the rail.

Mr. GRIFFIN. Miss Reporter, would you please turn back in your notes and read where he referred to the position of the reporters?

(The following questions and answers were read:

"Mr. GRIFFIN. Did you see someone there that you recognized?

"Mr. CROY. Where?

"Mr. GRIFFIN. Where the reporters were in front of you?

"Mr. CROY. No.")

Mr. GRIFFIN. Will the reporter please indicate in the record what portion was read back to the witness?

Now, you heard the reporter read back that testimony.

Mr. CROY. Yes; I did.

Mr. GRIFFIN. I don't understand. You have said here, if I understand it in your affidavit, that you saw a man whom you believed to be Jack Ruby.

Mr. CROY. I believe when I wrote that up it was him.

Mr. GRIFFIN. I see. Now, have you since come to believe that that man wasn't Jack Ruby?

Mr. CROY. No.

Mr. GRIFFIN. You still believe that man was Jack Ruby?

Mr. CROY. To myself, I still believe it was Jack Ruby.

Mr. GRIFFIN. Okay.

Mr. CROY. I don't know whether it was or not.

Mr. GRIFFIN. Tell us how you came to believe that man was Jack Ruby?

Mr. CROY. Well, as I was standing there and this blur came from my left, someone running, and he ran by me at a pretty good clip, he was gaining momentum and he ran by me. I got a glimpse of his coat and the coat matched the one that I had told this fellow to move back. At least it seemed to me it did.

Mr. GRIFFIN. Was that man over against the railing?

Mr. CROY. No; after I turned my attention back to the reporters, I glanced back over my shoulder to see if they had done what I told them to, and the man with the camera had gotten on the railing where could get a good shot. The other fellow, I didn't see him.

I didn't turn completely all the way around to see if he was in back of me. I just glanced over my shoulder, so I presume he had gotten against the railing or had moved around with the other reporters.

Mr. GRIFFIN. About how far were you from the railing after you pushed the reporters back over in that direction?

Mr. CROY. I didn't push them. I asked them to step back over there.

Mr. GRIFFIN. Yes.

Mr. CROY. I was standing about midways to the ramp. Do you know how wide that ramp is?

Mr. GRIFFIN. Was there a line, a group of people in front of you?

Mr. CROY. Yes.

Mr. GRIFFIN. Was this group, was it sort of in a line that stretched across from the wall to the railing across the Main Street ramp?

Mr. CROY. Yes.

Mr. GRIFFIN. How many people would you say were stretched across there?

Mr. CROY. I don't know. There was quite a few there, but I have no idea how many were there.

Mr. GRIFFIN. Now, were there any people—as you turned back, were you also part of a line, a second line? Were you part of a second line?

Mr. CROY. Not that I know. I was just standing there. There were other officers to my right.

Mr. GRIFFIN. In other words, one straggled line, this first line in front of you?

Mr. CROY. What do you mean?

Mr. GRIFFIN. Are you stating there was a fairly solid front line of people?

Mr. CROY. About two deep.

Mr. GRIFFIN. Were you behind that group of people?

Mr. CROY. I was behind them.

Mr. GRIFFIN. How far behind them were you?

Mr. CROY. Oh, a couple of feet or 3 feet.

Mr. GRIFFIN. Back where you were standing, were people as closely bunched up as other people were?

Mr. CROY. There wasn't anyone to my left other than the two people I told to move back. To my right there were several other officers standing there with me.

Mr. GRIFFIN. Was Captain Arnett one of the officers?

Mr. CROY. Yes.

Mr. GRIFFIN. Would you show us where Captain Arnett was?

Mr. CROY. [Marks.]

Mr. GRIFFIN. How many people were to Captain Arnett's right?

Mr. CROY. I don't know.

Mr. GRIFFIN. You say there was nobody to your left except a man with a movie camera?

Mr. CROY. He got back upon the railing.

Mr. GRIFFIN. At the time this man got up on the railing, there was nobody that you can recall to your left?

Mr. CROY. No.

Mr. GRIFFIN. Now, will you place on the map, on that chart, where you

think Ruby, where you saw this man that you believe to be Ruby, moved from and to? Could you show us where?

Mr. CROY. Do you mean after I told him to move?

Mr. GRIFFIN. Yes.

Mr. CROY. I don't know where he moved to.

Mr. GRIFFIN. Where was he when you first saw him moving? Did you see him moving?

Mr. CROY. Maybe I don't understand you. As he ran into the crowd?

Mr. GRIFFIN. Yes, sir.

Mr. CROY. After Oswald?

Mr. GRIFFIN. Yes.

Mr. CROY. Where did I see him again? About right there [pointing].

Mr. GRIFFIN. Up in front of you?

Mr. CROY. Yes; well, to my side.

Mr. GRIFFIN. To your left?

Mr. CROY. Yes.

Mr. GRIFFIN. All right. Would you put a "R" there where you saw him?

Mr. CROY. [Makes mark.]

Mr. GRIFFIN. Now, was there anybody in front of him at that point?

Mr. CROY. Yes; there was reporters.

Mr. GRIFFIN. There were reporters. Now, what did he do as he got to these reporters?

Mr. CROY. He ran through them.

Mr. GRIFFIN. Did he push them aside, or what?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you see him push them?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you see a man shoved?

Mr. CROY. Yes.

Mr. GRIFFIN. Which man got shoved?

Mr. CROY. These reporters. He just lowered his head and ran through them like a fullback went through a line.

Mr. GRIFFIN. Did you feel this man move by you, or did you first see his motion when he was in front of you?

Mr. CROY. Caught a glimpse of his motion. I have a wide range. I could see over here. I saw a blur coming in, and, of course, by the time I turned, he was in position. He was already in front of me.

Mr. GRIFFIN. Well, you can't tell from how far he had been running, can you?

Mr. CROY. No.

Mr. GRIFFIN. Were you able to tell if he had taken more than one step before you had seen him?

Mr. CROY. He had a good head of steam up, I will put it that way.

Mr. GRIFFIN. Do you know Captain King?

Mr. CROY. No.

Mr. GRIFFIN. Do you know Detective Blackie Harrison?

Mr. CROY. No.

Mr. GRIFFIN. Can you describe the people that you saw Ruby push through?

Mr. CROY. Well, it was just a group of reporters there trying to get closer to Ruby. I mean to Oswald.

Mr. GRIFFIN. Were there any police officers near Ruby at the time that he moved through that line?

Mr. CROY. There were no uniform police officers. If there were some detectives there, I don't know, because I didn't know any of them.

Mr. GRIFFIN. Well, during this period that you were down in the basement, the 5-minute period that you were in the basement, were you able to distinguish the plainclothes detectives from the newspaper people?

Mr. CROY. No; I was in the basement longer than 5 minutes.

Mr. GRIFFIN. The period that you were stationed at the base of the ramp, the 15 minutes or more, were you able to distinguish the uniformed officers from the newspaper people?

Mr. CROY. Uniformed officers; yes. The detectives; no.

Mr. GRIFFIN. You couldn't distinguish them? All right. Are you able to describe the relative size of the newspaper reporters that Ruby moved there, in comparison to him?

Mr. CROY. No; because this man had run through, Ruby, if it was Ruby, was in a crouch. He was running low. The newspapermen were of average height and average build.

Mr. GRIFFIN. How could you tell that the two men he pushed were newspaper reporters?

Mr. CROY. I don't know. They might have been police officers.

Mr. GRIFFIN. Did anybody that he pushed by have a camera in his hand or microphone or a pad of paper or anything?

Mr. CROY. I don't recall whether they did or not. They were actually standing in front of me and I was looking at their backs.

Mr. GRIFFIN. Have you seen yourself in any photographs that have been taken of the basement area?

Mr. CROY. Yes.

Mr. GRIFFIN. Do you remember where you saw that photograph? Was it a photograph in a magazine or newspaper or something?

Mr. CROY. Television.

Mr. GRIFFIN. A TV film?

Mr. CROY. Yes.

Mr. GRIFFIN. Do you recall what station you saw that on?

Mr. CROY. All of them. No; I don't. They just ran it and ran it and reran it, and every time I was in the room, someone said, "There you are," and I looked again.

Mr. GRIFFIN. Was this a showing that the police department made to you, or were you shown any films by the police department?

Mr. CROY. No.

Mr. GRIFFIN. You saw this film on the regular, your home TV set, something like that?

Mr. CROY. Yes.

Mr. GRIFFIN. Do you recall in any of these films a shot of Ruby standing behind a very large man, standing right up at the back of a very large man, a very tall man, a man perhaps a head taller than he?

Mr. CROY. No.

Mr. GRIFFIN. If you were shown these particular movie films, TV films that you saw, could you pick yourself out for us?

Mr. CROY. Well, the ones that I saw were the ones that I was trying to get the gun from Ruby, and the ones that they had taken after it was all over, and I was standing in the entrance to the jail office. Those are the only ones I have seen.

Mr. GRIFFIN. You didn't see a picture of yourself at the time Ruby started to move out toward Oswald?

Mr. CROY. No; I saw the reruns of it when he ran in there and shot him, but I wasn't visible in that.

Mr. GRIFFIN. Did any one of these films that you watched show you reaching out and touching the coat of Ruby?

Mr. CROY. No; none that I saw.

Mr. GRIFFIN. Now, you met Jack Ruby before, haven't you?

Mr. CROY. Yes.

Mr. GRIFFIN. About how many occasions had you seen Jack Ruby before he came into the basement?

Mr. CROY. Once, that I can recall. I may have seen him many times before that, I don't know.

Mr. GRIFFIN. As a reserve officer, do you have occasion to ride duty in the downtown area?

Mr. CROY. Sometimes.

Mr. GRIFFIN. About how often would you say you did duty in the downtown area?

Mr. CROY. Requires once a month.

Mr. GRIFFIN. Is there any particular man that you always did duty with?

Mr. CROY. Yes; there was one that I did ride quite a bit with.

Mr. GRIFFIN. Who was that?

Mr. CROY. J. W. Dyson.

Mr. GRIFFIN. I mean in the downtown area, was there one that you rode with?

Mr. CROY. I didn't ride in any particular downtown area over twice since I have been in the reserves, I don't guess. As a district in the downtown area.

Mr. GRIFFIN. Now, did you have occasion to ride out in the area of the Vegas Club?

Mr. CROY. Yes.

Mr. GRIFFIN. How often would you ride in that area?

Mr. CROY. I have ridden out there a couple or three times.

Mr. GRIFFIN. Who did you ride that area with?

Mr. CROY. I don't know. I just went to the substation and checked out with the squad.

Mr. GRIFFIN. Was Officer Dyson assigned to that area?

Mr. CROY. No; he is an APB.

Mr. GRIFFIN. Is West Illinois Avenue anywhere near the Vegas Club?

Mr. CROY. No.

Mr. GRIFFIN. How about around 1720 South Lamar, is that anywhere near?

Mr. CROY. No.

Mr. GRIFFIN. Have you ever testified in any court case before?

Mr. CROY. No.

Mr. GRIFFIN. Now, after Ruby shot Oswald, did there come a time when you ran up the Main Street ramp and stopped reporters leaving?

Mr. CROY. Yes.

Mr. GRIFFIN. How long was that after this scuffle on the floor?

Mr. CROY. That is hard to say, because it was right there, you might say, right with the scuffle on the floor that they said "seal the basement."

Mr. GRIFFIN. How long did you stand up there at the Main Street ramp?

Mr. CROY. Oh, just a few minutes. Then I moved to the entrance into the jail office.

Mr. GRIFFIN. How long did you remain there?

Mr. CROY. A good while.

Mr. GRIFFIN. Then what time did you go off duty?

Mr. CROY. It was about 8 o'clock that night.

Mr. GRIFFIN. During that period, did you tell anybody that you had seen a man brush by you who you thought was Ruby?

Mr. CROY. Yes.

Mr. GRIFFIN. Who did you tell at that time?

Mr. CROY. Lieutenant McCoy.

Mr. GRIFFIN. Reserve Lieutenant McCoy?

Mr. CROY. Yes.

Mr. GRIFFIN. Anybody else?

Mr. CROY. I don't recall if I mentioned it or not to Reserve Lieutenant Nicholson, I may have.

Mr. GRIFFIN. Nicholson?

Mr. CROY. Yes.

Mr. GRIFFIN. What did Lieutenant McCoy say when you told him that?

Mr. CROY. I don't recall what he said.

Mr. GRIFFIN. Why did you tell him about it?

Mr. CROY. We were just talking about it later on that afternoon.

Mr. GRIFFIN. Well, what were you saying?

Mr. CROY. We were just talking about what happened in the basement, where he was at and where I was at.

Mr. GRIFFIN. Were you speculating about where he came from or how he got in or anything like that?

Mr. CROY. A little bit, I am trying to figure out what the heck happened, really.

Mr. GRIFFIN. Were there other officers in the basement doing that also?

Mr. CROY. They were doing it just between themselves. There wasn't any group talking about it, I don't know.

Mr. GRIFFIN. What time was it that you talked, approximately, to Lieutenant McCoy?

Mr. CROY. Oh, I don't know.

Mr. GRIFFIN. Well, was this, you say, a short time after you left your position up on the Main Street ramp, or was it a long time after?

Mr. CROY. It was a pretty good while after. An hour.

Mr. GRIFFIN. An hour or so?

Mr. CROY. Yes.

Mr. GRIFFIN. Now, between the time that you told this Lieutenant McCoy and you went off duty, what did you do?

Mr. CROY. I sat up in the city planning room.

Mr. GRIFFIN. Who was up there in the city planning room?

Mr. CROY. Lieutenant McCoy and Reserve Lieutenant Barney Merrell.

Mr. GRIFFIN. Anybody else you can recall?

Mr. CROY. Reserve Lieutenant Nicholson. And there was Captain Solomon up there, and Captain Arnett, and several other reserve officers, that we kind of set up a command post, is actually what it was.

Mr. GRIFFIN. What were you doing up there?

Mr. CROY. Making assignments.

Mr. GRIFFIN. Who was giving you directions?

Mr. CROY. Lieutenant McCoy.

Mr. GRIFFIN. What sort of assignments were you making?

Mr. CROY. Placing the men in different spots throughout the city hall and seeing that they were relieved, and calling on the telephone to get some more help.

Mr. GRIFFIN. Did you have some time to sit around and talk?

Mr. CROY. Yes.

Mr. GRIFFIN. Now, did you talk about what you had seen down in the basement?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you tell these men out there about Ruby brushing past you?

Mr. CROY. I talked to Lieutenant McCoy about it. I don't know whether Mike Nicholson and Merrell were there at that particular time or not. I don't know whether they overheard what we were talking about or not.

Mr. GRIFFIN. Now, did Captain Solomon at that time make any request that people write reports about what they had seen?

Mr. CROY. No.

Mr. GRIFFIN. Were you aware that the regular officers, these other people who had been down in the basement, were being asked to make reports?

Mr. CROY. No; I didn't know they were.

Mr. GRIFFIN. Did you expect that you would be asked to make a report of what happened in the basement?

Mr. CROY. Yes.

Mr. GRIFFIN. You expected that while you were sitting up there in the office?

Mr. CROY. I had a pretty good hunch they would.

Mr. GRIFFIN. Now, this statement which we have marked, a letter which we have marked Exhibit 5052, which is a copy of a letter that you prepared for Chief Curry, dated November 26, 1963, was that prepared down in the police department, or was that prepared at one of your business offices?

Mr. CROY. That was prepared at the Dallas Police Academy.

Mr. GRIFFIN. Where is that located?

Mr. CROY. On Shorecrest back of the northwest substation.

Mr. GRIFFIN. Was that prepared by hand?

Mr. CROY. Yes, it was.

Mr. GRIFFIN. Were you responsible for getting the typing done?

Mr. CROY. No.

Mr. GRIFFIN. Who did you turn that report over to?

Mr. CROY. Captain Solomon.

Mr. GRIFFIN. Then was it his responsibility to get the typing done?

Mr. CROY. I don't know. I just turned it in. What he did with it, I don't know.

Mr. GRIFFIN. Did it eventually come back to you?

Mr. CROY. No.

Mr. GRIFFIN. The typed copy never came back to you?

Mr. CROY. No.

Mr. GRIFFIN. Have you seen a copy of that statement since you signed it?

Mr. CROY. Just a while ago.

Mr. GRIFFIN. Is there any question in your mind but that the statement that you signed is a complete and accurate copy of the statement that you prepared in your own hand in the police department?

Mr. CROY. Yes.

Mr. GRIFFIN. Do you recall what day it was, the day you prepared that statement?

Mr. CROY. The following Tuesday night. I don't know what date it was.

Mr. GRIFFIN. Well, Mr. Croy, why didn't you mention in this report, dated November 26, your seeing this man you believe to be Ruby?

Mr. CROY. Why didn't I mention that in there?

Mr. GRIFFIN. Yes.

Mr. CROY. Because at that time Captain Solomon told me that there would be another report made and I would have to go downtown to the city hall before a stenographer, and he told me just to leave that out for the time being, and put this in this other affidavit that you have, that this right here was just basically to find out where we were in the city hall.

Mr. GRIFFIN. Then when you prepared this other statement on December 1, who called you and how did you come to go before Notary Public A. L. Curtis?

Mr. CROY. He is a lieutenant. After I signed it, I took it there to be notarized by him.

Mr. GRIFFIN. Well, then, how did you happen to—was this done in the police department?

Mr. CROY. Yes, it was.

Mr. GRIFFIN. How did you happen to go to the police department that day?

Mr. CROY. They called me.

Mr. GRIFFIN. Who called you?

Mr. CROY. Captain Arnett.

Mr. GRIFFIN. Did you meet Captain Arnett down at the police department?

Mr. CROY. Yes, I did.

Mr. GRIFFIN. Did you talk with him before this statement was drawn up?

Mr. CROY. No, sir.

Mr. GRIFFIN. Who did you talk to before the statement was drawn up?

Mr. CROY. Lieutenant Revill.

Mr. GRIFFIN. Did Lieutenant Revill have any information before him about this, about your having seen Ruby? Did Lieutenant Revill have any information before him about your having seen Ruby go into the, brush by you?

Mr. CROY. No.

Mr. GRIFFIN. He didn't have any information to that effect?

Mr. CROY. No.

Mr. GRIFFIN. How did you happen to be called down there?

Mr. CROY. Because of my position in the basement where I was standing when he shot Oswald.

Mr. GRIFFIN. All right. Now, what did Captain Solomon say to you when you told what you had seen to Revill? Did Revill indicate that he had heard about this before, about your having been a witness to this?

Mr. CROY. Not that I recall.

Mr. GRIFFIN. Was anybody else there?

Mr. CROY. Yes; Lieutenant, I think his name is Cornwall, he was present.

Mr. GRIFFIN. Did either of them indicate surprise by having seen this?

Mr. CROY. No.

Mr. GRIFFIN. You got the impression from the way they spoke, or any impression from the way they spoke, that they had heard this information before?

Mr. CROY. Well, they didn't act surprised. They didn't act like they didn't know about it. It kind of tied in with the other reports that they had gotten, I presume, from the way they acted.

Mr. GRIFFIN. Now, what was the general attitude on their part in the taking of these statements. Did you feel that there was some, Cornwall and Revill were concerned about this situation?

Mr. CROY. Yes; they were.

Mr. GRIFFIN. How would you describe their general attitude in this interview?

Mr. CROY. They were very interested.

Mr. GRIFFIN. Well, can you tell me more about that?

Mr. CROY. No; well, I will put it this way, that it took us 8 hours to get that up. That is how interested they were.

Mr. GRIFFIN. You talked with them for 8 hours?

Mr. CROY. On 2 different occasions. That day and the next day, for 4 hours each day. That is pretty interesting.

Mr. GRIFFIN. Mr. Croy, I take it that you actually talked to them on November, the last day of November was the first time you talked to them, and then you signed this on the first day of December?

Mr. CROY. What it was, the stenographer took it, and then she typed it up. Then the next day I went back down there and they re-read it to me and went over and over and over and over the same thing over and over again. And then I took it into Lieutenant Curtis and signed it and had it notarized.

Mr. GRIFFIN. Was that examination the way you and I have been going back and forth here?

Mr. CROY. Yes.

Mr. GRIFFIN. Were there a number of drafts to this statement? You say it took you 2 days to draw this up. Had you written a number?

Mr. CROY. No.

Mr. GRIFFIN. Did you write something first?

Mr. CROY. No.

Mr. GRIFFIN. Did they take notes as you talked with them?

Mr. CROY. No; we talked the entire thing over, and after we talked everything over and they brought the stenographer in and we went back over it again, then I left and she typed it up, and I came in the next day and we went back over it again and back over it and so on.

Mr. GRIFFIN. Were they critical of you in any way for not having ejected Ruby the first time that you saw him in the basement?

Mr. CROY. No.

Mr. GRIFFIN. Did you indicate to them at that time that you didn't know who he was when you first saw him?

Mr. CROY. Yes; I didn't know who he was.

Mr. GRIFFIN. When you first saw this man, did you believe that he was a newspaper reporter?

Mr. CROY. I did.

Mr. GRIFFIN. Did you tell that to Lieutenant Revill and Captain Cornwall?

Mr. CROY. Yes.

Mr. GRIFFIN. I am going to mark this "Ruby location at the time Croy saw him moving toward Oswald." Is that a fair description of what the hieroglyphics on here mean?

Mr. CROY. Yes.

Mr. GRIFFIN. I am going to mark this "Dallas, Tex., Mr. Croy, 3-26-64, Exhibit 5054," and what I have marked on is the chart upon which you made a certain mark while you described to me what happened when you saw a man you believed to be Ruby run toward Oswald.

Now, let me ask you to sign that, if you believe that is an accurate copy of the real McCoy. Would you date it also?

Mr. CROY. [Signs and dates.]

Mr. GRIFFIN. Now, do you have any other information that you could provide the Commission of any significance?

Mr. CROY. None other than what we have talked about right here.

(Statement to witness by court reporter.)

Mr. GRIFFIN. Well, now, tell me about your conversation that you had with our court stenographer here prior to coming in here, about Tippit?

Mr. CROY. Oh, it was at the scene over where Officer Tippit was killed, at the scene.

Mr. GRIFFIN. Were you at the scene when Tippit was there?

Mr. CROY. Yes.

Mr. GRIFFIN. Unassigned?

Mr. CROY. Yes.

Mr. GRIFFIN. I take it you are nodding your head?

Mr. CROY. Yes.

Mr. GRIFFIN. What time were you at the scene where Tippit was killed?

Mr. CROY. I watched them load him in the ambulance.

Mr. GRIFFIN. I see. Were you on reserve duty that day?

Mr. CROY. Yes. I was stationed downtown in the, I believe it was the 1800 or 1900 block of Main Street.

Mr. GRIFFIN. Were you in a patrol car?

Mr. CROY. No; I was on foot.

Mr. GRIFFIN. Were you in uniform?

Mr. CROY. In uniform.

Mr. GRIFFIN. Where were you at the time President Kennedy was shot?

Mr. CROY. Sitting in my car at the city hall. I would guess, I don't know, because I didn't know he was shot until, I guess, several minutes after it was.

Mr. GRIFFIN. Is that where you were located when you heard he was shot?

Mr. CROY. No. I was on Main Street trying to go home.

Mr. GRIFFIN. You were driving your car down Main Street?

Mr. CROY. Yes.

Mr. GRIFFIN. About where were you on Main Street?

Mr. CROY. Griffin.

Mr. GRIFFIN. Griffin Street?

Mr. CROY. Yes.

Mr. GRIFFIN. What did you do when you heard that President Kennedy had been shot?

Mr. CROY. I didn't do anything. I was right in the middle of the street with my car hemmed in from both sides. I couldn't go anywhere.

Mr. GRIFFIN. As soon as you got unhemmed, what did you do?

Mr. CROY. I went by the courthouse there and there were several officers standing there, and I asked if they needed any help.

Mr. GRIFFIN. Did you drive your car to the courthouse?

Mr. CROY. Yes.

Mr. GRIFFIN. Which courthouse?

Mr. CROY. There was only one courthouse.

Mr. GRIFFIN. There is a county courthouse?

Mr. CROY. There is.

Mr. GRIFFIN. There is a Federal courthouse, also, but this is the one right there by the plaza and near the Texas School Book Depository?

Mr. CROY. The old red courthouse.

Mr. GRIFFIN. On Houston Street?

Mr. CROY. Yes.

Mr. GRIFFIN. Was that the corner of Houston and Main?

Mr. CROY. Houston and Main and Elm.

Mr. GRIFFIN. How long after you heard that President Kennedy was shot did you arrive there?

Mr. CROY. Oh, I guess it took me at least 20 minutes to drive those few blocks.

Mr. GRIFFIN. What time would you say it was when you arrived at the courthouse?

Mr. CROY. I don't know.

Mr. GRIFFIN. Who did you see when you arrived there?

Mr. CROY. Oh, there was some officers standing on the corner, I don't know.

Mr. GRIFFIN. Did you inquire of somebody there if you could be of assistance?

Mr. CROY. Yes.

Mr. GRIFFIN. Whom did you inquire of?

Mr. CROY. I don't know. They were just standing on the corner, and I asked if I could be of any assistance.

Mr. GRIFFIN. Then, what did you do?

Mr. CROY. I proceeded on home.

Mr. GRIFFIN. Which way did you drive home?

Mr. CROY. Out Thornton to Colorado, and Colorado to—I can't think of the street. It was Marsalis.

Mr. GRIFFIN. Was that——

Mr. CROY. Or Zangs.

Mr. GRIFFIN. Thornton to Zangs?

Mr. CROY. Thornton to Colorado to Zangs.
Mr. GRIFFIN. Then out Zangs and in a westerly direction?
Mr. CROY. No. That is when I heard the call on Tippit.
Mr. GRIFFIN. You were at the corner of Zangs and Colorado?
Mr. CROY. When the call came out on Tippit.
Mr. GRIFFIN. Then what did you do?
Mr. CROY. I proceeded to the location where Tippit was shot.
Mr. GRIFFIN. Where was that?
Mr. CROY. I think it was in the 400 block of East 10th, I believe it was.
Mr. GRIFFIN. Do you recall what street intersection that was?
Mr. CROY. No; I don't.
Mr. GRIFFIN. Can you describe that area out there?
Mr. CROY. Just residential.
Mr. GRIFFIN. Now, was there——
Mr. CROY. Where Tippit was killed, you mean?
Mr. GRIFFIN. This area that you went to where Tippit was?
Mr. CROY. Well, the street where he was killed was a residential area. The street immediately south of that, Jefferson, is business.
Mr. GRIFFIN. I see. Now, I am just referring to the street you found him on. When you got there, was Tippit's car there?
Mr. CROY. Yes.
Mr. GRIFFIN. Was Tippit there?
Mr. CROY. They were loading him in the ambulance.
Mr. GRIFFIN. Were other officers on the scene?
Mr. CROY. None that I saw.
Mr. GRIFFIN. What did you do when you got there?
Mr. CROY. Got me a witness.
Mr. GRIFFIN. Who did you get ahold of?
Mr. CROY. It was a woman standing across the street from me. I don't recall her name. She gave me her name at that time.
Mr. GRIFFIN. What did she tell you?
Mr. CROY. She told me that she saw Tippit get out of the car, and I don't recall, I think she said he stepped back a couple of foot and shot him and then ran. She was pretty hysterical at that particular time.
Mr. GRIFFIN. Did she tell you where she first saw Oswald?
Mr. CROY. I don't recall whether she did or not. There was, as I recall, there was 2 people who saw it. No; 3. A man in a, taxicab driver. However, she was the main eyewitness, as far as I could make out. She saw the actual shooting.
Mr. GRIFFIN. How long did you talk with her?
Mr. CROY. Oh, a good 5 or 10 minutes.
Mr. GRIFFIN. Were there any other officers there with you when you were talking with her?
Mr. CROY. Yes; and no. I talked to her, and then they talked to her, and then I talked to her, and just after I located a witness, the squad did get there.
Mr. GRIFFIN. This conversation all took place near the scene of the Tippit killing?
Mr. CROY. Leaning up against his car.
Mr. GRIFFIN. Now, as you and the other officers talked with her, did she tell you where she was that she first saw Oswald?
Mr. CROY. I don't recall whether she did or not. She was pretty hysterical and not much that she said made too much sense.
Mr. GRIFFIN. What was she saying?
Mr. CROY. She talked very incoherent at that particular time.
Mr. GRIFFIN. What information were you able to get out of her at that time?
Mr. CROY. The only information I could get out of her was the description of what Oswald had on, and him shooting him.
Mr. GRIFFIN. What did she tell you at that time that he had on?
Mr. CROY. I don't recall what he had on.
Mr. GRIFFIN. What did she tell you?
Mr. CROY. I don't recall what it was. She just gave a description there.
Mr. GRIFFIN. Did you file any report of your activities this day?

Mr. CROY. No.

Mr. GRIFFIN. Do you remember the names of the other officers who were there with you when you were interviewing this woman?

Mr. CROY. No; I know them on sight. They all work in Oak Cliff and I don't know the names. I just know when I see them driving down the street.

Mr. GRIFFIN. Did you talk with the taxi driver?

Mr. CROY. Yes; I did. I talked to the taxi driver.

Mr. GRIFFIN. Now, did you talk with him on the scene of the crime?

Mr. CROY. Yes.

Mr. GRIFFIN. Do you remember what his name was?

Mr. CROY. No; I didn't get his name. There was a private detective agency. There was a report that a cabdriver had picked up Tippit's gun and had left, presumably. They don't know whether he was the one that had shot Tippit, or whether the man, I think it was he, brought someone out there, something. Anyway, he saw it and he picked up Tippit's gun and attempted to give chase or something like that.

Mr. GRIFFIN. There was a detective who was an eyewitness?

Mr. CROY. No; he brought the taxi driver back to the scene.

Mr. GRIFFIN. But the taxicab driver was an eyewitness?

Mr. CROY. As far as I know.

Mr. GRIFFIN. Did you talk to the taxicab driver?

Mr. CROY. No; I took Tippit's gun and several other officers came up, and I turned him over to them and they questioned him.

Mr. GRIFFIN. Now, who was the third eyewitness that you say you talked with there?

Mr. CROY. I believe it was a man that was standing there in the yard. He said he saw Oswald just walk up the street.

Mr. GRIFFIN. What direction did he say?

Mr. CROY. He didn't say.

Mr. GRIFFIN. But he saw Oswald walking some blocks to where he got to before he got to Tippit's car?

Mr. CROY. Yes.

Mr. GRIFFIN. What did he tell you that he saw Oswald do walking up the street?

Mr. CROY. He just said he saw him walking up the street, and this other lady said that, I believe it was, that Tippit had stopped him and called him over to the car, and he came around to the driver's side, because Tippit was by himself.

Mr. GRIFFIN. Oswald came around?

Mr. CROY. To the driver's side of the car.

Mr. GRIFFIN. This is the lady that said that?

Mr. CROY. The lady said that, and she said, I think she said, he stuck his head in the car and they talked, and he stepped back a couple or 3 feet, and Tippit opened the door to get out, and when he got out, Oswald pulled the pistol out and shot him.

Mr. GRIFFIN. This is a lady? The man or the lady that said this?

Mr. CROY. The lady.

Mr. GRIFFIN. Now, what did the man who was walking, who saw Oswald walking up the street, tell you?

Mr. CROY. He just said he saw him walking up the street just prior to the shooting.

Mr. GRIFFIN. Did he say he saw him arrive at the car?

Mr. CROY. No; I turned him over to some other officers and they talked to him.

Mr. GRIFFIN. Were you able to determine from them what direction he saw Oswald walking?

Mr. CROY. No.

Mr. GRIFFIN. Do you recall this man's name?

Mr. CROY. No; I found the witness and took him to the other officers.

Mr. GRIFFIN. Now, after the Tippit—how long did you remain at the scene of the Tippit killing?

Mr. CROY. Oh, I would say a good 30 minutes. Thirty or forty minutes, something like that.

Mr. GRIFFIN. Then where did you go?

Mr. CROY. Home. I went to eat.

Mr. GRIFFIN. I take it, at some restaurant or something?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you remain home the rest of the day?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you come to the police department on the—

Mr. CROY. Next day.

Mr. GRIFFIN. Next day?

Mr. CROY. I believe it was the next day. No; that was the 22d. Saturday, I didn't go to the police department that day.

Mr. GRIFFIN. While you were at the scene of the Tippit killing, did you inquire there as to whether or not you could be of any assistance?

Mr. CROY. Well, when I left, I asked them if they thought they needed me any longer, and they said, "No," so I left.

Mr. GRIFFIN. Now, have you been interviewed by an FBI agent or any agent of the Federal Government with respect to what you have just told us here?

Mr. CROY. No.

Mr. GRIFFIN. Have you been interviewed by any member of the Dallas Police Department with respect to what you have told us here?

Mr. CROY. No.

Mr. GRIFFIN. Did any of the—how many police officers came out to the scene of the Tippit killing while you were there?

Mr. CROY. I don't know. There was a slew of them. That would be hard to say.

Mr. GRIFFIN. Were there any officers there that you knew?

Mr. CROY. There were several officers there that I knew. I don't know their names.

Mr. GRIFFIN. Were there any officers there that you knew?

Mr. CROY. I am sure there is.

Mr. GRIFFIN. Did you know them?

Mr. CROY. The same way I know them, just by sight.

Mr. GRIFFIN. Well, do you have anything else of value that you know you could contribute to the Commission?

Mr. CROY. Not that I know of.

Mr. GRIFFIN. Do you know the name of the woman you talked to across the street?

Mr. CROY. I don't recall. I think she lived across the street. She was standing out in front watering her yard or doing something in her yard.

Mr. GRIFFIN. But you have the impression that she lived across the street, in a house across the street?

Mr. CROY. I believe she did. I am not sure either, or it was in the neighborhood and she was there in the yard. She was across the street when it happened.

Mr. GRIFFIN. Well, you stated that she was watering her yard?

Mr. CROY. Or something. She was standing in the yard doing something.

Mr. GRIFFIN. But the first thing you indicated was, she had been watering her yard? Apparently that was something that stuck with you from, of course, talking with her?

Mr. CROY. I don't remember what she said she was doing. She was doing something in the yard, and I presume that is where she lived was across the street.

Mr. GRIFFIN. Now, did you have occasion to go to the theatre where Oswald was apprehended?

Mr. CROY. No.

Mr. GRIFFIN. Or go near there?

Mr. CROY. I went by it, yes; within a block of it on the way home.

Mr. GRIFFIN. Had Oswald been apprehended by the time you got there?

Mr. CROY. No.

Mr. GRIFFIN. How do you know that?

Mr. CROY. They were on their way up there. There had been a report that he had gone into the Texas Theatre.

Mr. GRIFFIN. Were you listening to your police radio?

Mr. CROY. No. I was standing at the scene, and there had been several reports. One, that he, of course, they said that the killer did go into a church, which was in sight of where they were at. And another report, that he had gone into the library over on Jefferson. And they had all, most of the officers except maybe one or two had left the scene where Tippit was killed and gone to the spot.

And as I got ready to leave, there was another report that he ran into the Texas Theatre, a man fitting Oswald's description had ran into the Texas Theatre.

Mr. GRIFFIN. That was about the time you got into the automobile?

Mr. CROY. Just as I was fixing to leave.

Mr. GRIFFIN. Did you have your police radio on in your car?

Mr. CROY. Yes.

Mr. GRIFFIN. So you drove over there by the—near the theatre?

Mr. CROY. Well, I drove on up 10th Street. I believe it was 10th Street. On up to Zangs, and when I got to Zangs, took a left, and at the end of Zangs, at the corner of Zangs and Jefferson, it is just a block away. I could see them rushing out to the front and the back.

Mr. GRIFFIN. What did you do as you saw them rushing out?

Mr. CROY. They had more help than they needed, so I went on.

Mr. GRIFFIN. Did you continue to listen to your police radio?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you hear anything more over the radio about what happened?

Mr. CROY. No. I only had channel 1 on my radio.

Mr. GRIFFIN. How far a drive is it from the Texas Theatre to where you live?

Mr. CROY. About 3 miles.

Mr. GRIFFIN. How long does it take to drive that distance?

Mr. CROY. About 10 minutes.

Mr. GRIFFIN. Did you actually see these men rushing into the Texas Theatre from your automobile?

Mr. CROY. No.

Mr. GRIFFIN. How did you know they were going into the, men were rushing into the theatre just as you went by?

Mr. CROY. There were three cars in the back and about three in the front, and there wasn't nobody in them.

Mr. GRIFFIN. You drove right by the front of the theatre?

Mr. CROY. I drove within a block, but it is a big, wide street there, and there is an alley and nothing on the other side of the street, parking lots.

Mr. GRIFFIN. How many cars could you see there?

Mr. CROY. I would say there were two or three in the back and two or three in the front, plus another on the way.

Mr. GRIFFIN. Well, now, the street that you took, did that go by the front or the back of the theatre?

Mr. CROY. It didn't go by either one of them.

Mr. GRIFFIN. Which street was that?

Mr. CROY. Zangs.

Mr. GRIFFIN. How many blocks is it from the theatre?

Mr. CROY. One.

Mr. GRIFFIN. What street is the theatre on?

Mr. CROY. Jefferson.

Mr. GRIFFIN. What street does it back on to?

Mr. CROY. It backs into an alley.

Mr. GRIFFIN. Into the alley?

Mr. CROY. Yes.

Mr. GRIFFIN. How many feet would you say that Jefferson or the Texas Theatre is from Zangs?

Mr. CROY. I don't know. I would say not a very long block.

Mr. GRIFFIN. Now, when you were driving up Zangs, I take it you were driving away from town?

Mr. CROY. South.

Mr. GRIFFIN. South on Zangs at Jefferson?

Mr. CROY. Yes.

Mr. GRIFFIN. Did you continue south?
Mr. CROY. I continued south.
Mr. GRIFFIN. How did you proceed to your home from there?
Mr. CROY. Well, I didn't go home. I went to eat.
Mr. GRIFFIN. Where did you go to eat?
Mr. CROY. Austin Barbecue.
Mr. GRIFFIN. Where is that located?
Mr. CROY. On the corner of Hampton and Illinois.
Mr. GRIFFIN. How did you get to Hampton and Illinois?
Mr. CROY. From Zangs to Illinois.
Mr. GRIFFIN. Then what direction?
Mr. CROY. West.
Mr. GRIFFIN. Is that left or right?
Mr. CROY. It is a right.
Mr. GRIFFIN. Then how far up Illinois to Hampton?
Mr. CROY. Oh, I would say a long ways. It is a good stretch. Zangs Place is about the 300 or 400 block and Illinois intersects at about the 2100 or 2200 block.
Mr. GRIFFIN. How far driving was it from the Texas Theatre to this place that you had dinner or lunch?
Mr. CROY. Well, it is about three-quarters of a mile from my house, so it is 3 miles from there, so about $2\frac{1}{2}$ miles.
Mr. GRIFFIN. Now, from the diner what route did you drive to your house?
Mr. CROY. Straight up Illinois, west on Illinois.
Mr. GRIFFIN. Is your house on Illinois?
Mr. CROY. Yes.
Mr. GRIFFIN. Do you know what time you arrived at the diner?
Mr. CROY. No; I don't.
Mr. GRIFFIN. Did you see anybody there that you knew?
Mr. CROY. My wife.
Mr. GRIFFIN. Did you have an appointment to meet your wife there?
Mr. CROY. Yes.
Mr. GRIFFIN. What time was your appointment?
Mr. CROY. Well, I saw her downtown and I was supposed to have gone right straight over there. I was supposed to have gone by my mother's, and I got detoured down at Tippit, and I was a little bit late, and she was a little mad.
Mr. GRIFFIN. Do you recall what time you were supposed to meet her?
Mr. CROY. No; I just saw her downtown, and we were going to eat. She was in her car.
Mr. GRIFFIN. Where did you see her downtown? Where were you and she when you saw each other?
Mr. CROY. At the courthouse. She pulled up beside me. I asked if anybody needed me there, and they said, "No," and here she comes and I said, "Do you want to get something to eat?" And she said, "Yes."
Mr. GRIFFIN. You said you would be right there?
Mr. CROY. I was going to change my uniform and my clothes were over at my mother's and dad's.
Mr. GRIFFIN. So then as you drove out to change your clothes, what did you do? Did you hear something? How did you happen to get over to Tippit's place on the way home?
Mr. CROY. I was on the corner of Zangs and Colorado on my way to my mother's and dad's house at that particular time.
Mr. GRIFFIN. Why were you going to change your clothes at your mother's and dad's house? Did you live at your mother's and dad's house at that particular time?
Mr. CROY. Yes. I did for about that 2 weeks.
Mr. GRIFFIN. Where was your mother's and dad's house from the place that you had dinner?
Mr. CROY. It is quite a ways. It is about 3 or 4 miles.
Mr. GRIFFIN. How did you go from where you had your lunch or dinner to your mother's and dad's house?
Mr. CROY. Straight out north on Hampton.

Mr. GRIFFIN. North on Hampton?

Mr. CROY. Yes.

Mr. GRIFFIN. You were living in your mother's and dad's house at that time?

Mr. CROY. I slept there.

Mr. GRIFFIN. Well, was your wife living there also?

Mr. CROY. No.

Mr. GRIFFIN. Were you separated from her?

Mr. CROY. No.

(To reporter: Don't put that in there.)

Mr. GRIFFIN. Were you separated at that time?

Mr. CROY. At that time.

Mr. GRIFFIN. Is there anything else that you think that you could tell as a result of your experiences on the 22d, 23d, or 24th, or any other time that would be helpful to us, either in the investigation of the assassination of President Kennedy, or the murder of Jack Ruby.

Mr. CROY. You mean Oswald?

Mr. GRIFFIN. Yes.

Mr. CROY. None that I know of. That is as well as I can remember it of what happened.

Mr. GRIFFIN. Thank you very much.

TESTIMONY OF WILBUR JAY CUTCHSHAW

The testimony of Wilbur Jay Cutchshaw was taken at 10:30 a.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me state for the record again. My name is Burt Griffin. I am a member of the advisory staff of the general counsel's office of the President's Commission on the assassination of President Kennedy. This Commission was established as a result of an Executive order that was signed by President Johnson on November 29, 1963, and a joint resolution of Congress No. 137. Pursuant to that joint resolution and the Executive order the Commission has prescribed a set of procedures, and in accordance with this provision I have been authorized to take your deposition, Mr. Cutchshaw.

I want to tell you first of all a little bit about the scope of the investigation. The Commission has been directed by the President to inquire into and ascertain all the facts that have to do with the assassination of President Kennedy and with the subsequent murder of Lee Harvey Oswald, and to evaluate these facts and report back to the President.

We don't have any authority here to prosecute any crimes. We are not investigating for that purpose. The only crime that can be committed in connection with this investigation is the crime of perjury. We are here to try to determine the facts, and in order to make sure that the events that have transpired over the last few months will not be repeated in the future, if that is possible, and to attempt to determine whether there is still any danger to our chief officers in Government and the national security.

In doing this, we have had hundreds of interviews conducted by various members of the Federal investigatory agencies, and perhaps hundreds is an understatement. It may be thousands. We have a stack of documents over in a corner that would frighten you. It just represents people who have been talked to by the various Federal Bureaus. Now we are undertaking to talk to a few other people that we think are particularly central in terms of having information that would be useful.

As to you, Mr. Cutchshaw, we have asked you to come here because we want to ascertain what you know in particular about the death of Oswald, and we

also, however, want any pertinent facts that you may have that would bear upon the entire picture.

You have been asked to appear here as a result of a letter which was mailed to Chief Curry in the form of a general request from Mr. J. Lee Rankin, who is the general counsel of the President's Commission. Actually, under the rules adopted by the Commission you are entitled to get a personal letter from the Commission, and 3 days before you testify here. However, the rules do provide that you can waive that particular letter, or 3-day written notice. Now, the first thing I want to ask you is if you would like us to send you a letter, or if you prefer to waive the 3-day notice?

Mr. CUTCHSHAW. I will waive that notice.

Mr. GRIFFIN. Also, the rules of the Commission provide that you are entitled to be represented by counsel at any time, and many of the people do have attorneys here. I want you to feel that we welcome your availing yourself of this opportunity if you want to, but I see that you are not here with an attorney, and I presume by that fact that you have decided that you don't want one. But if you do feel that you would like one, please feel free to indicate right now and we will certainly—

Mr. CUTCHSHAW. I don't feel I need one.

Mr. GRIFFIN. Okay, let me ask you to raise your right hand and swear you in. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CUTCHSHAW. I do.

Mr. GRIFFIN. Would you state your full name?

Mr. CUTCHSHAW. Wilbur Jay Cutchshaw.

Mr. GRIFFIN. When were you born, Mr. Cutchshaw?

Mr. CUTCHSHAW. May 27, 1923.

Mr. GRIFFIN. Where do you presently live?

Mr. CUTCHSHAW. 401 Northwest 22d, Grand Prairie, Tex.

Mr. GRIFFIN. What is your occupation?

Mr. CUTCHSHAW. Police officer, Dallas, Tex.

Mr. GRIFFIN. How long have you been with the police department?

Mr. CUTCHSHAW. A little over 9 years.

Mr. GRIFFIN. Are you in any particular bureau of the police department?

Mr. CUTCHSHAW. Criminal investigation division, juvenile bureau.

Mr. GRIFFIN. Do you hold any particular rank in the department?

Mr. CUTCHSHAW. Detective.

Mr. GRIFFIN. How long have you been with the juvenile bureau?

Mr. CUTCHSHAW. About 2½ years.

Mr. GRIFFIN. Where were you the time before that?

Mr. CUTCHSHAW. Radio patrol. Mostly working in the West Dallas area.

Mr. GRIFFIN. Did you ever work in the downtown Dallas area?

Mr. CUTCHSHAW. I think I worked downtown there for about a month.

Mr. GRIFFIN. Did you know Jack Ruby before the time he shot Lee Oswald?

Mr. CUTCHSHAW. I had seen him one time before.

Mr. GRIFFIN. Where was that?

Mr. CUTCHSHAW. At the Carousel on Commerce.

Mr. GRIFFIN. How did you happen to see him?

Mr. CUTCHSHAW. I went up in his place one night.

Mr. GRIFFIN. How long was that before he shot Oswald?

Mr. CUTCHSHAW. That's been about 2½ years ago, the first time I saw him.

Mr. GRIFFIN. I am going to mark for the purpose of identification a copy of an interview report prepared by FBI Agents Mabey and Hughes, purporting to report an interview they had with you on December 2, 1963. I am marking this "Dallas, Tex., Detective Cutchshaw, 3-26-64, Exhibit 5042." I have marked for identification the interview report of December 2, 1963, by Mabey and Hughes as Exhibit 5042. I have marked what purports to be a copy of a letter signed by you to Chief Curry, dated November 24, 1963, as Exhibit 5043. And I have marked as Exhibit 5044 a copy of a report by FBI Agent James W. Bookhout, relating to an interview that Bookhout had with you on November 24th. That is Exhibit 5044. Now, have you had a chance to look over these two interview reports and a copy of your letter?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Are there any additions or corrections that you would want to make in those documents?

Mr. CUTCHSHAW. I couldn't see any that I would want to make.

Mr. GRIFFIN. Okay; now, you were up in the juvenile bureau all of Sunday morning until you were called down in the basement; is that right?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Now, during the period that you were up there, do you recall who was on duty?

Mr. CUTCHSHAW. Well, let's see. Officer Goolsby was working the desk, and Lowery and myself and Harrison and Miller, I believe it was, and, oh, yes, June McLine, a policewoman.

Mr. GRIFFIN. Can you recall when it was that you first had any information that Lee Oswald might be moved to the county jail?

Mr. CUTCHSHAW. All I can remember is that Chief Stevenson came up and told us he wanted us all to stay up in the office, and at that time it was about 9 o'clock, I believe it was. And he said that they had to form a security when they moved Oswald, but as far as knowing exactly what time, I didn't.

Mr. GRIFFIN. How do you place it? What makes you say that he came up about 9 o'clock?

Mr. CUTCHSHAW. Because I remember that he said we had to be there between, I believe it was, 9 and 10, and so I looked out the window at the clock, but I didn't have my watch, because I had these trousers that didn't have a watch pocket, because I have a pocket watch. I don't have a wrist watch, and out the window we have a sign that has a big clock. I said I better call the boys from the cafe.

They had already left to go to the cafe, but it was about 9 o'clock.

Mr. GRIFFIN. Who were they?

Mr. CUTCHSHAW. Blackie Harrison and L. D. Miller.

Mr. GRIFFIN. Who did you say that to?

Mr. CUTCHSHAW. I believe I asked Captain Martin if he wanted me to call and tell them to come back. He said tell them to get back as soon as possible.

Mr. GRIFFIN. Did you call over at the cafe?

Mr. CUTCHSHAW. I asked somebody what the number was, and I think it was a man on the desk, but it was Goolsby was the one that made the call. I am not sure as to whether he did or not. I know somebody had to look it up in the book what the number was over there.

Mr. GRIFFIN. You don't recall whether you made the telephone call or Goolsby made it?

Mr. CUTCHSHAW. I sure don't.

Mr. GRIFFIN. Do you recall where it was you called?

Mr. CUTCHSHAW. I know where they went. I say I think I do. The Deluxe Diner, right across from the library on Commerce.

Mr. GRIFFIN. How did you happen to know that?

Mr. CUTCHSHAW. Because that is where they said they were going. That is what we call the "greasy spoon."

Mr. GRIFFIN. Have you talked to Miller and Harrison about their testimony before the Commission?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. Were you on duty yesterday?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. What duty hours are you working now?

Mr. CUTCHSHAW. I work from 8 to 4.

Mr. GRIFFIN. What are your days off?

Mr. CUTCHSHAW. On Tuesdays and Wednesdays.

Mr. GRIFFIN. Do you recall what happened? Do you recall Harrison and Miller coming back from the diner?

Mr. CUTCHSHAW. No; I know the next time I saw them they were down in the basement.

Mr. GRIFFIN. Do you recall anybody coming in and directing you to go down to the basement?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Who was that?

Mr. CUTCHSHAW. Captain O. A. Jones.

Mr. GRIFFIN. What time would you estimate that was?

Mr. CUTCHSHAW. Well, I believe that was just before 11 o'clock.

Mr. GRIFFIN. How do you fix the time at 11 o'clock?

Mr. CUTCHSHAW. Well, I know we weren't down there too long, and when they brought Oswald and he was shot, I think it was a little after 11, or 20 minutes after, something like that.

Mr. GRIFFIN. Do you recall who all went downstairs with you at that time?

Mr. CUTCHSHAW. I think it was Detective Goolsby, R. L. Lowery, and myself, and I don't remember who else went down. I know we three were together.

Mr. GRIFFIN. Do you recall what happened when you got out of the elevator?

Mr. CUTCHSHAW. Yes; we walked into this little hallway lobby deal right in front of the jail office, and we had to wait there for a while. They had an officer on guard there at the entrance to the hallway.

Mr. GRIFFIN. Do you recall who that officer was?

Mr. CUTCHSHAW. No, sir; I don't.

Mr. GRIFFIN. Now, when you left the jail office, who was it you said went down with you? Goolsby, Lowery, and who else?

Mr. CUTCHSHAW. That is the only two, is Officer Goolsby, Lowery, and myself.

Mr. GRIFFIN. Do you recall where Miller and Harrison were?

Mr. CUTCHSHAW. No; I don't. I did see them after that. He came in there, and I asked him where he had been, and he said when he came back from the cafe he went down in the basement, which is our locker room, to get some cigars.

Mr. GRIFFIN. Where did you see him?

Mr. CUTCHSHAW. Down in the lobby.

Mr. GRIFFIN. Now, then, when you congregated outside that jail office, what happened?

Mr. CUTCHSHAW. Captain Jones came in and told us that we were going to have to form a cordon and keep everybody out except those who are authorized, which was the police officers and the news media.

Mr. GRIFFIN. Did he tell you anything about what you should do when Oswald came down?

Mr. CUTCHSHAW. He said to try to keep everybody back and not to let them get too close to him.

Mr. GRIFFIN. You formed along one of the walls; didn't you?

Mr. CUTCHSHAW. I was at the door where the doors come out of the jail lobby.

Mr. GRIFFIN. Maybe it would be easier if you took this diagram and indicate on the diagram where. Would it be easier to turn it around the other way? Indicate where you were. [Diagram marked Cutchshaw Exhibit No. 5046.]

Mr. CUTCHSHAW. This door is a swinging door, and it was swinging back inside the jail, and I was right here at this.

Mr. GRIFFIN. Would you put an "X" there?

Mr. CUTCHSHAW. I was standing right here by the side of the door.

Mr. GRIFFIN. All right; now, did you remain there the entire time?

Mr. CUTCHSHAW. Yes; until after the shooting.

Mr. GRIFFIN. Now, what did Captain Jones tell you to do at that particular time?

Mr. CUTCHSHAW. Captain Jones told us what he wanted done, for us to line up the cordons here and block off the doors here, and had officers lined over here, so I just got at that position. He didn't put us at any particular position. So I was over here. And there was a bunch of newsmen in this area in here.

Mr. GRIFFIN. In the jail office?

Mr. CUTCHSHAW. In the jail office. And I asked him about those and he said he wanted everybody out there, and we cleared out the jail office except the officers here.

Mr. GRIFFIN. That is behind the desk?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. When you cleared out those news people in the jail office, did anybody help you?

Mr. CUTCHSHAW. Yes; Captain Jones was there. He was right there, and he

came in with me, and I believe it was a, I think it was Lieutenant Wiggins that was on duty that morning. I'm not too sure.

Mr. GRIFFIN. How many newspaper people would you estimate were in there?

Mr. CUTCHSHAW. I would say there were about seven or eight in there at the time.

Mr. GRIFFIN. Did you see where those people went?

Mr. CUTCHSHAW. Yes; they came out this door and to the left.

Mr. GRIFFIN. The door where you stationed yourself?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did they all go out and turn left as they got out?

Mr. CUTCHSHAW. They all turned to the left, and two of them, I don't know who they were, I would recognize them if I say them, came into this area here.

Mr. GRIFFIN. Came behind the double doors?

Mr. CUTCHSHAW. Came back in from the double doors in front of the jail office window.

Mr. GRIFFIN. Would you put an "N" on the map where the people were?

Mr. CUTCHSHAW. I wouldn't know the exact position where they went, but two of them went in here, and one came back out here and stood for a minute. I will put it right in front of this window right here.

Mr. GRIFFIN. One of them went in there and stayed, and the other one went in and came out?

Mr. CUTCHSHAW. Right; he came out and was standing out here for a moment.

Mr. GRIFFIN. Where did he go?

Mr. CUTCHSHAW. We made him get back of the hallway, and I think I was right about in here.

Mr. GRIFFIN. Would you put an "N" where that newspaper man was.

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Where did the remainder of the newspaper people go?

Mr. CUTCHSHAW. They went back into this area along there. They got a pipe rail here, and they had officers along, and somewhere in behind these offices along that rail.

Mr. GRIFFIN. Now, would you place on the map where you recall seeing TV cameras?

Mr. CUTCHSHAW. Put an "N" or what?

Mr. GRIFFIN. Why don't you draw sort of a rectangle of some sort and write TV. Make it big enough.

Mr. CUTCHSHAW. [Complies.]

Mr. GRIFFIN. Now, were there any other TV cameras in the basement, that you recall?

Mr. CUTCHSHAW. Not right at first, but another one did come in through the door and went down to this position here.

Mr. GRIFFIN. Would you mark this spot that it went to?

Mr. CUTCHSHAW. The last position I saw it in was about in here [indicating].

Mr. GRIFFIN. How long before Oswald came down did that TV camera come out through the double doors and go down to the spot that you have marked in the entrance to the garage?

Mr. CUTCHSHAW. Oh, about 2 or 3 minutes. Just prior to when they were coming down. It is when they were coming down. It is when they came through the door.

Mr. GRIFFIN. Now, at any time while you were down there, was there a TV camera along the wall that Lowery was on?

Mr. CUTCHSHAW. This one right here that came through here, and Lowery was standing right here.

Mr. GRIFFIN. Put an "L" where Lowery was.

Mr. CUTCHSHAW. And they came through right down by him, down this ramp here.

Mr. GRIFFIN. Was there ever a TV camera stationed there?

Mr. CUTCHSHAW. Not that I remember; no.

Mr. GRIFFIN. Do you recall if the TV camera which you saw go out into the garage area, came down through the public elevators, or through the jail office elevators?

Mr. CUTCHSHAW. I didn't see them come down.

Mr. GRIFFIN. Did he come through the double doors?

Mr. CUTCHSHAW. He came through the double doors here, and the service elevator, public elevators over here. They came through here. As far as where they came in, they didn't come out of the jail office.

Mr. GRIFFIN. Did you clear the newspaper people out of the jail office before or after this TV camera?

Mr. CUTCHSHAW. It was before.

Mr. GRIFFIN. After the TV camera came down, where did you station yourself?

Mr. CUTCHSHAW. I was right back in this door, the same place.

Mr. GRIFFIN. Still there?

Mr. CUTCHSHAW. Right there.

Mr. GRIFFIN. Did you look out towards the TV cameras from time to time?

Mr. CUTCHSHAW. Yeah.

Mr. GRIFFIN. Now, tell us what you saw as you looked out towards the TV cameras?

Mr. CUTCHSHAW. Mostly saw lights. I mostly saw lights were shining in my eyes here, but there was a line of men along here which consisted of officers and news media.

Mr. GRIFFIN. Now, do you remember when the armored car came down?

Mr. CUTCHSHAW. Well, I know when they were trying to back it down, but it couldn't get through.

Mr. GRIFFIN. Now, do you remember Chief Batchelor being up there by the armored car?

Mr. CUTCHSHAW. I couldn't see the armored car from where I was.

Mr. GRIFFIN. How long did you remain in this position that you have marked with an "X" after the TV camera came through?

Mr. CUTCHSHAW. You mean how long did I stay there?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. Until after the officers and Lee Oswald came through. Then I stepped up maybe one or two steps behind them, and that is when the shot rang out.

Mr. GRIFFIN. Did you see any of the officers here in this area along the Main Street ramp?

Mr. CUTCHSHAW. Well, I think there was one standing right here, and one right here. But just who they were, I don't know.

Mr. GRIFFIN. Did you see any of them up further across the Main Street ramp?

Mr. CUTCHSHAW. I don't remember seeing any. I know there was a line of men along there, and who they were, I don't know.

Mr. GRIFFIN. From where you were standing, you could see the TV camera going in that direction, couldn't you?

Mr. CUTCHSHAW. I saw the TV camera over here; yes.

Mr. GRIFFIN. Could you see from where you were standing any people in front of that TV camera?

Mr. CUTCHSHAW. No; not that I can remember except there were people right in here.

Mr. GRIFFIN. Would you indicate where you saw people congregating over in the area of the entrance to the garage?

Mr. CUTCHSHAW. No; I think there were some—I will put a couple of "X's"—I think there were some along there, and there were people right along here [indicating].

Mr. GRIFFIN. Now, were you able to see how many lines of people there were along across the Main Street ramp?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. Did you see Rio Pierce, the same Pierce car go up the ramp?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did you see it break through the line of newsmen?

Mr. CUTCHSHAW. Yes. Did I see a car break through the line?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. All I know, it went up, or when it cleared the way, I know the car did go up, because I don't know how many people—

Mr. GRIFFIN. You didn't actually see the car reach the top of the ramp?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. Where did you lose sight of that car?

Mr. CUTCHSHAW. When it went up past this line here.

Mr. GRIFFIN. On November 24, the day that Oswald was shot, you prepared a letter to Chief Curry, and you were also interviewed by Agent Bookhout. Do you remember those two things?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Do you remember whether you prepared your letter to Curry before or after you were interviewed by Bookhout?

Mr. CUTCHSHAW. It was before.

Mr. GRIFFIN. All right. Now, after the shooting, did you go back into the jail office?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. You followed Ruby and Oswald back in there?

Mr. CUTCHSHAW. Well, I helped carry—I had hold of Ruby's left hand, up as far as the jail office door. And all of us couldn't get through at the same time, so I released, because there was another man right in front at his shoulder, so I let go so they could get in.

Mr. GRIFFIN. Were you in the jail office when Ruby was taken upstairs?

Mr. CUTCHSHAW. Well, I think I was, because I was there at the door keeping other people out—after I got in. Let me put it like this: After we got Ruby on the inside, I slammed the door, too.

Mr. GRIFFIN. Did there come a time when you left the jail office?

Mr. CUTCHSHAW. Yes; there was.

Mr. GRIFFIN. How long after Ruby shot Oswald would you say that was?

Mr. CUTCHSHAW. I imagine it was only a couple of minutes. Just a very short time.

Mr. GRIFFIN. Then where did you go?

Mr. CUTCHSHAW. I notified this TV camera officer here with two men, I went over to talk to them, because they were trying to push it up this ramp by themselves, and I do remember seeing three men with that camera at one time, and there was only two men at the time trying to push it.

Mr. GRIFFIN. Do you remember what TV camera that was? What station?

Mr. CUTCHSHAW. Channel 5 on the camera box.

Mr. GRIFFIN. Have you subsequently learned that it was a Dallas channel 5?

Mr. CUTCHSHAW. Well, I think so, that channel 5. I believe it is a Fort Worth station. It is one of them, got two of them.

Mr. GRIFFIN. What channel is channel 5? What station?

Mr. CUTCHSHAW. I believe that is a Fort Worth station.

Mr. GRIFFIN. What are the call letters on that?

Mr. CUTCHSHAW. Man, I don't know.

Mr. GRIFFIN. Is it in your statement anywhere?

Mr. CUTCHSHAW. I don't know. I don't think I know the call letters. Just channel 5 is the only thing I saw on the box.

Mr. GRIFFIN. How many men were over at the camera at that time?

Mr. CUTCHSHAW. When I was standing at the door, I had it closed, and I looked out and I saw the camera here with only two men.

Mr. GRIFFIN. Why did you go over to the camera?

Mr. CUTCHSHAW. Because I remember three men being with the camera in this area here.

Mr. GRIFFIN. I see. Did you have reason to think one of them might be Ruby?

Mr. CUTCHSHAW. I didn't at the time, because I figured if there were three men pushing it out, why wouldn't there be three men trying to get it up the ramp.

Mr. GRIFFIN. How many did you see get it up the ramp?

Mr. CUTCHSHAW. Two.

Mr. GRIFFIN. Did you detain those men?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did anybody assist?

Mr. CUTCHSHAW. Officer Lowery.

Mr. GRIFFIN. Anybody else?

Mr. CUTCHSHAW. Not at the time, because we finally got Lieutenant Swain over there and he talked with them awhile, and at that time when he and Lowery had them, or Swain talked to them, we got their names where we would be able to ask information of them later.

Mr. GRIFFIN. Who was the first one of the two of you to arrive at the TV cameras? Was it Lowery or was he there when you came up?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. How much later did Lowery come up?

Mr. CUTCHSHAW. When I got over there and this one, I don't know what the names are, I think this one that had the coat on was Alexander, as well as I can remember. He was kind of nervous and shaky. So, then I called Lowery to help me out, because I didn't know whether they might be involved or not.

Mr. GRIFFIN. Do you remember where Lowery was standing when you called him over?

Mr. CUTCHSHAW. I believe he was right over in this area. I am not too sure, but I think he was, because I could see him from here.

Mr. GRIFFIN. The point you are talking about is in front of the double doors?

Mr. CUTCHSHAW. Between the double doors and the driveway close to, I call that the north wall.

Mr. GRIFFIN. Now, at the time Lowery arrived, was Lieutenant Swain there?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. How much longer would you say after Lowery arrived did Lieutenant Swain?

Mr. CUTCHSHAW. Well, in the process after I got Lowery over there and we were holding them, we tried to stop two or three officers prior to that, supervisory officers, and they were in a hustle trying to get around, and they finally got Swain, and I think it was maybe 5 or 6 minutes after Lowery got there, and they got Lieutenant Swain to come over and talk to them. Not to talk, but for us to have a conference as to what to do about it.

Mr. GRIFFIN. Now, how long did you talk with Lieutenant Swain?

Mr. CUTCHSHAW. Well, I imagine it was about 3 or 4 minutes.

Mr. GRIFFIN. Did you and Lowery turn the two TV men over to Lieutenant Swain?

Mr. CUTCHSHAW. When I got the names and everything, Lowery started getting their names and I left.

Mr. GRIFFIN. Did Lowery take the names down in a notebook?

Mr. CUTCHSHAW. He took the names and he turned them over to the homicide office.

Mr. GRIFFIN. You left, and where did you go?

Mr. CUTCHSHAW. I came back upstairs to my office.

Mr. GRIFFIN. On the third floor?

Mr. CUTCHSHAW. Room 314.

Mr. GRIFFIN. What did you do when you got up to the juvenile bureau?

Mr. CUTCHSHAW. I waited up there until further information.

Mr. GRIFFIN. How long did you wait?

Mr. CUTCHSHAW. Man, I don't know. We was up there for quite a while.

Mr. GRIFFIN. Now, did you eventually go out to Love Field?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Now, before you went out to Love Field, did you prepare a report of what had happened down in the basement?

Mr. CUTCHSHAW. No, sir; that is where I went, I am sorry. I am getting confused, but when I left the basement, I talked to somebody downstairs about it, and I think that was Captain Jones, and he said, "Well, go upstairs and write out your report, whatever you know, or what you saw." And I went to the homicide bureau first and made out my report in written letter form that you have, and gave it to the homicide office up there, and then I went to my room, which is room 314.

Mr. GRIFFIN. Now, so at the time you prepared this letter dated—let me ask you this: Let me hand you Exhibit 5043. Is that a true and accurate copy of a report that you wrote out in the homicide bureau?

Mr. CUTCHSHAW. Let me take a minute here [reading report]. You mean word for word?

Mr. GRIFFIN. Let me ask you this: I notice you pulled out a set of papers from your pocket. You have a copy of the actual report you prepared?

Mr. CUTCHSHAW. Yes; I have a copy which is one of the Xerox copies of the report which I wrote.

Mr. GRIFFIN. Would you mind if we made a photocopy of that? And retain it for our files?

Mr. CUTCHSHAW. No, sir; I don't. In fact, it looks like—that is my handwritten copy. I don't know whether you can read it or not.

Mr. GRIFFIN. Now, I think I can make out your handwriting here. I am referring now to the copy of the handwritten report which Detective Crenshaw prepared on November 24, 1963, in the homicide bureau office. Approximately how long after Ruby shot Oswald?

Mr. CUTCHSHAW. About 20 minutes.

Mr. GRIFFIN. Could it have been longer than that?

Mr. CUTCHSHAW. It could have been longer, but it was approximately 20 minutes.

Mr. GRIFFIN. Could it have been as long as 2 hours later?

Mr. CUTCHSHAW. I think it was that long. It might have been the way things were, but I remember when I left the basement, I did go upstairs, and I did go to the homicide office and that is where I wrote the report.

Mr. GRIFFIN. Did you go up to homicide because somebody in the basement told you to go up and write a report on what you saw?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Who was that?

Mr. CUTCHSHAW. Captain Jones. I know he told me.

Mr. GRIFFIN. All right.

Mr. CUTCHSHAW. And there was a standing order to put it down in writing what you saw and what you did.

Mr. GRIFFIN. Was this after everything had been quieted down in the basement?

Mr. CUTCHSHAW. Yes; well, now, I am losing track of my time again.

Mr. GRIFFIN. It is important that we try to straighten this out.

Mr. CUTCHSHAW. Let's see. I will have to retract some of them. I don't want to state it that way. But so far as what I have said, it is true, but as far as my time element is concerned, when I left, I had to go up to the first floor, and I kept seeing people coming in and out.

We have three entrances. The Harwood, Main and Commerce, and I think there was four of us which were taking names of people coming in and leaving, and checking their identification.

Mr. GRIFFIN. Which entrance was it you were at?

Mr. CUTCHSHAW. I was checking the Commerce side. I was inside the building close to the information desk, but checking those coming in and leaving the Commerce Street entrance to the building. So it might have been about 2 hours after, because I know I was down there for quite awhile.

Mr. GRIFFIN. When you were at the Commerce Street side, were you at the door going out of the building?

Mr. CUTCHSHAW. No; I was in the hallway close to the entrance of the hallway.

Mr. GRIFFIN. As you said before, closer to the information desk?

Mr. CUTCHSHAW. Closer to the information where the hallway is in front of the desk.

Mr. GRIFFIN. That is on the first floor and not in the basement?

Mr. CUTCHSHAW. Right. It is on the first floor.

Mr. GRIFFIN. Do you recall who was up there with you taking names?

Mr. CUTCHSHAW. No; I don't.

Mr. GRIFFIN. Was Lowery there?

Mr. CUTCHSHAW. No; I don't think so.

Mr. GRIFFIN. Was Harrison there?

Mr. CUTCHSHAW. I don't think he was there.

Mr. GRIFFIN. Anybody from the juvenile bureau there?

Mr. CUTCHSHAW. I was the only one from the juvenile. There was about four or five officers, two at the desk and one at the Harwood side there, checking

those, and one on the other side of the desk checking those coming from the Main Street, and I was on Commerce Street.

Mr. GRIFFIN. Did you tell any of the people up there what you had seen?

Mr. CUTCHSHAW. No; not that I can remember. You mean what I saw down in the basement?

Mr. GRIFFIN. Yes; about your suspicion about those guys pushing the camera.

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. Now, were you taken off that duty by anybody?

Mr. CUTCHSHAW. Yes. Lieutenant came down and told us it was all right to secure, that everything was settled down, and that is when I left and went up to the homicide office and wrote my report.

Mr. GRIFFIN. When did you get the instructions to write a report on this?

Mr. CUTCHSHAW. Down in the basement.

Mr. GRIFFIN. Before you got stationed?

Mr. CUTCHSHAW. Before I had to go upstairs: yes.

Mr. GRIFFIN. Now, at the time Captain Jones gave you those instructions down there, had the basement sort of quieted down?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did he give instructions to a bunch of you standing in a group, or were you all spread out, or how did it happen?

Mr. CUTCHSHAW. I think there were two or three of us there, and I asked about it, and told him, and he said, "The information is good," but he said, "Put it down in writing so you will be able to refer to it later."

Mr. GRIFFIN. Who else was there at the time?

Mr. CUTCHSHAW. I don't remember who all was there.

Mr. GRIFFIN. So, now, on the basis of what you told us, what would be your best estimate of how long it was after you saw this cameraman come through that you wrote this report? And when I say on the basis of what you said, I don't mean that I want you to conform to anything you have said, but taking into account all the discussion we have had now, what is your best judgment as to how long it was?

Mr. CUTCHSHAW. About an hour and a half or 2 hours.

Mr. GRIFFIN. Now, when you took the names of the two men you found at the camera—

Mr. CUTCHSHAW. I didn't take the names.

Mr. GRIFFIN. Lowery took those names?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. How were those two men dressed?

Mr. CUTCHSHAW. One of them had on a long black coat. One of these kind of, like a raincoat—topcoat combination deal, and the other one, best I can remember, had on a greenish shirt and khaki trousers.

Mr. GRIFFIN. Where had those two men, as you recall, where had they been on the camera as it was being pushed through?

Mr. CUTCHSHAW. You mean where? How were they positioned there?

Mr. GRIFFIN. Where was the man in the black coat?

Mr. CUTCHSHAW. The man in the black coat was on the left side of the camera, and the other one was on the right.

Mr. GRIFFIN. There was one man in between?

Mr. CUTCHSHAW. As far as I can remember, yes.

Mr. GRIFFIN. Did you discuss that man with those people that you and Lowery confronted?

Mr. CUTCHSHAW. You mean the two men at the camera?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did you ask them where the third man was?

Mr. CUTCHSHAW. I asked them where the third man was who had helped them with the camera, and they told me they didn't know there was any third man there.

Mr. GRIFFIN. Did you ask those men where that camera had been before it came through the double doors?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. Have you subsequently learned where it was before it came through the double doors?

Mr. CUTCHSHAW. Yes. I heard it had been up on the third floor, and that they were bringing it down because it had the telescopic lens, and they were wanting to get a shot taking Oswald up the ramp to the armored car.

Mr. GRIFFIN. Did you learn the names of the two men that you talked with out at that camera?

Mr. CUTCHSHAW. I have not since then, no. At the time, I thought one was named John Alexander, but I don't know what their names are.

Mr. GRIFFIN. When Lowery saw you questioning those two men, do you recall if Lowery at that time remembered that there had been a third man on the camera?

Mr. CUTCHSHAW. Well, when I called him over there, I told him what I had, and he said, "Yes, he remembered a third man being with them."

Mr. GRIFFIN. But Lowery came over at your beckoning?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Lowery did not come over spontaneously?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. When you arrived up in the homicide office to write your report, who was there?

Mr. CUTCHSHAW. Lowery was there, and there was some officers from the homicide bureau there, and Captain Fritz was in his office, and I think there was a Secret Service man there with him. I don't know what his name was. I was told it was a Secret Service man.

Mr. GRIFFIN. Did you know L. D. Montgomery?

Mr. CUTCHSHAW. You mean the detective?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Do you recall whether he was there?

Mr. CUTCHSHAW. I don't recall whether he was or not.

Mr. GRIFFIN. Was Blackie Harrison there when you arrived?

Mr. CUTCHSHAW. I think he was there in the office. I believe he was in there, and there was Lieutenant Wallace. I just don't remember who else was there. I know the place was full.

Mr. GRIFFIN. Who else was there? Let me ask you—I want to ask you here to speculate a little bit but at the same time to give me an honest opinion on this.

You have had a chance to talk with many police officers, I presume, about all the events that took place, and you know of all the rumors that there have been about the man walking down the Main Street ramp and so forth and so on.

Do you still feel—can you tell me whether or not you still have a belief that Jack Ruby might have been the man who pushed that camera in, in your own mind?

Mr. CUTCHSHAW. Well, in my own mind, I can tell you this: I did see the third man with the camera, and it struck me so strange that only two men—there were three men, but still only two were trying to push the camera, and that is the reason I went out and contacted the two men.

Let me tell you, I did learn from Lieutenant Wallace—that is one of the investigators on the thing for the city—one of you might have talked with him—that you contacted the crews on this camera—and he did say that a man that was with these cameras over here that at about—see, there is a slight decline in this area right here where Lowery was.

Mr. GRIFFIN. There was a decline where Lowery was standing?

Mr. CUTCHSHAW. At the time that that camera was being pushed, a man came from this crew over here and helped them push it on down. If there is where I got the three men, but I do remember seeing three men on that camera.

Mr. GRIFFIN. And, in other words, somebody came over to the two-man crew?

Mr. CUTCHSHAW. Off one of these cameras here. Channel 5 already had one camera down here, but they said—that is where I got the reason for this—they brought the wide angle lens and they wanted one of the telescopic lens to get a shot of him walking up the ramp to where the armored car was. But still I did see three men pushing that camera through here.

(Discussion off the record.)

Mr. GRIFFIN. Let's put this on the record. Now, as I understand the story that you heard was that a man came from the two TV cameras, from the channel 5 camera that was already stationed behind a railing?

Mr. CUTCHSHAW. All right.

Mr. GRIFFIN. And came off and assisted two other men who had already been pushing that camera through the door, and that man reached the camera at approximately when that camera was near Lowery?

Mr. CUTCHSHAW. That is what I was told, what I heard.

Mr. GRIFFIN. Now, if that were true, do you think as you look at—out in the area toward where Lowery and that camera would have been at that point, that you would have seen a man walk over there to that camera?

Mr. CUTCHSHAW. If I had been looking there at that time, I could have; yes.

Mr. GRIFFIN. All right. Now, what I am getting at is, the area that was in front of those two stationery TV cameras was clear, wasn't it?

Mr. CUTCHSHAW. Yes; because the cameras and lights were right here. And they had lights up here shining in here.

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. Now, the camera came this route here through these swinging doors.

Mr. GRIFFIN. Did you see it come through the swinging doors?

Mr. CUTCHSHAW. Yes; I saw it coming through the swinging doors because these doors came open and they come through, and I was standing right here. I wasn't right exactly at the corner door, but I was in the doorway at the time.

I held one of the doors open when they came through, and the camera came right on down here and was parked in this area.

Mr. GRIFFIN. You are indicating on the chart that it was pushed through the swinging doors where Lowery was stationed and over to the point that you have marked it as the final resting place in the garage entrance?

Mr. CUTCHSHAW. That is where I saw it; yes.

Mr. GRIFFIN. You have also been told that this same channel 5 had some other new camera behind the railing?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Now, in front of that railing, was that area in front of the railing clear of people at the time that that camera came through?

Mr. CUTCHSHAW. I don't remember whether it was exactly clear or not. I know that right after the camera came through, that these men down here started hollering to everyone to clear back. Evidently some were standing in front of the cameras down there and that is why they had to clear them out.

So far as I remember, most of the people were standing here, and in front of the door, and on the south side of the hallway into the ramp, and on the north side of the hallway, and into the ramp there.

Mr. GRIFFIN. Now, this guy you say had on a dark suit?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Do you recall if he had on a hat?

Mr. CUTCHSHAW. I do not, because the man I saw was bent over pushing like that [indicating]. All three is what struck me strange that all three of them, not one was putting all his weight, but all three were bent over pushing like that.

Mr. GRIFFIN. At the time that you ran for those TV cameras after the shooting, did you know that Jack Ruby had been the person who shot Oswald?

Mr. CUTCHSHAW. I knew that. I helped carry the man through the jail office doors to the jail office, and while I was there standing guard on the doors, someone said who is he, and a guy said it is Jack Ruby. And I was standing in the door when a doctor came in right after we got Ruby in there and they brought Oswald, and immediately thereafter, someone was banging on the door trying to get through, and I tried to push him out, and he said he was a doctor, and that he had been called. And I run my hand down his side and he had the stethoscope in his right hand coat pocket, and I let him through.

Mr. GRIFFIN. So, by the time you ran to the TV cameras, you knew that Ruby was the man?

Mr. CUTCHSHAW. I knew that Ruby was the man. They said he was Jack Ruby.

Mr. GRIFFIN. Now, if you had seen the third man after it reached, or as it reached Lowery, do you think you would have seen that man move from the TV cameras to the channel 5 camera that was stationed behind the railing? Do you think you would have seen him move from there to the position of the camera?

Mr. CUTCHSHAW. Well, let me put it this way: I didn't just watch this camera all the way through, because it done past this point, and the next time I saw it, I remember seeing it when I was looking through the square glass in the door when I was holding it to, and I saw the two men push it up here.

So, I don't know whether I was looking at the camera at the time I was down here, but I didn't see anyone go around to the camera.

Mr. GRIFFIN. At the time that the TV camera came through the door, the double doors, you were looking through another glass?

Mr. CUTCHSHAW. No; now at the time it came through the door, this door was being opened from the inside.

Mr. GRIFFIN. This single door that entered into the jail office opened inward toward the jail office, and it didn't obstruct your view?

Mr. CUTCHSHAW. No; they came through the swinging door. I was standing in the doorway and I held this door open.

Mr. GRIFFIN. You held open the swinging doors for them?

Mr. CUTCHSHAW. Right; when they came through.

Mr. GRIFFIN. You pulled it back toward yourself?

Mr. CUTCHSHAW. They were already going past, and I grabbed ahold.

Mr. GRIFFIN. So, the swinging doors were between you, your face and them?

Mr. CUTCHSHAW. No; I was standing at the edge of this swinging door holding it back for them.

Mr. GRIFFIN. So, you were behind the swinging doors when you were holding the end of the swinging door, and you were off to the side?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. And there was nothing on part of that door which was between you and them?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. How far away would you say you were from those men at that point?

Mr. CUTCHSHAW. About 3 feet. Maybe 2, or I could have reached out and put my hand on one of them.

Mr. GRIFFIN. Could you see the faces of those men?

Mr. CUTCHSHAW. The one on the left, the one that had on a black coat, when he came through, he looked up like that and he was pushing on through.

Mr. GRIFFIN. When you ultimately met over there, you confronted those men afterward and saw the man in the black coat, was it the same man that turned up and looked at you?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Is there any question in your mind about that?

Mr. CUTCHSHAW. No; I remember his nose real good.

Mr. GRIFFIN. Now, after those men passed you, did you let the doors swing back, or did you walk back with it, or what did you do?

Mr. CUTCHSHAW. I just turned loose of it. There was another officer that closed right in behind them.

Mr. GRIFFIN. There were other officers that closed in behind the TV camera-men?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Where did those officers go?

Mr. CUTCHSHAW. They just stood there. There were some standing in front of the door at the time.

Mr. GRIFFIN. But you didn't follow them through the door?

Mr. CUTCHSHAW. No. They were already stationed there, and then when they started pushing through, the doors came open, and the officers just moved aside.

Mr. GRIFFIN. As that door swung shut, do you recall whether you then looked back up the hallway from which that camera had come to see if other people were coming down, or whether you might have looked in toward the jail office, or whether you continued to watch them go on?

Mr. CUTCHSHAW. I don't remember.

Mr. GRIFFIN. Do you remember any activity back here in that hallway immediately after you let go of that swinging door?

Mr. CUTCHSHAW. Well, just a little, maybe a minute or two.

Mr. GRIFFIN. Later?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. But not immediately thereafter? Do you have any recollection of seeing anything back there immediately thereafter?

Mr. CUTCHSHAW. Well, right after, right after this, the doors came to here, a man stepped away from the wall over there, the one I told you previously where one came into the hallway.

Mr. GRIFFIN. A newspaperman? A newspaper person?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Stepped away from this area where you have the "N" marked?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Where did he walk to?

Mr. CUTCHSHAW. He walked out toward the swinging doors and motioned for somebody to come out.

Mr. GRIFFIN. And your attention was attracted to him?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Now, did you actually see that man move away?

Mr. CUTCHSHAW. Yes. Who moved away from right here and stepped about half way from where he was standing up to the swinging doors.

Mr. GRIFFIN. All right. Have you watched the movies of all this?

Mr. CUTCHSHAW. I just seen it one time.

Mr. GRIFFIN. All right. Are you able to state whether what you are telling us now is from your own knowledge, or is it confused with anything you may have seen in the movies?

Mr. CUTCHSHAW. Because I remember when he stepped out, I made him get back, and I told him to get back up against the wall.

Mr. GRIFFIN. Do you recall whether you were looking in his direction when he did this, or whether your attention was attracted to him and then you had to look at him?

Mr. CUTCHSHAW. I think I was looking in the hallway in this area here when he stepped out, and he stepped, there was only about two steps.

Mr. GRIFFIN. You say in this area here. You mean you were looking in the direction of Lowery?

Mr. CUTCHSHAW. Yes, in here.

Mr. GRIFFIN. She can't write that. I am going to have to explain for the record.

Were you looking in the direction of Lowery, or in the direction of the railing?

Mr. CUTCHSHAW. Well, in the direction of the TV camera which was being pushed out at this time.

Mr. GRIFFIN. That man walked out, and you got out to motion somebody in, and you pushed him back?

Mr. CUTCHSHAW. I told him to get back up against the wall.

Mr. GRIFFIN. At that point do you believe that if somebody had walked out from the channel 5 camera that was already in place behind the railing, are you able to state whether or not you would have seen him get in position and help push that other camera?

Mr. CUTCHSHAW. Well, that is kind of hard to say, because when I looked out here and he stepped out there, and I told him to get back, I don't know whether I would notice anybody at that camera, because my attention at this time was at the man that stepped away from the hallway.

Mr. GRIFFIN. However, whatever struck your attention to the general placement of the people in front of those TV cameras, do you recall whether there were people in front of the TV cameras at any time before you saw this other TV camera come out of the hallway?

Mr. CUTCHSHAW. Whether they were exactly in front of the TV cameras, I don't know, but I know there was lots of people along this north wall and in the driveway.

Mr. GRIFFIN. You are not indicating anything that is directly in front of the TV camera?

Mr. CUTCHSHAW. Well, shortly after this camera came through, someone hollered, "Here they come," or else I think I forget, or "They are on their way down"—we have lights on the basement showing where the elevator is coming down, and someone hollered to clear the way for the cameras—to get out from in front of the cameras—but as far as me telling how many people were in front of the cameras, I don't know.

Mr. GRIFFIN. Had you ever talked to Lowery about whether he saw some man come from the channel 5 stationary camera and help push the moving camera into that space?

Mr. CUTCHSHAW. Now, Lowery and I were talking when Lieutenant Wallace told us—he said, if I remember right, Wallace, he says, "I believe I think I found out where you got the third man." And we asked him where, and he said he found out from the crew that a man came from the other channel 5 camera that was already in the basement and helped them down this short incline, because the camera was rocking.

And I said, "I don't remember anybody, but I do remember seeing three men on the camera." And, Lowery said the same thing, that he did remember seeing the three men. But I don't remember anybody coming from here to the camera.

Mr. GRIFFIN. Let's go ahead now, sir. When you were up there filling out your report in the homicide office—when you talked with these men that you finally detained after the shooting, the two men that you detained, did you describe to them the third man that was with them?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. When you asked them where is the third man and he said there wasn't, what did they say?

Mr. CUTCHSHAW. They just told me that there wasn't any, that if there was a third man there, they didn't know about it.

Mr. GRIFFIN. Was anybody else standing with you at the time they said that?

Mr. CUTCHSHAW. I believe Officer Lowery was there at that time. But the first thing, I went right out there and got a hold of both of them and asked them, "Where is the other man that came out with them." And he said, "There wasn't any other man." And I said, "I know there were three men with you when you came out." And he said, "If there was one between us, they don't know nothing about it." And I don't remember whether Officer Lowery was there, but I don't think he was there, but we did question them again, and I still think there was a third man.

Mr. GRIFFIN. How about Officer Swain, did he make that denial to Swain?

Mr. CUTCHSHAW. I don't really know, because that is when I left and had to go up to the first floor. Lowery started getting their names and they talked to Lieutenant Swain and told them what it was, and he said, "Go ahead and get their names and ask where they are going to be."

Mr. GRIFFIN. Who was it that came up to you and told you that he had found out, had an explanation for the third man.

Mr. CUTCHSHAW. Lieutenant Wallace.

Mr. GRIFFIN. How long was that after Sunday, November 24?

Mr. CUTCHSHAW. I imagine that was maybe a week or two, because through their investigation they tried to contact everybody that was down there. It was quite some time. The exact amount of days, I don't know, but it was quite some time after that he explained it to us.

Mr. GRIFFIN. When you got up to the homicide office, did Lowery fill out a report?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Did Harrison fill out a report while you were out there?

Mr. CUTCHSHAW. I think he did.

Mr. GRIFFIN. Did you all talk about this when you were up there?

Mr. CUTCHSHAW. Yes; I believe we did.

Mr. GRIFFIN. I take it that you were all—as a matter of fact, this was probably a matter of general interest to everybody up there, don't you imagine?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. You think anybody could have been in that office without knowing what you guys had seen?

Mr. CUTCHSHAW. I think so, because we don't tell everybody up there in the

office. Of course, at the time we wrote out a report, I think there was me, Lowery, and I believe Harrison did come back and start writing out his, and I think Lieutenant Wallace, and he said put down what you saw and what you know only, and that is the way I wrote out my report.

Mr. GRIFFIN. You mentioned the guys you were talking with about it, so anybody other than you and Lowery who might have been there could have heard it and might have told it to somebody else?

Mr. CUTCHSHAW. Possibly; yes. But we didn't talk a whole lot while we were writing the report. We just sat down and wrote it out.

Mr. GRIFFIN. How about after you wrote the report?

Mr. CUTCHSHAW. Yes. We went back to our office and shot the bull and gabbed about it.

Mr. GRIFFIN. And speculated about it?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Did other people come in there?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. How about other members of the juvenile bureau?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Was Officer Goolsby there?

Mr. CUTCHSHAW. In the office.

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Was Martin there?

Mr. CUTCHSHAW. Yes; he was out there quite a bit.

Mr. GRIFFIN. Was Miller there?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Can you think of anybody else who was in that office after you had written out your report and were talking about this?

Mr. CUTCHSHAW. Well, let's see. There was a reporter up there. You mean so far as officers is concerned, or just anybody?

Mr. GRIFFIN. Give me just the officers first.

Mr. CUTCHSHAW. I believe June McLIne, and then I believe that covered all the officers and myself and Harrison and Miller, and Goolsby, and McLIne, and then there were other officers, I know, but I don't know who all they were. I don't remember. And they had that one little reporter from up north somewhere.

Mr. GRIFFIN. One of those Yankee reporters?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Like Cleveland, Ohio, maybe?

Mr. CUTCHSHAW. I don't know where he was from, but I didn't like him very much. Then there was a French reporter.

Mr. GRIFFIN. A French reporter was up there?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Had you seen that French reporter when you were down in the basement?

Mr. CUTCHSHAW. I think so. I'm not going to swear, because there were so darn many of them.

Mr. GRIFFIN. Had you seen that French reporter there before this?

Mr. CUTCHSHAW. Yes; because he and some other reporters from up North, they kind of made our office their office, you might say. That was their base of operation.

Mr. GRIFFIN. What did that French reporter tell you? Did he see that TV camera come through?

Mr. CUTCHSHAW. I didn't talk to him about it or ask him.

Mr. GRIFFIN. Did any of the people who were up there in the office indicate they had also seen the TV camera come through?

Mr. CUTCHSHAW. I think Goolsby said he saw the camera come through but he didn't remember anything about who was pushing it or anything.

Mr. GRIFFIN. Now, off the record.

(Discussion off the record.)

Mr. GRIFFIN. Did you view the TV film with these men coming through?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. From your recollection of that TV film, could you see the third man on the camera pushing it through?

Mr. CUTCHSHAW. No; the only two I could see was just the two that I gave a description. It was one on the right that had, I think, the greenish-type shirt, and the one on the left that had the black coat.

Mr. GRIFFIN. Try to remember that TV film. Did that TV film which you saw, did that show the camera as it came through the door?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Now, did it show the man looking up at you?

Mr. CUTCHSHAW. I don't remember whether it did or not.

Mr. GRIFFIN. Is the camera shot taken from such a position that if there had been a third man behind the camera, it would have showed up on the TV picture?

Mr. CUTCHSHAW. Now, the camera shot on this one that was coming up on the door was a straight-on shot, and whether they would show up, I didn't see any other man. If he had been there, he would be directly behind the stand.

Mr. GRIFFIN. Do you recall how far that TV picture of the men coming out of the swinging doors follows the camera as it proceeds through the swinging doors? Out past Lowery? Does it show Lowery up on the TV?

Mr. CUTCHSHAW. I don't remember whether it does or not, because at the time I saw the film, I was just looking at the camera to see whether I could see anybody behind it or not. The way the picture was on the film, it shows the camera coming out, and it was passing out of range of the TV camera that was taking the pictures at the time.

Mr. GRIFFIN. Now, how soon after Oswald was shot did you view those TV films?

Mr. CUTCHSHAW. I don't remember.

Mr. GRIFFIN. Was it before or after Lieutenant Wallace reported to you that he could solve the problem of the third man?

Mr. CUTCHSHAW. I believe it was after.

Mr. GRIFFIN. You saw the film after you talked to Wallace?

Mr. CUTCHSHAW. Right.

Mr. GRIFFIN. Do you recall in looking at those TV films whether you show up in the TV film?

Mr. CUTCHSHAW. On one of the films I do, but whether it was on the TV or one of the camera pictures, I don't remember.

Mr. GRIFFIN. Now, on the films that you watched, do you recall whether those films show you looking at the men?

Mr. CUTCHSHAW. Like I say, I don't even remember seeing them. You know, one showed me, but I think I was looking almost straight out at an angle from the door where I was standing.

Mr. GRIFFIN. In any other films which you have seen, is there depicted the episode where the newsmen moved out from the position that you have marked with an "N" on the north wall of the entranceway to between the jail office and the ramp? Does it show that man coming out and your motioning him back as you have described?

Mr. CUTCHSHAW. No; I don't remember.

Mr. GRIFFIN. I am asking you these questions because I am trying to get you to refresh your recollection even more.

Now, Detective Cutchshaw, we all know that shortly after Ruby shot Oswald, a certain amount of heat was focused on Blackie Harrison. You are aware of that, aren't you?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Now, I want you to tell me honestly—I think you have tried to be strictly forthright to me in describing this camera.

Do you think that your concern about Harrison in any way has affected what you remembered about this event?

Mr. CUTCHSHAW. None whatsoever.

Mr. GRIFFIN. Didn't Harrison indicate shortly after this event that he was worried about this, because Ruby had come right past him?

Mr. CUTCHSHAW. Yes.

Mr. GRIFFIN. Didn't he talk about that by the time you got back to the juvenile bureau?

Mr. CUTCHSHAW. I don't remember whether he talked about it; he just said that he remembered seeing this man come out and this gun come up, and he described to me, but as far as him saying he was worried about it, I don't remember that. As far as any reflection on himself—

Mr. GRIFFIN. I was not trying to talk particularly about whether Blackie saw Jack there a few minutes ago. Honestly, I don't care to know if that is true, but to me, that is no reflection on him. But it is very important for us to find out what happened, because if we don't know what happened, we have to speculate and wonder whether there was somebody else involved here.

Mr. CUTCHSHAW. Well, let me tell you; I came down here. A lot of people say I need a lawyer, but I don't want one because I came down to tell you the truth and just the way I saw it. I told you what I saw. Of course, some of my time elements are a little bit this way, but I said what I saw, and the only thing I did tell you—

Mr. GRIFFIN. I want you to tell me, and this is what is important, what you feel at this point, what your motivation, unconscious or conscious, is in this, and I don't expect you to tell me that Blackie thought that he saw the man or anybody else, but I want to know if you feel that what you have told me today in such a determined and what appeared to me forthright fashion, is based, is affected in any way because of the concern of anybody in the juvenile bureau, about Harrison and Lowery and Miller and anybody else in the bureau who was down there, and in particular to have seen Ruby if he came in?

Mr. CUTCHSHAW. I believe that if Blackie Harrison had seen Ruby come in, he would have put him out.

Mr. GRIFFIN. Now, to what extent, I want to know, do you think that this concern of yours affects your story, honestly?

I could tell this story and honestly believe everything I am telling, but yet we all know unconsciously our emotions are affected.

How much are you being affected by that concern of Harrison?

Mr. CUTCHSHAW. None of my story or anything I have told you has been affected in any way for any concern for any one person in the department.

I came down here to tell you this, and everything is just the way I saw it. And as far as concern for any one individual, I don't have any.

Now, Blackie is a friend of mine, and I have known him for a long time. I have no concern for him, because I don't think he did anything wrong. And I think if he had seen the man, he would have put him out.

Mr. GRIFFIN. Even if he had seen and hadn't put him out?

Mr. CUTCHSHAW. Even if he had seen and hadn't put him out, then he did the wrong thing.

Mr. GRIFFIN. And you think he would have been disciplined for that, too, don't you?

Mr. CUTCHSHAW. I believe he would be disciplined for that, too, and he would be, if he had seen the man and hadn't put him out.

Mr. GRIFFIN. Do you think that if Blackie knew that he wouldn't be disciplined for this, and if somebody were to tell him now that he wouldn't be disciplined and it wouldn't be made known to anybody in the public or even anybody in the police department, and it actually turned out Blackie did see this guy, do you think Blackie would tell us about that?

Mr. CUTCHSHAW. I believe he would. Blackie is an honest man. In fact, the way it is right now, if he had saw the man, I believe he would tell you he had.

Mr. GRIFFIN. You heard the story that Blackie had taken some sort of medicine before he took that lie detector test?

Mr. CUTCHSHAW. No; I haven't.

Mr. GRIFFIN. You haven't heard that story?

Mr. CUTCHSHAW. No.

Mr. GRIFFIN. You are concerned, I take it, about the department, though you said you are not concerned about any particular man in the department, but you are concerned about the department?

Mr. CUTCHSHAW. As far as doing anything wrong?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. No, sir.

Mr. GRIFFIN. Well, you act——

Mr. CUTCHSHAW. The way you are talking is that I am concerned that I think we have done something wrong. I don't think there is one wrongdoing, as far as the officers are concerned and what happened down there. I didn't think like that.

Departmental wise or individualwise, there are things pro and con of what should have happened and what shouldn't have happened.

One way of looking, there shouldn't have been any news media, and maybe they shouldn't have been spread out that way, but we would have caught the dickens that way.

And, as I heard, Chief Curry had the okay from a little higher up to go ahead and have the news media, and it didn't turn out too good.

But as far as wrongdoings, there is not one wrong thing that happened as far as our department is concerned.

Mr. GRIFFIN. How about Lowery? Are you much of a friend with Lowery?

Mr. CUTCHSHAW. We ride to work together and run around a bit together.

Mr. GRIFFIN. How friendly are you with Harrison?

Mr. CUTCHSHAW. We are good friends, but as far as running around, he lives way over in Pleasant Grove, and I live in Grand Prairie. It is way across town, so we don't get around together.

Mr. GRIFFIN. Lowery had seen Ruby. Did Lowery know Ruby?

Mr. CUTCHSHAW. Did he recognize Ruby before?

Mr. GRIFFIN. He had seen Ruby on a number of occasions, actually, didn't he before?

Mr. CUTCHSHAW. You mean before this happened?

Mr. GRIFFIN. Yes.

Mr. CUTCHSHAW. I tell you the truth, I really don't know. I think he said he knew him, or seen him around, but as far as actual standing there, I don't know.

Mr. GRIFFIN. Did you see Captain King in the basement at any time prior to the shooting?

Mr. CUTCHSHAW. Well, now, that I don't remember whether I saw him down there prior to the shooting or whether it was after. There was a whole bunch of officers down there, and, man, I do remember a few immediately right there, and someone that came out the door, because I was right there and watched them as they came out.

Mr. GRIFFIN. Well, now, if you and Captain King had been standing together and you both saw Ruby and you both knew Ruby, what would you do?

Mr. CUTCHSHAW. Well, now, you mean if we saw him come into the basement, or if we saw him standing there?

Mr. GRIFFIN. Saw him standing down there and you were both standing there together?

Mr. CUTCHSHAW. Well, that is something that is pretty hard to say, honestly, because the basement is supposed to be secured when we went down there.

In other words, everybody that wasn't supposed to be there, was supposed to be out, and they had officers checking them coming in, and me not knowing Ruby, I probably wouldn't have known him if I had been shown him on the street.

Mr. GRIFFIN. If you knew Ruby and you both were standing there, if you knew him and you and Captain King were standing there, and you knew Captain King was looking at him too——

Mr. CUTCHSHAW. I would have tried to find out what he was doing, knowing he wasn't a newsman or couldn't have a news pass.

Mr. GRIFFIN. Would you have deferred to Captain King or any other superior officer? Would you let him take the initiative on it?

Mr. CUTCHSHAW. I would have asked him myself if I had seen him, because that is what we were down there for.

Mr. GRIFFIN. What I am trying to get at, and the only reason I use Captain King—I could have used Chief Batchelor or anybody like that, but my point is, that if a junior officer like you and a senior officer were standing together,

is there any feeling that you would defer to the senior officer to take the initiative in throwing some guy out?

Mr. CUTCHSHAW. If he were in charge of me or in charge of security and if I saw Jack Ruby there and he didn't have a pass on and I knew him and knew that he was not a news representative, then if I confronted him and he said, "Chief Batchelor said it was okay," then I would have asked the chief if it was all right.

Otherwise, I wouldn't say the chief had anything to do with it and I would put him out.

Mr. GRIFFIN. So, if you had seen him first, you would have gone directly to him and then turned to your superior officer and said what shall I do about this guy?

Mr. CUTCHSHAW. I would have went directly to him.

Mr. GRIFFIN. You would have gone directly to him. Do you think that is true of any other officer or do you think some of them would have acted different?

Mr. CUTCHSHAW. That is hard to say, not knowing every officer's traits. Some operate one way and some operate another.

Mr. GRIFFIN. I want you to examine Cutchshaw Exhibits Nos. 5042, 5043, 5044, 5045, and 5046, and if there are no further additions or corrections to make to those in addition to all this we have been talking about, then I would like you to sign each one of these and date them.

Mr. CUTCHSHAW. Where do you want me to sign?

Mr. GRIFFIN. Sign it in a conspicuous place where I have placed the mark on the paper. Sign your name and date it. Regular signature or full name.

TESTIMONY OF NAPOLEON J. DANIELS

The testimony of Napoleon J. Daniels was taken at 2:40 p.m., on April 16, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. My name is Leon Hubert, Mr. Daniels. I'm a member of the advisory staff of the general counsel of the President's Commission under the provisions of Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, and I have been authorized to take the sworn deposition from you, Mr. Daniels.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and to report on the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Daniels, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and, of course, about the entry of Jack Ruby into the basement of the police department.

Now, Mr. Daniels, I think you have appeared here today by virtue of a written request sent to you by mail.

Mr. DANIELS. Yes, sir.

Mr. HUBERT. And signed by Mr. J. Lee Rankin.

Mr. DANIELS. Correct.

Mr. HUBERT. General Counsel of the President's Commission.

Mr. DANIELS. Yes, sir.

Mr. HUBERT. Did you receive that letter more than 3 days ago?

Mr. DANIELS. Yes; I received it Saturday, I believe.

Mr. HUBERT. Last Saturday?

Mr. DANIELS. Yes.

Mr. HUBERT. Let the record show that this is Thursday.

Mr. DANIELS. It has been 3 days.

Mr. HUBERT. Will you raise your right hand, stand, and take the oath, please? Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DANIELS. I do.

Mr. HUBERT. State your full name?

Mr. DANIELS. Napoleon J. Daniels.

Mr. HUBERT. Your age?

Mr. DANIELS. Thirty-two.

Mr. HUBERT. And your residence?

Mr. DANIELS. 2229 Sutter [spelling] S-u-t-t-e-r.

Mr. HUBERT. What is your occupation, Mr. Daniels?

Mr. DANIELS. Real estate broker.

Mr. HUBERT. How long have you been so occupied?

Mr. DANIELS. About 3 years.

Mr. HUBERT. I think you own your own company?

Mr. DANIELS. That's right.

Mr. HUBERT. You were at one time connected with the police department, were you not?

Mr. DANIELS. Yes; about 7 years.

Mr. HUBERT. About 7 years?

Mr. DANIELS. Yes.

Mr. HUBERT. When did you leave the police department?

Mr. DANIELS. I left there in November 1962.

Mr. HUBERT. What were the circumstances under which you left?

Mr. DANIELS. Let me see just how I can put this—well, I resigned, of course, I was asked to resign because of some conflicts I had with a tenant living in one of my apartments.

Mr. HUBERT. That is to say, you rented out some property to a tenant and you had some difficulty with the tenant?

Mr. DANIELS. Yes.

Mr. HUBERT. And on account of that difficulty they asked you to resign from the police department?

Mr. DANIELS. Yes.

Mr. HUBERT. You did resign?

Mr. DANIELS. Yes.

Mr. HUBERT. And have you continued in the business under the name N. J. Daniels Real Estate Co.?

Mr. DANIELS. That's right, sir.

Mr. HUBERT. Is that a corporation?

Mr. DANIELS. No; just a company.

Mr. HUBERT. Now, I know you have already made a statement to the FBI, as a matter of fact, I think you have made two statements, one to the State police—I would now just like for you to tell us what you know of entry of Jack Ruby into the basement?

Mr. DANIELS. Well, actually, I don't feel like I really know anything, but I saw a guy go in the basement, but I don't think it was Ruby.

Mr. HUBERT. Let's start off with that morning, of course, you knew that the President had been killed?

Mr. DANIELS. Yes.

Mr. HUBERT. And as I understand, you were riding in your own car over towards the place where he was killed?

Mr. DANIELS. Yes, I was going out Main Street. I was going—let's see, that was Sunday morning and I was going down Main Street to look at the spot where the President had been assassinated and as I drove by the city hall, I noticed a bunch of people standing around and noticed this officer standing in the entrance to the basement.

Mr. HUBERT. On Main Street?

Mr. DANIELS. Yes; on Main Street, and so I made the block and turned around and came back and parked.

Mr. HUBERT. Where did you park?

Mr. DANIELS. Pardon?

Mr. HUBERT. Where did you park?

Mr. DANIELS. On Main there, right down from the city hall there, I guess about a half a block down.

Mr. HUBERT. On the other side of the street?

Mr. DANIELS. On the same side of the city hall, you see, I went around and came back.

Mr. HUBERT. You went around what street?

Mr. DANIELS. Now, that first street down, I guess that's—I was going down Main and turned, I believe the first block.

Mr. HUBERT. Would that have been Pearl?

Mr. DANIELS. No; you see, I was going west on Main and the first street I could turn—I think the first street is a one way going left, but I turned and came back the other way, so it must have been Ervay where I turned and went up to Pacific and then come back up to Harwood and then came down Harwood to Main and made a left on Main and parked up in a vacant space on the other side of the city hall—on the east side of the city hall.

Mr. HUBERT. I thought you had parked at a parking lot near the Western Union office?

Mr. DANIELS. No; it wasn't a parking lot. I was thinking I parked on the street.

Mr. HUBERT. You parked on the street?

Mr. DANIELS. Yes.

Mr. HUBERT. Was it near the Western Union office?

Mr. DANIELS. Yes; right down from the city hall. In other words, it was in between there and the city hall.

Mr. HUBERT. But you were parked on Main Street?

Mr. DANIELS. On the south side of Main.

Mr. HUBERT. Not in a parking lot?

Mr. DANIELS. No; I wasn't at a parking lot, no, I think I parked on the street, I'm sure.

Mr. HUBERT. And you parked on the same side of the street as the city hall and as the police department is and as the Western Union office is?

Mr. DANIELS. Yes.

Mr. HUBERT. And you parked at a spot between the Western Union office and the Main Street entrance of the city hall?

Mr. DANIELS. Right.

Mr. HUBERT. Or the police department?

Mr. DANIELS. Yes.

Mr. HUBERT. You are familiar with that building, because you worked there for a long time?

Mr. DANIELS. Yes.

Mr. HUBERT. Would you say you were about half way between the Western Union and the Main ramp, or just what distance between those two?

Mr. DANIELS. Oh, let me see, let me get it in my mind—I would say I was a little nearer the Western Union Building than I was to the entrance of the basement of the city hall.

Mr. HUBERT. Are you familiar with that alley that goes from Main Street back in towards Commerce and makes an "L" and comes out on Pearl Street?

Mr. DANIELS. I think I was just on the east side of that.

Mr. HUBERT. When you say "east," it doesn't mean anything to me.

Mr. DANIELS. Near Pearl.

Mr. HUBERT. In other words, you were on the Western Union side of the alley?

Mr. DANIELS. Right.

Mr. HUBERT. And your car was facing towards the Western Union?

Mr. DANIELS. Right.

Mr. HUBERT. Now, about what time was it when you got there?

Mr. DANIELS. Near 11 o'clock—I wasn't paying much attention to the time, it must have been near 11 o'clock or a little after.

Mr. HUBERT. How do you fix that?

Mr. DANIELS. Well, I'm trying to fix it at about the time Oswald was shot. Now, I was there about 20 or 25 or 30 minutes before it happened.

Mr. HUBERT. When you parked your car, did you sit in your car any length of time at all?

Mr. DANIELS. No; I got out and walked back up there.

Mr. HUBERT. You mean you immediately got out and walked back up to the Main door—the Main door entrance?

Mr. DANIELS. Yes.

Mr. HUBERT. Now, I'm going to show you a drawing, which among other things includes the entrance to the basement, and I am marking it for the purpose of identification as follows:

"Dallas, Tex., April 16, 1964, Exhibit No. 5324, Deposition of N. J. Daniels," and I am marking it with my name.

I would like you to study this, and I point out to you that this is Main Street, here is the Western Union office, and here is Pearl.

Mr. DANIELS. Yes.

Mr. HUBERT. Over in that direction would be Harwood, Commerce is over here.

Mr. DANIELS. Right.

Mr. HUBERT. This is the Main Street entrance?

Mr. DANIELS. Yes.

Mr. HUBERT. The sidewalk.

Mr. DANIELS. Yes.

Mr. HUBERT. And I think you are familiar with the fact that there is a stone fence about 2 feet high that runs from the entrance of Main Street toward the street some distance.

Mr. DANIELS. Yes.

Mr. HUBERT. Now, as I understand it, you were parked on Main Street itself?

Mr. DANIELS. Yes.

Mr. HUBERT. Facing towards the Western Union Building?

Mr. DANIELS. This side of the street.

Mr. HUBERT. On the same side of the street as the Western Union Building?

Mr. DANIELS. Yes.

Mr. HUBERT. And that you reached there at approximately 11 o'clock?

Mr. DANIELS. Yes; at approximately 11 o'clock.

Mr. HUBERT. You immediately got out of your car and you walked toward the Main Street ramp?

Mr. DANIELS. Yes.

Mr. HUBERT. When you got down there, did you go past the ramp, or did you stay on the Western Union side of the ramp?

Mr. DANIELS. I think when I first got there, I walked over in front of the little entrance down in there.

Mr. HUBERT. So you could look right down the ramp?

Mr. DANIELS. So I could look in there, because I was on the sidewalk when I did that.

Mr. HUBERT. Did you know Officer Vaughn?

Mr. DANIELS. Yes; I did.

Mr. HUBERT. You had known him from the time you were on the police force?

Mr. DANIELS. Yes.

Mr. HUBERT. Did he recognize you?

Mr. DANIELS. Yes.

Mr. HUBERT. And you went to the middle of the ramp, but still on the sidewalk and looked down the sidewalk?

Mr. DANIELS. Yes.

Mr. HUBERT. Did you stay there very long?

Mr. DANIELS. No; I spoke to him and he told me that he was blocking anybody's entrance, in other words, that's what he meant, that he was blocking anybody's entrance into the basement. That's what he was there for.

Mr. HUBERT. He was posted at that spot—where was he standing?

Mr. DANIELS. He was standing right in the middle of the entrance there.

Mr. HUBERT. Now, I'm going to mark on Exhibit 5324 a position which I am going to call "1" and I am putting a circle on it and I'm going to draw a line, and then I'm going to put "First position of Daniels," is that about correct?

Mr. DANIELS. Yes, that's about correct.

Mr. HUBERT. Now, I'm going to mark a position called "2" and I'm going to draw a line, and I'm going to mark it "position of Vaughn when Daniels was in position number "1", and ask you if that is correct?

Mr. DANIELS. That's right.

Mr. HUBERT. And as you said, he recognized you and you recognized him?

Mr. DANIELS. Yes.

Mr. HUBERT. And you looked down?

Mr. DANIELS. Yes.

Mr. HUBERT. Then what did you do?

Mr. DANIELS. I stepped back over to the bannister and——

Mr. HUBERT. You mean back towards the Western Union?

Mr. DANIELS. Yes.

Mr. HUBERT. Did you ever go on the other side of the Main Street ramp?

Mr. DANIELS. No.

Mr. HUBERT. Towards Harwood?

Mr. DANIELS. No—at no time—I never did.

Mr. HUBERT. When you say you went towards the bannister, were you on the inside of the bannister, that is to say, between the bannister and the ramp, or on the Western Union side of it?

Mr. DANIELS. You mean after I got back to it?

Mr. HUBERT. Yes.

Mr. DANIELS. Yes; I got—I went back to it and stood on the Western Union side and just propped my foot up on the end of it.

Mr. HUBERT. You were then facing toward Harwood Street?

Mr. DANIELS. Correct.

Mr. HUBERT. More or less?

Mr. DANIELS. Correct.

Mr. HUBERT. Did you move out of that position at all?

Mr. DANIELS. Well, yes; during the time I was there I moved several times, but it was all right around in that area there.

Mr. HUBERT. But did you ever go to the Harwood Street side of the Main Street ramp?

Mr. DANIELS. No.

Mr. HUBERT. Now, I am going to draw it lightly first so we can get it straight—if I draw an area like so—would it be fair to say that you were at all times that you are going to testify to later, within that area, except when you left?

Mr. DANIELS. Now, what is this here—is this the bannister here?

Mr. HUBERT. No; this is the measuring line, this doesn't actually show the bannister.

Mr. DANIELS. The bannister come right around in here—I was always right in this area right in here.

Mr. HUBERT. So, we will draw a circle like that.

Mr. DANIELS. Yes.

Mr. HUBERT. I am drawing a larger circle in which I am putting the number "3", drawing a line out and saying "Area in which Daniels was after he left position '1' and until shooting." Right?

Mr. DANIELS. Right.

Mr. HUBERT. Now, I understand, of course, that you might have moved around in that area, but substantially that's what it was?

Mr. DANIELS. Right.

Mr. HUBERT. And it was on the Western Union side of the little concrete or marble ramp that comes out?

Mr. DANIELS. Yes.

Mr. HUBERT. And you are telling me that you never did go on the Harwood Street side thereafter?

Mr. DANIELS. No.

Mr. HUBERT. How many people were in the area you were in—this area that we have marked No. 3?

Mr. DANIELS. Well, now, at different times there was as high as four or five—some of them would come by and stop and then go on.

Mr. HUBERT. Yes.

Mr. DANIELS. Let me see—about that.

Mr. HUBERT. Even though there were some people on the other side of the ramp?

Mr. DANIELS. Yes; there was three or four on the other side.

Mr. HUBERT. How long before Oswald was shot, and I think you did hear the shot?

Mr. DANIELS. Yes.

Mr. HUBERT. How long before Oswald was shot did you get to position No. 1?

Mr. DANIELS. I would say 20 or 25 minutes.

Mr. HUBERT. And then, how long were you in position No. 3 before he was shot, in the area of No. 3?

Mr. DANIELS. Well, let me see—almost the same, because I had just came over here and looked and immediately walked back over here—I would say no time.

Mr. HUBERT. In other words, you came from your car to position 1 and took a quick look and went to the area of No. 3?

Mr. DANIELS. Yes.

Mr. HUBERT. And you stayed there until the shot was fired, and you think it was about 20 minutes later?

Mr. DANIELS. Right.

Mr. HUBERT. Do you remember a car coming up the ramp?

Mr. DANIELS. I do.

Mr. HUBERT. Did you know Lt. Rio Pierce?

Mr. DANIELS. Yes.

Mr. HUBERT. Did you recognize him driving the car?

Mr. DANIELS. I don't remember whether he was driving or not, there were four officers in there and he was the only one I recognized right off.

Mr. HUBERT. There were four in there you say?

Mr. DANIELS. Two in the front and two in the back.

Mr. HUBERT. Who were the others?

Mr. DANIELS. I didn't really get a good look at them but I knew him, but I got a better look at him than I did the rest of them.

Mr. HUBERT. Did he see you—did he show any signs of recognition to you?

Mr. DANIELS. No.

Mr. HUBERT. How long before the shooting did that occur?

Mr. DANIELS. Let's see, I would say 3 or 4 minutes. Now, I have been thoroughly confused on this because down at the police department they tell me one thing and it gets my mind all confused.

Mr. HUBERT. Well, what we want is not what somebody else told you, but what you, yourself can best remember today.

Mr. DANIELS. Here's what struck me—when I saw the car come out, I was thinking—I guess they are fixing to bring Oswald out now, maybe, because they are coming out to set up a guard, and they pulled on out and I remember watching the car until they got to Harwood and Main, and then I stopped looking at it and I didn't pay any attention to where it went or anything, and then I kind of looked back down in there from where I was standing near the ramp there.

Mr. HUBERT. Now, when the car came out, what did Vaughn do?

Mr. DANIELS. Vaughn walked out to the street to hold up traffic, because they were coming out the wrong way. They don't normally come out that way and he was going out to hold up traffic and let them get through.

Mr. HUBERT. Did he get beyond the sidewalk so that he was actually out in the street?

Mr. DANIELS. I think he walked out in the street.

Mr. HUBERT. How far into the street?

Mr. DANIELS. That would be hard to say but I wasn't paying that much attention, but he walked out into the street—he didn't get beyond the center of the street, but he walked out in there.

Mr. HUBERT. In other words, he left position No. 2 and went to a position we will call No. 4 by a circle, and I will just write in there "approximate position of Vaughn when Rio Pierce's car drove out," and when I say "approximate," I am understanding you to say that you are not sure how far into the street

he went, you know he did not go beyond the center stripe, but you think he went—

Mr. DANIELS. Almost—

Mr. HUBERT. Out over the sidewalk and into the street?

Mr. DANIELS. Yes; because there was some cars parked and he had to get beyond them, you see.

Mr. HUBERT. Now, while you were watching the car and Vaughn, I think you said you watched the car until it went around the corner. Did you see anybody go down the ramp?

Mr. DANIELS. No, no; I didn't.

Mr. HUBERT. Would it have been possible for somebody to have gone to your left and down the ramp?

Mr. DANIELS. You mean have gotten between me and there?

Mr. HUBERT. And the building—yes.

Mr. DANIELS. Not without me seeing them—I don't hardly think so.

Mr. HUBERT. In any case, they would have to climb over the little marble—

Mr. DANIELS. Well, I was not exactly against it at that time. When the car came out, I think I stepped back a little bit, you know, and moved out of the way.

Mr. HUBERT. Well, you said that at one point you were standing on the Western Union side of that concrete—what do you call it?

Mr. DANIELS. I call it a ramp.

Mr. HUBERT. Concrete ramp—sticking out in the sidewalk?

Mr. DANIELS. Yes.

Mr. HUBERT. And you had your foot on it?

Mr. DANIELS. Yes; because I was in and out of that position, but when the car came out, I left that and I stepped back out here a little piece from the—

Mr. HUBERT. In other words, you left the area 3 and went more towards the street?

Mr. DANIELS. I went towards the street and kind of back down the sidewalk a little piece.

Mr. HUBERT. You went more towards the Main Street curb and back in the direction of the Western Union?

Mr. DANIELS. Right.

Mr. HUBERT. In any case, you didn't see anybody go to your left?

Mr. DANIELS. No.

Mr. HUBERT. Nor did you see anybody go down the ramp?

Mr. DANIELS. No.

Mr. HUBERT. Then, after Vaughn had done this and the car had gone around, what did Vaughn do?

Mr. DANIELS. He came back and took his position up again.

Mr. HUBERT. So that it is fair to say then that the position we have marked on the map as position 2 was also the position of Vaughn after the Rio Pierce automobile had gone through?

Mr. DANIELS. Right.

Mr. HUBERT. Tell us what happened after that?

Mr. DANIELS. Let's see, there is something else that I have been thoroughly confused on—I have never been able to picture in my mind just how it happened—the guy that I saw go into the basement—I'm not sure it was before or after the car came out. I'm not sure—I have run that in my mind a thousand times, but I just can't place one before the other.

Mr. HUBERT. Well, in any case, you saw a man go down in the basement?

Mr. DANIELS. Yes.

Mr. HUBERT. And at the time you saw him go down in the basement, where was Vaughn?

Mr. DANIELS. In position 2.

Mr. HUBERT. In position 2, that is to say, squarely in the middle of the ramp?

Mr. DANIELS. Yes.

Mr. HUBERT. Did Vaughn look at him?

Mr. DANIELS. I think he did.

Mr. HUBERT. Did Vaughn try to stop him?

Mr. DANIELS. No.

Mr. HUBERT. He went right on through?

Mr. DANIELS. Yes.

Mr. HUBERT. Do you know how long that was before the shot was fired?

Mr. DANIELS. 3 or 4 minutes, I guess.

Mr. HUBERT. But what you say is confusing you is as to whether or not that was after the Rio Pierce car came out?

Mr. DANIELS. I'm not sure—I can't place one before the other—if I had to guess at it, I would say it was before.

Mr. HUBERT. In other words, you think now that you saw the man go down past Vaughn before the Rio Pierce car came?

Mr. DANIELS. Right.

Mr. HUBERT. Is that correct?

Mr. DANIELS. That's what I'm thinking.

Mr. HUBERT. That's your best recollection today?

Mr. DANIELS. Yes.

Mr. HUBERT. Now, when the Rio Pierce car did drive out and Vaughn left his position at No. 2, didn't you as a matter of fact undertake to watch that position which was left unguarded?

Mr. DANIELS. I did notice it to see if anybody went down in it so I could tell him about it.

Mr. HUBERT. And nobody did?

Mr. DANIELS. No.

Mr. HUBERT. And that does not refresh your memory as to whether or not the man you saw go down, went down before or after the Pierce car came out?

Mr. DANIELS. Let me see—I still think it was before.

Mr. HUBERT. Do you know that now?

Mr. DANIELS. No; I can't be positive—I don't know it.

Mr. HUBERT. Isn't it a fact that you thought at one time he was the man you had seen somehow when you were on the police force?

Mr. DANIELS. Well, yes; and here's what—when the guy walked down in there and Vaughn seemed to look at him, the impression I got was that Vaughn knew him and maybe he had let him out and still, I wondered too why he let him go down in there, because he wasn't letting anybody else go down in there. He looked like one of the news reporters or something, at least that's what I took him to be after Vaughn let him go on down. I had seen him before and I thought, well, maybe he's one of the news reporters down there at the city hall.

Mr. HUBERT. Let me ask you to do this, Mr. Daniels, I have here three documents. The first one purports to be a copy of an interview with the State police, I think, or the city police, in the course of which you executed an affidavit on November 29, 1963.

I'm going to mark that for purpose of identification as follows:

"Dallas, Tex., April 16, 1964, Exhibit No. 5325, deposition of N. J. Daniels," and I am signing my name below it. There are two pages. I am marking the second page with my initials in the lower right-hand corner. Then there's another document which purports to be a report of an interview with the FBI Agents Neil Quigley and John Dallman, which interview occurred on December 4, 1964. That document has four pages. I am marking in the right hand margin on the first page, the following:

"Dallas, Tex., April 16, 1964, Exhibit No. 5326, Deposition of N. J. Daniels." I am writing my name below that and marking the second and third and fourth pages of that with my initials in the lower right-hand corner, and finally, there is another document which is an FBI report of an interview with Bramblett [spelling] B-r-a-m-b-l-e-t-t and Dallman, taken of you on December 18, 1963, and I am marking that:

"Dallas, Tex., April 16, 1964, this is Exhibit 5327, Deposition of N. J. Daniels."

I am marking my name on it and since the document consists of three pages, I am placing my initials in the lower right-hand corner of the second and third pages.

Now, Mr. Daniels, I would like you to read these three documents with this in mind, that after you have had a chance to read them calmly and quietly, take all the time you want, I would like you to look at them and be able to comment upon them.

For instance, I am going to ask you if they are correct, or what is wrong about them, and I want to try to reconcile them, and see if we can get at what are really the facts as you recollect the facts today. We are not interested in any positions of mind or concepts that you don't really have, but that other people might have driven you to, with good motive or not, what we want now is—forgetting about whatever anybody else told you, what your recollection is right now—today, without reference to anything else, if you can possibly do it.

Keep that in mind—forget about suggestions made to you in all good faith by other people, and just cut that out of your mind and let's just do that—that scene as you saw it, and these words today.

Mr. DANIELS. All right.

Mr. HUBERT. Now, I am going to give you some time to look at it.

Mr. DANIELS. [Examining instruments referred to.]

Mr. HUBERT. Now, Mr. Daniels, you have had an opportunity to read the exhibits that I have marked Exhibits Nos. 5325, 5326, and 5327. Now, have you any comment to make with respect to the three exhibits and the statements made by you in them?

Mr. DANIELS. They said three people was in the car—it seems like I saw four—all of them had on these white supervisor caps, leather top hats that the supervisors wear down there and it just seemed like I saw four.

Mr. HUBERT. All right, what you are saying in effect now is that the people who reported in these exhibits that you said you saw three were wrong, or that you were wrong in telling them three, because your present recollection is that there were four?

Mr. DANIELS. I think it was four.

Mr. HUBERT. Are there any other corrections that you wish to make?

Mr. DANIELS. Let's see, I don't remember.

Mr. HUBERT. Any others?

Mr. DANIELS. I don't remember—corrections.

Mr. HUBERT. Well, it is my duty to call your attention to Exhibit 5325, which is the affidavit that you made on November 29.

Mr. DANIELS. November 29? What I said?

Mr. HUBERT. And in Exhibit 5327, which is the report of an interview by the agents of the FBI on December 18, you seem to quite clearly state that the man you saw walk down the ramp past Vaughn, did so after the car had passed?

Mr. DANIELS. Well, I said I think I have changed my mind now—I believe it was after the car had gone out when I saw him.

Mr. HUBERT. Let me get it straight—what is your present impression now?

Mr. DANIELS. That's it—the way I fix it in my mind—the way I arrive at that conclusion is that when the shot rang out, my first thought was the guy that just walked down in there did that, so timing that way it would have to be after that car came out, because that car had time to go quite a ways, I think.

Mr. HUBERT. What you are saying then is that the statements that are contained in Exhibits 5325 and 5327 you now believe to be correct?

Mr. DANIELS. Right.

Mr. HUBERT. And the statement you made in your deposition earlier today that you could not be sure whether that man went in before or after was incorrect? I think you even went further, if my memory serves me right, and said that your best recollection was that the man had gone down past Vaughn before the car came out, isn't that what you said earlier in your deposition?

Mr. DANIELS. Yes; until I refreshed myself on it and when I read that I got a better picture in my mind.

Mr. HUBERT. So that now your testimony is that you think that the man you saw go by—past Vaughn, did so after the car had gone out, that is to say, after Vaughn had left his position at (2), gone out into the street to the approximate position of (4) and come back again to his position at (2)?

Mr. DANIELS. Right.

Mr. HUBERT. And then it was at that time or shortly thereafter that the man went straight by Vaughn?

Mr. DANIELS. Yes.

Mr. HUBERT. But that is your present best recollection?

Mr. DANIELS. Right.

Mr. HUBERT. Now, you believe that the thing that has made you change your mind is that when you read these statements—it refreshes your memory?

Mr. DANIELS. Right.

Mr. HUBERT. Are you quite sure it refreshes your memory or, are you worried about contradicting yourself?

Mr. DANIELS. No; I'm not worried about contradicting myself, I'm just trying to be sure and tell the truth.

Mr. HUBERT. Right—I want to assure you that it doesn't matter to us whether you contradict yourself or not.

Mr. DANIELS. Right.

Mr. HUBERT. There is no suggestion made to you here that if you made a mistake before that any kind of penalty or punishment or prosecution will follow, because that isn't so, unless you made a wilful misstatement, but I'm not going into that now. What I want to know now is what really happened. Now, Mr. Daniels, that's why I asked you before to try to put everything out of your mind.

Mr. DANIELS. That's the trouble with this—it has been out of my mind and I am trying to get it back in there.

Mr. HUBERT. You feel now, considering all the statements you made originally are the truthful ones?

Mr. DANIELS. Right.

Mr. HUBERT. Are there any other corrections or additions or deletions that you would like to make as to the exhibits that have been identified as exhibits as numbers 5325, 5326, and 5327?

Mr. DANIELS. I can't think of any.

Mr. HUBERT. You think it can be fairly said that anyone who would read the three exhibits 5325, 5326, and 5327 and who would read the transcript of your deposition at a later time and who would have the advantage of being able to follow your deposition on this chart that has been marked as Daniel's Exhibit 5324, that such a person reading all those documents would have all of the truth, so far as you know it?

Mr. DANIELS. Right.

Mr. HUBERT. And we would have all that you do know?

Mr. DANIELS. That's absolutely right—that's right, I believe so.

Mr. HUBERT. All right, is there anything else, have you anything else to say?

Mr. DANIELS. No; I can't think of anything else.

Mr. HUBERT. All right, thank you very much. I am glad you came by.

Mr. DANIELS. All right, thank you.

TESTIMONY OF WILLIAM J. HARRISON

The testimony of William J. Harrison was taken at 3:45 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission. Mr. William J. Harrison was accompanied by his counsel, Ted P. MacMaster.

Mr. GRIFFIN. I was looking through here to see if I could get you a copy of our rules. Let me state for the record. Correct me if I get the names wrong. We have here Officer W. J. Harrison of the Dallas Police Department and Mr. MacMaster.

Mr. MACMASTER. Ted P. MacMaster [spelling] M-a-c-M-a-s-t-e-r, assistant city attorney of the city of Dallas.

Mr. GRIFFIN. I wanted to provide for you, before we even get into the formal part of it a copy of the rules, and I think this is a complete copy, Mr. MacMaster, and, if you like, let me hand them to you.

Mr. MACMASTER. That is fine. Thank you.

Mr. GRIFFIN. And let me state, talk a little bit about this, and then maybe, if you feel that you would like to stop and take a look at it a little longer, I would be happy to do that. I will state for the record that my name is Burt Griffin and I am a member of the advisory staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy, and this Commission has been set up pursuant to an Executive Order 11130 by President Johnson issued November 29, 1963, and also pursuant to a joint resolution of Congress No. 137. Pursuant to this Executive order and these resolutions, there have been a set of rules and a procedure prescribed by the Commission, and I believe, Mr. MacMaster, that what I have just handed you is a copy, and I believe a complete copy, of the rules, but if you would like for me to check and make sure that is everything, I will check with one of my colleagues. Would—

Mr. MACMASTER. Yes; I would appreciate that.

Mr. GRIFFIN. Would you like me to?

Mr. MACMASTER. Yes.

Mr. GRIFFIN. I will have to take it.

(Recess.)

Mr. GRIFFIN. For the record, I have checked with my colleague, Mr. Leon Hubert, and he confirms my statement to you that that is a complete copy of the rules of the Commission.

Mr. MACMASTER. I would like to state for the record, Officer William J. Harrison, a member of the police department of the city of Dallas, Tex., is making a voluntary appearance here today and is here for the purpose of voluntarily assisting, in every way possible, in this investigation.

Mr. GRIFFIN. I certainly appreciate that, and let me take some time here to explain to you what is involved here. This Commission was set up under this resolution and this Executive order, which I have given you a copy of, for the purpose of investigating, evaluating, reporting back to President Johnson upon the facts surrounding the assassination of the President and the killing of Lee Harvey Oswald. Now, we have asked Mr. Harrison to come here today to talk with him in particular about the facts that are attendant to the killing of Oswald. We don't want to preclude any information that you may have that falls anywhere within the scope of the Commission, so if there is anything, why I would like you on your own to bring it up and we want very much to hear it.

Let me go back and explain where we are procedurally. Officer Harrison is appearing here by virtue of a letter, which is sent by the General Counsel of the Commission to Chief Curry, and the General Counsel, under these resolutions, has the right to determine who shall be deposed and also has the authority to authorize individual members of his staff to take individual depositions, and I have been authorized, pursuant to that letter to Mr. Curry, to take Mr. Harrison's deposition. Now, the witness is entitled to 3 days' written notice before he testifies before the Commission, and some of the witnesses have asked for it, others of them haven't.

Mr. MACMASTER. You don't have any reason for that?

Mr. HARRISON. No.

Mr. MACMASTER. He wants to waive that 3-day notice.

Mr. HARRISON. Just waive it.

Mr. GRIFFIN. And, also, they have a right to counsel before the Commission. Many of the witnesses have come before the Commission, and Mr. Harrison is here with Mr. MacMaster, who is his attorney. Do you have any questions you want to ask me before I swear the witness in?

Mr. MACMASTER. No; not that I know of at this point.

Mr. GRIFFIN. Mr. Harrison, do you have any questions that you would like to ask me?

Mr. HARRISON. Well, I would like to know if I understand. You have the reports that we made to the FBI?

Mr. GRIFFIN. Yes.

Mr. HARRISON. And also the ones that we made to our chief?

Mr. GRIFFIN. Yes, we do.

Mr. HARRISON. Do we get to read those?

Mr. GRIFFIN. Would you like to see a copy of them?

Mr. HARRISON. Yes; I haven't seen them.

Mr. MACMASTER. You want them to refresh your memory?

Mr. GRIFFIN. All right. Let me get it out of here. Would you like to take time and go out?

Mr. MACMASTER. Do you want to take a little time?

Mr. GRIFFIN. Why don't you look it over? You can step out of the room. Maybe I can find another office for you, too.

(Recess.)

Mr. GRIFFIN. I might ask you again if you have any other questions that I can answer before I swear you in?

Mr. HARRISON. I don't know of anything. This is off of the record.

(Discussion off the record.)

Mr. GRIFFIN. You want to raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. HARRISON. I do.

Mr. GRIFFIN. Will you state your name, please?

Mr. HARRISON. William J. Harrison.

Mr. GRIFFIN. When were you born, Mr. Harrison?

Mr. HARRISON. August 28, 1924.

Mr. GRIFFIN. Where do you live now?

Mr. HARRISON. At 9223 Donnybrook.

Mr. GRIFFIN. Is that in Dallas?

Mr. HARRISON. Yes, Dallas.

Mr. GRIFFIN. Are you employed with the Dallas Police Department.

Mr. HARRISON. Yes, I am.

Mr. GRIFFIN. How long have you been with the Dallas department?

Mr. HARRISON. Past 16 years.

Mr. GRIFFIN. Now, what particular bureau or subdivision are you attached to at present?

Mr. HARRISON. I am a patrolman assigned to the juvenile bureau of the CID.

Mr. GRIFFIN. Were you working in that capacity or were you a member of the department in that capacity on November 22, 23, and 24?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, I am going to ask you some questions generally about events, things have to do with events before the 24th, and I am not going to go into as much detail as the events of the 24th, but I do want to ask you where you were at the time that you heard that the President was shot.

Mr. HARRISON. Where I was at the time that I heard that the President was shot?

Mr. GRIFFIN. Yes.

Mr. HARRISON. I was on duty at the market hall. I was standing at the—I guess it would be the west end of the President's table.

Mr. GRIFFIN. That is the Trade Mart?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Dallas Trade Mart?

Mr. HARRISON. Yes, sir; market.

Mr. GRIFFIN. How long did you remain there after you heard that the President was shot?

Mr. HARRISON. Well, it was approximately an hour.

Mr. GRIFFIN. And then where did you go?

Mr. HARRISON. Come back to the city hall.

Mr. GRIFFIN. The Police Department Building or the city hall portion of it?

Mr. HARRISON. Well, to the juvenile bureau.

Mr. GRIFFIN. And did you go up to the juvenile bureau?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, what did you do when you got back to the juvenile bureau?

Mr. HARRISON. Well, I don't recall. Stayed around the office there until time to go home.

Mr. GRIFFIN. What time would you estimate that you got back to the police department?

Mr. HARRISON. It was around 1:30 or 2.

Mr. GRIFFIN. And what time did you go off duty that day?

Mr. HARRISON. Four.

Mr. GRIFFIN. Now, did you have occasion to go out of the building between the time that you returned and the time that you went off duty?

Mr. HARRISON. I don't recall. I don't think I ever went out of the building.

Mr. GRIFFIN. Were you working on any particular cases that you recall?

Mr. HARRISON. No, no; I don't.

Mr. GRIFFIN. Now, during the period that you were there prior to 4 o'clock, did you see anybody on the third floor or elsewhere in the building who you knew was not a police officer or a member of the press or somebody who was up on some sort of official business with the police department, did you recognize anybody that you knew?

Mr. HARRISON. No, no.

Mr. GRIFFIN. Did you see Jack Ruby there at anytime prior to 4 o'clock Friday afternoon?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. You do recognize Ruby by sight, do you not?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Do you know Jack personally?

Mr. HARRISON. I knew him as a businessman as well by sight, and I have known him for 12 years, I guess, as a businessman.

Mr. GRIFFIN. How did you happen to meet Jack?

Mr. HARRISON. Well, I used to go into his place. I was a motorcycle officer, and we would go into these different places just checking, and he was running the Silver Spur, I think was the name of it.

Mr. GRIFFIN. What bureau were you assigned to at that time?

Mr. HARRISON. I was in the traffic bureau.

Mr. GRIFFIN. Is that motorcycle patrol?

Mr. HARRISON. Yes; motorcycle patrol.

Mr. GRIFFIN. Was that downtown only?

Mr. HARRISON. No. We rode all over the city.

Mr. GRIFFIN. What particular business did you have in there?

Mr. HARRISON. Oh, we went in, we went into several places, maybe to get a cold drink, checking maybe to see if there was some drunks in there, just regular, routine checks more or less.

Mr. GRIFFIN. Now, did you ever see him on a social basis?

Mr. HARRISON. No.

Mr. GRIFFIN. Did you ever see him in any capacity other than as a police officer?

Mr. HARRISON. No.

Mr. GRIFFIN. Have you in the last 12 years had any part-time jobs while you were with the police department?

Mr. HARRISON. Any part-time jobs while I—I didn't understand that.

Mr. GRIFFIN. Yes; while you were a member of the police department, did you have any part-time jobs?

Mr. HARRISON. Yes; I have had part-time jobs.

Mr. GRIFFIN. In connection with any of this part-time work, have you ever worked with Jack Ruby?

Mr. HARRISON. No.

Mr. GRIFFIN. What kind of part-time jobs have you had?

Mr. HARRISON. Around parade of homes, working traffic around these parades of home, and on special occasions, like where they have big traffic problems, and in, well, you might say, jewelry stores, department stores, working in both.

Mr. GRIFFIN. You don't have any special trade like carpenter, bricklayer or anything like that?

Mr. HARRISON. No.

Mr. GRIFFIN. Now, what did you do when you left the police department at 4 o'clock on Friday?

Mr. HARRISON. I drove home, went home.

Mr. GRIFFIN. And where were you the remainder of the evening?

Mr. HARRISON. Well, I don't recall at all, but I believe I was at my home. I don't think I had left the house.

Mr. GRIFFIN. Is there something that makes you think you might have been some place else?

Mr. HARRISON. No. I just don't remember back that—if I went anywhere or not.

Mr. GRIFFIN. Now, what shift did you work on Saturday?

Mr. HARRISON. 8 to 4.

Mr. GRIFFIN. And did you report for duty at the juvenile—

Mr. HARRISON. Bureau.

Mr. GRIFFIN. Were you in the building all day on Saturday?

Mr. HARRISON. On a Saturday?

Mr. GRIFFIN. Yes.

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Do you recall where you worked out of the building on Saturday?

Mr. HARRISON. No; I don't recall. It was just a normal, routine day, as far as our work was concerned, handling the juvenile prisoners and checking those beeves that we had assigned to us.

Mr. GRIFFIN. Prior to the time that you went on duty on Saturday, did you receive any telephone calls or other communications from Jack Ruby or anybody who was an associate of Jack Ruby?

Mr. HARRISON. No.

Mr. GRIFFIN. You left the police department about 4 p.m. on Saturday?

Mr. HARRISON. On Saturday?

Mr. GRIFFIN. Yes, sir.

Mr. HARRISON. Yes, sir. No; I beg your pardon. Yes; it was about 4 o'clock on Saturday afternoon.

Mr. GRIFFIN. Now, at the time that you left the police department, had you heard anything about the movement of Lee Oswald, proposed movement of Lee Oswald?

Mr. HARRISON. No, no; I hadn't.

Mr. GRIFFIN. Now, what did you do Saturday after you left work?

Mr. HARRISON. I went home.

Mr. GRIFFIN. And did you spend Saturday night at home?

Mr. HARRISON. Spend Saturday night at home; yes, sir.

Mr. GRIFFIN. What time did you report for work on Sunday?

Mr. HARRISON. 8 o'clock.

Mr. GRIFFIN. Now, anytime on Saturday, did you see Jack Ruby?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Anywhere?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Did you see any of his friends or associates anyplace?

Mr. HARRISON. I don't know any of his friends or associates.

Mr. GRIFFIN. Are you acquainted with a fellow by the name of George Senator?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Now, during the last year, the year prior to the time that the President was shot, how often did you have occasion to visit Ruby's place?

Mr. HARRISON. I believe that I went in his place one time within the last year.

Mr. GRIFFIN. When was that?

Mr. HARRISON. I don't—I don't recall. A group of us. I say a group of us. Occasionally, we will hear about some juvenile being in a place like that, and occasionally we will check to see if there are any down there, and, if I recall, I believe Officer Cutchshaw and myself went down to the Carousel Club one time.

Mr. GRIFFIN. In the course of your duties, did you ever find that Jack Ruby provided any useful information to the police department?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Did you or any of the officers that you know in the police department attempt ever to obtain information out of Jack Ruby with respect to your duties?

Mr. HARRISON. Well, I didn't. I don't know if any of the other officers did or not.

Mr. GRIFFIN. There wasn't ever any occasion when you tried to get any assistance or information from him?

Mr. HARRISON. No.

Mr. GRIFFIN. Now, when you arrived for work on Saturday—Sunday, rather—you say you report at 8 o'clock?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Is that the normal reporting time in your bureau?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Do you remember where you parked your car?

Mr. HARRISON. I parked it over by the garage on Young Street, and actually, well, it was on a parking lot there next to the garage.

Mr. GRIFFIN. Young and——

Mr. HARRISON. Yes.

Mr. GRIFFIN. And what intersection?

Mr. HARRISON. Young and Pearl Expressway.

Mr. GRIFFIN. Did you come into the building with any of your fellow officers?

Mr. HARRISON. No.

Mr. GRIFFIN. Do you remember what entrance you came into the building through?

Mr. HARRISON. I drove into the basement.

Mr. GRIFFIN. I am talking about the police department building.

Mr. HARRISON. I drove into the basement of the city hall there.

Mr. GRIFFIN. Oh, I thought you parked your car there.

Mr. HARRISON. I did. I parked my personal car on the parking lot across from the police garage on Young and Pearl.

Mr. GRIFFIN. I see.

Mr. HARRISON. I picked up a city car at the garage, drove to the basement of the city hall, where I parked it.

Mr. GRIFFIN. I see. What car number was it?

Mr. HARRISON. I don't recall. Don't have any idea.

Mr. GRIFFIN. Is there any sort of record that is maintained on what cars you drive?

Mr. HARRISON. Well, we fill out a slip on each car we drive every day.

Mr. GRIFFIN. And did you fill out a slip on that car?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Now, where do you get the keys to one of those cars that is over there?

Mr. HARRISON. They are left in the car, they are in the cars.

Mr. GRIFFIN. And are they kept in a locked garage, is that it?

Mr. HARRISON. No; it is a two-story parking affair, enclosed in a fence up to, you know——

Mr. GRIFFIN. And there is a guard on the fence?

Mr. HARRISON. No; there is no guard.

Mr. GRIFFIN. Now, was there any particular reason for taking that car that day?

Mr. HARRISON. Well, we always park our personal car and pick up our city car and drive over close to the city hall there.

Mr. GRIFFIN. I see. And it is part of your responsibility, you ordinarily pick up a car?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Do you have a particular car assigned to you?

Mr. HARRISON. No, no. We have a pool system.

Mr. GRIFFIN. Did you drive back with anybody to the police department?

Mr. HARRISON. No; I was alone that day.

Mr. GRIFFIN. I take it that you parked the car in the garage of the municipal building and walked by the jail office?

Mr. HARRISON. To the elevator.

Mr. GRIFFIN. Yes. When you arrived, were there any newspaper people down in the basement?

Mr. HARRISON. In the basement?

Mr. GRIFFIN. Yes, sir.

Mr. HARRISON. No, sir; not that I recall.

Mr. GRIFFIN. Do you recall whether there were any TV cameras set up when you arrived that day in the basement?

Mr. HARRISON. No, sir; I don't.

Mr. GRIFFIN. When you came in, I take it that you came in down the Main Street ramp?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Was there a guard on the Main Street ramp at the time that you came?

Mr. HARRISON. Not at that time.

Mr. GRIFFIN. What did you do when you got up to the third floor? Is that right?

Mr. HARRISON. I went to the juvenile bureau.

Mr. GRIFFIN. Did you go to the locker room first?

Mr. HARRISON. No.

Mr. GRIFFIN. You went right up to the juvenile bureau?

Mr. HARRISON. Yes.

Mr. GRIFFIN. On the third floor?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Do you recall who was there in the juvenile bureau when you got in?

Mr. HARRISON. No. Goolsby was working the desk and Mrs. McLane was there and Miller and Lowery, I believe Cutchshaw.

Mr. GRIFFIN. Anybody else that you recall?

Mr. HARRISON. No.

Mr. GRIFFIN. Was Captain Martin there?

Mr. HARRISON. I don't recall seeing him when I first come in.

Mr. GRIFFIN. When you arrived, what did you do as soon as you arrived up there in the juvenile bureau?

Mr. HARRISON. We checked to see what we had assigned to us. They assign the beeves of a morning when we first come in and put a copy of it in our drawer, and we always check the first thing to see if we have any messages or if there has been anything assigned to us to work on.

Mr. GRIFFIN. And did you have anything assigned to you at that time to work on?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. Do you recall what you did after you checked your assignments?

Mr. HARRISON. Well, Miller and I went to eat breakfast. I don't know the exact time.

Mr. GRIFFIN. How long would you estimate that was after you arrived?

Mr. HARRISON. I don't have any idea. Approximately 20 or 30 minutes.

Mr. GRIFFIN. Now, did you talk with anybody concerning what was going on in the homicide office or what was going on in connection with Lee Oswald when you came in?

Mr. HARRISON. I beg your pardon.

Mr. GRIFFIN. When you come into the juvenile bureau, did you talk to any of the people in connection with what was happening with Lee Oswald?

Mr. HARRISON. Not that I recall. I may have asked if he was still up there. I don't recall.

Mr. GRIFFIN. At the time that—excuse me.

Mr. MacMaster, this is Mr. Hubert of our office. Mr. MacMaster is assistant city attorney. This is Mr. Harrison, Mr. Hubert.

Mr. HARRISON. Hello. Glad to see you, sir.

Mr. GRIFFIN. At the time that you arrived in the building, had you heard

anything in connection with the movement of Lee Harvey Oswald to the county jail?

Mr. HARRISON. No; I hadn't.

Mr. GRIFFIN. Had you heard anything about whether he was going to be moved at all that day?

Mr. HARRISON. Well, the—they were talking, the pressmen were talking about it out in the hall as we come by.

Mr. GRIFFIN. What did you hear the press people say?

Mr. HARRISON. They said he would be moved sometime that morning, and I couldn't tell you who the pressmen were or anything.

Mr. GRIFFIN. Did you talk with Officer Miller about this when you got in?

Mr. HARRISON. No.

Mr. GRIFFIN. Did you talk with any of the officers about this?

Mr. HARRISON. When Captain Martin came in, I believe we had gone to get breakfast, and when we got back, they told us to stay around the bureau there.

Mr. GRIFFIN. I see. Now, when you went out to get breakfast, where did you have breakfast?

Mr. HARRISON. At the Deluxe Diner there at the 1900 block of Commerce.

Mr. GRIFFIN. Whose suggestion was it to go out for breakfast?

Mr. HARRISON. I don't know. Mine or Miller's one. I don't remember.

Mr. GRIFFIN. Did you ask anybody else to go with you?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. It was just you and Miller that went to the Deluxe Diner?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Did you see anybody at the Deluxe Diner that you knew?

Mr. HARRISON. No.

Mr. GRIFFIN. Do you know the people who operate the diner or the waitresses?

Mr. HARRISON. No. I know some of them that work over there, but I don't recall who was working that day.

Mr. GRIFFIN. And do you visit there often enough so that they know you?

Mr. HARRISON. Some of the employees do.

Mr. GRIFFIN. Now, before you left the juvenile bureau, who did you talk with before going? You didn't ask anybody to come with you. Did you tell anybody that you were going out?

Mr. HARRISON. We told the deskman, Goolsby.

Mr. GRIFFIN. Goolsby?

Mr. HARRISON. We were going over to get a cup of coffee.

Mr. GRIFFIN. I see. Now, how long did you remain at the Deluxe Diner?

Mr. HARRISON. I would say around 30 minutes.

Mr. GRIFFIN. Did anything happen over there?

Mr. HARRISON. No.

Mr. GRIFFIN. Did you talk about the movement of Lee Oswald at all?

Mr. HARRISON. No. We didn't know anything about it then.

Mr. GRIFFIN. Do you recall what you talked about over there?

Mr. HARRISON. I sure don't.

Mr. GRIFFIN. Speculation about whether they were going to get a story out of him, a confession, or anything like that?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. Now, how did you happen to decide to leave the diner?

Mr. HARRISON. Well, we were through eating and went back over to the city hall there to the bureau.

Mr. GRIFFIN. Do you remember if you talked with anybody while you were over at the Deluxe Diner?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. Do you recall whether you talked with any—had any telephone calls when you were there?

Mr. HARRISON. I believe I did.

Mr. GRIFFIN. Okay.

Mr. HARRISON. I believe I did have a phone call.

Mr. GRIFFIN. All right. What do you remember about the phone call?

Mr. HARRISON. I believe it was Goolsby. He called us and told us not to leave

the city hall, that was the captain's order, Captain Martin's order. He told us to come on back to the bureau when we got through eating.

Mr. GRIFFIN. Uh-huh.

Mr. HARRISON. I recall that.

Mr. GRIFFIN. All right. Now, when you got back to the bureau, did you report back in to Goolsby?

Mr. HARRISON. Well, he saw us come in. We didn't have to.

Mr. GRIFFIN. Did you see Captain Martin when you got back?

Mr. HARRISON. I believe he was there when we got back in.

Mr. GRIFFIN. Did you talk to anybody when you got back about the proposed movement of Oswald?

Mr. HARRISON. No. Of course, it may have been discussed there as to what time it would be. I don't recall who was talking or what was said, but I know we were told to stand by the bureau there by Captain Martin.

Mr. GRIFFIN. Now, when did Martin tell you this?

Mr. HARRISON. Well, actually, on this phone call Goolsby made over there, he told us that the captain had told us to stand by there in the bureau.

Mr. GRIFFIN. Uh-huh.

Mr. HARRISON. When we got back up there.

Mr. GRIFFIN. Now, did Martin then tell you the same thing when you got up?

Mr. HARRISON. I don't recall whether he did or not.

Mr. GRIFFIN. Now, how long was it between the time that you got this call from Goolsby and you actually went down to the basement in connection with the movement of Lee Oswald?

Mr. HARRISON. I would say about 2 hours.

Mr. GRIFFIN. When you came back from the diner, how did you come back into the building?

Mr. HARRISON. Came across to Harwood Street and down to the Harwood Street entrance to the city hall.

Mr. GRIFFIN. And when you went out, did you go out that way or did you go out by the Commerce Street entrance?

Mr. HARRISON. Went that way.

Mr. GRIFFIN. Now, did you see anybody around the police building at that time whom you recognized that wasn't either a police officer or a newspaperman?

Mr. HARRISON. Yes, sir; when we came back, there was a man by the name of Johnny Miller, who owns a trailer house sales on West Davis. It is right across from Sivils parking lot there. It is a trailer sales company. He was standing in the door of this television company truck talking, and he turned around and shook hands with me and spoke to me, and I went on in the building.

Mr. GRIFFIN. Do you remember what he said to you?

Mr. HARRISON. He just spoke to me and shook hands with me. said he was glad to see me, and that is the extent of it.

Mr. GRIFFIN. Does Miller know Ruby, to your knowledge?

Mr. HARRISON. I don't know. I don't know that, whether he knows him or not.

Mr. GRIFFIN. Anything that would lead you to think that he might?

Mr. HARRISON. No; I have known Miller just about the same length of time that I have known Ruby, but I don't know whether he even knew Ruby or not.

Mr. GRIFFIN. Is Miller a close, personal friend of yours?

Mr. HARRISON. No, no; just an acquaintance. Oh, I have stopped out there at his place and sat there and talked to him and have gone and had coffee with him, but just an acquaintance, not a personal friend.

Mr. GRIFFIN. Is this a TV sales and repair shop that he runs?

Mr. HARRISON. No; a house trailer.

Mr. GRIFFIN. I am sorry. House trailer. House trailer. Okay. Now, do you remember what you did in those roughly 2 hours between the time you got back up to the juvenile bureau and the time that you went down to the basement?

Mr. HARRISON. No, sir; I don't recall, except sitting up there answering the phone and just checking on beeves that I had had assigned to me.

Mr. GRIFFIN. Were you all keeping your eye out for when Oswald would be moved?

Mr. HARRISON. Well, we knew that we would be told, that someone would come and get us.

Mr. GRIFFIN. Did you have any idea of what would be the occasion for moving Oswald, what would be done before Oswald would be moved?

Mr. HARRISON. No; I didn't.

Mr. GRIFFIN. Were you aware that the homicide people were questioning Oswald at that time?

Mr. HARRISON. We didn't know they were. We assumed that they were.

Mr. GRIFFIN. Were there reporters running in and out of the office?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Were they talking about the events that were going on?

Mr. HARRISON. They were mostly using the phone. They weren't talking to us. They were mostly calling their home office.

Mr. GRIFFIN. They were using the phone in your office?

Mr. HARRISON. Yes.

Mr. GRIFFIN. You were able to hear what they were saying over the telephone?

Mr. HARRISON. I didn't pay any attention to what they were saying. There were three of us in there that morning. All we told them was to leave us three lines open because we were pretty busy ourselves.

Mr. GRIFFIN. What was the next thing you recall in connection with the movement of Lee Oswald?

Mr. HARRISON. About, I would say, 3 or 4 or 5 minutes to 11. I went down to the subbasement to get me some cigars, and as I come back up out of the subbasement, well, then the officers out of our bureau were going across from the elevator to the—to there in front of the jail office.

Mr. GRIFFIN. Now, there are two basements, as I understand it, in the Police and Courts Building. One is the basement level that the garage is on and the jail office and the records room?

Mr. HARRISON. Yes.

Mr. GRIFFIN. And then there is a subbasement?

Mr. HARRISON. Locker room.

Mr. GRIFFIN. Locker room down below that. Now, how did you get down from the third floor into the subbasement? Does the elevator go all of the way down?

Mr. HARRISON. No, no; it stops at the floor where the jail office is.

Mr. GRIFFIN. All right. When you get out of the jail office, where do you have to go?

Mr. HARRISON. Well, actually to the south end.

Mr. GRIFFIN. You walk down to the hallway and then you open a door?

Mr. HARRISON. No; you go down a stairway.

Mr. GRIFFIN. Go down a stairway?

Mr. HARRISON. Into the subbasement.

Mr. GRIFFIN. Now, there is, is there not, a doorway, as you walk from Commerce Street down the steps to go to the door that entered into the building and through the hallway that you had walked down? Do you follow me?

Mr. HARRISON. No, no; I don't.

Mr. GRIFFIN. Let's suppose that you walked from the record room to the subbasement by way of the hallway that leads out towards Commerce Street.

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, that hallway has a door that goes out of the building, does it not?

Mr. HARRISON. Right.

Mr. GRIFFIN. And when you open that door and go out of the building, there are two other doors, right?

Mr. HARRISON. No, no.

Mr. GRIFFIN. Well, isn't there a door on your—on your left as you face Commerce Street, isn't there a door on your left that goes into the engine room?

Mr. HARRISON. Actually, I have never—I believe there is a door there. It is underneath where the stairway goes up.

Mr. GRIFFIN. Now, there is a door straight ahead where the stairway goes up? In other words, as you walk out of the door from the building to leave the

building and you step out of there, there is another door right in front of you right under this stairs——

Mr. HARRISON. Yes.

Mr. GRIFFIN. Isn't there?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, that door leads down to the subbasement, doesn't it?

Mr. HARRISON. Well, I have never been down that way. I don't know.

Mr. GRIFFIN. All right. From the assembly room, in the assembly room, where is this cigar dispensing machine?

Mr. HARRISON. They are not in the assembly room.

Mr. GRIFFIN. Not in the assembly room, in the locker room.

Mr. HARRISON. In the locker room.

Mr. GRIFFIN. Where is it located?

Mr. HARRISON. I don't know how to describe it to you. The machine is about, I guess, 18 foot from the door—from the stairway.

Mr. GRIFFIN. At the far south end?

Mr. HARRISON. No; it is kind of west of the stairway.

Mr. GRIFFIN. West of the stairway, but it is on the south side of the room, it is on the side closest to Commerce Street?

Mr. HARRISON. No; that is where all of the locker rooms are, lockers are.

Mr. GRIFFIN. Yes, sir.

Mr. HARRISON. Now, there is a door that separates the locker room from the area where the cold drinks and where the——

Mr. GRIFFIN. All right.

Mr. HARRISON. Where the cold drinks and the cigar machine and the cigarette machines are, there is a door that separates that.

Mr. GRIFFIN. We are all talking about the same thing here. I am not sure that Mr. MacMaster knows what we are talking about here. Would you draw Main Street or draw Commerce Street up on one end, which is convenient to you, and draw Harwood, and why don't you label them, write "Main," "Commerce," and "Harwood" in the appropriate spots? All right. Where is the doorway that you entered the locker room by, where would that be?

Mr. HARRISON. Well, now, this being the stair down.

Mr. GRIFFIN. Yes.

Mr. HARRISON. There is no door here.

Mr. GRIFFIN. Yes, sir.

Mr. HARRISON. There is a wall approximately in this position and there is a double door here.

Mr. GRIFFIN. All right.

Mr. HARRISON. All right. There is a big post here. It has a telephone on it.

Mr. GRIFFIN. Yes.

Mr. HARRISON. Cigar machine sits right here beside of this post.

Mr. GRIFFIN. All right.

Mr. HARRISON. And the Dr. Pepper and coke machines are all up and down this right side.

Mr. GRIFFIN. All right. What is in this area to the south of the doorway?

Mr. HARRISON. This?

Mr. GRIFFIN. Yes.

Mr. HARRISON. Lockers.

Mr. GRIFFIN. Would you draw that in there, write that in there? Write "Locker Room" or something. Did you have a locker in there?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Where was your locker located, approximately?

Mr. HARRISON. Down here, however it hadn't been used in over 2½ or 3 years.

Mr. GRIFFIN. Did you see anybody down here when you went down there to get the cigars?

Mr. HARRISON. There was no one down there when I went down there.

Mr. GRIFFIN. Did you have any occasion to go into the locker room?

Mr. HARRISON. No.

Mr. GRIFFIN. Now, what did you do after you got the cigars?

Mr. HARRISON. Went back upstairs.

Mr. GRIFFIN. And did you see anybody on the way up or down whom you recognized as not being a newspaperman or a police officer.

Mr. HARRISON. Well, at that time, there was no one in that immediate area. The officers were going across from the elevator to the jail office, the officers out of the juvenile bureau.

Mr. GRIFFIN. So when you came up, you found the officers had left?

Mr. HARRISON. No.

Mr. GRIFFIN. I mean had left the juvenile bureau, right?

Mr. HARRISON. Well, they were leaving the elevator coming across.

Mr. GRIFFIN. Had you met them in the basement?

Mr. HARRISON. Met them in the basement, yes.

Mr. GRIFFIN. And who did you see there at that time?

Mr. HARRISON. Well, there was Miller, Lowery and Cutchshaw, Goolsby, and I believe that was all out of our bureau.

Mr. GRIFFIN. And what did you do when you saw them?

Mr. HARRISON. One of them told me to come on.

Mr. GRIFFIN. Do you remember which one that was?

Mr. HARRISON. I don't recall who it was.

Mr. GRIFFIN. And where did you go with them?

Mr. HARRISON. We stood in front of the jail office.

Mr. GRIFFIN. And what happened as you waited around there?

Mr. HARRISON. Well, we were waiting around to get—find out where they were going to put us.

Mr. GRIFFIN. Did you finally get some instructions from somebody?

Mr. HARRISON. I believe it was Captain Jones that come in and told us that—to come on out into the area there in the driveway, and he told us that he wanted all of the newsmen on the east side of the drive and that he wanted nothing but officers over in this corridor here and where the—well, on the west wall, in other words.

Mr. GRIFFIN. Now, let's go off of the record here. I want to find out.

(Discussion off the record.)

Mr. GRIFFIN. I am going to mark this diagram that you have drawn here Harrison Exhibit 5027, and I am going to ask you, Officer Harrison, if you will just put in here "coke machine" or whatever these things are, "cigar machine."

Mr. HARRISON. This is a post here.

Mr. GRIFFIN. A post. A support post. All right. Why don't you mark that post, then? And then mark the area where the—okay. Now, and that is "door." Okay. Now, would you sign that any place where you can get your signature and then date it?

(Recess.)

Mr. GRIFFIN. We were at the point where you had come into the basement area and seen the people coming down from the juvenile bureau. Before you went down there, had you left word that you would be down in the locker room?

Mr. HARRISON. Yes; I told Goodsby that I was going down and get me some cigars.

Mr. GRIFFIN. Did there come a time when you were down in the basement that somebody gave you some instructions as to what was to be done?

Mr. HARRISON. Captain Jones, I believe it was, had come out and told us to go out into the ramp area, the garage, and to set—to put these photographers and newspeople on the east side of the driveway.

Mr. GRIFFIN. Will you take this map, diagram or chart (Harrison Exhibit 5028) which is—actually is a reduction of a chart that the Dallas Police Department made for us some time ago and purports to represent the basement area? You can see the jail office here?

Mr. HARRISON. Uh-huh.

Mr. GRIFFIN. And you can see Commerce Street over here and Main Street here and the garage area here and the Main Street ramp going down and the Commerce Street ramp going up, and this shows a solid wall along Commerce Street here. Actually, this is the basement wall. The basement extends out under the sidewalk, but if you were looking at this at ground level, you would see this broken line is the wall of the building. Now, directing your attention to the part that shows the exit from the jail office and the ramps and the entrance

into the garage, can you mark on there what Captain Jones—how Captain Jones indicated that the newspeople were to be displaced by the officers?

Mr. HARRISON. He wanted them across along here on this side.

Mr. GRIFFIN. Do you want to put a series of "X's" or something along there to show?

Mr. HARRISON. You want to put "news"?

Mr. GRIFFIN. Yes; you might put some mark on there. This would be news media, newspeople, also?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Why don't you mark that "news," also? Now, were there to be any newspaper people from the northern side of the entrance to the garage on up toward the Main Street ramp?

Mr. HARRISON. There were some.

Mr. GRIFFIN. But what instructions did he give in that regard?

Mr. HARRISON. He didn't. He just stated that he wanted them on the east side of the ramp.

Mr. GRIFFIN. Now, did he say anything with respect to whether he wanted them on the east side or the west side of the railing?

Mr. HARRISON. No; he didn't specify that.

Mr. GRIFFIN. Was it your understanding that there were to be no news media in this area other than the TV people?

Mr. HARRISON. In this area right here.

Mr. GRIFFIN. What about in the area to the north of where you have placed the "X's"? Was it your understanding that—

Mr. HARRISON. There were floodlights standing here.

Mr. GRIFFIN. Where you are placing circles on the map. Now, did he give—go ahead.

Mr. HARRISON. There were cameras here.

Mr. GRIFFIN. Now, did he give instructions as to where the police officers were to stand?

Mr. HARRISON. No.

Mr. GRIFFIN. Did he give any instructions with respect to forming any lines of police officers or anything like that?

Mr. HARRISON. I didn't hear it.

Mr. GRIFFIN. Now, how long was this before Lee Oswald was brought down that these instructions were given?

Mr. HARRISON. This was approximately, oh, maybe 10 or 11 minutes before.

Mr. GRIFFIN. What did you do in that 10 or 11 minutes?

Mr. HARRISON. I took up a position in the ramp area here and assisted with getting the newsmen on the east side of the ramp.

Mr. GRIFFIN. Did you stay in the same general area?

Mr. HARRISON. I did; yes.

Mr. GRIFFIN. Can you indicate on the map by a circle and an "X" where was it you were, generally?

(Discussion off the record.)

Mr. GRIFFIN. Actually, Mr. MacMaster, if you feel like you would like to recess this at some particular hour, let me know.

Mr. MACMASTER. Let me suggest this. Do you have any idea how long this interrogation will last?

Mr. GRIFFIN. I wouldn't expect it to go more than 45 minutes.

Mr. MACMASTER. More?

Mr. GRIFFIN. No; I don't think it will go any longer than that, however—

Mr. MACMASTER. What is your—would you just rather stay and finish?

Mr. HARRISON. I would rather stay and finish.

Mr. MACMASTER. All right. I wonder if I may make my one phone call here on the phone?

Mr. GRIFFIN. Sure.

Mr. HARRISON. May I ask you something here?

Mr. GRIFFIN. Yes. Let's wait until he finishes.

Mr. MACMASTER. Well, let's go ahead. My 13-year-old daughter is on the phone, so that is a career itself trying to get home. I am not going to worry about it.

Mr. GRIFFIN. Feel free at any time to interrupt me. Go ahead. You wanted to ask me.

Mr. HARRISON. I made these two things setting too far away. Actually, this camera was setting in this first aisle, one of them was.

Mr. GRIFFIN. I see.

Mr. HARRISON. The cameras were right in line here.

Mr. GRIFFIN. And you were making an effort to steer these news people over into this area and away from the Main Street ramp?

Mr. HARRISON. Right.

Mr. GRIFFIN. Now, do you recall when Sam Pierce's car drove out?

Mr. HARRISON. Yes, sir; I do. I let the—I had to move the people back out of the way. There was actually two cars went out.

Mr. GRIFFIN. There were two cars?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Now, tell me about that.

Mr. HARRISON. Well, there was a patrolman went out that direction in a squad car.

Mr. GRIFFIN. Do you know who that was?

Mr. HARRISON. I believe it was Mr. O'Dell.

Mr. GRIFFIN. Now, how long before or after Pierce's car did he go out?

Mr. HARRISON. Well, now, it was some 3 or 4 or 5 minutes, something like that, I am sure.

Mr. GRIFFIN. All right. Now, let's focus on Mr. O'Dell's car, then. Was anybody in the car with him?

Mr. HARRISON. Not that I recall.

Mr. GRIFFIN. Do you know what—for what purpose he went out?

Mr. HARRISON. No; I don't.

Mr. GRIFFIN. What division is he assigned to?

Mr. HARRISON. Radio patrol.

Mr. GRIFFIN. Now, were you aware, while you were down in the basement, of anybody being dispatched to change the positioning of the people along the street who were supposed to block off Elm Street?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Did you have any knowledge at all of how the route was to go, how Oswald was to be conveyed?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Did you ever have any knowledge as to what was to be used to convey him?

Mr. HARRISON. Well, when we got down there, they were bringing this armored car, backing the armored car, into the south end or Commerce Street side of the ramp.

Mr. GRIFFIN. Do you recall or would you have been in a position to see whether the armored car was actually in the ramp when you arrived on the scene?

Mr. HARRISON. They were backing it in at the time that we came out into the driveway.

Mr. GRIFFIN. I see. Were you able to tell whether it would appear that it had just got to the ramp or how long it had been there?

Mr. HARRISON. I don't know.

Mr. GRIFFIN. Where did O'Dell get his car from?

Mr. HARRISON. I don't know that. The first time I noticed it was when he came up here through the newsmen. I got them to move back where he could get by, and then there was a couple of men standing up here talking. I believe it was one of the—one of the supervisors talking to a reserve captain, who was standing there. I believe it was Arnett. I am not sure.

Mr. GRIFFIN. Now, there were—at the time that O'Dell's car went out, there were police officers in the direction of the Main Street ramp, closer to Main Street than you were?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Would you place on there all of the—all right. Let me strike that. Go ahead. Tell me what you want to say.

Mr. HARRISON. At the time that O'Dell's car came out, I was back here, in this position here, to help get these men out of the way of the car, and then it was shortly after that that I took up this position here.

Mr. GRIFFIN. I see. All right. Now, at the time that O'Dell's car came out—well, let's strike this. Prior to the time that O'Dell's car came out, were you ever in this area here?

Mr. HARRISON. Yes; I was moving from this area around to here.

Mr. GRIFFIN. All right.

Mr. HARRISON. In other words, keeping—

Mr. GRIFFIN. All right. Maybe we can do this sort of like a football diagram. Why don't you put your initials right there? And down here why don't you draw a circle and an "X" and just say, "Initial placement of Harrison"? Now, why don't you draw an arrow to the general direction of where you were and put a "1" and draw a circle around that, and then down in the corner, put a "1" and a circle and put, "Position when O'Dell's car started to move," if that is correct? Now, when O'Dell's car moved, were there police officers between you and Main Street?

Mr. HARRISON. There was—I believe there was a captain—I don't recall who it was—I believe it was Captain Jones, though—talking to this uniformed reserve captain.

Mr. GRIFFIN. Solomon?

Mr. HARRISON. No; Arnett.

Mr. GRIFFIN. Arnett?

Mr. HARRISON. In the Dallas reserves.

Mr. GRIFFIN. Were there any other police officers up in that general direction?

Mr. HARRISON. There were officers out in this area right in here.

Mr. GRIFFIN. You are pointing to the area north of the entrance to the jail?

Mr. HARRISON. Well, no; right along the side here. See, this was lined with officers.

Mr. GRIFFIN. The first place that you indicate to is the south wall of the entranceway toward the jail office and up to the corner of the ramp and then along the ramp, the east wall of the ramp?

Mr. HARRISON. West wall.

Mr. GRIFFIN. West wall of the ramp toward Commerce Street?

Mr. HARRISON. Right.

Mr. GRIFFIN. That is where there were police officers?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Okay. And also that there were police officers along the north wall of the entranceway leading toward the door of the jail office, officers right in there?

Mr. HARRISON. Yes.

Mr. GRIFFIN. All right. Now, as O'Dell's car moved up the ramp, what did you do?

Mr. HARRISON. I just moved these men back and—or asked them to move back—and let him out.

Mr. GRIFFIN. Uh-huh. Now, did you watch his car go up the ramp?

Mr. HARRISON. No; I didn't.

Mr. GRIFFIN. Did you see what Jones and Arnett did?

Mr. HARRISON. No; I didn't. Well, I know they moved back out of the way.

Mr. GRIFFIN. Were there news people strung across the Main Street ramp who had to be moved out of the way in order to let O'Dell's car move through?

Mr. HARRISON. Not at that time, not on O'Dell's car.

Mr. GRIFFIN. Now, what then happened? Where did you then go after O'Dell's car went up the ramp?

Mr. HARRISON. Back into my original area. It was about halfway between the ramp and—the rail and the west wall.

Mr. GRIFFIN. Were you looking around the area generally?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, if anybody had come down the Main Street ramp while you were standing there up until the time that Pierce's car went out, would you have seen him come down?

Mr. HARRISON. Would you repeat that, now?

Mr. GRIFFIN. If anybody had come down the Main Street ramp up to the time, between the time that O'Dell's car left and the time that Pierce's car went up, would you have seen the person who was coming down there?

Mr. HARRISON. I don't think I would have. I was facing more or less back in this particular—

Mr. GRIFFIN. All right. At any time during those few minutes between O'Dell's car leaving and Pierce's car leaving, did you look in the direction of the Main Street ramp or over in the direction of the garage area?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Yes. Now, if Jack Ruby had been in that area during that period, would you have seen him?

Mr. HARRISON. I don't know about that.

Mr. GRIFFIN. Well, now, why do you say that?

Mr. HARRISON. I don't know whether I would have seen him or not. It was mass confusion, as far as people moving around in there.

Mr. GRIFFIN. But the confusion was over in the area at the entrance of the garage, wasn't it?

Mr. HARRISON. Yes.

Mr. GRIFFIN. And this area up the Main Street ramp was relatively clear?

Mr. HARRISON. Yes.

Mr. GRIFFIN. And you knew Jack Ruby well enough, certainly as well as you know Mr. MacMaster, if you saw him just even briefly, you would recognize him?

Mr. HARRISON. Yes.

Mr. GRIFFIN. So if at any time you had looked over in that area and Jack Ruby were there, you would have seen him, wouldn't you?

Mr. HARRISON. Well, it was very hard to see in this direction at all.

Mr. GRIFFIN. In the direction of the garage?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Why was that?

Mr. HARRISON. In this position. These floodlights were very bright.

Mr. GRIFFIN. Uh-huh.

Mr. HARRISON. They had—I don't know how many they had.

Mr. GRIFFIN. How long were the floodlights on prior to the time that Oswald came out?

Mr. HARRISON. I don't know.

Mr. GRIFFIN. Were they—try to think about this, now—were they on when you first came into the basement?

Mr. HARRISON. No; I don't believe they were.

Mr. GRIFFIN. Now, they were taken—did you know whether or not, when the armored car came down the Commerce Street ramp, the TV cameras, any of the TV cameras, were focused on that armored car?

Mr. HARRISON. I didn't notice that. He didn't get all of the way down there.

Mr. GRIFFIN. At the time that Rio Pierce's car moved out, were the floodlights on?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. At the time that O'Dell's car moved out, were the TV cameras—were the floodlights on?

Mr. HARRISON. I don't recall whether they were on or off.

Mr. GRIFFIN. Now, did you have any trouble seeing up in the direction of the armored car?

Mr. HARRISON. No.

Mr. GRIFFIN. And standing, from where you were, even in the center of the entranceway toward the jail office, you could see up the ramp toward the armored car and you could recognize the faces of people up there, couldn't you?

Mr. HARRISON. Possibly, yes.

Mr. GRIFFIN. Was there—other than the little difficulty we all experience with vision, either through age or what-not, was there anything unusually difficult about looking up in the direction and seeing in the direction of the Commerce Street ramp?

Mr. HARRISON. No.

Mr. GRIFFIN. And how far up the ramp was the armored car or how far down the ramp, I should say?

Mr. HARRISON. Well, I didn't go up there, but it appeared to be setting just backed into the doorway.

Mr. GRIFFIN. Would you say it was halfway down?

Mr. HARRISON. No; it wasn't halfway down.

Mr. GRIFFIN. Now, were there officers, police officers, standing up there around the back of the armored car?

Mr. HARRISON. I remember seeing Lieutenant Butler up there.

Mr. GRIFFIN. And could you distinguish these police officers from the position in the middle of the entranceway to the jail office where you have marked your initial, where you have marked your initial position on the ramp here, could you, looking up towards Commerce Street, could you distinguish the faces of the police officers up there, could you recognize who they were, toward the armored car?

Mr. HARRISON. Well, I recognized Lieutenant Butler, but I don't recall seeing—now, Chief Batchelor was around the truck. They went in and out of the truck there inspecting it.

Mr. GRIFFIN. And do you recall seeing him up there?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Uh-huh. And you didn't have any difficulty seeing Batchelor from your position on the ramp?

Mr. HARRISON. No.

Mr. GRIFFIN. And presumably the same situation would prevail if you looked up toward the Main Street ramp, isn't that right?

Mr. HARRISON. That is right.

Mr. GRIFFIN. And did you ever have occasion to look up toward the Main Street ramp and see the police officer who was guarding the exit to the ramp up there?

Mr. HARRISON. There was a uniformed officer up there.

Mr. GRIFFIN. Now, from where you were down here at what we have called your initial position, on the time or times that you looked up toward that uniformed officer up there, could you make out his face and what-not?

Mr. HARRISON. I never did see his face. All I could see was a man in uniform up there.

Mr. GRIFFIN. Now, we have learned subsequently, and you have, too, I am sure, that that was Officer Vaughn that was up there?

Mr. HARRISON. That is right.

Mr. GRIFFIN. Did you know Vaughn before?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Were you able to tell from where you were that it was Vaughn up there?

Mr. HARRISON. Well, I didn't know who it was up there. I could just see his uniform and back.

Mr. GRIFFIN. Was it because he didn't turn his face to you?

Mr. HARRISON. He was facing out when I looked up there.

Mr. GRIFFIN. You feel that, if he turned his face toward you, you would have recognized who it was?

Mr. HARRISON. I would probably have recognized him; yes.

Mr. GRIFFIN. Let me ask you if the same thing is true, when you looked up toward the Commerce Street entrance and the sidewalk, there were—do you remember that there were officers guarding up there?

Mr. HARRISON. I couldn't see any officers out there. It was considerably darker up on this end of the ramp due to the fact that the armored truck had the light blocked off.

Mr. GRIFFIN. I see.

Mr. HARRISON. I mean the vision, it was pretty well—the whole ramp area was pretty well taken up by that truck?

Mr. GRIFFIN. Yes. Let me make sure that I am clear on that. I don't want to put words in your mouth. Is it fair to say that, if on any occasion that you had to look up toward the Main Street ramp, if there had been a man walking

down that ramp, you or any other officer with vision like yourself would have been able to recognize that person coming down the ramp?

Mr. HARRISON. I don't know whether you could have recognized him or not due to the fact that you were looking into sunlight.

Mr. GRIFFIN. Well, that is the north side of the building.

Mr. HARRISON. That is on the north side of the building, but it was very bright that day.

Mr. GRIFFIN. But you also had floodlights down in the basement?

Mr. HARRISON. That is right.

Mr. GRIFFIN. It was bright in the basement?

Mr. HARRISON. That is right.

Mr. GRIFFIN. Your eyes would be accustomed to those bright lights?

Mr. HARRISON. A man coming down, if he got close to you, you could recognize him, but just a man in a suit walking down that ramp, it would have been hard to recognize. I will put it that way.

Mr. GRIFFIN. Well, would a man walking down from the Main Street side have been any more difficult to recognize than a man that was standing up in the position that Captain Butler was or Assistant Chief Batchelor was?

Mr. HARRISON. Batchelor and Butler, Lieutenant Butler.

Mr. GRIFFIN. Would it have been any more difficult to recognize a man coming down the Main Street ramp than it would those two men coming up the Commerce Street ramp?

Mr. HARRISON. Yes; I believe it would have been, due to the glare in your face.

Mr. GRIFFIN. Now, were you keeping an eye out generally for people, news people, who might try to drift over into that area, and by "that area," I am referring to the area along the Main Street ramp, across the Main Street ramp?

Mr. HARRISON. Would you ask that question again?

Mr. GRIFFIN. Yes.

Mr. HARRISON. And point out there, please.

Mr. GRIFFIN. Yes. I am referring to the area that goes directly across the Main Street ramp down to the base of the ramp. That area, as I understand it, was supposed to be kept clear. Were you keeping an eye out to make sure that people didn't congregate in there?

Mr. HARRISON. There was several officers in this area right in here. I don't know the names of them. I couldn't spot any of them for you. There was one newsman, who had a microphone, immediately to my right.

Mr. GRIFFIN. Now, your right as you faced in what direction?

Mr. HARRISON. As I was facing south.

Mr. GRIFFIN. That would be toward Commerce Street?

Mr. HARRISON. Right.

Mr. GRIFFIN. At what point was there a man there?

Mr. HARRISON. He was even with me.

Mr. GRIFFIN. I mean at what time——

Mr. HARRISON. Oh.

Mr. GRIFFIN. In this series of events.

Mr. HARRISON. He was in that general area all of the time.

Mr. GRIFFIN. Now, did you keep an eye on him?

Mr. HARRISON. No. I wasn't particularly watching him.

Mr. GRIFFIN. Were there any other news people who were there in that area?

Mr. HARRISON. There was a Japanese photographer on my left, immediately to my left.

Mr. GRIFFIN. Now, this Officer Harrison, this position that you have marked here as the initial position, is that also approximately the position you were standing at the time that Oswald walked out?

Mr. HARRISON. Yes.

Mr. GRIFFIN. All right. So that, when you say on your left there, are you talking about at the time that Oswald actually walked out, that is where that Japanese photographer, newsman, was?

Mr. HARRISON. Yes.

Mr. GRIFFIN. All right. Put an "X," if you would, put a small "J" on that

map where that man was and put a circle around it. Now, that is where the Japanese photographer was standing at the time that Oswald walked out—

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Is that right? Now, where was this man with the microphone standing?

Mr. HARRISON. He was immediately to my right.

Mr. GRIFFIN. Why don't you put an "M" and a circle around him? Now, were there any other police officers over in this general area where you 3 people were?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Who were the other police officers?

Mr. HARRISON. I don't know.

Mr. GRIFFIN. All right. Now, when Rio Pierce's car came out, what did you do?

Mr. HARRISON. I got these people to move back out of the way and let him through, and I stepped back to the rail, toward the lights there and let him through.

Mr. GRIFFIN. All right. Now, did you have your back to the railing or were you facing the railing?

Mr. HARRISON. Well, I had my back to the railing.

Mr. GRIFFIN. Did you watch Pierce's car go up the ramp at all?

Mr. HARRISON. I watched it until it cleared the people in that immediate area.

Mr. GRIFFIN. How many people were there to clear out in that immediate area, would you say?

Mr. HARRISON. Well, there was seven or eight, I would say.

Mr. GRIFFIN. You wouldn't say there were as many as 20 or 25, would you?

Mr. HARRISON. No, no.

Mr. GRIFFIN. Now, were those people all newspaper people, members of the press, or were there some police officers?

Mr. HARRISON. There were some police officers in that area.

Mr. GRIFFIN. Uh-huh. Now, at the time that Oswald actually came out of the jail office, how many lines of people, would you say, were strung along in that area that you were? Was there more than one line of people?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Well, then—

Mr. HARRISON. Now, where are you referring to?

Mr. GRIFFIN. As I understand it, as Oswald walked out, there was a line of people that came from the north—

Mr. HARRISON. Northwest.

Mr. GRIFFIN. What corner are we going to call that, northwest or northeast? I think this would be the west.

Mr. MACMASTER. Northwest, that is right, isn't it?

Mr. HARRISON. Yes; that is correct.

Mr. GRIFFIN. I am going to put "Northwest corner" here so we will know what we are talking about. There was a line of people, was there not, from what I have marked the northwest corner of the Main Street wall all of the way over to you and then around here? No?

Mr. HARRISON. No.

Mr. GRIFFIN. Okay. I am honestly trying to find out here how these people were lined up.

Mr. HARRISON. Well, due to these lights and the cameras being here, this area was open. There was, like I say, this Japanese, and there was another man or two in that area here, whom I don't—I don't have any idea who he was.

Mr. GRIFFIN. Just put a couple of question marks there. Okay.

Mr. HARRISON. And behind me, there were—not immediately behind me, but back in this area—

Mr. GRIFFIN. All right.

Mr. HARRISON. Toward the west wall, there was police and also Captain Arnett of the reserves standing—he was standing fairly close to me behind me.

Mr. GRIFFIN. Where was Captain Arnett? Put an "A" where you think he was and then put a circle around that.

Mr. HARRISON. He was in that general area somewhere.

Mr. GRIFFIN. At the time that Oswald walked out?

Mr. HARRISON. Yes; I believe he was. I am not——

Mr. GRIFFIN. Do you remember seeing him there about that time?

Mr. HARRISON. I remember seeing the uniform there, and he was the captain who was in the uniform down there.

Mr. GRIFFIN. Now, do you remember seeing these people over here at that time?

Mr. HARRISON. They were—yes; they were there. There were, I believe, two people right in here and there were the cameramen behind the rail.

Mr. GRIFFIN. Blackie, do you remember this from actual memory of what happened or do you remember this from having seen the photographs, the films?

Mr. HARRISON. Well, I remember these people on my left here and the ones here on my right. I remember this man with a microphone very distinctly because, when they brought him out, these fellows back here hollered for me to move the line back, which I did.

Mr. GRIFFIN. Now, do you remember if there were any people directly behind you?

Mr. HARRISON. No; not that I recall. I remember I spread my arms out and backed the group up where these cameras could get a clear shot of him coming out.

Mr. GRIFFIN. Now, is it fair to say that, if there had been people in back of you, you would have either known it because you were looking around there or because you would have wanted to have cleared them out or would have been worried about it or anything like that?

Mr. HARRISON. Well, I wouldn't necessarily have seen them, because I was watching this line across here to keep them from going forward into the path of this—of where Oswald was coming out.

Mr. GRIFFIN. Now, at any time after Rio Pierce's car went up that ramp, did you look in the direction of the ramp?

Mr. HARRISON. Not that I recall; no.

Mr. GRIFFIN. Did you see any other officers look in the direction of the ramp during that period?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Now, while you were over here, as Rio Pierce's car drove out, were other officers lined up along——

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. The other wall?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. And, to your knowledge, were any of them looking out in this direction toward the Main Street ramp?

Mr. HARRISON. I didn't notice any of them looking out that way. They could have been. There was—I know, when they brought Oswald out, Lowery was standing right here on the—on this corner.

Mr. GRIFFIN. Will you put a mark, put an "L," there where Lowery was? Did you at any time, now, did you see Jack Ruby in this basement at any time before he shot Oswald?

Mr. HARRISON. Not before he shot Oswald.

Mr. GRIFFIN. When you were standing here, did you feel a man pressing up against your back?

Mr. HARRISON. No; I didn't.

Mr. GRIFFIN. Of course, you have seen the photographs, haven't you?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. And you saw where Jack came from?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Was there anybody that you know of that saw Ruby there?

Mr. HARRISON. Not that I know of.

Mr. GRIFFIN. Have you talked to anybody that indicated to you that he saw Ruby there?

Mr. HARRISON. I sure haven't.

Mr. GRIFFIN. Now, what did you do after Ruby shot Oswald?

Mr. HARRISON. Well, I grabbed him and more or less went to the floor with him and then we took him on into the jail office.

Mr. GRIFFIN. And how long did you remain with him in the jail office?

Mr. HARRISON. Until he was handcuffed, and I went upstairs on the elevator with him.

Mr. GRIFFIN. And how long did you remain with him upstairs?

Mr. HARRISON. I didn't. I left him at the elevator. McMillon and Archer went back, took him on back to the cell, and I went back down on the elevator to the basement.

Mr. GRIFFIN. What did you do—you weren't present, were you, when Jack was stripped and searched?

Mr. HARRISON. No.

Mr. GRIFFIN. When you got back down to the basement, where did you go?

Mr. HARRISON. I went back out into the ramp area.

Mr. GRIFFIN. Now, did you—how long did you remain in the ramp area?

Mr. HARRISON. Well, it was about—until after the ambulance left with Oswald, and then the captain—I believe it was Captain Jones—sent me up to the first floor to see that no one come in there in that—on the first floor that wasn't authorized. We were given orders to stop everyone and see if they were going out of the building to find out who they were.

Mr. GRIFFIN. Whereabouts did you station yourself on the first floor?

Mr. HARRISON. I was right there in front of the elevators, at the elevator door.

Mr. GRIFFIN. Were you there alone?

Mr. HARRISON. There was—well, there was three or four more officers on that floor. There was one at every door and exit.

Mr. GRIFFIN. Was Officer Miller up there with you?

Mr. HARRISON. I don't recall where Miller was at that time.

Mr. GRIFFIN. Was Officer Lowery up there with you?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. Officer Cutchshaw?

Mr. HARRISON. I don't know whether they were or not.

Mr. GRIFFIN. Did you talk to anybody while you were up there or before you got up there concerning how Ruby got into the basement?

Mr. HARRISON. No; I told Chief Batchelor, just after I come back downstairs from taking him up—I told Chief Batchelor that I thought he come from behind those cameras over there, but—and that is where I thought he come from at that time.

Mr. GRIFFIN. Now, why did you think he came from behind the cameras?

Mr. HARRISON. Well, there was—he came from my left, and I don't see how he could get down the ramp.

Mr. GRIFFIN. Why did you feel that way?

Mr. HARRISON. Well, I knew there was an officer on the ramp and I just didn't feel like he could have gotten down there.

Mr. GRIFFIN. Did you also feel that you would have seen him if he had come down that ramp?

Mr. HARRISON. No, not necessarily; because I wasn't looking toward the ramp all of the time. I never—had I been turned where I could have seen the ramp all of the time, I may have seen him coming down.

Mr. GRIFFIN. If Jack had been in that—were you moving around such after Rio Pierce's car moved that, if Jack had been down there in the basement area, you would have seen him?

Mr. HARRISON. Not necessarily; it is possible that he could have been down there and I wouldn't have seen him because he had been back over in this group of newsmen.

Mr. GRIFFIN. All right; but if he had been in the area of the ramp, if he had been up in this area where you were and around up toward the Main Street ramp, would you have seen him if he had been in there?

Mr. HARRISON. I might have. I don't—I don't know.

Mr. GRIFFIN. There weren't enough news people milling around up in that area to have obscured him, were there?

Mr. HARRISON. Not in that immediate area ; no.

Mr. GRIFFIN. In other words, if anybody had been turning and looking up toward the Main Street ramp, there wouldn't have been enough newspaper people in there to have obscured the sight of Jack Ruby?

Mr. HARRISON. I don't suppose there would have been.

Mr. GRIFFIN. Now, I am not trying to put words in your mouth. I want to make this very clear. I am giving you a direct question like this, but if you feel differently, I want to know if you disagree with me. I am asking a leading question here, but I want to make sure that I am not leading——

Mr. HARRISON. What was the question again?

Mr. GRIFFIN. If Jack Ruby had been in this area at the base of the Main Street ramp, there wouldn't have been enough newspaper people there? The fact that there were newspaper people around wouldn't have obscured the sight of him from anybody that was looking up in that direction?

Mr. HARRISON. I don't think it would have obscured him, had they been looking in that direction. Now, I did, as I said a while ago, I have looked at some films, and I did look to my left, oh——

Mr. GRIFFIN. By "left," you mean up in the direction of the Main Street ramp?

Mr. HARRISON. When this guy hollered to me to move the crowd back, I looked to my left and backed the people up.

Mr. GRIFFIN. Your left would be up in the direction of the Main Street ramp?

Mr. HARRISON. No ; it would be toward the cameras.

Mr. GRIFFIN. Toward the cameras?

Mr. HARRISON. Television cameras, yes ; over in this direction.

Mr. GRIFFIN. And, as you looked over there, you didn't see Jack Ruby?

Mr. HARRISON. No ; I didn't.

Mr. GRIFFIN. Do you remember looking over there like that or do you only remember it from having seen the photograph?

Mr. HARRISON. No ; when they hollered, I glanced over there to see where we were in trying to——

Mr. GRIFFIN. All right.

Mr. HARRISON. In trying to get out of line of those cameras.

Mr. GRIFFIN. Now, do you remember, as you looked over there, whether you had any difficulty in seeing people over in that area?

Mr. HARRISON. There wasn't anyone in here.

Mr. GRIFFIN. In front of the cameras?

Mr. HARRISON. No ; there was no one in front of the cameras.

Mr. GRIFFIN. What would you say would be the total number of people, including newspaper people and police officers, who were strung from the north-west corner over toward the cameras at the time Oswald came out?

Mr. HARRISON. I would say maybe eight or nine.

Mr. GRIFFIN. All right, now. How long did you remain up there by those elevators?

Mr. HARRISON. Well, it was, I imagine, 45 minutes.

Mr. GRIFFIN. And what did you do when you left the elevators?

Mr. HARRISON. Went back upstairs to the bureau.

Mr. GRIFFIN. Which bureau, now, juvenile bureau?

Mr. HARRISON. Juvenile bureau.

Mr. GRIFFIN. What did you do in the juvenile bureau?

Mr. HARRISON. We stayed there until they told us to—Captain Jones told us to go up to homicide bureau and write a report as to what we saw and what we did on this thing.

Mr. GRIFFIN. All right. Now, did Captain Jones give the instructions to write a report to everybody?

Mr. HARRISON. Well, he told—I didn't hear him give it to everybody. He told me and Cutchshaw and Lowery to.

Mr. GRIFFIN. Was Miller up there at the time?

Mr. HARRISON. I don't recall whether Miller was there or not.

Mr. GRIFFIN. Was it your understanding that Jones was trying to contact everybody to get them to write a report as quickly as possible?

Mr. HARRISON. Well, now, I don't know about that. He came up there and told me to report back to the bureau, and when we got to the bureau, well, he

told—came in and told Lowery, myself, and Cutchshaw—I remember that very distinctly—to go into Captain Fritz' office and write a report.

Mr. GRIFFIN. Now, about what time would you say you wrote that report?

Mr. HARRISON. I don't have any idea.

Mr. GRIFFIN. Well, let me ask you this, then. Maybe this will place it. After you wrote that report, you went out to Love Field, didn't you?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Now, what time would you estimate that you went to Love Field?

Mr. HARRISON. Well, we were supposed to be out there when Mayor Cabell's plane left, I believe it was at 5:20, and we left the city hall shortly after 4 o'clock.

Mr. GRIFFIN. When you left the city hall, did you make—did you report in with the dispatcher or anything like that?

Mr. HARRISON. No; there was no—we went out in two separate cars and we went to—started up Harwood Street, and they gave Lowery a call to return to the station, and Captain Martin met us there in the basement and briefed us as to what to do out at Love Field.

Mr. GRIFFIN. All right.

Mr. HARRISON. And then we headed on out to Love Field.

Mr. GRIFFIN. All right. But, on this question, I understand you that there would not be any record in the office, such as a dispatcher's record or something like that, that would show when you left for Love Field, or would there?

Mr. HARRISON. There would be a record of what time he gave Lowery that call to return to the station.

Mr. GRIFFIN. All right. And that was a call from captain who?

Mr. HARRISON. Martin.

Mr. GRIFFIN. Now, you had already started out—

Mr. HARRISON. Yes.

Mr. GRIFFIN. And turned around and came back? Okay; now, how much time elapsed between the time that you finished—well, strike that. Did you finish writing the report in the homicide office?

Mr. HARRISON. Yes.

Mr. GRIFFIN. How much time elapsed between when you finished that report in the homicide office and you got in your car to go out to Love Field?

Mr. HARRISON. I don't have any idea, sir.

Mr. GRIFFIN. Was it right away or did you go back to the juvenile bureau?

Mr. HARRISON. Well, we went back to the juvenile bureau; yes.

Mr. GRIFFIN. Now, is there an original copy—you wrote that report by hand, didn't you?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, and is that—I am going to call a halt here and I am going to mark a couple of exhibits. All right. I am going to hand you, Mr. Harrison, what I have marked as Exhibit No. 5030. Now, this is a copy of a letter, which you apparently signed and was addressed to Chief Curry dated November 24. Now, let me ask you, did you write that out in hand first?

Mr. HARRISON. Yes.

Mr. GRIFFIN. And do you know whether your office has retained handwritten copies of those reports?

Mr. HARRISON. No. It was—I am sure it was thrown away.

Mr. GRIFFIN. Now, who did you turn your handwritten copy over to?

Mr. HARRISON. I don't know who typed it up. I know this was signed and sent in by, I think, Lieutenant Wallace.

Mr. GRIFFIN. All right. Would you do this for me? After we finish here, would you check with Captain Martin and Lieutenant Wallace and find out from them if the handwritten copies of the things—of your report, handwritten copy of your report, is available—

Mr. HARRISON. All right.

Mr. GRIFFIN. If it has been retained? I believe that you will find that many of these were retained. There are other officers who have been able to get these for us.

Mr. HARRISON. Uh-huh.

Mr. GRIFFIN. And so I am inclined to believe that it is probably available someplace, and if you will get that and turn it over to us, I would appreciate that very much. We will make a copy of it and return the original to the department, but I would like a copy of that. Now, do you remember whether or not—do you remember any of the people who were in the homicide office when you filled out that report?

Mr. HARRISON. Cutchshaw, myself.

Mr. GRIFFIN. Any of the homicide people who were there?

Mr. HARRISON. I don't recall.

Mr. GRIFFIN. Do you remember if Fritz was there?

Mr. HARRISON. He was in and out of there during the time that we were in there, but I don't recall how long he stayed or anything like that.

Mr. GRIFFIN. Do you remember if Montgomery was there?

Mr. HARRISON. Yes, Montgomery was in there.

Mr. GRIFFIN. How do you happen to know about Montgomery being there?

Mr. HARRISON. Well, I know Montgomery very well. In fact, I used to be close neighbors to him.

Mr. GRIFFIN. I see.

Mr. HARRISON. And I do remember him being in there. I remember that very clearly.

Mr. GRIFFIN. Now, did you talk with Montgomery at all about what had happened down in the basement?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. While you were in the juvenile bureau, before you left to go to Love Field, did you hear any rumors as to how Ruby got in the basement?

Mr. HARRISON. No. They were talking about—Lowery said that he thought that he may have come by with a camera that was moved across just prior to the time that Pierce's car went out, and they were talking about the number of men who were on that camera, the particular camera. And—but that is the only discussion I heard as to how he may have got in there. For some time there, we thought that may have been the way he got in, I mean the men in my particular bureau.

Mr. GRIFFIN. When did Lowery first tell you that?

Mr. HARRISON. Well, he had started talking about this when we were in the basement.

Mr. GRIFFIN. And while you were in the basement, did you hear any other rumors as to how he got in?

Mr. HARRISON. No, sir; sure didn't.

Mr. GRIFFIN. Now, as long as you were at the juvenile bureau, did you hear any rumor about his coming down the Main Street ramp?

Mr. HARRISON. No, no; I didn't.

Mr. GRIFFIN. Did you talk with Officer McMillon on the day before you went to the juvenile bureau and after Ruby was shot—I mean Oswald was shot?

Mr. HARRISON. No; I didn't.

Mr. GRIFFIN. How about Officer Archer?

Mr. HARRISON. Well, now, they went up on the elevator with me, I found out later, but I didn't see them.

Mr. GRIFFIN. Or Clardy?

Mr. HARRISON. I don't remember whether Clardy was on there or not.

Mr. GRIFFIN. Or Dean?

Mr. HARRISON. I don't recall if Dean was on there.

Mr. GRIFFIN. Now, did you talk with Dean at any time on the 24th after Ruby was shot—Oswald was shot?

Mr. HARRISON. No, I didn't talk with Dean at all.

Mr. GRIFFIN. Did you talk to any people in the patrol division—

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Afterward?

Mr. HARRISON. No, sir.

(Discussion off the record.)

Mr. GRIFFIN. At any time on Sunday, that is, the day that Oswald was shot, did you hear the rumor that Ruby came down the Main Street ramp?

Mr. HARRISON. No, sir.

Mr. GRIFFIN. Now, when you got back—what time did you get back to the juvenile bureau on Friday—I mean on Sunday?

Mr. HARRISON. It was well after 6 o'clock.

Mr. GRIFFIN. And did you—when you got back there, did you talk with anybody about how Ruby might have got in?

Mr. HARRISON. No; I went on home.

Mr. GRIFFIN. Did you hear any discussion from anybody—

Mr. HARRISON. No, sir.

Mr. GRIFFIN. From anybody about how—well, weren't people generally discussing this?

Mr. HARRISON. I suppose they were, but I was tired, and I went home.

Mr. GRIFFIN. Wasn't this a big topic of conversation back there at this time?

Mr. HARRISON. I don't know.

Mr. GRIFFIN. All right. When you got back on Monday morning—did you come in Monday morning?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. Did you begin to talk with people about how Ruby got in?

Mr. HARRISON. I suppose I did, but I don't recall.

Mr. GRIFFIN. When is the first time that you recall hearing the rumor that he came down the Main Street ramp?

Mr. HARRISON. Well, it would have been possibly Monday. I was off Tuesday and Wednesday. I am not sure.

Mr. GRIFFIN. Now, did McMillon ever tell you at any time that—have you talked with McMillon about this, these events, at any time since Sunday the 24th?

Mr. HARRISON. We have had some discussion, but I don't recall what it was. Of course, we have talked to several.

Mr. GRIFFIN. Did you talk to Dean at any time?

Mr. HARRISON. No; I have never talked to him.

Mr. GRIFFIN. Are you friendly to Dean?

Mr. HARRISON. No; he is in the radio patrol, and I very seldom see the man.

Mr. GRIFFIN. All right. How about Archer?

Mr. HARRISON. Archer, he is in the auto bureau. I see him occasionally.

Mr. GRIFFIN. How about Clardy?

Mr. HARRISON. Occasionally; I see him.

Mr. GRIFFIN. Now, have any of these men told you since the—since the time that Oswald was shot by Ruby that Ruby told them that he came in through the Main Street ramp?

Mr. HARRISON. They never did tell me that, none of them. Now—

Mr. GRIFFIN. When was the first—go ahead.

Mr. HARRISON. I heard, after the trial down there—I heard them discussing, of course, the evidence that was brought out, and they said that he had made the statement that he came in that way. And when Lieutenant Wallace and Lieutenant McCaghren were making their followup investigation, which I don't know how many days it was after, they had talked that he had, or suggested that he had, come down the ramp.

Mr. GRIFFIN. Now, they had suggested this?

Mr. HARRISON. Well, they had, through their investigation, more or less, they had kind of—I guess you would make a theory out of it that he had come down the ramp.

Mr. GRIFFIN. You don't mean that they suggested it, but this is the inference or the conclusion that they drew?

Mr. HARRISON. Yes.

Mr. GRIFFIN. Now, what I would like for you to do is, if you would, sign Exhibit 5028 and date it.

Mr. HARRISON. This is the 25th, isn't it?

Mr. GRIFFIN. Yes, it is. Isn't it? Yes. I might say for the record, so that Mr. MacMaster understands, part of the procedures here now permit you to ask

any questions that you want of Mr. Harrison, and I am going to just ask him to identify, sign these documents, identify them, and ask him specifically whether he has any changes that he would want to make on these, particularly on these reports and statements, and I am prepared to accommodate myself to your time on this, if you feel that you want to ask some questions. If you prefer to adjourn for dinner, or something like that, and come back, I would be happy to do that, and resume it later on this evening.

Mr. HARRISON. I would rather go ahead with it, if it is agreeable with you all.
Mr. GRIFFIN. It doesn't make any difference with me.

Mr. MACMASTER. Mr. Harrison, on Exhibit 5026, I believe that was the first exhibit.

Mr. GRIFFIN. Twenty-seven.

Mr. MACMASTER. Twenty-seven. That is just a reference to the basement area. Is that the police recreation room or locker room?

Mr. HARRISON. Yes.

Mr. MACMASTER. That is just a rough hand drawing, you didn't intend that to be exact to scale in any way?

Mr. HARRISON. No.

Mr. MACMASTER. That is all. At the time you were down in the basement area and they brought Oswald down, with the police security measures that were in effect, you wouldn't have any reason to believe that any unauthorized person would enter into the area, would you—

Mr. HARRISON. No; sir.

Mr. MACMASTER. Because of the police measures in effect at that time—

Mr. HARRISON. Yes, sir.

Mr. MACMASTER. Security measures? In other words, any other unauthorized persons in the area, in other words, Ruby, would be a big surprise to you?

Mr. HARRISON. It would; yes.

Mr. MACMASTER. Was it a surprise to you to see an unauthorized person down there the first time when he came around you?

Mr. HARRISON. It certainly was.

Mr. MACMASTER. Now, on extra duty for police officers, isn't it a standard departmental policy that you can't work on off-duty work at anyplace serving alcoholic beverages?

Mr. HARRISON. That is correct.

Mr. MACMASTER. Is that the chief's direct order?

Mr. HARRISON. That is a direct order. They have special officers for that type of work.

Mr. MACMASTER. But it is in the nature of regular police duty, that is, special officers?

Mr. HARRISON. Yes, sir.

Mr. MACMASTERS. But you can't, that is, in civilian clothes, you can't work anywhere in an off-duty status for extra money in anyplace serving alcoholic beverages?

Mr. HARRISON. That is right; either in uniform or out of uniform.

Mr. MACMASTER. That is all.

Mr. GRIFFIN. Mr. Harrison, I wonder if you would look at what I have marked as Exhibits 5029, 5030, and 5031. Five thousand twenty-nine is a report of an interview of two FBI agents, Wilkinson and Hardin, had with you on December 5, 1963; Exhibit 5030 is a copy of a statement or a letter, which you addressed to Chief Curry, dated November 24, 1963, entitled, "Subject: Shooting of Lee Harvey Oswald," and Exhibit 5031 is a copy of—is a report of an interview that Agent Bookhout, [spelling] B-o-o-k-h-o-u-t, had with you on November 24, 1963. Have you looked over these statements today?

Mr. HARRISON. Yes; I have.

Mr. GRIFFIN. Now, do you want to make any changes or corrections or additions in there in those statements, keeping in mind the testimony that has already been given here today?

Mr. HARRISON. This on Mr. Bookhout's interview, which was over the telephone.

Mr. GRIFFIN. It was?

Mr. HARRISON. It was over the telephone. I was at Love Field when this—

Mr. MACMASTER. To identify that, that is Exhibit 5031 you are referring to.

Mr. GRIFFIN. Yes; let me ask you a question there. Do you know how Bookhout reached you there?

Mr. HARRISON. I had called in to see how long they wanted us to stay out there, and Lieutenant Coulon identified Mr. Bookhout to me over the phone.

Mr. GRIFFIN. Now, did Bookhout ask you, or did anybody ask you, if any other officers were out there with you?

Mr. HARRISON. Yes.

Mr. GRIFFIN. And did Bookhout talk to those officers over the phone, also?

Mr. HARRISON. No; he did not.

Mr. GRIFFIN. I see.

Mr. HARRISON. But this one little part right here, I don't recall saying that at all.

Mr. GRIFFIN. All right. What part is that?

Mr. HARRISON. "Saved a lot of people some trouble."

Mr. GRIFFIN. Well, all right. Now, is it possible that you could have said that to him?

Mr. HARRISON. I don't think I did.

Mr. GRIFFIN. Why do you say that you don't think you did?

Mr. HARRISON. Well, I didn't hear it. I mean I heard him say this very plain.

Mr. GRIFFIN. "I hope I killed the SOB," you heard him say that?

Mr. HARRISON. Yes, sir.

Mr. GRIFFIN. But you didn't hear him state, "And saved a lot of people some trouble"?

Mr. HARRISON. I don't recall hearing that.

Mr. GRIFFIN. All right. Would you do this? Would you take a pen and would you put a parenthesis around from "and" to the end of that sentence, and then would you write in there, "I don't believe I stated that," or whatever you believe that reflects your opinion at this time? Would you initial that?

Mr. HARRISON. I did.

Mr. GRIFFIN. And date it. It is the 25th day. Now, are there any other changes or additions or corrections you would make on there?

Mr. HARRISON. Oh, on this, where it says, "You all know me, I am Jack Ruby, made that several times," he didn't make the statement but once, actually and I don't know where this "several times" came from.

Mr. MACMASTER. Was that just once in your presence?

Mr. HARRISON. Yes.

Mr. MACMASTER. In other words, while you were around and near Jack Ruby, is the only time you heard him was just one time?

Mr. HARRISON. One time.

Mr. GRIFFIN. All right. Why don't you cross out "several times" and write "once"? And why don't you initial it and date it? Anything else on there?

Mr. HARRISON. No. It all seems to be—

Mr. GRIFFIN. All right. If you would, sign each of those.

Mr. HARRISON. Where?

Mr. GRIFFIN. Well, put it down on the same page that I have marked the exhibit, some place where it is legible. Why don't you put it down at the bottom of the page and date it?

Mr. HARRISON. All of them?

Mr. GRIFFIN. Yes. Well, not every page. Just every page that I have marked as an exhibit.

Mr. MACMASTER. Is that all now?

Mr. GRIFFIN. That is all that I have got.

Mr. MACMASTER. Do you have any more?

Mr. GRIFFIN. I do have one other question to ask here.

Mr. MACMASTER. Okay.

Mr. GRIFFIN. Have I or any member of the Commission staff talked with you prior to this deposition?

Mr. HARRISON. No, sir.

TESTIMONY OF HAROLD B. HOLLY, JR.

The testimony of Harold B. Holly, Jr., was taken at 8 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Harold B. Holly, Jr. Mr. Holly, my name is Leon D. Hubert. I am a member of the staff of the general counsel to the President's Commission on the Assassination of President Kennedy.

Under the authority of the Presidential Proclamation 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and rules of procedure that have been adopted by the Commission, I have been authorized to take your deposition under oath. Now, the general nature of the inquiry of the Commission is to ascertain the facts concerning the death of President Kennedy and the death of Lee Harvey Oswald.

In particular as to you, the inquiry is to determine what facts you know concerning these events, or anything related to them.

I advise you that under the rules adopted by the Commission, you have a right to a 3-day written notice prior to being asked to come for a deposition, but the rules also provide that a witness may waive that right if he wishes to do so.

You have been asked to come because Mr. J. Lee Rankin, the general counsel of the Commission, wrote a letter to Mr. J. E. Curry asking that he make you available. But I repeat, you may either waive the 3-day notice, or if you wish you may insist on the 3-day notice. Do you wish to waive that notice?

Mr. HOLLY. No; I would like to go ahead.

Mr. HUBERT. You mean yes, you wish to waive? You would rather go ahead?

Mr. HOLLY. Yes.

Mr. HUBERT. Then I will ask you to stand and raise your right hand. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLLY. I do.

Mr. HUBERT. What is your full name, sir?

Mr. HOLLY. Harold B. Holly, Jr.

Mr. HUBERT. How old are you?

Mr. HOLLY. Forty-seven.

Mr. HUBERT. Where do you live?

Mr. HOLLY. 3429 Antilles, Mesquite.

Mr. HUBERT. Mesquite, it is not in Dallas?

Mr. HOLLY. No; it is Mesquite, Tex., a suburb.

Mr. HUBERT. Now, you are actually a reserve officer of the Dallas police?

Mr. HOLLY. Yes.

Mr. HUBERT. How long have you been connected with the reserves?

Mr. HOLLY. Five years, going on six.

Mr. HUBERT. What is your occupation in civilian life?

Mr. HOLLY. General contractor and cabinetwork.

Mr. HUBERT. Do you own your own business?

Mr. HOLLY. Yes, sir. Nineteen years.

Mr. HUBERT. In that business?

Mr. HOLLY. Yes, sir.

Mr. HUBERT. I know that you performed some services as a reserve officer on the 22d and 23d, but our inquiry now is as to the functions you performed on the 24th, or perhaps you didn't perform?

Mr. HOLLY. Let's say the 23d and the 24th. The assassination took place the 23d, right?

Mr. HUBERT. No, 22d.

Mr. HOLLY. 22d and 23d.

Mr. HUBERT. That was a Saturday. I am asking about Sunday the 24th.

Mr. HOLLY. I was up here all day Saturday. Sunday, I didn't participate, as well as I can remember.

Mr. HUBERT. You had not anticipated being called?

Mr. HOLLY. No.

Mr. HUBERT. Were you, in fact, called on Sunday?

Mr. HOLLY. I don't recall now. It is pretty vague there. The day of assassination I was called, and the day Oswald was shot, I was called.

Mr. HUBERT. Well, that was the 24th of November, a Sunday.

Mr. HOLLY. Sunday.

Mr. HUBERT. All right, how were you called?

Mr. HOLLY. I beg your pardon, I was here Friday. Friday, Saturday, and Sunday; I sure was.

Mr. HUBERT. And at what time were you called on Sunday the 24th, the day Oswald was shot?

Mr. HOLLY. It was the morning. I believe it was around 9 o'clock and they called and said for me to report downtown. They were going to try to move him out around 2 o'clock. I immediately come to town.

Mr. HUBERT. You got into uniform?

Mr. HOLLY. Yes; and at the present time, I don't recall, because I got down about 5 minutes after he was shot. I reported for duty at the entrance of the Main Street entrance to the city hall.

Mr. HUBERT. He had already been shot?

Mr. HOLLY. Yes.

Mr. HUBERT. To whom did you speak who gave you that information?

Mr. HOLLY. Lieutenant Kriss.

Mr. HUBERT. Did you receive any assignment?

Mr. HOLLY. Yes. I was assigned to direct traffic and keep traffic from bogging down in front of the city hall entrance. And I stayed there approximately 30 minutes, and then I was reassigned out at Parkland Hospital.

Mr. HUBERT. How did you go out there?

Mr. HOLLY. By the convenience of the city. We was hauled out in a squad car.

Mr. HUBERT. Did you go out with any group?

Mr. HOLLY. Yes; I went out with a group. There were five in our group.

Mr. HUBERT. How long were you out there?

Mr. HOLLY. I was there approximately 3 hours.

Mr. HUBERT. Who was with you in that group?

Mr. HOLLY. Well——

Mr. HUBERT. Do you remember the names?

Mr. HOLLY. No; I don't. I don't recall none of the names, because I wasn't familiar with any of the boys.

Mr. HUBERT. Now, do you remember that during the time that you were out at Parkland Hospital another reserve officer approached you and stated that he had seen the man who shot Oswald coming down the ramp?

Mr. HOLLY. No; he didn't approach me, because I approached him. I went over to find where I could get some water. I was stationed where the entrance is where the Governor was, and he told me there was some coffee and water if I wanted, and I went in and when I came back I struck up a conversation with the man, and we were talking about——

Mr. HUBERT. Was he a reserve officer?

Mr. HOLLY. Yes; he was a reserve. And in the conversation he said that he either knew or he saw Ruby down in the city hall, knew of him getting down in there.

Mr. HUBERT. Was he speaking, from what you could tell, of Ruby being down in there on the morning that Oswald was assassinated?

Mr. HOLLY. Yes. I asked him—the conversation went like, well, how in the world could they ever let him in. Everybody knew him, which most reserves do know him.

Mr. HUBERT. You knew him?

Mr. HOLLY. Oh, yes; I knew him. I did business with him. And I would know him if I saw him. But I wasn't stationed down there, so therefore, I don't know.

And he said he saw him down there, or did see of him, or he in someway, one of the reserves had let him in, and he had a lapel pass on.

Mr. HUBERT. Now, do you know who he was, this reserve?

Mr. HOLLY. No. I tried to go through the photographs of who I thought it was. I never have learned if it was him.

Mr. HUBERT. You did pick out a person?

Mr. HOLLY. Yes.

Mr. HUBERT. Do you know the name of the man you picked out?

Mr. HOLLY. No. Captain Solomon mentioned his name, but I don't recall it.

Mr. HUBERT. Does the name Newman refresh your memory?

Mr. HOLLY. Newman? It's been so long ago, I wouldn't say.

Mr. HUBERT. Was there any doubt about your identification?

Mr. HOLLY. Well, other than I described the man to him, and, of course, I went over the photographs with Captain Solomon on Sunday.

Mr. HUBERT. A week later?

Mr. HOLLY. On that following Sunday after the date. No; it was a week later, I beg your pardon. It was a week later, and I met him up there Sunday, and we went over the photographs with men in their uniforms, and the boy I picked out, Captain Solomon said, "Well, that is one of the men that is down in the basement," and that is the only one I could think it could have been.

And he contacted the man and the man was hunting at that time, and I never did hear of any more of it.

Mr. HUBERT. Well, what I mean is, the man you did pick out, is there any doubt in your mind that you picked out the man you spoke to at the hospital who told you he had seen Ruby?

Mr. HOLLY. There is a little doubt there, yes. I wouldn't be too positive of it. But I feel—

Mr. HUBERT. Have you seen this man since?

Mr. HOLLY. No; I haven't seen him since. I didn't know him and never had seen him before that. But I am pretty positive I picked out the right man, the one that I did see and talk to.

Mr. HUBERT. Let me see if I can get you straight. You say that you are pretty positive that you did pick out the right man, but a little while before you said that you weren't quite sure? There is a little difference between the two?

Mr. HOLLY. I went over several photographs with Captain Solomon and he is the only one that resembles him.

The photographs he showed me were old photographs, so there was a little doubt there, and that is the only part I can be doubted on.

I think he said the photographs he showed me were maybe 3 years old.

Mr. HUBERT. But he didn't get the man and confront you with him?

Mr. HOLLY. No.

Mr. HUBERT. Was this man that you saw a youngish man or middle age or what?

Mr. HOLLY. I would say he was in his thirties, about 37 years old or 36 years old.

Mr. HUBERT. Was he a little husky?

Mr. HOLLY. He was about 165 or 170, about 5'8" or 9", and blue eyes and bald headed.

Mr. HUBERT. He had on a cap?

Mr. HOLLY. Had a cap on, and didn't wear any glasses.

Mr. HUBERT. He had on a hat?

Mr. HOLLY. Had a cap on, and didn't wear any glasses.

Mr. HUBERT. So, the way I see it, among those pictures that Captain Solomon showed you, you picked out the man you thought was the man?

Mr. HOLLY. I still think it was the same man that Captain Solomon—he didn't tell me prior, but after I picked him out, he said that is the only man it could have been, because he was down in the basement, and the way I described it, it fitted the description I had given. He did explain after it was over that the photographs were about 3 years old.

Mr. HUBERT. Now, I think that you passed on the information that this reserve officer had given you to someone, did you not?

Mr. HOLLY. How was that?

Mr. HUBERT. You reported to someone that a reserve officer had told you?

Mr. HOLLY. Yes; I did.

Mr. HUBERT. Who did you report it to?

Mr. HOLLY. I reported it to the CID officer, I guess it was, down on the first or second floor of the city hall.

Mr. HUBERT. Do you remember who it was?

Mr. HOLLY. No; it was lieutenant someone, through one of the detectives.

Mr. HUBERT. Which detective was that?

Mr. HOLLY. Detective Eberhardt. I gave the information to one of the stenographers up in burglary and theft division, and I typed it out and sent it on down to the lieutenant. Offhand, I don't recall his name. It was one of the investigators on the case.

Mr. HUBERT. Were you contacted to make a statement about your activities?

Mr. HOLLY. The subject, how it come up, one of the detectives was out at the house, and the subject came up that they were trying to find out how in the world Ruby ever got down in the basement. And I said, "Well, my Lord, one of the reserves let him in."

Mr. HUBERT. When was that?

Mr. HOLLY. I would say that was on about a Wednesday or Thursday after the accident. And he said, "Will you make a statement?" And I said, "I will be glad to."

Mr. HUBERT. Did you make a written statement, or was it just oral?

Mr. HOLLY. Oral statement and I signed.

Mr. HUBERT. Did they write it up in the form of an interview, or did he write it for your signature as a letter to the chief?

Mr. HOLLY. A letter to the—it went through—I don't know what procedure it did go through. I just don't know the hand it went into.

Mr. HUBERT. For the purpose of identification, we will see if we can determine whether the written reports you have just been speaking of is one of these, one that I have here. And also in order to get the contents of these two reports into the record, I am going to identify them by marking the first one as "Dallas, Tex., March 26, 1964, Exhibit No. 5109, Deposition of H. B. Holly, Jr.," and I am signing my name on the margin. I notice that it has a second page with two lines, and I am putting my initials in the lower right-hand corner.

The other document is a document consisting of five pages, being an interview, or the report of an interview by two FBI agents, Mr. Dallman and Mr. Quigley. I am marking that as "Dallas, Tex., March 26, 1964, Exhibit No. 5110, Deposition of H. B. Holly, Jr." I am signing my name on the first page and putting my initials on the second, third, fourth, and fifth pages. I would like you, Mr. Holly, if you will, please to read all these, and I want to ask you about the correctness of each one. So I would like you to read it carefully and after you have done so, I will ask you to make any comments you want as to the correctness, make any changes you want, if it is not correct, because neither of these are your own statements. This is what other people said you said. Then I want to find out, too, if there is another report that you, yourself, signed, because they don't purport to be signed by you. So, would you do that, please?

Mr. HOLLY. [Reads report.]

Mr. HUBERT. Now, Mr. Holly, I have shown you, and I think you have read now the exhibits which I have identified as No. 5109, being a report of an interview of you by Jack Revill, said report being made to Chief of Police Curry in a letter dated December 1, 1963. Does that substantially represent what you said?

Mr. HOLLY. Yes, sir.

Mr. HUBERT. Is anything wrong about it?

Mr. HOLLY. The only thing I can see wrong is, the report wasn't made right after the assassination. It was about 5 days afterwards. That is the only thing I can see.

Mr. HUBERT. Well, of course, this doesn't say when the report was made. Oh, you mean the report about having heard that?

Mr. HOLLY. To Lieutenant Revill there. I believe he corrected that, but it wasn't made right after. Statement says that I made a statement to Sergeant Eberhart.

Mr. HUBERT. I don't see anything in 5109 that indicates you made this report about talking to that man the next day. As a matter of fact, I don't see where

this report of an interview by Revill attempts to indicate the day on which you reported that this reserve officer had said these things to you.

I think the other document does that. Well, let's look at 5110, which is the FBI report of interview, I think.

Mr. HOLLY. I believe it was in the FBI report there.

Mr. HUBERT. Yes; on the third page there is of Exhibit 5110, in the last paragraph, there is the following language. "He relayed this information to a close personal friend of his, Detective Gus Eberhardt, who is a regular officer assigned to the burglary and theft bureau. He believed he told Eberhardt this on the following day." Is that the part you think is not correct?

Mr. HOLLY. No; that is not correct.

Mr. HUBERT. When did you, then?

Mr. HOLLY. It was about the Sunday. It was about Thursday of that week, approximately Thursday of that week, he come out to the house, and I was going to ride with him that night, and he made the statement that he was trying to find out as to how Ruby entered the city hall, and I said, "Well, the information you have there I passed on to him." And he said, "Will you make a signed statement to that effect." And I said, "I would be glad to."

Mr. HUBERT. Did you then and there—

Mr. HOLLY. I immediately rode to the city hall and made a report, made a statement to the secretary there in the burglary and theft division.

Mr. HUBERT. Well, now, let me get another book and perhaps we can get that in too.

(Discussion off the record.)

I am now marking for identification a document which is Commission Document 81A.48. It is apparently a copy of a letter dated November 29, 1963, addressed to Mr. J. E. Curry, Chief of Police, by A. M. Eberhardt, Detective. The copy seems to be signed in ink by A. M. Eberhardt. For identification, I am marking that document, although I am not removing it from this file, and "Dallas, Tex., March 26, 1964, Exhibit No. 5111, Deposition of H. B. Holly." I am signing my name, Leon D. Hubert, Jr. That document consists of only one page.

Now, going back for a moment to 5110, that is the FBI report, I think you said that you had read it and that you found it correct, that it is probably a correct record of the interview you had with the FBI agents, except that it was in error when it stated that you had conveyed this information to Eberhart on the day after Oswald was shot. Your recollection was that it was Thursday of that week?

Mr. HOLLY. Yes.

Mr. HUBERT. This letter indicates, Exhibit 5111, indicates that that information was passed on to Eberhardt on November 29, which I believe was a Thursday.

Mr. HOLLY. Yes; I don't remember if that is dated or not.

Mr. HUBERT. That is dated November 29.

Mr. HOLLY. That was a Wednesday or Thursday after the shooting?

Mr. HUBERT. The 29th or November 1963, was a Friday night. Could it have been Friday night?

Mr. HOLLY. Yes; it could have been.

Mr. HUBERT. In any case, this Exhibit 5111, you think, is the report that you were speaking of a little while ago in your deposition?

Mr. HOLLY. Yes; that is the only report that I made to Detective Eberhardt.

Mr. HUBERT. I think you said you thought you had signed it.

Mr. HOLLY. I thought I signed that. That is the one right there.

Mr. HUBERT. Exhibit 5111 is the one you were talking about?

Mr. HOLLY. Yes.

Mr. HUBERT. But you had the recollection of having signed it? Of course, here we have only a copy of it.

Mr. HOLLY. Yes.

Mr. HUBERT. It may be that you did sign the original, but it doesn't indicate that there was a space for you to sign.

Mr. HOLLY. I was thinking I signed it.

Mr. HUBERT. There was no other report than this one here?

Mr. HOLLY. No; no other report other than the one that I talked to Lieutenant Revill about.

Mr. HUBERT. Have you any other statements or comments to make concerning any part of this?

Mr. HOLLY. No; I have covered it pretty well, I think.

Mr. HUBERT. Have you had any interviews with any others than this deposition today?

Mr. HOLLY. No, sir; this is the first time I ever met or seen you.

Mr. HUBERT. Have you had any interviews with any other members of the President's Commission, do you know?

Mr. HOLLY. No; other than the FBI, two FBI officers.

Mr. HUBERT. I am talking about persons who identified themselves as members of the Commission?

Mr. HOLLY. No; none whatsoever.

Mr. HUBERT. All right, sir, thank you very much.

Mr. HOLLY. That is all right. I am glad to be of service.

TESTIMONY OF HARRY M. KRISS

The testimony of Harry M. Kriss was taken at 7:30 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Harry Kriss. Mr. Kriss, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the Commission. Under the provisions of the President's Executive Order 11130, dated November 23, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Kriss, the nature of the inquiry today is to determine the facts that you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Mr. Kriss, you have appeared here tonight by virtue of a general request made by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission to Mr. J. E. Curry, the chief of police, who was asked to make all of you gentlemen available to us. Under the rules adopted by the Commission, however, you were entitled to a 3-day written notice prior to the taking of this deposition, but the rules also provide that a witness may waive this 3-day notice if he wishes to do so. Are you willing to waive?

Mr. KRISS. Yes; I will waive.

Mr. HUBERT. Will you stand so as to be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KRISS. So help me God.

Mr. HUBERT. Will you please state your full name?

Mr. KRISS. Harry M. Kriss [spelling] K-r-i-s-s. M is the initial.

Mr. HUBERT. Your age, please? Your age?

Mr. KRISS. Fifty-three.

Mr. HUBERT. Where do you reside, sir?

Mr. KRISS. 6906 Merrilee Lane.

Mr. HUBERT. In Dallas?

Mr. KRISS. In Dallas.

Mr. HUBERT. Now, you are a reserve officer, are you not?

Mr. KRISS. Yes, sir; in Dallas.

Mr. HUBERT. What is your occupation in general?

Mr. KRISS. Occupation in general, manufacturer of sportswear, men's, and manufacturer of neckwear.

Mr. HUBERT. Are you a native of Dallas?

Mr. KRISS. Yes.

Mr. HUBERT. And how long have you been in the reserve?

Mr. KRISS. Eleven years.

Mr. HUBERT. All right, now, were you called on November 24, 1963?

Mr. KRISS. Well—

Mr. HUBERT. That is the Sunday after the President's death.

Mr. KRISS. That is Sunday after—yes, sir; yes.

Mr. HUBERT. You were at home at the time?

Mr. KRISS. Yes, sir; I was getting ready to play golf. Four or five more minutes and I'd have been gone.

Mr. HUBERT. And you were called to report?

Mr. KRISS. Yes.

Mr. HUBERT. And when you did report, did you report in uniform?

Mr. KRISS. Yes; surely I did.

Mr. HUBERT. Well, Mr. Kriss, I am showing you here two documents which concern what you have already had to say about the matter.

Mr. KRISS. Yes.

Mr. HUBERT. And I think we can save considerable time if I'll ask you to identify these and comment upon them, but before doing so I wish to identify them as exhibits so that we can speak of them in those terms.

Mr. KRISS. Okay.

Mr. HUBERT. Therefore, on the letter, or copy of a letter dated November 26, addressed to J. E. Curry, the original of which, I suppose, was signed by you, I am marking it for identification, "Dallas, Texas, March 26, 1964, Exhibit 5106. Deposition of H. M. Kriss." I will put "reserve officer." I will sign my name to that, and I note that this Exhibit 5106 consists of one page only. The next document is a report of an interview made December 3, 1963, with you by the FBI Agents Wilkinson and Hardin and it consists of two pages. I am marking the first page, "Dallas, Texas, March 26, 1964, Exhibit 5107. Deposition of H. M. Kriss." Or, rather, "reserve officer", and I am signing my name on the first page and placing my initials in the lower right-hand corner of the second page. Now, Mr. Kriss, you have read both of these statements I believe?

Mr. KRISS. Yes, sir.

Mr. HUBERT. Are these substantially correct?

Mr. KRISS. Substantially; yes.

Mr. HUBERT. Do you have any additions to add to it?

Mr. KRISS. I can't think of any.

Mr. HUBERT. Do you have anything that you see that is wrong that should be deleted?

Mr. KRISS. No, sir.

Mr. HUBERT. Well, then, in order that your testimony just now concerning these documents may be tied into the particular documents, I would like you to sign them so that the record will show that we are both talking about the same documents.

Mr. KRISS. Yes.

Mr. HUBERT. Just write underneath my signature.

Mr. KRISS. Well, do you have a pen?

Mr. HUBERT. Yes; you can use that one. Just initial the second page. Now, sign—initial the second page on the FBI report.

Mr. KRISS. You want me to sign?

Mr. HUBERT. Yes; just sign under my name. I think there is only one point I want to clarify about this matter. Are you familiar with the chart or map made by the Dallas Police Department of the basement area showing the positions of all the various officers?

Mr. KRISS. Yes.

Mr. HUBERT. Well, in the report that they have filed, the documents relative to your statements, you are identified in that report as No. 61. As a matter of fact, attached to the map was a key, showing that 61 was H. M. Kriss. It shows, however, that you were standing, at the time of the shooting, in the north part, I suppose it would be, on the Main Street ramp?

Mr. KRISS. No.

Mr. HUBERT. And I notice that your statement says it was different.

Mr. KRISS. No; I wasn't.

Mr. HUBERT. Even so, to clarify that, I would like you to see what this is so you can see what I am talking about. See your number on this key. This 61?

Mr. KRISS. 61; yes.

Mr. HUBERT. Now, when you get to this map—see 61 on the Main Street ramp?

Mr. KRISS. That is the Main Street ramp. That is where I was after—it was—that is where I placed myself when they said, "Don't let anyone out of the basement."

Mr. HUBERT. All right. That will clarify it then.

Mr. KRISS. You can see it on television. I saw it the other night again where I ran across and when they said, "Don't let anyone out of the basement," that is where I placed myself.

Mr. HUBERT. I think that is going to explain that, and in order to make it a matter of record, I am going to ask you to show your position before the shooting, and your position after the shooting on this map, but first let me identify this map by marking it, "Dallas, Tex., March 26, 1964, Exhibit No. 5108, deposition of H. M. Kriss." I am signing my name to it, and I will ask you for the purposes of identification so that the record will show that we are both talking about the same document, to put your name right there. Now, I would like you to look over there at the mockup. And on the mockup, determine where you were.

Mr. KRISS. That is Main Street—I was right here [indicating].

Mr. HUBERT. Now, let's see if we can find that on the map and mark it. It would be right here, wouldn't it?

Mr. KRISS. No; right over here [indicating]. Wouldn't it? No, here is the—wait a minute. Wait a minute.

Mr. HUBERT. Now, we get at this—

Mr. KRISS. This is Main—

Mr. HUBERT. And this is Commerce Street.

Mr. KRISS. Right. That is the jail right—

Mr. HUBERT. Yes.

Mr. KRISS. Here is the position right here [indicating].

Mr. HUBERT. On the Commerce Street like that? I am drawing a circle—

Mr. KRISS. Right.

Mr. HUBERT. And I am drawing the line out then and I am putting, "Position of H. M. Kriss."

Mr. KRISS. The four—

Mr. HUBERT. Prior to the shooting?

Mr. KRISS. That's right.

Mr. HUBERT. Now, I noticed on the large map that was attached to the Dallas report that—and to the key to the personnel, your number was 61, and that they had 61 in the position I am now marking in a circle. Can you tell me what the explanation of that is, sir?

Mr. KRISS. That is confusing, because after the shooting they hollered, "Don't let anyone out of the basement." And I saw the truck over here, so I ran over here and placed myself right here.

Mr. HUBERT. Where this circle is.

Mr. KRISS. Yes, right; that is where I placed myself.

Mr. HUBERT. In other words, you are at this position, but it was after the shooting instead of before?

Mr. KRISS. After the shooting.

Mr. HUBERT. So, I am placing a circle of your position.

Mr. KRISS. After the shooting.

Mr. HUBERT. And drawing a line from it and writing "Position of H. M. Kriss after the shooting."

Mr. KRISS. Yes.

Mr. HUBERT. Right.

Mr. KRISS. Right.

Mr. HUBERT. Now, about how long had you been in the position you were in before the shooting and until the shooting?

Mr. KRISS. Well, we had been kind of walking over here watching the door over—

Mr. HUBERT. When you say "over here"—

Mr. KRISS. In the garage area. I had already put some men out here on both sides.

Mr. HUBERT. You had already put some men out here on both sides? Out on the Commerce Street side?

Mr. KRISS. Yes, sir; and on the Main.

Mr. HUBERT. And on the Main Street side.

Mr. KRISS. And we were told by the officers to move all the press back over this way, keep them on this side [indicating].

Mr. HUBERT. Now, you see, you have to explain what you mean by "this side," because—

Mr. KRISS. Well, that is—

Mr. HUBERT. Because someone reading a transcript of it later won't be able to tell.

Mr. KRISS. That is the west side then.

Mr. HUBERT. West side of the ramp, is that correct?

Mr. KRISS. That's right.

Mr. HUBERT. Do I understand you to say that you had been instructed to keep all the press—

Mr. KRISS. Yes, go ahead.

Mr. HUBERT. Out of the ramp area?

Mr. KRISS. Yes; against the west wall only, all the rail—the area in here, to keep the press back over here and [indicating]—

Mr. HUBERT. Against the rail, or on the side?

Mr. KRISS. No; against the rail. If I just leave through—they were trying to clear this up right in here.

Mr. HUBERT. How long had you been in the position that we have marked "Position prior to shooting"?

Mr. KRISS. Possibly 10 minutes.

Mr. HUBERT. Ten or fifteen minutes?

Mr. KRISS. Something along there. Prior to that time, is when I had been walking right back in here [indicating]. Yes; and standing, I believe standing right over in here is where I placed myself.

Mr. HUBERT. All right. I will put another circle and I am going to mark that "Position of H. M. Kriss prior"—

Mr. KRISS. "To—

Mr. HUBERT. "Shooting."

Mr. KRISS. Before being told to move the press on this side.

Mr. HUBERT. "Position of H. M. Kriss prior"—

Now, we have not—this is the west side. That is the east side—"of being told to keep the press back." In other words, your first position was really the position—

Mr. KRISS. Right here. That is it.

Mr. HUBERT. Well, let's put a number—No. "1" in it. That was your first position?

Mr. KRISS. That's right.

Mr. HUBERT. And your second position—

Mr. KRISS. No. "2."

Mr. HUBERT. As No. "2." "Position of H. M. Kriss prior to shooting." And No. "3" is your position after the shooting? Right?

Mr. KRISS. That's it; sir.

Mr. HUBERT. Now, you say that you had been in position No. "2" for about 10 minutes or so before they brought Oswald down?

Mr. KRISS. Yes.

Mr. HUBERT. Which way were you facing then?

Mr. KRISS. This way [indicating].

Mr. HUBERT. Facing north?

Mr. KRISS. Facing north; yes.

Mr. HUBERT. Could you see anything up there?

Mr. KRISS. No; all I saw was officers standing right at the head of this—this officer right there. With a shotgun.

Mr. HUBERT. Do you know who he was?

Mr. KRISS. No, sir; I don't.

Mr. HUBERT. But he is a regular?

Mr. KRISS. No reserves were armed. We are all unarmed. Unarmed and we don't carry arms.

Mr. HUBERT. Now, in looking from your position No. "2." Up the ramp, were there—can you tell us whether there were a lot of people standing in that area?

Mr. KRISS. No; I didn't. I was just—had lots of people right in this area, right about here [indicating].

Mr. HUBERT. You were talking about that northeast position?

Mr. KRISS. Yes, sir; all this area right in here [indicating].

Mr. HUBERT. And where the down ramp going—

Mr. KRISS. All this area right on this side. That is where they were all standing.

Mr. HUBERT. Well, you can't say "this side," sir. While I understand it—

Mr. KRISS. The east side. The east side, excuse me. The east side. I keep forgetting she's taking it down.

Mr. HUBERT. They were all standing up against the rail?

Mr. KRISS. Yes, sir.

Mr. HUBERT. Right by the television cameras.

Mr. KRISS. Right.

Mr. HUBERT. Is that correct?

Mr. KRISS. Right; that's right.

Mr. HUBERT. And then the ramp going from the basement down into the parking area?

Mr. KRISS. Yes; right.

Mr. HUBERT. And further along toward Commerce Street along that rail?

Mr. KRISS. Yes; there was a truck there, large truck here and another car pulled up right behind the armored truck.

Mr. HUBERT. Both on the Commerce Street side?

Mr. KRISS. Yes.

Mr. HUBERT. Directing your attention again to whether there were a great number of people in an area that I am now marking with an oblong and going to call it "area A," and—

Mr. KRISS. That area there?

Mr. HUBERT. Well—

Mr. KRISS. Well, I couldn't be for sure, but it seemed that large amount people all around there and in here, too.

Mr. HUBERT. Did you notice an automobile being driven out of there just a few seconds or minutes—

Mr. KRISS. I can't recall that. I have tried to remember that and I can't recall that. No; I can't recall that.

Mr. HUBERT. You don't recall it?

Mr. KRISS. No; I can remember something vaguely. I can remember doing something—they were moving a car, but I was mostly interested in watching the press, keeping everyone here. That was my job, keeping everyone on the east side of the rail.

Mr. HUBERT. I understand, and you were looking more at the press than at the Main Street ramp?

Mr. KRISS. That's correct; that's correct.

Mr. HUBERT. Did you see this man when he came down?

Mr. KRISS. No; I didn't see—all I saw was just a blur right in here [indicating]. I didn't see—I was like everyone else, I was waiting here, and Oswald was right here [indicating], and that is where I looked at Oswald, and I was a curiosity seeker, I think, when I should have been watching—I was—learned my lesson.

Mr. HUBERT. Well—

Mr. KRISS. Like everyone else, everyone else was watching that.

Mr. HUBERT. So, your attention was on Oswald?

Mr. KRISS. Right.

Mr. HUBERT. And you saw a blur?

Mr. KRISS. Yes.

Mr. HUBERT. Did you recognize the man at all?

Mr. KRISS. Right then? No.

Mr. HUBERT. Had you known Ruby?

Mr. KRISS. Known, of him, saw him before in the papers and everything.

Mr. HUBERT. What did you do after that?

Mr. KRISS. Well, they said—somebody said, "Don't let anyone out of the basement." And I ran across here and I thought I saw one of the captains, Arnett, and I saw him going down, and he was in the confusion and in that confusion here, and ran over there and saw that everything was all right, and they said, "Don't let anyone out."

Mr. HUBERT. And you positioned yourself right in the middle?

Mr. KRISS. Positioned myself in the middle and no one passed thereafter. That I can assure you of. That is the only thing I do know for sure.

Mr. HUBERT. All right. Let me see if there's anything else.

All right. Is there anything else you would like to add that is not contained in the statement, or in your testimony today?

Mr. KRISS. No, sir; I just don't know a thing.

Mr. HUBERT. All right for now. Have you ever been interviewed by any member of the Commission's staff prior to today?

Mr. KRISS. No; only the FBI is all.

Mr. HUBERT. And you have never been interviewed by me prior to this deposition today?

Mr. KRISS. No.

Mr. HUBERT. All right, sir. I think that is all and I certainly thank you very much.

TESTIMONY OF ROY LEE LOWERY

The testimony of Roy Lee Lowery was taken at 11 a.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Detective R. L. Lowery, Dallas Police Department. Mr. Lowery, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of the Executive Order No. 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order in the joint resolution, I have been authorized to take the sworn deposition from you, Mr. Lowery. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, Mr. Lowery, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the death and the general inquiry.

Now, Mr. Lowery, you have appeared here today by virtue of a request made to Chief Curry by Mr. J. Lee Rankin, who is the general counsel on the staff of the President's Commission. Under the rules adopted by the Commission, you are entitled to a 3-day written notice by the Commission prior to the taking of this deposition, but the rules adopted by the Commission also provide that a witness may waive that 3-day notice if he wishes to do so. Do you wish to waive the 3-day notice?

Mr. LOWERY. I will waive it.

Mr. HUBERT. Will you raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LOWERY. I do.

Mr. HUBERT. Will you please state your name?

Mr. LOWERY. Roy Lee Lowery.

Mr. HUBERT. And your age?

Mr. LOWERY. Thirty-two years of age.

Mr. HUBERT. Your residence?

Mr. LOWERY. 838 West Church in Grand Prairie.

Mr. HUBERT. Texas?

Mr. LOWERY. Right.

Mr. HUBERT. Is that just outside of the Dallas area?

Mr. LOWERY. Yes, sir; it is in Dallas County. It is on the west side.

Mr. HUBERT. What is your occupation, sir?

Mr. LOWERY. I am a detective with the Dallas Police Department.

Mr. HUBERT. How long have you been so occupied?

Mr. LOWERY. Oh, approximately 9½ years.

Mr. HUBERT. What specific position do you hold in the detective department?

Mr. LOWERY. I'm a detective in the juvenile bureau of the police department, criminal division.

Mr. HUBERT. Who is your immediate superior?

Mr. LOWERY. Capt. Frank Martin.

Mr. HUBERT. Who is next up the line?

Mr. LOWERY. I believe it is M. W. Stevenson.

Mr. HUBERT. And then Chief Batchelor and Chief Curry?

Mr. LOWERY. Right.

Mr. HUBERT. Now, I think you have read——

Mr. LOWERY. Now, if you will start with Mr. Bookhout's——

Mr. HUBERT. Let me get this report in.

Mr. LOWERY. All right.

Mr. HUBERT. I think you have read three documents which I have previously handed you to read, and I want to mark the three of them now for identification, and then we will talk about each one.

Mr. LOWERY. All right.

Mr. HUBERT. I am marking a letter, or a copy of a letter consisting of one page, addressed to Chief Curry, dated November 24, 1963, indicating that the original may be signed by you, and I am identifying it as follows, by marking upon it, "Dallas, Tex., March 25, 1964. Exhibit No. 5081. Deposition of R. L. Lowery, and signing my name below it." As to the second document, consisting of two pages, and purporting to be a report of an interview by—of you by FBI Agent Bookhout, on November 24, 1963, and I am marking that document along the right margin as follows: "Dallas, Tex., March 25, 1964. Exhibit 5082. Deposition of R. L. Lowery." I am signing my name below that on the first page of that document, and placing my initials in the right-hand lower corner on the second page of that document. Finally a document purporting to be a report of an interview of you by FBI Agents Smith and Chapoton, on December 23, 1963, consisting of five pages, marking the first page as follows, to wit: "Dallas, Tex., March 25, 1964. Exhibit No. 5083, deposition of R. L. Lowery," and I am signing my name on the first page, and placing my initials in the lower right-hand corner on the second page, third page, fourth page and the fifth page.

Now, sir, I hand you the exhibit which has been marked 5081, being the letter to Chief Curry, and ask you if that letter is correct insofar as it goes? Or do you have any other comments to make about it?

Mr. LOWERY. This is correct.

Mr. HUBERT. Now, I hand you an exhibit identified as 5082, consisting of two pages, and ask you if you have read it, and whether you have any comments to make about it?

Mr. LOWERY. Yes, sir; I read it. Now, as to this one there is some changes to be made.

Mr. HUBERT. All right. Now, I suggest you do this. If you want to make a change in a sentence, read that sentence indicating that you are beginning to read by using the word "quote", and when you get to the end of the sentence,

"unquote". Then make your comment about the sentence, or if you have the whole paragraph you may do it that way.

Mr. LOWERY. Well, first one, quote Lowery—

Mr. HUBERT. That is on the first page, is it not? What paragraph?

Mr. LOWERY. First page, first paragraph interview by Mr. Bookhout of the FBI.

Mr. HUBERT. You are going to start reading, so say "quote".

Mr. LOWERY. Quote, "Lowery stated he and several others grabbed Ruby," unquote. Now, I didn't—I didn't grab Ruby. Several other officers did. I didn't touch Ruby at all at that time.

Mr. HUBERT. Did you tell this man—

Mr. LOWERY. No, sir; I didn't.

Mr. HUBERT. That is incorrect?

Mr. LOWERY. I do not recall—no, I touched Ruby later, but not at this particular time. This is the time where Ruby was disarmed and taken into the jail office. I didn't touch him at all at that particular time. There were several other officers around him. I couldn't even get to him.

Mr. HUBERT. When did you touch him?

Mr. LOWERY. He was carried into the jail office by several officers, and after coming into the jail office by myself, I held one of Jack Ruby's legs while he was given a quick shakedown before he was taken upstairs.

Mr. HUBERT. All right. Have you any other comments to make about that Exhibit 5082?

Mr. LOWERY. I don't believe that there is any others on this one. Yes. On Page 2, of this same exhibit—let's see, where could I start. Now, would you like me to start in the middle of a sentence, or just read the whole sentence even though it is several lines?

Mr. HUBERT. Perhaps you'd better read the whole sentence, I think it will be clearer.

Mr. LOWERY. All right, quote "He stated this camera was never put into operation, the cable was never connected and the blank cap was never taken off. Lowery stated that the following—that following the shooting, the action of the two cameramen who had pushed the camera from the area was brought to the attention of Lt. R. E. Swain, and they were taken to homicide and robbery bureau for questioning." unquote. The facts are, are that the cameramen were not taken to homicide and robbery bureau. I accompanied those men up on the third floor where they were allowed to set up their long range camera, and I stayed with those people for approximately an hour to an hour and a half until I contacted Lieutenant Baker in the homicide division and told him the reason that I was with those people, and he advised me to take their names and addresses, business address and business phone, and home phone number, and that it wouldn't be necessary to stay with them any longer. I took this information and turned it in to Lieutenant Baker and released the cameramen.

Mr. HUBERT. Anything else you wish to say about it?

Mr. LOWERY. I don't believe there is any other.

Mr. HUBERT. 5082. Anything other about 5082?

Mr. LOWERY. No, that is—nothing further.

Mr. HUBERT. As to Exhibit 5083, I ask you if it is correct, do you have any changes or suggestions, or comments to make about it?

Mr. LOWERY. On page 1, paragraph 2—let's see, "The contingent from the juvenile bureau consisted of Captain Martin, Lt. George Butler, Detective W. J. Cutchshaw, Detective L. B. Miller, Detective Charles Goolsby, Patrolman W. J. Harrison and myself, Lowery."

The facts are that Captain Martin, Lt. George Butler, Detective W. J. Cutchshaw, Detective L. B. Miller, Detective Charles Goolsby went from the third—juvenile bureau, on the third floor, room 314, city hall, down the elevator to the basement of the city hall. As we came off the elevator we met Patrolman W. J. Harrison coming up the hall from the police locker room, and he accompanied us to the location in the basement where Oswald was shot.

Mr. HUBERT. When you say, "city hall," you mean the police department building, not the municipal building?

Mr. LOWERY. No, sir. Police and courts building.

Mr. HUBERT. All right, any further comments about Exhibit 5083?

Mr. LOWERY. Now, I have one change here.

Mr. HUBERT. On what page?

Mr. LOWERY. On page 2, paragraph 3. Now, this is the only thing, the only change is—I don't know whether it is necessary for me to read the whole thing—is the TV station WPAB. In this report it says, "WPAB".

Mr. HUBERT. It is a typographical—

Mr. LOWERY. It is wrong.

Mr. HUBERT. Yes, that's correct, and now, I don't think we have to do anything more about it.

Mr. LOWERY. All right. Then, on page 2 in—let's see, this page 2, paragraph 4, and this will carry on to paragraph 1 of page 3. All right. "This police car had its red lights on, flashing, and there were two or three officers in the car."

That is a mistake. The facts are is this police car was a marked squad car, occupied by one officer, and that officer was Officer O'Dell, who is a patrolman, and as far as I can say, he was alone in the car. Only person in the car. All right. On page 3, this also is in paragraph 1. "He did not know who this individual was until his hat fell off in the melee and he saw it was Jack Ruby whom he has known for several years."

The facts are that at approximately the same instant the shot was fired, or within a fraction of a second thereafter, I did recognize the person firing the shot as being Jack Ruby.

Mr. HUBERT. The correction there being that you recognized him before his hat fell off, is that what you mean?

Mr. LOWERY. Well, I couldn't definitely say that I recognized him before his hat fell off. I don't—

Mr. HUBERT. Did you recognize him before he fired the shot?

Mr. LOWERY. Well, it seemed like to me at the same time. Now, of course, this happened directly in front of me, closer than—about half of the distance between the two of us and—

Mr. HUBERT. Let the record show that the witness indicates the distance that I would judge to be approximately 6 feet.

Mr. LOWERY. Well, he would be within 4 feet, I think. That Jack Ruby would be within 4 feet of me.

Mr. HUBERT. Would you say that the distance that I judge is 6 feet, you think is about two-thirds of that distance?

Mr. LOWERY. That's right. Three to 4 feet, and I couldn't say that Jack Ruby's hat—I couldn't say whether the hat had fallen off or not.

Mr. HUBERT. All right.

All right. Now, you have looked over the other pages of 5083, and handed it back to me, are there any corrections or deletions or—wrong statements or anything that you would like to comment upon?

Mr. LOWERY. Best I can remember the rest of it is fairly accurate.

Mr. HUBERT. Now, I want to have you identify a chart of the basement area of the Dallas Police Department and I am marking upon it for the purposes of identification the words, "Dallas, Tex., March 25, 1964. Exhibit Number 5084, deposition of R. L. Lowery." And I am signing my name below that, and just for the purposes of identification, I wish you would sign your name below it, too, below my name.

I would like you to look at the mockup here and—if you will come over here with me, we can put the chart and the mockup together, and I would like you to—by using the mockup, point to the place on the mockup where you were standing and then we will mark it on the map.

Mr. LOWERY. All right. I was standing exactly at this point here [indicating]. In fact, the corner—I was leaning back against the corner, and I could feel it exactly between my shoulder blades.

Mr. HUBERT. All right. Now, I am marking a circle right here as the point that you are talking about?

Mr. LOWERY. Yes, sir; and that would be on the southwest corner.

Mr. HUBERT. Southwest corner of the intersection of the jail corridor and the ramp?

Mr. LOWERY. Yes, sir.

Mr. HUBERT. I am marking a circle around the position you have indicated and I am writing the words, "Position of R. L. Lowery at the time of the shooting," which I am also placing in a circle. Now, is that correct, sir? That was your position?

Mr. LOWERY. Yes.

Mr. HUBERT. Now, how long had you been in that position prior to the shooting?

Mr. LOWERY. Well, I couldn't definitely say how long I had been at that one particular position. I had been in this area for, oh, from approximately 10 minutes. I had been within a few feet of there, I just took this position a few minutes, and—or maybe a couple of minutes before the shooting actually took place, but I was standing within a few feet of that point.

Mr. HUBERT. At the moment of the shooting, you were in precisely that position?

Mr. LOWERY. Yes.

Mr. HUBERT. And you would judge you had been in that position about 2 minutes?

Mr. LOWERY. I don't believe it would be any more than 2 minutes' time. I don't know.

Mr. HUBERT. You were facing then in the general direction of the TV cameras?

Mr. LOWERY. Well, when the actual shooting took place.

Mr. HUBERT. And the time before that? I want to get both?

Mr. LOWERY. Well, I looked both ways, both left and right.

Mr. HUBERT. I'll ask you if you scanned the crowd?

Mr. LOWERY. Well, in the direction of the TV cameras, the lights were so bright I couldn't have seen any people in the crowd. I could see forms, but I couldn't—I wouldn't be able to—

Mr. HUBERT. Do you know a detective, W. J. Harrison, I think he is called "Blackie" Harrison?

Mr. LOWERY. Yes, sir.

Mr. HUBERT. Was he in your line of vision?

Mr. LOWERY. Yes, sir.

Mr. HUBERT. Could you see him?

Mr. LOWERY. I saw him shortly before the shooting. Now, at the time all the TV lights and everything were turned on, I don't recall seeing "Blackie" from that time until the shot was actually fired.

Mr. HUBERT. I wonder if you would use the mockup first to place the position, approximately, of Harrison, the last time you were able to see him, and then translate that by placing a circle on the map that—

Mr. LOWERY. Let me get squared away here. He would have been in this general area. I couldn't say in relation to this wall—to this guardrail. I would think they would have been approximately—

Mr. HUBERT. Well, I am going to mark a line, which I am labeling as line "A, B," and then I want to ask you to take the pen and put the approximate position of Harrison the last time you saw him.

Mr. LOWERY. Well, I would say about this [indicating].

Mr. HUBERT. Now, you have made an "X," and I am putting a circle about the "X," and drawing a line out and writing the following, "position of W. J. Harrison—" the approximate position, is that what you mean?

Mr. LOWERY. Right.

Mr. HUBERT. "The approximate position of W. J. Harrison when last seen by Lowery."

Mr. LOWERY. Before—

Mr. HUBERT. "Before the shooting." Right?

Mr. LOWERY. Right.

Mr. HUBERT. I am encircling that language and connecting it with the position marked "X." Now, can you give us any estimation of how long before the shooting was the last time that you saw Harrison?

Mr. LOWERY. No, sir; I wouldn't make an attempt, because the time in my estimation I found that they were so far off that I couldn't—I just don't have any idea. It couldn't have been more than a couple of minutes.

Mr. HUBERT. All right; you did not see him after that, though, did you?

Mr. LOWERY. I saw him after the shooting.

Mr. HUBERT. No; I mean after that position?

Mr. LOWERY. As far as I remember, no, sir; I don't.

Mr. HUBERT. Then you attribute your failure to see him to the fact that the TV lights had been turned on after that?

Mr. LOWERY. Well, the TV lights were so bright. I don't remember seeing Harrison, but I don't say that I was completely blinded by the TV lights.

Mr. HUBERT. Did you see Ruby come up from the crowd?

Mr. LOWERY. Sir?

Mr. HUBERT. Did you see Ruby come out from the crowd?

Mr. LOWERY. The first time I saw Ruby he was lunging, and almost instantaneously the shot was fired, and I couldn't—I couldn't say that I saw him come from the crowd. I saw a blur, and about this time the shot was fired, and there is Jack Ruby right in front of me.

Mr. HUBERT. What side of "Blackie" Harrison did Ruby come from with relation to Harrison himself?

Mr. LOWERY. I couldn't say which side that—

Mr. HUBERT. You don't know whether it was on Harrison's left side or right side?

Mr. LOWERY. No, sir.

Mr. HUBERT. Do you remember the automobile that went up the ramp just before the shooting that had a flashing red light on top of it and two or three officers in the car?

Mr. LOWERY. Well, now, that is one of the statements we changed. I remember the marked squad car being driven with Officer O'Dell going up the—oh, we call it the north ramp, the wrong way, which—with his red lights on, but this car only had the one officer in it, the best I remember.

Mr. HUBERT. Do you know Rio Pierce?

Mr. LOWERY. Yes, sir.

Mr. HUBERT. Did you see him drive a car up that ramp?

Mr. LOWERY. I will say that between the time that Officer O'Dell went up the north ramp, I couldn't tell you in minutes or seconds how much time had elapsed, but there was a plain car, and I believe it was driven by Lieutenant Pierce, and he had a couple or three other officers. I couldn't say exactly how many officers were in the car, but it did go up the ramp with red lights on going up the north ramp to the Main Street entrance.

Mr. HUBERT. That was after O'Dell had passed?

Mr. LOWERY. Yes, sir; best I remember.

Mr. HUBERT. So, that the statement—I would ask you to have another look at the statement, which is Exhibit 5083, and ask you if it is the statement that you previously corrected so that it would refer to O'Dell. Isn't it, in fact, correct insofar as it would deal with what you have just said about Pierce?

Mr. LOWERY. Now, here is the statement we changed.

Mr. HUBERT. I see your point, and that is that the O'dell car did not have a red light on it?

Mr. LOWERY. Yes, sir, it did, but the O'Dell was—the O'Dell car was a marked squad car, and that was the change that we made. This O'Dell's car was the first car to go up the ramp, and he was—there was only one person in the car.

Mr. HUBERT. But, then, there was another marked car—

Mr. LOWERY. There was an unmarked car.

Mr. HUBERT. There was an unmarked car, and that is Pierce?

Mr. LOWERY. Pierce was the unmarked car, and he had another officer in the car. I couldn't tell you who, or how many, or who they were.

Mr. HUBERT. What was the time interval between the O'Dell car movements up that ramp and Pierce's movements up that ramp?

Mr. LOWERY. I couldn't—I couldn't—I'd be afraid to say exactly, but probably wasn't more than a minute in that.

Mr. HUBERT. Did you follow the car, or the Pierce car up the ramp with your eyes, I mean?

Mr. LOWERY. No, sir; if you will notice this [indicating] there is an offset here, and from my position here I would only see a short distance up the ramp, and there is also a drop down, air-conditioning and central-heating unit back in here that I would—if my view hadn't been obstructed by the line of people

on that side I wouldn't have been able to see more than a few feet up the ramp.

Mr. HUBERT. Did you see anybody coming down? I understand from your statement that you could not have seen their faces as they came down the ramp because of the obstruction, but you could have seen feet, couldn't you?

Mr. LOWERY. I wouldn't be able to. I didn't see anybody come down the ramp. They could have possibly gotten down there without me seeing them, but I didn't see any feet, or any person come down the ramp at all.

Mr. HUBERT. Did you see anybody climb over the rails from the parking area into the ramp on the Main Street side?

Mr. LOWERY. No, sir; not that I remember. I couldn't see—couldn't see the rail from my position for the line of photographers and officers and the TV cameras and lights.

Mr. HUBERT. Did you have occasion to talk to Ruby thereafter?

Mr. LOWERY. No, sir.

Mr. HUBERT. Did you see him after that?

Mr. LOWERY. Which point?

Mr. HUBERT. After the shooting?

Mr. LOWERY. Well, as I told you, the officers took him into the jail office, and I went into the jail office, and they were in the process of searching him, and he was struggling, and I held one—I believe his left leg. Had him down on his back, and I held his left leg while he was doing a quick shakedown and then he was taken to the elevator and upstairs, and that is the last that I saw of him.

Mr. HUBERT. All right. Detective Lowery, have you anything else that you would like to add that you have not stated, or is not contained in these several exhibits we have identified here today?

Mr. LOWERY. Well, I think they—I haven't been through the police report, the investigation in the police department made by Captain Jones. I believe that they had—a little more in detail.

Mr. HUBERT. You are referring, I think, to a document contained in Commission's report 81-A, that is page 66, consisting of two pages and entitled, "Investigation of Operational Security Involving the transfer of Lee Harvey Oswald, November 24, 1963," which was supplied to the Commission by the Dallas Police Department through the attorney general.

Since I do not have an extra copy of this document, I am going to allow it to remain in the volume, but I am going to mark it for identification as I have marked the others, and that is, "Dallas, Texas, March 25, 1964, exhibit Number 5085," which purports to be an interview of you. Now wait—I'll finish the identification, 5085, deposition of R. L. Lowery, signing my name on the first sheet and placing my initials in the lower right-hand corner on the second sheet. This is an interview of R. L. Lowery, November 29, 1963, by Lt. P. G. McCaghren and Lt. C. C. Wallace. I think you have read this document, have you not, sir?

Mr. LOWERY. Let me brush through it right quick. I don't—

Mr. HUBERT. All right. Referring to Exhibit 5085, do you now say that it is correct? Are there any changes you want to suggest, modifications to make?

Mr. LOWERY. It is correct, as far as I know.

Mr. HUBERT. All right. Anything else you want to say?

Mr. LOWERY. No, sir; I believe that's—

Mr. HUBERT. Now, have you been interviewed prior to the taking of the deposition by any member of the Commission? I don't think there was any interview between you and me before.

Mr. LOWERY. No, sir.

Mr. HUBERT. All right, sir. Thank you very much.

TESTIMONY OF CAPT. FRANK M. MARTIN

The testimony of Capt. Frank Martin was taken at 2 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. Frank M. Martin of the juvenile division, Dallas Police Department. Captain Martin, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order No. 11130, dated November 29, 1963, the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized by the Commission to take the sworn deposition of you, Captain Martin.

Captain MARTIN. Uh-huh.

Mr. HUBERT. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Captain Martin, the nature of the inquiry is to determine what facts you know about the death of Oswald and any other pertinent facts that you may know about the general inquiry.

Captain MARTIN. Uh-huh.

Mr. HUBERT. No; Captain Martin, do—you have appeared here by virtue of a general request made by the general counsel on the staff of the President's Commission, Mr. J. Lee Rankin, to Chief Curry. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, that the rules adopted by the Commission also provide that a witness may waive the 3-day written notice. Do you wish to waive that notice?

Captain MARTIN. Yes.

Mr. HUBERT. Now, will you rise and raise your right hand and I will now swear you. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Captain MARTIN. I do.

Mr. HUBERT. State your full name, Captain Martin.

Captain MARTIN. Frank M. Martin.

Mr. HUBERT. Your age, please?

Captain MARTIN. Fifty-four.

Mr. HUBERT. Where do you live?

Captain MARTIN. 906 West Five Mile Parkway.

Mr. HUBERT. What is your occupation today, and how long have you been in that occupation?

Captain MARTIN. I am a police officer in Dallas. I have been in it for 30 years.

Mr. HUBERT. Your rank is what now?

Captain MARTIN. Captain.

Mr. HUBERT. How long have you held the rank of captain, sir?

Captain MARTIN. Since 1951, about 13 years.

Mr. HUBERT. What are your particular duties with the Dallas Police Department?

Captain MARTIN. I have charge of the juvenile bureau. We handle all juvenile affairs.

Mr. HUBERT. Now, captain, I have two documents here which I am going to mark for identification and then I will question you concerning them. Now, I am marking this document March 24, 1963, addressed to Chief J. E. Curry, the original of which apparently was signed by you. Marking this as follows, to wit: "Dallas, Texas, March 24, 1964. Exhibit No. 5058, deposition of Capt. F. M. Martin, and I'm signing my name to that document which consists of one page, and I'm also marking another document which apparently is the report of an interview of you, Captain Martin, by Special Agents of the FBI, to wit: Alvin J. Zimmerman and Joseph G. Peden, on December 2nd, 1963." The document consists of one full page, marking the first page as follows, to wit: "Dallas, Texas, March 24, 1964. Exhibit 5059. Deposition of F. M. Martin." Signing my name on that. I am placing my initials on the second page of that document in the lower right-hand corner. Now, Captain, I believe that you have only recently, that is to say, about 2 or 3 hours ago, had occasion to read both of these documents?

Captain MARTIN. Yes.

Mr. HUBERT. 5058 and 5059. I now ask you if those documents represent the truth, or whether there are any modifications or deletions or additions—

Captain MARTIN. Well, of course, there—

Mr. HUBERT. That you would like to make in it?

Captain MARTIN. This "Miller," they have there once, where it should be my name in the first paragraph.

Mr. HUBERT. I think you are speaking of the third line, the first page of Exhibit 5059, where the second sentence starts, "Capt. Miller," and apparently the sense of it would be, that since they are speaking of you, it would be "Capt. Martin," is that right?

Captain MARTIN. That's right.

Mr. HUBERT. I am, therefore, going to circle the word "Miller," and—with a circle, and an extension line indicates that it had been changed by putting my initial on it, and I am going to ask you at a later time to put your initials on it, too.

Captain MARTIN. All right.

Mr. HUBERT. Other than that, that document speaks the truth, as far as you know?

Captain MARTIN. Yes. There is one area in there in the ramps that I don't quite understand. Did he mean the ramp, or does he mean the door into the building, the corridor door or—

Mr. HUBERT. Now, then, I think you are speaking of the second to the last sentence in the last paragraph on the first page of Exhibit 5059, sentence which reads as follows, to wit: "He advised that auxiliary officers were stationed at each ramp."

Captain MARTIN. Right.

Mr. HUBERT. "And that to his north, this was the only entrance to the compound which Ruby could have used." Now, what is it that you would like to say about that, sir?

Captain MARTIN. There is a double door going into this basement at the city hall which I wouldn't consider a ramp. They never considered it that. I don't know, but it is more or less a corridor, or hallway going into the basement.

Mr. HUBERT. There is a corridor, you say, that leads from the jail building into the basement area?

Captain MARTIN. It is from the garage area into the basement.

Mr. HUBERT. I see.

Captain MARTIN. I don't know—

Mr. HUBERT. Well, now, did you make any statement to them about auxiliary officers being stationed at any place?

Captain MARTIN. Yes. Yes; I told them that there were, but I meant the two ramps coming into the basement from the outside.

Mr. HUBERT. I see. In other words, what you want to clarify about this is that what you meant when you made reference to auxiliary officers and ramps, that you meant the entrances or exits at the street level of the Main and Commerce ramps?

Captain MARTIN. That's right.

Mr. HUBERT. And, you did not have reference to the officers at other passages-ways?

Captain MARTIN. That's right.

Mr. HUBERT. All right. I might ask you in connection with that same thing, what do you mean by the word "compound"?

Captain MARTIN. I didn't use that.

Mr. HUBERT. Didn't use that word?

Captain MARTIN. No; that must be theirs.

Mr. HUBERT. What do you understand there, because the report is that you said "That this was the only entrance into the compound which Ruby could have used"?

Captain MARTIN. I didn't use that word.

Mr. HUBERT. Well, did you express any such thought and if so, what were you referring to?

Captain MARTIN. Of course, what they are referring to by "compound," is the area right outside the jail door there.

Mr. HUBERT. You mean what is commonly called the basement area including the parking area, the garage area, the two ramps and the space between the two ramps?

Captain MARTIN. I am sure it is, because I didn't use the word "compound."

Mr. HUBERT. Let's look at it this way, would this statement be correct then if we changed the word "compound," to be defined as the general basement area as I just defined it a moment ago?

Captain MARTIN. Yes.

Mr. HUBERT. So, then it would be correct to say that, to your knowledge, the two ramps, to wit, those—the one leading from Main Street, and the one leading from Commerce Street were the only entrances to the basement area, as we defined it a moment ago, that Ruby could have used?

Captain MARTIN. More that he could have used, yes; but, of course, you—

Mr. HUBERT. Of course, this says the only entrance, and if you wish to qualify it—

Captain MARTIN. We were speaking of these two ramps. And we were talking of him coming down into the basement off the street.

Mr. HUBERT. Yes, sir.

Captain MARTIN. Of course, you have got the city hall. I mean, the police and courts building, and also got the city hall. He could have been—come down the elevator over here [indicating].

Mr. HUBERT. I take it you want to modify this statement then so that your present opinion is that it is not correct to say that the Main Street and the Commerce Street entrances were the only mode of entrance to the basement?

Captain MARTIN. No, no; there are other ways to get in there.

Mr. HUBERT. That is what I mean. What other ways are there?

Captain MARTIN. There is—coming from the police and courts building to the basement, or you can come down the elevator in the city hall into the garage area and come across, but as far as I remember, that wasn't brought up. They were speaking of those two ramps.

Mr. HUBERT. Well, let me ask you this: Was the explanation that we have now put into the record, are you satisfied that this document, 5059, is substantially correct?

Captain MARTIN. I don't know exactly what he means here by "He knew of no unauthorized persons to be in the basement."

I don't know what—

Mr. HUBERT. Well, sir; if you wish to modify that in any way so that we now know what you are thinking is about it, I ask you to please do so.

Captain MARTIN. I don't quite—that is not very clear to me, "He knew of no unauthorized persons permitted to be in the basement."

Mr. HUBERT. Let me get at it this way. Do you know what security precautions were being taken to be sure that unauthorized persons were not in the basement?

Captain MARTIN. Yes; they had men at the top of both of the outside ramps, and I presume that they were supposed to stop anybody coming in, but apparently they didn't.

Mr. HUBERT. Did you know what was meant by "unauthorized persons"?

Captain MARTIN. Well, there were so many people down there. The press, TV, radio. Of course, all had been checked before they came in. I don't know.

Mr. HUBERT. Did you receive any specific instructions, yourself, as to checking?

Captain MARTIN. I didn't receive any instructions at all.

Mr. HUBERT. Did you know, or was there anything told to you whereby you could recognize an unauthorized person?

Captain MARTIN. Nothing was said. Of course, if I'd had seen Jack Ruby, I'd have known him. I've known him for a long time.

Mr. HUBERT. Did any of the people have identifying badges or anything of that sort?

Captain MARTIN. No; so far as I know, they didn't. In fact, there was nothing—there was nothing said about who was to be down there and who wasn't. There was nothing said about anything—I didn't know anything about it.

Mr. HUBERT. Well, when did you come on duty that day, sir?

Captain MARTIN. That morning, it was my Sunday to work, 8:15.

Mr. HUBERT. Now, did you have anything to do with the planning of the movement of Oswald?

Captain MARTIN. No.

Mr. HUBERT. Did you have any knowledge as to what the plan was?

Captain MARTIN. I knew nothing. I just went down there. That's about it.

Mr. HUBERT. Were you ordered to go down?

Captain MARTIN. Yes.

Mr. HUBERT. By whom?

Captain MARTIN. Chief Stevenson.

Mr. HUBERT. About what time, sir?

Captain MARTIN. Oh, I would say between 10:30 and 10:45, somewhere around there.

Mr. HUBERT. Chief Stevenson is your immediate superior?

Captain MARTIN. Yes.

Mr. HUBERT. What did he instruct you to do?

Captain MARTIN. Just to go to the basement is all.

Mr. HUBERT. Did he give you any specific duty to perform?

Captain MARTIN. No.

Mr. HUBERT. When you got there, what time was it?

Captain MARTIN. I don't recall. It was a few minutes before 11, I believe.

Mr. HUBERT. What did you do?

Captain MARTIN. Well, I just got out there by the ramp and just stood there.

Mr. HUBERT. How long did you stand before the actual shooting of Oswald?

Captain MARTIN. I imagine I was down there 20 or 25 minutes.

Mr. HUBERT. I'm going to mark a chart. A chart of the basement area, as follows, to wit: "Dallas, Texas, March 24, Exhibit 5060, deposition of Capt. F. M. Martin." Signing it with my own name. Now, I would like to ask you, Captain, if you could sign the other three documents just below my name, that is to say, 5058 and 5059. Please initial a second page of 5058, below my initial and then sign 5059. I will ask you to sign for the purposes of identification under my name the document 5060. Now, Captain, it may be that you will want to look at this mockup here of the basement area, and then we will enter it on the map, but if you could show us where you stood on the mockup here, from the time you got down there at about 11, I think, until Oswald was shot, and you say you did not move around?

Captain MARTIN. I wasn't in one spot all this time, but when he came out, of course, there was a car sitting right—I guess the back end of the car was coming to about here [indicating].

Mr. HUBERT. All right, now, you are showing the back end of the car, and I am going to, with a pen draw in on Exhibit 5060, the approximate position of the back end of the car as you demonstrated it.

Captain MARTIN. Be about right there [indicating]. No; not that far. About right here.

Mr. HUBERT. About like so?

Captain MARTIN. Uh-huh.

Mr. HUBERT. Now, I have drawn on the map a rough image of a car, by using simply a square, and I have marked it "car". Now, would you take the pen, sir, and—your own pen, and mark by the use of a circle your position with reference to the car at the time of the shooting. Now, let's get that.

Captain MARTIN. I was about right here [indicating].

Mr. HUBERT. Now, would you just write in your own handwriting there, "The position of F. M. Martin at the time of the shooting." Now, Captain, you think you—you said you had been in that general basement area for about 20 minutes prior to the shooting?

Captain MARTIN. I would say that. I don't know for sure.

Mr. HUBERT. Did you see anybody you knew?

Captain MARTIN. Well, most of the press I knew. No one outside of the press that I knew.

Mr. HUBERT. You did know Jack Ruby, I understand?

Captain MARTIN. Yes; I knew Jack.

Mr. HUBERT. And I think, that is already in report?

Captain MARTIN. Yes; it is in here.

Mr. HUBERT. Did you see him?
Captain MARTIN. Not until after the shooting.
Mr. HUBERT. Were you looking at any time in the direction where you subsequently learned or believed he came from?
Captain MARTIN. No; not directly. Of course—Where is your map? I couldn't have seen him from—if I would have been, because there were people all along here [indicating].
Mr. HUBERT. That is to say, to your right, is that right?
Captain MARTIN. Yes; across here [indicating]. And all up in here [indicating].
Mr. HUBERT. There were people between—on your right, between you and—
Captain MARTIN. And—
Mr. HUBERT. And the Main Street ramp?
Captain MARTIN. Right.
Mr. HUBERT. How many people were there in that general area?
Captain MARTIN. I just would have to make an estimate.
Mr. HUBERT. That's right.
Captain MARTIN. I would say between me and where he was, there was 8 or 10 people.
Mr. HUBERT. I'm going to mark off an area in the Main Street ramp by just drawing with a pencil a square, and putting, "Area A," in it and I will ask you if you can tell us in the "Area A," marked on this map, what were the conditions with respect to the number of people and so forth. Not exactly. I know you didn't count heads, but just how crowded were the conditions?
Captain MARTIN. As well as I can remember there weren't too many people up in that—up that far. There were 2 or 3 cars parked in the ramp there.
Mr. HUBERT. You mean in the Main Street ramp?
Captain MARTIN. Now, wait a minute. You have got Main Street—
Mr. HUBERT. I marked this as "Area A," on Main Street?
Captain MARTIN. No, no; across this ramp there, there was quite a number of people.
Mr. HUBERT. That is in the space I have marked "Area A"?
Captain MARTIN. Yes.
Mr. HUBERT. Roughly how many people?
Captain MARTIN. Oh, I'd say 15 or 20.
Mr. HUBERT. Were they standing shoulder to shoulder?
Captain MARTIN. Yes; more or less.
Mr. HUBERT. How many ranks deep would you think?
Captain MARTIN. I don't know.
Mr. HUBERT. Well, would you regard it as a crowd?
Captain MARTIN. Yes; I would. Mostly the press. There were some officers in that area also.
Mr. HUBERT. I think this Officer Harrison was—
Captain MARTIN. Yes.
Mr. HUBERT. Did you see him?
Captain MARTIN. Yes, yes; he—he is one of my men. He was standing, oh, just about at the edge of the ramp there.
Mr. HUBERT. Would you mark on the map by the use of a circle where you think Harrison was at the time?
Captain MARTIN. Harrison was about right here [indicating].
Mr. HUBERT. That is at the time of the shooting?
Captain MARTIN. Yes; uh-huh.
Mr. HUBERT. Would you just extend this with a little line and then write out, "Position of"—what are his initials? W. J.?
Captain MARTIN. W. J.
Mr. HUBERT. Now, Captain Martin, let me see if I can get something clear. Was Detective Harrison in front of Oswald, or to one or the other sides of him?
Captain MARTIN. This happened so fast it is really hard to tell.
Of course, Oswald and the two officers came out this door.
Mr. HUBERT. That is the jail door?
Captain MARTIN. Yes.
Mr. HUBERT. When they got just about, oh, 2 or 3 feet from Harrison, there

was a movement over here [indicating]. I couldn't tell what it was. I could tell there was a movement.

Mr. HUBERT. By "over here," you mean—

Captain MARTIN. On the ramp.

Mr. HUBERT. What side of the ramp? The basement—the garage?

Captain MARTIN. The garage. The garage side. Evidently Ruby was standing right here [indicating].

Mr. HUBERT. Now, when you say "here," you'd better put a mark and put a little arrow to it, your best recollection as to where Ruby must have been. You didn't see Ruby?

Captain MARTIN. No, no; this is just supposition. He had to be right in here somewhere.

Mr. HUBERT. In other words, just put a mark and a line and indicate where he was.

Captain MARTIN. I didn't see him, but he had to be right there [indicating]. There is no question about that.

Mr. HUBERT. You did see someone come from that position?

Captain MARTIN. It was a movement. I didn't see anybody, but there was a movement in there that I could detect, and then the shot was fired.

Mr. HUBERT. What did you write here?

Captain MARTIN. "Ruby before the shooting." Or, "immediately before."

Mr. HUBERT. All right, just tell us what you observed?

Captain MARTIN. Well, as soon as the shot was fired, of course, it dumbfounded me, and I tried to get through the people there on my right, to get over there to it, and there was a lot of confusion in there, and I had trouble getting through the press, and when I did get through they had already taken Ruby into the jail office and Oswald was also in the jail office. Ruby was down on the floor just inside the jail, and Oswald was lying on the north side of the jail office.

Mr. HUBERT. Well, now, when Oswald first came out of the jail office with Graves and Leavelle, were you looking at him?

Captain MARTIN. I saw him come out. Now, whether it was—it was shortly after they come out—I saw him after the shot was fired.

Mr. HUBERT. You were looking towards him?

Captain MARTIN. Yes; I thought they were coming all around me and go up by me and go up to the armored car, that is what I had in mind.

Mr. HUBERT. You were not aware that the plans had been changed so that they—he was going to be taken in a police car, rather than in the armored car?

Captain MARTIN. No; I didn't know anything about it.

Mr. HUBERT. But, did you know anything about the route that was going to be used?

Captain MARTIN. No, as far as I knew, they were going to put him in the armored truck. That is the reason I was standing there, because I figured they would come right back there and I could go up there with them, but they didn't ever make it.

Mr. HUBERT. Did you observe what other officers were doing, or in what direction they were looking about the time that Oswald came out?

Captain MARTIN. No; I didn't personally observe it, except on TV later. At the time I didn't notice them.

Mr. HUBERT. In other words, at the time that Oswald came out, you were looking where—you were looking towards Oswald, and if I understand it, you are not in a position to tell us now what other people were doing except what you saw later on television, is that right?

Captain MARTIN. That's right.

Mr. HUBERT. Well, now do you have any comment about what you saw on—later on television?

Captain MARTIN. Well, it seems that all the officers were watching Oswald when they should have been watching the crowd.

Mr. HUBERT. But, that impression you formed by looking at the television coverage of it?

Captain MARTIN. Yes.

Mr. HUBERT. And, you did not form that impression at the time the shot was fired?

Captain MARTIN. No; I hadn't noticed them then. In fact, I was over where I couldn't see them.

Mr. HUBERT. When was the first time that you did recognize Ruby as the man who shot Oswald?

Captain MARTIN. When I went in the jail office.

Mr. HUBERT. You didn't know it until then?

Captain MARTIN. No; I saw him on the floor. Then I heard somebody say it was Jack Ruby, and I went in there and saw him.

Mr. HUBERT. Did he say anything to you?

Captain MARTIN. No.

Mr. HUBERT. Did you hear him say anything at all?

Captain MARTIN. There was so much going on, I don't know whether he said anything or not. First thing I heard was somebody said, "He has been shot." And then there was confusion. I don't know who said that.

Mr. HUBERT. Did you have occasion to talk to Ruby at any time thereafter?

Captain MARTIN. No, no.

Mr. HUBERT. Now, Captain Martin, is there anything else you would like to say concerning any aspect of this matter at all?

Captain MARTIN. I—don't take this down.

Mr. HUBERT. Well, if you don't want to say it on the record, you'd better not say it at all.

Captain MARTIN. There is a lot to be said, but probably be better if I don't say it.

Mr. HUBERT. Well, I don't know what you mean by——

Captain MARTIN. Well——

Mr. HUBERT. That it would be better. What we are seeking to find out is the facts on it.

Captain MARTIN. I understand.

Mr. HUBERT. If what you have to say is more or less a matter of opinion, that is one thing. I don't want to ask you to express your opinion, but any facts you know that you think might bear upon this matter, I would ask that you state those facts.

Captain MARTIN. Well, there is not but one thing that I could say about the whole business. Of course, we are not experienced in handling this sort of a prisoner. I don't guess anybody is, as far as that goes, but the way I saw it, there was no organization at all. I didn't know who was in charge or anything about it. I don't guess anybody—either people should have been told something—what to do and what to expect. We weren't——

Mr. HUBERT. All right, sir. Have you any other facts that you think have any bearing upon——

Captain MARTIN. No, no; I don't think so. I think it is more or less in that report there [indicating].

Mr. HUBERT. That is to say, you are talking about the documents you have identified?

Captain MARTIN. Yes.

Mr. HUBERT. Now, other than the interview that I had with you this morning, have you been interviewed by any member of the Commission staff?

Captain MARTIN. No, no.

Mr. HUBERT. Now, but I did interview you this morning just prior to lunch, I think at which time we arranged for you to come to have your deposition taken.

Captain MARTIN. Yes.

Mr. HUBERT. Do you perceive at the present time any inconsistency between the interview with me this morning and your testimony in the deposition this afternoon?

Captain MARTIN. No, no. It is about the same.

Mr. HUBERT. Did you state anything, or provide any material, state any facts in the course of the interview this morning which has not been developed in the record this afternoon?

Captain MARTIN. I don't recall anything. If there is any you can think of, you can ask me and I will bring it out, but I don't recall a thing.

Mr. HUBERT. No, sir; I don't. I am just obliged to ask these questions to wrap it up.

Captain MARTIN. Uh-huh.

Mr. HUBERT. We certainly thank you, Captain Martin, and I thank you personally and on behalf of the Commission for your cooperation in this matter. If at any time, if you know that there are some other facts that you may have overlooked, please feel completely free to get in touch with us so that we may find out what that fact may be. In other words, it is never too late to reveal a fact which has been omitted as a lapse of memory.

Captain MARTIN. I don't know of a thing right now.

Mr. HUBERT. Thank you very much.

TESTIMONY OF BILLY JOE MAXEY

The testimony of Billy Joe Maxey was taken at 9:30 p.m., on March 25, 1964, in the office of the U.S. Attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of—is that Billy Joe Maxey? It is not William?

Sergeant MAXEY. No, sir.

Mr. HUBERT. Billy Joe Maxey?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. My name is Leon D. Hubert. I am a member of the advisory staff of the general counsel, Mr. J. Lee Rankin, on the President's Commission on the Assassination of President Kennedy. Under the provisions of the Executive Order 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and the rules and procedures adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Mr. Maxey. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee H. Oswald. In particular as to you, Mr. Maxey, the nature of the inquiry today is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Mr. Maxey, you appeared here by virtue of a general request made by J. Lee Rankin, general counsel of the Staff of the President's Commission, and under the rules adopted by the Commission for the taking of these depositions, you are entitled to a 3-day written notice prior to the taking of the deposition. But the rules also provide that a witness may waive this. I now ask if you are willing to waive it?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. Will you raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant MAXEY. I do.

Mr. HUBERT. Please state your full name.

Sergeant MAXEY. Billy Joe Maxey.

Mr. HUBERT. And your age?

Sergeant MAXEY. Thirty-three.

Mr. HUBERT. Where do you reside, sir?

Sergeant MAXEY. 8912 Freeport Drive.

Mr. HUBERT. That in Dallas?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. What is your occupation?

Sergeant MAXEY. Field sergeant, Dallas Police Department.

Mr. HUBERT. How long have you been with the Police Department?

Sergeant MAXEY. Nine years, and approximately a half. Since September 20th, 1954.

Mr. HUBERT. What is your assignment today?

Sergeant MAXEY. Field sergeant, patrol division.

Mr. HUBERT. Is that the same assignment that you had during the period of November 22 and 24, 1963?

Sergeant MAXEY. Yes, sir. I was acting lieutenant on that particular day. Number 16.

Mr. HUBERT. What does that mean, "Number 16"?

Sergeant MAXEY. That is the call from the northeast substation.

Mr. HUBERT. Did you have any particular orders or functions with respect to the transfer of Oswald to the county jail?

Sergeant MAXEY. No, sir; not before I arrived at the central station.

Mr. HUBERT. What time did you arrive there?

Sergeant MAXEY. Somewhere in the vicinity of 11 a.m. I am not positive of the exact time.

Mr. HUBERT. What sort of an automobile were you driving then?

Sergeant MAXEY. A plain car, black 1963 model Ford.

Mr. HUBERT. That is to say, unmarked?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. Where were you coming from?

Sergeant MAXEY. Northeast substation.

Mr. HUBERT. Had you been ordered in?

Sergeant MAXEY. No, sir.

Mr. HUBERT. How did you come to get there then?

Sergeant MAXEY. I had some cards to be taken to 511, where there were requests for off-duty employment, overtime work and I thought perhaps I might be able to assist them. I knew they were going to need all the help they could get down there that day.

Mr. HUBERT. You had not been ordered down there?

Sergeant MAXEY. No, sir.

Mr. HUBERT. What did you do with your car?

Sergeant MAXEY. I parked it on the north end of the garage.

Mr. HUBERT. Then what did you do?

Sergeant MAXEY. I approached Putnam. They were dispersing some traffic officers or some officers who worked traffic. They weren't in the traffic division, they were patrol officers, and asked him at this time if there was anything I could do, and he said, that if I would wait a few minutes I could probably go hop in Sergeant Dean's station wagon. I—he didn't elaborate, and I stayed there in the basement there for a few minutes. I don't know exactly how long and Lieutenant Pierce came down and Sergeant Putnam spoke to me, and said, "Why don't you go with us?" And I approached Lieutenant Pierce's car and he was in this—he was in his car at this time and asked him if he wanted me to go with him and he said, "Yes."

Mr. HUBERT. You were in uniform, I take it?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. So, what happened?

Sergeant MAXEY. So, I got into the back seat of Lieutenant Pierce's car. We started to drive out and Sergeant Putnam had to move some reporters back.

Mr. HUBERT. How many were there?

Sergeant MAXEY. I would say in the vicinity of 35. That is a guess, of course, I have no way of knowing.

Mr. HUBERT. That is the Main Street ramp?

Sergeant MAXEY. At the—that was at the bottom of both ramps, down right outside the jail door, and part of the people were blocking the Main Street ramp where we were going to make a turn and go out.

Mr. HUBERT. So, he cleared them out and the car followed behind him?

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. Do you know what time it was, about, when he left?

Sergeant MAXEY. Well, now, at that time, I wasn't noticing the time, but since all this happened—

Mr. HUBERT. Well, I don't want you to state what knowledge you have gained since, because we can get at that other ways.

Sergeant MAXEY. Well, at that time I thought I had been in the basement approximately 10 or 15 minutes.

Mr. HUBERT. And you got there at 11 o'clock?

Sergeant MAXEY. Somewhere in the vicinity.

Mr. HUBERT. So, you would think that it would be around 11:15, or 11:16?

Sergeant MAXEY. Somewhere thereabouts.

Mr. HUBERT. All right, where were you seated in the car?

Sergeant MAXEY. On the left side in the back seat. That is the left side facing the way the automobile faces.

Mr. HUBERT. What did you observe when you got to the top of the ramp?

Sergeant MAXEY. The best I can remember when we pulled to the top of the ramp and paused, I was looking across Main Street. There was a group of people, a bus or something that attracted my attention—whatever it was I—it didn't amount to much.

Mr. HUBERT. Was that to your left, or to your right?

Sergeant MAXEY. That was—

Mr. HUBERT. Straight ahead?

Sergeant MAXEY. Almost straight ahead.

Mr. HUBERT. All right, when you got to the top of the ramp, did the car stop?

Sergeant MAXEY. I believe there was a momentary hesitation. I don't recall how long.

Mr. HUBERT. Did you see Officer Vaughn?

Sergeant MAXEY. I didn't pay any attention to him on the way out. Now, on the way in, yes.

Mr. HUBERT. That is to say when you were coming at 11 o'clock, you saw him?

Sergeant MAXEY. Yes, sir. I didn't pay any attention to him on the way out, as I say, I was looking across the street.

Mr. HUBERT. You don't recall having seen him at all?

Sergeant MAXEY. No.

Mr. HUBERT. Did you look to your right down Main Street in the direction of Pearl?

Sergeant MAXEY. I don't believe so. I don't remember if I did.

Mr. HUBERT. Did you look to your left down Main Street in the direction of Harwood?

Sergeant MAXEY. I don't believe so.

Mr. HUBERT. In other words, your position is you didn't look either way?

Sergeant MAXEY. I don't believe I did.

Mr. HUBERT. Therefore, you didn't see anybody on either side?

Sergeant MAXEY. No.

Mr. HUBERT. Now, when you got around to the Commerce Street side had the shooting already taken place?

Sergeant MAXEY. Yes, sir; I suppose it had, because as we—correction—as the Lieutenant backed our car into position in front of the armored car, I heard the dispatcher call an ambulance code 3, to the basement and officers were rushing around, covering exits to the city hall, so apparently it happened just before we arrived. That had given them time to call the dispatcher by phone for an ambulance, would be my guess that we were on Harwood Street at the time that it happened.

Mr. HUBERT. Did you have any further connection with the event?

Sergeant MAXEY. We went to Parkland. Lieutenant Pierce, Sergeant Putnam, and I went to Parkland Hospital and set up security out there.

Mr. HUBERT. Did you talk with Jack Ruby at anytime?

Sergeant MAXEY. No, sir.

Mr. HUBERT. Do you know the man?

Sergeant MAXEY. I know him slightly. I know him by sight.

Mr. HUBERT. Did you see him in the ramp at anytime while you were driving up?

Sergeant MAXEY. No, sir.

Mr. HUBERT. Did you see him at anytime that day at all, at any place?

Sergeant MAXEY. No, sir.

Mr. HUBERT. Well, I am marking now three documents as indicated. This is a document, apparently a letter dated November 26, 1963, addressed to Chief J. E. Curry, the original of which is signed by you, and two pages. I am marking the first page, "Dallas, Texas, Exhibit—March 25, 1964, Exhibit 5094, from the deposition of B. J. Maxey," and signing my name below that on

the first page, and I am putting my initials on the lower right-hand corner of the second page and I'll ask you to be reading that while I mark the second document, which is a report of an FBI interview of December 6, 1963, taken of you by FBI Agents Quigley and Dallman and I am marking that document, "Dallas, Texas, March 25, 1964, Exhibit No. 5095. Deposition of B. J. Maxey." I am signing my name, Leon D. Hubert underneath, and marking the second page of that document by my initial in the lower right-hand corner. The third document, I am marking in the margin, right-hand margin, "Dallas, Texas, March 25, 1964. Exhibit 5096. Deposition of B. J. Maxey," and signing my name Leon D. Hubert, Jr. I am marking the second page of that document with my initials in the lower right-hand corner, and the third page with my initials in the lower right-hand corner. I will ask you to read these two documents likewise, and I wish to ask you some questions about them.

Sergeant MAXEY. As far as the report here written to the chief, I would say that it is accurate at the time that I wrote it, and I am willing to sign it as is, and I—what page was it you wanted me to sign here?

Mr. HUBERT. Just under my name.

Sergeant MAXEY. All right.

Mr. HUBERT. Initial the second page.

Sergeant MAXEY. All right.

Mr. HUBERT. All right, now, you can turn to the next exhibit, which is—

Sergeant MAXEY. The FBI report. There are two of them there. I believe both of them are the same, aren't they? Wait a minute. One of them might possibly be a supplement.

Mr. HUBERT. No; they are different. One is on the 2d of December and the other is on the 6th, so, you'd better separate them. Do you have any comments to make on them?

Sergeant MAXEY. One of the things that I was going to bring up here, changes has been made in this one already, this second one.

Mr. HUBERT. Well, let's see, we are talking about Exhibit 5095.

Sergeant MAXEY. Yes, sir.

Mr. HUBERT. What comment do you wish to make?

Sergeant MAXEY. In the first report it was stated in there that the FBI report of December 3, I believe—

Mr. HUBERT. 2d.

Sergeant MAXEY. 2d?

Mr. HUBERT. Yes.

Sergeant MAXEY. And the report of December 2, Exhibit 5096, it was stated that I saw ex-police officer Daniels and shoeshine boy at the end of the Main Street ramp. That was incorrect. I did not. That was hearsay. I heard that from other officers. I did not see them myself.

Mr. HUBERT. And, as a result of that error you then called the FBI and told them you wished to correct that, is that correct?

Sergeant MAXEY. No, sir; they came back out there.

Mr. HUBERT. They came back out and said what?

Sergeant MAXEY. And asked me some more questions regarding the shine boy. They ask me then did I recall the time and I know at the time I talked to them the first time I told them several things that I didn't see myself.

Mr. HUBERT. Yes.

Sergeant MAXEY. I told them things that I had heard and what have you, and I tried to differentiate between what I could actually testify and what I couldn't at this time he was talking to me.

Mr. HUBERT. Your present recollection is what then? Which is correct?

Sergeant MAXEY. My present recollection is that I didn't see Daniels. I didn't see the shine boy.

Mr. HUBERT. And that the information that you did give about seeing Daniels and the shine boy in the earlier deposition—I mean the earlier statement to the FBI, which is contained in Exhibit 5096 was erroneous in that you had not really seen them, but you had heard people talk about them?

Sergeant MAXEY. That's right.

Mr. HUBERT. Now, in all three statements, however, 5094 and 5095, and 5096,

you stated then that you did see Officer Vaughn and yet, as I recall your testimony this evening you said that you did not recall having seen Vaughn.

Sergeant MAXEY. At the present time I don't, but those were written up close to the time all this happened, and I haven't seen one of those reports since, and lots that I don't remember right now that I remembered then, I am sure.

Mr. HUBERT. That's correct, and that's why I wanted you to correct this apparently contradictory statement.

Sergeant MAXEY. That's true, I understand that.

Mr. HUBERT. Because, we don't want to have the record, if we can, to have conflicts in it.

Sergeant MAXEY. Neither do I, I can assure you.

Mr. HUBERT. So, your statement is that you can't swear tonight that you saw Vaughn there?

Sergeant MAXEY. No; I can recollect at the time, how—at the time I was questioned about Vaughn, the main thing they wanted to know about him at that time was how far he had walked from his position to the curb. Whether he walked to the curb or out into the street which I didn't know.

Mr. HUBERT. And right now your mind is blank on Vaughn altogether, I take it?

Sergeant MAXEY. Actually, yes. I wasn't—right now I couldn't say.

Mr. HUBERT. Now, has anybody asked you to change your statement?

Sergeant MAXEY. No, uh-huh, so far as that goes, I haven't.

Mr. HUBERT. Have you spoken to anybody about it?

Sergeant MAXEY. As far as that goes I haven't talked to anybody about the statement.

Mr. HUBERT. You have talked to anybody about the possible conflict in your statement?

Sergeant MAXEY. Uh-uh.

Mr. HUBERT. I don't know how that comes out on the machine. I suppose you mean "no" by that.

Sergeant MAXEY. No; no. I'd like to say this: That as far as the conflicting statements are concerned, the only reason a person would have for getting together and getting his story straight would be to have something to hide, and I want it known right now, I have nothing to hide, and I want it on the record.

Mr. HUBERT. Yes, sir; it is on the record. This is not an effort to cross you up in any way.

Sergeant MAXEY. I realize that.

Mr. HUBERT. But, you realize that these statements do exist, and the purpose of this deposition, among other things, is to determine the real facts, and when you run into a conflict like this, unless we ask for explanations we do not get a clear picture.

Sergeant MAXEY. That's true.

Mr. HUBERT. All right. I want to ask you again if you have any explanation, any other explanation to offer now as to conflicts, or is it just simply your opinion that insofar as Vaughn is concerned, your memory was better then than it is now about that event?

Sergeant MAXEY. Yes; I hadn't thought about it too much one way or the other since then. I will say excluding 4 or 5 days thereafter.

Mr. HUBERT. And as to Daniels and the colored boy, your statement now is that that was hearsay. You did not, yourself—

Sergeant MAXEY. That was hearsay, and I gave it to him as an—as a hearsay statement. That was a matter of semantics in my opinion.

Mr. HUBERT. So that the record can show we are all talking about the same documents, I would like you to sign below my signature and initial the pages of 5096 and 5095, with the understanding that this is not an approval by you of these statements at all, but simply as a means of identification that you and I were both talking about the same document. So, I would like you to sign my—just below mine and put your initials on the preceding pages.

Sergeant MAXEY. Where is your name?

Mr. HUBERT. My name is right down here in the margin. Just put it right in there. Then initial the other pages until you get to the second FBI state-

ment and then sign under my name. In other words, where my name is signed, sign your name. Where my initials are, put your initials.

Sergeant MAXEY. Well, now, there is some more points that I want to bring up.

Mr. HUBERT. Well, let's do this anyhow, what we are doing.

Sergeant MAXEY. All right.

Mr. HUBERT. As I say, this is solely for the purposes of the record showing that we are talking about the same pieces of paper.

Sergeant MAXEY. All right.

Mr. HUBERT. Now, you have further corrections or comments you wish to make on these documents?

Sergeant MAXEY. Yes, sir; perhaps they are of no importance, and perhaps they are, but it is apparently a misunderstanding on the part—matter of semantics, again, and let's see—paragraph 5, on page 1, states here that—"A few minutes after that Lieutenant Pierce entered the garage driving a black car." Now, I don't remember him entering the garage. I believe his car was already parked down there.

Mr. HUBERT. Who is that?

Sergeant MAXEY. Lieutenant Pierce. I don't believe he drove into the police garage from outside. I believe his car was already parked in the basement.

Mr. HUBERT. All right. And other comments?

Sergeant MAXEY. Page 2, paragraph 8.

Mr. HUBERT. That is still 5095?

Sergeant MAXEY. Yes, sir; page 2, paragraph 8. That was the correction I advised the FBI office that I did not actually see Daniels and the shoeshine boy. That this was something I had overheard other officers talking about, and that has already been taken care of. Page 3, paragraph 10. This is concerning—

Mr. HUBERT. That is the 10th paragraph of—actually, the third paragraph, I guess, on that page.

Sergeant MAXEY. Well, it is part of a paragraph and a full paragraph.

Mr. HUBERT. Last paragraph on the third—

Sergeant MAXEY. No, sir; next to the last.

Mr. HUBERT. Oh, second to the last?

Sergeant MAXEY. Next to the last on the second page.

Mr. HUBERT. All right.

Sergeant MAXEY. It's concerning Jack Ruby. "He first met him—

Mr. HUBERT. Was that in quotes? You are reading that, aren't you?

Sergeant MAXEY. Uh-huh. It states here that I first met him about 2 years ago there that—at his place of business, that I had my wife with me.

Mr. HUBERT. With you?

Sergeant MAXEY. The correction would be that my wife was not with me.

Mr. HUBERT. Your wife was not with you?

Sergeant MAXEY. Not at the time I first met him.

Mr. HUBERT. So, that the record can be clear on a point, did you ever go there with your wife at some other time?

Sergeant MAXEY. Not the Carousel Club. The Vegas Club; yes.

Mr. HUBERT. Okay.

Sergeant MAXEY. And, let's see. I guess that's about it.

Mr. HUBERT. All right, that is to 5095. Have you any comments as to 5096? I think that is the one that contains your explanation on the previous point.

Sergeant MAXEY. No; second one is correct.

Mr. HUBERT. All right.

Sergeant MAXEY. Wait a minute. I didn't read this. That's all right.

Mr. HUBERT. Do you have anything more you want to say? Anything you want to add?

Sergeant MAXEY. No, sir; that's it.

Mr. HUBERT. All right.

Sergeant MAXEY. About all of it, those two statements.

Mr. HUBERT. I don't believe that there has been any previous interview between you and me?

Sergeant MAXEY. No, sir.

Mr. HUBERT. Or any member of the Commission's staff?

Sergeant MAXEY. No, sir.

Mr. HUBERT. All right, sir; thank you very much.

TESTIMONY OF LOGAN W. MAYO

The testimony of Logan W. Mayo was taken at 8:40 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Logan W. Mayo. Mr. Mayo, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the Executive Order No. 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and the rules and procedures adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Mr. Mayo. So, I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy, and the subsequent violent death of Lee Harvey Oswald. In particular to you, the nature of our inquiry is to determine what the facts are that you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Mr. Mayo, you have appeared here tonight by virtue of a general request made by J. Lee Rankin, general counsel of the staff of the President's Commission by a letter written to J. E. Curry, chief of police asking him to make his officers, reserve and regular, available to the Commission. Under the rules adopted by the Commission you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules also provide that the witness may waive this notice if he sees fit to do so. I am asking you if you are willing to waive that 3-day notice?

Mr. MAYO. Yes, sir; I am willing to waive the 3-day notice and cooperate with you in any way that I can.

Mr. HUBERT. Will you stand and raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAYO. I do.

Mr. HUBERT. Will you state your full name?

Mr. MAYO. Logan W. Mayo.

Mr. HUBERT. Your age?

Mr. MAYO. Fifty-six.

Mr. HUBERT. Your residence?

Mr. MAYO. Dallas, Tex.

Mr. HUBERT. And what is your civilian occupation, sir?

Mr. MAYO. I am an accountant.

Mr. HUBERT. How long have you been in that profession, sir?

Mr. MAYO. Thirty-five years.

Mr. HUBERT. That is your own private business?

Mr. MAYO. No, sir; I am with Sears Roebuck & Company.

Mr. HUBERT. I see, and are you in charge of a division or something with that company?

Mr. MAYO. Yes.

Mr. HUBERT. Would you state what it is?

Mr. MAYO. In charge of accounting and the auditing and the accounts payable of the mail order catalog business.

Mr. HUBERT. In the Dallas—

Mr. MAYO. Dallas region.

Mr. HUBERT. How long have you been so employed by Sears Roebuck?

Mr. MAYO. Thirty-five years.

Mr. HUBERT. Now, you are also, as I understand, a member of the reserve on the Dallas Police Force?

Mr. MAYO. Yes, sir.

Mr. HUBERT. How long have you been with the reserve?

Mr. MAYO. Six years.

Mr. HUBERT. Now, did you have occasion to be called to duty on November 24, 1963, the Sunday after the President was shot?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Had you been on duty prior to that Sunday?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Well, I want to concern ourselves solely with the Sunday, right now.

Mr. MAYO. No; not on Sunday, not until I was called at 9 o'clock.

Mr. HUBERT. Yes; at 9 o'clock, you did get a call to come on duty?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Who was it from, do you remember?

Mr. MAYO. I think it was Sergeant Maxey.

Mr. HUBERT. Did he ask you to notify any other reservists?

Mr. MAYO. Yes.

Mr. HUBERT. Who were they, do you remember?

Mr. MAYO. He asked me to call the reservists in my squad, which consists of about six, seven people.

Mr. HUBERT. You are a lieutenant, aren't you?

Mr. MAYO. I'm a sergeant.

Mr. HUBERT. And you did call?

Mr. MAYO. I called the men, but none of them showed up. They had all gone to church, or was fixing to go to church. I contacted a lot of them and they were leaving to go to Sunday school and they had other plans and none of them could make it.

Mr. HUBERT. Do you know a man by the name of Holly?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Did you get in touch with him?

Mr. MAYO. I got in touch with him and he said he would come down as soon as he got loose. I didn't see him at the city hall, though.

Mr. HUBERT. Did you speak to him?

Mr. MAYO. I called him on the phone.

Mr. HUBERT. Did you tell him what time he should get down there or what time the transfer was going to be?

Mr. MAYO. I told him he should try to be there between 10 and 10:30.

Mr. HUBERT. Did you tell him what time the transfer was going to be, or that you thought it was going to be, or anything of that sort?

Mr. MAYO. I told him it might be sometime between 10 and noon. I didn't know for sure.

Mr. HUBERT. You didn't see him any more after that?

Mr. MAYO. I didn't see him down at the city hall.

Mr. HUBERT. What time did you get to the city hall?

Mr. MAYO. I got there about 9:45.

Mr. HUBERT. Where were you stationed?

Mr. MAYO. I was stationed right here, at Commerce Street, guarding this entrance to the basement.

Mr. HUBERT. Let the record show that the witness is pointing to the mockup, and he points to the sidewalk area in front of the Commerce Street exit—

Mr. MAYO. That's right.

Mr. HUBERT. Of the police department. How long did you stay there, sir?

Mr. MAYO. I was there from about 10:15 until about 11:30.

Mr. HUBERT. You were what—

Mr. MAYO. Then, I left and went—

Mr. HUBERT. What were your duties?

Mr. MAYO. My duty was to guard the entrance to the basement.

Mr. HUBERT. When you say "guard," what do you mean?

Mr. MAYO. I was not to permit any people to go in there except maybe the press that had a certified press card.

Mr. HUBERT. Were you given any description of the kind of cards that you could honor?

Mr. MAYO. I was told that they probably would have a press card with their picture on it and their newspaper.

Mr. HUBERT. Did you have occasion to refuse entrance to anyone?

Mr. MAYO. Yes, sir; several people.

Mr. HUBERT. You turned them away?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Did some pass by you, that is to say, with your consent, after being properly identified?

Mr. MAYO. You mean enter the building?

Mr. HUBERT. Yes.

Mr. MAYO. I let two in from newspapers.

Mr. HUBERT. And they were properly identified?

Mr. MAYO. They were properly identified. One of them had a two-wheeled cart, similar to a two-wheel golf cart and pulling some equipment on it.

Mr. HUBERT. What kind of equipment?

Mr. MAYO. It looked like cameras and typewriters.

Mr. HUBERT. Do you know Jack Ruby or have you seen any pictures since in the paper?

Mr. MAYO. Yes, sir; I don't know him, but I have seen his picture.

Mr. HUBERT. Would you be willing to state that neither of those two men that you let in was Jack Ruby?

Mr. MAYO. Neither of those two men were him. They were smaller in stature. I want to tell you that at 11:30, I left the entrance and went to the other one on Main Street.

Mr. HUBERT. Let the record show that the witness is pointing to the mockup and when he says he left "this entrance," he was pointing to the Commerce Street entrance, and then he went to the——

Mr. MAYO. Main Street entrance?

Mr. HUBERT. Main Street entrance.

Mr. MAYO. The other——

Mr. HUBERT. Did you go to the building?

Mr. MAYO. I went in the building, stayed over there until 1:10.

Mr. HUBERT. Then what happened?

Mr. MAYO. I got off duty and went home.

Mr. HUBERT. You didn't go out to the Parkland Hospital?

Mr. MAYO. No, sir; I was asked to go, but didn't have any relief so they wanted the guard, there was about a hundred or so people congregating and coming up from church and everywhere else, and just a big crowd there, see, and I was needed there.

Mr. HUBERT. At the Main Street entrance?

Mr. MAYO. Yes, sir.

Mr. HUBERT. All right. Now, for purposes of identification I want to mark what purports to be a signed copy of a report to Chief Curry, dated December 3, 1963, and signed, actually, by Jack Revill, and F. I. Cornwall, by placing in the right-hand margin the following, "Dallas, Tex., March 26, 1964, Exhibit No. 5111, deposition of R. L. Mayo." I am signing my name under that, and I'll ask you if you have read that, Mr. Mayo? I mean read the letter?

Mr. MAYO. Yes, I have read that.

Mr. HUBERT. Would you endorse your name underneath it? I'm also endorsing a document which is a report of FBI Agent Wilkinson dated December 5, 1963, by placing on the right-hand margin the following: "Dallas, Tex., March 26, 1964, Exhibit No. 5112, deposition of H. L. Mayo." I'm signing my name and ask you to sign your name.

Mr. MAYO. What is this right here [indicating]?

Mr. HUBERT. I would like you to read it first. That's right.

Mr. MAYO. Do you want me to sign this? I talked to Mr. Wilkinson——

Mr. HUBERT. Yes. As far as you know, then, the contents of the documents marked 5111 and 5112, are correct reports of interviews to which they relate?

Mr. MAYO. Yes.

Mr. HUBERT. Let the record show that I am not taking out of the bound

volume, Commission Document 81-A, page 70, the signed statement by Mr. Mayo. Mr. Mayo, do you have anything more to add? Anything new that has not been brought up in either this deposition or these two Exhibits, 5111 and 5112?

Mr. MAYO. Well, could you cut this off a minute and let's talk about it and see?

Mr. HUBERT. All right.

(Discussion off the record.)

Mr. HUBERT. Let the record show that Mr. Mayo wanted to acquaint me with the general nature of another matter, but that after he had spoken a few sentences, it became apparent to me that it should be a matter of record, so, I will ask you now, Mr. Mayo, just simply to repeat what you have said to me in the last few sentences off the record.

Mr. MAYO. The first individual that tried to gain entrance into the basement said that he was a minister and he had a small book in his hand and I asked him what his business was. He said he wanted to go see Lee Harvey Oswald, that he was a friend of his, a minister that was supposed to help him, and he needed him, and he needed to go down there, and I told him "No, he could not enter without"—now, that is when I was on the Commerce Street side, and he hung around the entrance for some 20 minutes, I think, and he kept looking in the basement and acted very peculiar, but finally he left within about 20 minutes. He was tall, skinny, looked like over 6 feet tall, and looked like he was a man between 55 and 60.

Mr. HUBERT. How was he dressed?

Mr. MAYO. He had on a suit. I don't recall the color of it, but it was just a suit, business suit with a necktie.

Mr. HUBERT. Did he have a hat?

Mr. MAYO. Yes, sir; he had a hat on.

Mr. HUBERT. And a coat?

Mr. MAYO. I—yes.

Mr. HUBERT. A top coat?

Mr. MAYO. I don't believe that he had on—

Mr. HUBERT. Regular coat, suit coat, not an overcoat?

Mr. MAYO. Yes, sir.

Mr. HUBERT. Now, you say you reported the fact to the—

Mr. MAYO. I mentioned that to Jack Revill, and they said, well, it was probably just like lots of people trying to gain entrance. They didn't think it had much value.

Mr. HUBERT. And he suggested that it be left out of your report?

Mr. MAYO. Yes.

Mr. HUBERT. Is there anything else?

Mr. MAYO. When I changed positions—stations, and went from Commerce Street to the Main Street side, about 10 minutes after Oswald had been placed in the ambulance, I cleared the way for them to get out of the entrance.

Mr. HUBERT. Yes.

Mr. MAYO. I went to the other side, and a large gentleman, well, he was slightly bald, weighed over 200 pounds, and walked with a limp. He came up to me and then said that he was a roommate of Jack Ruby, and that he wanted to go down and talk to him. And I told him he could not enter. I asked him what was the nature of his business and he said that Mr. Ruby had quite a sum of money on his person and he wanted to go down there and see if he wanted him to handle it for him. I told him he couldn't go down and he stayed up around there about 20 or 30 minutes, and finally went on down Main Street.

Mr. HUBERT. Did he give you his name?

Mr. MAYO. I didn't ask him his name. He didn't give me his name. I told him he couldn't enter—and he walked with a limp. I remember that. He was a large fellow. Had no tie on and slightly bald. No hat on.

Mr. HUBERT. And he claimed to be a roommate of Jack Ruby?

Mr. MAYO. Jack Ruby; yes, sir.

Mr. HUBERT. Could you describe him otherwise, his hair, his height—

Mr. MAYO. I'd say he was over 6 feet tall, and much heavier than I am.

Mr. HUBERT. You have given all that information, I think. Did he have a coat on?

Mr. MAYO. No, sir; he had no coat on.

Mr. HUBERT. Just a shirt?

Mr. MAYO. Just a shirt, heavy shirt and no tie on.

Mr. HUBERT. And you gave that information to Jack Revill?

Mr. MAYO. I mentioned it to him, and he said, well, just probably somebody knew him and trying to use an excuse to get in, so, he didn't feel like it was—it is my opinion it might be this fellow Senator that we have been hearing about. I don't know how you spell his name.

Mr. HUBERT. Can you estimate what time it was that this man, the heavy man, tried to get in to see Jack Ruby through the Main Street entrance?

Mr. MAYO. Sir, I would only have to estimate it at, I would say, around 11:45.

Mr. HUBERT. Now, anything else that you mentioned to Revill that was not put down?

Mr. MAYO. Yes, sir. I mentioned about the tourists. That is a man and a woman that hung around the entrance on the Main Street side and said they were just passing through Dallas, and they lived in Springfield, Ill., I believe they said, and they wanted to take some pictures, and they kept hanging around the entrance and they did take a few pictures and finally left. I don't know if they are connected with it or not.

Mr. HUBERT. Anyhow, you mentioned that episode to Jack Revill and he also was of the opinion that it was not important?

Mr. MAYO. Minor, minor.

Mr. HUBERT. Any other things then?

Mr. MAYO. Yes, sir. While I was on the Commerce Street side I had a Ford Fairlane car that came up about three times with two men in the front seat, and each time they would stop and ask me if he had come down—"What's happening?" I wondered then—now, I didn't mention that to Revill, because I didn't think about it at the time, but I wondered since then if they had some connection with this—

Mr. HUBERT. You did not mention that to Revill?

Mr. MAYO. No, sir; I didn't.

Mr. HUBERT. Well, you didn't take the license number?

Mr. MAYO. No, sir; it was just routine to me. They kept coming by.

Mr. HUBERT. And how many times did they pass you, do you know?

Mr. MAYO. Third time—

Mr. HUBERT. You saw them three times? Three times they came down Commerce?

Mr. MAYO. Came down—Commerce is one way going east, and they came down on my side and they slowed down and stopped and asked me, "Has he come down? Is anything happening?" And I would motion them on, because my job was to keep the street open.

Mr. HUBERT. And that happened three times?

Mr. MAYO. Yes, sir.

Mr. HUBERT. And after the third time, what happened? Is that when the shot was fired or something, or you didn't see them any more or—

Mr. MAYO. After—I didn't hear the shot, but the hustle and bustle and noise in the basement, I looked down there and the men and all going around and around. Everything—and I heard a little radio from a pedestrian that said that Oswald had been shot, broadcast, and just about that time, I saw them going down Commerce Street.

Mr. HUBERT. When you say "them," you mean the two men in the Fairlane car?

Mr. MAYO. Yes, sir. They were just a little past the entrance when all this commotion started.

Mr. HUBERT. That was the third trip?

Mr. MAYO. That was the third trip down. I went on down—went downstairs.

Mr. HUBERT. You didn't notice whether it was a Texas license or not; or out of State?

Mr. MAYO. I didn't get a chance to see the license.

Mr. HUBERT. Ford Fairlane. Do you remember the color?

Mr. MAYO. Seemed to me like it was a blue, or light color of some kind.

Mr. HUBERT. Was it a sedan?

Mr. MAYO. It was a 4-door.

Mr. HUBERT. 4-door sedan? Hard top?

Mr. MAYO. Yes, sir; hard top.

Mr. HUBERT. What model, about? A new car? Could you give us some idea about the model?

Mr. MAYO. It was a late model car.

Mr. HUBERT. Was it a 1964 model?

Mr. MAYO. No, no; it wasn't a 1964 model. If I was going to guess I would say a 1962 or 1963—one. That man was hatless and he had a high forehead.

Mr. HUBERT. He wasn't bald was he?

Mr. MAYO. I wouldn't say he was bald, just had a high forehead.

Mr. HUBERT. Was that the driver?

Mr. MAYO. That was the driver.

Mr. HUBERT. How was he dressed?

Mr. MAYO. He had on an old, old—looks like he had a heavy wool shirt like you wear in the winter, long sleeves.

Mr. HUBERT. Have a tie on?

Mr. MAYO. No tie.

Mr. HUBERT. What color was the shirt? Do you remember?

Mr. MAYO. The shirt—it was kind of checked color.

Mr. HUBERT. Was he dark complected?

Mr. MAYO. He was dark complected.

Mr. HUBERT. How old a man?

Mr. MAYO. I would guess in the forties, just by looking at him, and I have wondered since about his interest in it. Maybe just somebody that was inquisitive and wanted to see what was going on.

Mr. HUBERT. Could be. On the other hand we want to get all the facts, and that is a fact. What about the other man? Did you see him?

Mr. MAYO. I didn't pay much attention to him, because he was on the other side and I was dealing with the driver. It was a one-way street, and I was dealing with the driver over here and I didn't pay too much attention to the other man. I couldn't even describe him.

Mr. HUBERT. How close do you suppose you were to this man each time he drove up?

Mr. MAYO. Oh, I'd say 4 to 6 feet. See, my duty was to stand on the sidewalk and keep the overflow of people—we had about 200 people, and if I moved out, somebody on the sidewalk could go in behind me, and I didn't get too far from the entrance of the—

Mr. HUBERT. I'm going to show you a set of pictures and ask if that man there—look at them all first before you answer—bears any resemblance at all to the man you saw?

Mr. MAYO. No, sir.

Mr. HUBERT. Let the record show that the witness was looking at the pictures of Curtis Lavern Crafard. What about the other man in the car? Did he look like this fellow?

Mr. MAYO. Sir, I wasn't close enough to make any identification or recognize him. He was on the other side and I wasn't able to.

Mr. HUBERT. Now, was there anything else that you want to state to us?

Mr. MAYO. No; I can't think of anything else, sir. It was all just—I'd say, a state of commotion and confusion when this happened, and I had people everywhere around me and I just assumed that they are curiosity seekers. Making various comments about the assassination of a President.

Mr. HUBERT. I want to identify these pictures a little further. The pictures that were shown to the witness were various views of a man by the name of Curtis Lavern Crafard, taken November 28, 1963, by the FBI, and forwarded to the Commission recently. All right, sir. Is there anything else that you want to state about anything we have been talking about?

Mr. MAYO. No; I can't think of anything else that would pertain to this in

any way and my work there. I was just on duty that morning and doing the best I could, and I can't think of any other incident

Mr. HUBERT. All right. Well, let me ask you this: Have you ever been interviewed by me or any other member of the Commission at any time except, of course, with this deposition?

Mr. MAYO. No, sir; I've not been interviewed by you.

Mr. HUBERT. About a moment ago we went off the record. Have we covered, since we have been back on the record everything that you told me while we were off the record?

Mr. MAYO. Yes, sir.

Mr. HUBERT. All right, sir. That is it. Thank you.

Mr. MAYO. I want to express my appreciation to you people. I think you have done a fine job about investigating this thing, and I'm very happy to cooperate with you. I hope that you are able to solve this thing out and get it straight out, because I still think in my mind there was something back of this, because too much confusion around these entrances, and I, personally want to express my appreciation to every one of you people.

Mr. HUBERT. What do you mean by "too much confusion"?

Mr. MAYO. Seemed to me like people standing around and looking around. I don't know. People are funny. I have been working a long time. They just move around.

Mr. HUBERT. You mean a lot of members of the public?

Mr. MAYO. Public; yes.

Mr. HUBERT. But, let me clarify one thing, did your remark intend to say that the security methods weren't sufficient?

Mr. MAYO. No, sir; I think the security methods were very fine, but I just wondered why the curiosity. I still wonder in my own mind. I don't know. I wonder why so many people were down there?

Mr. HUBERT. Yes; well, I wanted to get that straight, because at first I thought your remark might be construed by someone as being critical of the security measures.

Mr. MAYO. No, sir; the security measures was, at this time, was very good.

Mr. HUBERT. All right, thank you very much.

Mr. MAYO. Anything else?

Mr. HUBERT. No, sir; that's all.

TESTIMONY OF LOUIS D. MILLER

The testimony of Louis D. Miller was taken at 3:55 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I will swear you in, Mr. Miller.

Mr. MILLER. Before we do that, what are we doing here?

Mr. GRIFFIN. We are taking your deposition.

Mr. MILLER. I'd like to understand what we are doing here first.

Mr. GRIFFIN. Well, all right. I'll be happy to explain it to you. First of all so that we can get the record straight, my name is Burt Griffin, and I am a member of the advisory staff of the general counsel of the President's Commission to investigate the assassination of President Kennedy. And the Commission has been appointed under Executive Order 11130, issued November 29, 1963, by President Johnson, under joint resolution of Congress No. 137, to investigate the facts surrounding the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald, and the other circumstances that were attendant on these two offenses. Now, I have been authorized, under the rules of the Commission, to take your sworn deposition, and Chief Curry has a copy of that authorization. I will be happy to show it to you if you care to see it. Our particular interest in your testimony is to determine what facts you know

about the death of Lee Harvey Oswald, but also to determine any other pertinent facts that you may know about the general inquiry which the Commission is authorized to go into. Now, you are here today because we have made a request from the General Counsel on the Commission staff, and pursuant to the rules adopted by the Commission, and we have made the request to Chief Curry. Now, you are entitled to a 3-day written notice prior to having this deposition taken, and if you would like that we would be happy to do that. We had presumed that probably the police officers would prefer to have the notice waived. You are also entitled to have an attorney present during this interrogation. Now, I have no objection in any way you want to handle this. I want you to be perfectly frank in telling us, because we have gone ahead, as I said, simply on the assumption that you probably would prefer to waive these matters, but if you would like to have the written notice and would like to have a copy of the authorizing resolution, or would like to have an attorney present during this deposition we would be happy—

Mr. MILLER. No; I just want to understand what is going on.

Mr. GRIFFIN. Well, do you have any question that you want to ask me about it? I have given you a general statement here.

Mr. MILLER. What will this deposition be used for?

Mr. GRIFFIN. Well, this deposition will be made a part of the Commission's files. It will not be turned over to any member of the police department. These files will remain in the possession of the Commission, and on the basis of all of the investigation which we are conducting here, why, there will be a report written. Now, I can't tell you what is going to happen to the files after—and that means this deposition—after the Commission issues its report. I would like to be able to give you the assurance that it will be impossible for anybody to ever see this deposition. I can't, in honesty, tell you that, because I don't know that that is true. On the other hand, I don't know that it is not true, but basically, it will be used to write a report, and your testimony that you would give would be one of probably close to 250, maybe 500 depositions that are going to be taken during this period. I think 500 might be a pretty fair estimate, together with thousands, and probably approaching ten thousand pages of investigative reports and other documents also in addition to all these investigative reports. That is where it is all going to wind up. But, I can assure you of this: That no copies of this are going to be turned over to any member of the police department or any official of the State of Texas as such. Now, whether or not the thing will be accessible because they are all deposited in the archives, and years from now somebody could go and look at them, I don't know the answers to that.

Mr. MILLER. Well, is what you want from me a statement of what happened down there? Is that what you are getting at?

Mr. GRIFFIN. Yes; but let me tell you this, too, that if you feel that you would prefer to talk about this thing off the record and that you think you would have important information to give us that you prefer to be kept—to have some assurances that your confidences would be kept completely, I would be happy to defer this deposition and do it in such a way that no one would know the reason for it, and I would check with our people in Washington to see if there weren't some arrangements which could be made for it, because we are most concerned with getting the truth, and as much information—I wasn't suggesting that you wouldn't tell the truth, that we all know, and I would appreciate if there were better circumstances under which we could do this. I would inquire into it and I would make this a matter of complete confidence between us.

Mr. MILLER. Well, there is nothing that I know that possibly a hundred other people don't know, so, that part don't bother me, but I don't understand coming down and giving a statement, that I am supposed to stand, and swearing, and all that part of it.

Mr. GRIFFIN. Well, this is just as—I am sure you have testified before grand juries.

Mr. MILLER. I sure have.

Mr. GRIFFIN. Of course, you have been sworn when you testified there. Only they don't have a court reporter in the grand jury. I don't know about Texas,

but in Ohio we don't have a court reporter present. I do have the feeling in talking to you that maybe you would like to do this under some other circumstances, and I would be happy to explore this.

Mr. MILLER. I understand that you want a statement from me.

Mr. GRIFFIN. Well, I am going to examine you.

Mr. MILLER. And I'll be more than glad to tell anything I know about it, but I don't understand swearing in. This is not a court.

Mr. GRIFFIN. Not a court in the sense that anybody is on trial, but it is a—let me explain this to you, that we have authority to administer the oath, and we have authority to punish for all consequences in violation of the oath. The contempt provision of the Federal Code applies to this proceeding. We also have authority—I don't have this authority personally, but there is a provision granted that we can grant immunity from prosecution. If you feel that there will be some evidence that you wouldn't want to give for one reason or another, we have authority to grant immunity from prosecution. I don't have that authority here, but—and I do want to make it clear that you can have a right to have an attorney present, and many of the witnesses do have attorneys. Now, on the other extreme, if you would like to have a public hearing, we will open the hearing up to the public, but we haven't done it as a matter of routine except upon request, because we thought that most people prefer not to have it conducted in public, but that has been done, and we can do that.

Mr. MILLER. I still don't understand the reason of it. Are you going to use this thing to try to prosecute me?

Mr. GRIFFIN. No.

Mr. MILLER. What are you going to use it for?

Mr. GRIFFIN. We have no authority to prosecute anyone except for perjury before the Commission. Now, we—our instructions are—let me get a copy of the resolutions. Let me suggest that we handle it this way. I have got a copy here of the resolutions, Executive order signed by President Johnson, and the joint resolutions of Congress. The rules of the Commission and a memorandum dated March 20, 1964, from Mr. Rankin, who is the General Counsel of the Commission authorizing Mr. Hubert and me to administer your oath and take your deposition. Now, I think that what I prefer to do here so that you can be sure what you want to do, and I don't want to put you under any pressure. Now, I would like to give you this and have you try to find another room out here and look at this, and read it over, and think about this and ponder it as long as you want, and I want to give you assurance that I am going to call another—I am going to call Officer Montgomery in here and proceed with him. I am not going to tell him that I have not completed your deposition or anything like that. I want to be sure that as far as anybody is concerned whatsoever, what has transpired here is completely routine so that any decision you make, I can give you as much assurance as possible—

Mr. MILLER. All I wanted to know is the purpose of the thing.

Mr. GRIFFIN. Well—

Mr. MILLER. And if I find out we can go on with it.

Mr. HUBERT. Why don't you go ahead and read this and let me go ahead with Montgomery, and if you want I will tell Montgomery that you went on.

Mr. MILLER. Well, now, do you want me to come back some more, or what?

Mr. GRIFFIN. No; I'd like—

Mr. MILLER. What time is it now? It is 4:15. I am due at home at 4:30.

Mr. GRIFFIN. I don't want you to take that away, and I think that maybe it would be better if you waited around. Could you call your wife and meet me back here at 5 o'clock, and why don't you wait for me in my office?

Mr. MILLER. Well, now, could we get on with the thing? I am trying to explain to you, I have got small kids be coming home from school and—

Mr. GRIFFIN. Uh-huh. Well, would you rather think about it and come back some—

Mr. MILLER. Well, if we can't take care of it today, I would like to come back tomorrow.

Mr. GRIFFIN. Well, I can go ahead, you know. I want to make sure that you are satisfied in your own mind about everything before we start to ask any questions, and if you have any reservations or questions that I haven't answered

I want you to look at those materials, and I would be happy to set it up for tomorrow if you would prefer to do it that way.

Mr. MILLER. I sure would.

Mr. GRIFFIN. All right. Would you—let's see, you would want to take that home with you, wouldn't you? Let me do this. Let's go back to our office and let me get the girl to Xerox off another copy of this.

Mr. MILLER. All right.

Mr. GRIFFIN. And let us set this up for 8:30. What time are you on duty tomorrow?

Mr. MILLER. 8.

Mr. GRIFFIN. What is the easiest way for you to handle it?

Mr. MILLER. You mean time?

Mr. GRIFFIN. Yes.

Mr. MILLER. Probably 9 o'clock would be the easiest.

Mr. GRIFFIN. All right. Why don't you come in at 9 o'clock then?

Mr. MILLER. Okay.

Mr. GRIFFIN. All right. That's all.

TESTIMONY OF LOUIS D. MILLER RESUMED

The testimony of Louis D. Miller was taken at 9 a.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I might state for the record and for your information, Mr. Ward, Mr. Miller, and I talked on the record a short while yesterday afternoon, and I don't believe that, when I was talking with him, that his name was entered into the record, so I think what you will have to do is get in touch with the court reporter—is it Iris Lennon or Leonard?—and find out from her just where that is so that these two different sections can appear together.

Before I ask you to be sworn, Mr. Miller, I want to ask you if there are any questions that I can—that you have of me, I can tell you anything further about the nature of the investigation that is going on here?

Mr. MILLER. No; and had you explained to me yesterday what kind of information you were taking, what it would be used for, anything at all about it before you started to swear me in, I believe we would have got a lot further yesterday than we did.

Mr. GRIFFIN. Now, do you want to raise your right hand and be sworn? Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. MILLER. I do.

Mr. GRIFFIN. Would you state your name, please?

Mr. MILLER. Louis D. Miller.

Mr. GRIFFIN. And how do you spell that?

Mr. MILLER. [Spelling] L-o-u-i-s.

Mr. GRIFFIN. Where do you live, Mr. Miller?

Mr. MILLER. 1231 Ravina Drive, Garland, Tex.

Mr. GRIFFIN. When were you born?

Mr. MILLER. September 4, 1930.

Mr. GRIFFIN. Are you employed?

Mr. MILLER. Yes.

Mr. GRIFFIN. Where are you employed?

Mr. MILLER. City of Dallas Police Department.

Mr. GRIFFIN. And how long have you been with the Dallas Police Department?

Mr. MILLER. Since August 1955.

Mr. GRIFFIN. And what is your rank in the department?

Mr. MILLER. Detective.

Mr. GRIFFIN. Are you assigned to any particular bureau?

Mr. MILLER. Juvenile bureau.

Mr. GRIFFIN. How long have you been in the juvenile bureau?

Mr. MILLER. Since October of last year.

Mr. GRIFFIN. And where were you before that?

Mr. MILLER. Radio patrol division.

Mr. GRIFFIN. All right. Whose platoon did you work on?

Mr. MILLER. The last platoon that I worked on was Captain Souter's.

Mr. GRIFFIN. Now, I understand that you were off duty on Friday, November 22, is that right, of last year?

Mr. MILLER. The best that I remember, yes, I was off the day the President was shot.

Mr. GRIFFIN. And how about the next day, Saturday, November the 23d, were you on duty or off duty that day?

Mr. MILLER. On Saturday, I should have worked. I don't remember specifically any particular incident that happened that day that would bring to my mind that I did work.

Mr. GRIFFIN. Well, is there any reason for you to think that you didn't work that day?

Mr. MILLER. No.

Mr. GRIFFIN. Do you have any records of any sort back at the police department or notes that you have maintained which would indicate whether or not you worked?

Mr. MILLER. There should be some, yes.

Mr. GRIFFIN. What sort of records would those be?

Mr. MILLER. Offenses that was assigned to me, prisoners handled.

Mr. GRIFFIN. I wonder if you could, when you return to the police department, if you could check to see if those records are available and provide copies of them to us, or if you can't make the copies, why if you will provide us with the originals, why we will make the copy and return the originals to you. Would you be willing to do that?

Mr. MILLER. If I could. I would have to look through things that I have in my locker, a place there, and see if I have any there that were assigned to me on that date, otherwise it would be next to impossible, and see what prisoners I did handle.

Mr. GRIFFIN. Are you supposed to make a report at the end of the day as to your activities?

Mr. MILLER. No.

Mr. GRIFFIN. Well, I don't want you—I am not asking you to go through that and see what prisoners you handled if you can't find it readily, but it would be easy to find some record of whether you were on duty at all, wouldn't it?

Mr. MILLER. It would be marked in the duty book.

Mr. GRIFFIN. All right. If you would, check that and let us know, and if you do have any notes that pertain to those days, I would appreciate that, also. All right. Now, do you have any recollection of when you first heard in any way that Lee Harvey Oswald might be moved to the Dallas County Jail?

Mr. MILLER. No; I don't remember when I heard it or how I heard it.

Mr. GRIFFIN. Do you recall coming to work Sunday morning on the 24th?

Mr. MILLER. I remember being at work. As to the time that I came to work, no.

Mr. GRIFFIN. Do you remember what time you usually report to work?

Mr. MILLER. I usually get in the office sometime between 7 and 7:30 and some days earlier than that.

Mr. GRIFFIN. Do you have any reason to think you arrived any later than 7:30—

Mr. MILLER. No; I don't think so.

Mr. GRIFFIN. On Sunday?

Mr. MILLER. I couldn't be definite on it because I don't remember.

Mr. GRIFFIN. Do you ride to work when you come, take public transportation, or do you drive?

Mr. MILLER. I drive.

Mr. GRIFFIN. And do you drive in alone or with somebody else?

Mr. MILLER. I drive in alone.

Mr. GRIFFIN. Alone?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Now, on Sunday, do you recall whether you drove in alone or with somebody else?

Mr. MILLER. I don't recall driving in at all that day, as far as that goes, but I am sure that I did, and I am sure I drove alone.

Mr. GRIFFIN. Do you recall what you did in the early morning when you got to work on that Sunday?

Mr. MILLER. Nothing definite, no.

Mr. GRIFFIN. Well, did you report up to the third floor to the juvenile bureau?

Mr. MILLER. Yes.

Mr. GRIFFIN. Do you recall what you did when you got to the juvenile bureau?

Mr. MILLER. No, sir; nothing definite.

Mr. GRIFFIN. I take it that you have some indefinite ideas of what happened up there?

Mr. MILLER. Well, I can tell you what I usually do when I come up.

Mr. GRIFFIN. Well, was this a usual day?

Mr. MILLER. As far as I was concerned, in my business, yes.

Mr. GRIFFIN. Do you remember the people who were on duty up there on Sunday morning?

Mr. MILLER. Let's see. Detective Goolsby, Detective Cutchshaw, [spelling] C-u-t—I believe he spells his name [spelling] C-u-t-c-h-a-w. I am not sure about that spelling. Detective Lowery.

Mr. GRIFFIN. Anybody else?

Mr. MILLER. Cutchshaw, Lowery, Officer J. W. Harrison.

Mr. GRIFFIN. Is that "Blackie" Harrison?

Mr. MILLER. Yes; and Policewoman McLine [spelling] M-c-L-i-n-e.

Mr. GRIFFIN. Is Policewoman McLine attached to the juvenile bureau?

Mr. MILLER. Yes.

Mr. GRIFFIN. The people that you have listed, is that the full staff of people who are on duty regularly at that time or are there other people also ordinarily who would be on duty?

Mr. MILLER. No; who is on duty would depend on the days off.

Mr. GRIFFIN. Do you remember if there were any other people, whose names you might not recall, who were also on duty in the juvenile bureau that day?

Mr. MILLER. Captain Martin that day, the best that I remember.

Mr. GRIFFIN. All right. Did you see him up in the juvenile bureau?

Mr. MILLER. Yes.

Mr. GRIFFIN. Anybody else that you can think of?

Mr. MILLER. No; that I can think of.

Mr. GRIFFIN. Now, when you got up to the juvenile bureau that morning, did you talk to any of these people?

Mr. MILLER. I am sure I did.

Mr. GRIFFIN. Who did you talk to up there?

Mr. MILLER. I probably talked to everybody that was there.

Mr. GRIFFIN. All right. When you arrived, were there television cameras on the third floor hallway?

Mr. MILLER. The best that I remember, there were.

Mr. GRIFFIN. Do you recall whether or not those TV cameras were manned?

Mr. MILLER. I don't remember definitely whether they were or not, but I don't believe so.

Mr. GRIFFIN. All right. Can you give us some sort of idea of how crowded the hallways, that hallway was, when you arrived for work in the morning?

Mr. MILLER. It wasn't crowded at all when I arrived at work.

Mr. GRIFFIN. Now, had you been there before when it was more crowded than that?

Mr. MILLER. Yes.

Mr. GRIFFIN. Directing your attention to Saturday, can you give us a description of what the status of that hallway was on Saturday?

Mr. MILLER. I don't remember any definite time or whether it was Saturday, but I had been in the hallway when it was almost impassable.

Mr. GRIFFIN. Were you in the police department on Friday at all?

Mr. MILLER. No.

Mr. GRIFFIN. I understand at the time that you remember this hallway being impassable was sometime before you arrived for work on Sunday?

Mr. MILLER. Yes.

Mr. GRIFFIN. That would have had to have been Saturday?

Mr. MILLER. It probably was on Saturday, but I don't remember. I can't remember that it was definitely Saturday or any certain time on Saturday.

Mr. GRIFFIN. Do you think it would have been on Friday?

Mr. MILLER. No; it wasn't on Friday, because I didn't go near the police station on Friday.

Mr. GRIFFIN. Now, while you were in the homicide or in the juvenile bureau on Sunday, did any newspaper people or radio or TV people come into the juvenile bureau for any purpose?

Mr. MILLER. I don't remember any specific ones coming in, but they were in and out, so I am sure they did.

Mr. GRIFFIN. And what was their purpose in coming in and out?

Mr. MILLER. They usually come in to use the telephone.

Mr. GRIFFIN. Now, were you people able to conduct your activities in the juvenile bureau with these newspaper people coming in and out?

Mr. MILLER. They didn't interfere with my business. As far as the other people assigned to the bureau, I don't know whether they interfered with them or not. I couldn't say.

Mr. GRIFFIN. What kind of business were you transacting in the morning, Sunday morning?

Mr. MILLER. Just routine work is all I recall. If you would give me something definite to go on.

Mr. GRIFFIN. Well, were you investigating any particular cases?

Mr. MILLER. At what time?

Mr. GRIFFIN. Prior to the time that you went down to the basement.

Mr. MILLER. Prior to that time, an officer had brought in two small children, as I recall. I don't now remember what they were brought in for, but I was working them, doing the paper work on them.

Mr. GRIFFIN. How soon was that after you got up to the juvenile bureau?

Mr. MILLER. That was later on in the morning, the best I remember, and I was working on the paperwork on them when I was told to report to the basement.

Mr. GRIFFIN. Prior to bringing in those two children, did you talk with anybody in the juvenile bureau about the prospective move of Lee Harvey Oswald to the Dallas County Jail?

Mr. MILLER. I could have. I don't recall it, though. In fact, I didn't even know that—for sure that Oswald was still in our jail.

Mr. GRIFFIN. Well, now, you heard the newspaper reporters come in and out of the office, didn't you?

Mr. MILLER. I don't remember any specific incident of when they came in and out. Like I said, they probably did.

Mr. GRIFFIN. Did you hear them talk on the telephone?

Mr. MILLER. I didn't pay any attention to what they were saying.

Mr. GRIFFIN. Were you close enough to them to hear what they were saying?

Mr. MILLER. I didn't try to hear them.

Mr. GRIFFIN. Were you close enough to hear them if you had tried to hear them?

Mr. MILLER. I don't recall it if I was.

Mr. GRIFFIN. Whereabouts in the juvenile bureau did you work that day?

Mr. MILLER. We have several desks up there, and it is possible that I worked at all of them some time during the day. I don't remember any particular desk or anything like that.

Mr. GRIFFIN. Now, is the juvenile bureau, is it one large room or does it have a series of rooms in it or what?

Mr. MILLER. It has several rooms, I would say. It has a reception office affair in front, and the captain's office is off of that, and then a short hallway,

and the lieutenant's office, there is a holdover room for children, and then the main office, and then off of the main office we have two interrogation rooms.

Mr. GRIFFIN. Now, do you have a desk in any one of those offices assigned to you?

Mr. MILLER. No.

Mr. GRIFFIN. Were the newspaper reporters, did they come into the main office on Sunday?

Mr. MILLER. I don't recall any specific incident where they came in, but I feel sure that they did.

Mr. GRIFFIN. Now, did you work at any time out in the front office or the reception area?

Mr. MILLER. I don't recall whether I did or not.

Mr. GRIFFIN. Did there come a time when you were requested to go down into the basement?

Mr. MILLER. Yes.

Mr. GRIFFIN. Now, what is your best estimate of when that was?

Mr. MILLER. I wouldn't have any idea.

Mr. GRIFFIN. Before you got this request, had you been down in the basement that day?

Mr. MILLER. It is possible that I had, but I don't recall.

Mr. GRIFFIN. Now, you were asked to prepare a report of your activities on the 24th, isn't that right, the police department?

Mr. MILLER. I was asked to write a letter and put in the information of what position I was in down in the basement at the time Oswald was shot and things of that nature, not everything that I did that day.

Mr. GRIFFIN. When were you requested to make this report?

Mr. MILLER. I don't remember what day it was. I don't believe it was on that Sunday.

Mr. GRIFFIN. Do you remember what you were told to do when you were asked to make out the report?

Mr. MILLER. No; I don't.

Mr. GRIFFIN. Who instructed you to make out the report?

Mr. MILLER. I don't recall who that was.

Mr. GRIFFIN. Well, was it just a general announcement that was made by one of the chiefs or did somebody in particular approach you?

Mr. MILLER. It was probably someone in particular, but I don't recall who it was.

Mr. GRIFFIN. Did you discuss this report with anybody before you made it?

Mr. MILLER. It is possible that I did, but I don't recall it if I did.

Mr. GRIFFIN. Who was it on the 24th that asked you to go down into the basement?

Mr. MILLER. The best I recall, it was kind of a general announcement. Who came up and requested or ordered, or however you wanted to put it, all of the men to go to the basement, I don't know who that was. As I say, I was working the papers, typing. I had my—

Mr. GRIFFIN. Where were you working at that time?

Mr. MILLER. I was working in the main office.

Mr. GRIFFIN. And who was in the main office with you at that time?

Mr. MILLER. Well, since we had been instructed early in the morning to remain in the office until further notice, I would have to assume that all of the people assigned up there for that day were present.

Mr. GRIFFIN. Do you remember anybody who was there?

Mr. MILLER. The only one that I can recall specifically is Policewoman McLIne, because after this announcement, request, order, whatever it was, was made for us to go to the basement, I asked her if she would finish the paperwork on the two small children for me.

Mr. GRIFFIN. Do you remember if Officer Lowery was still there?

Mr. MILLER. No; I couldn't say.

Mr. GRIFFIN. Or Officer McMillon?

Mr. MILLER. Officer McMillon doesn't work out of our office, so I am sure he wasn't there.

Mr. GRIFFIN. Officer Harrison?

Mr. MILLER. Officer Harrison works out of our office, and he was on duty that day, but as far as remembering it, anyone other than Policewoman McLine in particular, I couldn't do it, because I don't know.

Mr. GRIFFIN. Well, what did you do—well, this person who came into your—who requested that you go down, did that person actually walk into the juvenile bureau office?

Mr. MILLER. I don't know, because I didn't see him and I didn't hear him.

Mr. GRIFFIN. Well, then, who told you? Who did you hear the request from to go down?

Mr. MILLER. Policewoman McLine, I believe it was, the best I remember, said something about all men have to go to the basement.

Mr. GRIFFIN. Now, at that point, did you walk down to the basement?

Mr. MILLER. I walked down the hall and caught the elevator to the basement.

Mr. GRIFFIN. Did you go down with anybody?

Mr. MILLER. The best I recall, the elevator was full. As far as remembering any one particular person that was on the elevator, I couldn't say.

Mr. GRIFFIN. Did you walk out of the juvenile bureau with anybody?

Mr. MILLER. I am sure I did, but I don't recall any particular person that I walked out with.

Mr. GRIFFIN. Do you recall how many people you walked out with?

Mr. MILLER. I sure don't.

Mr. GRIFFIN. When Officer McLine, Policewoman McLine, told you that you were supposed to go to the basement, what did she say?

Mr. MILLER. I don't recall her specific words.

Mr. GRIFFIN. Did she tell you why you were supposed to go down?

Mr. MILLER. No.

Mr. GRIFFIN. Did you have any idea of why you were to go down?

Mr. MILLER. No; I can't say that I actually did.

Mr. GRIFFIN. As you walked down to the basement, did you look into the homicide bureau?

Mr. MILLER. I don't recall looking in there; no, sir.

Mr. GRIFFIN. When you got down to the basement, where did you go?

Mr. MILLER. The best I recall, I was standing outside of the windows there in the hallway.

Mr. GRIFFIN. Well, when you got off the elevator, what did you do?

Mr. MILLER. Walked over to this hallway where the windows and telephones there are in the basement outside of the jail office.

Mr. GRIFFIN. Did you meet anybody down there when you got off of the elevators before you got to that window, did you meet anybody down there?

Mr. MILLER. No particular person that I recall, although there were several people there.

Mr. GRIFFIN. Did you receive any instructions from anybody before you went to this particular station that you mentioned?

Mr. MILLER. No.

Mr. GRIFFIN. How did you know to walk over there?

Mr. MILLER. I didn't.

Mr. GRIFFIN. Why did you happen to walk there?

Mr. MILLER. There was no particular reason.

Mr. GRIFFIN. About how long was this before Lee Harvey Oswald came down?

Mr. MILLER. I don't recall how long. It would be hard to estimate it. It could have been 10 minutes or it could have been longer.

Mr. GRIFFIN. I have got another witness out here, Mr. Ward, and I think maybe it might be well to take a break here a second. I want to talk to this man.

(Discussion off of the record.)

Mr. GRIFFIN. Mr. Miller and I have been talking here for a few minutes off of the record about some of the events prior to his going down into the basement.

Now, as I understand it, Mr. Miller, shortly after you got into the office on Sunday morning, you went some place for some coffee?

Mr. MILLER. I went to the Deluxe Diner on Commerce Street and had breakfast.

Mr. GRIFFIN. Now, who did you go over there with?

Mr. MILLER. Officer Harrison.

Mr. GRIFFIN. And what time of the morning was that?

Mr. MILLER. I don't remember a definite time, but it was probably somewhere shortly after 8 o'clock.

Mr. GRIFFIN. And did anybody else go over there with you besides Harrison?

Mr. MILLER. No, sir.

Mr. GRIFFIN. This a place that you regularly go?

Mr. MILLER. No; not regularly. Occasionally, we go over for a sandwich or we phone for sandwiches and take them up to the office.

Mr. GRIFFIN. Do you normally take a coffee break right after you go to work?

Mr. MILLER. Usually after we get our assignments in the morning, we take a coffee break and go to work.

Mr. GRIFFIN. Did you receive assignments this morning when you came in?

Mr. MILLER. I don't believe the deskman finished making assignments when we went over to coffee.

Mr. GRIFFIN. Was this the regular deskman?

Mr. MILLER. Yes. Usually we have a regular deskman, except his day off, and on his days off, everyone takes a turn rotating working at the desk.

Mr. GRIFFIN. Excuse me. What was the name of the deskman that day?

Mr. MILLER. The best I remember, Detective Goolsby was on the desk that day.

Mr. GRIFFIN. Now, where was this located on Commerce Street, this diner?

Mr. MILLER. It is in the 2000 block, I believe it is, almost directly across the street from the Statler Hotel.

Mr. GRIFFIN. And how many blocks would that be west of the police department?

Mr. MILLER. That would be in the first block.

Mr. GRIFFIN. When you went in there that morning, were you in uniform?

Mr. MILLER. No. I never wear a uniform.

Mr. GRIFFIN. Did you know any of the people who worked at that diner?

Mr. MILLER. Only when I see them. Now, I know a colored boy's over there first name. It is Jimmy, I believe, but I couldn't be definite on that.

Mr. GRIFFIN. Was he in there on that day?

Mr. MILLER. I don't remember just exactly who it was on duty. There is usually three or four working over there.

Mr. GRIFFIN. All right. Now, when you went in there, did they have counters and—did they have a counter and tables and booths?

Mr. MILLER. It is just a counter.

Mr. GRIFFIN. And how many people were working behind the counter that day?

Mr. MILLER. It would be hard to say. Like I was telling you a while ago, there was usually maybe two, maybe four. It all depends on the amount of business they expect, I suppose.

Mr. GRIFFIN. Did you go in there often enough so that you were familiar with any of the people waiting behind that counter although you might not have known them by name but you would recognize them and they would recognize you?

Mr. MILLER. I don't think so. I doubt if I have been in there over a half dozen times at the most.

Mr. GRIFFIN. Did Officer Harrison know any of the people in there?

Mr. MILLER. I believe he did; yes.

Mr. GRIFFIN. I know you can't—I don't expect you to be a thousand percent accurate on this, but do you have any idea which of the people in there that he knew?

Mr. MILLER. No. I have been over there with Officer Harrison, and he usually speaks to, like this one colored boy, and I believe his name is Jimmy or Tommy or something like that. I couldn't be sure on that, but usually speak to him. And when we call up for sandwiches, Officer Harrison has called up there once or twice to have them make sandwiches and pick them up, and he usually asks for this one particular boy over there.

Mr. GRIFFIN. Who suggested going over there for coffee that morning?

Mr. MILLER. I don't remember whether I suggested it or whether Officer Harrison did.

Mr. GRIFFIN. Well, who suggested going out for coffee?

Mr. MILLER. Like I say, I don't remember whether I did or whether he did. It would be hard to say.

Mr. GRIFFIN. Did either you or Officer Harrison ask anybody else in the juvenile bureau to go out for coffee with you?

Mr. MILLER. We probably did, but I don't remember it.

Mr. GRIFFIN. Now, when you got over there, how long did you stay at the diner?

Mr. MILLER. Probably around 30 minutes at the most.

Mr. GRIFFIN. And did you—what did you and Officer Harrison talk about over there?

Mr. MILLER. Now, I couldn't say. Couldn't say we talked about any one thing in particular.

Mr. GRIFFIN. Did you talk about the investigation of Oswald?

Mr. MILLER. We could have or we could have talked about Officer Harrison's rabbit dogs or fishing or numerous things.

Mr. GRIFFIN. Did you talk about the movement of Oswald to the county jail?

Mr. MILLER. It is possible that we did, but as far as being definite on it; I couldn't be.

Mr. GRIFFIN. Now, did you talk with anybody else over there?

Mr. MILLER. No one that I recall; no.

Mr. GRIFFIN. Did you—did either of you receive a telephone call over there?

Mr. MILLER. Yes.

Mr. GRIFFIN. Who received the telephone call?

Mr. MILLER. The best I remember, when the person that works there at the diner answered the phone, he said, "Phoned for one of you," Officer Harrison answered it and came back to the counter and said we were to come back to the office as soon as we finished eating and were to remain there until further notice.

Mr. GRIFFIN. Did he tell you who made the telephone call?

Mr. MILLER. No, sir; he never did, and I never did ask him.

Mr. GRIFFIN. Do you know whether it was somebody from the police department that made that call?

Mr. MILLER. I presumed it was, but like I say, I never did ask Officer Harrison who it was, and that would be the only ones that would be likely to order us to return to the office and stay there until further notice.

Mr. GRIFFIN. Now, when you got back to the office, did you have some idea of why you were supposed to remain back there until further notice?

Mr. MILLER. No; I couldn't say that I did.

Mr. GRIFFIN. Did Officer Harrison talk to you at all that day about Jack Ruby?

Mr. MILLER. You mean prior to—

Mr. GRIFFIN. Prior to the time.

Mr. MILLER. No; I don't think so. I couldn't be definite on that, either, but I am sure he didn't.

Mr. GRIFFIN. Did you know prior to the time that Ruby shot Oswald that Officer Harrison knew Jack Ruby?

Mr. MILLER. No.

Mr. GRIFFIN. How long have you know Officer Harrison?

Mr. MILLER. I have probably seen him around the police department ever since I have been here. As far as actually knowing the man, I didn't up until the time I went to work up in the juvenile bureau in October.

Mr. GRIFFIN. And did you ever, prior to the time that Ruby shot Oswald, had you ever gone any place socially with Harrison?

Mr. MILLER. No. The best I remember, when I first came to work down here, Officer Harrison was riding a motorcycle and I worked in radio patrol, and the only time you can probably see each other would be passing, maybe down in the locker room, something like that, and then he did work out at the pistol range for a while, and when I would go to the pistol range, I would see him out there, but as far as talking to him or going any place with him, no.

Mr. GRIFFIN. Were you ever engaged in any business enterprises with him?

Mr. MILLER. No.

Mr. GRIFFIN. Did you know him any way other than in the capacity as a fellow police officer?

Mr. MILLER. That is the only way.

Mr. GRIFFIN. Now, did anything else happen before you went down into the basement on Sunday morning that you can remember?

Mr. MILLER. I can remember those 2 children that were brought in and working—I remember working on the papers pertaining to them and I remember asking Policewoman McLine, after we had been told to go to the basement, if she would finish the papers for me.

Mr. GRIFFIN. Do you remember anything else that happened or anything else that was said?

Mr. MILLER. That is prior to going to the basement?

Mr. GRIFFIN. Yes.

Mr. MILLER. No, sir; I don't.

Mr. GRIFFIN. Now, after Ruby shot Oswald, did you talk with Officer Harrison?

Mr. MILLER. I am sure I did. In fact, after this was all over up there, I rode out to Love Field with Officer Harrison, so I am sure I did talk to him.

Mr. GRIFFIN. And did you talk to him about what had happened there in the basement?

Mr. MILLER. I am sure we did; yes, sir.

Mr. GRIFFIN. Did you ask him whether he saw Ruby at any time before Ruby shot Oswald?

Mr. MILLER. No; I don't believe I did.

Mr. GRIFFIN. Did you talk to him about how Ruby got down into the basement?

Mr. MILLER. I am sure we discussed it; yes, sir.

Mr. GRIFFIN. What do you remember about that?

Mr. MILLER. I don't remember anything definite, but I believe that more than likely everybody up there was wondering how he got down in there.

Mr. GRIFFIN. Now, immediately after Ruby shot Oswald, what did you do?

Mr. MILLER. The best I remember, at the time that this happened, I was walking or trying to walk down towards the corridor for cars to go through in behind of the officers and Oswald when they came out.

Mr. GRIFFIN. I want to know what you did after Ruby was shot.

Mr. MILLER. After Ruby was shot?

Mr. GRIFFIN. Yes; or Oswald was shot.

Mr. MILLER. The best I remember, someone, seemed like, hit Ruby from behind and pushed him forward. Like I said, I was trying to move that way when this happened, so I grabbed a hold of Ruby and helped take him into the jail office.

Mr. GRIFFIN. Now, did you—were you with Ruby in the jail office when there were a lot of officers around him?

Mr. MILLER. Yes.

Mr. GRIFFIN. Did Ruby put up any sort of a struggle there in the jail office?

Mr. MILLER. No; none that I remember.

Mr. GRIFFIN. Were you—did you have physical hold of Ruby in the jail office?

Mr. MILLER. When we got into the jail office; yes.

Mr. GRIFFIN. Did you hear Ruby say anything?

Mr. MILLER. Yes.

Mr. GRIFFIN. What did you hear him say?

Mr. MILLER. As to definite words, I could give you what he said as best I remember it, but it may not be his exact words. It could be that he put some more words in.

Mr. GRIFFIN. Okay.

Mr. MILLER. The best I remember, he said something about—well, first off, somebody asked, "Who is he?" And he said, "Oh, hell! You guys know me. I am Jack Ruby." And the best I remember, he said something about, "I hope the son of a bitch dies," and something about, "It will save you guys a lot of trouble," or, "It will save everybody a lot of trouble," something like that.

Mr. GRIFFIN. Do you remember who it was that said, "Who is it?"

Mr. MILLER. No; I sure don't.

Mr. GRIFFIN. Do you remember anything else that was said while Ruby was there in the jail office?

Mr. MILLER. No; because right after that he was moved over to the jail elevator and was being taken upstairs, and I went out in the basement, the garage part of the basement, again.

Mr. GRIFFIN. Now, was Ruby searched in the jail office while you were there?

Mr. MILLER. A quick search, yes.

Mr. GRIFFIN. A pat-down?

Mr. MILLER. Yes.

Mr. GRIFFIN. Were his pockets emptied?

Mr. MILLER. Not that I remember; no.

Mr. GRIFFIN. All right. Now, were you in the jail office when Ruby was taken upstairs?

Mr. MILLER. I couldn't be definite on that, because the best I remember it, about the time he was being taken over to the elevator or shortly after, the ambulance came in and picked Oswald up, and I went back out into the basement to help try to keep this crowd of reporters or photographers and what-not out of the way so that they could get the ambulance in and Oswald loaded into it.

Mr. GRIFFIN. Now, how long did you remain out there in the basement area assisting with the photographers?

Mr. MILLER. I would say maybe 45 minutes to an hour.

Mr. GRIFFIN. Now, were you there when Officer Dean was interviewed on television?

Mr. MILLER. I don't remember Officer Dean being interviewed; no. After the ambulance got out, I went up to the ramp on the Commerce Street side. There were several people up there who claimed to be reporters and photographers and what-not trying to get down into the basement and trying to force their way in, and I went up to assist with that problem.

Mr. GRIFFIN. During this period from the time that Ruby was taken upstairs and all of the time you were down there in the basement, did you talk with anybody about how Ruby got into the basement?

Mr. MILLER. It is possible that I did, but I don't—like I say, I don't remember.

Mr. GRIFFIN. Do you remember any rumors that you heard at that time about how he got in?

Mr. MILLER. No.

Mr. GRIFFIN. Were there any rumors circulated at that time as to how he got in?

Mr. MILLER. There was one that I remember, that he might have been—came in helping a crew with a television camera that came from the basement proper there out into the garage part.

Mr. GRIFFIN. Did you hear that rumor while you were down in the basement?

Mr. MILLER. I believe I did, but I couldn't be definite about it.

Mr. GRIFFIN. Did Officer Harrison stay down there in the basement with you?

Mr. MILLER. No; I don't believe he did. Now, he could have, but I don't think so.

Mr. GRIFFIN. How about Officer McMillon?

Mr. MILLER. I didn't—I don't remember seeing Officer McMillon in the basement.

Mr. GRIFFIN. How about Officer Lowery?

Mr. MILLER. No.

Mr. GRIFFIN. What did you do after you finished down there in the basement?

Mr. MILLER. Well, after things quieted down up there at the Commerce Street side, I went back up to the juvenile bureau.

Mr. GRIFFIN. What did you do up there in the juvenile bureau?

Mr. MILLER. I couldn't be definite about it. I probably worked on some reports, but as to definite—

Mr. GRIFFIN. Did you talk to anybody up there about how Ruby got into the basement?

Mr. MILLER. I am sure I did, but as far as remembering any particular person that I talked to or how it was discussed, I couldn't say.

Mr. GRIFFIN. Who was up there in the juvenile bureau when you got back?

Mr. MILLER. Policewoman McLane is the only one that I could say that was definitely there.

Mr. GRIFFIN. Where was Officer Harrison at that time?

Mr. MILLER. I couldn't say.

Mr. GRIFFIN. How about Lowery?

Mr. MILLER. I don't know where they were.

Mr. GRIFFIN. Now, when was the first time that you saw Officer Harrison after the shooting?

Mr. MILLER. It was later, but as to giving you a definite time on it from the time that this happened until we came back up to the office, it would be hard to do.

Mr. GRIFFIN. Where did you first see him?

Mr. MILLER. Back in the office, I believe, the best I remember.

Mr. GRIFFIN. And what did you do when you saw him?

Mr. MILLER. I don't remember any particular thing that we did.

Mr. GRIFFIN. Now, how long did you remain up in the office?

Mr. MILLER. Well, the biggest part of the day. Captain Jones, I believe it was, came down and told me to remain in the office until further notice again, that I was to remain there until further notice, and then—let's see—someone else came down shortly after that and had me go down to the chief's office. I went down there, and Captain Jones told me to go back to the juvenile bureau and remain until he called for me.

Mr. GRIFFIN. What were you wanted for in the chief's office?

Mr. MILLER. No one ever said, and apparently it was a mixup in the orders there, or something of that nature.

Mr. GRIFFIN. Did you actually talk with Jones when you got down there to the chief's office?

Mr. MILLER. Only that he told me to go back to the juvenile bureau and wait until he notified me, that he had an assignment for me and he was going to notify me what it was later.

Mr. GRIFFIN. All right. How long did you remain back in the juvenile office?

Mr. MILLER. I couldn't say definitely. I know later on that afternoon, I believe it was Officer Harrison and Detectives Cutchshaw and Lowery, the best I remember, and myself, were called down to the chief's office and given an assignment, but what time it was, a definite time, I presume it would have been around 4 o'clock.

Mr. GRIFFIN. And who gave you the assignment?

Mr. MILLER. Chief Stevenson, the best I remember.

Mr. GRIFFIN. And where were you sent to?

Mr. MILLER. I was sent to Love Field.

Mr. GRIFFIN. And did the four of you all go out to Love Field?

Mr. MILLER. Yes.

Mr. GRIFFIN. What were you to do out there at Love Field?

Mr. MILLER. We were to check around the American Airlines ticket office and watch proceedings around there, around the ticket counter, out there around the American Airlines ticket counter, the best I remember.

Mr. GRIFFIN. What were you looking for?

Mr. MILLER. Well, after we had left the chief's office, we started out to Love Field, and Captain Martin called us back into the basement, and, the best I remember, he told us that Mayor Cabell had been scheduled to go to Washington, or some place, on an airplane, and they had had a call that there had been a bomb placed on the plane or was going to be a bomb placed on it, or something of that nature, and I believe it was because of this that we were sent out to American Airlines, and my understanding is that the mayor was supposed to have left on a Braniff plane and changed it and left on an American Airlines plane later.

Mr. GRIFFIN. What were you looking for around the American Airlines office?

Mr. MILLER. Anyone that might have been carrying a gun or a bomb or anything of that nature.

Mr. GRIFFIN. Did you have a description of anyone in particular to look for?

Mr. MILLER. No.

Mr. GRIFFIN. Now, what did you all talk about on the way out there in the car?

Mr. MILLER. I am sure we talked about this shooting. Again, I couldn't

be definite on it. Like I say, I am sure everybody in the department was talking about it.

Mr. GRIFFIN. What did you hear in the car about how Ruby was shot, how Oswald was shot?

Mr. MILLER. You mean—well, Officer Harrison and myself were in one car and Detectives Lowery and Cutchshaw in another car.

Mr. GRIFFIN. What did you hear—what did you hear from Harrison as to how—

Mr. MILLER. Again, I couldn't be definite on any part of the conversation. Like I say, I am sure we discussed the thing and talked about it, but as to any definite words, I couldn't be sure.

Mr. GRIFFIN. Well, there are various rumors that have circulated about how Ruby got into the basement, and I am sure you are familiar with all of them.

Mr. MILLER. Well, now—

Mr. GRIFFIN. Which of the rumors did you discuss in the automobile that you can remember?

Mr. MILLER. Well, the best I remember, the only rumor I had heard up until that time had been the one that Ruby had come in with this camera crew. Again, I can't be definite, but I believe it was on Monday, the following day, that I heard this rumor, whatever it was, that he had entered off—

Mr. GRIFFIN. The Main Street ramp?

Mr. MILLER. The Main Street ramp.

Mr. GRIFFIN. Now, when you got out there—when you saw Cutchshaw and Lowery out there at the American Airlines, did you discuss with them this rumor about coming in with the camera?

Mr. MILLER. I am sure we did, but again I couldn't—any definite words that were said or anything like that, I couldn't be sure.

Mr. GRIFFIN. Do you remember anybody in that group saying that he saw a man come by with a camera?

Mr. MILLER. Well, the best I remember, Detective Lowery, I believe it was, said something about this camera coming by, and I vaguely remember the camera coming by myself, but as far as a number of men and who they were that were bringing this camera in, again I couldn't say.

Mr. GRIFFIN. How about Harrison? Did he indicate at that time that he remembered the camera?

Mr. MILLER. Not that I recall; no.

Mr. GRIFFIN. How about Cutchshaw?

Mr. MILLER. No.

Mr. GRIFFIN. So Lowery was the only one that you can remember talking about the camera, having seen this camera come by?

Mr. MILLER. He is the only one that I recall, yes.

Mr. GRIFFIN. Is there anything else you want to tell us about the events of Sunday, November 24th?

Mr. MILLER. Well, I don't remember anything that I could tell. If I was asked a question on it and knew the answer on it, I would be more than glad to answer the question.

Mr. GRIFFIN. Have you heard any rumors concerning anyone who might have seen Ruby down in the basement prior to the shooting of Oswald? (Pause) Is your answer "No"?

Mr. MILLER. That is right.

Mr. GRIFFIN. Tell me. Were you down in the basement when Rio Pierce's car drove out of the basement?

Mr. MILLER. I remember a car driving out, which would be the wrong way up towards Main Street, but as far as remembering who was driving the car, I don't.

Mr. GRIFFIN. Where were you standing when that car drove out?

Mr. MILLER. I was standing by the door to the jail office, the door that comes out into the garage portion of the basement.

Mr. GRIFFIN. Who stationed you there?

Mr. MILLER. Nobody. Like I was telling you before, we were out in this hallway, windows, jail office. Someone that was already out in the garage

part of the basement, I presume, passed back instructions for everybody to go out and line up on both sides of this hallway affair that comes out.

Mr. GRIFFIN. Where were you when you received those instructions?

Mr. MILLER. I was standing in this hallway outside of the jail office windows there. There is those double doors, swinging doors that come out into the garage portion of the basement.

Mr. GRIFFIN. Were you on the garage side of the swinging doors?

Mr. MILLER. No; in the basement proper.

Mr. GRIFFIN. How long was that before Oswald came down?

Mr. MILLER. I couldn't be definite on that, but it wasn't very long, possibly 10 minutes. I don't believe it could have been any longer than that.

Mr. GRIFFIN. Now, then, where did you go to?

Mr. MILLER. From the basement proper, after the orders was passed back to go outside and line up on both sides, I got on what would be the north side of this little hallway in the garage portion of the basement, where the ramp comes in, through the hallway that comes out there, I was on the north side of that and would be on the east side of the door that goes into the jail office.

Mr. GRIFFIN. And were you keeping an eye out in the basement for people who might obstruct Oswald?

Mr. MILLER. Pardon.

Mr. GRIFFIN. Were you keeping a look, a watch out, from your position for people who might try to obstruct Oswald?

Mr. MILLER. I was kind of watching the crowd and that, but as far as having a feeling that anything was going to happen or——

Mr. GRIFFIN. You were watching the crowd?

Mr. MILLER. As to orders to do any particular thing.

Mr. GRIFFIN. Where was the crowd that you were watching?

Mr. MILLER. They were across the ramp that goes down through there.

Mr. GRIFFIN. Were they up against the railing?

Mr. MILLER. Part of them were up against the railing, part of them, the best I remember, on the east side of the railing.

Mr. GRIFFIN. And how about, were the people strung across the Main Street ramp from the direction of the jail house, the jail office, to the railing?

Mr. MILLER. The best I remember, there was.

Mr. GRIFFIN. Well, now, how many lines deep would you say there were of people along—crossing the Main Street ramp on the north side just before Oswald came out?

Mr. MILLER. I recall of people being there, but as to how many rows there were or a definite number of people, it would be hard to say. The only thing on that that I could say definitely was that there were people there, and as to how many, it would just be next to impossible to say.

Mr. GRIFFIN. Now, as Pierce's car came out, what did you do? As Pierce's car came out of the garage, what did you do?

Mr. MILLER. I didn't do anything that I remember.

Mr. GRIFFIN. Did you look at it?

Mr. MILLER. I remember seeing a car going out the wrong way up to Main Street, but as far as looking in the ——

Mr. GRIFFIN. Did you watch it go up the ramp?

Mr. MILLER. No; because once it passes this wall there, it passes out of view.

Mr. GRIFFIN. Did you keep an eye on the newsmen in that area as they re-formed?

Mr. MILLER. I am sure I did, but looking over the crowd and everything, it would be hard not to see them re-form, or whatever you call it.

Mr. GRIFFIN. Where was Blackie Harrison standing when Pierce's car went out?

Mr. MILLER. I didn't see Officer Harrison that I remember when this car drove out.

Mr. GRIFFIN. Did you see Officer Harrison at any time down in the basement after you took your position along the north wall just outside of the jail office?

Mr. MILLER. It is possible that I did, but as far as remembering seeing him or saying anything to him after that, I couldn't say definitely.

Mr. GRIFFIN. I am going to hand you what I have marked for purposes of identification as Miller Exhibits 5013 and 5014. Now, Exhibit 5013 is a copy of a report made by FBI Agents Wilkinson and Hardin of an interview that they had with you on December 3, 1963, and Exhibit 5014 is a copy of a statement that you made or a letter that you addressed to Chief Curry on November 26, 1963, entitled, "Subject: Shooting of Harvey Oswald." I am going to ask you to take these and go out into the other office and look them over and then let me know whether there are any additions, corrections, changes of any sort that you would want to make in those.

(Recess.)

Mr. GRIFFIN. For your purposes, Mr. Ward, may I say that we have Mr. L. D. Miller back with us.

And have you had a chance to look over Exhibits 5013 and 5014?

Mr. MILLER. Yes.

Mr. GRIFFIN. To your recollection, are those accurate reports of—looking at 5013, the FBI report, is that an accurate report of what you told the FBI at that time?

Mr. MILLER. Well, there is part of it in here that is a little confusing. It could mean one thing and then it could mean another. Now—

Mr. GRIFFIN. Do you remember that interview?

Mr. MILLER. Yes.

Mr. GRIFFIN. And are you able to state from your memory whether that is an accurate report of what you told them at that time?

Mr. MILLER. There is one part in here. Let me find it. It was, when the officers were sent to the ramp area prior to Oswald being brought down, there were officers stationed on both sides of the ramp. The officers that came down were stationed on both sides of the ramp. I don't recall telling the FBI that there were already officers stationed there.

Mr. GRIFFIN. All right. Let me see if there was some way you can mark that on there. Where is this?

Mr. MILLER. Right here.

Mr. GRIFFIN. Would you want to take this, take my pen, and amend that so that it reflects what your best recollection is that you told them at that time?

Mr. MILLER. Let's see. Where do you want me to put it?

Mr. GRIFFIN. You can either write it down below—

Mr. MILLER. The whole thing would have to be reworded. This like this makes more sense to me what I told them.

Mr. GRIFFIN. All right. You have written there, "The officers that were sent to the ramp area prior to Oswald being brought down were stationed on both sides of the ramp." Were you present when the instructions were given to the officers generally as to where to go?

Mr. MILLER. To line up on both sides—

Mr. GRIFFIN. Yes?

Mr. MILLER. Of the ramp area where Oswald was to be brought through.

Mr. GRIFFIN. Yes. Were you present at that time?

Mr. MILLER. Yes.

Mr. GRIFFIN. Who gave those instructions?

Mr. MILLER. I don't know.

Mr. GRIFFIN. Do you remember what you were told to do, if anything, when Oswald got to you?

Mr. MILLER. I wasn't told what to do.

Mr. GRIFFIN. Now, are there any other corrections that you want to make in that?

Mr. MILLER. Yes. "Miller said he had no other pertinent information concerning the shooting of Oswald." I wasn't asked if I had any more information to give to them. I answered their questions, the questions they asked me. They did not ask me if I had any other pertinent information to add.

Mr. GRIFFIN. All right. Would you change that on there, then, and state, cross that out, and put something through there and say, "I was not asked if I had pertinent information"? Now, did you in fact at that time have pertinent information, other than what they asked you about?

Mr. MILLER. None that I knew of. It is like now. It could be possible that

you would ask me a question that I would remember something other than what I have told you, but I wouldn't know what it would be.

Mr. GRIFFIN. Now, do you have any other corrections that you want to make on this FBI report?

Mr. MILLER. Everything else on it looks like it is just about the way it should be.

Mr. GRIFFIN. Would you, then, initial the corrections that you have made on here and date it?

Mr. MILLER. Where do you want it initialed?

Mr. GRIFFIN. Any other place, right next to it. And will you initial the other correction, date it?

Now, directing your attention to Exhibit 5014, and is that a true and accurate copy of the letter that you wrote to Chief Curry on November 26?

Mr. MILLER. That is right.

Mr. GRIFFIN. Now, would you sign that letter and date it, sign the piece of paper somewhere down there near the bottom and date it, and would you sign over here on Exhibit 5013, the point where I identified the document, would you write, sign your name, and date it?

Now, let me ask you one final thing. I take it that you have told us everything at this time that you can remember about the events that I have questioned you about?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. And you have mentioned everything to us at this point that you can remember which you think is pertinent to our investigation?

Mr. MILLER. Everything that I know of.

Mr. GRIFFIN. Now, if anything else in the future comes to your attention that you think might be pertinent to this investigation, would you come forward and tell us about it?

Mr. MILLER. Yes; sure will.

Mr. GRIFFIN. All right. Okay. Thank you very much.

Mr. MILLER. Do you want me to call you, if I check, bring the book up to the office?

Mr. GRIFFIN. Yes.

Mr. MILLER. I am sure I did work that day.

Mr. GRIFFIN. If you would, bring the book to us.

Mr. MILLER. I wouldn't be allowed to bring the book out of the office. It carries the duties time. Everybody's name is in the same book.

Mr. GRIFFIN. All right. If you would, call us and let us know the pertinent details.

Mr. MILLER. Yes.

Mr. GRIFFIN. Thank you.

TESTIMONY OF WILLIAM J. NEWMAN

The testimony of William J. Newman was taken at 11 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Mr. Newman, my name is Burt Griffin. I am a member of the advisory staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy. This Commission was set up pursuant to an Executive order of President Johnson on November 29th, 1963, and under a joint resolution of Congress, No. 137. The Commission has prescribed a set of rules of procedure. Pursuant to those rules I have been authorized to take your sworn deposition.

I want to tell you a little bit about what the general nature of the inquiry is. Of course, this was set up, as you know, after President Kennedy was assassinated and Lee Oswald died. Our instructions are to investigate, evaluate

and report back to President Johnson on all the facts surrounding the assassination of the President and the murder of Lee Oswald.

Now, that includes going into the background of Oswald and Ruby, their associations and their motives anything that you can think of about them. We have no authority to send anybody to jail, except for perjury. We are not like the grand jury, in the sense if we find a crime, and we are not conducting this examination with the thought that anybody else is going to use this information to prosecute for crimes of anybody except for perjury.

The most important motivating force, I think, in this investigation is one of national security, not only from the standpoint of finding out as much as we can so that we can learn how to prevent all of the occurrences that have taken place in the last four months from ever happening again, but also, so we can determine if there is any possibility that there was more than one person involved with either one of these two men.

Now, we have asked you to appear here primarily to develop facts in connection with the murder of Oswald, but if you have any sort of information that would be relevant to the entire scope of our investigation, we would like to have it.

Now, in particular you have been asked to appear here by virtue of a general request which was made by the General Counsel of the Commission, Mr. J. Lee Rankin, to Chief Curry, a letter was sent to Chief Curry and a whole list of names was on that letter, and we indicated that we were going to examine these people. Under the rules of the Commission, you are entitled to receive 3-day written notice personally from the Commission, and that hasn't been sent to you. However, you may waive that notice, and some people insist on it and others don't. It doesn't make any difference to us, but I would ask you now whether you would like us to give you the written notice or whether you are willing to waive the written notice?

Mr. NEWMAN. No; I will be willing to waive it.

Mr. GRIFFIN. Now, I notice that you don't have an attorney here, and that you are also permitted to have an attorney in any appearance before us, and if you have any thought that this would be something that you think would be desirable, don't hesitate to say so, because, again, many people have had attorneys here, even down here in Dallas, and we would be happy to go home and go to bed tonight and take up at a more convenient time.

Do you want an attorney?

Mr. NEWMAN. No.

Mr. GRIFFIN. Now, I am going to ask you to raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEWMAN. I do.

Mr. GRIFFIN. Will you state your full name, please?

Mr. NEWMAN. William J. Newman.

Mr. GRIFFIN. And when were you born, Mr. Newman?

Mr. NEWMAN. January 31, 1937.

Mr. GRIFFIN. Where do you live?

Mr. NEWMAN. My street address?

Mr. GRIFFIN. Yes, sir.

Mr. NEWMAN. 10923 Cotillion.

Mr. GRIFFIN. Cotillion?

Mr. NEWMAN. [Nods head.]

Mr. GRIFFIN. Is that in Dallas?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. And what's your occupation?

Mr. NEWMAN. I am a mechanical engineer.

Mr. GRIFFIN. Where are you employed?

Mr. NEWMAN. Ling-Temco-Vought.

Mr. GRIFFIN. Ling-Temco—L-i-n—[spelling]?

Mr. NEWMAN. L-i-n-g T-e-m-c-o V-o-u-g-h-t [spelling]. Three words.

Mr. GRIFFIN. How long have you been employed there?

Mr. NEWMAN. Approximately 6 years.

Mr. GRIFFIN. Now, are you also a member of the Dallas Police Reserve?

Mr. NEWMAN. That's correct.

Mr. GRIFFIN. How long have you been a member of the police reserve?

Mr. NEWMAN. Well, 18 months.

Mr. GRIFFIN. I ask you, are you a graduate engineer?

Mr. NEWMAN. No; I am not.

Mr. GRIFFIN. How many years of education have you had?

Mr. NEWMAN. I had a year and a half.

Mr. GRIFFIN. Of college?

Mr. NEWMAN. College education.

Mr. GRIFFIN. Where did you attend college?

Mr. NEWMAN. Arlington State.

Mr. GRIFFIN. Is that at Arlington, Tex.

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Is that right here in the general area of Dallas?

Mr. NEWMAN. Yes; it's midway between Dallas and Fort Worth.

Mr. GRIFFIN. And what kind of courses did you take at Arlington State?

Mr. NEWMAN. Just general engineering courses.

Mr. GRIFFIN. How long have you been employed at Ling-Temco-Vought?

Mr. NEWMAN. About 6 years.

Mr. GRIFFIN. And, can you tell us something about the nature of your duties with your employer?

Mr. NEWMAN. I'm a design engineer and lead man. I am responsible for four or five draftsmen on a given project.

Mr. GRIFFIN. What do you mean you are a design engineer; what sort of things do you do?

Mr. NEWMAN. Well, it's mechanical design of high-power transmitters, radar transmitters, mostly, electronic circuits.

Mr. GRIFFIN. Do you put things on drawing boards?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. And do you work from plans that other people draw up or plans that other people conceive, or are you responsible to come up with ideas?

Mr. NEWMAN. I work from an electrical schematic, and I am responsible for the mechanical design and supervision of the other men, to make sure this work is carried out.

Mr. GRIFFIN. Now, do you work under a graduate engineer of some sort?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, did you go through a training program before you became a member of the police reserves?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. How long was that training program?

Mr. NEWMAN. Approximately 9 months.

Mr. GRIFFIN. And how often did you go to school?

Mr. NEWMAN. It was 2 hours a night, 1 night a week.

Mr. GRIFFIN. Do you have any compensation in connection with your services on the police reserves?

Mr. NEWMAN. None whatsoever.

Mr. GRIFFIN. Why does anyone want to be a member of the police reserve?

Mr. NEWMAN. Well, civic responsibility, I guess.

Mr. GRIFFIN. Are there any little side benefits of any sort?

Mr. NEWMAN. Well, yes. You mean in the way of favors, this type of thing?

Mr. GRIFFIN. No; I don't know, not necessarily that, but what—

Mr. NEWMAN. I enjoy it because I do office work, indoors, and this is a way of getting out, little something to break the routine.

Mr. GRIFFIN. Are there favors and what not that you can get on account of this?

Mr. NEWMAN. Oh, outside of maybe being overlooked of a traffic violation, I don't know of any.

Mr. GRIFFIN. I don't want you to paint yourself too good in this way, because we had one guy who came in here and painted himself real good, and found out that he was making a mistake. Maybe I am a great skeptic.

Mr. NEWMAN. Well, it's like I say, in my case I have always been interested in law enforcement and it is an outlet, hobby, so to speak.

Mr. GRIFFIN. I want to say this, I finished interviewing Captain Arnett, and I found him to be a very fine gentleman, so on the basis of my experience, I don't have any reason to make these comments. Now, were you on duty with the reserves the day President Kennedy was shot?

Mr. NEWMAN. I was that evening. That was some 6 or 7 hours after the assassination.

Mr. GRIFFIN. I see. What time did you come on duty Friday evening?

Mr. NEWMAN. 7 o'clock.

Mr. GRIFFIN. When you got to the police station, who did you report to?

Mr. NEWMAN. To Lieutenant Merrell.

Mr. GRIFFIN. Where were you then assigned?

Mr. NEWMAN. I was then assigned to ride observation with the Radio Patrol Squad 113.

Mr. GRIFFIN. What did riding observation consist of?

Mr. NEWMAN. Well, this is our normal assignment. We don't normally take part in police activities unless we are directed by a regular officer.

Mr. GRIFFIN. But you were riding around in the district someplace?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. Did this permit the regular officer to be relieved for other duties?

Mr. NEWMAN. No, it didn't.

Mr. GRIFFIN. Would you have had to come in on Friday night anyhow?

Mr. NEWMAN. Yes, sir.

Mr. GRIFFIN. Now, on Saturday night, on Saturday, were you at the police department?

Mr. NEWMAN. No; none at all Saturday.

Mr. GRIFFIN. On Sunday, did you come in?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. All right. Now, how did you happen to get called in on Sunday?

Mr. NEWMAN. I was called by Sergeant Sullivan.

Mr. GRIFFIN. About what time do you believe Lieutenant Merrell called you?

Mr. NEWMAN. It was approximately 8:30 or 9 a.m.

Mr. GRIFFIN. How do you fix that time?

Mr. NEWMAN. I just say—I suppose it took me approximately an hour to get down there and I arrived about 9:30.

Mr. GRIFFIN. You were called in the morning?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. 8:30 or 9 in the morning?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, prior to the time that he called you in the morning, had you heard anything about the possibility of moving Lee Oswald to the county jail?

Mr. NEWMAN. Well, I knew he would be, of course, but I didn't know what time.

Mr. GRIFFIN. Incidentally, on Friday night, were you on the third floor at all?

Mr. NEWMAN. No; not at any time.

Mr. GRIFFIN. Do you remember when you came in on Sunday where you parked your automobile?

Mr. NEWMAN. Yes; I parked it across the street from the police garage on Canton.

Mr. GRIFFIN. On what street?

Mr. NEWMAN. On Canton, C-a-n-t-o-n [spelling].

Mr. GRIFFIN. And, is that north, south, east, or west of the——

Mr. NEWMAN. It's immediately south of the downtown area.

Mr. GRIFFIN. And how far from Commerce Street; how many blocks from Commerce Street?

Mr. NEWMAN. As I recall, I think it's 3 blocks.

Mr. GRIFFIN. And is a police garage there?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, did you walk up Harwood?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. And do you recall what entrance you entered?

Mr. NEWMAN. I entered Commerce Street door that leads into the basement.

Mr. GRIFFIN. Now, do you have any recollection of whether there were any TV wires strung through there?

Mr. NEWMAN. Yes; there was a large van parked on Commerce Street, on the corner of Commerce and Harwood, and there was all kinds of cables. I don't recall whether there were any going in that door or not. There might have been, possibly.

Mr. GRIFFIN. Were there any TV cables coming down the Commerce Street ramp?

Mr. NEWMAN. Not to my recollection.

Mr. GRIFFIN. I believe you spent some time after you were placed on duty over in the garage area?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. And, as I understand it, close to Commerce Street?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. And you were guarding the door to the enginerooms, in that general area?

Mr. NEWMAN. Well, the first thing, when I first got there, I was assigned to help search the automobiles that were parked in the garage.

Mr. GRIFFIN. Yes; I want to get to that. I am going to go a little backwards on this.

Mr. NEWMAN. All right.

Mr. GRIFFIN. I want to get the questioning. Where you were finally stationed prior to the time Oswald was shot, was that near the entrance, the doorway to the engineroom?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, I am going to get a map, diagram here, and I would like for you to try to think back to that. I am going to mark this Newman Exhibit 5037. Now, Mr. Newman, this is a copy of the diagram of the basement area of the Police and Court Building in Dallas. I will try to explain it to you, and then if you have any questions, why, I will try to answer those. But you see in this area is the jail office, Harwood is off in this direction. There is Main, there is Commerce [indicating]. Now, this dotted line here running parallel to Commerce Street is actually the outside wall above ground level, and here would be Commerce Street, if you were at ground level, here would be the sidewalk, here would be the outside wall. However, when you are in the basement, this diagram purports to represent anyhow, that the basement wall is this solid black line over here, and I presume that that's true, although I have never checked it myself.

Mr. NEWMAN. It looks to be.

Mr. GRIFFIN. And do—these other black marks around here represent posts [indicating]. Now, would you indicate on this diagram where it was that you were stationed by—well, where it was you were stationed in connection with the security of the basement, after the search of the basement?

Mr. NEWMAN. I was placed right at the place of this column. There is what this is, isn't it?

Mr. GRIFFIN. Yes.

Mr. NEWMAN. Do you want me to—

Mr. GRIFFIN. Just an "X" there [indicating]. Now, as you were standing there, do you remember whether any TV cables ran through that general area?

Mr. NEWMAN. There were none there.

Mr. GRIFFIN. There were none. Were there any TV cables that you could see in the garage area?

Mr. NEWMAN. By the garage area, you are talking about this area here [indicating]? I didn't see any.

Mr. GRIFFIN. Now, there is an arrow here that says "to engineroom." Are you familiar with—is there a door over in that area?

Mr. NEWMAN. Not a door as such. I don't believe it can be closed. It's just an opening there [indicating].

Mr. GRIFFIN. There is an opening?

Mr. NEWMAN. Uh-huh.

Mr. GRIFFIN. And you can walk into the engineroom there?

Mr. NEWMAN. That's right. Actually walk—in fact, I didn't even know it was there until that morning, but you can walk onto a landing here and then down. The engineroom is some 5 or 10 feet lower than that.

Mr. GRIFFIN. Did you stand in that general area all the time, from the time that Sergeant Dean placed you there until Oswald was shot?

Mr. NEWMAN. No; there was one time when I was called back into the assembly room, back over here. I think they needed some men somewhere else. They picked four or five men and then I was returned to this place [indicating].

Mr. GRIFFIN. How long before Oswald was shot would you estimate that you were pulled off this spot temporarily?

Mr. NEWMAN. Oh, it must have been 45 minutes to an hour.

Mr. GRIFFIN. All right. How long were you away from the area?

Mr. NEWMAN. Five minutes.

Mr. GRIFFIN. I see. Let me mark on here pulled off for 5 minutes, 45 minutes to 1 hour before Oswald shot [indicating]. Did anybody replace you?

Mr. NEWMAN. No; they didn't—I better not make that statement. I am not sure.

Mr. GRIFFIN. Now, I want to go back and pick things up from the time you entered.

Mr. NEWMAN. Okay.

Mr. GRIFFIN. Now, what time was it when you arrived down there at the building?

Mr. NEWMAN. Approximately 9:30 a.m.

Mr. GRIFFIN. Where did you go?

Mr. NEWMAN. I went to the assembly room.

Mr. GRIFFIN. How long did you remain in the assembly room?

Mr. NEWMAN. Just long enough to have my name in the unit taken down on the roster.

Mr. GRIFFIN. When Lieutenant Merrell called you, did he tell you why you were to come down?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. What did he tell you?

Mr. NEWMAN. He said that Oswald was to be transferred at 10 o'clock, that they expected some crowds downtown and they thought they would need our help, or a crowd was gathering, I think is what—the way he had actually said it.

Mr. GRIFFIN. Do you recall his telling you the time would be 10 o'clock?

Mr. NEWMAN. I happened to remember it because I had to rush to get down there in time.

Mr. GRIFFIN. Did he tell you anything else?

Mr. NEWMAN. No; that was all.

Mr. GRIFFIN. When you got down there, did you receive any instructions from somebody?

Mr. NEWMAN. He and I walked out into the garage area there and we talked to some—to Sergeant Dean then.

Mr. GRIFFIN. Had the search of the garage already begun when you arrived?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. What did you do in connection with the search?

Mr. NEWMAN. I searched—well, we looked inside all the automobiles. We checked to make sure the trunk was locked, that the hood was securely latched, and this general area right in here, there were three or four of us working that area in there [indicating].

Mr. GRIFFIN. And you are talking now about the Commerce Street half of the garage?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. What else did you do besides search the cars?

Mr. NEWMAN. That was it, until I was assigned to that post.

Mr. GRIFFIN. Now, did you see what Sergeant Dean did?

Mr. NEWMAN. No; I didn't. The only time I remember seeing him, they found a sporting type rifle in a car somewhere. I think it was later identified as belonging to one of the officers. I saw him walking out with it.

Mr. GRIFFIN. Now, during the period you were standing there in the garage, were you able to look over in the direction of the Main Street ramp?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, did you see, during the period that you were in the garage, any automobiles moved out of the garage?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, do you remember when the armored car came down—was brought down the ramp?

Mr. NEWMAN. No; I didn't even know it was there. I couldn't see it from my location. Well, the armored car wasn't brought down the ramp. It was just backed to the door.

Mr. GRIFFIN. Was there ever a time that you were aware there was an armored car up there?

Mr. NEWMAN. Not until after the shooting.

Mr. GRIFFIN. Standing where you were standing was there anything that happened, what you would estimate, a half hour before Oswald was shot, that would be significant to fix the time?

Mr. NEWMAN. No; the only thing I can recall at all, there was a pop-type noise in that area there. I found out later, when they opened the door to the armored car a soft drink bottle had rolled out and broken. That caused quite a commotion among the reporters and some of them went up the ramp to see what happened.

Mr. GRIFFIN. Before you heard that pop-type noise, do you remember anything else before that that might be significant?

Mr. NEWMAN. No. Other than the movement of the cars and the men in there, I can't recall anything.

Mr. GRIFFIN. Now, directing your attention then to the pop-type noise, did you see any cars moved out of the basement after you heard the pop?

Mr. NEWMAN. Yes; I am almost certain a car did leave after that.

Mr. GRIFFIN. Saw a car leave or more than one car?

Mr. NEWMAN. One is all I recall.

Mr. GRIFFIN. Where was that car parked, if you recall?

Mr. NEWMAN. Well, I am not too sure of that. I think it was parked in this area just to the bottom of this small ramp here [indicating].

Mr. GRIFFIN. Would you mark on the map where you think that was? You want to mark car?

Mr. NEWMAN. [Indicating.]

Mr. GRIFFIN. Where did you see that car move to?

Mr. NEWMAN. Well, if its the one I am thinking about, they turned and went out the Main Street side. I recall there was a car came in. I think it was a squad that had a prisoner. I don't recall it leaving. It may have. I don't know.

Mr. GRIFFIN. When did you recall a car coming in, before or after that car went out?

Mr. NEWMAN. It must have been before.

Mr. GRIFFIN. You say must have been, because somebody has told you that a car went out there?

Mr. NEWMAN. No; but I am sure—I do recall this car left—oh, not over 5 or 10 minutes, if that long, before Oswald was brought in, and I do know that no other car left after that, or entered.

Mr. GRIFFIN. Well, now, do you remember two cars being moved out of the garage up behind the armored van?

Mr. NEWMAN. I recall one that was parked right here. I don't remember whether there were two or not, but there was definitely one parked right here on the level part of the ramp [indicating].

Mr. GRIFFIN. Did you see where that came from; where that car came from?

Mr. NEWMAN. I don't recall, but I think it came from the parking area.

Mr. GRIFFIN. But you didn't see it moved out of the parking area?

Mr. NEWMAN. If I did, I don't recall. I am sure I did, but—

Mr. GRIFFIN. When Sergeant Dean placed you in the basement, did you recall where he placed any of the other men?

Mr. NEWMAN. No; I don't. The only one I remember was there was a regular officer—I don't know who he was. He was in this approximate area here. Do you want me to mark this [indicating]?

Mr. GRIFFIN. Yes; go ahead. Why don't you put a "R" for regular?

Mr. NEWMAN. [Indicating.]

Mr. GRIFFIN. Now, do you recall whether there were any officers over here by elevators Nos. 1 and 2 and the service elevator?

Mr. NEWMAN. I am almost certain there weren't any in the garage area, except he and I, immediately prior to the shooting. There was quite a few moving around through there before that.

Mr. GRIFFIN. How long before that were they moving around?

Mr. NEWMAN. Oh, I would say an hour before that, they were moving in and out.

Mr. GRIFFIN. But let's take the 10 or 15 minutes before the shooting. Were there any men over by those elevators?

Mr. NEWMAN. Not except the one man. I assume that was his job.

Mr. GRIFFIN. The one man you have marked here with an "R"?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Now, were you able to tell whether these elevators No. 1 and No. 2 were in operation?

Mr. NEWMAN. No; there is no way I had of knowing. I could see the elevators, but I don't know whether they were in operation.

Mr. GRIFFIN. Did you see anybody go up or down those elevators in the hour that you were at your position?

Mr. NEWMAN. No.

Mr. GRIFFIN. Were you able to tell whether or not this service elevator was in operation?

Mr. NEWMAN. That I don't know either.

Mr. GRIFFIN. Did you see anybody in that service elevator?

Mr. NEWMAN. No.

Mr. GRIFFIN. Are you able to state positively that there was nobody, during the period you were here, who you saw in that service elevator?

Mr. NEWMAN. No. I couldn't say that. I just say I couldn't see anyone.

Mr. GRIFFIN. Now, did you, during the time you were stationed here, did you see anybody come out of the engineroom area?

Mr. NEWMAN. No.

Mr. GRIFFIN. Were you able to tell from where you were stationed if there was anybody in there, a night watchman or anybody in that engineroom there?

Mr. NEWMAN. No. I couldn't see if there was anybody in there.

Mr. GRIFFIN. Now, in the 20 minutes or half hour before the shooting, how many cars would you say were parked in this part of the garage [indicating]?

Mr. NEWMAN. Oh, I would estimate there were 20.

Mr. GRIFFIN. Now, in that half hour before the shooting, was there any traffic in and out of that garage?

Mr. NEWMAN. Just that one squad, that I recall.

Mr. GRIFFIN. Now, from the time that you heard that Coke bottle drop, where was your attention focused, from your position?

Mr. NEWMAN. At the time?

Mr. GRIFFIN. From the time?

Mr. NEWMAN. Oh, from the time?

Mr. GRIFFIN. Yes. What were you looking at in there?

Mr. NEWMAN. Well, my main concern was this room.

Mr. GRIFFIN. I see.

Mr. NEWMAN. I was looking occasionally throughout the rest of the area.

Mr. GRIFFIN. Could you tell us how you faced from there, from where you have got yourself, what direction you were facing?

Mr. NEWMAN. I was facing in this direction [indicating].

Mr. GRIFFIN. Did you have occasion at any time to look over in this area here [indicating]?

Mr. NEWMAN. Not until immediately prior to the shooting.

Mr. GRIFFIN. What directed your attention over there?

Mr. NEWMAN. Someone yelled, "Here he comes." I believe, "Here they come," something to that effect.

Mr. GRIFFIN. And you could hear that from over there?

Mr. NEWMAN. [Witness nods head.]

Mr. GRIFFIN. Now, how about when you saw an automobile move out of the garage? Did you follow that automobile—did you watch and see where that automobile went?

Mr. NEWMAN. Not from the time it got on the ramp. I couldn't see but about two thirds of the ramp. I couldn't see the door.

Mr. GRIFFIN. All right. Now, after that automobile left, did you continue to watch over in that direction?

Mr. NEWMAN. No. There was nothing unusual about it.

Mr. GRIFFIN. Prior to the time, or as the automobile was moving out, can you describe this area, in what I will call the entrance to the garage, describe how many people were in that area there?

Mr. NEWMAN. Oh, I would estimate there were 40, 50, 60 people.

Mr. GRIFFIN. Now, were there substantially more people in the area in the garageway than in the area along the Main Street ramp?

Mr. NEWMAN. No; there were more people over in this area here, along this wall [indicating].

Mr. GRIFFIN. How many people would you estimate were over—

Mr. NEWMAN. Well, that's what I meant, I would say over 40 or 50, total. Out of that, I wouldn't think there were more than 5 or 10, if that many, in this area here [indicating].

Mr. GRIFFIN. Would you mark down here the placement of the people in that area at the time you heard somebody yell, "Here he comes."

Mr. NEWMAN. You just want to know about this one area?

Mr. GRIFFIN. Yes.

Mr. NEWMAN. I don't recall specifically anyone being there at any particular place [indicating].

Mr. GRIFFIN. All right. Now, over in this area, can you show me how they were placed over there [indicating]?

Mr. NEWMAN. There was a group along this wall, there was a group over here that I could see [indicating].

Mr. GRIFFIN. Now, what's your estimate of the number of people that were in this group?

Mr. NEWMAN. Oh, from what I could see, I would say maybe 20, just an estimate.

Mr. GRIFFIN. Why don't you put about 20 there?

Mr. NEWMAN. [Indicating].

Mr. GRIFFIN. Now, how many people would you estimate were over in this cluster that you have marked there [indicating]?

Mr. NEWMAN. From what I could see, it appeared to be about the same number.

Mr. GRIFFIN. About 20 there. And, how many deep were they?

Mr. NEWMAN. Oh, I couldn't see that much detail. I could just tell there was a crowd of people.

Mr. GRIFFIN. Now, would you try to indicate how people were spaced over in here [indicating]?

Mr. NEWMAN. Well, if there were, they were very sparse. I would just say individually.

Mr. GRIFFIN. Now, why don't you just write in there "sparse."

Mr. NEWMAN. [Indicating].

Mr. GRIFFIN. Do you recall where the TV cameras were placed?

Mr. NEWMAN. Yes, sir.

Mr. GRIFFIN. Would you indicate on that where the TV cameras were?

Mr. NEWMAN. As I recall, there were three.

Mr. GRIFFIN. Now, when you came into the basement the first time, did you see a TV camera over in this area here that I have pointed to [indicating]?

Mr. NEWMAN. Not a large camera. There may have been a hand-held camera, but no large camera.

Mr. GRIFFIN. What I am indicating on here, so the record will reflect, I am

pointing to the area roughly in front of the jail office door. For anyone reading this, I will indicate also that this is an area in which Assistant Chief Batchelor indicated that sometime, that he is not sure of, in the early morning he saw a TV camera there, and he believes he had it moved. Now, I take it you don't recall any equipment of any sort being in this area in here, in the garage [indicating]?

Mr. NEWMAN. TV equipment?

Mr. GRIFFIN. Yes. In the entrance to the garage?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. Now, is this a railing, incidentally [indicating]?

Mr. NEWMAN. This is a small rail right here [indicating].

Mr. GRIFFIN. All right. Let me write across here "rail." Now, from where you were standing, were you able to see over that rail?

Mr. NEWMAN. Partially.

Mr. GRIFFIN. How high is that rail?

Mr. NEWMAN. It isn't over 3 feet.

Mr. GRIFFIN. Is it a solid thing or is it a metal set—

Mr. NEWMAN. Just made of pipes.

Mr. GRIFFIN. Is it any different from the railings that's along the Commerce Street ramp?

Mr. NEWMAN. Same type railing, I believe.

Mr. GRIFFIN. Same type of railing. And the railing that's marked in solid on the other side of the entrance to the garage next to the chief parking area, which I will also label rail, that's the same kind of railing as the ones over near the TV cameras?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. So, your vision from where you were standing was not substantially obstructed by any permanent parts of the building, from where the marked curb on the ramp is, all the way down, perhaps to this, all the way down to this railing here [indicating]?

Mr. NEWMAN. It was somewhat obstructed by these columns, but nothing to keep me from getting an overall view of the area.

Mr. GRIFFIN. Now, what do you recall happening after the automobile drove out of the drive and went up the Commerce Street ramp?

Mr. NEWMAN. I don't recall anything until I heard that "Here he comes," called out.

Mr. GRIFFIN. What did you do when you heard the "Here he comes"?

Mr. NEWMAN. I looked up in that direction.

Mr. GRIFFIN. And what did you see when you looked up in that direction?

Mr. NEWMAN. All I saw was the newsmen congregating to that area.

Mr. GRIFFIN. Where did they seem to be pushing in from?

Mr. NEWMAN. Well, they were making a round in this general area in here [indicating].

Mr. GRIFFIN. You are indicating the area up in the ramp, Main Street ramp?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. How deep were they in the Main Street ramp, by that time?

Mr. NEWMAN. I would guess two or three, but that's just a guess.

Mr. GRIFFIN. Now, does that include policemen, also?

Mr. NEWMAN. You mean the number of people?

Mr. GRIFFIN. Yes.

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Would you say the total number of people was two or three deep there?

Mr. NEWMAN. Uh-huh.

Mr. GRIFFIN. Was it solid across from this wall to the railing?

Mr. NEWMAN. Well, I couldn't see that much detail.

Mr. GRIFFIN. Now, as you looked over in that direction, after you heard "Here he comes," and you saw this milling around, what is the next thing that you remember seeing?

Mr. NEWMAN. Well, like I said, I saw these people congregating to this area. I did see a man come down this ramp [indicating].

Mr. GRIFFIN. You saw a man come down the ramp?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. When did you see him come down the ramp?

Mr. NEWMAN. It was just immediately after that was called out.

Mr. GRIFFIN. And whereabouts did you first see him when he was on the ramp?

Mr. NEWMAN. Oh, I would say in about the location of this arrow [indicating].

Mr. GRIFFIN. You want to put a mark there?

Mr. NEWMAN. [Indicating].

Mr. GRIFFIN. Now, what did you see that man do?

Mr. NEWMAN. He just ran down in here [indicating].

Mr. GRIFFIN. Did he seem to run down into the center or to one side or what?

Mr. NEWMAN. From the angle I was looking, I couldn't tell.

Mr. GRIFFIN. Now, did you see that man—how that man was dressed?

Mr. NEWMAN. No.

Mr. GRIFFIN. Did you see that man emerge?

Mr. NEWMAN. No.

Mr. GRIFFIN. Did you see Jack Ruby move forward at Lee Oswald?

Mr. NEWMAN. No; I didn't.

Mr. GRIFFIN. As you were standing here, could you see the areaway here [indicating]?

Mr. NEWMAN. I don't think I could because of the car that was parked here. I don't recall seeing the area. I don't recall not seeing it. I don't much think I could, though, because there was a car parked right here [indicating].

Mr. GRIFFIN. All right. I am going to mark this in pencil. Is that about where this car was [indicating]?

Mr. NEWMAN. I would say it was just about that location [indicating].

Mr. GRIFFIN. All right. And is the way we have got this drawn here at this point, with the one pencil mark in there, the way the area from here on up, all the way up to here and the whole building appeared at the time Oswald was shot, from this spot [indicating]?

Mr. NEWMAN. That's the way it appeared to me.

Mr. GRIFFIN. Can you tell us anything about that area there [indicating]?

Mr. NEWMAN. No. I do remember one thing, now, that was—some half hour before that, where another automobile was parked, if you are interested.

Mr. GRIFFIN. Yes; I am.

Mr. NEWMAN. It was parked, I would say, approximately here. I will mark this "second auto"; is that all right [indicating]?

Mr. GRIFFIN. Just mark it "car one half hour before shooting."

Mr. NEWMAN. All right [indicating].

Mr. GRIFFIN. Now, was that car there at the time that Oswald was shot?

Mr. NEWMAN. No; it wasn't.

Mr. GRIFFIN. Now, did you see that car moved?

Mr. NEWMAN. I don't recall it being moved. It might possibly have been the car that left here. I do know there was a car over here. I wasn't paying that much attention as to what they were doing. This might possibly have been this car; I don't know.

Mr. GRIFFIN. You are not sure where the car that went up the ramp came from, but you did see a car go up the ramp?

Mr. NEWMAN. Uh-huh.

Mr. GRIFFIN. Did you see this car that moved through the line of newsmen?

Mr. NEWMAN. Not that I recall. I didn't pay any attention to it.

Mr. GRIFFIN. All right. You have indicated that this car you saw move out, moved out 5 or 10 minutes before the shooting. Now, I know it's awful difficult, we have been here talking, and I frankly haven't any idea how long we have talked. Maybe it is easier to pinpoint the movement of that car in terms of when you heard that pop bottle?

Mr. NEWMAN. All I know, it was sometime between the bottle and the shooting. I would say I can't pinpoint it even within 10 minutes, but I do know it was a short time.

Mr. GRIFFIN. Okay. I will mark this, "Exhibit, Dallas, Texas, W. J. Newman," no; I take that back. I will mark it, but I think it best that we go through this whole thing chronologically. W. J. Newman, 3-25-64, Exhibit 5038. Now, what did you do after the shot was fired?

Mr. NEWMAN. As soon as I heard the shot fired, I ran up into this place [indicating].

Mr. GRIFFIN. I don't think we need to mark it. You stood at the base of the garage ramp?

Mr. NEWMAN. That's right.

Mr. GRIFFIN. What did you do at that point?

Mr. NEWMAN. Well, this officer came up to about—well, opposite me—

Mr. GRIFFIN. To make this, maybe, a little easier, let's take the pencil and you mark where you went to with pencil, and draw a line to it, and then mark where this other fellow went. Why don't you put an arrow, so we know which direction we are moving?

Mr. NEWMAN. (Indicating).

Mr. GRIFFIN. All right. Do you remember what the name of that officer was?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. Now, what did you do as you got up to that spot?

Mr. NEWMAN. Well, he or I, neither one had anyway of knowing what had happened, other than the fact a shot had been fired, and he said, "Don't let anyone leave." There was a man came at me from this direction, running towards me. I stopped him [indicating].

Mr. GRIFFIN. I see. Was he a newspaper man or what?

Mr. NEWMAN. He later told me he was a member of one of these camera crews.

Mr. GRIFFIN. What did you do with him when you stopped him?

Mr. NEWMAN. We scuffled a couple of seconds there until he recognized I was a police officer.

Mr. GRIFFIN. Were you in uniform?

Mr. NEWMAN. Yes. And as I recall, he said, "I am not trying to leave. I will stay with you. I just want to get away from there," or something to that effect. He didn't stand there but for a minute. Then he asked me if he could go back to the crew. I told him he could, but not to try to leave the building. I still didn't know what had happened.

Mr. GRIFFIN. Why would he run off in that direction?

Mr. NEWMAN. I don't know. There was a man crouched behind this column here [indicating]. I assumed, I still do, he was probably just trying to find some place to go. Those columns offered the most protection.

Mr. GRIFFIN. Now, how long did you remain there after you stopped that man?

Mr. NEWMAN. Until the ambulance arrived.

Mr. GRIFFIN. Can you describe this man that you stopped?

Mr. NEWMAN. No; I can't.

Mr. GRIFFIN. Did you ever learn what TV crew he was from?

Mr. NEWMAN. No.

Mr. GRIFFIN. Now, after the ambulance came, did you continue to remain there?

Mr. NEWMAN. I moved up to the base of the Commerce ramp here. There was another officer in plain clothes here—some newsmen tried to follow the ambulance out and we stopped them.

Mr. GRIFFIN. All right. That was a plain clothes officer, I think you said.

Mr. NEWMAN. I think we stopped him. He showed us his identification and he went on up the ramp. Not more than, oh, 2 or 3 minutes after that, I assume they decided to let these men go where they wanted to. I don't know that for a fact, but at any rate I was sent out on the corner of Main and Harwood to direct traffic. There were quite a few police units coming in from different parts of town.

Mr. GRIFFIN. How long did you remain out on the corner of Main and Harwood?

Mr. NEWMAN. Not over 10 minutes. A motorcycle officer relieved me.

Mr. GRIFFIN. Then what did you do?

Mr. NEWMAN. Then I returned to the assembly room and I was sent out to Parkland.

Mr. GRIFFIN. About what time did you arrive out at Parkland Hospital?

Mr. NEWMAN. I don't know exactly. From what happened, I would say 12:15 to 12:30, but that's just an approximation.

Mr. GRIFFIN. How long did you remain out there?

Mr. NEWMAN. I was there until about 4:30 in the afternoon.

Mr. GRIFFIN. Did you talk to anybody out there at Parkland Hospital?

Mr. NEWMAN. I talked to quite a few officers there.

Mr. GRIFFIN. Where were you stationed at Parkland Hospital?

Mr. NEWMAN. I was right on the entrance where you turn into the hospital off of Harry Hines.

Mr. GRIFFIN. Do you remember what police officers you talked to?

Mr. NEWMAN. I don't recall any except Captain Solomon.

Mr. GRIFFIN. Now, at the time you were out there, did you tell anybody about having seen this man come down the Main Street ramp?

Mr. NEWMAN. No; at the time I didn't place any significance on it, because I still didn't know what happened.

Mr. GRIFFIN. Now, when you were standing out there, did you hear any discussion about the name of the man who had shot Oswald?

Mr. NEWMAN. Not there. The officer who relieved me on the traffic detail there on the corner asked me if I knew it was Jack Ruby that had done it. That was all he said.

Mr. GRIFFIN. Who was that officer that relieved you?

Mr. NEWMAN. I don't know his name.

Mr. GRIFFIN. That was at 4 o'clock?

Mr. NEWMAN. No; it was at—oh, 12:15 or 12:30, on the corner of Harwood and Main.

Mr. GRIFFIN. So, by the time you got to Parkland Hospital, you knew Ruby had shot Oswald?

Mr. NEWMAN. I knew a man named Jack Ruby had shot him. The name didn't mean anything to me.

Mr. GRIFFIN. Did you relieve Officer Vaughn at the Main Street entrance?

Mr. NEWMAN. Right here [indicating].

Mr. GRIFFIN. Oh, you went to Main and Harwood?

Mr. NEWMAN. That's right; I did. On the way back I did spend, oh, maybe 5 minutes here at this entrance [indicating].

Mr. GRIFFIN. You did?

Mr. NEWMAN. Directing traffic.

Mr. GRIFFIN. And was Officer Vaughn there?

Mr. NEWMAN. I don't recall the officer's name.

Mr. GRIFFIN. Now, when you got out to Parkland Hospital, did you tell anybody out there the name of the person who shot Oswald?

Mr. NEWMAN. No.

Mr. GRIFFIN. Do you remember some of the officers who were out there at Parkland Hospital? By this, I mean reserve officers as well as regular officers?

Mr. NEWMAN. I don't recall anyone by name except Captain Solomon. I haven't been in the reserve long enough to know too many of these men. I know there were 5 reserves—or 4 others and myself, who were transported out there in the squad car.

Mr. GRIFFIN. You don't know any of the reserve officers by name, outside of Solomon?

Mr. NEWMAN. Oh, yes; I know them, but I don't know any of those people.

Mr. GRIFFIN. I see. Had you ever worked before with any of the reserve officers who were out there?

Mr. NEWMAN. I had gone through school with one of them.

Mr. GRIFFIN. Which one was that?

Mr. NEWMAN. There again, I can't tell you his name.

Mr. GRIFFIN. Can you describe him?

Mr. NEWMAN. He was—I would know his name if I saw it. Oh, rather tall, I would say about 6'2", wavy black hair, medium built.

Mr. GRIFFIN. Does he wear glasses?

Mr. NEWMAN. I don't think so.

Mr. GRIFFIN. Do you know what he does, where he is employed?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. About how old is he?

Mr. NEWMAN. I guess late twenties.

Mr. GRIFFIN. Do you know where he lives?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. Now, did you see this particular officer out at Parkland Hospital?

Mr. NEWMAN. [Witness nods head.]

Mr. GRIFFIN. Where did you see him?

Mr. NEWMAN. He relieved me sometime in the middle of the afternoon so I could go get a cup of coffee.

Mr. GRIFFIN. Did you talk to him about what had happened down there in the basement?

Mr. NEWMAN. No. The only thing I said, I just relayed to him the instructions I had.

Mr. GRIFFIN. Do you remember telling anybody out there about seeing a man coming down the ramp?

Mr. NEWMAN. No.

Mr. GRIFFIN. Do you think that you did not tell anybody?

Mr. NEWMAN. I know I didn't.

Mr. GRIFFIN. You know you didn't tell anybody that. When did you first become aware that this might be significant, that you saw this man come down the ramp?

Mr. NEWMAN. When I was interviewed by Lieutenant Revill. It must have been the following Sunday.

Mr. GRIFFIN. After you got off duty at Parkland Hospital, where did you go?

Mr. NEWMAN. I went back to the Police and Courts Building and was assigned on the second floor, security detail.

Mr. GRIFFIN. Is that where Captain Talbert was?

Mr. NEWMAN. I don't know the gentleman. It was right outside of the city planning office.

Mr. GRIFFIN. Oh. Was this on the second floor of the municipal building?

Mr. NEWMAN. The Police and Courts Building. The city planning or—

Mr. GRIFFIN. Is that in the jail part of the building?

Mr. NEWMAN. Yes. On the second floor, just to the right of the elevator, there is some city offices there other than the police department.

Mr. GRIFFIN. Is that right?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. And you were on the elevator, stationed on the elevators there?

Mr. NEWMAN. No; I was at the stairway.

Mr. GRIFFIN. What were you to be doing there at the stairway?

Mr. NEWMAN. My instructions were that no one was to be in there except press, police, and anyone who had a business. There were several civilians who came into the building. I recall one witness who, in accident, he was escorted into where he was going and escorted out.

Mr. GRIFFIN. How long did you remain there?

Mr. NEWMAN. Until about 8:30 p.m. About 2 hours.

Mr. GRIFFIN. And then where did you go?

Mr. NEWMAN. I was relieved and went home.

Mr. GRIFFIN. All right. Now, while you were there, did you talk to Sergeant Dean?

Mr. NEWMAN. Well, no; but I didn't see Sergeant Dean the rest of the day.

Mr. GRIFFIN. At any time before you left duty, did anybody from the police department talk to you about writing a report or anything like that?

Mr. NEWMAN. No.

Mr. GRIFFIN. Now, while you were standing around there before you left duty, did you hear any rumors about how Jack Ruby got in the building? What was the first rumor that you heard about how Ruby got in the building?

Mr. NEWMAN. The first I heard was not over 2 weeks ago in an account in a newspaper.

Mr. GRIFFIN. I don't understand. It was not over 2 weeks ago in an account—

Mr. NEWMAN. An article. The first—anything I had heard, rumor or otherwise, as to how he got into the building.

Mr. GRIFFIN. You mean 2 weeks ago from today?

Mr. NEWMAN. During the trial, approximately 2 weeks.

Mr. GRIFFIN. You didn't hear any rumors over television; didn't read any rumors in the newspaper?

Mr. NEWMAN. Well, let me retract that. I do recall a statement that Ruby himself made. I don't remember when it was. It was sometime in the 4 months between the incident and the trial. I think he had boasted how easy it was, or he couldn't have planned it that well, or something.

Mr. GRIFFIN. Do you take a daily newspaper?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Do you take any news magazines?

Mr. NEWMAN. No.

Mr. GRIFFIN. Time?

Mr. NEWMAN. No.

Mr. GRIFFIN. Life?

Mr. NEWMAN. [Witness shakes head.]

Mr. GRIFFIN. Saturday Evening Post?

Mr. NEWMAN. No.

Mr. GRIFFIN. Read any magazines?

Mr. NEWMAN. Yes; I read some magazines but no news magazines.

Mr. GRIFFIN. I mean, do you subscribe to any?

Mr. NEWMAN. Yes. American Rifleman and Readers Digest.

Mr. GRIFFIN. Those are the only two magazines you subscribe to?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Do you take both daily newspapers in town?

Mr. NEWMAN. Yes.

Mr. GRIFFIN. Did you try to keep abreast of the articles on the Ruby killing of Oswald, after this event?

Mr. NEWMAN. I think I read just about every word that was printed.

Mr. GRIFFIN. And you didn't see a single rumor in any newspaper about how he got in?

Mr. NEWMAN. I won't say I didn't see it. I will say I don't recall it.

Mr. GRIFFIN. Do you recall an article, for example, that was written about Sergeant Dean, where Sergeant Dean said, was quoted as saying he saw a man come down the Main Street ramp; do you recall that article?

Mr. NEWMAN. I don't. The reason I remember so well is because this article I saw 2 weeks ago satisfied my curiosity. I had been curious all that time. I knew from what Lieutenant Leavelle told me, or from the remarks he made, that with the men with him there—he wasn't making the remarks to me, but I think, when I told him about this, he turned to the other men and said, "Well, that's it." That's the only information I heard. The police officers I worked with and so forth had been very shut mouth.

Mr. GRIFFIN. When were you first requested to make a statement or prepare a letter or something of that sort for the use of the police department?

Mr. NEWMAN. It was the following Sunday, the week from the day of—the day Oswald was shot.

Mr. GRIFFIN. Are you sure of that?

Mr. NEWMAN. First request?

Mr. GRIFFIN. Yes.

Mr. NEWMAN. Yes.

Mr. GRIFFIN. I am going to hand you what I have marked as Newman Exhibit No. 5038. Would you read that over [indicating]?

Mr. NEWMAN. I am going to have to back up.

Mr. GRIFFIN. Now, this purports to be a copy of a letter which you signed and was addressed to Chief Curry and dated November 26, 1963. Did you prepare that letter?

Mr. NEWMAN. Let me think. The Tuesday night afterwards, Lieutenant Merrell gave me a mimeographed questionnaire for me to complete and return to

him and I think I did it right there on the spot. It was a very vague type thing. When I say statement, I am talking about the statement that I did sign the following Sunday, where they had this information that I had given them typed in the form of a statement.

Mr. GRIFFIN. Now, in this statement you indicated that you saw Lieutenant Stuets and Lieutenant Crowey—Sergeant Crowey, of the reserves in the same area you were in?

Mr. NEWMAN. I saw them that morning. They were not in the same area that I was in. I had seen them in the basement that morning. I don't have any idea where they were at the time. I happen to know now where Sergeant Crowey was, but I found that out later.

Mr. GRIFFIN. When did you see Sergeant Crowey in the basement that morning?

Mr. NEWMAN. That I don't remember. It was sometime before the——

Mr. GRIFFIN. What do you mean by this statement in here that, "Names of other officers in the same area that I can't recollect." What do you mean by the same area?

Mr. NEWMAN. By the same area there I meant the basement proper.

Mr. GRIFFIN. Where in the basement do you remember seeing him?

Mr. NEWMAN. I don't recall.

Mr. GRIFFIN. Sergeant Crowey?

Mr. NEWMAN. I don't recall any specific area.

Mr. GRIFFIN. Where in the basement area did you recall seeing Stuets? Now, is Lieutenant Stuets or Sergeant Crowey, either one of them, this regular officer that you have got marked here with an "X"?

Mr. NEWMAN. No; I know that.

Mr. GRIFFIN. Now, as far as that is concerned, then, you saw many officers in here who you would remember, whose names you would remember?

Mr. NEWMAN. No. The way I took that question and the way I answered it, those are the only two officers I saw that morning in the basement whose names I did remember.

Mr. GRIFFIN. Did they help you search the basement?

Mr. NEWMAN. I don't believe so. They have been searching in another area, but they weren't right with me.

Mr. GRIFFIN. Did you see Captain Arnett that day?

Mr. NEWMAN. Let me try to—I know he was there, but I don't think I saw him. I may have seen him after the shooting. There was so much confusion then that I wasn't paying too much attention to who I was seeing.

Mr. GRIFFIN. Do you know of an officer on the police force named Blackie Harrison?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. Do you recognize Chief Batchelor when you see him?

Mr. NEWMAN. I don't think I would. I have only seen the gentleman one time.

Mr. GRIFFIN. Do you recognize Captain Butler when you see him?

Mr. NEWMAN. No; I don't.

Mr. GRIFFIN. Do you recognize Captain Jones when you see him?

Mr. NEWMAN. No; I don't know him.

Mr. GRIFFIN. Do you recognize Officer Lowery when you see him?

Mr. NEWMAN. I don't know him.

Mr. GRIFFIN. Do you know any of the officers in the juvenile bureau?

Mr. NEWMAN. I would know one if I saw him. I don't know him.

Mr. GRIFFIN. Do you know Detective Miller in the juvenile bureau?

Mr. NEWMAN. No.

Mr. GRIFFIN. Would you recognize the name of this guy in the juvenile bureau, if I gave you his name?

Mr. NEWMAN. No; as far as I know, I have never heard it. I have only been in there, I think, twice.

(Pause.)

Mr. GRIFFIN. You are a d--- l---. I want you to come back tomorrow night and I want you—I want to question you some more.

Mr. NEWMAN. I certainly don't appreciate that accusation. I have given you all I can, to the best of my memory, for 4 months.

Mr. GRIFFIN. I want you to regard yourself as still under the obligation to appear, that you are already under, by virtue of having waived any notice here, and I would like to recess to continue this deposition until 4 o'clock tomorrow afternoon in this office. If you would care to consult with an attorney at that time, or anything like that, and would like to come in here with one, I would be most happy for you to do so.

Mr. NEWMAN. May I ask: What are you getting at?

Mr. GRIFFIN. Well, frankly, after having sat here for an hour and having listened to this testimony, my own personal opinion, either you are absolutely not telling the truth or plenty of other people who have been in here aren't telling the truth. Somehow I am going to see how the devil we can reconcile these differences.

TESTIMONY OF WILLIAM J. NEWMAN RESUMED

The testimony of William J. Newman was taken at 4:08 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. HUBERT. Let the record show that at 4:08, March 26, 1964, the deposition of Mr. W. J. Newman, which was commenced last night with Mr. Burt W. Griffin conducting the investigation, but which was not completed last night, is now being resumed by Leon D. Hubert, Jr., staff member, conducting the deposition.

Mr. Newman, are you willing to continue the deposition at this time?

Mr. NEWMAN. Yes, sir.

Mr. HUBERT. Will you understand that you are under the same oath that you were yesterday when the deposition began, and all through the deposition?

Mr. NEWMAN. Yes, sir.

Mr. HUBERT. And that you regard yourself as being under the same oath?

Mr. NEWMAN. Yes.

Mr. HUBERT. Let the record show, also, that I have been designated by Mr. J. Lee Rankin, General Counsel of the Commission, to take the sworn deposition of Mr. William J. Newman.

Mr. Newman, I simply want to mark for identification so that we will all know what we are talking about certain papers and letters and reports so that we can refer to them by the designation marked on them.

Now, I notice that last night, apparently, the last exhibit number that was used by Mr. Griffin was No. 5038, in connection with a letter dated November 26, or rather it is a copy of a letter dated November 26 addressed to J. E. Curry, Chief of Police, the original of which, apparently, signed W. J. Newman.

Since I do not know what sequence of the letters Mr. Griffin has used since he started your deposition, I am going to number the documents that we will be talking about now by using the same basic number 5038, adding the letters "A", "B", "C", etc., as far as we need to go. Now, in that connection, I am marking an undated statement—an undated document, I beg your pardon, undated document entitled "Statement of Police Reserve Officer William J. Newman." It is also unsigned. And it is to be found in the Commission Document 81-A point 79. For the purpose of identification, I am marking it "Dallas, Tex., March 26, 1964. Exhibits 5038-A. Deposition of W. J. Newman." Sign my name below it. Then for the purposes of identification, also, I am marking a verifax or photostatic copy of "Officer's Memorandum dated December 6, 1963, to Lieutenant Revill, from Detective R. W. Westphal," which document is to be found in Commission Document 81-A point 79. And, I am marking that "Dallas, Tex., March 26, 1964. That's Exhibit 5038-B. Deposition of W. J. Newman," and signing my name below on that document. Then the next docu-

ment is a letter, or verifax or photostatic copy of a letter, dated December 31, 1963, to J. E. Curry, signed by Jack Revill, and C. C. Wallace, purporting to be a report on an interview by Reserve Officer W. J.—William J. Newman, No. 317, and for the purposes of identification I am marking that document "Dallas, Tex., March 26, 1964, Exhibit No. 5038-C." Continuing your identification, "Dallas, Tex., March 26, 1964, Exhibit No. 5038-C. Deposition of W. J. Newman." I am signing my name on that document, which is also to be found in Commission Report—Commission Document No. 81-A point 79. Finally, I am marking what purports to be a copy of the report by FBI Agents James C. Kennedy and Leo L. Robertson, concerning an interview with William J. Newman on December 24, 1963, and for identification I am marking that document, "Dallas, Tex., March 26, 1964. Exhibit 5038-D. The deposition of W. J. Newman." And signing my name on that document.

Now, Mr. Newman, you have had an opportunity, I think, to read these various documents there, 5038-A, B, C and D.

Mr. NEWMAN. Yes, sir.

Mr. HUBERT. The only purpose of asking you to read them and to compare them is to ask you if you can assist us at getting at the facts, and that is all we want to know.

There seems to be some contradiction between them. Maybe there is not. If there isn't and you can show us that there isn't, that is all we want to know. If there is a contradiction, we would like to have your explanation, if we can, as to what is the truth, because that is all we want to know anyhow. If there is a contradiction, it is obvious that one of the statements must be wrong, and all we want to do is tell us which is wrong and which is right. That is the sole purpose of this inquiry.

Mr. NEWMAN. Be happy to; if I can.

Mr. HUBERT. Perhaps I can get at it this way: These reports seem to indicate that you saw a man coming down the ramp. These records also seem to indicate that you saw a man climbing over a rail in the basement. Now, I think we can clarify this situation immediately by asking you, do those reports relate to two different instances?

Mr. NEWMAN. That's correct

Mr. HUBERT. In other words, there was a man climbing over the rail, and there was a man coming down the Main Street ramp, and as far as you know they are two different episodes?

Mr. NEWMAN. Two different things.

Mr. HUBERT. Two different things. All right. We got a lot clarified there. Now, I think the other point is when did each of these happen, and let's take, first of all, the man coming down the ramp.

Mr. NEWMAN. This, as I stated there, was, as near as I can estimate, approximately 1 minute or less prior to the shooting.

Mr. HUBERT. I think you said in your statement that because of the various conditions existing you could not identify the man by name or sight or anything of that sort?

Mr. NEWMAN. No.

Mr. HUBERT. That is to say when he was coming down the ramp?

Mr. NEWMAN. That's correct. I have also—I have never made any estimate.

Mr. HUBERT. No; that's correct. I didn't mean to intimate that you had. It is a fact that a man coming down—that you did see a man coming down, but you really don't know who he is, and that never have known?

Mr. NEWMAN. That's correct.

Mr. HUBERT. You have, of course, seen pictures and so forth of Jack Ruby since?

Mr. NEWMAN. That's right.

Mr. HUBERT. Would you say that the man coming down the ramp was Jack Ruby?

Mr. NEWMAN. No; I wouldn't. By the same token, I wouldn't say that he wasn't.

Mr. HUBERT. In other words, you can't say whether he was or wasn't?

Mr. NEWMAN. That's right. I just didn't pay that much attention to it at the time.

Mr. HUBERT. And that was definitely about a minute before the shooting?

Mr. NEWMAN. That's correct.

Mr. HUBERT. So, I think we have that one clarified, so far as that is concerned.

Now, about the man jumping over the rail, what is your best thought about the timing on that?

Mr. NEWMAN. I have none. When I talked to Lieutenant Revill, I think this was Sunday the 1st of December, I guess it would be, and he asked me two or three times whether I had seen a man go over the rail. I couldn't recall anyone. Later, I think it was, oh, two days later, I am not sure. I did remember seeing someone go over that rail, but as I stated in that statement, I cannot, for the life of me, set the time in any figures. Just something that registered, and that was the end of it.

Mr. HUBERT. So, that when you say "it", you couldn't tell whether it was before the shooting or after, you can't tell whether it was a minute before or a minute after, 5 minutes before or 5 minutes after, or for that matter more time before or more time after?

Mr. NEWMAN. Well, I know not longer than 5 or 10 minutes after, because I wasn't there. I couldn't establish it at any time.

Mr. HUBERT. So, that your best recollection right now, today, is simply that you have a recollection of a man going over the rail from the parking area into the ramp.

Mr. NEWMAN. That's right.

Mr. HUBERT. About what part of the ramp was it; do you remember?

Mr. NEWMAN. About midway.

Mr. HUBERT. About midway? But, you don't know?

Mr. NEWMAN. Just—

Mr. HUBERT. The relation of it as to time of the shooting, except that it couldn't have been when you weren't there, obviously.

Mr. NEWMAN. That's right.

Mr. HUBERT. You remember how the man was dressed?

Mr. NEWMAN. No.

Mr. HUBERT. I'll ask you this, too: Do you know whether it was, or was not, or do you have any opinion on whether it was or was not Jack Ruby, or do you have any opinion as to who it was at all?

Mr. NEWMAN. I have no opinion whatsoever. I would like to say in that, since we are talking about this incident, that when I talked to Detective Westphal—was it?

Mr. HUBERT. Yes, sir.

Mr. NEWMAN. Lieutenant Revill was out of town. He didn't indicate to me that he placed any importance on it whatsoever. I was not aware of the fact that he had even written a memo on it. Mr. Griffin, last night, did not bring it up, and I, after talking to him, dropped the subject. Didn't see fit to bring it up, or didn't even remember it.

Mr. HUBERT. What is this undated statement which we have identified as 5038-A, the one that is also unsigned? Do you know anything about that at all?

Mr. NEWMAN. I don't know. I would guess probably that information was taken down at the time I talked to him on the telephone. That is, by and large, the statement I made to him.

Mr. HUBERT. You had called him on the telephone as indicated, in fact, by Exhibit 5038-B, when Westphal reports on it, says, "Subject." That means you, "called this date." Did he ask you when—in other words, he left a call for you, is that correct?

Mr. NEWMAN. Now, I called him.

Mr. HUBERT. You called him to tell him what?

Mr. NEWMAN. Just to give him that information that I had remembered since I talked to him the previous time, because at the time he seemed to think it was fairly important.

Mr. HUBERT. Now, did you go out to Parkland Hospital?

Mr. NEWMAN. Yes.

Mr. HUBERT. Did you speak to a man, reserve officer by the name of Holly?

Mr. NEWMAN. I don't recall. I spoke to several reserve officers. I can't recall any of them as to who they were.

Mr. HUBERT. Do you remember telling anyone of them about having seen either of these two men that we just talked about, that is to say, the man coming down the rail, or coming down the ramp, or the man coming over the rail?

Mr. NEWMAN. No, at the time I didn't even recall placing any significance on the fact, because at the time I didn't even know what had happened.

Mr. HUBERT. You don't recall talking to anybody about either of these two episodes, the man going down the ramp and the man jumping over the rail while you were at Parkland that day?

Mr. NEWMAN. No, I didn't.

Mr. HUBERT. I gather from your statement, but I think I had better get it exactly straight, that you did not do anything with respect to either of the two men?

Mr. NEWMAN. No, I had no contact with them.

Mr. HUBERT. I didn't mean that contact, so much as I meant taking some police action.

Mr. NEWMAN. No, that is what I meant too.

Mr. HUBERT. All right. Do you know an officer by the name of Brock? Reserve officer, I believe.

Mr. NEWMAN. No, I don't. I don't recognize the name.

Mr. HUBERT. And one by the name of Worley?

Mr. NEWMAN. No, I don't recognize that name either. I might know him on sight if I see him.

Mr. HUBERT. Well, have you any other comments to make? I think the thing is clarified.

Mr. NEWMAN. No, we had our misunderstanding last night. I didn't know what needed to be clarified. I know I was thoroughly shaky and possibly not too accurate as to the details of what happened in that basement prior to the shooting in the hour or hour and a half, but that wasn't my concern, and I didn't pay too much attention. I just gave it as best I remembered.

Mr. HUBERT. Well, I wasn't at the deposition last night, so I don't know what went on, and I, therefore, will not ask you any further questions.

Have you had any interview with me prior to taking of this deposition today?

Mr. NEWMAN. No.

Mr. HUBERT. All right. I think that is all. Thank you for coming very much.

Mr. NEWMAN. I do have one other thing here that Mr. Griffin seemed to be concerned about last night, in that I couldn't identify a man, a reserve officer I had met in the basement of the garage, or immediately after I got there by name. That that you are holding is a class picture that was made. I can now identify—I have a list of names in my pocket if you want them.

Mr. HUBERT. The only way for it to be of the use would be if you would let me mark the picture and put it in the record.

Mr. NEWMAN. You may have it if you like. I don't know whether it is of any importance or not.

Mr. HUBERT. I don't either, but—do you want it to go in?

Mr. NEWMAN. Not necessarily. I am leaving it up to you.

Mr. HUBERT. As I say, I don't know what the question was last night about identification, and you have brought this matter up; I am perfectly willing to hear what you have to say about it. I think it would be better, if you comment about it, to put it in the record, but on the other hand maybe it wouldn't be necessary. Why don't you say what you have to say about it and then we can judge better?

Mr. NEWMAN. As near as I can recall, when he was questioning me about what officers I had seen in the basement that morning whom I knew, and the subject came up that I had seen one man but I could not remember his name. He asked me at that time for a description of him and I gave it to him. After looking at that picture last night when I got home, and with the list of names I had for the picture, I can now give the man's name, if you would like it.

Mr. HUBERT. Yes; go ahead.

Mr. NEWMAN. Third from the left—second from the left on the back row. Casten, Jerome Casten.

Mr. HUBERT. Jerome Casten. Now, that was the reserve officer that Mr.

Griffin was questioning you about last night, and, as I understand it, you testified that you did remember seeing a man, and you gave his description, but at that time you did not know his name?

Mr. NEWMAN. That's correct.

Mr. HUBERT. With the aid of this picture, which as I understand, is a class picture—I see Captain Solomon there, by the way—you identified him as the second man in the top row from the left, and you stated his name to be—

Mr. NEWMAN. Jerome Casten.

Mr. HUBERT. Jerome Casten. I think it would be better if you would allow this to go in. I am, therefore, marking the picture on the reverse side thereof by placing the following on it, to wit: "Dallas, Texas, March 26, 1964. Exhibit 5033-E, deposition of W. J. Newman." Then I am signing my name below that. I am placing an "X" over the man you have identified, and placing my initials next to the "X"; is that correct, sir?

Mr. NEWMAN. That's right. I don't remember seeing that man throughout the rest of the day, and to the best of my knowledge he was assigned somewhere other than the basement quite sometime prior to the shooting.

Mr. HUBERT. Now, in order that the record may show that we were both talking about the same document all the time, I wonder if you would mind placing your name below mine on each one of these?

Mr. NEWMAN. All right, sir.

Mr. HUBERT. Thank you very much.

TESTIMONY OF BOBBY G. PATTERSON

The testimony of Bobby G. Patterson was taken at 4:07 p.m., on April 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Bobby G. Patterson.

Mr. Patterson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress 137, and the rules of procedure adopted by the Commission, in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Mr. Patterson.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Patterson, the nature of the inquiry today is to determine what facts you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry, including what you know about what Jack Ruby might have had to do with it.

Mr. Patterson, I think you have appeared here by virtue of an individual request made to you to appear here—was that by a letter?

Mr. PATTERSON. By a letter.

Mr. HUBERT. When was that letter addressed to you by J. Lee Rankin, General Counsel of the Commission—when did you receive it?

Mr. PATTERSON. Monday.

Mr. HUBERT. Yesterday?

Mr. PATTERSON. Sunday.

Mr. HUBERT. Sunday.

Mr. PATTERSON. I came back Sunday.

Mr. HUBERT. Do you have any objection to testifying now?

Mr. PATTERSON. No.

Mr. HUBERT. The reason I say that is that under the rules of the Commission a person is supposed to have a 3-day notice before they can be required to testify,

but the rules also provide that you can waive it if you want to. If you are willing to testify and waive the 3 days notice, we can go ahead.

Mr. PATTERSON. I am as willing as he is.

Mr. HUBERT. All right; would you stand up and raise your right hand and I will administer the oath.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PATTERSON. Yes.

Mr. HUBERT. Will you state your name, please, sir?

Mr. PATTERSON. Bobby G. Patterson.

Mr. HUBERT. How old are you, sir?

Mr. PATTERSON. Thirty-three.

Mr. HUBERT. And what is your residence?

Mr. PATTERSON. Mesquite, Tex., 3463 Caracas [spelling] C-a-r-a-c-a-s.

Mr. HUBERT. Your occupation is what?

Mr. PATTERSON. Patrolman, Dallas Police Department.

Mr. HUBERT. How long have you been on the Dallas Police Department?

Mr. PATTERSON. Oh, about 5½ years.

Mr. HUBERT. What did you do before that?

Mr. PATTERSON. I worked for American Beauty Flour Co. down here on South Ervay.

Mr. HUBERT. Mr. Patterson, I have shown you a document which for the purpose of identification I have marked in the right margin the words, "Dallas, Tex., April 14, 1964, Exhibit 5311, Patrolman Bobby G. Patterson," and I have put my name on it, and since it contains a second page, I have put my initials at the bottom of the second page, and I ask you if you have read that document?

Mr. PATTERSON. I have.

Mr. HUBERT. That purports to be a report of an interview of you made by Special Agents Horton and Propst [spelling] P-r-o-p-s-t, on November 30, 1963, does it not; is that correct?

Mr. PATTERSON. I believe it is—I wouldn't say for sure—it was on Saturday, I believe—I don't know when it was.

Mr. HUBERT. In any case, I ask you if you think that this report identified as Exhibit 5311 is a fair report of the interview that you had with the FBI agents?

Mr. PATTERSON. It is a fair report.

Mr. HUBERT. Is there anything that you would like to add or delete or modify with respect to Exhibit 5311?

Mr. PATTERSON. No, that's just about it. As far as the time, now, I don't know about some of the time in my report and every report and stuff like that—I don't know if that makes any difference or not. That is as near as I could get it.

Mr. HUBERT. Well, let me ask you this—you say you are not sure about the times that are stated in this report, Exhibit 5311. I take it that you weren't sure really at the time that they interviewed you; is that correct?

Mr. PATTERSON. Yes—you know, the correct time?

Mr. HUBERT. Well, of course, I note that where this exhibit does mention time, it says "about."

Mr. PATTERSON. Well, that's what I put it, "about."

Mr. HUBERT. You did not know Ruby at all?

Mr. PATTERSON. I did not.

Mr. HUBERT. And you were at the top of the Commerce Street ramp?

Mr. PATTERSON. The ramp; yes, sir.

Mr. HUBERT. From about 9:30 on—you never left it?

Mr. PATTERSON. I never left it.

Mr. HUBERT. As far as you know, no one unidentified was there?

Mr. PATTERSON. No one without proper identification.

Mr. HUBERT. Tell us what you understood was meant by "proper identification"?

Mr. PATTERSON. Well, he said not to let no one in except police and reporters unless they had proper identification.

Mr. HUBERT. You said they told you—who was that?

Mr. PATTERSON. The sergeant.

Mr. HUBERT. Sergeant Dean?

Mr. PATTERSON. Yes, sir.

Mr. HUBERT. Now, of course, with respect to police, I guess their uniform would establish their identity?

Mr. PATTERSON. No, they have a regular identification.

Mr. HUBERT. And you were instructed to have them show their official identification?

Mr. PATTERSON. Yes, sir.

Mr. HUBERT. You did so?

Mr. PATTERSON. Yes, sir.

Mr. HUBERT. What about the identification of newsmen?

Mr. PATTERSON. Well, the best I could tell, they pulled out all the identification—part of them had pictures of who they worked for, where they lived, some of them didn't have nothing, some of them had stickers and I had to turn one of them back—I did—he come up there in a WRR truck and got out of it but didn't have no identification and he had to go back and get some.

Mr. HUBERT. In other words, as far as you were concerned, you were not satisfied if a man just simply had a badge on saying "press"?

Mr. PATTERSON. No.

Mr. HUBERT. You went further and required something that would satisfy you?

Mr. PATTERSON. Yes—anybody can pick up a press badge.

Mr. HUBERT. And you actually turned back some people who claimed to be the press, but you weren't satisfied with their identification?

Mr. PATTERSON. Yes.

Mr. HUBERT. Did you require a picture?

Mr. PATTERSON. Some of them had pictures and some of them didn't—some of them had where they lived—on down further who they worked for and what press—and they had cameras on.

Mr. HUBERT. Well, if they had that sort of thing, you figured that that was proper?

Mr. PATTERSON. Well, it's proper identification—you know half of them didn't know they were supposed to have the pictures. Of course, I don't guess the chief or anybody notified them to have pictures like they did down at the county.

Mr. HUBERT. But you considered that the identification you required as to newsmen, when they didn't have a picture, would be such as would satisfy you in normal police work in identifying anybody?

Mr. PATTERSON. Yes.

Mr. HUBERT. Driver's license and things of that sort?

Mr. PATTERSON. Well, sometimes I would have them show me their driver's license and that on top of their identification too, to make sure that was the same person.

Mr. HUBERT. So, you stayed in that position I guess from about 9:30 until actually—

Mr. PATTERSON. Almost 12 o'clock, I believe.

Mr. HUBERT. After the killing—after the ambulance went through?

Mr. PATTERSON. Yes.

Mr. HUBERT. Had you been given any instructions as to how the transfer was to take place?

Mr. PATTERSON. All they told me was that he would be transferred by armored car and for me to stay on the right side of it—of the armored car—as it was being backed in, and I stayed there.

Mr. HUBERT. Now, I have previously handed you another document which I have marked for identification by writing on the margin as follows: "Dallas, Texas, April 14, 1964, Exhibit 5312, Deposition of Patrolman Bobby G. Patterson," and I have signed my name below.

Now, I show you that document?

Mr. PATTERSON. Yes.

Mr. HUBERT. You have seen it and have read it?

Mr. PATTERSON. Yes.

Mr. HUBERT. You consider that it is correct and states the truth?
Mr. PATTERSON. Yes.
Mr. HUBERT. Do you have any modifications or adjustments?
Mr. PATTERSON. It is about as true as I could get it.
Mr. HUBERT. No deletions or anything to add?
Mr. PATTERSON. No, sir.
Mr. HUBERT. Did you know a man by the name of Larry Crafard?
Mr. PATTERSON. Who?
Mr. HUBERT. Larry Crafard or Curtis Laverne Crafard?
Mr. PATTERSON. No.
Mr. HUBERT. Do you have a telephone, sir?
Mr. PATTERSON. Yes.
Mr. HUBERT. What is your telephone number, please?
Mr. PATTERSON. Broadway 9-0394.
Mr. HUBERT. How long have you had that number?
Mr. PATTERSON. Oh, about—almost a year.
Mr. HUBERT. Are you familiar at all with the telephone number WH-2-5326?
Mr. PATTERSON. No, sir; I never heard tell of it.
Mr. HUBERT. Do you know a man by the name of Robert Carl Patterson, also known as Bobby Patterson?
Mr. PATTERSON. No.
Mr. HUBERT. Your middle initial is "G" and that stands for what?
Mr. PATTERSON. Gene [spelling] G-e-n-e.
Mr. HUBERT. So that you are not a person by the name of Robert Carl Patterson?
Mr. PATTERSON. No.
Mr. HUBERT. Have you ever lived at 902 East Waco Street, Dallas?
Mr. PATTERSON. No.
Mr. HUBERT. Mr. Patterson, I am going to show you a page in an exhibit which has been re-marked, "Dallas, Texas, April 14, 1964, Exhibit 5308, Deposition of Andrew Armstrong," on which I have signed my name, and that same group of pages has also been marked Crafard Exhibit No. 5205, in connection with the testimony of another witness?
On one of the pages thereof, I show you the number "WH-2-5326, Bobby [spelling] B-o-b-b-y Patterson." Is that your handwriting?
Mr. PATTERSON. It isn't mine—no.
Mr. HUBERT. Do you know anything about that at all?
Mr. PATTERSON. I sure don't—I haven't heard tell of that number.
Mr. HUBERT. Have you been interviewed previous to this time by any member of the Commission's staff?
Mr. PATTERSON. I never have.
Mr. HUBERT. Thank you; that's all.
Mr. PATTERSON. Okay.

TESTIMONY OF RIO S. PIERCE

The testimony of Rio S. Pierce was taken at 11:20 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Lt. Rio S. Pierce, with the Dallas Police Department. Lieutenant Pierce, my name is Leon D. Hubert, Jr. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of the Executive Order No. 11130, dated November 29, 1963, the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and that joint resolution, I have been authorized to take the sworn deposition from you, Lieutenant Pierce. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the

assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Lieutenant Pierce, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Lieutenant Pierce, you have appeared today by virtue of a general request made to Chief Curry by J. Lee Rankin, the General Counsel of the Commission. Under the rules adopted by the Commission you are entitled to have a 3-day written notice prior to the taking of the deposition, but the rules also provide that you may waive that 3-day written notice if you see fit to do so, and I ask you—

Lieutenant PIERCE. I waive that.

Mr. HUBERT. May I ask you to stand and raise your right hand so that you can be sworn? Do you solemnly swear to tell the truth the whole truth, and nothing but the truth, so help you God?

Lieutenant PIERCE. I do.

Mr. HUBERT. Will you please state your name?

Lieutenant PIERCE. Rio S. Pierce.

Mr. HUBERT. Age?

Lieutenant PIERCE. Forty.

Mr. HUBERT. Your residence, please?

Lieutenant PIERCE. 3227 South Edgefield.

Mr. HUBERT. What is your occupation?

Lieutenant PIERCE. Police officer, city of Dallas.

Mr. HUBERT. And how long have you been so occupied?

Lieutenant PIERCE. About 17½ years.

Mr. HUBERT. How long have you held the rank of lieutenant?

Lieutenant PIERCE. Four years.

Mr. HUBERT. What were your specific duties and responsibilities on November 24, 1963?

Lieutenant PIERCE. Do you have reference to normal duties, or on this specific day?

Mr. HUBERT. On this specific day.

Lieutenant PIERCE. On this specific day I had instructions to secure the basement of the city hall.

Mr. HUBERT. From whom did you receive those instructions?

Lieutenant PIERCE. From Captain Talbert.

Mr. HUBERT. Is he one of your superior officers?

Lieutenant PIERCE. Yes; captain of the radio patrol, lieutenant commander and—

Mr. HUBERT. What time did he give you those orders, sir?

Lieutenant PIERCE. I would say about 9 to 9:15.

Mr. HUBERT. Did he direct you as to what you were to do in order to secure the basement area?

Lieutenant PIERCE. No, sir; other than securing enough men from the other stations to secure the basement properly and make arrangements for whatever manpower was needed for the transfer.

Mr. HUBERT. All right. Would you state for the record what you actually did in connection with carrying out those orders?

Lieutenant PIERCE. Well, while we were responsible for the routine work of the department, we had to determine what manpower would be pulled on the various substations that we had, and those men were called in to the central station to be used as they were needed. Sergeant Dean was assigned the security of the basement, and he was assisted by Sergeant Putnam, and as I recall, there was a total of about 19 men that were called off their districts to help in this work.

Mr. HUBERT. Did you, yourself, do any of the inspection work, or the searching out work?

Lieutenant PIERCE. No, sir; Sergeant Dean made the assignment of the men, and approximately an hour later, I guess maybe 10:15, I did make an inspection of the basement, and apparently everything had been checked out, and it was considered secure.

Mr. HUBERT. What did your inspection consist of at the time?

Lieutenant PIERCE. Looking over the basement.

Mr. HUBERT. Did you walk around?

Lieutenant PIERCE. Yes, sir; I walked around the basement and checked various entrances to the city hall basement.

Mr. HUBERT. Do you know a reserve officer by the name of Brock?

Lieutenant PIERCE. I can't recall right now. I know the name, I am sure that I know him by sight, but I don't connect the name with the person.

Mr. HUBERT. Did you notice that there had been placed a uniformed officer, reserve or otherwise, near the service elevator in the basement?

Lieutenant PIERCE. Are you talking about in the new building?

Mr. HUBERT. Yes, sir; the elevator that goes up into the municipal building.

Lieutenant PIERCE. As well as I remember, there was an officer. I believe his name was Brock. A police officer by the name of Brock. I'm not certain, but those elevators had been cut off for—

Mr. HUBERT. Well, the two regular elevators had, but what about the service elevator that had two doors, one leading into the basement and another one leading on the other side of the basement? Are you familiar with the elevator at all?

Lieutenant PIERCE. Yes, sir; it has a back door to it leading out into the alley, and that is the elevator I believe, that was brought down and cut off and an officer stationed there to see that it didn't run.

Mr. HUBERT. Were you aware of any planned route from the basement area to the county jail?

Lieutenant PIERCE. My instructions were that I would escort the armored car, which would be a decoy, from Commerce Street ramp to Central north-bound. To Elm Street onto Houston Street, which would be the entrance to the county jail.

Mr. HUBERT. Who did you receive those orders from?

Lieutenant PIERCE. From Chief Curry and Chief Stevenson.

Mr. HUBERT. About what time did you get those orders?

Lieutenant PIERCE. I would assume it was about 11:15.

Mr. HUBERT. What did you do then?

Lieutenant PIERCE. I immediately left. I received these instructions in the homicide office, which is on the third floor of the city hall. Immediately left there and rode the elevator down to the basement where I secured a car and I found that the normal exit, which is the exit on Commerce Street from the basement of the city hall, was blocked by an armored car. It was necessary for me to use the Main Street exit. I mean—actually, the Main Street entrance, because we don't exit—

Mr. HUBERT. But you used it as an exit?

Lieutenant PIERCE. I used it as an exit.

Mr. HUBERT. Who was with you?

Lieutenant PIERCE. Sergeant Putnam was in the front seat with me and Sergeant Maxey was in the back seat.

Mr. HUBERT. Well, tell us what happened along the route then?

Lieutenant PIERCE. Well, we pulled out of the basement, and I would judge from the time, from the length of time, probably a length it would take it to circle city hall.

Mr. HUBERT. When you got to the top of the basement, were there any guards there on the Main Street entrance?

Lieutenant PIERCE. Patrolman Vaughn was stationed at the top of the ramp.

Mr. HUBERT. You knew him prior to that time?

Lieutenant PIERCE. Yes, sir.

Mr. HUBERT. What happened then?

Lieutenant PIERCE. Well, actually, nothing happened outside of the fact that he had to move out of the way to let us out.

Mr. HUBERT. Which way did he move?

Lieutenant PIERCE. He moved toward the street.

Mr. HUBERT. I mean on which side of you?

Lieutenant PIERCE. He moved to my right.

Mr. HUBERT. And toward the street?

Lieutenant PIERCE. And towards the street; yes, sir.

Mr. HUBERT. What way was he facing then during the period that you were moving by him?

Lieutenant PIERCE. He was facing me, as well as I remember.

Mr. HUBERT. That is——

Lieutenant PIERCE. Momentarily, anyway.

Mr. HUBERT. In fact, he would have been looking from where he was standing toward the Main Street entrance?

Lieutenant PIERCE. Yes, sir.

Mr. HUBERT. Did you see him turn his head any at all?

Lieutenant PIERCE. No, sir; I couldn't see him for just a matter of a second there when I pulled out. That ramp is steep and a little bit difficult to get out there.

Mr. HUBERT. Did he step out in the street at all?

Lieutenant PIERCE. Not to my knowledge.

Mr. HUBERT. Now, did you turn, immediately outside the Main Street entry or exit, to your right?

Lieutenant PIERCE. I was aware that people were pressed, not a large number of them, but I would say maybe four or five.

Mr. HUBERT. On your right?

Lieutenant PIERCE. No, well, probably might have been a—I don't know. Just a guess. I don't recall the number of people now, what it would be.

Mr. HUBERT. Do you recall whether there were some people on your right?

Lieutenant PIERCE. I was aware that people were on both sides of the car when I pulled across the sidewalk.

Mr. HUBERT. And how far from the entrance?

Lieutenant PIERCE. Well, probably 6 or 7 feet.

Mr. HUBERT. Did you recognize anybody at all?

Lieutenant PIERCE. Nobody except one by the name of Vaughn.

Mr. HUBERT. Now, subsequently, of course, it turned out that Ruby shot Oswald. Did you know him prior to that time?

Lieutenant PIERCE. No.

Mr. HUBERT. Ruby?

Lieutenant PIERCE. Yes, sir; I have known him 12 or 13 years, I guess.

Mr. HUBERT. So, you would recognize him without any difficulty whether he had a hat on or not?

Lieutenant PIERCE. I don't think I would have any trouble recognizing him if I saw him.

Mr. HUBERT. You did not, see him in that crowd to your right?

Lieutenant PIERCE. No; I didn't see him that day at all.

Mr. HUBERT. Do you think that if he had been there he would have recognized you?

Lieutenant PIERCE. I'm saying the possibilities are very great that had he been there I might not have seen him. I mean, due to the time element and more or less concerned with getting across the sidewalk and into the street, driving the automobile at the same time. I am saying the possibilities are very good that I might not have seen him had he been there. I'd be very hesitant to say that I wouldn't.

Mr. HUBERT. I'm going to mark for identification three documents. First, I am marking, "Dallas, Texas, March 24th, 1964, Exhibit 5077. Deposition of Rio Pierce" and putting my name underneath that, and my initial on the second page and in the right-hand lower corner, that being a copy of a letter dated November 26, 1963, addressed to Chief Curry. The second document also consisting of two pages, a report of an interview with you by FBI Agents Smith and Chapoton, on December 6, in 1963. I am marking that, "Dallas, Texas, March 24, 1964. Exhibit 5078, deposition of Rio Pierce." Signing my name on the front page of that, and I place my initials on the lower right-hand corner of the second page. And I am marking a third document on the right-hand margin, "Dallas, Texas, March 24, 1964. Exhibit 5079, deposition of Rio Pierce." Signing my name on that front page and placing my initials in the lower right-hand corner of the second and third pages. That last document, to wit: 5079, purports to be a report of an interview by FBI Agents Chapoton and

Smith of you, Rio Pierce, on December 2, 1963. Now, I ask you if you have had an opportunity to look at these documents?

Lieutenant PIERCE. Yes, sir.

Mr. HUBERT. Are those documents correct and true?

Lieutenant PIERCE. To the best of my knowledge, they are.

Mr. HUBERT. Are there any omissions of a material nature?

Lieutenant PIERCE. I don't recall any.

Mr. HUBERT. Anything you would like to delete as not being the truth, or add because it has been omitted?

Lieutenant PIERCE. No; I don't see anything in there that I would care to change.

Mr. HUBERT. As far as you know, this represents the truth as you know it?

Lieutenant PIERCE. Yes, sir.

Mr. HUBERT. Now, Maxey was in your car, was he not?

Lieutenant PIERCE. Yes, sir.

Mr. HUBERT. Was he in the rear?

Lieutenant PIERCE. Yes.

Mr. HUBERT. Did he ever talk to you about having seen Daniels at the exit?
N. J. Daniels?

Lieutenant PIERCE. You mean since then?

Mr. HUBERT. Well, since the day you drove out of there. In other words, have you and Maxey ever, at all, conversed about whether he, Maxey, saw Daniels?

Lieutenant PIERCE. It is possible. I don't recall. People talk about a lot of things since then.

Mr. HUBERT. Now, there has been no interview between you and any member of the Commission's staff before this deposition today, has there?

Lieutenant PIERCE. No.

Mr. HUBERT. Anything else you want to say or add or change?

Lieutenant PIERCE. I don't know of a thing.

Mr. HUBERT. Thank you very much, sir.

TESTIMONY OF SGT. JAMES A. PUTNAM

The testimony of Sgt. James A. Putnam was taken at 10:05 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. All right. This is the deposition of Sgt. James A. Putnam, Dallas Police Department. Sergeant Putnam, my name is Leon Hubert, Jr., I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of the Executive Order 11130, dated November 29, 1963, by President of the United States, the joint resolution of Congress No. 137 and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Mr. Putnam. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Sergeant Putnam, the nature of this inquiry tonight is to determine what facts you know about the death of Oswald and any other pertinent facts you know, now, about the general inquiry.

Sergeant Putnam, you have appeared by virtue of a general request made to Chief Curry by the general counsel of the staff of the President's Commission, Mr. J. Lee Rankin. Under the rules adopted by the Commission you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules also provide that a witness may waive the 3-day written notice. Now, I'll ask you if you are willing to waive that 3-day written notice?

Sergeant PUTNAM. What is the purpose?

Mr. HUBERT. Simply this, that any witness—the Commission says that any witness should have a privilege of having 3 days' written notice before he may be called upon to testify, and that in writing. Now, you have not had that, because of the way the request came. You see, the request came by letter to Mr. Curry from Mr. Rankin, who is the general counsel of the President's Commission, and—

Sergeant PUTNAM. May I ask why it was done by this method rather than the normal official notice?

Mr. HUBERT. Simply because of the number of people that were involved. If you wish to have the normal 3-day notice—

Sergeant PUTNAM. Well, will any further—will there be necessary for me to appear at any further date? Also, are we going to conclude it tonight? I will waive it for tonight and request if there is a further need for me to arrive at this time, that I receive it if—it has got my only day off in 2 weeks. I will waive it at this time and request it if you do need me again, but I do get the 3-day official notice.

Mr. HUBERT. We certainly will do so. First, let me say this in regard to the time and so forth and being your day off. The actual sequence of witnesses and the times they appear was not arranged by us. I don't want to place the blame on anyone but I am awfully sorry.

Sergeant PUTNAM. That's all right.

Mr. HUBERT. Let me say that if we want to call you in again, you will surely get the notice, but I don't believe you will be. However, I can't be absolutely certain. I will get in touch with you by phone and be sure that we don't disturb any of your rest days, because I know how important that is. Would you stand up and raise your right hand and take the oath. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Sergeant PUTNAM. I do.

Mr. HUBERT. All right. Please state your full name, please.

Sergeant PUTNAM. James A. Putnam.

Mr. HUBERT. And your age?

Sergeant PUTNAM. Thirty-seven.

Mr. HUBERT. And your residence?

Sergeant PUTNAM. 2015 Joan Drive.

Mr. HUBERT. Dallas?

Sergeant PUTNAM. Dallas, Tex.

Mr. HUBERT. What is your present occupation and how long have you held it?

Sergeant PUTNAM. Police officer. Ten years and four months.

Mr. HUBERT. And the rank you have now?

Sergeant PUTNAM. Sergeant.

Mr. HUBERT. How long have you been sergeant? You have held that for how long?

Sergeant PUTNAM. Eight months.

Mr. HUBERT. Did you have the same rank and responsibilities during the period of November 22 and 24?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. Who do you serve under, sir?

Sergeant PUTNAM. Lieutenant Pierce.

Mr. HUBERT. And Lieutenant Pierce is with the patrol division?

Sergeant PUTNAM. That's right.

Mr. HUBERT. He is under Captain Talbert?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. Now, then, Captain Talbert is your superior officer, too—

Sergeant PUTNAM. Also.

Mr. HUBERT. In the line of command. Now, I have in my hand, two documents which I am going to mark—three documents which I am going to mark. Marking the first one as follows, to wit: "Dallas, Texas, March 24, 1964, Exhibit 5071. Deposition of J. A. Putnam," and I am signing my name on that. The document is supposed to be a copy of a letter dated November 26, addressed by James A. Putnam to Chief of Police J. E. Curry, and it has two

pages. I am placing my initials on the second page. I am marking another document as follows, "Dallas, Texas, March 24th, 1964, Exhibit 5072. Deposition of J. A. Putnam." I am signing my name on that page, the exhibit being a single page exhibit. Then I am marking a four-page exhibit being a report of an interview of you made on December the 3, by Special Agents Carris and Peden of the FBI. I am marking the first page in the bottom right hand, "Dallas, Texas, March 24, 1964, Exhibit 5073. Deposition of J. A. Putnam." I am signing my name on the first page below that, and putting my initials in the lower right-hand corner of the three subsequent pages on that exhibit. Have you had a chance to read these three documents that I have marked?

Sergeant PUTNAM. I thought there were two. I would like to see the second one you marked. It may be another interview by the FBI. Now, is that correct?

Mr. HUBERT. Yes.

Sergeant PUTNAM. I wasn't aware that this was separate. I know I read the first one. Yes; I had missed that page. That was——

Mr. HUBERT. What I want to ask you about all three of them, as a group, if we can handle them that way, and if we can't——

Sergeant PUTNAM. I believe we can.

Mr. HUBERT. If they represent the truth, if there are any errors in any of those exhibits, if there are any omissions, do you wish to add anything, delete anything or modify anything?

Sergeant PUTNAM. No, sir; I accept them as they are.

Mr. HUBERT. All right, would you do this, then. Would you put your name below my name where it appears and your initials below my initials that appear. Now, sergeant, I have only a very few questions, I think, to ask you about this, because as I read your statements they are rather complete, taking the three together. They just give about everything you know about the whole thing.

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. As I understand from this, you were in the basement area, from about 9:30 until shortly before 11:20?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. You assisted, I think, in the searches made of the basement area?

Sergeant PUTNAM. That's correct.

Mr. HUBERT. You made some of these searches yourself?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. Do you know Jack Ruby?

Sergeant PUTNAM. No, I—now, I——

Mr. HUBERT. Well, you know him now, of course. Did you on November 24, prior to the time that Oswald was shot, did you know of the existence of a person named Jack Ruby?

Sergeant PUTNAM. I had heard the name. But so far as ever meeting him personally, I don't think that I ever had. If I did, I don't remember it from seeing his pictures.

Mr. HUBERT. That is what I wanted to ask you, on the 24th, if you had met him and had formed a sufficient impression upon your mind so that you would have recognized him at all?

Mr. PUTNAM. No, sir.

Mr. HUBERT. Of course, you did see his picture and perhaps you saw him after his arrest?

Sergeant PUTNAM. I saw his picture. I have not seen him personally.

Mr. HUBERT. You didn't see him in the basement area?

Mr. PUTNAM. No, sir.

Mr. HUBERT. Do you know of anyone who did?

Sergeant PUTNAM. That saw him in the basement?

Mr. HUBERT. Yes.

Sergeant PUTNAM. Prior to the shooting?

Mr. HUBERT. Yes.

Mr. PUTNAM. No, sir.

Mr. HUBERT. Have you been in any discussion with anybody as to who might have seen him and who might not have?

Sergeant PUTNAM. No, sir. I—there have been discussions to the effect that if he were there, surely someone would have seen him and recognized him. I mean, just in informal discussions, how could he be there.

Mr. HUBERT. And yet, of course, he was there?

Sergeant PUTNAM. I understand that.

Mr. HUBERT. But, you know of no evidence that would indicate that anyone did actually see him?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. You have never heard anyone say that he had seen him?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Have you heard anyone say that they knew that someone had seen him there?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. In other words, the discussions have been simply that since he was there it is just amazing that he was not seen by anybody?

Sergeant PUTNAM. Except when I evaluate it. Having worked with those reporters and around them I can understand how that could have happened, because with as many a number of reporters that we dealt with for those 2 days, it's a tough job knowing everyone personally.

Mr. HUBERT. I think you were directed to get into a car with a couple of people and drive around to the Commerce Street side?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. Who gave you that direction?

Sergeant PUTNAM. Sergeant Dean.

Mr. HUBERT. Now, when you drove out you were driving the car, weren't you?

Sergeant PUTNAM. That's—no, sir.

Mr. HUBERT. Weren't you? Didn't you drive the car?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Who drove it?

Sergeant PUTNAM. Lieutenant Pierce.

Mr. HUBERT. Oh, I'm sorry. Did you see Lieutenant Pierce leave with the car?

Sergeant PUTNAM. I was in the car.

Mr. HUBERT. Where were you seated in the car?

Sergeant PUTNAM. In the front seat.

Mr. HUBERT. I'm sorry. The front right seat?

Sergeant PUTNAM. Yes.

Mr. HUBERT. Who was in the back seat?

Sergeant PUTNAM. Sergeant Maxey.

Mr. HUBERT. When did you first get seated in the car?

Sergeant PUTNAM. Are you referring to time?

Mr. HUBERT. Let's get it this way, I understand that you had to get out of the car to move some of the people out of the way so that the car could go up the ramp.

Sergeant PUTNAM. That's correct.

Mr. HUBERT. So, you were seated in the car in the basement or parking area at first when you started off?

Sergeant PUTNAM. Actually on the ramp that comes from the parking area to the ramp that goes between the two streets.

Mr. HUBERT. Got in the car there?

Sergeant PUTNAM. Right.

Mr. HUBERT. Did you have to get out?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. When did you have to get out?

Sergeant PUTNAM. After he traveled about 10 to 15 feet.

Mr. HUBERT. Why did you have to get out?

Sergeant PUTNAM. Because the reporters had formed on the north.

Mr. HUBERT. Main Street?

Sergeant PUTNAM. On the north.

Mr. HUBERT. Why don't you just use the street directions. Main Street ramp?

Sergeant PUTNAM. Main Street ramp, but by the "ramp" I don't mean the incline, where it flattens out.

Mr. HUBERT. I understand. On that flat part.

Sergeant PUTNAM. That's right. So, I had to get out of the car and move them back to prevent hitting some of them.

Mr. HUBERT. How many people were in that area do you think?

Sergeant PUTNAM. I would estimate 15 to 25.

Mr. HUBERT. And they were standing shoulder to shoulder?

Sergeant PUTNAM. I didn't get—this impression. They were standing in wait of the expected departure of Oswald, and they were just mingled, and you know how reporters act and operate in trying to position themselves.

Mr. HUBERT. It wasn't enough that you were able to blow the horn, you had to get out?

Sergeant PUTNAM. We didn't even attempt to blow the horn to cause confusion. First of all, this is the entrance and not the exit. They are not expecting a vehicle coming out of there, they are not paying attention to us. They are looking in the direction they expect Oswald to come out from, so, I got out and—

Mr. HUBERT. When the path cleared up, you got back in again?

Sergeant PUTNAM. Right.

Mr. HUBERT. Was the window on the right down?

Sergeant PUTNAM. The window was down.

Mr. HUBERT. Now, when you got to the top of the ramp, what happened? That is when you got to the Main Street, the sidewalk area, and, of course, the street area, would you describe in your own words just what happened? What did you see?

Sergeant PUTNAM. I saw Officer Vaughn and about six persons.

Mr. HUBERT. Where was Vaughn now when you first saw him?

Sergeant PUTNAM. In front of our automobile about the middle of the sidewalk.

Mr. HUBERT. What did he do?

Sergeant PUTNAM. He stepped to the right and about to the curb, or just off of the curb, glanced to his right and looked back and waved us on.

Mr. HUBERT. You went into Main Street and turned left?

Sergeant PUTNAM. Right.

Mr. HUBERT. Did he go very much out into the street to assist you to get out?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. You say he stepped off of the curb, though?

Sergeant PUTNAM. Possibly one step off of the curb.

Mr. HUBERT. And then he looked to his right and his left? How did he do that?

Sergeant PUTNAM. I—

Mr. HUBERT. How was he standing? With his back to you?

Sergeant PUTNAM. My impression was he was facing us and my impression was that he glanced to his right, which would be to the westbound traffic and Lieutenant Pierce, the driver, was on the left and in a position to see the east-bound traffic.

Mr. HUBERT. In other words, turned his head so that the back of his head would have been towards the Main Street ramp?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. And he stepped off of the curb just about 2 feet?

Sergeant PUTNAM. Well, I would say in one step, 2 feet.

Mr. HUBERT. Didn't go into the middle of the street?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. And he waved you on?

Sergeant PUTNAM. He immediately turned back and glanced like this [indicating], and turned back, and was walking back to his position on the sidewalk

Mr. HUBERT. Would you say from the time you all reached the Main Street exit point to the time that Vaughn started to walk back to his position, it took only a matter of 3 or 4 seconds?

Sergeant PUTNAM. We didn't even stop the car. It would be very few seconds.

Mr. HUBERT. No stop at all?

Sergeant PUTNAM. Just a—to prevent from hitting a pedestrian walking on the sidewalk. Now, there wasn't one walking, but to take a quick glance like you would do approaching a sidewalk, the car was slowed, and immediately—at this time everything happened at once. He slowed the car, Vaughn walked and glanced and waved us on. He accelerated and we went on to Main Street.

Mr. HUBERT. Did you turn your head to the right when you got to the sidewalk?

Sergeant PUTNAM. Yes, sir.

Mr. HUBERT. Did you see anybody?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Was not a soul?

Sergeant PUTNAM. Didn't see anyone in sight in—except Officer Vaughn and the persons that I say were on the left.

Mr. HUBERT. In other words, there was nobody coming up Main Street towards Harwood?

Sergeant PUTNAM. I can't say that there was not. I can say that I didn't see them.

Mr. HUBERT. That is all you can do, of course.

Sergeant PUTNAM. Yes.

Mr. HUBERT. And there was no one standing there that you saw?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Specifically, now, the man that you later knew to be Jack Ruby, you did not see either walking up, or standing by on the Pearl Street side of Main Street exit?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Did you look at the people on the left side?

Sergeant PUTNAM. I only glanced. I just—

Mr. HUBERT. Can you identify anybody?

Sergeant PUTNAM. Not a person.

Mr. HUBERT. Can you specifically say that Ruby was not there?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. All you can say is, I take it then, the man you have since learned to be Ruby was—you didn't see him?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. If he was there, you didn't see him?

Sergeant PUTNAM. I didn't see him.

Mr. HUBERT. Can you go as far as to say, turning again to your right-hand side, that there was nobody on your right-hand side at all?

Sergeant PUTNAM. I can say that there was no one in the immediate vicinity within, I would say—well, it was apparent that—15 feet away from me I saw a group of people standing, and to the right—

Mr. HUBERT. On the—

Sergeant PUTNAM. To the left, and to the right I saw no one in the immediate vicinity of us.

Mr. HUBERT. That is immediately upon coming out?

Sergeant PUTNAM. That's right.

Mr. HUBERT. Did you see the person who has subsequently been identified as Jack Ruby among the reporters that he pushed through?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Did you see any such person come down the ramp as you were going up the ramp?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. How far down Main Street to Pearl do you think you can see?

Sergeant PUTNAM. Well, it is a clear view to Pearl Street, but my attention would not have been directed by someone half a block away. It would have made no impression.

Mr. HUBERT. But, your thought is that there was nobody at least as far as a half a block away?

Sergeant PUTNAM. That's my belief.

Mr. HUBERT. And Vaughn turned immediately back and went back to his position?

Sergeant PUTNAM. Was walking back in that direction. In other words, we could have been close enough to touch him.

Mr. HUBERT. As you passed, he was walking back.

Sergeant PUTNAM. That's correct.

Mr. HUBERT. And therefore, he was facing towards the entrance?

Sergeant PUTNAM. That's correct.

Mr. HUBERT. Did you hear him call to anybody up there?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. Well, is there anything else you would like to say?

Sergeant PUTNAM. Well——

Mr. HUBERT. Any other facts that aren't covered in the documents which we have identified here as 5071, 5072 and 5073?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. I do not believe you have been interviewed by any member of the Commission's staff at all prior to this deposition?

Sergeant PUTNAM. No, sir.

Mr. HUBERT. All right, I think that is all. If any fact that has not been developed in these reports and in your testimony should come to your attention, I hope you will free to let us know about it if you think it is a material fact. All we are seeking is to get the facts. That's all. And if, by chance, you have forgotten something and you should remember it at a later date, please contact us through the United States attorney's office and tell them that you have a fact that you would like to report that you have overlooked and we will make arrangements to see you again.

But at this time, we will give you the 3 days' notice.

I thank you, sir.

TESTIMONY OF WILLIE B. SLACK

The testimony of Willie B. Slack was taken at 11 a.m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Patrolman Willie—is that Willie? Not William?

Mr. SLACK. Willie.

Mr. HUBERT. Willie B. Slack. Mr. Slack, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the rules provided by the Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress, No. 137, together with the rules of procedure adopted by the President's Commission in conformance with the Executive order and joint resolution, I have been authorized to take a sworn deposition from you, Mr. Slack.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy, and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Slack, the nature of the inquiry today is to determine the facts that you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry. Now, Mr. Slack, you have appeared here today by virtue of the general request made to Chief Curry by J. Lee Rankin, who is general counsel of the President's Commission. Under the rules adopted by this Commission, you are entitled to a 3-day written notice that your deposition is going to be taken, but the rules also provide that you may waive the 3-day written notice if you see fit to do so. And are you now willing to waive that 3-day notice?

Mr. SLACK. I do.

Mr. HUBERT. That being the case, will you stand and be sworn?
Do you solemnly swear then to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SLACK. I do.

Mr. HUBERT. Will you state your name, please?

Mr. SLACK. W. B. Slack.

Mr. HUBERT. Your age?

Mr. SLACK. Thirty-nine.

Mr. HUBERT. Your residence?

Mr. SLACK. 5605 Sumatra, Dallas.

Mr. HUBERT. And your occupation?

Mr. SLACK. Patrolman.

Mr. HUBERT. How long have you been a patrolman on the Dallas Police Force?

Mr. SLACK. Ten years.

Mr. HUBERT. What is your particular assignment?

Mr. SLACK. Working in the jail office.

Mr. HUBERT. What duties do you have there, in general?

Mr. SLACK. We answer the telephone, and when the officers bring the work-sheets down, we book them on a booking form.

Mr. HUBERT. In other words, book the prisoners in and out?

Mr. SLACK. Check them out when somebody comes in and pays them out.

Mr. HUBERT. When you say, "Pays them out," you mean, makes bond?

Mr. SLACK. Yes, sir; or writs.

Mr. HUBERT. Or writs? Oh, you mean if they are released on a writ?

Mr. SLACK. Yes, sir.

Mr. HUBERT. In other words, your office then is the control center, as it were, for people coming in and people coming out?

Mr. SLACK. Yes, sir.

Mr. HUBERT. You work in shifts, of course, like all the rest of the police?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Were you on duty on November 24, 1963, the day that Oswald was shot?

Mr. SLACK. Yes, sir.

Mr. HUBERT. What time did you come on duty?

Mr. SLACK. 6:30 a.m., in the morning.

Mr. HUBERT. You had what is called the first platoon, I think. Eleven o'clock, oh, no—I beg your pardon. That would be the second platoon.

Mr. SLACK. Second platoon.

Mr. HUBERT. Comes on at 6:30 and goes off at 2:30?

Mr. SLACK. 2:30.

Mr. HUBERT. Therefore, you were there between 11 and the time Oswald was shot?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Do you know Jack Ruby?

Mr. SLACK. No, sir.

Mr. HUBERT. Had you ever seen him before that day?

Mr. SLACK. Not to my knowledge; no.

Mr. HUBERT. Do you recall the occasion when Oswald was brought down to be transferred to the county jail?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Well, tell us what you know about it in your own words.

Mr. SLACK. Well, he got off the elevator and—

Mr. HUBERT. Had you ever seen him before that time?

Mr. SLACK. No, sir; and he was flanked on either side by detectives and Captain Fritz was with the detectives, and they went out the swinging doors, which is into the basement of the city hall.

Mr. HUBERT. Do you know what time that was?

Mr. SLACK. Yes, sir.

Mr. HUBERT. What time was it?

Mr. SLACK. 11:20.

Mr. HUBERT. How do you fix that?

Mr. SLACK. When a prisoner is released from jail we have to put the time on a booking card, we have to put them down.

Mr. HUBERT. Did you do so?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Does that booking card exist?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Have you examined it briefly?

Mr. SLACK. Yes, sir.

Mr. HUBERT. How long ago?

Mr. SLACK. I examined it before I came to work, before I came over here.

Mr. HUBERT. When? This morning, or yesterday, or——

Mr. SLACK. That was yesterday.

Mr. HUBERT. What does it show?

Mr. SLACK. It shows——

Mr. HUBERT. About the time?

Mr. SLACK. Transferred to the county at 11:20 a.m., on the 24th of November.

Mr. HUBERT. Whose handwriting is that entry in?

Mr. SLACK. It is in mine.

Mr. HUBERT. Now, how did you fix the time? How do you normally fix the time?

Mr. SLACK. Well, we put the date and the time.

Mr. HUBERT. What I mean is, do you have an electric clock?

Mr. SLACK. No, sir; do it with a pencil, or fountain pen.

Mr. HUBERT. You mean you rely upon your watch?

Mr. SLACK. No, sir; we have a clock on the wall.

Mr. HUBERT. Is that an electric clock?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Is it accurate?

Mr. SLACK. That, I can't answer, because——

Mr. HUBERT. Well, I mean, you all go by it?

Mr. SLACK. Yes.

Mr. HUBERT. Time is of importance in going in and going out of prisoners, isn't it?

Mr. SLACK. Yes, sir; it sure is important.

Mr. HUBERT. Do you know if the clock is checked at any time to see if it is?

Mr. SLACK. Not to my knowledge; no, sir.

Mr. HUBERT. Have you ever observed it to be wrong?

Mr. SLACK. No, sir; I sure haven't.

Mr. HUBERT. Well, it certainly needs checking procedure to see if it loses time, or gains, or stops because of the electricity being cut off, or something of that sort.

Mr. SLACK. Yes. Well, if the time was different from one of our watches I imagine they would call "Time," sir. Of course, we call "Time," all the time usually checking the news, you know, so it is checked that way.

Mr. HUBERT. In your opinion, that clock is accurate; right?

Mr. SLACK. Yes, sir.

Mr. HUBERT. If it were in error, what would you say would be the greatest error it could be in?

Mr. SLACK. Well, it couldn't be over a minute or two either way, sir.

Mr. HUBERT. All right, what happened after that?

Mr. SLACK. Well, he went out the door, and then my job there was to, when the lieutenant told me that they had got in the car or transportation which was to be used, they then would notify me, and I was supposed to notify the dispatcher that they were——

Mr. HUBERT. What were you supposed to notify the dispatcher?

Mr. SLACK. That they were on their way.

Mr. HUBERT. Had you received any orders about that?

Mr. SLACK. Well——

Mr. HUBERT. I mean, who told you that, to notify the dispatcher?

Mr. SLACK. Lieutenant Wiggins.

Mr. HUBERT. Now, notifying the dispatcher, would mean that it would go over the radio?

Mr. SLACK. No, sir; they have a direct line to the county.

Mr. HUBERT. So, the purpose of notifying the dispatcher, so far as you know, was for them to telephone the county that the prisoner was on his way?

Mr. SLACK. Apparently; yes, sir.

Mr. HUBERT. Had you been told that by Wiggins or had you been told that—merely to notify the dispatcher?

Mr. SLACK. The——

Mr. HUBERT. We have to take it on the record. Just——

Mr. SLACK. Well, my letter there I wrote that—do you have a copy of it?

Mr. HUBERT. Yes.

Mr. SLACK. That I—well, I can say that I was told to tell the dispatcher that he was en route to the county.

Mr. HUBERT. Do you know who the dispatcher was?

Mr. SLACK. Jim Farr is the dispatcher.

Mr. HUBERT. No; I mean on that particular day?

Mr. SLACK. Well, he is, like I say, the dispatcher up there, but when I called on this particular occasion, I got Miss Cason first, and then I——

Mr. HUBERT. Of course, that was to report to Miss Cason that the man had been shot?

Mr. SLACK. Yes, sir; but——

Mr. HUBERT. What did you say to Miss Cason?

Mr. SLACK. Told her that Oswald had been shot, and that we needed a doctor.

Mr. HUBERT. Did you call for an ambulance, tell her you needed an ambulance?

Mr. SLACK. No, sir.

Mr. HUBERT. Your remark to Miss Cason was simply that Oswald had been shot and to get a doctor?

Mr. SLACK. Yes, sir; best of my knowledge.

Mr. HUBERT. Now, when did you write out the entry which you say was in your own hand showing that the prisoner was being transferred at 11:20? Was that done at 11:20 or later?

Mr. SLACK. I would—I believe I wrote it out then. In other words, what I am in the habit of doing is this. That is something that comes naturally.

Mr. HUBERT. In other words, the normal procedure is that the time of release and the time of action taken——

Mr. SLACK. I was standing there——

Mr. HUBERT. Let me finish my question; is done simultaneously with the act itself?

Mr. SLACK. Yes, sir.

Mr. HUBERT. So, that normally, when a prisoner leaves you make these notations, and you look to see what time it is. You enter the time, and that is how the notation is made?

Mr. SLACK. Yes, sir.

Mr. HUBERT. As far as you know, was there any deviation from that normal procedure in the case of the transfer of Oswald?

Mr. SLACK. The deviation, it was in this point, that we usually have it filled out before the prisoner is brought down. In this particular case, we didn't know when he was going to be transferred, so therefore, we had to write down when he did come down.

Mr. HUBERT. In other words, you hadn't pulled his card?

Mr. SLACK. I had his card pulled. I knew he was going to be transferred, presumably.

Mr. HUBERT. But you didn't know the time; so, therefore, you hadn't entered anything?

Mr. SLACK. No, sir; I had it on the clipboard on the counter where we always keep them.

Mr. HUBERT. What is your best recollection about what you entered there with reference to the shooting, that is to say, was the entry made before or after the shooting?

Mr. SLACK. It was made before the shooting.

Mr. HUBERT. In other words, it was made in the interval when he came out of the elevator and they walked out?

Mr. SLACK. Yes.

Mr. HUBERT. Yes.

Mr. SLACK. [Witness nods head.]

Mr. HUBERT. She can't—you have to say something, because the reporter can't record silence.

Mr. SLACK. Yes, sir; I forget.

Mr. HUBERT. You didn't see the shooting, as I understand it?

Mr. SLACK. No, sir; I saw the shuffle out there.

Mr. HUBERT. And then they brought Ruby and Oswald in?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Did either Ruby or Oswald say anything that you, yourself heard?

Mr. SLACK. No, sir.

Mr. HUBERT. Did you notice the time that they brought them in? Who came in first?

Mr. SLACK. I don't know, sir. Like I say, the lieutenant told me to call the doctor, and, of course, my back end was turned a few seconds.

Mr. HUBERT. When you say, "lieutenant," I believe you are referring to Lieutenant Wiggins?

Mr. SLACK. Wiggins; yes, sir.

Mr. HUBERT. So, you called the dispatcher and told him what you said you told him, and what happened next, to your recollection?

Mr. SLACK. Well, it was just about over with then except the ambulance did come in, and, of course, that was a little confusion around there.

Mr. HUBERT. Do you know anything about the times of, say the movement of Ruby up in the elevator to the jail, or the time when the ambulance arrived and the time when it left with Oswald?

Mr. SLACK. No, sir; not the exact time; no, sir.

Mr. HUBERT. No record was made on any of that?

Mr. SLACK. Not that I know of. Not in our office.

Mr. HUBERT. What is the form called that you filled in with your own hand about the time of movement? Does that have a number?

Mr. SLACK. We call it a booking card.

Mr. HUBERT. Booking card?

Mr. SLACK. Yes, sir.

Mr. HUBERT. And I think you testified that yesterday you looked at it to refresh your memory and it is in your handwriting, and it states 11:20?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Apparently sometime ago, let's say on December 12, you were interviewed by the FBI, and at that time you stated it was between 11:25 and 11:30 that Oswald was brought down. Can you assist us in explaining this discrepancy between the two times? Do you remember that interview?

Mr. SLACK. Yes, sir; I remember the interview; yes, sir.

Mr. HUBERT. Edmond Hardin and Paul Scott, and yourself?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Do you recall telling them it was 11:25?

Mr. SLACK. No, sir; I don't.

Mr. HUBERT. Do you have any recollection now about it, or are you relying upon what you saw on the records yesterday when you looked at it?

Mr. SLACK. That would be the way I would have to go on it, sir, would be the records there.

Mr. HUBERT. You are satisfied that the record which is normally made contemporaneously with the act is really more accurate than your present memory right now?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Or would have been more accurate actually than your statement to the FBI agent if, in fact, you did say that?

Mr. SLACK. Yes, sir.

Mr. HUBERT. I would like you to just read these two documents. The one, the FBI report, and the other, the letter. Have you had occasion to read the two documents I have handed you, sir?

Mr. SLACK. Yes, sir.

Mr. HUBERT. Let me mark them then for identification.

Mr. SLACK. There is a little discrepancy—

Mr. HUBERT. Yes; I'm going to give you an opportunity to explain them.

For the purpose of identification I am marking what purports to be a copy of a letter addressed to Mr. J. E. Curry, chief of police, apparently signed by Willie B. Slack, dated November 27, 1963. I am marking it "Dallas, Texas, March 31, 1963, Exhibit No. 5116, deposition of W. B. Slack." Putting my name below it. It has only one page. For the purpose of identification, I am marking what purports to be an FBI interview of Willie B. Slack by Agents Hardin and Scott, which took place on December 2, 1963. I am marking the first page of that document with the following, "Dallas, Texas, March 31, 1964. Exhibit No. 5117. Deposition of W. B. Slack," and signing my name, and on the second page thereof, on the lower right-hand corner I am placing my initial. Now, Patrolman Slack, I show you the document marked Exhibit 5116, and ask you if you have read it, and if it is a correct statement?

Mr. SLACK. All right.

Mr. HUBERT. Is that a correct statement?

Mr. SLACK. Yes.

Mr. HUBERT. So that the record may show that we are both talking about the same thing, same document, I wonder if you will just put your name below mine. Now, we will refer to a document—in two pages—that I have marked a moment ago for identification as "5117," and ask you if you have read that, and if that is correct, or if you have any corrections or observation or comments to make with reference to that document? For the purpose of identification will you mark these two documents with your name where my name is, and with your initials where my initials are, and then you can make the comments if you want to correct it or modify it and so forth.

Mr. SLACK. You want me to mark it before I—

Mr. HUBERT. Just sign your name on that, and on the second page write your initials. That's right. Now, have you any comments to make, or any corrections to make concerning that document?

Mr. SLACK. Well, on your second page, in here, the document here stated that Patrolman Slack cleared his office. I didn't have anything to do with security in the office. Only part I was in charge would be the immediate area in which I was standing, and nobody was in there, of course, but our personnel. Of course, I believe I did make the statement to them after they had cleared it, it wasn't no one that had come in except authorized personnel.

Mr. HUBERT. Well, you are speaking of the second to last paragraph on the second page and you want to modify that paragraph so that it will conform with the statement you have just made, and which the stenographer has recorded?

Mr. SLACK. Yes, sir; I am not a supervisor or anything like that.

Mr. HUBERT. I notice also, and I believe you have already testified about this, but I think for the purposes of clarity, we ought to note it, and that is that upon the first page there is a statement that about 11:25 to 11:30, Oswald was brought down.

Mr. SLACK. Yes, sir.

Mr. HUBERT. Your previous testimony actually has clarified that, but it was those times that you were speaking about in this deposition earlier, that is to say, that as to this statement in "5117" the last paragraph on the first page, wherein it says that you saw Oswald coming down somewhere between 11:25 and 11:30, your previous statement or testimony is more accurate, that is to say, that it was about 11:20.

Mr. SLACK. Yes, sir.

Mr. HUBERT. And I think that modification ought to be noted, too.

Mr. SLACK. Yes; I do too.

Mr. HUBERT. And it is noted, because the reporter has taken it down. Now, have you any other statement that you would like to make that has not been covered?

Mr. SLACK. No, sir; that is about all.

Mr. HUBERT. Were you interviewed by me or any other member of the Commission's staff prior to the taking of this deposition?

Mr. SLACK. No, sir; except the——

Mr. HUBERT. The FBI? Yes. I mean the President's Commission?

Mr. SLACK. No, sir.

Mr. HUBERT. The staff of the President's Commission?

Mr. SLACK. No, sir.

Mr. HUBERT. All right, sir; I think that is all. Thank you very much.

TESTIMONY OF DON FRANCIS STEELE

The testimony of Don Francis Steele was taken at 10:05 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. My name is Leon D. Hubert. I am a member of the advisory staff of the General Counsel on the President's Commission. Under the provisions of the Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137 and the rules of procedure adopted by the Commission in conformance with that Executive order in the joint resolution I have been authorized to take the sworn deposition from you, Mr. Steele. I now state that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Steele, the nature of our inquiry tonight is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Mr. Steele, you have appeared here by virtue of a request made by the general counsel on the staff of the President's Commission, Mr. J. Lee Rankin, directed to Chief J. E. Curry. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules adopted by this Commission also provide that you may waive that 3-day notice if you are willing to do so. Now, the question is: Are you willing to waive the notice?

Sergeant STEELE. Yes.

Mr. HUBERT. Will you stand and raise your right hand and be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant STEELE. I do.

Mr. HUBERT. Will you please state your full name?

Sergeant STEELE. Don Francis Steele.

Mr. HUBERT. Your age?

Sergeant STEELE. Thirty-two.

Mr. HUBERT. Your residence?

Sergeant STEELE. 1707 Kent Drive, Arlington, Tex.

Mr. HUBERT. Your occupation?

Sergeant STEELE. Sergeant of police, Dallas, Tex.

Mr. HUBERT. How long have you been a sergeant of police?

Sergeant STEELE. Five years and four months—five months, excuse me.

Mr. HUBERT. What division or department of the Dallas Police Department?

Sergeant STEELE. I am presently in the patrol division.

Mr. HUBERT. Where were you on November 22, 23, and 24, 1963?

Sergeant STEELE. November 22 I was on a day off.

Mr. HUBERT. 23d?

Sergeant STEELE. 23d I worked in the Oak Cliff area.

Mr. HUBERT. And the——

Sergeant STEELE. And the 24th, of course, the regular assignment is in the Oak Cliff area, and I reported to that assignment.

Mr. HUBERT. Were you moved from that assignment?

Sergeant STEELE. I came to the city hall, came to the police station downtown

early that morning to pick up some correspondence, telegrams, and things like that, to take to Officer Tippit's widow.

Mr. HUBERT. And what time was that?

Sergeant STEELE. That was approximately 9:15.

Mr. HUBERT. What happened after that?

Sergeant STEELE. Well, the captain was bringing in some of the patrolmen from in the field, from all the stations, and I asked Lieutenant Pierce if there was anything he needed me to do before I left, and he said, "Well—" told me I'd better stick around for a while. He might need me.

Mr. HUBERT. Did you do anything later on?

Sergeant STEELE. Well, I stayed there and in the patrol office for 15 or 20 minutes, and then the captain came in—

Mr. HUBERT. Which captain?

Sergeant STEELE. Captain Talbert, C. E. Talbert. He told me to come on and go with him, and he wanted to look the situation over outside. We walked down the stairs to the first floor where the corporation court is located and out the door on the Commerce Street—and there were several—they blocked those buildings directly across the street from the police building. He told me to get a man, or get as many people as I needed and check the buildings over there to make sure that there weren't any doors open, or somebody wasn't concealed inside the building. I got a patrolman, I believe it was Officer Jez. We went over there, checked all the doors in the front. They were all secure. We climbed up the fire escape and checked the roofs of all of the buildings directly across from the vehicular exit on the Commerce Street.

Mr. HUBERT. When that was completed, what did you do?

Sergeant STEELE. Not much of anything for a while. Stayed down there in the basement for I guess 30 or 40 minutes and everything was kind of at a standstill.

Mr. HUBERT. What time was that?

Sergeant STEELE. About the time I finished checking the buildings, and everything, I guess it was—now, wait a minute. Excuse me. Then I reported—after I checked those buildings, I reported to Captain Talbert that there was a large crowd of pedestrians on the sidewalk right outside of the vehicular route, and he—told me to get some men, some reserve officers if I could, and move them across the street onto the south side of Commerce Street.

Mr. HUBERT. Did you do that?

Sergeant STEELE. Yes, I got five reserve officers and took them out there and told them what I wanted them to do. Helped them do it. Moved all the pedestrians across over to the south side of the street, and I stationed two of them at the corner of Harwood and Commerce, the northeast corner, with instructions to restrict any pedestrian traffic. In other words, not to allow them to come back to that vehicular exit, and I put two more down at Pearl and Commerce Street, and one at the door to city hall with the same instructions.

Mr. HUBERT. That is the Commerce—

Sergeant STEELE. The municipal building. The nearest door to the municipal building.

Mr. HUBERT. Did you place any on the Main Street door to the municipal building?

Sergeant STEELE. No, sir; I never got to the Main Street.

Mr. HUBERT. Did you place any officers to direct traffic at the intersection of Main and Pearl, or to control traffic?

Sergeant STEELE. Well, we started—can I go on?

Mr. HUBERT. Yes; surely.

Sergeant STEELE. Well, we'll get to that. After I got these reserve people put out, as I say, I got down—went down in the basement and talked to the captain for a few minutes. And I stood around and things were kind of at a standstill there. There was lots of television and camera people in there, and about 10:30, I guess, the captain told Sergeant Dean, who related to myself and Sergeant Putnam that they would bring this armored car in and the armored car was going to go down Main Street to the county jail, and he said to get all the regular patrol officers, all the regular officers and assign them to traffic intersections, traffic corners.

Mr. HUBERT. On what street?

Sergeant STEELE. On Main Street, and I just helped Sergeant Dean make the assignments. I don't recall whether I specifically assigned a man to Main and Pearl, but then the captain came along a few minutes later and said it had been changed, that we were going to run the armored car down Elm Street, so, whatever men we may have assigned to Main and Pearl, that is where he would have been, and he was taken off the assignment. They never went to it.

Mr. HUBERT. Okay. So, as far as you know there were no police officers of any sort, reserve or regular directing traffic or controlling it in any way on the corner of Main and Pearl?

Sergeant STEELE. To the best of my knowledge, there was no regular officer.

Mr. HUBERT. What about a reserve officer?

Sergeant STEELE. I couldn't say that.

Mr. HUBERT. In any case, the original plan to assign one to Pearl and Main, wasn't carried out because of the change in plans, and that man, whoever he was, went to Pearl and Elm?

Sergeant STEELE. Yes. I think that it was—let's see. I believe it was one of my men from Oak Cliff, but I'm not sure, but he never did get to it.

Mr. HUBERT. Yes.

Sergeant STEELE. We didn't even leave the basement.

Mr. HUBERT. Where were you when the shot was fired?

Sergeant STEELE. I was at the county jail.

Mr. HUBERT. I mean in the basement?

Sergeant STEELE. No; I had left.

Mr. HUBERT. Oh, you had left, so, you weren't in this building at all?

Sergeant STEELE. I left about 15 minutes before it occurred. See, we didn't have enough officers, enough radio patrolmen to fill all the corners to put a man at each intersection on Elm Street, so, I went to the county to contact the traffic people and see if I could get three men from them, that is how many we needed.

Mr. HUBERT. Do you know a man by the name of Ralph Paul that lives in Arlington?

Sergeant STEELE. No.

Mr. HUBERT. Are you familiar with a place called "The Bull Pen" there?

Sergeant STEELE. Yes.

Mr. HUBERT. What is "The Bull Pen"?

Sergeant STEELE. It is a barbecue place, sell beer.

Mr. HUBERT. Do you know the manager of it?

Sergeant STEELE. No, no; I can't recall being in that place more than once or twice.

Mr. HUBERT. And the name Ralph Paul doesn't mean anything to you?

Sergeant STEELE. No, sir.

Mr. HUBERT. Do you know Ruby?

Sergeant STEELE. Yes.

Mr. HUBERT. How well do you know him?

Sergeant STEELE. Through contacts, various contacts when I was a patrolman.

Mr. HUBERT. How long had you known him?

Sergeant STEELE. Well, I had actually first met him, or heard of, or saw Jack Ruby, I guess, in 1955, about 8 years.

Mr. HUBERT. Would you recognize him by sight, do you think, if you saw him?

Sergeant STEELE. Yes; I feel like I would, although, it has been several years since I have seen him in person.

Mr. HUBERT. Did you have occasion to observe the number of people who were standing in the Main Street ramp part of the basement just at the entrance of the jail corridor? Do you know what I mean? In other words, as you were standing in the basement looking toward Main Street where the jail corridor intersects the ramp—

Sergeant STEELE. Right at the corner—

Mr. HUBERT. Right at the corner, and looking toward Main Street, did you have occasion to observe how many people were in that area just shortly before the shooting?

Sergeant STEELE. Well, 15 minutes would be as close as I could go, and at

that time only probably 10 or 12, kind of milling around. Reporters, television people walking back and forth and that sort of thing.

Mr. HUBERT. You left the building about 11?

Sergeant STEELE. Approximately 11; yes, sir.

Mr. HUBERT. Do you know what kind of car Jack Ruby drives?

Sergeant STEELE. No. Years ago seems to me like he had a Buick, but that was years ago when I was a patrolman and it has been over 5 years. I think he had a Buick at that time.

Mr. HUBERT. Now, you have not been interviewed by me or any member of the Commission's staff prior to this deposition tonight, have you, sir?

Sergeant STEELE. No.

Mr. HUBERT. All right. Have you anything else you wish to add?

Sergeant STEELE. I guess I ought to mention this officer who was with me during all of this.

Mr. HUBERT. Who was that?

Sergeant STEELE. J. F. Harrison.

Mr. HUBERT. By the way, I meant to ask you, you have read those statements?

Sergeant STEELE. Yes, sir.

Mr. HUBERT. I'll mark the one dated November 25, 1963, addressed to Chief of Police Curry, apparently the original was signed by you, by placing on that document, "Dallas, Texas, March 25th, 1964. Exhibit 5098. Deposition of D. F. Steele," and mark my name below it, and I have marked another document which purports to be an interview by FBI Agents Robertson and Scott of you on December 3, 1963, by marking the first page, "Dallas, Texas, March 25th, 1964, Exhibit 5097, deposition of D. F. Steele." And I sign my name. On the second page of the document I have placed my initials on the bottom of the right-hand corner of the page. I would like to ask you if you have read those, and if those statements are correct?

Sergeant STEELE. I have read them. The only thing that I would say, in paragraph—this would be No. 6. Let's see. One, two, three, four, five, be paragraph No. 6.

Mr. HUBERT. Of Exhibit 50—

Sergeant STEELE. 5097.

Mr. HUBERT. Yes.

Sergeant STEELE. It mentions that I assisted Sergeant Dean in redistributing the newsmen and TV men in the basement area, but actually, I didn't do that.

Mr. HUBERT. Other than that correction, are those two exhibits correct, so far as you know?

Sergeant STEELE. Can I clarify one?

Mr. HUBERT. Oh, yes; certainly.

Sergeant STEELE. On page 2, of that same—

Mr. HUBERT. 5097?

Sergeant STEELE. Yes, sir; paragraph No. 7, says that I did not have knowledge of security measures in effect in the police building. I had knowledge that there was some type of pass required, but this was my first contact with it, and it was being handled by the other sergeant, so, consequently, I didn't know too much about what was required to enter the basement, but I knew that the men on the checkpoint did know what they were supposed to be checking for. And the next paragraph says I had not seen Ruby in approximately 2 years. I'd say probably more like 3 years when I was a jail sergeant.

Mr. HUBERT. Any other corrections or additions you wish to make?

Sergeant STEELE. No.

Mr. HUBERT. Now, so that the record may show that we are talking about the same document would you put your name below mine where it appears and your initials below mine where they appear on the second page. Your name there.

Sergeant STEELE. Just sign my name right here?

Mr. HUBERT. That's right; and just put your initials on the bottom.

Sergeant STEELE. Down here?

Mr. HUBERT. Yes; and then the other single documents just sign your name below mine. All right, sir. Thank you very much.

TESTIMONY OF ROY EUGENE VAUGHN

The testimony of Roy Eugene Vaughn was taken at 9:10 a.m., on April 17, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. Mr. Vaughn, my name is Leon Hubert. I'm a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and joint resolution, I have been authorized to take a sworn statement from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular to you, Mr. Vaughn, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and more particularly about the entry or possible entry of Ruby into the basement through the Main Street ramp. Did you get a letter directed to you?

Mr. VAUGHN. To appear here?

Mr. HUBERT. Yes.

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. That letter was a written request, written by Mr. J. Lee Rankin, General Counsel of the Commission, to you asking you to appear; is that correct?

Mr. VAUGHN. Yes.

Mr. HUBERT. Was that letter received by you more than 3 days from this day?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. Will you rise and take the oath?

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VAUGHN. I do.

Mr. HUBERT. Will you state your name?

Mr. VAUGHN. Roy Eugene Vaughn.

Mr. HUBERT. How old are you, sir?

Mr. VAUGHN. I am 29.

Mr. HUBERT. Where do you live?

Mr. VAUGHN. 3231 Loganwood Drive, Dallas, Tex.

Mr. HUBERT. What is your occupation?

Mr. VAUGHN. Police officer.

Mr. HUBERT. How long have you been on the police force?

Mr. VAUGHN. Almost 6 years.

Mr. HUBERT. What rank or rating do you hold now?

Mr. VAUGHN. Patrolman.

Mr. HUBERT. You were on duty at the police department on Sunday, November 24?

Mr. VAUGHN. That's correct.

Mr. HUBERT. What time did you report for duty?

Mr. VAUGHN. I'd say at approximately 9 a.m. we got a call to call the patrol office.

Mr. HUBERT. You mean your normal station was not at headquarters?

Mr. VAUGHN. Oh, no, sir.

Mr. HUBERT. Where was your normal station?

Mr. VAUGHN. At this particular month, being the month we worked days, and I work relief—I don't work any certain district—and I work just more or less wherever I am needed.

Mr. HUBERT. So, they let you know at your home in some way?

Mr. VAUGHN. No, sir: I had already reported for work. I was working with squad 105 that particular morning, which is in the downtown area.

Mr. HUBERT. That's a patrol car?

Mr. VAUGHN. Yes—district 105, and approximately at 9 a.m. I got a call to call 511, which is patrol headquarters. Officer L. C. Taylor, who answered the phone, advised me to report to the city hall and park my car and report to 511.

Mr. HUBERT. What is 511?

Mr. VAUGHN. Which would be the patrol office—that's the extension number which is commonly referred to as such.

Mr. HUBERT. Did you do so?

Mr. VAUGHN. Yes.

Mr. HUBERT. Did you have a partner?

Mr. VAUGHN. No, sir; I didn't.

Mr. HUBERT. About what time did you report?

Mr. VAUGHN. I would say approximately 9:15, Mr. Hubert.

Mr. HUBERT. And when you got there what happened?

Mr. VAUGHN. I walked in there—there was a little small assembly room off of the main office, and I walked in there—there was several men, officers in there—there was Officer Patterson, Officer Brock, and I think R. C. Nelson, I believe, came in a little later, and they had the coffee pot on and so we, I think most of us got a cup of coffee and was just sitting there talking.

Mr. HUBERT. What happened then?

Mr. VAUGHN. Then Lieutenant Pierce walked in and told me and Officer Nelson and Officer Brock and Officer Patterson to report to Sergeant Dean in the basement, and he told me to tell Sergeant Dean when this was secured, when the basement was secured, to leave two men in the basement and secure the others.

Mr. HUBERT. To leave two men in the basement and to what?

Mr. VAUGHN. Well, he said after this was all completed, this transferring was completed, to leave two men—that means to leave two men in the basement area and to secure the other two.

Mr. HUBERT. And to secure the other two what?

Mr. VAUGHN. Two men—you see, there were four of us that went down and he said to leave two in the basement and to secure the other two.

Mr. HUBERT. What does that mean, "secure the other two?"

Mr. VAUGHN. Well, that means just turn them loose and send them back to their regular duties.

Mr. HUBERT. In other words, of the four men, you were to help in whatever Dean was doing, and then he told you, "Tell Dean—leave two men in the basement and turn the other two loose?"

Mr. VAUGHN. Yes; that's after everything was completed. That's his message that he more or less sent by me to Sergeant Dean.

Mr. HUBERT. Now, does that term "secure" mean to turn the men loose—does that mean they would go off duty or that they were to report back somewhere else to work?

Mr. VAUGHN. They were to report back for somewhere else.

Mr. HUBERT. Did you follow those instructions?

Mr. VAUGHN. Yes, sir; I did.

Mr. HUBERT. Did you have any part in the checkout of the basement?

Mr. VAUGHN. As far as actually checking the basement?

Mr. HUBERT. Yes, sir.

Mr. VAUGHN. Well, I was assigned by Sergeant Putnam, who was with Sergeant Dean in the basement, when we got down there—Sergeant Putnam assigned me to the Main Street ramp and I believe he assigned also Patrolman Patterson to the Commerce Street ramp.

Mr. HUBERT. Now, about what time did he assign you to the Main Street entrance?

Mr. VAUGHN. I would say, Mr. Hubert, somewhere around 9:30—I couldn't be definite.

Mr. HUBERT. Did he give you any instructions?

Mr. VAUGHN. Yes; he said not to let anybody enter the basement except police and the press, and only the press when they had an official press card, and if I didn't recognize any officer by sight to require identification.

Mr. HUBERT. Did you understand by that that he meant that even if an officer

was in what purported to be a uniform, that you weren't to let him in anyhow unless he had an identification?

Mr. VAUGHN. Well, he said—the way I understand it, Mr. Hubert, if I recognized them by sight and knew them to be an officer, and by my own knowing them, then otherwise, where I think it was more applied—to where—he said there would possibly be some Secret Service men and possibly would be some Federal agents I didn't know, and would I require identification from them.

Mr. HUBERT. What did you understand to mean by proper press accreditation or identification?

Mr. VAUGHN. Well, there was one case where—there are several different types of press cards. The only one that I would accept from them which would be, and I think in one or two cases, was the official card either issued by the States of Texas or by the City of Dallas, which contained the photograph of the reporter.

Mr. HUBERT. Otherwise, even though they had something that looked like a press card, you understood that you were to turn them away?

Mr. VAUGHN. Yes, sir; that's right.

Mr. HUBERT. Did you in fact turn away some people?

Mr. VAUGHN. I had one particular—yes, I turned away several people that were not press—they would try to enter the ramp. Of course, this is—normally a person going to the jail, which is immediately off of the bottom of the ramp—a lot of people will try to use that ramp as an entrance to the jail and there were a lot of people that come up there and said that they were going to the jail and I turned them away and told them to go some other way.

There was one reporter that come up and I believe he was with either Associated Press or United Press, I don't recall exactly, and he had on a sweater—first he asked me if some man was in the basement, some other reporter, and I told him I didn't know, and he said he wanted to go down and see him, and I told him I couldn't permit him to without identification, and he pulled out a pass which is—I don't know how to express it—a large yellow pass, more or less a complimentary press pass and I told him I couldn't accept that and he dug around in his billfold and he finally did come up with a pass. I believe this particular pass was issued by the State of California or the City of Los Angeles, but it was similar to our official pass.

Mr. HUBERT. And you recognized that?

Mr. VAUGHN. Yes; I did.

Mr. HUBERT. Did you know Jack Ruby at all prior to this occasion?

Mr. VAUGHN. Well, I had met Mr. Ruby prior to this time, Mr. Hubert.

Mr. HUBERT. How many times would you say?

Mr. VAUGHN. I would say two or three times to be at the most.

Mr. HUBERT. How long before November 24?

Mr. VAUGHN. When I was a rookie in 1959, I met Mr. Ruby while I was working a district out of Oak Lawn and I was more or less being trained at that time, riding with another senior officer and an occasion arose where they had to contact him about a white waitress that he had worked—had worked for him and had been intimate with some colored musicians that he had.

Mr. HUBERT. And you met him on that occasion?

Mr. VAUGHN. Yes, sir; actually, I was just there. I hadn't—I knew the man.

Mr. HUBERT. How long did that interview last?

Mr. VAUGHN. Oh, I'd say just a very few minutes—I don't recall.

Mr. HUBERT. When was the second time you saw him?

Mr. VAUGHN. The second time was, I believe it was in 1961, and either the last of December or the middle of December.

Mr. HUBERT. Tell us about that occasion.

Mr. VAUGHN. Well, I had him on a traffic violation—a minor traffic violation.

Mr. HUBERT. Did you recognize him as the man you had seen before?

Mr. VAUGHN. Not until he told me who he was and I reprimanded him and let him go—didn't even issue him a ticket.

Mr. HUBERT. How long did that interview if we can call it that, with Ruby, last?

Mr. VAUGHN. I would say at most probably 5 minutes.

Mr. HUBERT. When was the third time you saw him, and I think the third time would have been the last time, too?

Mr. VAUGHN. As I recall that's about the last time I have ever seen the fellow.

Mr. HUBERT. I thought you said there were three times?

Mr. VAUGHN. Well, either two or three—I couldn't be exact—I believe, like I said, I probably may have seen him more, but you know, just passing him when I was working on the district, but like I say, it would be difficult for me to recall definitely the times—I can recall definitely two times.

Mr. HUBERT. Have you ever been to either of his clubs or any of his clubs?

Mr. VAUGHN. I have been to the Vegas Club, I would say, possibly twice.

Mr. HUBERT. What about the Carousel or the Sovereign?

Mr. VAUGHN. I didn't even know he had the Carousel.

Mr. HUBERT. The Silver Slipper or any of his other clubs?

Mr. VAUGHN. I didn't even know he had them.

Mr. HUBERT. On the two occasions that you went to the Vegas, did you see him?

Mr. VAUGHN. Not that I recall—ever seeing him.

Mr. HUBERT. How long ago were those occasions?

Mr. VAUGHN. This would also be in 1959.

Mr. HUBERT. So, the last time you really saw him was in December 1961?

Mr. VAUGHN. I believe it would be in December 1961—there were other occasions that I was in his club. I was on duty and actually just making a routine check or answering a call there. I had actually never been in his club except on business.

Mr. HUBERT. On those occasions that you did go on business, do you recall having seen him?

Mr. VAUGHN. No; I don't, I don't recall seeing him.

Mr. HUBERT. When you stated you were posted at the Main Street ramp, by that I take it you mean the exit of the Main Street ramp, that is to say, where it comes out?

Mr. VAUGHN. Yes; out onto the street—onto the sidewalk.

Mr. HUBERT. Now, physically where did you maintain your post?

Mr. VAUGHN. I maintained it inside—actually, I would say 2 or 3 feet inside—actually—of the ramp.

Mr. HUBERT. In other words, you weren't on the sidewalk?

Mr. VAUGHN. Oh, no; I was inside—standing inside the ramp.

Mr. HUBERT. The ramp is about how many feet wide?

Mr. VAUGHN. I would just have to estimate it—I would say it was 12 to 15 feet.

Mr. HUBERT. And you were standing more or less in the middle?

Mr. VAUGHN. In the middle.

Mr. HUBERT. And that was about from 9:30 on?

Mr. VAUGHN. Yes.

Mr. HUBERT. Did you ever leave that post?

Mr. VAUGHN. The only time when I ever moved out of my position there was when this car which was driven by Lieutenant Pierce exited by that ramp.

Mr. HUBERT. Before we get to that, let me ask you this—you mentioned that on several occasions people came in, identified themselves and you let them through, or you turned away other people?

Mr. VAUGHN. Yes.

Mr. HUBERT. What steps did you take to maintain the security of your post while you were talking to such people so that other people wouldn't sneak through?

Mr. VAUGHN. I was still standing in the middle of the ramp.

Mr. HUBERT. It would be impossible, you think, for anybody to pass on either side of you?

Mr. VAUGHN. That's right—without seeing them.

Mr. HUBERT. Now, coming to the time when the automobile passed through, tell us what you know about that?

Mr. VAUGHN. Well, I would say it was approximately a quarter or a little past—about 18 minutes past 11, somewhere around there—I wouldn't be exact on the time.

Mr. HUBERT. How do you fix that time?

Mr. VAUGHN. Well, they established, I think, that the shooting occurred at 11:21 and I'm just judging by the minutes before.

Mr. HUBERT. In other words, what you say is that you don't really have a direct recollection of what time it was, but you reconstructed it with the information given to you that the shooting took place at such and such a time?

Mr. VAUGHN. Yes—at such and such a time.

Mr. HUBERT. Let's do it this way. How long before you heard the shot did that car driven by Rio Pierce pass by you?

Mr. VAUGHN. I would say not over 3 minutes.

Mr. HUBERT. Now, did you recognize anybody in the car?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. What did you do when the car came up?

Mr. VAUGHN. The first thing I noticed the car—still standing inside the ramp—and I heard someone at the bottom of the ramp holler, "Watch the car," and when I looked down you could just get a view of the front end of the car coming up the ramp. It had its red lights on, which were in the grill. As it come on up the ramp, I stepped to my right, and it come up the ramp—

Mr. HUBERT. You stepped towards Pearl Street?

Mr. VAUGHN. Yes—towards Pearl Street, and I stepped to my right in order to get out of the car's way, and I stepped out on the sidewalk somewhere between the sidewalk and the curb, I believe it was right around the curb, and I glanced—it would be toward the eastbound traffic, which would be traffic towards Pearl Street to see that traffic was clear, and then motioned them on and I turned around and walked back.

Mr. HUBERT. You did not go into the street at all?

Mr. VAUGHN. No, sir.

Mr. HUBERT. You did not pass the curb?

Mr. VAUGHN. No, sir; not that I recall—I don't believe I did at all.

Mr. HUBERT. Would you say that when you stepped to the right and walked on the sidewalk to the curb you looked for the traffic—to your right?

Mr. VAUGHN. Actually, the way I was facing it would be to my left, which would be west.

Mr. HUBERT. It would be towards Harwood Street?

Mr. VAUGHN. Yes—towards Harwood Street.

Mr. HUBERT. Was your back then toward the ramp entrance?

Mr. VAUGHN. No, sir; my back was not toward the ramp, I was standing to the right of the ramp where I still had a view of the ramp itself, the entrance to the ramp. My back would have been toward Pearl Street—it would be towards the east.

Mr. HUBERT. Did you ever turn your head or your body toward your right, that is, toward Pearl Street?

Mr. VAUGHN. No, sir; not that I recall. All I done on that, Mr. Hubert, like I say, I walked out—I glanced west, which would be towards the eastbound traffic going west and due to the fact that there were cars parked along here on Main Street, I glanced to the west and seen there was an opening in the eastbound traffic, which would be coming from the west, and I just motioned them on.

Mr. HUBERT. You did not go out in the middle of the street to halt traffic?

Mr. VAUGHN. No, sir; I did not.

Mr. HUBERT. Were there many people standing around that entrance?

Mr. VAUGHN. No, sir; I would say at most, I believe, at most it would be a half dozen, I think, who were standing there.

Mr. HUBERT. Were they standing in front or to the side?

Mr. VAUGHN. Oh, there was one particular person that I recall that was standing on my right, which would be toward Pearl Street—would be N. J. Daniels.

Mr. HUBERT. You did see him?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. He is a former policeman?

Mr. VAUGHN. Yes.

Mr. HUBERT. And you recognized him as such?

Mr. VAUGHN. Yes.

Mr. HUBERT. And he was in civilian clothes?

Mr. VAUGHN. Yes.

Mr. HUBERT. You know that little concrete or stone projection out into the sidewalk?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. I think that they have two of those, one on each side of the ramp and they extend about 5 or 6 feet into the sidewalk from the side of the building toward the curb—is it correct to say that they are about 12 inches high?

Mr. VAUGHN. I believe they are a little higher—I believe they would be about 18 inches high.

Mr. HUBERT. On what side of the ramp was Daniels?

Mr. VAUGHN. He would be on the east side, toward Pearl Street there.

Mr. HUBERT. Now, after the Pierce car passed by, what did you do?

Mr. VAUGHN. I walked back inside the ramp to my original post, which was 2 or 3 feet inside.

Mr. HUBERT. And you stayed there until after the shot was fired?

Mr. VAUGHN. Yes.

Mr. HUBERT. Did anyone go by you after you returned to your post, following the exit of the Rio Pierce car?

Mr. VAUGHN. No, sir; not that I recall—I don't believe there was.

Mr. HUBERT. Now, you qualify that by saying, "Not that you recall"—I had understood from your previous testimony that it would have been impossible for anybody to do so.

Mr. VAUGHN. Well, as far as—actually, when I got inside the ramp, I don't believe there was anybody that went by between the time that I stepped back inside and the actual time of the shooting. When I say I recall, well, I'll put it definite—I know there wasn't—I'll put it that way.

Mr. HUBERT. That's the way I had understood your previous testimony, because I had asked you as to whether it were possible for anyone to have passed by you previously when you were examining the credentials of others.

Mr. VAUGHN. No.

Mr. HUBERT. And I think your answer to me was—no, it was impossible—they would have had to go either to the left or right of you and you were standing in the middle of a 12-foot opening?

Mr. VAUGHN. Yes.

Mr. HUBERT. Is it fair to say, then, that after you got back to your post, following the exit of Rio Pierce's car, that nobody passed you?

Mr. VAUGHN. Nobody passed me.

Mr. HUBERT. Specifically, did Jack Ruby pass you?

Mr. VAUGHN. No, sir.

Mr. HUBERT. Now, when the Rio Pierce car was coming out, what steps or action did you take to maintain the security of your post while that car was passing through?

Mr. VAUGHN. The only steps, like I said, Mr. Hubert, on that—is when I stepped out onto the sidewalks—why—I made sure that my view of the entrance of the city hall was not completely blocked, that I could still see the entrance to the right.

Mr. HUBERT. You use the words "completely blocked," do you mean to infer by that it could have been partially blocked?

Mr. VAUGHN. No, sir; the only thing—when I stepped out, as the car came out, I still had a view of the actual entrance to the ramp.

Mr. HUBERT. Would it have been possible that part of your view was blocked by the automobile itself?

Mr. VAUGHN. It possibly—for an instant while the car was coming out—actually out of the entrance—but after it cleared the ramp—no, sir.

Mr. HUBERT. After it cleared the entrance you returned your view to your post, even though you weren't at it?

Mr. VAUGHN. Yes.

Mr. HUBERT. And nobody entered it at that time?

Mr. VAUGHN. No, sir; they did not.

Mr. HUBERT. Did you ever see Jack Ruby standing by that concrete or marble—what do you call it?

Mr. VAUGHN. Slab there.

Mr. HUBERT. Standing by that slab there where Daniels was?

Mr. VAUGHN. No, sir.

Mr. HUBERT. Was there anybody else with Daniels?

Mr. VAUGHN. No; not that I recall seeing that morning. Now, Daniels worked up there around approximately 2 or 3 feet—he was there quite some time and during the morning there were several people that would walk by the Main Street entrance and they would look in, more or less curiosity seekers more than anything else. There were very few that actually stopped and there was one particular man that did stop that I recall—I don't know his name. He was on the left of the ramp which would be toward the Harwood Street side. He used to be a shine boy in the basement of the city hall.

Mr. HUBERT. Do you remember some city hall janitorial workers, particularly a man by the name of Fuqua—did you see any people dressed in janitorial uniforms pass by?

Mr. VAUGHN. As I recall, I seen some men walk down the street there and look in the ramp and they walked on.

Mr. HUBERT. Which way were they coming from?

Mr. VAUGHN. I believe they were coming from the east.

Mr. HUBERT. That is what direction?

Mr. VAUGHN. From Pearl—towards Harwood.

Mr. HUBERT. They just passed by?

Mr. VAUGHN. They would have hesitated for just a minute.

Mr. HUBERT. Do you recall how long before the shooting they passed by?

Mr. VAUGHN. I would just have to estimate—just an estimate—I would say it was probably 15 or 20 minutes, something like that.

Mr. HUBERT. Do you think it would have been possible for anyone to enter the basement who was approaching the Main Street ramp from Pearl Street or the Western Union direction, while the Pierce car was exiting?

Mr. VAUGHN. No; I don't believe it would.

Mr. HUBERT. And why do you say that?

Mr. VAUGHN. Because—due to the fact—the time, the period of time—like I said, I had a view of the ramp from the period of time the car actually come out, and I waved it on and walked back to the ramp.

Mr. HUBERT. Now, you know, of course, that Ruby says that's the way he got in?

Mr. VAUGHN. Yes, I realize that.

Mr. HUBERT. What is your opinion about that statement?

Mr. VAUGHN. I don't believe he did.

Mr. HUBERT. You think he got in some other way?

Mr. VAUGHN. I don't know definitely, but I'll say he didn't come in at the ramp. How he got in—that, I don't know, but I know—I don't believe that he came in the ramp.

Mr. HUBERT. Is it your opinion beyond any reasonable doubt, and I think you are familiar with that phrase as an officer, aren't you?

Mr. VAUGHN. Yes.

Mr. HUBERT. That Ruby did not enter the basement through the ramp while you were there?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. Is that opinion so strong that if you were a juror, for example, you would convict a man or acquit him, whichever it would be, on the basis of your statement that he did not enter at that ramp?

Mr. VAUGHN. Well, now, what do you mean by that?

Mr. HUBERT. That's the reasonable doubt test, you see.

Mr. VAUGHN. You mean as far as I am concerned—as far as what I think about it, that I definitely do not think the man come down that ramp.

Mr. HUBERT. But I was testing the strength of your view.

Mr. VAUGHN. Well, I don't quite understand or follow you?

Mr. HUBERT. Well, here's what I had in mind—I'll put it this way—do you have the moral conviction that Jack Ruby did not enter the basement through

Mr. VAUGHN. Yes.

Mr. HUBERT. And he was in civilian clothes?

Mr. VAUGHN. Yes.

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Mr. HUBERT. But I was testing the strength of your view.

Mr. VAUGHN. Well, I don't quite understand or follow you?

Mr. HUBERT. Well, here's what I had in mind—I'll put it this way—do you have the moral conviction that Jack Ruby did not enter the basement through

the Main Street ramp to the degree that if that were an issue in a case on which you were a juror, you would say that it is beyond a reasonable doubt that he did not enter that way?

Mr. VAUGHN. So far as the knowledge I have of it—no, sir—I do not. I think if the question is that you think I would convict him on the doubt—of the knowledge that I have that he did not enter that ramp—yes, sir, I would.

Mr. HUBERT. In other words, you think it is beyond a reasonable doubt, as far as you are concerned?

Mr. VAUGHN. As far as I am concerned—yes, sir.

Mr. HUBERT. Do you remember a man who turned out to be a police mechanic?

Mr. VAUGHN. Yes.

Mr. HUBERT. Do you know his name?

Mr. VAUGHN. Tom Chabot [spelling] C-h-a-b-o-t—I don't think I can spell it actually—anyway, Chabot.

Mr. HUBERT. When did he enter the basement?

Mr. VAUGHN. Oh, this was somewhat earlier—he pulled up in a city squad car and started into the ramp.

Mr. HUBERT. How much earlier was it, and earlier than what?

Mr. VAUGHN. It was, I would say—it was approximately—just an estimate, it would be somewhere around 10 o'clock.

Mr. HUBERT. In other words, this man Chabot went into the basement about an hour and 20 minutes before the shooting?

Mr. VAUGHN. Somewhere around there—like I said—it would strictly be an estimate on the time.

Mr. HUBERT. What happened—he tried or he went through?

Mr. VAUGHN. Well, he pulled up in a city squad car and I told him I couldn't allow him in the basement in a squad car and so, he backed the car out and he parked it on Main Street, which would be actually east toward Pearl Street from—it would be on my right from the entrance or exit there—it would be on the right. He parked there and he got out and he come back and he come back up where I was standing inside the ramp, and he stood there a minute or two and talked to me, and, of course, I had known Chabot ever since I had been there. He's married to a policewoman, and he stood there a minute and he told me, he said, "I've got to check the parking situation in the basement."

He said on two previous dates he had had to work later until about 5:30—and so I told him to go ahead, due to the fact that I knew it was Sunday—I seen him driving a squad car—I thought possibly maybe they had sent for him, and there was several cars in the basement, so I told him to go ahead, and I seen him walk down in there—I was standing, and he was standing in my view—I could see him, and he walked down there and I got the view when he was talking to Sergeant Dean, and in 2 or 3 minutes he had come back up. He stopped there and chatted with me a minute and never said a thing, as far as telling him to leave the basement, so then he got out and went and got in the squad car and left.

Mr. HUBERT. Now, tell us what happened when you heard the shot?

Mr. VAUGHN. Well, after I had stepped back in there when Lieutenant Pierce had left—stepped back inside the ramp, it was, I would say, not over 3 minutes I heard somebody holler, "Here he comes," and so—I turned around and glanced—I couldn't see anything—all I could see was an outline of a few figures at the bottom.

Mr. HUBERT. You turned then so that your back was to Main Street and you were looking around?

Mr. VAUGHN. I was standing to a side view—I turned like this and looked right just like this a little way.

Mr. HUBERT. You looked over your shoulder?

Mr. VAUGHN. I didn't actually turn, and just immediately after that I heard something that sounded like a shot, but you know, at the point—it was something like an explosion, but it didn't sound loud enough to actually be a shot.

Mr. HUBERT. Did you see any movement?

Mr. VAUGHN. Well, at that time there was just mass confusion.

Mr. HUBERT. No; I'm talking about a movement after you heard somebody say, "Here he comes," and turned and looked back.

Mr. VAUGHN. No; sir—as far as any movement on the street.

Mr. HUBERT. Well, specifically, did you see any move forward?

Mr. VAUGHN. Oh, no.

Mr. HUBERT. Which way were you looking when you heard the shot?

Mr. VAUGHN. When I heard the shot I was looking back outside the entrance.

Mr. HUBERT. Onto Main Street?

Mr. VAUGHN. Yes.

Mr. HUBERT. Let me get this straight then—you were standing there facing Main Street?

Mr. VAUGHN. Yes.

Mr. HUBERT. In the ramp?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. Or a few feet inside the ramp?

Mr. VAUGHN. Yes.

Mr. HUBERT. You heard somebody holler, "Here he comes," you glanced over your shoulder, you saw nothing that was of significance?

Mr. VAUGHN. No.

Mr. HUBERT. Then turned back?

Mr. VAUGHN. Yes.

Mr. HUBERT. Then you heard the shots?

Mr. VAUGHN. Then I heard the shots.

Mr. HUBERT. And when you turned to look down the basement after you heard "Here he comes," you did not see Jack Ruby down there?

Mr. VAUGHN. Oh, no—like I said—the only view I had was—there were so many people in there where it was just the very people on the edge—their backs were to me.

Mr. HUBERT. After you heard the shot, what did you do?

Mr. VAUGHN. There was just mass confusion broke loose in the basement.

Mr. HUBERT. Did you leave your post?

Mr. VAUGHN. I stepped back inside—the people outside—there was quite a crowd beginning to collect outside—I stayed back inside and I drew my pistol and stood in the edge of the doorway in case anybody tried to come out, because actually I didn't know what had happened, and just immediately after that I seen some of them scuffling down there and I seen a hand—several people scuffling—and I seen part of a hand sticking out and it looked like it had a pistol in it, but that's all I could see was just this part of the hand, and immediately after that there was one man that broke away from the crowd and started up the ramp. Of course, he was in civilian clothes, I couldn't tell who he was, and just as he started, I guess he had taken very few steps from the crowd, there was a reserve that hit him more or less a tackle like and almost knocked him down. Still, they were far enough from me that I couldn't actually tell who it was. And, so, in a minute this reserve let him pass and he come on up the ramp.

Mr. HUBERT. Do you know who the reserve was?

Mr. VAUGHN. No, sir; I don't. There were so many of those reserves you know who some of them are and some of them you don't.

Mr. HUBERT. The reserves let him go and he came up the ramp?

Mr. VAUGHN. It was Detective E. O. Burgess.

Mr. HUBERT. You recognized him?

Mr. VAUGHN. Yes.

Mr. HUBERT. And you let him out?

Mr. VAUGHN. No, he didn't go out. He just come up and helped me at top of the ramp.

Mr. HUBERT. Did he give you any instructions or orders?

Mr. VAUGHN. No. I asked him, I said, "What happened?" And he said, "He's been shot."

I said, "Who shot him?" And he said—well, he understood it was a reporter and that was all that was said then, and then immediately after that Captain Talbert, Capt. C. E. Talbert come up the ramp and he told me that if anybody tried to leave to get their names and what they had seen in the basement, and he went back down the ramp and shortly thereafter there was a sergeant, I

believe, it was Sergeant Everett—I'm not real positive about that, but he brought me a book to write anybody's name on that did try to leave.

Mr. HUBERT. Did anybody try to leave?

Mr. VAUGHN. Yes, one man—it was quite some time after the shooting occurred—after this, one man tried to leave and he was a reporter up here with WFAA—Dallas Morning News by the name of Millican. I asked him his name. He wrote his name down and I asked him what he had seen. He said he didn't see anything, that he didn't arrive until actually after the shooting happened.

Mr. HUBERT. How did he identify himself?

Mr. VAUGHN. As I recall, with a press card, if I'm not mistaken. I'm not real positive about that.

Mr. HUBERT. Do you remember an incident in which a TV man by the name of Jim Turner was involved? He had got out and came back in.

Mr. VAUGHN. Well, now, there was two men that went out during the time before the shooting actually happened?

Mr. HUBERT. No; I mean after the shooting. Let me see if I can refresh your memory in this way—a WBAP-TV man went out to get some equipment, apparently satisfied you that he could go out, and then when he tried to come back in again, there was another man there, who you were not allowing to pass through, and this other man asked this man Turner to identify him to you; do you recall that incident?

Mr. VAUGHN. I recall this—there was, like I said earlier, there was two men that went out and got some camera equipment.

Mr. HUBERT. When you said "earlier" you mean before the shot?

Mr. VAUGHN. Oh, yes, yes, sir; it was before the shot—it was shortly after I was stationed on the ramp, I would say right around 10 o'clock. They went out and got some camera equipment. I watched them as they went across the street, the car was parked on Main Street, and then the same two men—I made definitely sure of that, and when they come back in, they were carrying equipment—one of these men that was in this—I don't know his name—come back to the entrance of the ramp and looked out and he had a taxicab parked on the north side of Main Street and he waved at that cab and he told me they were waiting, actually, for when the transfer was made and they were going to take this cab to the county, and after the shooting, if I am not mistaken, the same man came back—it was immediately after the shooting, and tried to get back in the ramp—I would not let him in. I told him definitely that nobody could get back down there and he said he had been down there, and I said, "I'm sorry, I can't let you back in," but he had gone back in carrying the equipment and come back and waved at this taxicab driver after that, on the other side of the ramp, and then went back down the ramp, and the next thing I knew he come back from the outside, immediately after the shooting and wanted me to let him back in, and I told him—no.

Mr. HUBERT. Do you remember some individual who had a couple of bags and possibly some photographic equipment—he looked something like John Carradine, do you remember that actor, John Carradine, with a wrinkled face?

Mr. VAUGHN. No.

Mr. HUBERT. This fellow had sort of an overcoat on, a tan overcoat and he tried to get out and apparently you wouldn't let him out there because he didn't have the proper identification, and he called upon a TV man who was coming in and whom you knew apparently, to identify him and the TV man said, "No, I can't identify you."

Mr. VAUGHN. No.

Mr. HUBERT. Do you recall that incident?

Mr. VAUGHN. No; I don't.

Mr. HUBERT. I think you said that there was one person who came a little later after the shooting who wanted to see Ruby?

Mr. VAUGHN. Yes—this was after—oh, I would say it was approximately an hour or almost an hour after the shooting.

Mr. HUBERT. Do you know who that man was?

Mr. VAUGHN. I don't know his name.

Mr. HUBERT. What did he look like?

Mr. VAUGHN. He was a great big fellow. Now, I would say he was in the middle twenties or late twenties.

Mr. HUBERT. Did he say to you he wanted to see Ruby?

Mr. VAUGHN. No, sir—who he actually walked up and asked for—he walked up and I overheard the conversation, if I recall, with one of the reserve officers—they had sent some reserve officers up before that time to help with the traffic and the crowd and I overheard the conversation—he said he was an employee of Jack Ruby's. When I heard that—we was all standing around there—I went and asked him and he asked me if lieutenant, let me see, I don't remember the lieutenant's name—he asked me if there was some lieutenant there and I told him I didn't know. He said, "Well, I am an employee of Jack Ruby's," and he said, "I would like to talk to lieutenant—" I believe he said Cunningham—I'm not real sure—I'm not positive now. Anyway, I asked him then what the deal was and he said, "He just needed to talk to him," and I felt possibly—by that time I had found out actually that Jack Ruby had shot him, and I felt possibly maybe someone wanted to talk to him, and a reserve relieved me on the entrance of the ramp and I went and took this man to the information desk in the basement and I called the homicide bureau and told Detective Boyd—I don't recall if he is the one that answered the phone, but I told whoever it was what the circumstances was, and Detective Boyd come down to the basement and he started searching this man and I helped him search him for any kind of a concealed weapon he might have and I turned him over to him and I left. I don't know the man's name, but he said he was an employee of Jack's.

Mr. HUBERT. Was he a heavy man, you say?

Mr. VAUGHN. He was quite a big man.

Mr. HUBERT. How old would he be?

Mr. VAUGHN. I would say he was in the middle twenties or late twenties.

Mr. HUBERT. What sort of complexion did he have and how was he dressed?

Mr. VAUGHN. I believe he had on a sportcoat and a pair of slacks.

Mr. HUBERT. What was his complexion?

Mr. VAUGHN. Well, he was fair.

Mr. HUBERT. How tall was he?

Mr. VAUGHN. Oh, he was about 6 foot 3 or 4—he was a tall man, but I believe he was heavier.

Mr. HUBERT. Heavier than who?

Mr. VAUGHN. Heavier than me.

Mr. HUBERT. What would you say he weighed?

Mr. VAUGHN. Oh, I would say he weighed around 250.

Mr. HUBERT. Was he bald or balding?

Mr. VAUGHN. Not that I recall—he had quite a bit of hair.

Mr. HUBERT. What color was his hair?

Mr. VAUGHN. I believe—the best I remember I believe it was black.

Mr. HUBERT. Did you notice whether he had a limp or not?

Mr. VAUGHN. No, sir; I didn't notice.

Mr. HUBERT. When did you first hear that Ruby was supposed to have passed by you?

Mr. VAUGHN. I went immediately, after I took this man to the basement, I seen another officer that was right there in the basement and I asked him—they had already told him to go back to the squad, and so I run on up to 511, which is the patrol office, and Lieutenant Pierce was up there and I asked him if he wanted me to go ahead and stay on that position on the ramp out there, or what he wanted me to do and he said to go ahead and check back in service with the dispatcher and go back to the squad, and that was about, I would say, somewhere around 1 o'clock, and I went on back out and I answered a call, I believe I answered a couple of calls, and I answered one out in East Dallas and while I was out of the car, getting out of the car going up to talk to the people, they called—I heard a call for me to call 401, at Parkland Hospital, which is the officer's room out there at Parkland, and so I went ahead and got the information concerned with the call and I got back to the car and went to the phone and I called. I called Parkland Hospital and talked to Captain Talbert, and Captain Talbert asked me if I had seen Jack Ruby that day and I said, "No." He asked me if I knew him and I said, "Well, I know him to the point that probably if I had met the man

on the street in a crowd I wouldn't have recognized him, but to the point that if I had some occasion to talk to him, I believe I would," and he asked me if I had seen him and so I told him "No," and I began to wonder about it and I went on and checked out of service and went to the jail office.

Mr. HUBERT. In other words, Captain Talbert did not tell you that there was some idea that Ruby had gone by you and got into the basement in that way?

Mr. VAUGHN. Well, he may have possibly stated something like that—I don't recall, actually.

Mr. HUBERT. Well, you said a moment ago you got to thinking and worrying about it.

Mr. VAUGHN. Well, actually when he asked me if I had seen Ruby that morning—I don't really recall if he said whether that is the way he is supposed to have come in or anything else. Well, I went on, like I said, and I checked out and I went to 511 where I think I seen Lieutenant Pierce and he told me that that's how Ruby said he had come into the basement.

Mr. HUBERT. About what time was that?

Mr. VAUGHN. Oh, I would say it was somewhere around 2 or 2:30.

Mr. HUBERT. Did you ask him who Ruby had told that to?

Mr. VAUGHN. I don't believe I did.

Mr. HUBERT. Do you know now who he told it to?

Mr. VAUGHN. Well, I understood, of course—I don't know definitely—I understood he told Mr. Sorrels and Detective McMillon and several more—I don't know.

Mr. HUBERT. Did you ever talk to Pat Dean about it?

Mr. VAUGHN. Dean asked me one time if I knew what Ruby had said, I recall, and this was sometime later, and I said I knew what he had said—that that's how he had gotten in.

Mr. HUBERT. Did Dean tell you that Ruby had told him that?

Mr. VAUGHN. I don't believe he did, Mr. Hubert, I can't recall exactly what it was.

Mr. HUBERT. How long after the event did you have this conversation with Dean?

Mr. VAUGHN. Oh, it may have been possibly the same day—later that afternoon, or maybe the next morning, I don't recall.

Mr. HUBERT. Did he approach you about it or did you approach him?

Mr. VAUGHN. I actually don't recall.

Mr. HUBERT. Did any of your superior officers question you about whether Jack could have gotten by you?

Mr. VAUGHN. Yes, they questioned me quite extensively about it. That was on Sunday it happened, and I worked Monday, and I think it was—I talked to Lieutenant Pierce some, I believe, and Tuesday I was off and so Tuesday morning around 9 o'clock they called me at home and told me to come in and write a report and so I got up and went down there and wrote a report Tuesday, and I was off Wednesday. So Wednesday night I was supposed to be off Thursday at that particular time—I had three days off that week, and I think it was a holiday fell in there somewhere—Thanksgiving is what it was—and Wednesday night they called me at home, Lieutenant Pierce called me. I don't recall that it was—whether it was 7 or 8 or 9 o'clock, and told me to come in and go to work Thursday morning, that Chief Fisher wanted to talk to me, and I came in and went ahead and went to work and I worked until, I believe, 8:30 or 9 and I got a call to report to 511 on a mark-out.

Mr. HUBERT. What is a mark-out?

Mr. VAUGHN. That means you are out of service. The dispatcher will show you being somewhere else, and so when I went up there, Chief Fisher, Captain Talbert, and Lieutenant Pierce, I believe, was all sitting in this little assembly room and they were talking, and I didn't say anything else—I didn't say anything to them, and so within a few minutes Chief Fisher asked me as I recall, now maybe I'm a little bit wrong, as far as he asked me, but somebody asked me if I was ready to go up to his office and I said, "Yes," and we went on up to Chief Fisher's office which is up on the third floor and I was accompanied by Lieutenant Pierce and Captain Talbert, so Chief Fisher ques-

tioned me about it quite extensively, and I told him the exact story that I had in my report and I have told you, and then he asked me—he said he didn't doubt my integrity, but would I take a lie detector test and I told him—yes, I would take a lie detector test and I went in and Detective Bentley, who was operating the polygraph, and so I went in and took the test.

Mr. HUBERT. Did you know at that time that Daniels had said that he had seen somebody go by you?

Mr. VAUGHN. No, sir—I had contacted Daniels, of course—I didn't actually clear my conversation when I talked to him about it—I had contacted Daniels—I remember seeing him there, after personally knowing Daniels—I knew him by sight, and he knew me by sight, and so—

Mr. HUBERT. When did you contact Daniels?

Mr. VAUGHN. It was on Monday morning.

Mr. HUBERT. And you did so, I suppose, because you knew of the possibility that was being talked about that Ruby had passed by you and you thought that he was there and he might know?

Mr. VAUGHN. I knew he was there—I remember seeing him.

Mr. HUBERT. What did he tell you?

Mr. VAUGHN. Well, I called him at home—he has a business down in South Dallas, but it wasn't open—that was the day of the President's funeral, and I called him at home and I believe his wife answered the phone, and I asked her if I could speak to him, and so he come to the phone and I told him who I was and I said, "I remember seeing you down there yesterday, and I just want to ask you something." I said, "Do you recall this car—this Lieutenant Pierce's car coming out of the basement?" And he said, "Yes, sure." And, I says, "Well, did you see anybody go down that basement while that car was coming out?" He said, "No, definitely not; there was nobody." And, I told him, I said, "That's the way Ruby said he got in," and I thanked him and left.

Mr. HUBERT. Did you ask him whether he saw anybody come by you out to—after the Pierce car had passed through?

Mr. VAUGHN. No, sir; I don't recall asking him that.

Mr. HUBERT. He didn't tell you in any case that he had seen somebody?

Mr. VAUGHN. He said there definitely—he said there was definitely nobody went down that ramp but that car.

Mr. HUBERT. Did he tell you that he had ever seen anybody go through?

Mr. VAUGHN. No.

Mr. HUBERT. Did he deny he had ever seen anybody go through?

Mr. VAUGHN. Yes, sir; he said he definitely did not see anybody go through.

Mr. HUBERT. And was the conversation such that when he told you that, you understood him to mean at any time whatsoever?

Mr. VAUGHN. The only part I was asking him about was the point when that car come out, Mr. Hubert.

Mr. HUBERT. In other words, his denial then that he saw anybody come through, you think, because of the nature of the conversation, was limited to whether anybody came through while the Pierce car was going through?

Mr. VAUGHN. That was the only part that my intention was to ask him about—was that particular one situation that arose there, because the rest of the time I was in the ramp.

Mr. HUBERT. Tell me this, after the conversation and the examination by Fisher and the lie detector test, and so forth, was there any kind of disciplinary action taken against you by the police department?

Mr. VAUGHN. No; I had my efficiency cut.

Mr. HUBERT. That's one thing I am interested in—tell us about that.

Mr. VAUGHN. Well, I got cut four points.

Mr. HUBERT. Is that a drastic cut?

Mr. VAUGHN. Well, for me it was. Of course, in some cases it isn't.

I mean, it's just all according to—

Mr. HUBERT. Well, you see, we don't know what the efficiency cut of four points means in terms of severity, and that's what we would like to know.

Mr. VAUGHN. Well, normally for the last 3 or 4 years I have always carried a 90 efficiency, which is a fairly high efficiency, and I got cut four points on one certain thing, which I'm not familiar enough on how they grade on that—to

actually explain it to you, but I went up to the civil service board when I got my efficiency and checked to see who, of course, they keep a record of anybody that changes your efficiency. My efficiency was changed by Chief Fisher. It was cut from a 90 to an 86 and on one particular phase of how they grade you—on dependability.

Mr. HUBERT. Did you ascertain that that efficiency cut was done because of the Ruby incident?

Mr. VAUGHN. Well, I didn't think—I thought possibly it was over the Ruby incident and I went and talked to one of my supervisors and I didn't feel that I should have had a cut on my efficiency under the circumstances but the point to me—there has—they have never actually proved that Jack came in that way.

Mr. HUBERT. When you spoke to this officer, your superior officer about the fact that you didn't think you should be cut, what did he say?

Mr. VAUGHN. Well, he said he didn't know what I was cut for.

Mr. HUBERT. Who was that, by the way, what is his name?

Mr. VAUGHN. I believe that was Sergeant Jennings, if I'm not mistaken.

Mr. HUBERT. You know you talked to Fisher about it?

Mr. VAUGHN. Well, I was going to see Chief Fisher, as a matter of fact I got the lieutenant to talk to Chief Fisher and he told Chief Fisher that I did want to see him, and at that time Chief Fisher was involved in some other kind of business he had—I don't know exactly what it was, but he was busy. Then Lieutenant Pierce told me that I shouldn't go see Fisher at this time. He said, "If you will wait, I will talk to Fisher."

Mr. HUBERT. By the way, this efficiency cut, is that on the basis of a year or a month or what?

Mr. VAUGHN. Six months.

Mr. HUBERT. And this was made about January 1, I guess?

Mr. VAUGHN. Yes, sir; I think the efficiency ends in the month of January.

Mr. HUBERT. Did Rio Pierce ever report back to you as to whether he had spoken to Fisher or not?

Mr. VAUGHN. Yes, I talked to Lieutenant Pierce, I believe it was a couple of weeks ago, and he said it was the first opportunity he had had a chance to talk to Chief Fisher, and my understanding I got from him was that Chief Fisher said it was for letting Tom Chabot in the basement.

Mr. HUBERT. In other words, you got the impression from Pierce, that the efficiency cut was not related to the Ruby incident, but rather to the Chabot incident?

Mr. VAUGHN. Yes; to Chabot.

Mr. HUBERT. I think we need a bit more information as to the severity of this cut. Could you give us examples of what point cut they give for what?

Mr. VAUGHN. Well, you might get 1 or 2 points—I've seen them get cut as high as 13 points.

Mr. HUBERT. For what?

Mr. VAUGHN. Well, just for different things.

Mr. HUBERT. Well, what would be—what would a four cut be the result of?

Mr. VAUGHN. Well, normally a 4 point cut wouldn't be too severe, because actually—well, I had a 90. I got cut 4 points—I got an 86, which is still a fairly good efficiency, but to me, like I said, under the circumstances and the things I felt it was severe because I didn't quite understand it—that was the point on that.

Mr. HUBERT. Well, were you in the police building on the 23d—the day before?

Mr. VAUGHN. Yes, sir; I was there in and out.

Mr. HUBERT. Did you see Ruby then?

Mr. VAUGHN. No, sir.

Mr. HUBERT. Were you in the police building on the 22d of November?

Mr. VAUGHN. Yes.

Mr. HUBERT. Did you see Ruby around there then?

Mr. VAUGHN. No.

Mr. HUBERT. Did you happen to go to that assembly when Oswald was brought down to see the press?

Mr. VAUGHN. No, sir; I don't know what time that was, but at that particular time we were working days and we got off at 3 o'clock.

Mr. HUBERT. I show you three statements which have been marked for identification as follows: a copy of a letter dated November 26, 1963, addressed to J. E. Curry in two pages and I have marked it for identification, "Dallas, Tex., April 17, 1964, Exhibit 5334, Deposition of Roy Vaughn," and I have signed my name on it and since it has a second page, I have put my initials at the right-hand bottom corner of the second page, and the second document, which is an interview of you by FBI Agents Lester and Larson, dated December 1, 1963, and for purposes of identification, I have marked this, "Dallas, Tex., April 17, 1964, Exhibit 5335, Deposition of Roy Vaughn." I have signed my name on that and I have put my initials in the lower right-hand corner on the second, third, the fourth and the fifth pages of that document, and then there is another document, a report of an investigation of you by Agents Hughes and Dallman, dated December 19, 1963, and I have marked that for identification on the first page as follows, "Dallas, Tex., April 17, 1964, Exhibit 5336, Deposition of Roy Vaughn," and I have signed my name below that and I have marked the second, third and fourth pages with my initials in the lower right-hand corner.

I think you have had an opportunity to read these three exhibits?

Mr. VAUGHN. Yes.

Mr. HUBERT. Do you find any corrections, changes, or modifications that you wish to make in the document, Exhibit 5334, the letter to Chief Curry?

Mr. VAUGHN. No, sir.

Mr. HUBERT. Do you find any modifications that you wish to make in the document that has been identified as Exhibit 5335, the FBI interview on December 1, 1963?

Mr. VAUGHN. Yes, sir.

Mr. HUBERT. Would you take the document and tell me what changes or what errors there are or modifications you wish to make?

Mr. VAUGHN. This part—

Mr. HUBERT. Now, you are pointing to the second page, the second paragraph which is numbered with a (1)—what do you have to say about that?

Mr. VAUGHN. The time was probably 10:15 and they've got 10:30.

Mr. HUBERT. Is that the only thing you find in that?

Mr. VAUGHN. Yes.

Mr. HUBERT. What other things?

Mr. VAUGHN. Well, in No. 6.

Mr. HUBERT. That is the paragraph that is numbered with (6) on page two?

Mr. VAUGHN. It says, "Thomas Carbet, known to Vaughn to be a city employed mechanic, was on business of the Dallas Police Department in a squad car. In connection with Carbet, Vaughn invited him down"——

Mr. HUBERT. Actually, they have Carbet, is that wrong?

Mr. VAUGHN. Actually, it's Chabot, but I think that's what I told him, but that's what I meant.

Mr. HUBERT. You mean Chabot, when you actually told him Carbet. The man who is referred to in this paragraph you are talking about, Paragraph 6 on page two, was really Chabot, is that right?

Mr. VAUGHN. Yes, sir [spelling]; C-h-a-b-o-t, and that's what I have—what he advised me that he had been sent down for, checking the parking situation.

Mr. HUBERT. I don't quite get what you said is wrong with that paragraph.

Mr. VAUGHN. Well, that would be all right as far as the way it is written—yes.

Mr. HUBERT. Well, have you any comment about it?

Mr. VAUGHN. Well, now, the comment was, as I recall, I did tell the two FBI agents that were there that Chabot advised me that he had to check the parking situation in the basement.

Mr. HUBERT. And that is omitted from that paragraph?

Mr. VAUGHN. Yes; that is omitted from that paragraph.

Mr. HUBERT. Now, turning to page three and it is the last long paragraph on that page.

Mr. VAUGHN. And it says that, "Approximately 11 a.m. a large crowd"—I

don't know how they would specify a large crowd—I said I suppose it was probably half a dozen people standing outside the ramp.

Mr. HUBERT. So, you wish to correct that?

Mr. VAUGHN. I want to change the large—from large to that.

Mr. HUBERT. You wish to change "large crowd at 11 a.m." to "about half a dozen people"?

Mr. VAUGHN. Yes.

Mr. HUBERT. Were there any other corrections or modifications on that document?

Mr. VAUGHN. No, sir.

Mr. HUBERT. You have read it through and you believe it correctly represents the content and substance of the interview?

Mr. VAUGHN. Yes.

Mr. HUBERT. Now; I ask you whether you have any comments or changes or corrections with reference to the FBI report which has been identified as Exhibit 5336?

Mr. VAUGHN. No; that's correct.

Mr. HUBERT. That's correct altogether?

Mr. VAUGHN. That's correct.

Mr. HUBERT. Mr. Vaughn, would you be willing to state that if a person were to read the three reports that we have identified as Exhibits 5334, 5335, and 5336, and if he were to read your deposition here, that he would have the truth so far as you know?

Mr. VAUGHN. Yes, sir; I would.

Mr. HUBERT. Now, have you ever been interviewed by any other member of the Commission staff?

Mr. VAUGHN. No, sir; I have not.

Mr. HUBERT. Thank you, sir.

Mr. VAUGHN. All right. Thank you.

TESTIMONY OF DETECTIVE JAMES C. WATSON

The testimony of Detective James C. Watson was taken at 10 a.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of James C. Watson of the Dallas Police Department. Mr. Watson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy.

Under the provisions of President Johnson's Executive Order 11130, dated November 29, 1963, a joint resolution of Congress 137 and rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution I have been authorized to take a sworn deposition from you, Mr. Watson. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and subsequent violent death of Lee Harvey Oswald. And in particular, as to you, Mr. Watson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Mr. Watson, you have appeared here today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, who is the general counsel on the Staff of the President's Commission. Under the rules adopted by the Commission you are entitled to a 3-day written notice prior to the taking of this deposition, and the rules also provide that a witness may waive his 3-day written notice and I will ask you now if you are willing to waive the notice?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Will you please stand and raise your right hand and be sworn?

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. WATSON. I do.

Mr. HUBERT. Will you please state your full name?

Mr. WATSON. James C. Watson. James Colvin Watson.

Mr. HUBERT. Your age?

Mr. WATSON. 43.

Mr. HUBERT. Where do you live, sir?

Mr. WATSON. 2743 Clover Lane, Dallas.

Mr. HUBERT. Clover Lane. What is your occupation and how long have you been so occupied?

Mr. WATSON. City detective. I have been with the police department 15 years, going on 16 years. Been a detective about 8 years.

Mr. HUBERT. Now, were your particular assignment and duties on November 22, 23, and 24 the same as today? That is to say, same department?

Mr. WATSON. Yes, sir.

Mr. HUBERT. What is that?

Mr. WATSON. Auto theft bureau.

Mr. HUBERT. Normally, of course, members of the auto theft bureau would have nothing to do with homicide and so forth?

Mr. WATSON. No, sir; they just took men out of each bureau to help out when they had the lunch out at The Trade Mart.

Mr. HUBERT. And you were simply assigned to assist in the transfer of Oswald?

Mr. WATSON. Yes, sir.

Mr. HUBERT. And you were on duty that day?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Now, I have marked for purposes of identification what appears to be a photostatic copy of a letter dated November 22, 1963, addressed to J. E. Curry, chief of police, apparently signed by you, consisting of two pages and for the purpose of identification I mark the first page as follows, to wit: "Dallas, Tex., March 26, 1964, Exhibit 5102, deposition of J. C. Watson," and I have signed my name. That inscription is in the right-hand margin of the letter, and on each page I have placed my initials at the bottom of the page. I think you have read that statement?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Is that statement correct? Does it contain the truth?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Any modifications or deletions or additions that you wish to make concerning that letter?

Mr. WATSON. No, sir; only difference in that one that apparently either FBI or Mr. Scott wrote, I show that I was in Jack Ruby's place, and it says, "several" there, and I have only seen him one time prior to the time this happened, and I only saw him after the shooting.

Mr. HUBERT. I think it would be proper for you—when we get to discussing the FBI documents that you repeat that comment.

Mr. WATSON. Yes, sir.

Mr. HUBERT. I have also marked for the purposes of identification a letter to Chief Curry dated November 30th, 1963, by C. C. Wallace and P. G. McCaghren concerning an interview evidently with you. For the purposes of identification I mark that with the following inscription, "Dallas, Tex., March 26, 1964. Exhibit 5103, deposition of J. C. Watson," and I sign my name. That consists of one page. Have you read that, sir?

Mr. WATSON. Yes, sir; I have.

Mr. HUBERT. That's correct; isn't it?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Now, in order that the record may show that we are both talking about the same document I would like you to sign your name below mine on both documents and initial the second page, as I have done.

Mr. WATSON. Initial those pages?

Mr. HUBERT. No; sign your name below mine. Right there. That's right.

Mr. WATSON. And initial the second page?

Mr. HUBERT. Initial the second page just below my initial. While we are

on that second page I notice that is a photostatic copy and—the signature, is that yours?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Now, then, would you sign your name below mine on the document marked Exhibit 5103? Now, I show you a document purporting to be a report by FBI Agent Scott of an interview of you which took place, apparently, on November 25, 1963, and for the purposes of identification, I have marked that document in the right-hand margin with the following inscription, to wit: "Dallas, Tex., March 26, 1964. Exhibit 5104. Deposition of J. C. Watson. Leon D. Hubert, Jr." I wonder if you would sign below my name so as the record may show that we are talking about the same document?

Mr. WATSON. This is the one?

Mr. HUBERT. You are going to have an opportunity to make the correction. Just for the purpose of identification put your name on it. Now, as to this document, which has now been signed by both of us and identified as 5104, I believe you have some comments to make?

Mr. WATSON. I believe—I thought it was, main letter, but it was my second letter that states that I only saw Jack Ruby one time and the FBI letter taken from it where they show that I had saw him on several occasions. I only saw him one time. We went in there and stayed 10 or 15 minutes. I think we had a cup of coffee and sat and talked to him a little bit, and that is the only occasion I have seen the man before I saw him in the basement after the shooting.

Mr. HUBERT. How long before the shooting did that—

Mr. WATSON. I'd say 3 to 4 years, in my estimate. I would say 2 to 4 years. I couldn't be sure. It has been a long time.

Mr. HUBERT. When you did see him, did you recognize him?

Mr. WATSON. No, sir; I believe I would have recognized him in his place and I did recognize him after the shooting only because I saw two or three people call his name. Then I did recognize him.

Mr. HUBERT. If you will step over here and have a look at this mockup here on the basement area, generally familiarize yourself with it, there is the jail office, and that is the jail elevator, the corridor entrance, the swinging door, the corridor outside the swinging door. There is the flat part of the ramp. There are the two inclines back there. This is the parking area and that is the ramp coming from the parking area to the ramp between Main and Commerce. I have also here a chart which I have marked for purposes of identification, "Dallas, Tex., March 26, 1964. Exhibit 5105, deposition of J. C. Watson." And I have put below it my name and I will ask you to sign your name so that the record may show that we are talking about the same document. Now, looking at the mockup first, I would like you to show me on the mockup where you were standing at the time of the shooting, and if you had changed positions from the time you first went in there indicate that so that we can mark the several positions that you might have been in.

Mr. WATSON. I took a position—you want it here, or over here?

Mr. HUBERT. I want you to fix it.

Mr. WATSON. Generally right here [indicating]. And I had more or less, until we—just previous to the time they brought Oswald down, I did take a point near this corner, out somewhere, a point about like this [indicating].

Mr. HUBERT. Now, I am marking—is this right? Right here?

Mr. WATSON. Yes, sir.

Mr. HUBERT. I am marking a circle.

Mr. WATSON. Yes.

Mr. HUBERT. At the spot which you have indicated on the mockup?

Mr. WATSON. That is the general place.

Mr. HUBERT. The general place.

Mr. WATSON. More or less milling around from there over to here, 5 or 6 feet until right at the—

Mr. HUBERT. The position I have marked with the circle is the position you were in at the time of the shooting, is that right?

Mr. WATSON. Yes, sir.

Mr. HUBERT. I have written on the map, "Position of J. C. Watson at time of shooting," and I have encircled it and connected it with a line into the circle

which you have indicated was the position that you were standing in at the moment of the shooting. As I understand your testimony, you were more or less moving up and down along that position?

Mr. WATSON. Well, that would have been previous, until the time they were bringing him down. Right at the moment, the only difference would be we were probably back—I would probably have been back, I would say, level with the curb line, but at the moment they come out the photographers—and there were some photographers right in this corner, and one more officer, I think, to my left, and more or less—we moved forward just probably a couple of feet, or three. We didn't move over 2 or 3 feet.

Mr. HUBERT. You want to make this comment about the position I have marked as your position at the time of the shooting, you say that it is correct, that prior to the shooting you were perhaps 2 or 3 feet—

Mr. WATSON. Two feet.

Mr. HUBERT. Two feet back in the direction of Main Street?

Mr. WATSON. Yes; only because as the photographers come forward, we tend to come forward and kind of—

Mr. HUBERT. So, I am going to mark another circle then about 2 feet. This is not going to be accurate, but the purpose of the circle is to show your position prior to the shooting.

Mr. WATSON. They bring anyone down, people all naturally seem to move forward a little, just close in a little.

Mr. HUBERT. I have written on the map and encircled the following language. "Position of J. C. Watson prior to the shooting." I'll connect that with a circle, does that conform with your understanding of the situation?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Now, what caused you to move forward in that way?

Mr. WATSON. Just because the photographers and everyone seemed to just move forward a little, just to keep in line.

Mr. HUBERT. As Oswald was coming out?

Mr. WATSON. Yes, sir.

Mr. HUBERT. So, that accounts for the fact that your position at the moment of shooting was a little further towards Oswald than it would have been had you not moved at all, and that difference is about 2 feet?

Mr. WATSON. Well, I would say not necessarily toward him, just toward the direction he was going.

Mr. HUBERT. He was going; yes. All right, sir. Do you remember who was on your left? What officer was on your left?

Mr. WATSON. I believe Blackie Harrison was on my left, I believe.

Mr. HUBERT. Was any officer on your right?

Mr. WATSON. Not between me and the corner. I don't know whether there was one past the corner of the building between there and the office or not.

Mr. HUBERT. Do you think there was only the two of you, you and Blackie Harrison?

Mr. WATSON. Well, there had been one or two others over there.

Mr. HUBERT. Right. I don't—only you and Harrison keeping back the press from the Main Street ramp area?

Mr. WATSON. Yes.

Mr. HUBERT. Only you two?

Mr. WATSON. Of course, the press was actually in the basement area, and on the fence there on the guard rail and then at the time they had already—so many of them had gotten over the rail, and were just inside on the ramp area.

Mr. HUBERT. I'm going to mark an area just by making a rough oblong figure in which I am writing in the middle "Area A," and I ask you if it is that area that you are talking about that you were standing in front of?

Mr. WATSON. Just practically; yes. I was in front of, and to the right of it.

Mr. HUBERT. Yes; and how many people do you suppose there were in that area?

Mr. WATSON. In that "Area A"?

Mr. HUBERT. Back of you and Harrison?

Mr. WATSON. Not many.

Mr. HUBERT. Would you like to have a seat? Do you have anything else you would like to add?

Mr. WATSON. No, sir.

Mr. HUBERT. Do you consider that everything that you know about this matter is contained in the several reports and letters that have been identified this morning by you?

Mr. WATSON. Yes, sir.

Mr. HUBERT. And in your deposition?

Mr. WATSON. Yes, sir.

Mr. HUBERT. Nothing else you know about?

Mr. WATSON. No, sir.

Mr. HUBERT. Nothing has been omitted, and there are no corrections you want to make?

Mr. WATSON. Nothing but the FBI where it says "several". There is "one".

Mr. HUBERT. We have already accepted those. That has been noted, of course.

Mr. WATSON. Yes, sir.

Mr. HUBERT. Have you been interviewed by any member of the Commission's staff prior to this deposition this morning?

Mr. WATSON. No, sir.

Mr. HUBERT. That includes me, too.

Mr. WATSON. No.

Mr. HUBERT. Thank you so much, sir.

TESTIMONY OF G. E. WORLEY

The testimony of G. E. Worley was taken at 9:30 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me explain to you the procedure and then I will give you an opportunity to ask questions and so forth. I want to introduce myself. I am Burt Griffin, and I am a member of the advisory staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy.

Mr. WORLEY. Yes.

Mr. GRIFFIN. Now, this Commission was set up under the Executive Order 11130, which is an order issued by President Johnson on November 29, 1963, and also pursuant to a joint resolution of Congress, No. 137.

Pursuant to this resolution and Executive order, the Commission has promulgated a set of rules, and in accordance with those rules I have been authorized to take your sworn deposition, Mr. Worley.

I want to explain a little bit to you about the general nature of what we are doing here. Now, I think as you probably understand, the Commission has been set up for the purpose of ascertaining and evaluating and reporting back to President Johnson upon the facts and all the facts that might relate to the assassination of President Kennedy, and the subsequent murder of Lee Harvey Oswald.

We are particularly interested in taking your deposition today, Mr. Worley, because we want to talk to you about what you know in connection with the events that may have led up to and followed the death of Lee Harvey Oswald.

However, that does not preclude any information that you may have concerning any other people. I mean concerning the death of President Kennedy.

I want to explain this to you, also, that you have been asked to appear here today by virtue of a general request which is made by our general counsel, Mr. J. Lee Rankin, and this request was made in the form of a letter to Chief Curry.

Now, actually, under the rules adopted by the Commission, you are entitled to have a 3-day written notice prior to having your deposition taken. How-

ever, the rules also provide that you can waive this notice, and I want to ask now whether you would like us to issue the notice or whether it is acceptable to you to waive the notice?

Mr. WORLEY. It is.

Mr. GRIFFIN. I also want to explain to you that you are entitled to have counsel before this Commission at this deposition, and I see that you don't appear here with counsel this evening, and I presume it is because you don't desire one. But feel free to tell us, because there are many people that have appeared here with counsel, and it is perfectly acceptable to us.

Mr. WORLEY. I don't think I need one.

Mr. GRIFFIN. Now, let me ask you if you have any particular questions that you want to ask me?

Mr. WORLEY. No; I would have to say, after reading that report now, that report from the FBI is not very good.

Mr. GRIFFIN. Let me tell you this. Then I would like to administer the oath to you so that I can start to take your testimony. I will first hand you the report. I will mark it for identification and hand you the report and ask you to make any corrections. Actually, that is going to be about the first thing. I want to get your name and so forth. Would you raise your right hand?

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WORLEY. I do.

Mr. GRIFFIN. All right, sir, would you state for the court reporter what your full name is?

Mr. WORLEY. Gano E. Worley.

Mr. GRIFFIN. When were you born, Mr. Worley?

Mr. WORLEY. February the 3d, 1926.

Mr. GRIFFIN. Where do you live right now?

Mr. WORLEY. 835 N. Ewing, Apt. D.

Mr. GRIFFIN. Is that in Dallas?

Mr. WORLEY. In Dallas, Tex.

Mr. GRIFFIN. Are you employed?

Mr. WORLEY. Yes.

Mr. GRIFFIN. What is your occupation?

Mr. WORLEY. I work for Lone Star Gas Co.

Mr. GRIFFIN. What do you do for them?

Mr. WORLEY. I am building operator.

Mr. GRIFFIN. How long have you worked for Lone Star Gas Co.?

Mr. WORLEY. Eleven years.

Mr. GRIFFIN. Do you also have some connection with the Dallas Police Department?

Mr. WORLEY. Dallas Police Reserve.

Mr. GRIFFIN. How long have you been in the police reserve?

Mr. WORLEY. Four years.

Mr. GRIFFIN. Now, I am going to mark for identification three documents which I have in front of me. I am going to mark for identification Exhibit No. 5047, and I have also written on there, "Dallas, Tex., Mr. Worley, 3-26-64." This document which I have marked purports to be a report of an interview that you had with FBI Agents Leo L. Robertson and Paul S. Scott on December 3, 1963. Let me ask you if you have had an opportunity to read this over before coming in here?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Now, are there any additions or corrections or changes that you think ought to be made in this?

Mr. WORLEY. Yes; I do. If you will read this one right here [pointing].

Mr. GRIFFIN. Now, you are referring to a letter which I also have in my hand?

Mr. WORLEY. Right. To Chief Curry from me.

Mr. GRIFFIN. Any particular part, if you will tell me what you have in mind?

Incidentally, I have marked this exhibit which you are referring to, a letter to Chief Curry, dated November 26, 1963, purporting to be prepared by you.

Actually, this is a Xerox copy of what would appear to be another copy of an actual letter which purports to bear your signature?

Mr. WORLEY. Yes.

Mr. GRIFFIN. I have marked this, "Dallas, Tex., Mr. Worley, 3-26-64, Exhibit 5048." Now, is there some correction or addition or change that you would make in what has been marked Exhibit 5047, the FBI interview?

Mr. WORLEY. Well, right here, if you will see it says—

Mr. GRIFFIN. You want to read it so we will get it in the record?

Mr. WORLEY. All right. "Worley reported to Central Police Station at 9 a.m. on November the 24th, 1963, and he was assigned by the regular police sergeant." That is wrong.

Mr. GRIFFIN. All right, who assigned you?

Mr. WORLEY. Reserve police sergeant.

Mr. GRIFFIN. What was his name?

Mr. WORLEY. Croy. That has "Regular Police Sergeant Troy".

Mr. GRIFFIN. Do you want to take my pen and correct it? Write in what you think is necessary to correct it.

Mr. WORLEY. [Makes correction.] I tell you, this is more of an accurate description of what I did.

Mr. GRIFFIN. This Exhibit 5048?

Mr. WORLEY. Right. Not this one, because—

Mr. GRIFFIN. The letter is more accurate than the FBI report?

Mr. WORLEY. Yes; that tells exactly from the time I arrived at the police station to the time I left, and every move that I made in between.

Mr. GRIFFIN. Now, we are talking about Exhibit 5048, which is your letter of November 26, 1963, to Chief Curry. Are there any corrections or changes that you would make, or additions that you would make in that statement, that you can think of right now?

Mr. WORLEY. Yes; it states that I met Jack Ruby sometime when working with squad 105, 5 or 6 months ago. That was over a year ago instead of 5 or 6 months.

Mr. GRIFFIN. All right. Can you tell us how it is that you now think it was over a year ago? What is the basis for that change?

Mr. WORLEY. Well, the officer that I worked with on that beat, I talked to after that, and he hadn't worked that squad in over a year, and it didn't seem like as long to me.

Mr. GRIFFIN. Who is that officer?

Mr. WORLEY. Regular Officer J. R. Sales.

Mr. GRIFFIN. Now, did you check? Is there any police record made of when you work a particular beat?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Have you checked those records to be—to determine when it would have been that you last worked with that officer?

Mr. WORLEY. No; I haven't.

Mr. GRIFFIN. Did you ask him whether he had checked the records to determine that?

Mr. WORLEY. No; but the reason that I imagine he stated that is because he is working another squad now and he knew that it had been approximately over a year.

Mr. GRIFFIN. Now, I want you to feel free to make any changes that you want in here, but I might suggest, and please understand that I want you to if you don't agree with it, I don't want you to do it any other way, but it seems to me from what you have said that an accurate statement would include something to the effect that "I am not sure now of when it was, because I talked with the officer and he said such and such, but I have not checked my records, and I don't know if he has."

Now, I would suggest that you make some change like that, if you are agreeable.

Mr. WORLEY. Well, that is agreeable with me, because I didn't check the records to see exactly when the last time I worked on that district.

But I did talk to the regular officer and he said that he hadn't worked that district in over a year, so one way or the other.

Mr. GRIFFIN. Why don't you take the time on that particular exhibit and write down something that would reflect accurately what happened, on there. You want me to write it for you?

Mr. WORLEY. On that last sheet, the exhibit, the next one?

Mr. GRIFFIN. On Worley Exhibit No. 5049.

Mr. WORLEY. This one corrects that, and it says it on there.

Mr. GRIFFIN. I see. It is right down at the bottom. Now, I don't see it on here.

Mr. WORLEY. [Reading.] I would have sworn. I read that over a little while ago. I guess I didn't. I'm sorry, it is not in this one. I knew I seen it in one of them. It is in the police report.

Mr. GRIFFIN. It is in the FBI report. Well, these are true and accurate copies, are they not?

Mr. WORLEY. Yes.

Mr. GRIFFIN. I have the letters that you gave?

Mr. WORLEY. Yes.

Mr. GRIFFIN. All right. Now, I am referring to Exhibits 5048 and 5049. Now, is Exhibit 5047 the interview report, as it is corrected with respect to Reserve Officer Croy, is that an accurate report of the interview which you had with those people?

Mr. WORLEY. Yes; but there was some of the things that they had in here are not what I gave them.

Mr. GRIFFIN. They aren't? All right. What do they have written down there that you didn't tell them?

Mr. WORLEY. Well, just like it was signed. It says Regular Police Sergeant Troy, and it should have been Reserve Police Sergeant Croy.

Mr. GRIFFIN. You have made and incorporated a correction on there, haven't you?

Mr. WORLEY. Yes.

Mr. GRIFFIN. So, insofar as that portion now reads, that is the way the interview actually went?

Mr. WORLEY. Well, then again it says here [pointing] "some stop right there * * * to the information desk in the basement to send the other Reserve officers to the basement parking area"—I don't see that.

Mr. GRIFFIN. What did you say?

Mr. WORLEY. I said to the basement detail room.

Mr. GRIFFIN. Okay. Do you want to make a correction on there?

Mr. WORLEY. [Correcting.] I believe it is all right now.

Mr. GRIFFIN. If Exhibit 5047 as you have corrected it then accurately reflects what you told the FBI agents, would you initial and date the corrections that you have made on there?

Mr. WORLEY. You want me just to initial this down here?

Mr. GRIFFIN. Put initials where you have made corrections and a date afterwards.

Mr. WORLEY. [Signs and dates.]

Mr. GRIFFIN. Do the same thing with that one up there.

Mr. WORLEY. [Complies.]

Mr. GRIFFIN. All right. Would you also sign it down at the bottom and date it with your regular signature?

Mr. WORLEY. [Signs and dates.]

Mr. GRIFFIN. Now, if these other copies that I have given you here, Worley Exhibits Nos. 5048 and 5049, are true and accurate copies of letters which you sent to Chief Curry, I would appreciate your also signing and dating those.

Mr. WORLEY. [Signs and dates.]

Mr. GRIFFIN. Now, I want to direct your attention to Exhibit 5048, which is a copy of a letter which you addressed to Chief Curry, and which is dated November 26, 1963. Do you remember when it was that you actually wrote this letter?

Mr. WORLEY. It was that date.

Mr. GRIFFIN. It was. Now how did you happen to write that letter?

Mr. WORLEY. I was instructed by Reserve Coordinator Capt. J. M. Solomon, regular police captain, to write the letter to Chief Curry.

Mr. GRIFFIN. Now, where were you contacted? How were you contacted by Captain Solomon?

Mr. WORLEY. By telephone to my office.

Mr. GRIFFIN. At your office?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Now, did you write that out in handwriting or did you have it typed, or what?

Mr. WORLEY. I wrote it out in handwriting and then had it typed.

Mr. GRIFFIN. Who typed it?

Mr. WORLEY. Mr. Worley's secretary.

Mr. GRIFFIN. In your office?

Mr. WORLEY. Yes.

Mr. GRIFFIN. The original typed copy of that—do you recall whether that was on a letterhead stationery or anything?

Mr. WORLEY. No; just on plain paper.

Mr. GRIFFIN. Plain letter paper?

Mr. WORLEY. Yes.

Mr. GRIFFIN. You indicated here in Exhibit 5048 that you were assigned to a position on the north side of the parking area to keep any cars away from the first two parking spaces. And you said that you stood at that post until about 10 or 15 minutes before Lee Harvey Oswald was shot.

Do you recall whether when you were moved from that post an armored car had been moved or attempted to move into the ramp?

Mr. WORLEY. It was backed in the ramp.

Mr. GRIFFIN. Now, do you recall anything that happened with respect to that armored car?

Mr. WORLEY. They couldn't get it down in the basement. It was just backed up to it as far up in the door as they could get it, because it wouldn't clear the top to come down in the basement.

Mr. GRIFFIN. During the time that you were down in the basement at your spot, do you recall whether any cars moved in or moved out of the parking area in the garage in the basement?

Mr. WORLEY. From the time that I was posted out there?

Mr. GRIFFIN. Yes.

Mr. WORLEY. Until when?

Mr. GRIFFIN. Until the time that you were removed from that post, did any traffic go in and out of there?

Mr. WORLEY. Yes; it was police cars coming in and out all the time.

Mr. GRIFFIN. How long did you stand at that post, to your best estimate?

Mr. WORLEY. Well—

Mr. GRIFFIN. I understand it is difficult. Do you think you were there an hour?

Mr. WORLEY. I was there over an hour.

Mr. GRIFFIN. All right. Now, in the period that you were standing at your post, do you recall any other reserve officers being stationed also guarding particular spots in the basement?

Mr. WORLEY. Well, there was quite a few reserve officers down in the basement, and they searched all the cars in that basement.

Mr. GRIFFIN. Let me ask you this, Mr. Worley. I am going to pull out here a chart, and I think we can talk a little easier about this chart. This is a map or chart which has been prepared originally by the Dallas Police Department on a much larger scale, and we have reduced the size of it, but it is a chart of the basement area.

Now, so you understand what is happening here, over here is Commerce Street, and over here is Main Street, and there is the jail office. Harwood would be out where your hand is, and Pearl Expressway would be over here closer to me.

Mr. WORLEY. Yes.

Mr. GRIFFIN. Now, will you look over there at Commerce Street. You will see that there is a heavy black line?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Now, that heavy black line represents the basement wall. The basement, according to this diagram, actually extends out under the sidewalk, so

at this point approximately where the sidewalk ends there is a dotted line. Now, that represents where the wall is if you were standing out on the sidewalk and were looking at the building. That is where the wall goes up on the outside, so that actually as you look at the diagram, you ignore the dotted line when you are in the basement, because it extends all the way.

And on the side near Main Street, we have the same kind of dotted line, and have the black line. It means the same thing.

Now, will you place on the chart an "X" on the spot that you were stationed by Sergeant Croy?

Excuse me; I want to correct the record. You have stated in your letter of November 26 that Captain Arnett placed you at a point in the basement. Can you show us where Captain Arnett placed you?

Mr. WORLEY. Right here [indicating].

Mr. GRIFFIN. All right. Now, would you put a circle around that "X"?

Mr. WORLEY. [Complies.]

Mr. GRIFFIN. Now, at the time you were placed there, had the search of the basement commenced?

Mr. WORLEY. No.

Mr. GRIFFIN. At the time you were placed there, were any other reserve officers stationed at any other spots in the basement?

Mr. WORLEY. No.

Mr. GRIFFIN. Did you remain there during the search?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Do you recall, and I am only asking for your recollection, and if you don't remember, state that, do you recall seeing anybody come over to this area marked stairs up and do anything there?

Mr. WORLEY. There was a telephone man tried to go out that stairway, and I happened to know the telephone man. I don't know what his name is, but he comes to our building frequently and works, is the reason I recognized him. And he tried to get out this door, and he was stopped by a regular officer and asked for his credentials.

Mr. GRIFFIN. And then was he allowed to go out that door?

Mr. WORLEY. No.

Mr. GRIFFIN. About what time was that?

Mr. WORLEY. About 10 o'clock.

Mr. GRIFFIN. Did you observe anybody lock that door? I am asking for your recollection?

Mr. WORLEY. No; I didn't.

Mr. GRIFFIN. Let me ask you this: Did you watch the search of the basement?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Did you watch anybody search over in this area by the elevators and the stairs?

Mr. WORLEY. Yes.

Mr. GRIFFIN. What did you see them do? Who did you see search over in that area, if you recall?

Mr. WORLEY. I don't recall any of the officers names.

Mr. GRIFFIN. Do you recall his rank?

Mr. WORLEY. I am not sure, but I think it was a sergeant, regular officer.

Mr. GRIFFIN. Was he a regular sergeant?

Mr. WORLEY. Yes.

Mr. GRIFFIN. Was anybody else with him, if you recall?

Mr. WORLEY. I don't believe so.

Mr. GRIFFIN. Now, could you tell us what he did over in that area?

Mr. WORLEY. Well, these elevator doors were closed.

Mr. GRIFFIN. Yes.

Mr. WORLEY. And he checked the door to see if it was locked, and it was. He couldn't even go out. He couldn't open the door.

Mr. GRIFFIN. Did he have anybody with him at the time that he checked that door?

Mr. WORLEY. No.

Mr. GRIFFIN. Now, do you have a clear recollection of this?

Mr. WORLEY. That is hard to say.

Mr. GRIFFIN. You know sometimes we have a visual image, and sometimes there is something that happened or for some reason that you know you watched this. Is there anything—

Mr. WORLEY. Well, there was people that they brought in a bunch of reserve officers in the basement from the detail room, and they came out in here and they started back in here.

Mr. GRIFFIN. You are now sort of indicating back in the area toward Main Street underneath the sidewalk?

Mr. WORLEY. And he searched all these cars back in here to see that, I guess, that there was nobody in there. They didn't tell me, but they were searching back in here, and he just covered this back all the way to the ramp here. Then they went right on around and covered the whole parking area down in the basement back to me.

Mr. GRIFFIN. All right. Now, those people were sort of moving in a group?

Mr. WORLEY. Right.

Mr. GRIFFIN. Now, when this regular sergeant got over to the doorway, was that group with him?

Mr. WORLEY. No.

Mr. GRIFFIN. Or was he alone?

Mr. WORLEY. No. I am almost positive that he was over here while they were searching back over here, and he was by himself.

Mr. GRIFFIN. I see. Now, do you recall this particular officer going to the service elevator?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. Do you recall if at any time there was somebody in that service elevator?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. Do you recall seeing any building personnel down in the basement?

Mr. WORLEY. Yes; I do. Porters. And I don't recall how many. I saw some porters and maids, and I am pretty sure that they were on this elevator.

Mr. GRIFFIN. Service elevator?

Mr. WORLEY. Yes; it was standing there with the door open, and somebody told them to go on up in the building, and close that elevator off.

Mr. GRIFFIN. Now, do you recall when that was in relationship to the search of the basement?

Mr. WORLEY. It was before they searched the basement.

Mr. GRIFFIN. Do you recall who that officer was that did that?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. All right. Would you be able to state whether it was that officer who talked to those maids and porters? Was it the same officer, the same sergeant who also checked this door?

Mr. WORLEY. There was none.

Mr. GRIFFIN. You think you would recognize either one of those officers if you saw them again?

Mr. WORLEY. No; I don't think so.

Mr. GRIFFIN. Is there anything that makes you, in your mind, convinced about one sergeant than the other officer who checked the service elevator?

Mr. WORLEY. No.

Mr. GRIFFIN. So, are you able to explain for the record—I am not trying to trip you up or anything—I am trying to probe your recollection here—are you able to explain to us how it is that you recall that they were different officers?

Mr. WORLEY. No; I am not.

Mr. GRIFFIN. Different heights?

Mr. WORLEY. No; there is nothing that would be—maybe I am thinking that they were even the same person, or different people.

Mr. GRIFFIN. And in other words, your answer is that you just don't know if they were the same?

Mr. WORLEY. I don't know. It could have been the same person or could have been two different people.

Mr. GRIFFIN. All right, now. Do you recall ever seeing anybody go over

into this area that is marked, where it says "To engineroom", and check anything over in that area?

Mr. WORLEY. I saw them search over that way but from where I was, I couldn't tell whether they were back in here or not.

Mr. GRIFFIN. After the search was over, do you recall if any other officers were stationed down in the basement?

Mr. WORLEY. Yes. There were some more reserve officers down in the basement stationed there.

Mr. GRIFFIN. Would you mark where the reserves were? Why don't you put a "R" and a circle around it where there was a reserve.

Mr. WORLEY. This is Lt. Ben McCoy, reserve officer. I stationed him there myself.

Mr. GRIFFIN. Where did you station him? Why don't you write "McCoy" under his name then?

Mr. WORLEY. Yes. Captain Arnett was over here [indicating].

Mr. GRIFFIN. Put an "A" in front of the circle. All right, now, any other reserve officers that you recall?

Mr. WORLEY. There was a reserve officer down here, and I don't know his name.

Mr. GRIFFIN. Put an "R" there and question mark under it. Were there any regular officers stationed any place in the basement?

Mr. WORLEY. There was a regular sergeant right here for quite awhile. I couldn't say approximately how long.

Mr. GRIFFIN. Was he there a half hour before Oswald was shot?

Mr. WORLEY. Oh, yes; I would say it was about maybe an hour or before.

Mr. GRIFFIN. I don't mean for what length of time, but when did he leave that spot?

Mr. WORLEY. About an hour. I would say an hour before Oswald was shot.

Mr. GRIFFIN. Do you recall any officers being stationed by the elevators?

Mr. WORLEY. Yes; there was a regular officer there.

Mr. GRIFFIN. Why don't you put a circle there and write "regular" under it where that man was? Now, do you recall any other regular officer?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. And the time that you left, that was sometime after the armored car arrived?

Mr. WORLEY. Right. The armored car was backed into this ramp.

Mr. GRIFFIN. Commerce Street ramp. Do you recall whether or not any of these men had been moved?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. Do you have any recollection of seeing any of these particular men in the basement at the time Lieutenant McCoy reassigned you?

Mr. WORLEY. Yes. Captain Arnett and Lieutenant McCoy and this officer were in the basement when I left.

Mr. GRIFFIN. How about this officer up here?

Mr. WORLEY. I couldn't say.

Mr. GRIFFIN. You went to the corner of Commerce and Central Expressway?

Mr. WORLEY. The next block down. This is Central Expressway, and the next block is north, northbound.

Mr. GRIFFIN. How did you walk out?

Mr. WORLEY. Went up the south ramp by the armored car, sitting right here. And I went on this side of it, which would be—I am trying to place that. That would be east side of the armored car. Walked down the sidewalk two blocks to the corner of Commerce and Central Expressway, northbound.

Mr. GRIFFIN. Would you recognize Jack Ruby if you saw him?

Mr. WORLEY. Now?

Mr. GRIFFIN. Would you recognize him then?

Mr. WORLEY. Right now?

Mr. GRIFFIN. No; at the time you walked down that street, would you have recognized him if you had seen him?

Mr. WORLEY. I don't believe I would. The only time that I had ever seen the man was when I was working with squad 105, and we made the place that

he owned down there. We just made a frequent call, or just stopped in there to see if there was any trouble or anything, and then went on.

I met him one night, and I had seen him when I was in there. But those places are kind of dimly lit and you don't see too much in them, and really and truly, I didn't pay too much attention to meeting him anyway.

Mr. GRIFFIN. Now, do you recall if any time after the armored car arrived any automobile came in or out of the basement area after the armored car arrived?

Mr. WORLEY. No; I don't believe so. I don't believe a car came down the ramp after that armored car was backed in there.

Mr. GRIFFIN. Did you see any cars drive out of the basement after the armored car came down?

Mr. WORLEY. No.

Mr. GRIFFIN. Now, did you see any television cameras in any area of the basement after the armored car arrived?

Mr. WORLEY. There were television cameras in the basement before that armored car arrived.

Mr. GRIFFIN. All right. As you walked up the Commerce Street ramp, where did you see television cameras?

Mr. WORLEY. When I was assigned to the basement, in these first two stalls right here, they were putting these cameras up right behind. There is a rail that runs right along there.

Mr. GRIFFIN. Would you mark the spot where the TV cameras were? Why don't you put a box?

Mr. WORLEY. Two cameras. Two or three. There was so much confusion down there that day.

Mr. GRIFFIN. When you walked out to go up the Commerce Street ramp, do you recall what television cameras you saw?

Mr. WORLEY. Down in the basement?

Mr. GRIFFIN. Yes, sir.

Mr. WORLEY. These two cameras that were here, that had been there all the time.

Mr. GRIFFIN. Do you recall seeing any other TV cameras as you walked out? Did you see any up here by the armored car?

Mr. WORLEY. I don't recall of seeing any.

Mr. GRIFFIN. All right, did you see any down on the ramp or in the garage area, or up on this ramp?

Mr. WORLEY. No; I didn't.

Mr. GRIFFIN. Now you indicate in here that, in your letter or statement of November 30, that you saw from your position a man jump over the railing, saw a man come down the north ramp, which would be the Main Street ramp, and jump over the railing in the parking area, is that right?

Mr. WORLEY. Yes.

Mr. GRIFFIN. How long was that before you left the basement, would you say?

Mr. WORLEY. Hour or hour and a half.

Mr. GRIFFIN. Do you have any thought that that man was Jack Ruby?

Mr. WORLEY. It wasn't.

Mr. GRIFFIN. Now, between the time—I notice this is the second report, letter—that was you got this letter of November 30?

Mr. WORLEY. Yes; I was interviewed by these two special service officers, and they took this statement.

Mr. GRIFFIN. How did you come to describe that man? How did that come about? Did they ask you if you saw anybody jump over a railing, or anything like that?

Mr. WORLEY. Yes; they did.

Mr. GRIFFIN. Now, prior to the time that you prepared this letter of November 30, had you talked with anybody about having seen this man jump over the railing?

Mr. WORLEY. No.

Mr. GRIFFIN. I want you to think carefully. After the time, did you hear

anybody else say—prior to the time you drafted the letter, that he saw a man jump over the railing?

Mr. WORLEY. No.

Mr. GRIFFIN. Did you get any indication from Lieutenants Cornwall and Revill as to how they came to inquire about that particular man?

Mr. WORLEY. No.

Mr. GRIFFIN. Or about a man jumping over the railing?

Mr. WORLEY. All they did is ask me if I saw anybody come down that ramp in particular. And I stated that I had seen that man come down and jump over that rail there in the basement, and he was challenged by an officer and he identified himself and the officer let him go on.

Mr. GRIFFIN. Well, let me understand this then, I think your answer to me initially was that these two lieutenants asked you specifically if you saw a man jump over the railing?

Mr. WORLEY. No; asked me if I saw anybody come down the ramp.

Mr. GRIFFIN. I see.

Mr. WORLEY. And then I told them about the incident of the man jumping over the rail.

Mr. GRIFFIN. Were you interviewed in a room with other officers when Lieutenants Cornwall and Revill conducted this interview? Had a number of reserve officers been assembled together and they talked with them?

Mr. WORLEY. No; I was told to report to that special service office at a certain time, and there was one other officer in the room when I came in.

Mr. GRIFFIN. Who was that officer?

Mr. WORLEY. Lt. Ben McCoy.

Mr. GRIFFIN. Was he interviewed before you or after you?

Mr. WORLEY. He was just fixing to leave.

Mr. GRIFFIN. Did you have any conversation with him?

Mr. WORLEY. Spoke to him.

Mr. GRIFFIN. Did you mention anything about this man to him?

Mr. WORLEY. No.

Mr. GRIFFIN. About the man coming down the ramp?

Mr. WORLEY. No.

Mr. GRIFFIN. When you finished with the interview, do you remember who the next man was behind you?

Mr. WORLEY. No; I don't.

Mr. GRIFFIN. Do you recall what time in the morning, day or night, your interview was with Revill?

Mr. WORLEY. It was, oh, I believe, November 30 was on a Saturday that I came up there. It was a Saturday, because I was off. I was at home, and I came up there.

Mr. GRIFFIN. Was that in the morning or afternoon?

Mr. WORLEY. It was in the morning.

Mr. GRIFFIN. Do you recall whether they had interviewed reserve officers, had set up appointments for reserve officers prior to Saturday?

Mr. WORLEY. I don't know.

Mr. GRIFFIN. Do you know the name of each reserve officer over here?

Mr. WORLEY. No; I sure don't.

Mr. GRIFFIN. Have you seen that reserve officer since the time Oswald was shot by Ruby?

Mr. WORLEY. No; I wouldn't recognize him if I saw him.

Mr. GRIFFIN. You wouldn't recognize him again when you saw him? I am talking about the reserve officer about whom you have placed a question mark on the chart. Do you have anything further that you want to tell the Commission that you think might be of any use to them?

Mr. WORLEY. I don't know of anything else that I could add to it.

Mr. GRIFFIN. Now, let me ask you this: Have you been interviewed by any member of the Commission staff prior to this deposition?

Mr. WORLEY. No; I haven't.

Mr. GRIFFIN. I will make this one last general request. If anything comes to your attention which you believe could be of assistance to the Commission would

you come forward with it, regardless of what your personal feelings may be and so forth?

Mr. WORLEY. Yes; I would.

Mr. GRIFFIN. I will appreciate that.

Mr. WORLEY. I sure would.

Mr. GRIFFIN. Okay.

Mr. WORLEY. Glad I met you.

Mr. GRIFFIN. Nice to have met you. [Add this to Worley]:

After Mr. Worley left, I realized that I neglected to get him to sign the chart that we had been using to explain the various positions in the basement, and the court reporter says that was because I was hurried. And I notice in looking at this I also neglected even when I corrected this afterward to write after Mr. Worley the date, so I will write that in now. 3-26-64. And I wrote that in a space between the word Mr. Worley and an exhibit number which I had already put on there, Exhibit 5050.

TESTIMONY OF LT. WOODROW WIGGINS

The testimony of Lt. Woodrow Wiggins was taken at 11 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Lt. Woodrow Wiggins of the Dallas Police Department. Lieutenant Wiggins, my name is Leon Hubert, Jr. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of the President's Executive Order 11130, dated November 29, 1963, the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and joint resolution of Congress, I have been authorized to take the sworn deposition from you, Lieutenant Wiggins. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. Now, in particular to you, Lieutenant Wiggins, the nature of the inquiry tonight, is to determine what facts you know about the death of Oswald and the other pertinent facts you may know about the general inquiry. You have appeared here today by virtue of a general request made to Chief Curry by the general counsel of the staff of the President's Commission, to wit, Mr. J. Lee Rankin, who wrote him a letter asking you all be made available. The rules of the Commission provide that you be entitled, if you wish, to a 3-day written notice prior to the taking of this deposition, but the rules also provide that if a witness cares to do so, he may waive the 3-day written notice and, so, I now ask you if you are willing to waive this 3-day written notice which otherwise you would be entitled to?

Lieutenant WIGGINS. Yes; I am willing to waive it.

Mr. HUBERT. So, will you stand and raise your right hand and be sworn.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Lieutenant WIGGINS. I do.

Mr. HUBERT. Please state your full name.

Lieutenant WIGGINS. Woodrow Wiggins.

Mr. HUBERT. Your age?

Lieutenant WIGGINS. Forty-six.

Mr. HUBERT. Where do you reside, sir?

Lieutenant WIGGINS. 319 West Corning Street, Dallas, Tex.

Mr. HUBERT. What is your occupation?

Lieutenant WIGGINS. I'm a lieutenant on the Dallas Police Department.

Mr. HUBERT. How long have you been in the Dallas Police Department?

Lieutenant WIGGINS. Eighteen years.

Mr. HUBERT. How long have you been an—a lieutenant?

Lieutenant WIGGINS. Since October 1, 1956.

Mr. HUBERT. What particular department do you serve with, sir?

Lieutenant WIGGINS. I am with what is known as the service division. I have under my control the dispatcher's office, the jail and the service division and all the substations.

Mr. HUBERT. Who is your immediate superior?

Lieutenant WIGGINS. Chief Lumpkin.

Mr. HUBERT. Lumpkin, and over him would be—

Lieutenant WIGGINS. Chief Batchelor.

Mr. HUBERT. Then, of course, Chief Curry?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. So, the line of command between you and Chief Curry is Batchelor, Lumpkin, then Wiggins?

Lieutenant WIGGINS. That's right.

Mr. HUBERT. What are your particular duties?

Lieutenant WIGGINS. That depends, of course. Could I quote here and say that on certain times I have different duties?

Mr. HUBERT. Yes.

Lieutenant WIGGINS. That I have a jail lieutenant that works for me, on his days off, I watch the jail, or pass on prisoners and supervise the jail as well as the other things, and when the jail lieutenant is there then I am at liberty to inspect substations and do—the dispatcher's offices and the jail, wherever I may be needed.

Mr. HUBERT. On November 24, what was your situation?

Lieutenant WIGGINS. I was working the jail. My jail lieutenant was off that day.

Mr. HUBERT. Now, working the jail entails what responsibilities and duties?

Lieutenant WIGGINS. I'm in charge of everything that goes on in the jail, and among other duties, I pass on all prisoners that are put into jail.

Mr. HUBERT. When you say "pass," on them, what do you mean?

Lieutenant WIGGINS. I check to see their—the arrest is legal, and that I think the charge is proper and that this person belongs in jail before he is placed in jail.

Mr. HUBERT. Now, have you any duties or responsibilities with respect to the transfer of prisoners, in your capacity as jail lieutenant?

Lieutenant WIGGINS. Nothing more than as is normal to turn them over to either the constable or deputy sheriff who transfers them to the county jail.

Mr. HUBERT. With reference to prisoners who are transferred from the city jail to the county jail, is it customary for your department to transfer them to the county jail, or is it customary for the State deputies to come and get the prisoner?

Lieutenant WIGGINS. It is customary for the deputy sheriff or constable to come and get a prisoner.

Mr. HUBERT. Do you know why an exception was made in the case of Oswald?

Lieutenant WIGGINS. I was never told.

Mr. HUBERT. In other words, normally, it would have been Sheriff Decker's duty to come and get Oswald, is that correct?

Lieutenant WIGGINS. Normally, it would have been that way.

Mr. HUBERT. Do you know, or did you ever hear it discussed, the reason why the normal procedure was not followed?

Lieutenant WIGGINS. No; I haven't. When I make that statement—I have surmised that it was for better protection due to the fact that we have more men, possibly, than Sheriff Decker did. That is strictly a surmise of mine, of my own.

Mr. HUBERT. What security had you provided for Oswald within the jail itself?

Lieutenant WIGGINS. Well, as a rule, we used a trustee to run our jail elevator. I relieved the trustee from the jail elevator and placed a patrolman on it. And put two officers in front of Oswald's cell at all times.

Mr. HUBERT. That is on the 24th, or at all times since he was arrested?

Lieutenant WIGGINS. Well, that was—the 24th, was my first day back since that time. I had been off 2 days prior to that.

Mr. HUBERT. And when you came on duty on the 24th, did you find that security which you have described, already in existence?

Lieutenant WIGGINS. I found that they had one officer in front of the cell, but that they didn't—they still had a trustee running the elevator.

Mr. HUBERT. And you changed that. You took the trustee off and put an extra man on the cell?

Lieutenant WIGGINS. That's right.

Mr. HUBERT. I suppose that Oswald was moved in the course of the 24th a couple of times for interviews and so forth?

Lieutenant WIGGINS. I know that I received a call from the fifth floor that some detectives from the homicide bureau were up there to take him out on what they call a "tempo," and this is to take him out for interrogation.

Mr. HUBERT. When he was taken out that way, was he accompanied by the guard that you assigned?

Lieutenant WIGGINS. No; the guard could not take him to the interrogation room.

Mr. HUBERT. And "tempo," is a receipt for a prisoner which relieves you, temporarily, of the duties you have with respect to him?

Lieutenant WIGGINS. That's true.

Mr. HUBERT. And when he is brought back, your duties and responsibilities for his custody attach to you again?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. Now, did you have anything to do with the search of the basement for security?

Lieutenant WIGGINS. No, sir; I was in and out of the basement looking it over, but I had no duties with the basement.

Mr. HUBERT. I understand. Did you remain in the jail office performing your functions as to incoming prisoners?

Lieutenant WIGGINS. That's true.

Mr. HUBERT. Did you know of any of the plans for removal of Oswald, or the transfer?

Lieutenant WIGGINS. I knew of no plans. I had been informed by the platoon that—I believe that it was understood that he would be transferred after 10 o'clock in the morning. Now, that was——

Mr. HUBERT. No one gave you any orders or assigned any duties to you in connection with the transfer?

Lieutenant WIGGINS. No.

Mr. HUBERT. Did any sheriff come with a warrant for his release?

Lieutenant WIGGINS. Not to my knowledge.

Mr. HUBERT. Well, under normal circumstances would you allow a prisoner to be removed by the city police?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. He would be out of your custody on "tempo," is that right?

Lieutenant WIGGINS. Not necessarily. Let me say this: that the—that the city police transfer prisoners on occasion over to the county jail.

Mr. HUBERT. Yes.

Lieutenant WIGGINS. But, this is rare. It is—there are instances I can name. For instance, they have filed on a prisoner and just for courtesy to the prisoner, more or less, he wants to get to the county and they just transfer him on down to the county themselves.

Mr. HUBERT. How do you relieve yourselves of responsibility in those circumstances?

Lieutenant WIGGINS. Each prisoner who is transferred, the card is signed, or the name of the officer that is making the transfer is placed on his card. His property is turned over to the officer making the transfer.

Mr. HUBERT. Was this done in this way?

Lieutenant WIGGINS. No; in this case, they were going to take the property later.

Mr. HUBERT. Naturally, he was in the custody of Captain Fritz at the time of the transfer, isn't that right?

Lieutenant WIGGINS. That's right.

Mr. HUBERT. He had been released from your custody by a "tempo" card to Fritz?

Lieutenant WIGGINS. That's true.

Mr. HUBERT. And Fritz could do what he wanted with him? Until he relieved himself of the obligation of the "tempo" card by putting him back in your custody?

Lieutenant WIGGINS. That's true.

Mr. HUBERT. When were you first aware that Oswald was going to be moved in the immediate future?

Lieutenant WIGGINS. When was I aware that he was en route, or——

Mr. HUBERT. Yes.

Lieutenant WIGGINS. Or, being moved to the county?

Mr. HUBERT. Yes.

Lieutenant WIGGINS. I'd say possibly a minute before the shooting occurred, they called me—someone called me from the—Captain Fritz' office, the homicide bureau, and told me they were en route down the elevator with Oswald, and I know that when I hung the phone up I looked in and could tell by the elevator lights it was on the way down.

Mr. HUBERT. Now, in your statement you fix that moment at 11:20. How do you fix that? Do you remember now how you fixed that?

Lieutenant WIGGINS. I remember looking at our clock as they came by. I don't know why, but I looked, just to be sure.

Mr. HUBERT. That is the big electric clock, that is on the wall there?

Lieutenant WIGGINS. Big electric clock on the wall there.

Mr. HUBERT. The wall that is adjacent to the ramp?

Lieutenant WIGGINS. Well, I don't know what you mean, "adjacent to it," it is directly—on the wall directly in front of the hallway.

Mr. HUBERT. Well, as you come into the jail office, from the corridor, that clock is on the wall to your right?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. Is that an electric clock?

Lieutenant WIGGINS. Yes, sir; it is.

Mr. HUBERT. Do you all check it frequently?

Lieutenant WIGGINS. No; but maybe just occasionally might call the bank to get the time, but——

Mr. HUBERT. Will you estimate just how accurate that clock is, normally, and was on the day in question, the 24th?

Lieutenant WIGGINS. No; I would say that it was possibly, I'm sure, not over 2 to 3 minutes off either way.

Mr. HUBERT. Do you think that there could be a 6 minutes difference?

Lieutenant WIGGINS. No; I certainly don't.

Mr. HUBERT. Well, you see what I mean. In other words, you say it could be 3 minutes off either way, then there could be a difference—no, I see what you mean. Could be a difference of only 3 minutes. Have you ever known it to be that much off?

Lieutenant WIGGINS. Not to my knowledge. I don't recall the time that I——

Mr. HUBERT. As a matter of fact, being an electric clock the only thing that will stop it from working is if the current went off, is that right?

Lieutenant WIGGINS. Yes, sir. And, now, I don't recall on any particular details of ever having set that clock for—or anyone having set it. I don't know.

Mr. HUBERT. Did you rely on that clock for timing other events in your business of running the jail office?

Lieutenant WIGGINS. Repeat that question. I am not sure I understand what you mean.

Mr. HUBERT. I take it that the time of various events, like the time of a prisoner's release on bond, or the time that he is actually brought in is a matter of record in some instances, with the police?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. In other words, the time and the entry of that time on the record is a part of your function?

Lieutenant WIGGINS. Yes.

Mr. HUBERT. Do you rely on that clock?

Lieutenant WIGGINS. Most of the time. Sometimes I look at my watch, but most of the time I look at the clock.

Mr. HUBERT. Now, 11:20, you have as the time you first noticed the elevator coming down, and in a few seconds after that I guess they passed by?

Lieutenant WIGGINS. No, sir; the time at 11:20 that I am speaking of, I remember I looked at the clock as they were coming out of the elevator.

Mr. HUBERT. It was 11:20 just then?

Lieutenant WIGGINS. Of course, that is only a matter of seconds.

Mr. HUBERT. Now, they passed by you?

Lieutenant WIGGINS. As they came down, and as they came off the elevator Captain Fritz was the first man off, and he said, "Are they ready?" And I know that then I stepped out of the door, and I don't recall whether I ever answered him or not, but I stepped out into the corridor first. If I would have answered him I am sure I have—would have told him that it was ready, but I don't recall whether I did or didn't because I presumed they were ready, as everyone else did, and I know I stepped out into the corridor, to the left as you went out the door. I stepped to the left possibly 3 or 4 feet from the door, and they passed me then.

Mr. HUBERT. On your right?

Lieutenant WIGGINS. Yes, sir; they passed me with Oswald at that time, and had proceeded past me approximately 6 or 7 feet when the incident happened.

Mr. HUBERT. Did you see any shooting at all?

Lieutenant WIGGINS. I heard the shot, and did see the gun, but at—but not at the time of the shooting. I saw the gun after the officers had grabbed it and had swarmed Jack Ruby.

Mr. HUBERT. Describe Jack Ruby coming out of the group.

Lieutenant WIGGINS. I saw a man coming out. I had no idea who it was, but, I mean, it happened so quickly I caught it in the corner of my eye, and I saw him out of the corner, saw him coming out of the crowd, but I didn't know at that time who it was.

Mr. HUBERT. Just about what position in the crowd did he come from?

Lieutenant WIGGINS. If you were familiar with that location I could tell you exactly.

Mr. HUBERT. Well, now, we have here a mockup of the area, and also a corresponding chart that you can use, and for purposes now of identifying it, I am going to mark this document as follows, "Dallas, Tex., March 24, 1964. Exhibit No. 5076, deposition of Woodrow Wiggins." And I am signing my name to it, and I ask you, for the purpose of identification to sign beneath my name. Now, first of all, you—using the mockup to get your own position, and then secondly, I ask you to mark on this chart that we have identified your position by placing a circle actually at the place where you were.

Lieutenant WIGGINS. Where my position was?

Mr. HUBERT. At the time the shot was fired.

Lieutenant WIGGINS. All right, sir. I had come out of this door and I had stepped to along here, just about there [indicating].

Mr. HUBERT. Just put a circle there.

Lieutenant WIGGINS. Okay.

Mr. HUBERT. Now, I am writing—you have marked a little mark there and I have put a circle around it and I am marking here, "Position of Wiggins at the time of the shot." And circling that, is that correct?

Lieutenant WIGGINS. That is prexactly (sic) correct.

Mr. HUBERT. Now on that same map would you put a mark which I am also going to circle later and identify as to the spot as best you can recollect it where you first saw Ruby coming out.

Lieutenant WIGGINS. The spot where he was?

Mr. HUBERT. Where he was.

Lieutenant WIGGINS. When I saw him?

Mr. HUBERT. Yes; the spot where he was when you saw him. Now, look at the mockup first and get your distances.

Lieutenant WIGGINS. I have an idea or just about—

Mr. HUBERT. Would you just mark it there, the spot there were you first saw Ruby?

Lieutenant WIGGINS. Approximately. I could miss this a foot or 2, you understand that?

Mr. HUBERT. All right.

Lieutenant WIGGINS. All right. Now, your cameras were over here behind the—behind this with the lights, and where I saw him, he was approximately, I'd say, about there [indicating].

Mr. HUBERT. Now, I am marking this—Lieutenant Wiggins has marked a spot in the basement area. I am putting a circle around that spot, and connecting it with a line, I am writing "Position of Ruby when seen by Wiggins." Is that correct, sir?

Lieutenant WIGGINS. Yes. Now, this spot that I would be—that I would say to be to where I first noticed that—the movement that attracted my attention right there.

Mr. HUBERT. All right.

Lieutenant WIGGINS. And by the time that I had time to think and look, it was over, but that is approximately the place.

Mr. HUBERT. All right. You had known Jack Ruby before this, I understand?

Lieutenant WIGGINS. Yes, sir; I have known Jack Ruby for years.

Mr. HUBERT. When did you first recognize him?

Lieutenant WIGGINS. The first time that I recognized him, who it was was after they brought him into the jail office. He was on the floor still covered, or surrounded by the officers is when they picked him up off the floor and stood him on his feet in the jail.

Mr. HUBERT. Did he say anything to you?

Lieutenant WIGGINS. I don't recall him saying anything there.

Mr. HUBERT. Did you ever talk to him afterwards?

Lieutenant WIGGINS. Yes, sir; I talked to you then—I talked to him the next morning. I went up to see if he was all right. This was approximately 6:45, the following morning, I went to see that he was all right. I asked him how he was feeling, and he said, "As well as could be expected." And I asked him if he was being treated all right. And he said, "Yes; they are treating me fine." And I don't recall saying anything else to him at that time.

Mr. HUBERT. Had you—have you spoken to him since?

Lieutenant WIGGINS. No.

Mr. HUBERT. Do you know who called a doctor?

Lieutenant WIGGINS. Yes, sir; when the shot was fired, as soon as I saw that I could be of no help out there, they had Ruby. They had the man, and they were surrounding—I immediately whirled, came in the office, and when I found one of my officers there, Slack, I told him to call the doctor, that Oswald had been shot.

Mr. HUBERT. Did you then notice what time it was?

Lieutenant WIGGINS. No, sir; I didn't. I don't recall.

Mr. HUBERT. Slack was where?

Lieutenant WIGGINS. He was standing right by the desk inside the jail office.

Mr. HUBERT. So, he put the call in?

Lieutenant WIGGINS. Yes, sir; he called himself, then let me say this, that after they brought Ruby in, then I turned and came back out the door and after they had brought Ruby and Oswald, after they had gotten him in I checked by telephone myself.

Mr. HUBERT. Who did you speak to then?

Lieutenant WIGGINS. I called one of them in the dispatcher's office, but I don't remember who I checked with.

Mr. HUBERT. Now, I am marking a document purporting to be a letter dated November 27, 1963, addressed to J. E. Curry, chief of police, apparently signed by you, by marking on the right-hand margin these words, "Dallas, Tex., March 24, 1964, and Exhibit 5074. Deposition of W. Wiggins." I am signing my name on the first page, and placing my initials on the lower right-hand corner of the

second page. I am marking a four-page document purporting to be a report of an interview with you by special agents of the FBI, Chapoton and Smith, dated December 2, 1963, by writing in the right margin on the first page of that document the following: "Dallas, Tex., March 24, 1964. Exhibit 5075, deposition of W. Wiggins." I am signing my name and I am placing my initials on a second, third and fourth page of that document by putting those initials in the lower right-hand corner. I ask you to look at those two exhibits and tell me whether you have had an opportunity to read them?

Lieutenant WIGGINS. Yes; I have.

Mr. HUBERT. Do those documents represent what you know to be the truth?

Lieutenant WIGGINS. Yes; there is an error on the third page.

Mr. HUBERT. Of which one?

Lieutenant WIGGINS. Of the document taken by the Federal Bureau of Investigation.

Mr. HUBERT. Will you state what you consider to be the error and give us what you consider to be the truth?

Lieutenant WIGGINS. It starts on the eighth line, on the top of the third page where it starts—the sentence starts, "They had proceeded some 6 or 7 feet—" Excuse me. It is the one in front of that. The latter part of the last sentence of the eighth line. Sentence reads, "In their midst, were out past him, Wiggins," and it should read, "In their midst, went out past him, Wiggins." And the next sentence—

Mr. HUBERT. I'm not sure I got that distinction.

Lieutenant WIGGINS. All right. See this? See this then should be, "Went out past him." Not, "were out past him."

Mr. HUBERT. In other words, in the eighth line, the fourth word from the end of the eighth line should be the word "went" instead of the word "were," is that correct?

Lieutenant WIGGINS. That's true. Also, the next sentence, as it is written here, "They proceeded some 6 or 7 feet from the jail office door when he, Wiggins, saw a man lunge towards Oswald and he heard the report of the gun." That sentence should read, "They had proceeded some 6 or 7 feet past Wiggins when Wiggins saw a man lunge towards Oswald and he heard the report of a gun."

Mr. HUBERT. In other words, as the exhibit itself now reads, or as the sentence now reads it gives the impression that they had proceeded 6 or 7 feet from the jail door.

Lieutenant WIGGINS. Yes, sir.

Mr. HUBERT. Whereas, your recollection is that it was 6 or 7 feet from where you were standing, and were you—you were standing about 3 or 4 feet from the jail door, so that to catch the sense properly it would be that they had proceeded about 10 to 11 feet past the jail door.

Lieutenant WIGGINS. True.

Mr. HUBERT. All right. Now, are there any other corrections or modifications?

Lieutenant WIGGINS. No, sir; rest of it is—

Mr. HUBERT. Are there errors in either of those two exhibits?

Lieutenant WIGGINS. The rest of it is as I—

Mr. HUBERT. Any omissions that you would like to correct, or—

Lieutenant WIGGINS. No, sir; nothing.

Mr. HUBERT. Anything to be deleted?

Lieutenant WIGGINS. No, sir.

Mr. HUBERT. Now, Mr. Wiggins, have you been interviewed by any member of the Commission staff, other than myself?

Lieutenant WIGGINS. No, sir.

Mr. HUBERT. Now, with respect to myself, we had an interview last night, did we not?

Lieutenant WIGGINS. Yes, sir.

Mr. HUBERT. Now, are there any inconsistencies that you are aware of between the matters discussed in our interview last night and your deposition taken tonight?

Lieutenant WIGGINS. Well, we didn't discuss this last night. You and I didn't.

Mr. HUBERT. Did you discuss it with Mr.—

Lieutenant WIGGINS. We—I didn't discuss any of this. The only thing that

I discussed with any one last night was with you, and that was that the time and so forth that I would be here tonight.

Mr. HUBERT. Oh, I see. When did you get to read your statement?

Lieutenant WIGGINS. Last night. You gave your report to me last night.

Mr. HUBERT. But, we had no other discussion?

Lieutenant WIGGINS. No, sir; not on this.

Mr. HUBERT. So, in fact, there was really no interview with—even with me?

Lieutenant WIGGINS. When you speak of interview, I meant conversation.

I did have conversation with you last night, but not anything pertaining to this.

Mr. HUBERT. Nothing inconsistent that happened between the interview of last night and what you said today?

Lieutenant WIGGINS. No, sir.

Mr. HUBERT. Nor, I take it, is there anything of a material nature that transpired in the interview of last night which has not been developed tonight?

Lieutenant WIGGINS. I don't believe I quite understand what you mean.

Mr. HUBERT. In view of the fact that you have already stated we had not discussed it, I think it answers itself, but the point I am wanting to make is there was nothing that was talked about last night that we didn't talk about today, obviously that is so, because it wasn't talked about last night.

Lieutenant WIGGINS. That's true.

TESTIMONY OF DON RAY ARCHER

The testimony of Don Ray Archer was taken at 8:20 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Don Ray Archer, isn't that correct?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. Mr. Archer, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission under provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution. I have been authorized to take a sworn deposition from you, among others. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Archer, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now, Mr. Archer, you appear today by virtue of a general request made by J. Lee Rankin, general counsel of the staff of the President's Commission to Chief Curry. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules adopted by the Commission also provide that a witness may waive this 3-day written notice if he so wishes. Now, do you desire to waive that notice?

Mr. ARCHER. I will waive.

Mr. HUBERT. All right. Will you stand and raise your right hand.

Mr. HUBERT. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ARCHER. I do.

Mr. HUBERT. Will you state your name?

Mr. ARCHER. Don Ray Archer.

Mr. HUBERT. And your last name is Archer?

Mr. ARCHER. Yes.

Mr. HUBERT. Your age, sir?

Mr. ARCHER. I am 31.

Mr. HUBERT. Where do you reside?

Mr. ARCHER. 2035 San Francisco, Dallas, Tex.

Mr. HUBERT. What is your occupation?

Mr. ARCHER. I am police officer for the city of Dallas.

Mr. HUBERT. How long have you been on the police force of the city of Dallas?

Mr. ARCHER. Ten years, May 31.

Mr. HUBERT. What particular duty or function do you have with the police department?

Mr. ARCHER. I am a detective assigned to auto theft bureau.

Mr. HUBERT. Who is your immediate superior?

Mr. ARCHER. My immediate superior would be Lieutenant Smart, and then Capt. J. C. Nichols, who is the head of our bureau.

Mr. HUBERT. Did you have the same position and rank and duties and occupation during the period of November 22 to 24, 1963?

Mr. ARCHER. Yes; I did.

Mr. HUBERT. Now, where were you stationed when you first came on duty on November 24, 1963?

Mr. ARCHER. On November 24, I reported for duty at 7 a.m., at the auto theft bureau, which is my normal procedure when I report for work.

Mr. HUBERT. Then did you go about performing your regular duties in the auto theft bureau, or were you assigned extra and other duties?

Mr. ARCHER. Well, at the beginning of the morning I was performing my regular duties and carrying out my assignments and making my general investigations.

Mr. HUBERT. That is in connection with routine auto thefts?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. Were you taken from that routine of duties?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. By whom, and at what time?

Mr. ARCHER. As I recall, and as near as I can recall, and this is only approximate, about 8:40 a.m., Lieutenant Smart came into our bureau and advised us that Chief Stevenson had asked us to stand by to remain in that bureau, to await further orders, which we did. And I continued carrying on what work I could there in the office concerning my reports.

Mr. HUBERT. So that the first order you got was to remain where you were, not move out, and stand by?

Mr. ARCHER. Not to leave, that's right, and to be there.

Mr. HUBERT. All right. What happened after that?

Mr. ARCHER. Well, as near as I can remember we did stay in the—in the bureau, or at least I did until, oh, I would say approximately 10:50 a.m. And that is only an approximate time because I don't remember looking and seeing the exact time.

Mr. HUBERT. Well, what happened at that time?

Mr. ARCHER. At that time, Lieutenant Smart came in and, of course, we had been aware that the subject, Oswald, would probably be transferred that day.

Mr. HUBERT. What made you aware of this?

Mr. ARCHER. Well, for one thing, just the press itself, and quite a bit in the papers and all. We just had it in our minds that we would. Actually, nobody told me specifically that he would be, but like I say, it was in my mind. I just had that impression.

Mr. HUBERT. So, at approximately 10:50, you received orders from whom, you said?

Mr. ARCHER. Lieutenant Smart.

Mr. HUBERT. To do what?

Mr. ARCHER. He told us to follow him and to go to the basement, which we did. We left our office and walked to the elevators, got in the elevator and then proceeded into the basement.

Mr. HUBERT. Which elevator did you use?

Mr. ARCHER. We used the interior elevator, of which there are two moving from the basement to the fourth floor. It is generally inside the building.

Mr. HUBERT. The public elevator? Not the jail elevator?

Mr. ARCHER. Oh, no, sir.

Mr. HUBERT. You were in uniform?

Mr. ARCHER. No, no, sir; I was in civilian clothes, much as I am right now. White shirt, tie and suit.

Mr. HUBERT. You don't wear uniforms?

Mr. ARCHER. No, sir; I am a plainclothes officer.

Mr. HUBERT. Now, you referred to "we" indicating that there were several of you there. Who were the others? Do you remember?

Mr. ARCHER. I couldn't name you all the officers, I know Detective Clardy and Detective McMillon and Detective Dawson and Lieutenant Smart and myself were on this. We rode down in the same elevator. That's all I recall. There were other officers that eventually gathered in the basement, riding down, that is the only ones that I recall.

Mr. HUBERT. Did that party move as a party as you left the elevator?

Mr. ARCHER. As a group.

Mr. HUBERT. That is what I mean. Where did you move to from the elevator?

Mr. ARCHER. Well, after we got onto the—into the basement—the elevator door was open—now, we got off and walked to in front of the jail office and I believe Lieutenant Smart told us to standby there for further orders. Then he walked away, at that particular time and I stayed standing against the south wall, the south wall which was opposite the jail office.

Mr. HUBERT. Was that outside the—

Mr. ARCHER. Outside the jail office.

Mr. HUBERT. Outside the jail office doors?

Mr. ARCHER. Well, no, sir; it is before you leave the corridor, going into the basement in front of the jail office, but not into the basement entrance.

Mr. HUBERT. I see. How long did you stay there?

Mr. ARCHER. It would be hard for me to say the exact time. In general I'd say about 5, maybe 7 minutes that we stayed there.

Mr. HUBERT. All right, then where did you move to next?

Mr. ARCHER. While standing there in front of the office, Captain Jones came through with Chief Batchelor, passed in front of us, entered the basement and, as I recall, they stood there and had some conversation. I didn't hear the conversation. Couldn't tell you what it consisted of, but after seeing this talking to Chief Batchelor, Captain Jones came back and said, "I want this corridor kept clear," and at the same time he did, the doors opened up. This was the corridor going into the basement in front of the jail office, "I want the corridors kept clear," and he didn't necessarily order me. He indicated—just said, "I want the corridors kept clear," and that is when I took my station on the north side of the jail door, right where the corridor goes into the basement, and also where the jail door opens into the basement where the automobiles are parked.

Mr. HUBERT. Can you tell me about what time it was that you took that station that you just described last?

Mr. ARCHER. May I—my approximate time—oh, sir, I couldn't give you an exact time from the time that would elapse, I would say approximately 11:05, or 11:08 a.m. Like I say, that is only an approximate—

Mr. HUBERT. Let's try to get at it another way. About how long before the shooting did you take that post?

Mr. ARCHER. I would say at least 15 minutes previous. Prior to the shooting.

Mr. HUBERT. Did you leave that position that you have just described in any substantial way? I understand you weren't standing stock still, but substantially, did you remain in that location until the shooting?

Mr. ARCHER. Yes, sir; I did.

Mr. HUBERT. I would like you to have a look at this mockup here and at the basement chart which is in conformity with it, and I am identifying this particular basement chart that I am going to ask you to testify about by marking on it, "Dallas, Texas, March 25, 1964. Exhibit 5091. Deposition of Don Ray Archer," is that right?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. Now, I am signing my name on it, and for the purpose of identification, I will ask you to put your name below mine.

Mr. ARCHER. All right, sir.

Mr. HUBERT. Now, you—use the mockup first to determine the exact spot that you were standing in at what we'll call your final position.

Mr. ARCHER. Yes, sir.

Mr. HUBERT. In which you were approximately 15 minutes before the shooting. I say, using this mockup, I want you to place yourself wherever you were, and relate it to the map or chart, or draw a circle in the spot at which you were. First of all, show to me on the mockup where you were.

Mr. ARCHER. I was at this position right here, sir. In other words, this door—this door here [indicating] had it been open—in fact, it was open. I was helping to hold it open. Right on the corner of this particular—it is not exactly a pillar, but just to the corner of that—

Mr. HUBERT. If I put a circle right here, would that be the spot you are talking about?

Mr. ARCHER. Yes; it would.

Mr. HUBERT. I am making a circle and drawing a line out, and I am writing, "Position of Archer for about 15 minutes prior to the shooting." I am drawing this circle around that legend, and connecting the circle which marks your position with the circle which describes it, is that correct?

Mr. ARCHER. Yes; it is as near correct as I can recall.

Mr. HUBERT. When the party came out, then the doors swung in to you, is that right?

Mr. ARCHER. Sir, as I remember it, when the party came out, now, as near as I can recall, the doors [were] open.

Mr. HUBERT. Opened which way?

Mr. ARCHER. I just couldn't say. I have thought about that, but I don't remember exactly. I'd say—as I was showing you here, I was standing enough to this side to hold this door.

Mr. HUBERT. To hold the—

Mr. ARCHER. This is the door [indicating].

Mr. HUBERT. The corridor door?

Mr. ARCHER. The corridor door, yes, sir; not the jail office door.

Mr. HUBERT. Do you remember whether the jail office door sort of cornered you?

Mr. ARCHER. No, sir; it couldn't corner me. It didn't interfere with me at all.

Mr. HUBERT. It is a swinging door, isn't it?

Mr. ARCHER. Yes, sir; it is. I am sure—I feel like in my own mind, it was open.

Mr. HUBERT. Swung open into the jail area?

Mr. ARCHER. Swung open into the jail area. In my own mind, as I say, I can't be certain about that point, because I just don't recall.

Mr. HUBERT. Well, I suggest to you that if you had—if it did open the other way, it would have kind of boxed you in.

Mr. ARCHER. I don't believe it did. That is the reason I have it in my mind that it was opened the other way, because I recall no interference from the door whatsoever.

Mr. HUBERT. You don't remember being boxed in?

Mr. ARCHER. I know I wasn't boxed in, no, sir.

Mr. HUBERT. Tell us what happened then when the party came down that was transferring Oswald?

Mr. ARCHER. Well, as they brought Oswald down to the basement, now, the first officer that I saw was Captain Fritz. As he started out the jail office door he stopped and paused, and whether he said something to the detectives with Oswald, I don't know. He didn't—motioned to them like for them to wait a second, like I say, I didn't hear any command or any orders given at that time, and then he proceeded to walk out, and I would say probably at that particular point, took about three paces. Then the detectives started out with Oswald.

Mr. HUBERT. Now, as the party moved, they moved away from you, I guess?

Mr. ARCHER. Yes; they did.

Mr. HUBERT. But, they were in your line of vision?

Mr. ARCHER. Yes, sir; they were.

Mr. HUBERT. Tell us what you saw?

Mr. ARCHER. Well, as they passed in front of me, I could see—I could see the detectives on each side of Oswald leading him towards the ramp. The automobile ramp in the basement. Then as they neared the front of the ramp—now, keeping in mind that in this position that I was in, I did have some bright lights shining into my eyes, and that because of these lights it would be hard for me to recognize someone on the opposite side of the ramp. I mean, you know, without focusing my vision directly on them. In other words, I couldn't take a scanning view and possibly recognize just anyone, but as they approached the ramp, just as they reached the edge of the ramp, I caught a figure of a man. The movement first turned my attention to that point. I had been watching Oswald and the detectives, and more to my right, and then I caught the movement of a man, and my first thought was, as I started moving—well, my first thought was that somebody jumped out of the crowd, maybe to take a sock at him. Someone got emotionally upset and jumped out to take a sock at him and I started to move forward, and as I moved forward I saw the man reach Oswald, raise up, and then the shot was fired.

Mr. HUBERT. So you were in motion before the shot was fired?

Mr. ARCHER. Well, I would say just it would be instantaneous. I mean, when I saw the movement I feel like I started moving, too.

Mr. HUBERT. When did you first recognize Ruby?

Mr. ARCHER. I didn't recognize Ruby at all. I didn't know the man personally, and I didn't know his name (nor I didn't even know who admitted the shooting) until following the shooting when they asked him his name and he said, "You all know me, I'm Jack Ruby."

Mr. HUBERT. Was that when he was overpowered?

Mr. ARCHER. That was as we took him back to the jail office after the shooting.

Mr. HUBERT. Did he make any observation or remark or say anything at all before he was moved into the jail office?

Mr. ARCHER. Sir, an instant before I heard the shot, I heard a phrase. Now, I couldn't say what the phrase was and then I definitely—

Mr. HUBERT. You mean you don't know what the phrase was?

Mr. ARCHER. No, sir; I don't know. I couldn't say what the phrase was, because I had not heard, but I did hear the words, "Son-of-a-bitch," and then the shot was fired.

Mr. HUBERT. Do you know who said it?

Mr. ARCHER. Yes, sir; I know Ruby said it. I'm positive of that. I was looking right at the man.

Mr. HUBERT. You mean that you didn't hear anything except those four words, "Son-of-a-bitch"?

Mr. ARCHER. That is the only words I could make out.

Mr. HUBERT. And you knew it was coming from him?

Mr. ARCHER. Yes, sir; I thought that it did.

Mr. HUBERT. How far were you from him?

Mr. ARCHER. I would say, at that particular time, I was five, maybe six paces.

Mr. HUBERT. Where did he move from?

Mr. ARCHER. Sir, when I saw him, he was approaching the detectives. It was my first glimpse of it. I, personally, could not say where he moved from. He came out of the crowd, as far as I could tell, because that was all that was around was the press and officers, lining the corridors so far as I knew, sir.

Mr. HUBERT. Could he have come up from the area where the television cameras were located?

Mr. ARCHER. Yes, sir; he could have. When he came into my vision, he was already in front of the detectives, and I did not see exactly where he did come from.

Mr. HUBERT. What detective was he in front of?

Mr. ARCHER. Detective—the ones that had Oswald, which would be Mr. Leavelle and Mr. Graves.

Mr. HUBERT. Do you know what detectives Ruby passed by in his motion from his prior position to when you saw him?

Mr. ARCHER. No, sir; I—my own personal knowledge, now, well, if you are speaking about that time, I did not; no, sir.

Mr. HUBERT. What you are saying, I think, is that you found out subsequently?

Mr. ARCHER. Yes; subsequently.

Mr. HUBERT. But at the moment, you didn't recognize them?

Mr. ARCHER. At the time if someone had asked me who had been standing there, I couldn't have said, sir.

Mr. HUBERT. All right, then, he was brought into the jail office immediately?

Mr. ARCHER. After the shot was fired, sir, I tried to move forward, but I was cut off by the other officers. The—I started forward, well, the struggle went to my left as I moved forward, individually worked itself way around in back of me, and just as they reached the jail office, well, I took his left arm and assisted them in walking—I went into the jail office with him.

Mr. HUBERT. All right. What happened next?

Mr. ARCHER. After we took him into the jail office?

Mr. HUBERT. Yes.

Mr. ARCHER. After we got the subject into the jail office I still didn't know who he was. Someone asked where the gun was. Now, I had not, up to this point, seen the gun other than just an instant after the shot was fired when I caught sight of this man again, which was Ruby. I didn't see the gun. I was interested in knowing where the gun was, or if he still had the gun and we took him on into the jail office and I assisted in keeping his left arm behind him and someone got his right. I couldn't say who it was that had his other arm. Laid him down on the floor, his head and face were away from me at that particular time. But that is when I said, "Who is he?"

I made that statement, because I didn't know who it was and Ruby then turned his face in my direction. He didn't look directly at me. His face had been turned in this manner [indicating]. He then turned in this manner [indicating], and he—that is when he said, "You all know me, I'm Jack Ruby."

Mr. HUBERT. What happened next in that jail office area?

Mr. ARCHER. When we had the subject on the floor, I was reaching for my handcuffs. I reached back in this manner [indicating] to unhook my handcuffs off my belt, and Detective McMillon was astraddle and over him, over Ruby, and I believe I said, "Mac, do you need my cuffs?"

About that time, "No; I have got it now." And said he placed the cuffs on Ruby.

Mr. HUBERT. What did you do next?

Mr. ARCHER. After he got the cuffs on him, there were still—oh, there was still lots of confusion going on, and several statements were being made or being asked. I don't know. They seemed—some of the statements seemed to come from behind me. I don't know whether it was reporters looking into the jail office or just who it was, but there were some statements made inquiring—several people were asking, "Who is he?" Did he hit him? Did he shoot him? Or things of that nature, as I recall. And he said at that particular point, "I hope I killed the son-of-a-bitch."

I think Captain King was there just a very short time. We began to get—McMillon and I and Detective Clardy, I know the three of us and perhaps one or two other officers, I couldn't say for sure, assisted Ruby to his feet, and we started toward the jail elevator with him, along with Captain King. I believe Captain King said at that point in there somewhere, "Let's get him onto the elevator and take him to the fifth floor jail." So, we then went to the elevator. They put him on the elevator, and I believe that I was either last, or near the last getting on the elevator, and then we proceeded on to the fifth floor jail.

Mr. HUBERT. What did you do when you got up there?

Mr. ARCHER. After we got to the fifth floor jail we took him back to the investigative section of the jail, which is just an open section, not a cell. Just an open section of the jail, and we began to search him for any weapons. We were, at least I was mainly concerned as to whether he had any other weapons on him at all. We stripped him and stripped him of his clothing, and I wasn't interested too much in personal property, but mainly searching for weapons or bombs, or anything else he might have concealed on him.

Mr. HUBERT. Did you find any personal property on him?

Mr. ARCHER. Did I find any personal property on him?

Mr. HUBERT. Yes.

Mr. ARCHER. Yes, sir, I searched him. I did remove some personal property. I recall a large roll of money and perhaps some change. I'm not sure about that. The main thing I remember was the large roll of money.

Mr. HUBERT. What did you do with the property you took from his person?

Mr. ARCHER. We had been there—before I started removing any personal property; well, I searched him by feeling of him, you know, feeling for any weapons first, and then one of the other jailers, uniformed jail officers, Haake, came up and what personal property I took out of his pockets, I handed right over to him. I didn't bother to itemize it or anything else, because that is their job, not ours, and—

Mr. HUBERT. You didn't make an inventory of his property?

Mr. ARCHER. I didn't; no, sir.

Mr. HUBERT. You just handed it over to another man?

Mr. ARCHER. Yes, sir; I did.

Mr. HUBERT. Did you talk to Ruby then?

Mr. ARCHER. Yes, sir; we did.

Mr. HUBERT. What did he say?

Mr. ARCHER. During—after we—as I began searching him, making the general search of him, as we were standing there I said—I had seen Oswald on the floor in the jail office after he had been brought in there and I looked at him, and to me he looked like he was dead. Of course, I couldn't say he was dead, but I am saying that to me he looked like he was dead, and I said to Ruby at that time, "Jack I think you killed him," and he just looked at me right straight in the eye and said, "Well, I intended to shoot him three times."

Mr. HUBERT. Did you know Jack Ruby?

Mr. ARCHER. No, sir; I didn't know him. I wouldn't recognize the man if I saw him on the street. I do—I knew of him. I had heard the name before. I did have—I did recollect that he had been handled by the department, but I never arrested him, and I had never seen him.

Mr. HUBERT. But, you knew the name was Jack Ruby, though?

Mr. ARCHER. Sir?

Mr. HUBERT. You knew the name was Jack Ruby, though?

Mr. ARCHER. I didn't know the name was Jack Ruby other than he told me his name was Jack Ruby.

Mr. HUBERT. Now, I am handing two documents, which I'm identifying as follows, to wit: One document apparently is a copy of a statement dated November 27, 1964, addressed to Chief Curry, apparently signed by you, which I am marking, "Dallas, Tex., March 25, 1964. Exhibit No. 5092, deposition of D. R. Archer," I have signed it on the first page, and I have initialed the second page by marking my initials on the lower right-hand corner, and another document which I have marked in the right margin, "Dallas, Tex., March 25, 1964. Exhibit 5093, deposition of D. R. Archer," and I have signed my name below that, and put my initials on the second page, bottom right-hand corner. And I would like you to examine those exhibits, please, and then after you have done so, I wish to ask you some questions about them.

Mr. ARCHER. Now, then—

Mr. HUBERT. Have you read both of them?

Mr. ARCHER. I have read this one [indicating].

Mr. HUBERT. Well—

Mr. ARCHER. You want me to read—

Mr. HUBERT. Yes; read both of them.

Mr. ARCHER. All right. All right, sir.

Mr. HUBERT. Now, you have read the exhibits we have marked 5092 and 5093. Now, I will ask you if those statements contain the truth as you knew it?

Mr. ARCHER. Yes, sir; with one correction here in this statement that is headed by "Federal Bureau of Investigation".

Mr. HUBERT. I think you will find that that is Exhibit 5093.

Mr. ARCHER. 5093, yes, sir. It is not correct when it states that I remained with Ruby until approximately 3 p.m. I believe that that was 3:30 p.m., as stated in my report. As I recall, when I was interviewed by the gentleman, I did say 3:30. Now, like I say, it could be my error, could be theirs, but—

Mr. HUBERT. Were there any omissions from, of fact from those statements?

Mr. ARCHER. Any what, sir?

Mr. HUBERT. Any omissions of fact.

Mr. ARCHER. Well, I didn't go into every detail. There are several statements that I didn't include in this report, and of some of the conversation that took place in the jail and during the time that I was with Ruby, and then some of the statements that were made downstairs. By this, I mean when this investigation was made, I didn't have in mind of any testimony being involved, that it was—more or less an investigation as to how Ruby got into the basement, and what the security breakdown was. That my—that was my impression.

Mr. HUBERT. I think you are relating to the fact that both of those statements omit any statement as to what Ruby told you concerning his intent to kill?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. Now, I wish to afford you an opportunity to state why that fact, or those facts were omitted from the statements?

Mr. ARCHER. Well, at the time, I just didn't consider them pertinent to the investigation that was in progress, and I just didn't recall them as important information at the time. And as I explained, it was in my mind that it was an inquiry, more or less, as to where I was and what I was doing, and of an inquiry as to whether there was any negligent on my part in regards to this security breakdown.

Mr. HUBERT. Do you think that the inclusion in these two statements of his phrase "Son-of-a-bitch," was more important than his statement of his intent?

Mr. ARCHER. Sir, at the time, it is like I say, whenever I gave the statements I had in mind as to what I saw at the time of the shooting, and that did take place at the time of the shooting, and I didn't go into great detail as to what took place after we took him into custody, took him upstairs and searched him and all. In other words, I had in mind that if anyone wanted to know about it, well, they would be afforded a chance for me to relate that.

Mr. HUBERT. When, in fact, did they find out that you had this knowledge?

Mr. ARCHER. I don't recall the exact time or day.

Mr. HUBERT. Did you file another report than those we have here?

Mr. ARCHER. I have another report that is the part mental interview which was taken, as I recall, from the date, on November 30th, which was a continuing inquiry as to how Ruby got into the basement of the city hall. I believe that it was taken by Lieutenant McCaghren and Lieutenant C. C. Wallace.

Mr. HUBERT. In that statement you did not mention what Ruby told you concerning his intent either, did you?

Mr. ARCHER. No, sir; I did not at that time.

Mr. HUBERT. When did you first convey that information to anyone at all?

Mr. ARCHER. To Mr. Alexander with the district attorney's office, when he made a court inquiry at the city hall.

Mr. HUBERT. When was that?

Mr. ARCHER. I don't remember the date, sir.

Mr. HUBERT. Well, how long after the shooting?

Mr. ARCHER. I just couldn't say.

Mr. HUBERT. Well, was it before Christmas, for example, or after?

Mr. ARCHER. I don't remember. I do know that Alexander——

Mr. HUBERT. How long before the trial began did you convey this information to anyone?

Mr. ARCHER. I would say approximately 3 weeks. Now, that is just a guess, because I just don't recall the time there.

Mr. HUBERT. Well, tell us the circumstances under which this inquiry was made of you concerning the intent to kill as expressed by him?

Mr. ARCHER. Mr. Alexander made the inquiry in talking to us together, and also individually, as to what we heard that might be pertinent, what might not be pertinent at that time, and I went over and related all that I could recall.

Mr. HUBERT. And that was the first time you mentioned to anyone at all what you had heard Ruby say regarding his intent?

Mr. ARCHER. As far as I recall; yes, sir.

Mr. HUBERT. And that was about 3 weeks before the beginning of the trial.

Mr. ARCHER. I would say very—approximately. That could vary, because I

don't remember the date. I wish I could, but I didn't make any particular note of it. Like I say, at the time, I just didn't take note of it.

Mr. HUBERT. Well, now, do you mean to say to me that you did not regard those two statements made to you by Ruby as being important in a trial of this man for first-degree murder?

Mr. ARCHER. No, sir; I didn't say that I didn't regard them as important. I just say at the time that these statements were made it was in my mind that it was not necessarily a gathering of facts to try the man.

Mr. HUBERT. Well, I gather from your testimony that you didn't convey this information to anybody at all until you were asked to do so in an interview with Mr. Alexander, which, from your testimony, I judge to be approximately the middle of January or afterwards, which is to say, 2 months after the event.

Now, I ask you if you did not think that that information was extremely valuable information in a pending prosecution for first-degree murder?

Mr. ARCHER. I didn't, at the time, give it a thought in the way of prosecution, because in my own mind I didn't feel that a lot of the statements would be admissible. I don't know what would be admissible and what wouldn't.

Mr. HUBERT. It never occurred to you that it was your duty to tell your superior officer, or somebody that you had heard that this man said, "I meant to kill him"?

Mr. ARCHER. No, sir; it didn't. Had they inquired about it, I certainly would have told them.

Mr. HUBERT. All right, have you anything else to say, sir.

Mr. ARCHER. No, sir; not unless there is something more you would like to ask me. If I can relate, or tell you anything, I would be happy to.

Mr. HUBERT. Now you have not been interviewed by any member of the Commission or by me, before, have you? That is to say, a member of the President's Commission, on the assassination?

Mr. ARCHER. Not the President's Commission. I have been interviewed by the Federal Bureau of Investigation, which you know about.

Mr. HUBERT. But no interview by me or any other member of the Commission staff?

Mr. ARCHER. Yes, sir.

Mr. HUBERT. This deposition is the first time you have said anything to any member of the Commission staff?

Mr. ARCHER. Yes, sir; so far as I know.

Mr. HUBERT. All right. That's all. Thank you, sir.

TESTIMONY OF BARNARD S. CLARDY

The testimony of Barnard S. Clardy was taken at 2:45 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Detective Barnard (spelling) B-a-r-n-a-r-d?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Middle initial S. Clardy. Auto Theft Bureau, Criminal Investigation Division, Police Department of Dallas. Mr. Clardy, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of the Executive Order No. 11130 dated November 29, 1963, the joint resolution of Congress Number 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, Detective Clardy.

I state to you now, that, the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination

of President Kennedy and subsequent violent death of Lee Harvey Oswald. In particular as to you, Detective Clardy, the nature of the inquiry is to determine what facts you know about the death of Oswald and any other pertinent facts that you may know about the general inquiry. Now, Detective Clardy, you appear here today by virtue of a general request made by the general counsel of the staff of the President's Commission, Mr. J. Lee Rankin to Chief Curry. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but those rules also provide that a witness may waive the notice. Now, do you waive this 3-day notice?

Mr. CLARDY. Yes.

Mr. HUBERT. Very well. Now, will you stand and be sworn, please. Raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CLARDY. I do.

Mr. HUBERT. Will you state your full name, please?

Mr. CLARDY. Barnard S. Clardy.

Mr. HUBERT. Your age?

Mr. CLARDY. Thirty-seven.

Mr. HUBERT. Your residence?

Mr. CLARDY. 936 Ferncliff Trail.

Mr. HUBERT. And your occupation?

Mr. CLARDY. Police Detective.

Mr. HUBERT. How long have you been so occupied, sir?

Mr. CLARDY. Since November 5, 1950.

Mr. HUBERT. How long have you been connected with the criminal investigation bureau?

Mr. CLARDY. Since December the 5th, 1955.

Mr. HUBERT. Now, is—who is head of the auto theft bureau?

Mr. CLARDY. Captain Nichols.

Mr. HUBERT. Captain Nichols, and the entire criminal investigation division, of which the auto theft division is a part is headed by Chief Stevenson, is that right, sir?

Mr. CLARDY. Chief Stevenson; yes, sir.

Mr. HUBERT. Now, Detective Clardy, I'm going to mark three documents as I will indicate, after which I wish to ask you some questions concerning those documents. At first, a document consisting of three pages being, apparently, a copy of a letter dated November 27, 1963, addressed to Chief Curry, the original of which was apparently signed by you, B. S. Clardy? I am marking the first page of that document "Dallas, Tex., March 24, 1964, Exhibit No. 5061. Deposition of Detective B. S. Clardy."

Under which I am signing my name, and I am placing my initials in the right-hand lower corner of the second and third pages of that document. The second document purports to be a report from the FBI concerning an interview with you on November 25, 1963. I am marking that document in the lower right-hand corner as follows: "Dallas, Tex., March 24, 1964. Exhibit No. 5062, Deposition of B. S. Clardy," and I am signing my name and putting my initials on the second page in the lower right-hand corner.

The third document consists of three pages, and purports to be a report of an interview of you on December 3d, by Agents Quigley and Dallman of the FBI. On the first page I am marking as follows, to wit: "Dallas, Tex., March 24, 1964. Exhibit No. 5063. Deposition of B. S. Clardy." Signing my name on the first page, placing my initials on the second and third pages in the lower right-hand corner on each of those pages.

Now, Detective Clardy, I hand you these three documents and—identified as 5061 and 5062 and 5063, and ask you if you have had an opportunity to read those today?

Mr. CLARDY. Yes, sir; I have.

Mr. HUBERT. Do those documents represent substantially the truth of all you know concerning the matter under inquiry this morning—this afternoon?

Mr. CLARDY. Yes, sir; they do. The only thing that I find that I erred on was in the time.

Mr. HUBERT. Well, now—

Mr. CLARDY. On my statement, that the approximate time where I went down was approximately 11 instead of 10, and the approximate time that we brought Mr. Jack Ruby from the jail to Captain Fritz' office was approximately 3:30, instead of 2:30.

Mr. HUBERT. Those corrections you wish to make on the document marked 5061?

Mr. CLARDY. 5061.

Mr. HUBERT. As I understood it, there were two time corrections that you think should be made, is that correct?

Mr. CLARDY. On that document alone, sir. And this was approximately closer to 11 a.m., on this other document.

Mr. HUBERT. Let's see. You wish to make a correction as to the time with reference to Clardy Exhibit No. 5061, to wit, your letter to Chief Curry on November 27th and—

Mr. CLARDY. And on that also. It was approximately 3:30 instead of 2:30.

Mr. HUBERT. Two corrections here.

Mr. CLARDY. Yes, sir; two corrections on that.

Mr. HUBERT. And in the second paragraph of that letter where you name the time as 10 a.m.—

Mr. CLARDY. Approximately; yes.

Mr. HUBERT. As the time at which Lieutenant Smart advised you and other officers to report to the jail office. You now say the time should have been what?

Mr. CLARDY. Should have been 11 a.m.

Mr. HUBERT. Should have been 11 a.m. Do you have another time correction to make?

Mr. CLARDY. Time on the last paragraph there was the time that we brought the prisoner out, Mr. Ruby, to Captain Fritz' office.

Mr. HUBERT. It reads now as "2:30 p.m."?

Mr. CLARDY. It reads 2:30. It should have been approximately 3:30 p.m.

Mr. HUBERT. Should have been 3:30 instead of 2:30. Both of those corrections being as to Clardy Exhibit No. 5061. Did I understand that you might have a correction as to Clardy Exhibit No. 5062?

Mr. CLARDY. Clardy Exhibit No. 5062. This. The second paragraph should have been approximately 11 a.m., instead of 10 a.m.

Mr. HUBERT. Now, your best recollection is that the time that Lieutenant Smart advised you and other officers to go to the city jail office was 11 o'clock rather than 10 o'clock?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Have you anything you can tell us that would explain that error in time that you made?

Mr. CLARDY. No, sir; I don't.

Mr. HUBERT. You see, the point I am making is, that on November 27, you stated 10 a.m., apparently in your letter. Then—well, prior to that, on November 25, when you were interviewed by the FBI you told them at 10 o'clock, and do you think that it is simply a mistake in time, or—

Mr. CLARDY. Well, it is a mistake in time on me—on the—on my first report I was under the impression that I told them 11 a.m., which—now, whether I did or not, I don't know, sir, on my first interview.

Mr. HUBERT. Let me call your attention to the fact that on Document 5063, which is the interview on December 3, you also mentioned 10 a.m., apparently. All I am trying to do, Detective Clardy, is to find out why it is that you think it is 11 o'clock now, whereas before on three separate occasions you thought it was 10.

Mr. CLARDY. Sir, I thought I told the agent that I talked to that it was possibly closer to 11 than it was to 10, when I talked to him. To be—just preactly [sic] what time I went down there, I am just judging.

Mr. HUBERT. In any case, your present recollection is definitely—

Mr. CLARDY. That it would have been closer to 11 than it was to 10.

Mr. HUBERT. All right.

Mr. CLARDY. I am definitely sure in my own mind that it was sometime after 10:30.

Mr. HUBERT. Is there anything that causes you to fix that precisely?

Mr. CLARDY. After just thinking, and all the other officers up in the bureau sure that it was closer to 11 than it was to 10, I don't know whether I looked at my watch or whether—on a previous deal, or where I got the 10 o'clock in my mind.

Mr. HUBERT. Well, it is apparent then that you did have 10 o'clock in your mind until when speaking to others you became convinced that you must be wrong and the 11 o'clock is closer to it, is that correct?

Mr. CLARDY. Yes, sir; I am sure it was that. I wasn't any—wasn't in the basement more than 30 minutes.

Mr. HUBERT. Did anyone speak to you and ask you to correct your statement from 10 o'clock to 11 o'clock?

Mr. CLARDY. No, sir.

Mr. HUBERT. You are doing that on your own volition?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. It is because you have become convinced that you are wrong?

Mr. CLARDY. I was wrong on the time, sir.

Mr. HUBERT. You were wrong?

Mr. CLARDY. That 10 o'clock is definitely wrong on time.

Mr. HUBERT. And you are, right now telling us that you are quite certain that it was?

Mr. CLARDY. That it was closer to 11 o'clock than it was to 10.

Mr. HUBERT. That it was closer to 11 than 10. And that the previous statement about 10 o'clock is simply wrong?

Mr. CLARDY. Simply wrong; yes, sir.

Mr. HUBERT. No one has asked you to change?

Mr. CLARDY. No, sir. That wrong time was my fault, and nobody else's.

Mr. HUBERT. Did anyone speak to you about the wrong time?

Mr. CLARDY. No, sir.

Mr. HUBERT. Haven't done so to this time?

Mr. CLARDY. No, sir.

Mr. HUBERT. Now, I understand that you were off duty on November 22?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. And that you did not participate in reference to the investigation concerning the President's death on November 23?

Mr. CLARDY. No, sir.

Mr. HUBERT. Do you know Jack Ruby?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. How long had you known him, and in what way?

Mr. CLARDY. I had known him approximately in the neighborhood of 8 or 9 years.

Mr. HUBERT. In what way? How did you come in contact with him?

Mr. CLARDY. To the best of my recollection I met him when I went into his place of business that he owned on South Ervay in connection with work, when I was working as a patrolman. I say I met him. I didn't meet him at that time. I knew him, knew who he was. I—first time I was ever introduced to him, shook hands with him, was at—after I went into criminal investigation. Possibly in the early part of 1956. I was looking for someone in connection with an auto theft in the vicinity of one of the places that he owned and he had an interest in the Vegas Club. I'm not sure who I was with, or who introduced—

Mr. HUBERT. Could you speak a little louder, please?

Mr. CLARDY. I am not sure who I was with, or who introduced me to him at that time. Then approximately—maybe 6 or 8 months before this come up he stopped me downtown one day and started telling me about a traffic ticket he got. Other than that, I had seen him at a distance and had spoke to him. I had seen him quite frequently when I was working late nights where the B and B Club is, that is on Oak Lawn, close to Lemmon. There is one place of business between the Vegas Club and the B and B, and we would go in there quite frequently when we were working late nights, and I have seen him in there on several occasions.

Mr. HUBERT. Was your acquaintance with him such that you would recognize him immediately upon seeing him?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Would you recognize him in that way, whether he had a hat on, or a hat off?

Mr. CLARDY. I know the man well enough if I caught a glimpse of him I should recognize him; yes, sir.

Mr. HUBERT. All right. Now, I am going to mark a chart of the basement area of the Dallas Police Department, as follows, to wit: "Dallas, Texas, March 24, 1964, Exhibit 5064. Deposition of B. S. Clardy," under which I am signing my name. For the purposes of identification, however, before I move to that, I want to ask you concerning documents 5061, 5062, and 5063, previously identified, which I now hand you again.

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Ask you if there are any other corrections you wish to make—

Mr. CLARDY. No, sir.

Mr. HUBERT. With reference to the documents?

Mr. CLARDY. No, sir.

Mr. HUBERT. Does the information contained in those documents represent the truth, so far as you know?

Mr. CLARDY. Yes, sir; I do.

Mr. HUBERT. Any modifications or changes or deletions that you would like to make?

Mr. CLARDY. I don't believe there is, sir.

Mr. HUBERT. Anything omitted, that you know of?

Mr. CLARDY. Sir, the only thing that is not in there that I know anything about is possibly some of these people that come in and talk to him after we took him upstairs, which nobody that made any of these investigations asked me about.

Mr. HUBERT. All right. I will get to that later, but with the exception of these omissions that you just mentioned, and to which I will come back at a later time, these documents represent the truth? There is no deletion and nothing more to add other than that other matter we have been talking about?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. I'll ask you to put your name under my signature where it appears, and your initials under my initials where they appear on each of the documents. Right there.

Mr. CLARDY. Right under here?

Mr. HUBERT. Yes. Just—now, we'll be using this chart later on, which has been marked 5064, and I have signed it, and I will ask you, for the purposes of identification, to put your signature under mine on that one, too. Now, these documents have been corrected, I understand, that it was simply closer to 10 o'clock than to 11 that you received—

Mr. CLARDY. Closer to 11 than 10.

Mr. HUBERT. I beg your pardon. Closer to 11 than to 10 when you received certain instructions from Lieutenant Smart, is that correct?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Were these instructions the first connection that you had with the movement of Oswald?

Mr. CLARDY. We had been told earlier that morning, approximately—come on duty at 7 o'clock, and was—and was told to stay in the office. Now, that—

Mr. HUBERT. In other words, your normal tour began at 7, but you were told to stay in the office?

Mr. CLARDY. Was told to stay in the office, that we would have to move the prisoner.

Mr. HUBERT. Who told you that?

Mr. CLARDY. Lieutenant Smart.

Mr. HUBERT. Did he tell you anything about how the prisoner was going to be moved, or at what time?

Mr. CLARDY. I was under the impression that he didn't know what time or how, himself, at the time.

Mr. HUBERT. What caused you to form that impression?

Mr. CLARDY. I think we went to get a cup of coffee, and I asked him, and he said, "I don't know."

Mr. HUBERT. In other words, the impression that he didn't know what the plans were, actually came from the statement that he himself actually told you to the effect that he didn't know?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. All right, then what happened after?

Mr. CLARDY. Sometime shortly before 11, they told us to report to the basement.

Mr. HUBERT. Smart did?

Mr. CLARDY. Lieutenant Smart.

Mr. HUBERT. Lieutenant Smart.

Mr. CLARDY. Lieutenant Smart, myself, and Detective McMillon, Detective Archer and Detective Watson, and Detective Dawson out of our bureau.

Mr. HUBERT. You moved as a group?

Mr. CLARDY. Uh-huh, all down on the same elevator, and there was some other detectives from the juvenile bureau, I am sure, was on the same elevator. Detective Lowery, Detective "Blackie" Harrison, and possibly some others. Those, I'm sure.

Mr. HUBERT. What instructions were given to you?

Mr. CLARDY. Went to the basement. Lieutenant Smart——

Mr. HUBERT. Speak a little louder.

Mr. CLARDY. Lieutenant Smart is the one, the only one who had any orders as to what he wanted us to do. Said, "Line up along the wall here on each side," and help keep the people back out of the way.

Mr. HUBERT. Did you do that?

Mr. CLARDY. Well, I tried to, sir. Don't look like we done much good.

Mr. HUBERT. I did not mean that to be facetious. I was simply following the line of thought. Then you followed his instructions to line the——

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Now, I want you to take a look at this mockup here and show us where you stood, if you did stay in one place, from the time that you got down in the basement area until the shot was fired.

Mr. CLARDY. Let me get lined out here.

Mr. HUBERT. All right.

Mr. CLARDY. I was on this corner to——just to the right of it, most of the time.

Mr. HUBERT. Let's see. That would be here, isn't it? [Indicating.]

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Now, you have marked——you have indicated on the mockup here a position which I am now marking by a circle.

Mr. CLARDY. I was just down from the corner.

Mr. HUBERT. This way?

Mr. CLARDY. Yes.

Mr. HUBERT. Now, I'll——

Mr. CLARDY. In other words, I was close enough to the corner that I could see around both ways. One occasion, I went and talked to Detective McMillon.

Mr. HUBERT. In other words, you took this position, and went over there and came back, and this is where you were at the time of the shooting?

Mr. CLARDY. At the actual shooting, I had moved approximately 3 steps to my right. As they backed this car out, apparently, some reporters tried to come across here [indicating]. And I had stepped up that way, not over——not that far up, sir. I only took 2 or 3 steps. I would say maybe probably as far as from me to you. I had stepped to my right.

Mr. HUBERT. All right, now, I have marked on Exhibit 5064, as a result of what you have stated while looking at the mockup, 2 positions concerning you. One of which I have marked, encircled, "Position of B. S. Clardy prior to shooting," and second one, which is, you say, is approximately 3 feet further towards the Commerce Street entrance.

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Which was your position at the time of the shot?

Mr. CLARDY. At no time——

Mr. HUBERT. It that correct?

Mr. CLARDY. Yes, sir; might add something a little further, that at no time other than when I walked across to Detective McMillon do I recall being over 3 feet from that corner in any direction.

Mr. HUBERT. When did you first get to that corner, approximately?

Mr. CLARDY. That would have been approximately 11 o'clock, maybe 10:55. It would have been pretty close.

Mr. HUBERT. So, that from the—from between 10:55 and 11 o'clock you stayed in the position which is marked on Exhibit 5064, that being the position of B. S. Clardy prior to the shooting. You stayed in that position all—within 3 feet of it the whole—during the whole time until Oswald was shot, except on one occasion when you said you went over to talk to Detective McMillon?

Mr. CLARDY. That's right.

Mr. HUBERT. How far did you move, and in what direction did you go?

Mr. CLARDY. Certainly—well, sir; he was across the aisle on the other side.

Mr. HUBERT. Now, would you mark on the map approximately the position of McMillon when you walked over to him?

Mr. CLARDY. Approximately—I walked over to him approximately in here [indicating].

Mr. HUBERT. I am marking a circle, now, and I am putting on there, "Position of McMillon when Clardy walked over," right?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Then, did you go back to your original position?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. I understand you to say that you stayed there except at the moment of the shooting you were about 3 feet in the direction of Commerce Street from that original basic position?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Can you tell us why you moved 3 feet towards Commerce Street, as you say you did?

Mr. CLARDY. The best of my recollection, as they backed the car out, that there was some of the press tried to come in front of the car, and I had to step to my right to watch them, and I stepped to my right and Captain Fritz had come into my view and stepped down to the right and turned slightly to my right, and approximately at that time, I hadn't seen Oswald myself, but approximately at the time I stepped to my right I saw a blur of fast movement and I tried to turn, and heard the shot.

Mr. HUBERT. Did you recognize Ruby then?

Mr. CLARDY. I had not seen him to recognize him; no, sir. Just all—I was turned, moved to the right, and all I could see was a fast blur of movement.

Mr. HUBERT. At any time during this time that you were standing in your original position as marked on the map, or at any time when you went over to see McMillon, or at any time for that matter, whatsoever, did you see Jack Ruby in the crowd?

Mr. CLARDY. No, sir; I did not; and approximately 2 or 3 minutes before the shooting I had looked over the crowd in the basement. Why, I don't know.

Mr. HUBERT. You did, in fact, look over there?

Mr. CLARDY. I had looked up to the right. Lieutenant Smart, and—I think—I am not for sure—Chief Batchelor was with him at the armored truck, and I did look on over the crowd on back around. Now, this could have been more than 3 minutes before the shooting occurred.

Mr. HUBERT. Were the conditions such that if Ruby had been standing in that crowd you could have singled him out and seen him?

Mr. CLARDY. As many people as there was in there at the time, sir, he could have very easily been behind somebody where I couldn't have seen him.

Mr. HUBERT. Just how many people were in that area where Ruby apparently was? I don't mean an accurate count. Of course, you didn't count them.

Mr. CLARDY. In the area where I presume that he come from, 12 to 15, on over behind the rail there was quite a few people, whether he come across the rail, whether he come down the ramp, like he told us, I don't know.

Mr. HUBERT. But, the Main Street ramp itself going toward Main Street, you figured there were about 15 people?

Mr. CLARDY. From along here [indicating].

Mr. HUBERT. Don't say "along here," because that won't show up.

Mr. CLARDY. So that we'll understand what I mean here, take this. There was people back over in here [indicating].

Mr. HUBERT. Let's call that area "B," and you are talking about area B, and you say there was a considerable amount of people?

Mr. CLARDY. Considerable amount of people back in there and from along here [indicating], across and along in here [indicating], there was—

Mr. HUBERT. Now, I am drawing a semicircle, is that approximately correct?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. And I am calling that "line X to Y."

Mr. CLARDY. I'd say there was a minimum of 15 people from here across here [indicating].

Mr. HUBERT. Minimum of 15 people in the front row, or some in the back?

Mr. CLARDY. There were some in the back.

Mr. HUBERT. So, you think there were about 15 people strung along this line that we have marked "X to Y," being a curving line, in—and that there was some back of them, and up the Main Street ramp?

Mr. CLARDY. At the time, I didn't see anybody back up in here anywhere.

Mr. HUBERT. That is to say, you didn't see anybody—

Mr. CLARDY. I didn't see anybody back as far as this [indicating].

Mr. HUBERT. Now, the second line which you have described, "as far as this," is—I'm going to mark that line and put it, for purposes of identification I'm marking it as a line designated by "1" and "2." Both numerals being encircled. I should like you to consider the area which is bounded by these two lines, "XY," and "1, 2," and the rail and at the wall is area A. Tell me how many people you think were in area A?

Mr. CLARDY. In this area here? I—

Mr. HUBERT. In area A, which has been designated by you as being encompassed between line "X" and "1," that being a curving line. Line "1,"—point "1" in a point to point "2" in a circle, the rail and the wall—

Mr. CLARDY. I'd say there was approximately four or five people up and down here [indicating].

Mr. HUBERT. You are describing with the pencil—

Mr. CLARDY. Where the circle is down across here [indicating].

Mr. HUBERT. You are describing with the pencil about four or five people along the rail lining of the basement side of the rail, is that correct?

Mr. CLARDY. Yes, sir—no, sir; on the ramp side.

Mr. HUBERT. Ramp side, parking area side?

Mr. CLARDY. Yes, sir; on the ramp side. Not the parking area side. On the—this being the ramp here [indicating].

Mr. HUBERT. Yes.

Mr. CLARDY. Coming off from Main.

Mr. HUBERT. I see what you mean, on the ramp side?

Mr. CLARDY. On the ramp side. There was a couple of uniformed officers in this area. I am not sure.

Mr. HUBERT. McMillon was one of them, wasn't he?

Mr. CLARDY. No, sir.

Mr. HUBERT. Oh, it was. You put his position, also, did you see W. J. Harrison in that group?

Mr. CLARDY. W. J.? That is a detective in the juvenile bureau?

Mr. HUBERT. Well, I don't know. I can't testify. I am not—well, that's all right.

Mr. CLARDY. Sir, there was a detective, I am pretty sure the one you are talking about. I don't know him real well?

Mr. HUBERT. That's all right.

Mr. CLARDY. I don't know whether it was Harrison that was along in here [indicating].

Mr. HUBERT. Now, would you make a circle and state where you think "Blackie" Harrison was at the time of the shooting?

Mr. CLARDY. Time I saw Detective Harrison, to the best of my knowledge, he was along in there [indicating].

Mr. HUBERT. I am marking that circle by putting "Position of 'Blackie' Harrison at time of shooting," is that correct or at the time you saw him?

Mr. CLARDY. At the time I checked, looked over the basement, which would have been approximately 3 minutes, 2 or 3 minutes before the shooting.

Mr. HUBERT. You saw him 2 or 3 minutes prior to the shooting. Now, I'll ask you to check that again, that circle that I have designated by the legend, "position of 'Blackie' Harrison at the time Clardy saw him 2 or 3 minutes prior to the shooting." Is that approximately the position of Mr. Harrison at the time designated?

Mr. CLARDY. Correct.

Mr. HUBERT. That was the time you looked over the crowd?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. In that area, again, can you tell us about how many people were concentrated?

Mr. CLARDY. Including a couple of uniformed officers in that area, there was possibly six or seven people in that area at that time.

Mr. HUBERT. At the time you looked over at the crowd then you could see that if he stays behind this crowd of people looking up the Main Street ramp—

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Did you see anybody come down at all?

Mr. CLARDY. No, sir.

Mr. HUBERT. Did you see any movement there?

Mr. CLARDY. No, sir. I saw the—I say "movement"—I saw the car that Lieutenant Pierce drove out that ramp, and at the time that the car approached the top of the ramp there was nobody in that area.

Mr. HUBERT. Did you see the car at the top of the ramp?

Mr. CLARDY. Sir, the car now as it went out—let me get this straight here.

Mr. HUBERT. Don't use the map now, if you can do it without it.

Mr. CLARDY. Let me get it straight here. I watched the car drive out until he drove approximately half, or maybe three-fourths of the way up, and at that time, clear back down to here [indicating] there was nobody in between.

Mr. HUBERT. All right.

Mr. CLARDY. Now, as to what—watching it drive on up to the top of the ramp, no, sir.

Mr. HUBERT. You did not see it drive to the top?

Mr. CLARDY. No, sir.

Mr. HUBERT. But, roughly between half and three-fourths of the way up the ramp? Were you looking in that direction after the car had passed out of the ramp?

Mr. CLARDY. No, sir.

Mr. HUBERT. Well, do you think this, if anybody had come running down there you would have seen them?

Mr. CLARDY. Sir, it is quite possible that somebody could have come running down there and I wouldn't have seen them.

Mr. HUBERT. You did not, in any case, see anybody?

Mr. CLARDY. I did not see anybody. Now, I was facing more over in—oh, almost straight across the ramp after I looked over the—

Mr. HUBERT. Over the crowd?

Mr. CLARDY. Over the crowd.

Mr. HUBERT. And you looked over the crowd prior to the time the car passed?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. You did not look over the crowd then—after that?

Mr. CLARDY. No.

Mr. HUBERT. Do you think it is possible from your position that anybody could have come down that ramp and you would not have seen them?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. What makes you think that, sir?

Mr. CLARDY. Well, I wasn't just in particular watching toward the direction—at the time that Lieutenant Pierce come out, there was a lot of these people moving around, and I was trying to keep an eye on them. At the time

the other car was brought out—being brought out, there was a lot of those people over in this area in here moving around [indicating].

Mr. HUBERT. Now, I think you have already testified that as to the actual shooting itself, you just saw a movement?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Off to your left?

Mr. CLARDY. Just a blur of movement.

Mr. HUBERT. When did you first identify Ruby?

Mr. CLARDY. After he had been taken inside the jail office.

Mr. HUBERT. Did you speak to him then?

Mr. CLARDY. As I went inside the main jail office they had the cuffs on him, and Detective McMillon said, "Well, let's take him on upstairs." And said, "Barney, take my gun."

I took Detective McMillon's gun out of his holster, and at the time I did, Jack Ruby said, "I'm Jack Ruby. Don't you know me? Don't you know me?" Said, "Yes, I know you, Jack," something to that effect. I am not sure, because I was sick to my stomach of what had happened, and then seeing him and wondering in my own mind how in the world a man had ever got in there. I took Detective McMillon's gun and mine and put it in one of the lockers in the jail office there, which is provided for that purpose. And along with Detective McMillon, Detective "Blackie" Harrison, and Detective Archer, and there was some other detectives on the elevator with us, and I'm not sure who, and we took Ruby directly to the fifth floor.

Mr. HUBERT. Did he make any comments during that trip?

Mr. CLARDY. Sir, I was on the—I was the last one that got to the elevator. If he was—made any comment on the way up I didn't hear him.

Mr. HUBERT. Well, in your statement to the FBI agent which has been identified as No. 5063, you stated he did mention other things. That you had heard Ruby mention that he had intended to get off three shots, do you recall that?

Mr. CLARDY. That was after we got upstairs.

Mr. HUBERT. Well, tell us about that.

Mr. CLARDY. I am not sure who asked him the question. I believe it was Detective Archer, and asked him in some way, "Did you intend to"—or, "Did you think you could kill the man with one shot?" And he said, "I intended to get off three shots." Said, "I didn't think that I could be stopped before I got off three shots." But, that, I—

Mr. HUBERT. Did you ask Ruby, or did anyone ask Ruby in your presence how he had gotten into the basement?

Mr. CLARDY. I asked Ruby.

Mr. HUBERT. You did by yourself?

Mr. CLARDY. I asked him myself, and I am sure there were several others who did.

Mr. HUBERT. That was when you were up on the fifth floor?

Mr. CLARDY. Yes, sir; shortly after he got—

Mr. HUBERT. Shortly after?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. What did you ask him, and what did he reply? What did you ask him first?

Mr. CLARDY. I asked him how he got into the basement and how long he had been there. I don't know whether that is the exact words I asked him in or not, and he said that Lieutenant Pierce, or he called him Rio Pierce—I believe said Rio Pierce, Lt. Rio Pierce drove out in the car and the officer stepped out from the ramp momentarily to talk to Lieutenant Pierce, or said something to him, and I come in behind him right on down the ramp, and says, "When I got approximately halfway down the ramp I heard somebody holler, 'Hey, you,' but I don't know whether he was hollering at me or not, but I just ducked my head and kept coming."

Mr. HUBERT. Did he say anything further?

Mr. CLARDY. Further stated, said, "If I had planned this I couldn't have had my timing better." Said, "It was one chance in a million." Or something to that effect. Said, "If I had planned this, I couldn't have had my timing any better."

Mr. HUBERT. Did he make any statement to you as to why he had done it?

Mr. CLARDY. He said—no, somebody—I was going to ask him, and I am sure some other officer asked him as to why. He said, "Somebody had to do it. You all couldn't."

Mr. HUBERT. Is that the only explanation he offered?

Mr. CLARDY. Well, later on we talked to him a little further and he went into this long story about how much he thought of President Kennedy, and how he was remorseful. Didn't want Mrs. Kennedy to have to come to testify on a trial, and—

Mr. HUBERT. Did he say anything here to indicate that he had any accomplices in his act?

Mr. CLARDY. No, sir.

Mr. HUBERT. Did he mention to you that he had been to the Western Union that morning?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Did he say anything about where his car was?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Did he say anything about there being a dog in it?

Mr. CLARDY. Sir, I recall that he said there was some money in the car. I—I don't recall him saying it in my presence, about the dog being in it. I do recall that he talked later about some dogs that he had that he thought so much of.

Mr. HUBERT. All right, now, a bit earlier when I asked you whether or not there were any omissions from the documents, Exhibits Nos. 5061, 5062, and 5063, you indicated there was an omission concerning what had been said to you by some people who had talked to you. I think that is what the omission—it was something along that line. Do you recall what that was now?

Mr. CLARDY. Well, I think some of the stuff that we have gone into there that you have asked me as to some of the things that were said, or on down the line that I don't—I don't recall any of the FBI agents asking me who come up there and talked to him, whether they did or not, I don't know.

Mr. HUBERT. Well, can you tell me what you had in mind a little while ago in the deposition when you said, "Yes, this is all right, but there has been omitted something," and I told you at that time, "Well, we'll come back to it a bit later," and now, I am coming back to it. I was wondering just what you had in mind when you stated that there had been an omission?

Mr. CLARDY. I don't believe it is in that report that Secret Service agent, Mr. Sorrels, came up shortly after we arrived and talked to Mr. Ruby.

Mr. HUBERT. I think that—

Mr. CLARDY. Whether that is in there or not—

Mr. HUBERT. Is that what you had in mind?

Mr. CLARDY. That and the FBI agent, Mr. Hall, then came up and talked to Ruby off and on until the time that he was taken to Captain Fritz' office.

Mr. HUBERT. How long a period was that?

Mr. CLARDY. Sir, he was up there probably within 15 to 20 minutes after we had taken Mr. Ruby upstairs. Agent Hall was, and he talked to Mr. Ruby at considerable length until he had several telephone calls. I don't know who they were from or what they was about, but, that he was called to the telephone several times while he was up there.

Mr. HUBERT. And Mr. Sorrels was present also?

Mr. CLARDY. Mr. Sorrels had left before Mr. Hall come up there. Sorrels had talked briefly to Mr. Ruby. I say, "briefly," he—approximately 10 minutes.

Mr. HUBERT. Let's see if I can get the time sequence. Within 15 minutes after Ruby was brought to the top—to the fifth floor, Mr. Hall came?

Mr. CLARDY. Uh-huh.

Mr. HUBERT. And interviewed him, with some interruptions by telephone calls, for approximately what, now, an hour and a half?

Mr. CLARDY. I'd say Mr. Hall was up there 3½ hours.

Mr. HUBERT. Three and a half hours.

Mr. CLARDY. Yes.

Mr. HUBERT. Now, in the 15 minutes or so before Mr. Hall came, Mr. Sorrels came?

Mr. CLARDY. Mr. Sorrels came.

Mr. HUBERT. And stayed about 10 minutes?

Mr. CLARDY. Mr. Sorrels came up just very briefly. Very shortly after.

Mr. HUBERT. Is that what you meant when you mentioned a little while ago that there was some omissions from your statement?

Mr. CLARDY. That is what I had reference to; yes, sir.

Mr. HUBERT. Did you have reference to any other omissions?

Mr. CLARDY. No, sir.

Mr. HUBERT. Then, let's put it this way. You have already stated that what is in these records, these three exhibits, 5061, 5062, and 5063, are true and correct; that you did not want to modify or change anything that you had previously said. That it was some omissions, and now, do I understand you to say that the omissions that you previously spoke of is what you just testified to?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Are there any other omissions that you know of?

Mr. CLARDY. None that I know of.

Mr. HUBERT. So, that by taking Exhibits 5061, 5062, and 5063, together with your deposition today, is it fair to state that there is on record everything you know about the assassination of Oswald?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Now, other than the interview that you had with me earlier today, have you been interviewed by any member of the Commission staff?

Mr. CLARDY. No, sir.

Mr. HUBERT. Now, the interview you had with me was prior to lunch, is that correct?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. Can you state now whether there are any inconsistencies between your deposition and what we discussed at the interview to which I have just referred?

Mr. CLARDY. Nothing other than the—you were referring to those previous statements?

Mr. HUBERT. No; I am referring to any inconsistencies between what you testified today and the interview we had this morning?

Mr. CLARDY. No, sir.

Mr. HUBERT. Now, have you provided, or had—or did you provide in that interview this morning any material as to which you have not testified to in this deposition?

Mr. CLARDY. No, sir.

Mr. HUBERT. Is there anything else at all that you would like to state that has not been said in one way or another by you?

Mr. CLARDY. Sir, the only thing that I could add in any way, that I can think of, would be that the—Mr. Ruby appeared to be normal on that day.

Mr. HUBERT. Then do you think you knew him well enough to be able to judge whether he was normal or not?

Mr. CLARDY. From his expressions or the way he talked led me to believe that the man was normal, that he knew what he was doing.

Mr. HUBERT. Well, other than that observation then?

Mr. CLARDY. It wouldn't be anything that I could think of that I would add.

Mr. HUBERT. All right; if you do think of anything, I want to ask you to please feel free to come forward and state it, because quite frankly, a person will forget something, and if you do remember anything, don't hesitate to come forward with it, even though you might say to yourself, "Well, I have already said there is nothing more, and now I am coming back to add something." I ask you not to feel that way, but on the other hand, to feel free to come forward, because the Commission wants to know all the facts, and we want to get the facts, even though you may not recollect them until after this deposition is over. I trust you will do that?

Mr. CLARDY. Yes, sir.

Mr. HUBERT. All right, then, thank you very much. I want to thank you personally and on behalf of the Commission for your assistance. Thank you, sir.

TESTIMONY OF PATRICK TREVORE DEAN

The testimony of Patrick Trevore Dean was taken at 8 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me state for the record, first of all, introduce myself. As you probably heard I am Burt Griffin. I am a member of the advisory staff of the general counsel's office of the President's Commission to Investigate the Assassination of President Kennedy. Now, this Commission was set up under an Executive order of President Johnson, dated November 29, 1963, called Executive Order No. 11130. Also pursuant to a joint resolution of Congress. We have adopted a number of rules and so forth which I will explain to you a little bit beforehand, pursuant to all these resolutions, I have been authorized by the General Counsel to take the deposition of Sgt. P. T. Dean, who is right here.

I want to tell you a little bit about the general nature of the inquiry that we are going into here. As the title of the Commission would indicate,

VOICE. I hate to interrupt, but—

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. As I say, I want to tell you a little bit about the scope of this inquiry that we are going to go into. We have been authorized to inquire into and evaluate and report to the President on all the facts relating to the assassination of President Kennedy and all the facts surrounding the death of Lee Harvey Oswald.

Calling you, Sergeant Dean, we are particularly interested in the facts that surround the death of Oswald, although we don't mean to preclude any other information that you may have which may pertain to the whole area in which we are going. There has been a written request made to Chief Curry, by the general counsel of our Commission staff, asking that you appear here some time during this particular week. Now, this is not quite in full keeping with the rules that have been set forth by the Commission. Under the rules of the Commission you are entitled to a 3-day written notice prior to having your deposition taken. This is going to be sworn testimony. The rules also provide, however, that you may waive this notice. I want to ask you right now, Sergeant Dean, if you are willing to waive the written 3-day notice which you can require us to give you?

Mr. DEAN. Yes. I will waive it.

Mr. GRIFFIN. Okay. Now, I also want to tell you that you are entitled, under the rules of the Commission to have an attorney present, if you want, and I notice you are not here today with an attorney, and I presume that is your desire, but do you?

Mr. DEAN. I will waive that, also.

Mr. GRIFFIN. Okay. Now, will you raise your right hand? Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. DEAN. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mr. DEAN. Patrick Trevore Dean.

Mr. GRIFFIN. Where do you live?

Mr. DEAN. 2822 Nicholson, Dallas.

Mr. GRIFFIN. Dallas, Tex.?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Where are you employed?

Mr. DEAN. Police department.

Mr. GRIFFIN. Dallas Police Department?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. How long have you been with the Dallas Police Department?

Mr. DEAN. 11 years.

Mr. GRIFFIN. And do you hold any particular rank in the department?

Mr. DEAN. I am a sergeant.
Mr. GRIFFIN. How long have you been a sergeant?
Mr. DEAN. 6 years.
Mr. GRIFFIN. What section were you assigned to in the police department?
Mr. DEAN. Patrol division.
Mr. GRIFFIN. That was on November 22, 23, and 24?
Mr. DEAN. That's correct.
Mr. GRIFFIN. Now, it's my understanding that you were not on duty on either November 22 or 23?
Mr. DEAN. That's correct.
Mr. GRIFFIN. Are these your regular off duty days?
Mr. DEAN. Yes, sir.
Mr. GRIFFIN. What time did you come to work on Sunday, November 24?
Mr. DEAN. At 7 o'clock.
Mr. GRIFFIN. Prior to the time that you came to work, had you heard anything about the proposed move of Lee Harvey Oswald?
Mr. DEAN. No, sir; well, before I came to work, no, sir; I hadn't.
Mr. GRIFFIN. Before you came to work did you know that Oswald was going to be moved that day?
Mr. DEAN. Just rumored that some time during the day that he would be moved.
Mr. GRIFFIN. How had you heard that?
Mr. DEAN. Well, rumors in around city hall.
Mr. GRIFFIN. Had you been around the city hall on the 23d?
Mr. DEAN. No, sir.
Mr. GRIFFIN. Or the 22d?
Mr. DEAN. No, sir.
Mr. GRIFFIN. Where then did you hear these rumors?
Mr. DEAN. I had just come into town just about the time the President landed on Friday. I had been out to south Texas deer hunting, and that day, I, of course, listened to all the news about the assassination, and also the next day, on the 23d, and then on the 24th at 7 o'clock is when I reported for duty.
Mr. GRIFFIN. Well, you indicated to me, though, that you had heard rumors around the police station?
Mr. DEAN. This was on the 24th. They had said that sometime during the day that Oswald would be moved. Now, who they are would be in the captain's office, around in the captain's office and in my office.
Mr. GRIFFIN. Referring to that period before you came on duty, had you heard any rumors then?
Mr. DEAN. No, sir.
Mr. GRIFFIN. So when you arrived you didn't have any idea that Oswald was going to be moved that day?
Mr. DEAN. Repeat it?
Mr. GRIFFIN. When you arrived at 7 o'clock Sunday morning——
Mr. DEAN. Right.
Mr. GRIFFIN. You didn't have any idea Oswald was going to be moved that day?
Mr. DEAN. No, sir.
Mr. GRIFFIN. Let me ask you this: Did you drive down to work that day?
Mr. DEAN. Yes, sir.
Mr. GRIFFIN. Do you recall where you parked your car?
Mr. DEAN. That being Sunday, I believe I parked in the 2100 block of Jackson Street.
Mr. GRIFFIN. And do you recall how you entered the police department building?
Mr. DEAN. On the Commerce Street side going to the basement. Not into the parking area where the incident occurred, but going into the police and courts building from Commerce Street.
Mr. GRIFFIN. When you entered at 7 o'clock—I know it's difficult to pick out what you saw at one time and what you saw at another time. Did you see any TV cables——
Mr. DEAN. Yes, sir.
Mr. GRIFFIN. Strung through that entrance?

Mr. DEAN. Yes, sir; numerous television cables and cameras.

Mr. GRIFFIN. Try to think back as best you can and tell us, as you walked in from Commerce Street, you know, you come down the steps—

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. You have to open the door?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And that will take you into the hallway?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. That leads to the records room. Now, as you got into that area there where you open up the door and so forth, did you see any TV cables strung through that doorway?

Mr. DEAN. Yes, sir; I believe there was a lot of TV cable down at the end of the hall there, toward the jail office.

Mr. GRIFFIN. Well now, talking now about right up at the—

Mr. DEAN. No, sir.

Mr. GRIFFIN. Did any TV cables come through that Commerce Street entrance?

Mr. DEAN. I don't recall.

Mr. GRIFFIN. Now, what did you do when you got inside?

Mr. DEAN. I went immediately to the basement, changed clothes into my uniform and then went to the second floor, which is patrol captain's office, where I report for duty.

Mr. GRIFFIN. Who did you report to there?

Mr. DEAN. Captain Talbert.

Mr. GRIFFIN. And did you have a conversation with Talbert at that time?

Mr. DEAN. Nothing specific; no.

Mr. GRIFFIN. Did Talbert give you an assignment at that time?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Did Talbert talk to you in anyway about the movement of Oswald at that time?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, did you learn somewhere after you arrived at work that someone had made a telephone call in connection with the movement of Oswald, threatening Oswald's life?

Mr. DEAN. Yes; did I learn of a telephone call?

Mr. GRIFFIN. Yes.

Mr. DEAN. I heard Captain Frazier, I believe it was, talking to Captain Talbert, and in my presence, and several others. I don't remember which ones, sergeants and a lieutenant or so, that I believe it was Sheriff Decker called during the night and asked that Oswald be moved during the night sometime.

Mr. GRIFFIN. When did this conversation take place; how soon after you came to work?

Mr. DEAN. It was some time—probably it would have been a little before 7 o'clock, because we meet downstairs at 7 o'clock sharp.

Mr. GRIFFIN. I see.

Mr. DEAN. In the detail room.

Mr. GRIFFIN. So this would have been almost within a few minutes of the time that you had walked in?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Well, were Talbert and Frazier—and who else was present during the conversation?

Mr. DEAN. I believe Lieutenant Pierce was there, myself and Sergeant Putnam might have been there. Several other sergeants. See, this is the change time and all of his supervisors, Captain Frazier's and Captain Talbert's, the ones that are working that day, they will generally be in the office at that time.

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Could you tell me where we were?

(The record was here read by the reporter.)

Mr. GRIFFIN. Do you remember any other things that were said? Try to think about what these people said when this topic was brought up.

Mr. DEAN. Captain Frazier said something to the effect that he had called Captain Fritz when Sheriff Decker called to request the movement of Oswald, and

Captain Fritz stated that he didn't think that Chief Curry wanted him moved during the night, that it was—he would be moved some time this day, that day, rather than in the night. It would be this day. That's where I got it that he was to be moved on the 24th.

Mr. GRIFFIN. Now, I take it that this was sort of changing of the guard at this point, and Frazier was going off duty and he was sort of passing on the word to Talbert?

Mr. DEAN. Right.

Mr. GRIFFIN. What did Talbert say in response to that information?

Mr. DEAN. I don't remember. The thing that I got, or impression that I got, was that they were just waiting for Chief Curry to say to move him, until they had proper authorization to move him, from our department rather than from the sheriff.

Mr. GRIFFIN. Was Rio Pierce present at that time?

Mr. DEAN. I think that he was.

Mr. GRIFFIN. And it is my understanding of this situation that you had there at that time is Captain Talbert, Lieutenant Pierce and the sergeants that were all under them, kind of a general briefing?

Mr. DEAN. That's correct.

Mr. GRIFFIN. Now, did Talbert then discuss this matter with you people who were on his shift?

Mr. DEAN. Not at this time. We went back downstairs to the basement to the whole detail. This is to assign the patrolmen out on their tour of duty, to brief them of the new orders, if there had been any, and generally to get the men out in the field in the squad cars. This happens at 7 o'clock.

Mr. GRIFFIN. Now, did you send all the men out that you normally would send out?

Mr. DEAN. Yes.

Mr. GRIFFIN. At that time?

Mr. DEAN. Yes, sir; with some few that we would use, the ones of which I can't recall. I imagine it would have been equivalent to three or four men that we would have kept in the city hall itself.

Mr. GRIFFIN. At that time did you have any thought of how you would assemble the necessary men to handle the transfer?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, after you had this initial meeting with Talbert, what did you do?

Mr. DEAN. Now, you are referring to after the detail?

Mr. GRIFFIN. After you assigned these men, and what you called the general orders?

Mr. DEAN. We went back to the second floor, back to Captain Talbert's office, which is the general offices for the patrol division.

Mr. GRIFFIN. What happened up there?

Mr. DEAN. Well, I don't remember anything specific until about—I, myself, went to the third floor to familiarize myself with the happenings, about the news cameramen and just to get an idea of what was going on and who was to be present, such as that, because I had been off. This was my first day back since—in a week, in fact. I had been on a few days vacation to go hunting.

Mr. GRIFFIN. At the time you went up to the third floor, did you have any idea as to what your general responsibilities were going to be for the day?

Mr. DEAN. No, sir; not at that time.

Mr. GRIFFIN. I think I am misleading you. First of all, you have some general responsibility, standard responsibilities that you have every day?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. What are those particular responsibilities?

Mr. DEAN. Well, I am assigned to a zone area that has a group of 6 squads that work for me, equivalent to 15 men.

Mr. GRIFFIN. What zone is that?

Mr. DEAN. No. 110. It's in the eastern portion of Dallas.

Mr. GRIFFIN. Is that the Love Field area?

Mr. DEAN. No, sir; this is the—Love Field area is north Dallas. I am in the eastern portion of Dallas.

Mr. GRIFFIN. I see. And do you normally handle most of your duties from right within the police station?

Mr. DEAN. No, sir; I have various paperwork to do in the office at times. Generally I am out in the car, answering calls with the squads, or when they need advice, supervision, well, I generally answer their calls.

Mr. GRIFFIN. All right. Now, when you met with Talbert the second time upon the second floor, did you have any idea at that time that your duties would be any different on Sunday than they were on any other date?

Mr. DEAN. I assumed that I would probably confine myself to the city hall.

Mr. GRIFFIN. How did you happen to make that assumption?

Mr. DEAN. Well, because of my seniority. It was just assumed that they would want me there.

Mr. GRIFFIN. Now, so you went up to the third floor then?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And who did you talk to and who did you see up there on the third floor?

Mr. DEAN. No one in particular. I just went up to see what was going on on the third floor. This is the first time I had been to the third floor. There were numerous cameras there, lot of cables. Just as you get off the elevator there was a lot of cameras.

Mr. GRIFFIN. What time would you estimate that you were up on the third floor?

Mr. DEAN. Probably 8 o'clock.

Mr. GRIFFIN. Did you go up to the third floor again during the morning; that is between that time and the time that Oswald was shot, did you have occasion to go back to the third floor?

Mr. DEAN. I believe I did, but for no specific purpose.

Mr. GRIFFIN. Well, if you can separate out the different times that you might have been up there, I want to know as best you recall whether there were news people up there on the third floor when you went up this first time, around—what did you say, 8 o'clock?

Mr. DEAN. Yes. Were there news people up there?

Mr. GRIFFIN. Did you see newspaper people up there at that time?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Do you recall whether the TV cameras were manned at that time?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Do you recall whether these people seemed to be operating the cameras, shooting footage or did they seem to be in any sort of operation?

Mr. DEAN. They did have a monitor, small monitor set that they had the cameras on. However, they weren't broadcasting at the time. They might have been taping. I don't know.

Mr. GRIFFIN. Did you see any other people that you thought were newsmen up there, other than those manning the cameras?

Mr. DEAN. Yes, sir. Pressmen. Newspaper people, none of which I can recall that I knew myself.

Mr. GRIFFIN. What's your best estimate of the number of news people that were up there at about 8 o'clock?

Mr. DEAN. Twenty-five, possibly.

Mr. GRIFFIN. Did this create to you what appeared to be a crowded condition?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Now, how long did you remain up there on the third floor?

Mr. DEAN. Oh, maybe 10 or 15 minutes.

Mr. GRIFFIN. And do you recall if you went into the homicide bureau?

Mr. DEAN. Sometime during that morning I did step into the homicide bureau. However, I don't know who I talked to. And then there wasn't any specific reason that I did go in there. I just stepped in. The hall was very crowded. It might have been just that I was close to the homicide office and I stepped in there to get out of the crowd, because it was the least congested. There were no newsmen or pressmen in there, no cameras.

Mr. GRIFFIN. Were you able to tell, when you were up there at about 8 o'clock, what the general impression seemed to be as to when Oswald would be moved?

Mr. DEAN. The impression I got, there was anticipation from the newsmen that—and the hopes of the newsmen, that he would probably be moved that day.

Mr. GRIFFIN. But as to how early in the day, did you get any idea of what they were thinking of?

Mr. DEAN. No, sir. This was at anytime. This was the impression I got, at anytime he could be moved. They were ready to start shooting, or go live television, I am sure, at anytime, at a moment's notice.

Mr. GRIFFIN. Did they ask you any particular questions?

Mr. DEAN. None specific; no, sir.

Mr. GRIFFIN. Did they attempt to approach you or shout things at you?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Do you remember any other bureaus you went in on the third floor?

Mr. DEAN. That was all.

Mr. GRIFFIN. Now, where did you go from the third floor?

Mr. DEAN. Went back down to the second floor.

Mr. GRIFFIN. And who did you see down there?

Mr. DEAN. Captain Talbert, Lieutenant Pierce.

Mr. GRIFFIN. Do you remember any conversation you had with them?

Mr. DEAN. Well, general conversation that morning was when possibly Oswald might be moved. Of course, I was waiting for instructions as to what to do when he was moved. I received my first instructions about 9 o'clock.

Mr. GRIFFIN. Who did you receive those instructions from?

Mr. DEAN. From Lieutenant Pierce.

Mr. GRIFFIN. And do you know who Lieutenant Pierce received his instructions from?

Mr. DEAN. No, sir.

Mr. GRIFFIN. What did Pierce tell you?

Mr. DEAN. His instructions were for me to take a group of men and—or whatever men I needed, and thoroughly search the garage portion of the basement, to vacate it and then thoroughly search it. I—

Mr. GRIFFIN. Did you—go ahead.

Mr. DEAN. I took about 13 reserve officers that were waiting in the assembly room, which is on the ground floor, the basement floor, along with Sergeant Putnam, Officer L. E. Jez, and A. R. Brock, and these 13 reserves that were in the detail room at that time, names of which I don't know. They were commanded by Captain Arnett. I do know this. And Captain Arnett assisted in the search, too. We vacated the basement of all people.

Mr. GRIFFIN. All right. Are you talking about just the garage area or the entire basement?

Mr. DEAN. The garage area. And I assigned Officer R. E. Vaughn to the entrance ramp, which is entering on Main Street, Officer R. C. Nelson to the doorway coming from the police and court building and into the basement, and Officer B. G. Patterson the Commerce Street ramp, which is the exit, and I assigned one reserve officer to the southern portion of the basement, to the stairways that lead into the subbasement or the machine room.

Mr. GRIFFIN. Now, the regular officers that you assigned were Vaughn, Nelson, and Patterson, is that right?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Were any of those men members of your platoon?

Mr. DEAN. Yes, sir; all of them.

Mr. GRIFFIN. How did they happen to be in the building at that time?

Mr. DEAN. I believe they were the officers that we retained that morning to assist us for whatever might have to be done in the morning, or during the day.

Mr. GRIFFIN. Did they normally have assignments in patrol cars some place?

Mr. DEAN. Yes, sir; all of them.

Mr. GRIFFIN. Who made the decision to keep those men in?

Mr. DEAN. I would imagine Lieutenant Pierce. To retain them at city hall during the day?

Mr. GRIFFIN. Yes.

Mr. DEAN. I imagine Lieutenant Pierce did.

Mr. GRIFFIN. Can I ask you directly, you did not, if I understand correctly, you did not make that decision?

Mr. DEAN. To retain them at the city hall?

Mr. GRIFFIN. Yes, sir.

Mr. DEAN. No, sir; they were there and I utilized them for this purpose.

Mr. GRIFFIN. Now, were there other people who were retained at city hall besides those three men in the platoon?

Mr. DEAN. There were other men that were called back in from patrol duty to supplement what men we had at the central headquarters.

Mr. GRIFFIN. But these were the only three men who actually stayed back and never went out to the field at all?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Any particular reason that you can think of why those three men should have been kept there?

Mr. DEAN. No, sir; other than just assignment, routine assignment. I mean it could have been someone else as well as it was them.

Mr. GRIFFIN. Now, you assigned reserve officers—somebody, rather—

Mr. DEAN. To the southern portion of the basement?

Mr. GRIFFIN. Yes, sir.

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Why did you put a guard on that door, or in that area?

Mr. DEAN. For security reasons.

Mr. GRIFFIN. Did you have any reason to think that it would be possible to get through from the subbasement?

Mr. DEAN. Well, I knew that there were doors going into the subbasement from—however, I checked them and they were locked, but still there was a possibility, since you did have doors there, or ingress from the street.

Mr. GRIFFIN. Do you know where the ingress from the street to the subbasement is?

Mr. DEAN. Yes, sir; as you enter on Commerce Street, going down into the basement, there is a door on the southern side of the—just before you go into the main part of the basement, that leads down. It's the porters' quarters, that leads down to the porters' quarters.

Mr. GRIFFIN. Is there any other entrance into that subbasement?

Mr. DEAN. The elevators in the new city hall is the only ones that you can get in, is the only place, other than the ramp—we had all places covered. In fact, I assigned—

Mr. GRIFFIN. No. I am talking about the subbasement now.

Mr. DEAN. The garage portion?

Mr. GRIFFIN. That's right.

Mr. DEAN. No, sir; there is no other place.

Mr. GRIFFIN. Other than that door that comes into Commerce Street?

Mr. DEAN. Yes, sir; well, there is a door that was locked, another door that's used as a—oh, I think they sometimes throw materials—it's not even an elevator. It appears to be an elevator door, if you open it up, it's a straight drop into the subbasement.

Mr. GRIFFIN. Where is that?

Mr. DEAN. I had the maintenance man open this door for me. He did and I could see that you couldn't—or it would be hard for a man to climb up a straight wall to open these doors. You couldn't open them from the inside or the subbasement side of the door.

Mr. GRIFFIN. Now, do you have a clear recollection as to whether or not any TV or radio or other wires came through the subbasement door up to the basement area in the garage?

Mr. DEAN. There were none coming out. From the subbasement into the garage area?

Mr. GRIFFIN. Yes.

Mr. DEAN. There were not.

Mr. GRIFFIN. Were there any TV or radio or other wires coming into the garage area other than through the ramps?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, did you give these people you stationed in the garage area,

Nelson and the reserve officer and—who was it that you stationed—did you station somebody by the elevators at that time?

Mr. DEAN. Yes, sir; Brock.

Mr. GRIFFIN. Those three men, did you give them any specific instructions?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. What were those instructions?

Mr. DEAN. That they were to let no one in other than—well, first that they were to let no one in until we had completely searched the basement, and then that we would notify them after we had completed the search, and then they were to let no one in except authorized pressmen, properly identified pressmen, newsmen, or policemen.

Mr. GRIFFIN. Did you have some reason to think that those people might be coming through the entranceways that they were guarding?

Mr. DEAN. Did I have some reason to think this?

Mr. GRIFFIN. Yes.

Mr. DEAN. It was strictly security. I was doing exactly what my orders were, to keep all people out. As far as any reason other than strictly security; no.

Mr. GRIFFIN. What I am suggesting, really, is that you could have given them a blanket order, "Don't let anybody in there"?

Mr. DEAN. That's right.

Mr. GRIFFIN. Any reason why you didn't give them that blanket order? Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Where were we?

(The record was here read by the reporter.)

Mr. DEAN. To just let no one in?

Mr. GRIFFIN. Yes.

Mr. DEAN. Well, just a moment. Let me—I knew that the pressmen—I am wondering where I—it was just generally assumed to me that the pressmen would be allowed to witness the movement of Oswald.

Mr. GRIFFIN. But from these doors, now, the men that were on the ramps, of course, you would expect an influxion of people down those ramps, but from those interior doors in the garage, I am wondering what expectation you could have that anybody would be coming through there? I am not asking this question to try to trip you up or anything like that, but I am just wondering if you thought about this? You might think of something that you had in mind that might shed some light on this.

Mr. DEAN. No, sir; the only thing, I was searching the basement and to do this I had to clear the basement to satisfy myself that there was no one in the basement, and after I was satisfied with this, then the press and the police officers could come back in the basement, if they were properly identified.

Mr. GRIFFIN. Now, when you instructed Nelson and Brock and the reserve officer, were Vaughn and Patterson also present?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Of course, they were guarding the ramps?

Mr. DEAN. Right. Patterson, Vaughn were guarding the ramps, and that was my instructions to them, to keep everyone out until we had completed the search. Then after we had completed the search, to let no one in other than properly identified pressmen or policemen, and to not to leave those assignments unless they were relieved by myself or Sergeant Putnam.

Mr. GRIFFIN. Now, can you give us some idea of how many cars there were in the garage at that time?

Mr. DEAN. Some, I would say 25 or 30.

Mr. GRIFFIN. Were these cars eventually moved out at any time?

Mr. DEAN. No, sir; some few of them were district squad cars that had come in with prisoners, and then, of course, they left, but as a mass movement to move the cars out, we didn't.

Mr. GRIFFIN. Who checked the stairway door in the garage that leads up into the municipal building?

Mr. DEAN. The stairway door?

Mr. GRIFFIN. Yes.

Mr. DEAN. I don't know of any door that leads up into the—the stairway?

Mr. GRIFFIN. There is a stairway——

Mr. DEAN. That goes down into the subbasement?

Mr. GRIFFIN. Well now, over where the elevators are——

Mr. DEAN. Oh. Oh, yes.

Mr. GRIFFIN. You know what I am talking about?

Mr. DEAN. Yes.

Mr. GRIFFIN. Who checked that door?

Mr. DEAN. Sergeant Putnam checked it once and I checked it once and it was locked.

Mr. GRIFFIN. Did you know at the time you checked it that even though the door was locked from the outside, it could be opened from the inside?

Mr. DEAN. [No response.]

Mr. GRIFFIN. Let me state this again. Even though the door would be locked from the garage side, that from the stairway side it would be unlocked; were you aware of that?

Mr. DEAN. I believe we asked the maintenance man about this, and I believe he locked it so as it couldn't be unlocked from either side unless they had a key. I believe Sergeant Putnam called this to the maintenance man's attention, and I recall being there at the time they were discussing it, and I think at that time the maintenance man locked the door so it couldn't be unlocked from either side other than with a key.

Mr. GRIFFIN. Do you recall the name of this maintenance man?

Mr. DEAN. No, sir; I don't know. I didn't know his name to start with. However, I did know he was the maintenance man, by sight.

Mr. GRIFFIN. When did you get ahold of this maintenance man?

Mr. DEAN. Sergeant Putnam, I believe, had gotten—or had thought about this and asked him, or he had gotten in touch with him some way.

Mr. GRIFFIN. Was this at the same time you had the 13 men in the garage searching, or at some later time?

Mr. DEAN. This was during the search.

Mr. GRIFFIN. And do you know where this maintenance man was located——

Mr. DEAN. No, sir.

Mr. GRIFFIN. When Putnam found him?

Mr. DEAN. I don't. I do know I sent for him one time, or had an officer to go page the maintenance man to meet me, to have him unlock this door in question, that I thought—or I wanted it opened so I could see in it, to see if it was a service elevator or what. I had never seen that door opened before.

Mr. GRIFFIN. Now, did you make any inquiries about the passenger elevators?

Mr. DEAN. Coming into the garage portion?

Mr. GRIFFIN. Yes.

Mr. DEAN. Yes; they were operating at the time. I think there were two colored boys that were operating the elevators, and we told them not to come down to the basement for any reason. And we posted Brock there at the elevators.

Mr. GRIFFIN. Now, so that we understand what we are talking about, my recollection is that there is another elevator that's a service elevator also?

Mr. DEAN. Yes, sir. This was the one that was operating, primarily, that morning.

Mr. GRIFFIN. I think we can help things out here somewhat. This is a diagram of the basement area, and I am going to mark this "Dallas, Tex., Sergeant Dean, March 24, 1964, Exhibit 5007."

Now, making reference, Sergeant, to this particular diagram here, at the time you searched the garage, it is my understanding that what's marked on here as elevators Nos. 1 and 2 were operable, that there were some colored boys in there, or somebody who was operating those elevators?

Mr. DEAN. No. I believe those were not in operation, Nos. 1 and 2. The service elevator was, I do know. There was the parking attendant, a colored boy, and he sits here [indicating].

Mr. GRIFFIN. Why don't you put a mark on that diagram there, make it an X?

Mr. DEAN. All right [indicating].

Mr. GRIFFIN. And do you want to label that parking attendant, or whatever you think is appropriate?

Mr. DEAN. All right [indicating], this is a colored boy that usually sits here. He has a bench there he sits on until he is needed. We made him leave.

Mr. GRIFFIN. Made him leave?

Mr. DEAN. In fact, I think he was relieved from duty that day, because I took him out of the Commerce Street ramp.

Mr. GRIFFIN. And was there somebody operating that service elevator?

Mr. DEAN. The service elevator?

Mr. GRIFFIN. How many people were in that service elevator?

Mr. DEAN. There was one. When I said two persons I was thinking of the elevator operator, which is also a colored boy, and the parking attendant.

Mr. GRIFFIN. Do you want to just put an X on the service elevator, to indicate there was somebody in there?

Mr. DEAN. All right, sir [indicating].

Mr. GRIFFIN. Now, you want to place a mark at approximately the place that you stationed the men who were guarding the entrance to the subbasement, this reserve officer?

Mr. DEAN. Oh, the subbasement. Let me see—[indicating].

Mr. GRIFFIN. Let me explain this diagram to you. This is the basement, this dotted line here is the upstairs [indicating].

Mr. DEAN. Oh, I see.

Mr. GRIFFIN. This actually goes under the sidewalk here [indicating].

Mr. DEAN. This is where the reserve officer was [indicating].

Mr. GRIFFIN. Now, where did you station Brock?

Mr. DEAN. Put him in a position that he could see this door here and also these three elevators [indicating].

Mr. GRIFFIN. Now, who else did you station in the basement?

Mr. DEAN. No one—well, Nelson was—let's see, Nelson was here [indicating].

Mr. GRIFFIN. And where did you place Vaughn and where did you place Patterson?

Mr. DEAN. Is this the exit proper, door, here to the—[indicating]?

Mr. GRIFFIN. Yes. This would be the top of the ramp here [indicating].

Mr. DEAN. All right.

Mr. GRIFFIN. All right. Now, you want to sign this down here and mark on there the time, sign it there and then in the middle of the diagram, so it doesn't confuse things here, put the—well, sign it over under here. If we put time in here, somebody may think that was the time that you made the mark on here. Then if you would label this status of basement, whenever it was that—[indicating].

Mr. DEAN. During the search?

Mr. GRIFFIN. Yes.

Mr. DEAN. [Indicating].

Mr. GRIFFIN. Okay. Very good. Now, you have marked on here approximately 9:15 to 9:30 a.m. I am not going to ask you what you found there and so forth, because you have made a full statement on it. We know, for example, you found a rifle in the back of one of the police cars?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Now, after the search was completed, where did you go?

Mr. DEAN. The pressmen were allowed to come back in.

Mr. GRIFFIN. Let me ask you this, where had they been removed to?

Mr. DEAN. Into the police court building, or the basement.

Mr. GRIFFIN. By the records room?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. I see. And they were allowed back in the basement?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. What is your best estimate of the number of policemen that came back into the basement?

Mr. DEAN. Well, of course, it increased as the time went on, so it would be hard to—

Mr. GRIFFIN. How many newspapermen did you have to clear out of the basement at 9:15, approximately?

Mr. DEAN. Oh, approximately 15 or 20, maybe 25.

Mr. GRIFFIN. Now, when you went down into the basement, before the search, were there any TV cameras down there?

Mr. DEAN. Yes, sir; I believe there was.

Mr. GRIFFIN. Do you want to indicate on the map here where it is that you think the TV cameras, or camera was placed?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. Do you recall if there was a TV camera at this location [indicating]?

Mr. DEAN. I believe there was.

Mr. GRIFFIN. Now, I am referring, so that the record will reflect this, to a TV camera that's in the entranceway from the ramp, towards the jail office, and it's on the Commerce Street wall, along the Commerce Street wall. Did you move that TV camera at that time?

Mr. DEAN. No, sir. Moved the operators away from it.

Mr. GRIFFIN. Now, what did you do after that, after you completed the search and let the people back into the basement?

Mr. DEAN. Let me think. I believe I stayed in the basement area.

Mr. GRIFFIN. At the time that you completed the search, had you heard anything about the time that Oswald would be moved?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Had you heard anything about the route that he would be moved by?

Mr. DEAN. At the time—

Mr. GRIFFIN. That you completed the search?

Mr. DEAN. Yes. About, somewhere around 9:45, Captain Talbert sent me a group of regular officers that had been called in off of patrol district. [Indicating.]

Mr. GRIFFIN. Now, can I help you?

Mr. DEAN. My report [indicating]?

Mr. GRIFFIN. Yes [indicating].

Mr. DEAN. I didn't have in my original report, I do have in my original notes in my locker, as to some traffic assignments that I made. This was about 9:45. These men were sent to me by Captain Talbert. I briefed them about here in the basement, away from everyone, to let no one know the route. This is when Captain Talbert advised me that the route would be to leave the Commerce Street side, go to the expressway, north to Main [indicating].

Mr. GRIFFIN. Is that Pearl Expressway or Central Expressway?

Mr. DEAN. Central Expressway. And then west on Main to the county courthouse, or the sheriff's office.

Mr. GRIFFIN. Let me try to refresh your recollection a little bit here. Up to this point had you heard anything about a proposed route that would have gone from Central Expressway and turned at Elm Street, rather than Main Street?

Mr. DEAN. I was thinking it was—I knew that they changed it, after I made my assignment I had to change them again, because they said they wasn't going to use it. It was either Main Street that they weren't going to use, they were going to Commerce—however, I think you are right. I think originally my assignments were made at the intersections—not Commerce, but Elm, and then they changed the—they being Captain Talbert, and told me that they would not use Elm, that they would use Main Street.

Mr. GRIFFIN. Would you draw a big circle in this area where you instructed these men, to show roughly what area the men covered, and would you put an appropriate note on there as to what happened and what time?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. About how many men did you give instructions to?

Mr. DEAN. 13, 15.

Mr. GRIFFIN. Why don't you just put that number there?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. Now, did those men then take police vehicles and go to their appointed spots?

Mr. DEAN. Yes, sir. Immediately to their squad cars that had been parked outside and then—they reported into the basement to me for these assignments, they went immediately to these assignments, and these assignments were made at various intersections along the proposed route that Oswald would be transferred.

Mr. GRIFFIN. Now, was Brock in the basement at the time that you gave that assignment?

Mr. DEAN. Yes, sir. However, he was still at the elevators then.

Mr. GRIFFIN. How about Patterson and Vaughn?

Mr. DEAN. They were at their stations.

Mr. GRIFFIN. After you made those assignments, what did you do?

Mr. DEAN. I moved back to the area, when you come out of the jail office, to the ramp, and this is when Lieutenant Pierce came up to me and appeared to be in a hurry—well now, the armored car had already backed into the ramp.

Mr. GRIFFIN. All right. How much before—

Mr. DEAN. This armored car had backed into the ramp as I was standing here [indicating].

Mr. GRIFFIN. Let's place these times a little bit. How long was it between the time that you instructed these 13 to 15 men to go on their posts and the time that the armored car arrived?

Mr. DEAN. Oh, 10 minutes.

Mr. GRIFFIN. Why don't put down here where you made that note, about 10 minutes before armored car arrived?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. Okay. Now, how much time elapsed between the time you made assignment to these men and the time that you searched the basement?

Mr. DEAN. Fifteen or twenty minutes.

Mr. GRIFFIN. Right. Why don't you put down here then 15 or 20 minutes before assignment to Elm Street?

Mr. DEAN. Elm Street?

Mr. GRIFFIN. Yes.

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. All right. Now, I understand about the time that the armored car arrived, or was it shortly after the armored car arrived, you had a conversation with Lieutenant Pierce?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. How much after the armored car arrived would you say that conversation occurred?

Mr. DEAN. Five minutes after the armored car arrived.

Mr. GRIFFIN. We don't need to mark that. And this conversation with Lieutenant Pierce occurred in the entranceway, off the Main Street ramp toward the jail office?

Mr. DEAN. Right.

Mr. GRIFFIN. Was anybody else there when you talked with Pierce?

Mr. DEAN. There were several people around, but they didn't hear his instructions to me, I am sure.

Mr. GRIFFIN. All right. What did Pierce tell you?

Mr. DEAN. He said for me to go to the armored car, to the rear of the armored car, and to get him two men to go with him, and he said, "Now." Sergeant Putnam was maybe 15 or 20 feet from me, and I instructed him to get an unassigned man immediately and to go with Lieutenant Pierce, and Lieutenant Pierce, by this time, of course, he was going to get his car, or walking over to his car. Sergeant Putnam got—told Sergeant Maxey to go with him, and those three got into Lieutenant Pierce's car with Lieutenant Pierce driving, and I went to the rear of the armored car that had backed in, which was some, I guess 30 feet, 30 to 35 feet from where the shooting was. This armored car backed down, and I imagine it would probably be around 30 to 35 feet. As soon as I got to the armored car I turned around and looked back, and this is when I saw Lieutenant Pierce in this plain black car trying to get past the newsmen and to go out the wrong way.

Mr. GRIFFIN. Up the Main Street ramp?

Mr. DEAN. Right.

Mr. GRIFFIN. Now, is my understanding correct that from the time that you placed your guards in the basement and then began the search, until Pierce's car drove up the ramp, you did not leave the basement area?

Mr. DEAN. That's right.

Mr. GRIFFIN. Now, as you saw Pierce's car go out of the—move out of the garage area, who was in that car?

Mr. DEAN. Sergeant Maxey and Sergeant Putnam, Lieutenant Pierce was driving it. I do recall that Sergeant Putnam had to get out of the car and tell some people to move out of the way so they could drive out.

Mr. GRIFFIN. Now, where did he get out of the car?

Mr. DEAN. Just as they were turning from the basement to go up the ramp, about this location [indicating].

Mr. GRIFFIN. Did you see him get back in the car?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Where did you see him get back in the car?

Mr. DEAN. Same place.

Mr. GRIFFIN. So when he drove through this next line of newsmen, when the car went through this next line of newsmen, is it your recollection that Sergeant Putnam was back in the car, or did he follow the car up ahead and clear these others?

Mr. DEAN. I believe he walked on up for a few steps, not too far, and then when he did see that the way was clear he got into the car then, but he did get out of the car to clear the way for the car to move out of the basement.

Mr. GRIFFIN. I see. Now, did you watch him go out of the ramp up there?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And did you see what he did when he got to the top of the ramp?

Mr. DEAN. I couldn't see to the top of the ramp. It's obscured, from where I was. I was halfway up this ramp and I couldn't see to the top of the ramp.

Mr. GRIFFIN. Did you watch him, though, go up until you lost sight of him?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Now, during the period that you were looking toward Putnam's car, were you able to see the people behind the car in this particular—across the Main Street ramp?

Mr. DEAN. Just as a group. I mean as a group of people.

Mr. GRIFFIN. Did you see anybody in that group that you recognized?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Did you see any police officers that you recognized there, other than Putnam?

Mr. DEAN. None that I paid any attention to. I mean if I had noticed them I could have probably seen someone that I recognized.

Mr. GRIFFIN. Yes. Now, of course, you have known Jack Ruby for 4 or 5 years?

Mr. DEAN. I have known Jack Ruby since, I believe 19—the early part of 1960 or the early part of 1961. It was the time that I came downtown from Oak Cliff, as a sergeant. I met him. Now, the record, or your report from the FBI says that I had known him since 1959, which is erroneous.

Mr. GRIFFIN. Okay. We will do that at the end of the deposition, because I want to get that straightened out.

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. But you knew Ruby well enough so that you would recognize him on sight?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And did you see Ruby in that area there?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, after you lost sight of Pierce's car going up the ramp, what did you do?

Mr. DEAN. Well, my attention was focused to this point, because this was a tense time, and I was, of course, watching the exit here from the jail office [indicating].

Mr. GRIFFIN. Now, did you watch how the security developed along in here; what the officers did to maintain security along here [indicating]?

Mr. DEAN. I knew that they had just lined up. However, I didn't pay any attention particularly to this at the time. I knew that Oswald was, in all probability, going to be brought out pretty soon.

Mr. GRIFFIN. As you looked toward the Main Street ramp and saw the news-men re-form along there, can you recall how deep this line of newsmen was? Do you understand what I mean by how deep?

Mr. DEAN. You mean lengthwise?

Mr. GRIFFIN. Yes.

Mr. DEAN. It was probably going to about somewhere along here. They were all trying to be within view of the—[indicating].

Mr. GRIFFIN. Was there just a single line along there or were there four or five or six different lines; you know, four or five behind each other, or how many?

Mr. DEAN. I know there was a double line and possibly some were standing behind them.

Mr. GRIFFIN. Now, had you given any instructions prior to the time that Rio Pierce's car went up the ramp, to any men as to how to maintain security along this line of newsmen?

Mr. DEAN. No, sir; I hadn't. The majority of those, I think, were detectives or plainclothesmen.

Mr. GRIFFIN. Do you know if anybody had responsibility for giving instructions to that group?

Mr. DEAN. To my knowledge, I don't know of anyone. I am sure that they did, but I don't know who did.

Mr. GRIFFIN. Did you receive instructions from anybody concerning how to maintain security along the path from the jail office door to the car that Oswald would be loaded into?

Mr. DEAN. No, sir; at one time I know that there were several cameras set up in this area, and Chief Batchelor told them that they would have to leave this area and move to the basement area. I was present during Chief Batchelor's—or when he told these TV men to move out of that area, inside the jail office, that—

Mr. GRIFFIN. TV cameras inside the jail office?

Mr. DEAN. Yes, sir; and lights set up. This was, I believe, before the search or shortly after the search. I am thinking it was shortly after the search, that these men were told to move out of this area and move their cameras and equipment out into the garage portion of the basement.

Mr. GRIFFIN. Now, sergeant, did there come a time when you learned that the route was being changed?

Mr. DEAN. The route to the sheriff's office?

Mr. GRIFFIN. Yes.

Mr. DEAN. This was—I believe I received both of those instructions when I assigned those men. I had already assigned—well, I do know that I had already assigned all these men along this traffic route, and then it had been changed. Captain Talbert said, "No; they are not going to use Main Street—or Elm Street. They are going to use Main," I believe.

Mr. GRIFFIN. Did you learn this after you had already sent the men out?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Well, is there anything that makes you sure about that?

Mr. DEAN. Because I reassigned them, at the same time I briefed them, and made these other assignments. I learned that the route had been changed, and I reassigned them, at the same time.

Mr. GRIFFIN. Now, did you assign a man to the corner of Main and Pearl Expressway?

Mr. DEAN. Yes; I know that I did, but I can't recall who it was. I have that information in my locker, my original assignments.

Mr. GRIFFIN. I take it you have a lot of notes in your locker, or you have some notes?

Mr. DEAN. Yes, sir; at a later time I will bring those to you, if you like.

Mr. GRIFFIN. I would very much appreciate it. Do you want to make a note

of that? If you send them over to us tomorrow, I would appreciate that very much.

Mr. DEAN. Tomorrow?

Mr. GRIFFIN. Yes; and we don't need the originals if you want to—

Mr. DEAN. No; you can have them.

Mr. GRIFFIN. All right. Now, what did you do after you saw Pierce's car go up the ramp?

Mr. DEAN. I stood at the rear of the armored car and watched—my attention was focused to this point here, to the exit from the jail office, or the corridor here. I noticed that these two plain cars had pulled up behind, or in my same direction, and I assumed that these two cars would be loaded with officers that would follow the armored car. However, they hadn't loaded. They were pulling into position here and had gotten into position when all the confusion started [indicating].

Mr. GRIFFIN. Let me interrupt your train of thought here. In looking at this map, it occurs to me that we don't have Nelson marked on this map [indicating].

Mr. DEAN. Nelson is here [indicating].

Mr. GRIFFIN. Oh, okay; now, do you know if Brock was pulled off this station at anytime prior to the shooting of Oswald?

Mr. DEAN. No, sir; he was told to stay there.

Mr. GRIFFIN. But you don't know of your own knowledge—

Mr. DEAN. No, sir.

Mr. GRIFFIN. Whether he was there at that time?

Mr. DEAN. No, sir.

Mr. GRIFFIN. All right. Now, as the two police cars moved into position on the Commerce Street ramp behind the armored car, what happened, what did you see happen and what did you do?

Mr. DEAN. I heard someone say, "Here he comes, they are bringing him out." Of course, you could hear voices, loud voices, or excitement, and then I saw a man just dart in—this was during all the confusion, before the shooting, but I do recall seeing a man dart out. I couldn't tell who he was. It was that fast [witness snaps fingers].

Mr. GRIFFIN. Where did he seem to dart from?

Mr. DEAN. From the rail over here. The side—just dart out from a group of people that were standing against the rail facing the exit [indicating].

Mr. GRIFFIN. All right. Can you mark there with an "X" and a circle around it, approximately where he was and how close he was to this railing? Do you think he was right on the railing or [indicating]—

Mr. DEAN. Well, the railing—you have a curb there and then I don't recall how wide that curb is, but the railing, you can lean against standing on the ramp itself [indicating].

Mr. GRIFFIN. Yes; how far would you say he was from that railing?

Mr. DEAN. I would say he was up against the railing.

Mr. GRIFFIN. Now, is that the man that shot Oswald?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Why don't you put a circle and an "X" down there and write Ruby?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. Now, where was "Blackie" Harrison standing?

Mr. DEAN. I didn't recognize—or didn't notice "Blackie" Harrison. I do recall now and I know where he was standing, next to him, from films I have seen since then. However, I didn't even know he was there.

Mr. GRIFFIN. Now, as I understand from your statement, and interrupt me if I am incorrect, when you saw Ruby shoot Oswald, you moved toward the struggle and then Ruby was taken into the jail office, and did you follow them on in?

Mr. DEAN. Yes, sir. I ran immediately, jumped over these cars, or one of them, jumped over the hood of it, over the top of it, and they were dragging—Ruby and several detectives that were subduing him were about at the door, or [indicating]—

Mr. GRIFFIN. I had just as soon not have you mark at this point.

Mr. DEAN. Okay.

Mr. GRIFFIN. I understand why you want to, but—

Mr. DEAN. All right.

Mr. GRIFFIN. Did you hear, between the time that you saw Ruby move toward Oswald and the time that you reached him, did you hear anything said?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, what did you do when you reached Ruby?

Mr. DEAN. Well, I ran to assist, whatever I could do, or assist the officers, not knowing exactly what had happened—or I knew that there had been a shooting. However, they had enough men that were subduing him, and I asked the question, when they had him on the floor inside the jail office, "Who in the world is it?" And—

Mr. GRIFFIN. Couldn't you tell by looking at him?

Mr. DEAN. No; at the time I couldn't see him because there were so many over him. And they were—well, his face was hidden from me by the amount of officers that were around him. I said, "Who in the world is it?" And evidently I was talking loud over all the other voices, and evidently Ruby heard me and said, "I am Jack Ruby. You all know me."

Mr. GRIFFIN. And how long did you remain with Jack Ruby there in the jail office?

Mr. DEAN. I immediately walked around to where Oswald was laying.

Mr. GRIFFIN. And how long did you remain there where Oswald was?

Mr. DEAN. Oh, maybe—less than a minute. I saw that the doctor—there was an emergency doctor working on him.

Mr. GRIFFIN. Where did you go from there?

Mr. DEAN. I went back out to the basement, out to where the shooting happened.

Mr. GRIFFIN. What did you do out there?

Mr. DEAN. I was trying to keep all the people in. I heard Captain Talbert say, "Don't let anyone out." And I was echoing his instructions to the men on the ramp, to not let anyone in or out, no one.

Mr. GRIFFIN. Now, did there come a time while you were down there in the basement that you were interviewed by TV men?

Mr. DEAN. Yes, sir; that was after I had—just some few minutes, I don't know, that several newsmen had—or did interview me, yes.

Mr. GRIFFIN. Do you remember which TV station that was?

Mr. DEAN. Tom Pettit is with NBC, I believe. I did know one of the local men, Bob Huffaker. He is with KRLD-TV. But there were several. I don't know—

Mr. GRIFFIN. All right. Now, there was also a time, undoubtedly, that you were interviewed, or somebody quoted you in the newspapers, and there was a great to-do about this, as I understand, in the police department. Somebody claimed—

Mr. DEAN. Misquoted me, yes, sir.

Mr. GRIFFIN. Now, was that at this particular TV interview; was that when you made the statement?

Mr. DEAN. The newspaper article that appeared, the news or the writer of that story told me that he wrote that story from my initial interview that was given shortly after the shooting, yes.

Mr. GRIFFIN. Now, do you recall talking with that man down there?

Mr. DEAN. The man that wrote the—

Mr. GRIFFIN. Yes.

Mr. DEAN. No, sir. I wouldn't know him by sight now.

Mr. GRIFFIN. Do you recall ever seeing that man?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, after you had this TV interview, what did you do?

Mr. DEAN. I went to the third floor.

Mr. GRIFFIN. And where did you go on the third floor?

Mr. DEAN. Just as I got off of the elevator Chief Curry approached me, along with another man. He introduced him very quickly as Forrest V. Sorrels, with the Secret Service, or head of the Secret Service here in Dallas, gave me his keys to the outer door that has—or access to the jail elevator, told me to take Mr. Sorrels to the fifth floor to talk to Ruby.

Mr. GRIFFIN. Now, between the time that you left the jail office——

Mr. DEAN. All right.

Mr. GRIFFIN. And you went into the basement area and had the TV interview and then went up to the third floor, did you talk with any of the police officers who had been down there in the basement area?

Mr. DEAN. No, sir.

Mr. GRIFFIN. While you were in the jail office, before you came out, did you talk to any of the officers who were there, who were in the jail office; did you talk with them?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, why were you going up to the third floor?

Mr. DEAN. I was going to Captain Fritz' office.

Mr. GRIFFIN. And what were you going to do up there?

Mr. DEAN. I was just going to see if Jack Ruby was in Captain Fritz' office, or whether he was taken immediately to the jail. I didn't know where he was taken to.

Mr. GRIFFIN. Why did you want to go up to see Jack Ruby?

Mr. DEAN. To see if they were——this was in my mind, to see if they were going to go ahead and identify him, because I knew other pressmen and other people were going to be asking me, since I had this interview, and see if——did he want me to go ahead and identify him or do what I did in the initial interview, say that this information will have to come from Captain Fritz' office. It really wasn't significant. I knew that I would be talked to at later times all during the day and pressed for the identity of this man, and I wanted to ask them there did they want us to release it or want them to keep it and release it themselves.

Mr. GRIFFIN. You had already told the newsmen?

Mr. DEAN. Yes, sir. I had already told the newsmen this. I didn't identify the man.

Mr. GRIFFIN. You had already told the newsmen that the man who shot Oswald was Ruby?

Mr. DEAN. No, sir. I didn't. I didn't identify the man. They asked me did I recognize this man. I said "Yes." And they asked me could I tell them who he was, and I said I had rather not, and I did not identify him as Ruby. I identified him as a businessman in the city of Dallas, but I did tell them that I recognized the man by sight.

Mr. GRIFFIN. Now, when you got up on the third floor, where did you see Chief Curry?

Mr. DEAN. Just as I got off of the elevator.

Mr. GRIFFIN. And did you ask him to discuss this problem with you?

Mr. DEAN. No, sir. He immediately introduced——said, "This is Mr. Forrest V. Sorrels, head of the Secret Service in Dallas, and take my keys and take him to the fifth floor to interview Ruby."

Mr. GRIFFIN. You got up to the fifth floor, who was with Ruby?

Mr. DEAN. Detective Archer, D. R. Archer, Detective T. D. McMillon and Detective B. S. Clardy is the three, and that's the only three I can recall standing there. I think that was all that was with him.

Mr. GRIFFIN. Was there a jailer there?

Mr. DEAN. Not standing there necessarily by him. There, of course, are jailers all over the floor, and you know, there were——not particularly around him though. The only ones I can recall standing close to Ruby was those three detectives.

Mr. GRIFFIN. What state of dress or undress was Ruby in at that time?

Mr. DEAN. He was stripped to his shorts.

Mr. GRIFFIN. Now, what did you do when you got up there?

Mr. DEAN. I walked immediately to him. I heard——well, immediately I told him, I said, "This is Mr. Forrest V. Sorrels"——started the introduction, and Ruby stopped me and he said, "I know who he is. He is with the FBI." Mr. Sorrels then informed him. He said, "No. I am not with the FBI. I am with the Secret Service." And then he again told him, "I want you to know that I am not with the FBI. I am with the Secret Service." And so Ruby said

something to the effect, "Well, I knew that you were working for the Government."

Mr. GRIFFIN. Do you remember Ruby making any remark to Sorrels to the effect, "Are you with the newspapermen"?

Mr. DEAN. Yes, sir. I recall most all of that conversation.

Mr. GRIFFIN. Tell us what that conversation was.

Mr. DEAN. After Sorrels had identified himself as a Secret Service man, he said, "I want to ask you some questions." And then Ruby asked him, "Is this for the magazines or press?" And he said, "No. It's for my information, as an agent." And he said, "Okay. I will answer all your questions."

Mr. GRIFFIN. Do you remember any discussion with him, anything Sorrels said about his acquaintanceship in the Jewish community?

Mr. DEAN. Sorrels asked him first, I believe—

Mr. GRIFFIN. No. I am not making myself clear. I am sorry. Did Sorrels say anything to Ruby about Sorrels' acquaintanceship among the Jewish merchants, that you recall?

Mr. DEAN. No. I don't—seems like he said something, that he had—that he knew some Jewish—I don't recall exactly what, but relative to what you are asking, he did say something about he was acquainted with some person that was a Jew, something to that effect.

Mr. GRIFFIN. Are you acquainted with the name of a guy named Honest Joe?

Mr. DEAN. Right. Yes, sir.

Mr. GRIFFIN. Tell us what you remember about that.

Mr. DEAN. Well, he said, "Well, I know Honest Joe or"—In other words, the only thing that I got out of that was that he knew Honest Joe. This wasn't relative to what I wanted to find out from Ruby, and I just disregarded this from my mind.

Mr. GRIFFIN. Now, did this take place inside the jail cell?

Mr. DEAN. No, sir. He was in the hallway or the corridor outside a jail cell. He hadn't been placed in a cell.

Mr. GRIFFIN. And were Archer, Clardy, and McMillon around during this conversation?

Mr. DEAN. Yes, sir. I think they stood there.

Mr. GRIFFIN. And how long would you say that Sorrels talked with Ruby?

Mr. DEAN. Oh, 10 minutes.

Mr. GRIFFIN. Now, do you remember anything that Sorrels learned from Ruby?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Can you tell us what that was?

Mr. DEAN. Yes. He asked him what possessed him to do it. Of course, I have testified to all this in court. And he said that he was—had been dependent over the assassination of the President, also Officer Tippit, and that he was a very emotional man, and that out of grief for both these people, was one of the motivations, and that he couldn't see any reason for a long and lengthy trial, even though he believed in due process of law.

Mr. GRIFFIN. Did he talk with Sorrels at all at that time about how he got into the basement?

Mr. DEAN. No, sir. I asked him—Sorrels didn't ask any questions relative to that. I did.

Mr. GRIFFIN. How long after Sorrels finished talking with Ruby did you ask that question?

Mr. DEAN. Immediately. After Mr. Sorrels said, "Okay. Thank you." And I don't recall whether Mr. Sorrels stayed there or whether he walked off.

Mr. GRIFFIN. Who else was present when you asked Ruby that question?

Mr. DEAN. I think McMillon and them were still there. I just really didn't—I knew that I wasn't by myself with him. I knew that there was someone there and I believe it was McMillon and Archer that had stayed there. I am not sure.

Mr. GRIFFIN. What else did you talk with Ruby about, after Sorrels finished talking to him?

Mr. DEAN. After Sorrels finished, I said, "Ruby, I want to ask you a couple of questions myself." And he said, "All right." I said, "How did you get in the

basement?" And he said, "I walked in the Main Street ramp." And he told me, he said, "I have just been to the Western Union to mail a money order to Fort Worth." And he said, "I walked from the Western Union to the ramp." And he said, "I saw Sam Pierce—" and he referred to him as Sam Pierce—"drive out of the basement. At that time, at the time the car drove out is when I walked in."

Mr. GRIFFIN. Is there a Sam Pierce on the force?

Mr. DEAN. Yes, sir. He is a lieutenant. He is here tonight.

Mr. GRIFFIN. His name is also Rio Pierce?

Mr. DEAN. Lt. Rio S. Pierce, yes, sir.

Mr. GRIFFIN. Does he go by the name Sam?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Does he also go by the name Rio?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Is one used——

Mr. DEAN. Just as much as the other. Depends on who met him under which name.

Mr. GRIFFIN. All right. Now, what else did he talk to you about at that particular time?

Mr. DEAN. After he answered that question, I said, "How long had you been in the basement when Oswald came into your view?" And he said, "I just walked in. I just walked to the bottom of the ramp when he came out."

Mr. GRIFFIN. What else did you talk to him about at that time?

Mr. DEAN. That's all. I heard all of Sorrels' questions and I heard all of Ruby's answers.

Mr. GRIFFIN. Now, as far as the questioning of Sorrels is concerned, did you testify to that at the Ruby trial?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Now, after you finished this conversation with Ruby about how he got down into the basement, what did you do?

Mr. DEAN. Caught the elevator back down to the basement and got my gun that had been taken there by a patrolman. If I am not mistaken, I rode down on the same elevator with Mr. Sorrels, and then I went back up to the third floor to Chief Curry's office and took him his keys that he had given me.

Mr. GRIFFIN. What were the keys to?

Mr. DEAN. They were—well, it was a keyring with a lot of keys on it, but he had given me these to gain entrance to the door that's always locked on the third floor of the jail elevator.

Mr. GRIFFIN. And then how long did you stay down there with Chief Curry?

Mr. DEAN. Just long enough to give him his keys.

Mr. GRIFFIN. Where did you go after that?

Mr. DEAN. [No response.]

Mr. GRIFFIN. Did you go back to homicide?

Mr. DEAN. No; I didn't go back to homicide. I don't remember whether I went back to the basement—I believe that I did, went back to the basement to see how things were down there. And, of course, a great number of people had left the basement, and I assume were en route or were going to the Parkland Hospital to check on—since the focal point had gone to Parkland Hospital, I assumed that's where all these people had gone.

Mr. GRIFFIN. Did you tell Chief Curry what Ruby had told you?

Mr. DEAN. At that time; no.

Mr. GRIFFIN. What did you do, now, after you went down to the first floor, the basement, you say; what did you do then?

Mr. DEAN. Well, I don't remember exactly what I did. I did go to Parkland Hospital and I got there before Oswald was pronounced dead, which I think was at 1:07, wasn't it? Somewhere around 1 o'clock?

Mr. GRIFFIN. Yes.

Mr. DEAN. Yes; anyhow, I stayed at Parkland Hospital and——

Mr. GRIFFIN. Who did you see out at Parkland Hospital?

Mr. DEAN. Well, I talked to Lee Harvey Oswald's mother, and in fact, I had taken her along with some—I assumed some Secret Service men, I assumed they were Secret Service men that were with her when I started talking to her. I

went in with her into view the body, her and Marina Oswald, to view the body of Lee.

Mr. GRIFFIN. Did somebody assign you to go out to Parkland Hospital?

Mr. DEAN. No, sir.

Mr. GRIFFIN. How did you happen to go out there?

Mr. DEAN. To check on the condition of Oswald. I knew that—well, it was just reaction for me to go out there, because I knew that I would probably be needed out there.

Mr. GRIFFIN. Did you check in with Captain Talbert before you went out?

Mr. DEAN. No, sir; I did check out with the dispatcher on the radio, that I was en route to Parkland Hospital.

Mr. GRIFFIN. How about Lieutenant Pierce, did you check out with him?

Mr. DEAN. I think when I got to Parkland Hospital I called him and advised him that I would be at Parkland until I notified him.

Mr. GRIFFIN. When you got out to Parkland Hospital and before you saw Mrs. Oswald, Marguerite Oswald, did you talk with any police officers?

Mr. DEAN. At Parkland?

Mr. GRIFFIN. Yes.

Mr. DEAN. Well, I am sure that I talked to some. Nothing specific or no orders given, no assignments or anything. I was, more than anything, I was answering questions as to what happened in the basement, from everyone, even policemen and everyone else.

Mr. GRIFFIN. And did you tell them about the conversation you had with Ruby?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Why not?

Mr. DEAN. I just didn't tell anyone about it.

Mr. GRIFFIN. Now, where did you find Marguerite Oswald?

Mr. DEAN. She was waiting in a room just out of the emergency room there.

Mr. GRIFFIN. Do you remember what Secret Service agents were with her at that time?

Mr. DEAN. No, sir; I don't.

Mr. GRIFFIN. Did you wait with Marguerite in that room with the Secret Service agents?

Mr. DEAN. No. That's—shortly after I went in to where Marguerite and Marina were, Marguerite wanted to see the body, and they tried to explain to her that they really hadn't gotten him in shape to view yet. He just came out of the operating room, and she said, well, she wanted to see him then, and she more or less was directing her statements and demands to me, since I was the only uniformed officer there, and said that she would like to go in and see him.

Mr. GRIFFIN. Why did you happen to go to Marguerite?

Mr. DEAN. Well, I was just standing outside the door there where they said he was, and someone had pointed her out, and said that's the mother and the wife. No particular reason. But I did, after she asked to go in and see him, they said—the doctor said it would be all right for them, and I did go in with them, when they went in to view the body. During the time that we were in this room where Oswald's body was Mrs. Oswald, the mother, turned to me and said that at this time she wanted to make a statement to me in regard to the allegations against her son, that she could—something to the effect that she could prove that they were wrong, and about this time she was interrupted by one of the nurses telling me that I was wanted on the phone. So I left and didn't see—

Mr. GRIFFIN. Who had called you at that time?

Mr. DEAN. Lieutenant Pierce.

Mr. GRIFFIN. Where was he?

Mr. DEAN. He was at central headquarters.

Mr. GRIFFIN. What did he have to say?

Mr. DEAN. He asked me how long I thought I was going to be there and I said, well, I was leaving now. And then I left and came back to the city hall.

Mr. GRIFFIN. Now, when you talked to Pierce on the telephone, did you tell him about your conversation with Ruby?

Mr. DEAN. No, sir.

Mr. GRIFFIN. When you drove out to Parkland Hospital, did you drive out alone?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. When you drove back, did you drive back with anybody?

Mr. DEAN. No, sir; by myself.

Mr. GRIFFIN. Now, what did you do when you got back to central police headquarters?

Mr. DEAN. I went to our office on the second floor, the patrol captain's office.

Mr. GRIFFIN. And who was there?

Mr. DEAN. Well, I don't recall exactly. I know this was again getting close to the change time. It was somewhere around 2 o'clock, and the secretary told me that I had several phone calls waiting on me, and one of—well, there were some long distance calls that had seen me on television, and I didn't answer all of them.

Mr. GRIFFIN. Any phone calls from anybody you knew?

Mr. DEAN. No; my wife had called. I mean there had just been a lot of people calling.

Mr. GRIFFIN. Now, did you make any phone calls when you got that message that you had calls?

Mr. DEAN. No, sir; at the time, about—the only phone call that I had taken was the dispatcher called and—just about the time I walked in, and said that I had a long distance call from—oh, Chicago or somewhere, and they transferred it down there, and, of course, they were asking who this man was, how did he get in, questions that newsmen—it was from some radio station. I didn't—

Mr. GRIFFIN. In Chicago. And did you tell them?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Then what did you do after that long distance telephone call from Chicago?

Mr. DEAN. Well, there was newsmen from KLIF came into the office, asked would I give him a short interview, which I did.

Mr. GRIFFIN. Who were those people?

Mr. DEAN. This man, it was Glen Duncan. I didn't know him before, I hadn't seen him before.

Mr. GRIFFIN. Anybody else that you remember with him?

Mr. DEAN. No, sir; he was by himself.

Mr. GRIFFIN. And was that a tape-recorded interview?

Mr. DEAN. Yes, sir; station KLIF.

Mr. GRIFFIN. And how long did that interview last?

Mr. DEAN. Gosh, I don't know. Maybe 4 or 5 minutes.

Mr. GRIFFIN. Did you ever get a copy of that interview from them?

Mr. DEAN. He sent me one, and it's at home somewhere. It didn't play on my recorder and I didn't even try to play it since then.

Mr. GRIFFIN. Would you supply that to the Commission?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. If you would make a note of that, I would appreciate it.

Mr. DEAN. Any particular speed that you want this?

Mr. GRIFFIN. No; and incidentally, if you would like it transcribed at a speed that will play on your recorder, I am sure we would be happy to do that for you, and just exchange tapes, since we are taking a tape from you, we will give it back to you at a speed you can play.

Mr. DEAN. Okay; all right.

Mr. GRIFFIN. Now, where did this KLIF interview take place?

Mr. DEAN. It was on the second floor there in the small room that was unoccupied at the time.

Mr. GRIFFIN. What did you do after that interview?

Mr. DEAN. I stayed around the office. I don't remember anything particularly that I did do. Again, answering questions of people coming on. I think that some men had been called in from off duty to report for duty. Gosh, I don't even remember what time I got off from work that day.

Mr. GRIFFIN. Did you stay around the office all the rest of the time that you were there, that you were on duty?

Mr. DEAN. Well, I would imagine that I went back to the basement. Let me think. The rest of the time I didn't do anything in particular. I mean any specific assignment that I can recall.

Mr. GRIFFIN. But you seem to have some idea that you went back to the basement?

Mr. DEAN. Well, the reason I think that I did, I had been away from there about an hour and a half, and I just wanted to go back. I am sure that I went back down there just to check on the situation and the confusion that might have been in the basement, to see if possibly I would have to notify the on-coming platoon how many men they might need to stay around the city hall, quell this confusion.

Mr. GRIFFIN. Did you go back up to the third floor at all?

Mr. DEAN. No, sir.

Mr. GRIFFIN. The rest of that day?

Mr. DEAN. No, sir; I don't think so.

Mr. GRIFFIN. Did you talk to any officers from the homicide bureau at all, that day, the rest of that day?

Mr. DEAN. Not that I recall; no, sir.

Mr. GRIFFIN. Did you talk with any police officers that day, about how Ruby got into the basement?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Who did you talk to?

Mr. DEAN. Yes, sir; now, you are bringing something back. I know now what I did immediately—we will have to go back on the record. When I got back to the city hall, I contacted Lieutenant Pierce and advised him—that's when I talked to Pierce about my conversation with Ruby, and I told him that I had talked to Ruby and that he told me that—how he had gotten into the basement, which was breaking security, and that Officer R. E. Vaughn was the man involved.

Mr. GRIFFIN. Ruby told you—or you told him—

Mr. DEAN. I told Lieutenant Pierce that Ruby had told me he had come in through the Main Street ramp, at which Officer Vaughn was posted.

Mr. GRIFFIN. And then what did you and Pierce do?

Mr. DEAN. He notified the captain of this.

Mr. GRIFFIN. Talbert?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And did Talbert come in? Were you present when Pierce notified Talbert?

Mr. DEAN. I was present when—I do know that they called Vaughn in, but I think that he had already gone home that day, and that he was off the next day, and I think they called him to tell him to come, to report to the office this next morning, to investigate whether he did let Ruby in or how he got in, or why he said he came in through his post.

Mr. GRIFFIN. You didn't talk with Vaughn the rest of the day?

Mr. DEAN. No, sir.

Mr. GRIFFIN. And to your knowledge Pierce didn't talk with him the rest of that day?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Or Talbert?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, what else was done that day, as you recall, as a result of your telling Pierce about the conversation with Ruby?

Mr. DEAN. I am sure that—I don't know. I am thinking that Captain Talbert called Chief Fisher, notified him of it.

Mr. GRIFFIN. What's your best estimate of what time of the day that would have been, that you talked with Pierce?

Mr. DEAN. It was that afternoon, I believe, after I had gotten back from the hospital. I didn't remember it a while ago, but I think when I did get back from the hospital, that's when I told Lieutenant Pierce about it, somewhere around 2:30 or 3.

Mr. GRIFFIN. Is there any kind of record that you would have maintained, or the police department would have maintained, that would give us some better way of fixing that time?

Mr. DEAN. No, sir; not that I know of.

Mr. GRIFFIN. Dispatchers? Did you call the dispatcher to tell them you were coming back?

Mr. DEAN. No, sir; now, it was about 2 when I was talking—or had taken Mrs. Oswald in to view Lee, and I left then, somewhere around 2. So I got back to the station, maybe around 2:25 or 2:30, so when I told Lieutenant Pierce about it, it should have been somewhere around, maybe 3, or the first time I saw him.

Mr. GRIFFIN. Now, did you, after coming back and talking with Pierce, make any further efforts or make any effort to talk with people who you had assigned in the basement, or who you knew were working in the basement, concerning the security of the basement?

Mr. DEAN. Yes, sir; I did ask Nelson could he say for sure that this man didn't come through his post, and he said he could say for sure that he didn't come through the police and court building, Nelson's post.

Mr. GRIFFIN. Now, when did you talk with Nelson?

Mr. DEAN. This was, I am sure, when I got back—probably when I got back from the hospital. I don't recall. It might have been before I went. This was my main thought, as to how the man got into the basement.

Mr. GRIFFIN. Did you call Vaughn at that time?

Mr. DEAN. No, sir; I asked him, just as I asked the others, had this man come through, because I knew the focal point was going to be on Vaughn, and I knew the investigation was going to be on Vaughn.

Mr. GRIFFIN. Now, did you talk with Vaughn that afternoon?

Mr. DEAN. It seems that Lieutenant Pierce and I talked to him, and I think Captain Talbert was there. It was up on the second floor. It seems that we did talk to him that day, asked him did he have any knowledge of how he got into the basement. Captain Talbert was doing most of the questioning. I told Lieutenant Pierce and Captain Talbert what Ruby had told me, and from this he was questioning Vaughn.

Now, I think this was in the afternoon and Vaughn was scheduled to be off the next day, and Captain Talbert told him he better come on into work the next day, for the purpose, I assumed, of more investigation.

Mr. GRIFFIN. How about Nelson, when was Nelson talked to?

Mr. DEAN. Well now, I talked to Nelson myself. I don't know. I am sure that somebody else did too, but I don't know.

Mr. GRIFFIN. Was that before or after you talked with Vaughn?

Mr. DEAN. I don't remember.

Mr. GRIFFIN. And where did that conversation with Nelson take place?

Mr. DEAN. He was still on his post when I talked to him. Of course, this—whether it was before I went to the hospital or—I am sure that it probably was before I went to the hospital, that I asked Nelson could he say for certain that this man hadn't come by him, and he said yes. And then I asked Patterson, all of them; Patterson, Nelson, Vaughn, stated the man did not come by their post, but I—the focal would be on Vaughn, since I had been told that that's where Ruby came in, by Ruby himself.

Mr. GRIFFIN. Well now, Nelson gave a statement—

VOICE. Excuse me.

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Nelson was interviewed by the Bureau—Federal Bureau of Investigation on December 4, and the Bureau indicates that he told them, and this is the Bureau's language and not his, talking about his post, he said the other officer assigned there with him was a reserve officer whose name he does not know. He was there for just 3 or 4 minutes, when Sergeant Putnam told them to station themselves just behind the first jail office window, for people were coming in, in regard to jail office business, such as seeing prisoners. They were instructed not to let any unauthorized persons through the door or ramp leading into the basement.

Okay, when I read that I was mistaken as to where I thought he was standing, so that I was under the impression he was pulled off of his post, but that would be entirely consistent. Apparently all they did was to move him a few feet. Well, the jail office window, you have three here. One, two, and three windows—so [indicating]. Well now, did you talk with Bobby Patterson at all?

Mr. DEAN. Yes, sir; I asked him could he say for sure that this man didn't come in his post.

Mr. GRIFFIN. And when did you talk with him?

Mr. DEAN. Some time before I went to the hospital.

Mr. GRIFFIN. Did you talk with a reserve officer by the name of Newman?

Mr. DEAN. I don't recall the name.

Mr. GRIFFIN. Did you talk with this reserve officer who was stationed over in this area here, as you have indicated on the map [indicating]?

Mr. DEAN. I asked Sergeant Putnam—in fact, we had talked during the day about this man, whether to keep him or not, and I said definitely keep him there, tell him to remain there. Now, I don't recall talking to this man specifically about seeing if anyone had come through here. I was fairly certain that they hadn't. The main thing I was thinking about was that Ruby told me he came in here. I had no reason to doubt him, but I didn't know how he had gotten in, other than what he had said, just walking down, and I knew that this was putting R. E. Vaughn in dereliction of his duty.

Mr. GRIFFIN. Well, now; it's my understanding you talked with Patterson before you went to Parkland Hospital?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And you talked with Vaughn and Nelson after you went to Parkland?

Mr. DEAN. Well, I probably asked all of them the question, "Did you see this man come in here; do you know him?" And, of course, Vaughn said he knew him, Patterson said he knew him. I don't recall whether Nelson said he knew him or not, but that Patterson and Vaughn both stated, and along with Nelson, that he did not come through their post.

Mr. GRIFFIN. Now, did you talk with any of the other men who were stationed down there in the basement?

Mr. DEAN. No, sir; these were the men that I assigned and gave my instructions, and those were the ones that I could talk to.

Mr. GRIFFIN. Do you remember, on November 24, talking at all with "Blackie" Harrison?

Mr. DEAN. No, sir.

Mr. GRIFFIN. About this?

Mr. DEAN. No, sir.

Mr. GRIFFIN. How about L. D. Miller?

Mr. DEAN. No, sir.

Mr. GRIFFIN. How about McMillon?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Now, you saw McMillon and, as I understand—

Mr. DEAN. He was with Jack Ruby when we interviewed him up in the jail.

Mr. GRIFFIN. Yes.

Mr. DEAN. And he asked no questions. I am sure that he stood there and listened, as an interested party, or—

Mr. GRIFFIN. How about Bob Lowery?

Mr. DEAN. No, sir; I didn't talk to him.

Mr. GRIFFIN. Now, after you had passed this information on to Pierce, as I recall, you said that you thought you might have talked with Vaughn some time that afternoon?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Do you remember anything else you did that afternoon besides possibly talking with Vaughn?

Mr. DEAN. Not anything else particularly, other than asking Nelson and Patterson, along with Vaughn, separately, rather, or individually, that I did ask them did this man come by them, and they said no.

Mr. GRIFFIN. By the time you left work that day, had any instructions been given with respect to preparing reports as to what happened?

Mr. DEAN. No, sir; this was the next morning.

Mr. GRIFFIN. Now, did you file a report at the end of the day?

Mr. DEAN. At the end of the day?

Mr. GRIFFIN. Yes, sir.

Mr. DEAN. No, sir.

Mr. GRIFFIN. Did you make any notes that particular day, on the 24th?

Mr. DEAN. Yes, sir; my assignments.

Mr. GRIFFIN. And other than your assignments, did you make any other notes?

Mr. DEAN. No, sir.

Mr. GRIFFIN. And do you keep those in a regular assignment book?

Mr. DEAN. No, sir; just a small notebook that I had. I always—when I deal with a group of men, rather than try to remember where I put them, I always write it down.

Mr. GRIFFIN. When was the first time that you made any notes about the events, or wrote a report about the events of the 24th?

Mr. DEAN. November the—I think probably I wrote this report on the 25th, which was the next day, but it's headed November the 26th, but I imagine that's the time the typist got to it. She was doing a lot of typing from then on, but I think the next morning is when I wrote this report.

Mr. GRIFFIN. Now, do you have the original notes that you made, that you used to write that report up?

Mr. DEAN. This report; yes, sir. This is the one that I will supply to you.

Mr. GRIFFIN. Good. When was the next time that you saw Jack Ruby, after your interview or session with him up there?

Mr. DEAN. The next time I saw him?

Mr. GRIFFIN. Yes.

Mr. DEAN. In the courtroom during the trial.

Mr. GRIFFIN. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Now, I am going to hand you what I have marked for identification as Exhibit 5008, which is marked "Dallas, Texas, Sergeant Dean, March 25, 1964, Exhibit 5008." This is actually stapled to Exhibit 5007, but Exhibit 5008 is the report of the interview that you had with FBI Agents Paul L. Scott and Edmond C. Hardin, on December 2, 1963, in Dallas. Will you look at that, Sergeant Dean, and tell me if you had a chance to read that over? Let me ask you first of all, if you have had a chance to read it over?

Mr. DEAN. Yes, sir; last night. There are some corrections [indicating]—

Mr. GRIFFIN. Will you state to us what you think should be corrected in that statement?

Mr. DEAN. On page 1, the last paragraph, I don't know whether it's too important. It says, "Dean recalled that before starting the search of the basement he assigned Officer B. G. Patterson to stand at the Commerce Street ramp leading to the basement." Now, this is actually the exit from the basement, if that means anything. The way it reads here it sounds like that's the entrance.

Mr. GRIFFIN. Why don't you take my pen and change that. You might make it read, "which is the exit"—

Mr. DEAN. Exit from the basement.

Mr. GRIFFIN. Yes; and if you would, just out in the margin, put your initials and the date.

Mr. DEAN. Page 2, paragraph 4, same error, Commerce Street ramp leading into the basement [indicating].

Mr. GRIFFIN. Okay.

Mr. DEAN. I will mark it "exit". Page 4, paragraph 3—off the record.

Mr. GRIFFIN. Yes; all right; that's all right.

Mr. DEAN. It says, "Dean has known Jack Ruby since 1959." This is erroneous.

Mr. GRIFFIN. How should it read?

Mr. DEAN. It should be either 1960 or 1961, whatever date—I could find out and let you know for sure, the time that I came downtown from the Oak Cliff area, as a sergeant. I was assigned to the downtown area, which includes the location of Carousel Club. I have been downtown some 4 or 5 months before

I was assigned to this location. So I would say it would have been about 4 or 5 months after I was transferred to the downtown area that I met Jack Ruby.

Mr. GRIFFIN. How long were you assigned to that downtown area?

Mr. DEAN. About a year and a half.

Mr. GRIFFIN. And were you a sergeant at that time?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Did you have any men working under your direction?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. How many men worked under your direction down there?

Mr. DEAN. Well, it would vary from the hours that I worked, from 12 to 17 or 17 men, depending on the hours. Twelve regular men, or 13 regular men.

Mr. GRIFFIN. Now, was Vaughn under your direction at that time?

Mr. DEAN. No, sir. Vaughn has never worked for me directly.

Mr. GRIFFIN. How about Nelson?

Mr. DEAN. No, sir.

Mr. GRIFFIN. How about Bobby Patterson?

Mr. DEAN. Yes, sir. Patterson worked for me when I was assigned to the area in the 100, district 100, in the downtown area.

Mr. GRIFFIN. And was that the area that Jack Ruby's nightclub was in?

Mr. DEAN. Patterson occasionally worked on the district that Ruby's Carousel Club was on. Not as a regular man.

Mr. GRIFFIN. Do you know if Patterson was friendly with Ruby?

Mr. DEAN. No, sir.

Mr. GRIFFIN. You just don't know?

Mr. DEAN. I don't know.

Mr. GRIFFIN. Do you consider yourself a friend of Patterson's?

Mr. DEAN. Not intimately; no, sir.

Mr. GRIFFIN. Do you see Patterson on a social basis?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Does Patterson still work under your direction?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Whose direction is he under now?

Mr. DEAN. Sergeant Jennings, W. G. Jennings. He is still assigned to that area. Not the specific district that the Carousel was on, or has been on, but let's see—I don't recall exactly what district he is assigned to; 103 I believe.

Mr. GRIFFIN. Go ahead, if there is anything else. Incidentally, on this date, have we turned the page on that? The date there, why don't you make a correction as to what you think it is, and if you feel, when you check your notes, that you want to correct it even more exactly, why you can be free to do it [indicating].

Mr. DEAN. I would like to clarify this one thing. "On occasions when driving in the area with another officer, he would go up to the Carousel, usually once or twice a week." This is true, as far as once or twice a week, and sometimes three times a week. However, this—with another officer is erroneous. Usually it would be with some friend of mine that would be riding with me, rather than another officer.

Mr. GRIFFIN. Okay. Why don't you put that down?

Mr. DEAN. Mutual friend or—

Mr. GRIFFIN. This would be somebody that would be interested in sort of riding with the police officer, like newspaper reporters do?

Mr. DEAN. Yes, sir. "In addition, Dean said he had gone to the club while off duty on four occasions." I would say four would be the outside, but I think I have been there only three times since I have known him, since 1960 or 1961 [indicating].

Mr. GRIFFIN. Why don't you change that, then. When is the time you were there most recently?

Mr. DEAN. The last time I had been in his place was—well, we will say relative to the shooting, I haven't been in there since, and I think 6 or 8 months before would be the last time I had been in there, and in fact, that long since I had seen Ruby.

Mr. GRIFFIN. Did you know any of Ruby's employees?

Mr. DEAN. By name. No, sir.

Mr. GRIFFIN. But you knew them to talk to?

Mr. DEAN. To speak only. The people that were in the trial, well, George Senator, I didn't know his name. I couldn't place it—knew the face but I didn't know his name until the trial, and he was a bartender regularly at the club.

Mr. GRIFFIN. Now, was he the bartender there on a regular basis in 1960 or 1961?

Mr. DEAN. Yes, sir. He was a regular there all the time that I worked there, or worked in that area.

Mr. GRIFFIN. Who else did you recognize at the trial whom you remember from the Carousel Club?

Mr. DEAN. I don't believe I recognized anyone, other than this fellow George Senator.

Mr. GRIFFIN. Was there a Negro man named Andy Armstrong that testified at the trial?

Mr. DEAN. I don't know. I don't know Andy Armstrong.

Mr. GRIFFIN. He is one of Ruby's workers there.

Okay. Anything else in there that [indicating]—

Mr. DEAN. Well, I would like for the record to show that my visits while off duty to the Carousel was definitely an exception rather than rule, and it would usually be when out-of-town people would come to town, and this, by my working in that area, had gone in there frequently on duty, I knew—or there had never been any trouble in there, to my knowledge, as far as fights and such as that. I knew it was a safe place for an off-duty officer to go, and interesting to someone that hadn't seen it. So this is the exception that I went there. I recall now, by reading this investigation by the FBI, that soon after I had left the basement after this shooting, or left the immediate area where Oswald was laying, I do recall now asking R. C. Nelson, that was stationed at that doorway, had he come in that way, and he then stated he was positive he hadn't. This was reflected in this—I do remember. I wanted it to show that I do remember now, after reading that.

Mr. GRIFFIN. Now, let me stop you here, Sergeant.

Mr. DEAN. All right.

Mr. GRIFFIN. Let me direct your attention to one portion of that report. Have you read that portion of the report which deals with this lengthy discussion that you and I had about the talk, the one talk you had with Ruby on the date that Ruby shot Oswald; have you read that portion of the report?

Mr. DEAN. In the FBI report?

Mr. GRIFFIN. Yes.

Mr. DEAN. Let's see. I don't recall reading it. You mean now have I read it?

Mr. GRIFFIN. Yes. Have you just read it?

Mr. DEAN. No; I haven't read it.

Mr. GRIFFIN. Would you find that, or I can maybe find it for you quicker, but would you find that portion in there and would you read that and tell me if that reports everything that you learned from Ruby at that time?

Mr. DEAN. If it's included in this report [indicating].

Mr. GRIFFIN. Yes. And I don't have simply reference to the discussion about entering the basement, but if it reports everything of importance that he told you during that interview?

Mr. DEAN. I believe that this February 18 report would—the FBI report doesn't include—it has the questions that I asked of Ruby and not of Sorrels, if that's what you mean, it does. But this February 18 report is what [indicating].

Mr. GRIFFIN. Let me hand you, then, what I have marked for identification as Exhibit 5010. It's a copy of a letter signed by you, dated February 18, 1964, addressed to Mr. J. E. Curry, chief of police. Did you prepare that letter?

Mr. DEAN. Yes; I did [indicating].

Mr. GRIFFIN. And let me ask you this, is that a true and accurate copy of the actual original letter that you sent?

Mr. DEAN. That's a copy I made myself, a Xerox copy [indicating].

Mr. GRIFFIN. Did you write that letter on the basis of any notes?

Mr. DEAN. No, sir; from memory.

Mr. GRIFFIN. Now, did you prepare any prior reports to the police department or anybody else, in connection with the events that are recounted in that February 18th letter, other than the letter dated November 26, to Chief Curry, which I have marked Exhibit 5009, and this interview report, which we have designated 5008; are there any other writings that you prepared prior to February 18?

Mr. DEAN. Yes, sir; there is one report that I had written regarding the article in the newspaper, that I had seen Ruby come into the basement.

Mr. GRIFFIN. I see.

Mr. DEAN. Do you have that?

Mr. GRIFFIN. I don't know if I have got that or not. Could you get us a copy of that? I don't know if we have that or not.

Mr. DEAN. Yes, sir; now, I think the FBI made several—or made a report of that, also. The investigation about the department there, I don't know—

Mr. GRIFFIN. Well, I know they made an investigation of it, and I don't have the actual copy of the report. I have got the results of their investigation but not the report.

Mr. DEAN. I see.

Mr. GRIFFIN. All right. Other than that report on the newspaper article and these two other exhibits that I have referred to, are there any other writings that you made that relate to the subject matters as recounted in this February 18—

Mr. DEAN. No, sir.

Mr. GRIFFIN. Letter. Now, how did you come to write this letter of February 18, 1964?

Mr. DEAN. Chief Stevenson called me, while I was in the office on that date, and asked me to come up to see him, and I did. And he asked me was I present during the entire interview with Ruby and Mr. Sorrels. I told him I was. And he asked me did I remember most of the interview; could I recollect most of the interview and the answers that Ruby had given and I said, "Yes, sir." Then he advised me to make a report of it, asked me would I make a report of it, recalling everything that I could of that interview. To the best of my knowledge, that's all I could remember. And I did testify to all this stuff in the trial.

Mr. GRIFFIN. Is this the first time that you told anyone that Ruby had told Sorrels that he thought about killing Oswald two nights prior when he saw him in the showup room?

Mr. DEAN. Well, I don't recall telling it to any particular person. I knew that this would probably be later used as testimony, I felt, since it was—did make an impression on me, that I could remember it, and it's written as I do remember, just about as it happened, it correlates pretty well, even though we didn't get together with Mr. Sorrels' report.

Mr. GRIFFIN. But you can't remember?

Mr. DEAN. Talking to anyone especially or specifically about what Ruby had told me, other than how he got into the basement and how long he had been there; no, sir.

Mr. GRIFFIN. Or of any particular reference to the statement that Ruby made to Sorrels that you have reported in here, about thinking about killing Oswald two nights before; you can't remember that you ever—

Mr. DEAN. No, sir; I did feel at the time that I would probably testify to this in court. I did witness Mr. Sorrels taking his notes, and I felt if I had to, since I did witness it, I could use the notes.

Mr. GRIFFIN. Now, I think there is one other exhibit that I haven't identified. We have talked about it, and that's Exhibit 5009, which is a copy of a letter which purports to have been prepared by you, addressed to Chief Curry, dated November 26, 1963.

Would you look at Exhibit 5009 [indicating]?

Mr. DEAN. Yes, sir; that's my report [indicating].

Mr. GRIFFIN. And you have read that over many times, have you not?

Mr. DEAN. Yes, sir; would you like for me to sign it?

Mr. GRIFFIN. Yes, sir; I would like for you to sign both 5008 and 5009.

Mr. DEAN. All right.

Mr. GRIFFIN. Are there any additions or corrections you wanted to make to that?

Mr. DEAN. No, sir.

Mr. GRIFFIN. Put a date by that, by your signature also, if you will [indicating].

Mr. DEAN. All right.

Mr. GRIFFIN. And let me hand you 5010, and ask you to sign that and date it [indicating].

Mr. DEAN. It's been signed—of course, this is a Xerox copy. Do you want me to go ahead and sign it again?

Mr. GRIFFIN. Yes.

Mr. DEAN. All right [indicating].

Mr. GRIFFIN. Would you take this one here, Exhibit 5008, and would you sign that and date it [indicating]?

Mr. DEAN. Where [indicating]?

Mr. GRIFFIN. On the front page, I think probably is just as well [indicating]. Off the record.

(Discussion off the record.)

Mr. GRIFFIN. Sergeant, you and I have been talking here off the record for—I don't have a watch, but I would guess for 15 or 20 minutes, with respect to other matters, and you indicated to me just before we brought the court reporter in, that you had obtained some information that apparently had not been previously made available to the Commission, and I wonder if you could tell us what that is?

Mr. DEAN. It was relative to a telephone call that I received last night at about 2 o'clock in the morning. I didn't mark the time.

Mr. GRIFFIN. Where were you?

Mr. DEAN. At city hall. In the office there. The city hall operator had called me and told me that she had a man, or an operator on the line from Victoria, British Columbia, in Canada, and that she had been—this operator had told her she had been talking to a man in Victoria about some films that he had of the assassination, and asked me did I want to take the call, and it wasn't—it was a collect call, and the operator said that she couldn't unless it was by my authorization, but she did tell me she heard this man talk enough that she believed he was serious and had something that possibly could be used by the Warren Commission. And, of course, I heard some of the conversation, and the man sounded rational, and the operator in Victoria, her name was Bernice Williamson, she is the night supervisor of the B.C. Telephone Company, said that she had talked to this man long enough that she thought he probably had something. And so I accepted the call. This man's name was Ralph Simpson. He was calling from 384-3780, and he told me that he had been standing on the southern part of the plaza when the assassination took place, and he had a wide scope movie camera that he believed would have taken in the building and the motorcade at the time the shots were fired; that he had talked it over with his attorney—and the name of the attorney was Batter [spelling] B-a-t-t-e-r, is what I got, and that Batter advised him to call someone here, but not the Warren Commission. And he asked me—when I accepted the call, he asked me what I would suggest, and I told him that first he should mail them to the Warren Commission. And then he asked me had I been to the Warren Commission. He recognized my name, that I had been testifying, and I said, "Yes; and I am scheduled to go back tomorrow night." And he said, "Well, I will send the films to you. They haven't been—". Well, he said they hadn't been developed, and he wasn't going to have them developed, that he would send them to me airmail. This was about 2 o'clock in the night—on the morning of the 24th, this morning [indicating].

Mr. GRIFFIN. All right. You have in front of you, Sergeant, a piece of paper?

Mr. DEAN. Yes, sir; what I took notes—

Mr. GRIFFIN. Are those your original notes?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Can I mark that for identification?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. I am going to mark this, "Dallas, Tex., Sergeant Dean, March 24, 1964, Exhibit 5012." Now, let me see if I understand you correctly. This was a collect call placed from Canada to the police department?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. By a man by the name of Simpson, Ralph Simpson?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Did you actually talk with Simpson?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. How long did the telephone call last?

Mr. DEAN. Four minutes and three seconds, I think.

Mr. GRIFFIN. Is this the name of the operator that put the call through, Bernice Williamson?

Mr. DEAN. She was the Victoria operator.

Mr. GRIFFIN. Did you get the name of the city operator?

Mr. DEAN. The city operator was Patsy. I don't know her last name. Patsy. She is the night operator at city hall.

Mr. GRIFFIN. Would you indicate that Patsy handled that? Did Patsy listen in on the call?

Mr. DEAN. Yes [indicating].

Mr. GRIFFIN. And have you talked with her about this since?

Mr. DEAN. No, sir; she called back and gave me the time and charges on it.

Mr. GRIFFIN. And is there a record of that in the police department?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. Can you get that for us?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. I would appreciate that.

Mr. DEAN. Now, when she called me back to give me the time and charges she said that the operator had further checked this number 384-3780, and that number was—the call was made from the residence of the initials R. H. W., last name [spelling] S-m-e-l-e [indicating].

Mr. GRIFFIN. Who had checked that, now?

Mr. DEAN. The police department—

Mr. GRIFFIN. Patsy?

Mr. DEAN. No, sir; this night supervisor, Bernice Williamson in Canada, had contacted the police department there and asked them could they cross that number, or furnish her the address or name.

Mr. GRIFFIN. Did Bernice Williamson tell you this after you finished the telephone call?

Mr. DEAN. She told Patsy, the city hall operator this, and this is—

Mr. GRIFFIN. Patsy reconveyed that to you?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And you learned this from Patsy after the conversation with Simpson?

Mr. DEAN. Yes, sir; this R. H. W. Smele has an address of 1141 Caldonia in Victoria.

Mr. GRIFFIN. All right. Have you reported this to anybody else?

Mr. DEAN. No, sir.

Mr. GRIFFIN. I appreciate your bringing it to us then, very much.

Would you sign that exhibit, Sergeant?

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. We will certainly look into that right away.

Off the record.

(Discussion off the record.)

Mr. GRIFFIN. All right. Sergeant, we have been off the record here awhile, and you indicated that the man said something about having been here on vacation and some other thing. Will you tell us what else?

Mr. DEAN. He said he had been here on vacation and that when he learned of the President's coming, he had stationed himself on the southwestern part of the plaza, toward the railroad tracks, and that he had a wide scope—he referred to it as a full wide scope camera, and that he believed that he had gotten the assassination. He was taking pictures at the time of the assassination, and he believed that he had the building in the background, because it's in direct

trajectory of the line of fire. My impression of him was that since he said that he had talked it over with his attorney and didn't know what to do with these things, that he seemed to be scared as to whether to keep them or throw them away or what. When he told me that he would send them to me, that he said, "You can have them. I haven't developed them, and you don't have to send me any copies of them back."

Mr. GRIFFIN. Will you notify us as soon as they receive those films?

Mr. DEAN. Yes, sir.

Mr. GRIFFIN. And turn them over to us?

Mr. DEAN. Yes, sir. You want all the records from the city hall operator?

Mr. GRIFFIN. Telephone call; yes.

Mr. DEAN. This has been signed and dated [indicating].

Mr. GRIFFIN. Okay. Now, I don't know if you have had a chance to read this or not, but this is what I have marked as Exhibit 5011, which is an interview with you by Special Agent Paul Scott of the Federal Bureau of Investigation on December 9, 1963. Would you look that over and then——

Mr. DEAN. Sign it?

Mr. GRIFFIN. Sign it and make any changes or additions that you want to make in it.

Mr. DEAN. [Indicating.]

Mr. GRIFFIN. Then let me state for the record that I appreciate very much the assistance that Sergeant Dean has given us here this evening, and I hope, and I am sure that if anything further comes to light which he thinks would be of value to the Commission, that he will come forward with it voluntarily, as you have here today?

Mr. DEAN. Burt, this—of course, I was cleared of all of this, as far as this newspaper article——

Mr. GRIFFIN. Yes.

Mr. DEAN. I was just wondering if you had the FBI report on it?

Mr. GRIFFIN. We do. And I just wanted to make sure that as far as any statements are concerned, that you have made, or report, that you had a chance to look at them, and to my knowledge, I think I have shown you every one that we have on it.

Mr. DEAN. All right.

Mr. GRIFFIN. Okay. That's all.

TESTIMONY OF PATRICK TREVORE DEAN RESUMED

The testimony of Patrick Trevore Dean was taken at 4:45 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Mr. P. T. Dean was accompanied by his lawyer, Mr. Ted MacMasters.

Mr. HUBERT. Note that I am present. Note that Sgt. P. T. Dean is present and Mr. Ted MacMasters assistant city attorney of Dallas, and appearing as attorney for Mister—Sergeant Dean. Now, Sergeant Dean, your deposition was begun on——

Mr. DEAN. I believe it was a Tuesday.

Mr. MACMASTERS. March 24.

Mr. HUBERT. Mr. Burt Griffin as the member of the Commission's advisory staff conducting the examination. At that time you took an oath, I believe?

Mr. DEAN. Yes, sir.

Mr. HUBERT. Are you willing to consider that this is simply a continuation of that deposition?

Mr. DEAN. Yes; I am.

Mr. HUBERT. And that you are under the same oath that you were before?

Mr. DEAN. Yes, sir.

Mr. HUBERT. I wish to advise you that I have been authorized by Mr. J. Lee

Rankin, general counsel for the Commission's staff to take your deposition under oath also. In other words, both Mr. Griffin and I have been so authorized, and I think he advised you of the general conditions and the right of notice and waiver and so forth?

Mr. DEAN. Yes, sir.

Mr. HUBERT. So that as far as I am concerned, I will just ask you if you have anything to add to your deposition or anything to say at all in any way?

Mr. DEAN. I told Mr. Griffin on that date that I would bring him additional information that he wanted.

One was a record of the telephone call received on the 24th. Now, that would make your interview on the 25th, actually, I believe. Now, no, no; that's right. The morning, early morning hours of the 24th is when I received this call from Victoria, Canada.

That is a record of it from the city hall operator. That was pertaining to the film from the fellow in Alaska—or—correction, in Canada that he said he would—

Mr. MACMASTERS. Do you want to identify this?

Mr. HUBERT. You have handed me two documents and I judge that one of them is a photostatic copy of a front of a document, and the other is a photostatic copy of the rear of that document?

Mr. DEAN. Yes, sir.

Mr. HUBERT. Well; I am going to mark them for identification as follows: "Dallas, Tex., April 1, 1964. Exhibit—" We'll use number—5136, continuation of deposition of Sgt. P. T. Dean." And I am signing my name for the purposes of identification and I am signing the second document which you state is a photostatic copy of the back of the document now identified as Exhibit 5136, as follows: "Dallas, Tex., April 1, 1964. Exhibit 5136-A, continuation of Deposition of P. T. Dean." Signing my name on the back of this, and for the purposes of identification and to show that we are both talking about the same document, would you mind putting your name below mine?

Mr. DEAN. All right, sir.

Mr. HUBERT. Now, will you identify what these two documents were? Perhaps we'd better do it again, in the light of their identification numbers, so, let me ask you what are the documents that have now been marked for identification as 5136 and 5136-A?

Mr. DEAN. A record of the city hall's operator receiving a call from Victoria, Canada, on that date of March 24, about 4 o'clock in the morning and at that time I talked to—I believe it is Jack Simpson, or it is Ralph Simpson, and he stated that he had a reel of movie film that he had taken of the assassination and the trajectory of the line of fire which was on the far side of the plaza, which would be on the south side of Commerce Street. Mr. Simpson told me on the phone that he believed he had gotten not only the assassination, but also the building from where the bullet was fired. But I advised him—he wanted to know what to do with this film, and I advised him to send it to the Warren Commission in Washington, and he said that he had talked to his attorney and the attorney, Batter [phonetic] in Victoria, I didn't get the first name, his attorney had advised him to contact someone in Dallas and to send them to whatever place they said other than to the Warren Commission. He then asked me could he send them to me and I told him that he could. I checked with my office then just before coming over here today and the film hadn't come in.

Mr. HUBERT. Did he say he was going to send them by mail?

Mr. DEAN. Yes; he said he would airmail them the next day.

Mr. HUBERT. Did he indicate why he had called you, or just that you were on duty?

Mr. DEAN. Just on the advice of his attorney.

Mr. HUBERT. But, I mean, your particular name?

Mr. DEAN. No; he didn't ask for me particularly. However, he said that he recognized my name from reading of my testimony in the papers.

Mr. HUBERT. In other words, he made the call, he was calling specifically to you. You happened to be on duty, and therefore, the call came to you?

Mr. DEAN. That's right, and that is the record of the call received. That is what Mr. Griffin wanted.

Mr. HUBERT. And the other part that you told us about was the substance of a phone call?

Mr. DEAN. Yes, sir.

Mr. HUBERT. Right. Okay. Now, if you are going to talk about another document let's get it identified first and get numbers on it. Now, Mr. Dean, you are handing me a document consisting of three pages being apparently a photostatic copy of a letter dated April 8, 1963, addressed to J. E. Curry, Chief of Police. Last page shows "P. Treavor Dean—"

Mr. MACMASTERS. I believe that is December 8. You said April.

Mr. HUBERT. Oh, no, no. December 8. Couldn't be April 8, we aren't there yet.

"P. Treavor Dean, Sergeant Police Control Division," and in order that it may be identified and that the record may show what we're talking about, I am marking this first page in the right-hand margin, "Dallas, Tex., April 1, 1964. Exhibit 5137, Continuation of Deposition of P. T. Dean," signing my name below that, and the inscription on the second page, placing my initial in the right-hand lower corner and on the third page I am doing the same, and also ask you to sign the pages and initial them as I have done.

Mr. DEAN. All right.

Mr. HUBERT. All right, sir. Now, do you have any comments to make with reference to this Document 5137, which you have handed me?

Mr. DEAN. No, sir; I believe it is self-explanatory.

Mr. HUBERT. Is this one of the documents that—

Mr. DEAN. Mr. Griffin asked me would I bring.

Mr. HUBERT. All right, sir. Thank you.

Mr. DEAN. Mr. Griffin also asked me to bring a copy, if I had one, of my original notes that I had taken in the basement that day of my assignments and I have those.

Mr. HUBERT. Now, what day are you speaking of? The 24th?

Mr. DEAN. Yes, sir; November 24.

Mr. HUBERT. November 24.

Mr. DEAN. They are not all—all my assignments are not here. However, the majority of them are.

Mr. HUBERT. When you say your assignments, you mean the people you assigned, or the job you were assigned to?

Mr. DEAN. The people that I assigned to various locations in the basement.

Mr. HUBERT. I see. Now, do you propose to let me then have that or a photostatic copy of it, or do you propose simply to dictate the information into the record?

Mr. DEAN. Well, how about me just dictating it and I will keep this?

Mr. HUBERT. All right. Now, if Mr. Griffin's purpose was to find out whether they existed, then perhaps I ought to look at them so I can state I have seen these things myself.

Mr. DEAN. All right, sir.

Mr. HUBERT. Therefore, let the record show that as Mr. Dean reads the information he is going to read, I am following him, and if he reads them correctly, I will say nothing. If he reads them incorrectly, or in a way that I do not understand, I will call it to his attention so that we may get it clear.

All right?

Mr. DEAN. My first assignments were made just prior to our searching the basement. They were Officer Vaughn. R. E. Vaughn I assigned to the Main Street ramp, which is the north ramp entering the basement. Officer Patterson, B. G. Patterson to the Commerce Street ramp, which is the exit onto Commerce Street. These men were to be—were assigned to the top of these ramps. Officer Brock was assigned to the elevator in the basement. Officer Nelson was assigned in the hall at the jail doors. Well, in—at the jail window.

Mr. HUBERT. What is that?

Mr. DEAN. This is "Commerce ramp".

All right, now, Officer Jez, I assigned him with Patterson at the Commerce Street ramp.

Mr. HUBERT. Now, of course, these notes are not exactly like that. You

have added a few words, but let the record show that there is—displayed to me a paper which has, in substance, all that Mr. Dean has testified to.

Mr. MACMASTERS. You are interpolating your notes, aren't you?

Mr. DEAN. Yes, sir; and adding initials and—yes, sir. These two other men here, I don't know which one for sure, but they are Reserve Officers Fred A. Briederdorf, it looks like [spelling] B-r-i-e-d-e-r—or, B-e-r-d-r-f, and also another man by the name of Hunt, initials of which I don't know, or the first name.

They were assigned to the basement, and I think that one of these two men I assigned to the entrance into the basement, or the machinery room.

Mr. HUBERT. There is a word here.

Mr. DEAN. Reserve.

Mr. HUBERT. Oh, that is reserve—

Mr. DEAN. This is the page where I started to make some traffic assignments and they changed it, so, I—now, these are the traffic assignments just prior to the movement of Oswald. At Commerce and Pearl I assigned Officer Erwin, initials I don't know. At Commerce and Central, Officer Burton. At Central and Main, Officer Wages. At Central and Elm, Officer Gregory. At Pearl and Elm, Officer Tolbert. At Harwood and Elm, Officer Fox. At St. Paul and Elm, Officer Wise. At Elm and Ervay, shows here Brock. Brock. At Stone and Elm, Officer Raz. Akard and Elm, Officer Hibbs. At Field and Elm, Officer Anderson, and at Lamar and Elm, Officer Ferris. Now, these were just tentative assignments. I think in one of my reports that is already in evidence is the permanent assignments, but these are the originals that I made that afternoon which were tentative.

Now, this is just a note that I had written down from a Bob Stewart. He worked for WRR, and he was giving me some information that he had received. I don't remember from where he had received it, but he stated to me, and I had written it down here, a Serge Fliger, he is with Mutual News in Vienna, Austria, and that in essence—now, I can interpret these notes for you, if you would rather.

Mr. HUBERT. Why don't you just read them and then interpret them.

Mr. DEAN. That source of Serge's information from behind the Iron Curtain that a man told him, and he—it was a man that he stated that he trusted completely, that there was a group of dissident Russian soldiers, that this whole thing was an international plot, and that the Communists would kill off Oswald as quick as possible.

Mr. HUBERT. Now, with reference to those last few notes about Fliger, what you have read is not exactly what is in the book itself, but it is rather your—

Mr. DEAN. More of an interpretation of my notes, because I had written it rather hurriedly.

Mr. HUBERT. But, let the record show that as I read the notes the interpretation of them seems consistent with what I read.

Mr. DEAN. I believe that is all that is in here, Mr. Hubert. I believe that's all.

Mr. HUBERT. Now, may I ask this; were all those notes that you have just shown to me and read into the record with interpolations written in your own hand?

Mr. DEAN. Yes, sir.

Mr. HUBERT. Were they written at the time that you made the various assignments and so forth?

Mr. DEAN. Yes, sir.

Mr. HUBERT. And that includes also that information about that Serge Fliger from Austria?

Mr. DEAN. Yes, sir.

Mr. HUBERT. All right.

Mr. DEAN. And also, Mr. Griffin wanted me to find, if I could obtain a copy of the—regarding a tape recording. It was an interview with radio station KLIF, and this interview took place about 2:30 on November 24.

Mr. HUBERT. 2:30 p.m.?

Mr. DEAN. That afternoon. Yes, sir; I do have a copy of that and I have listened to it and it is true and correct to the best of my knowledge, sir.

Mr. HUBERT. Are you proposing to give me the tape itself, or a transcription of it?

Mr. DEAN. Well, that is a transcript, I assume. I just asked KLIF would they make me a copy of it and this is, a transcript.

Mr. HUBERT. Do you propose to let me have the film, or this little record, or seems to be tape on a regular roll. Do you want it back?

Mr. DEAN. Could I have it back when the Commission gets through with it?

Mr. HUBERT. Yes, sir; but I don't know when that will be, you know.

Mr. DEAN. Well, whenever it might be.

Mr. HUBERT. I am trying to see how we are going to mark this.

Mr. MACMASTERS. Could it be placed in a sealed envelope and initialed across it and seal it and so forth?

Mr. HUBERT. I have placed my initials, LDH, on one end of the tape, and I have done that also, on the other end of the tape and giving the exhibit number of—by marking it "EX, 5138," with ball point pen on both ends of the tape, and then I'm also marking the small box, "5138" on one side, and "5138" on the other side, with my initials on both sides.

Mr. DEAN. Do you want me to initial it?

Mr. HUBERT. Oh, I don't know that that is necessary if you have heard that recording.

Mr. DEAN. Yes, sir.

Mr. HUBERT. And it is a true recording of an interview of you, as I understand it, that you had with some reporter of the—

Mr. DEAN. At KLIF.

Mr. HUBERT. Do you remember his name?

Mr. DEAN. Glenn Duncan. It is on the tape also.

Mr. HUBERT. All right, sir. You think it is a correct recording of a conversation?

Mr. DEAN. Yes, sir.

Mr. HUBERT. All right, anything else?

Mr. DEAN. No, sir; I, well, when these film, if they do come in, this fellow does send them to me, I will make them available to you.

Mr. HUBERT. You can do so through Mr. Barefoot Sanders. Contact us immediately.

Mr. DEAN. All right, sir.

Mr. HUBERT. I will accept this and place these various exhibits you have given me today in with the other exhibits in the folder that we are putting all these exhibits in.

Mr. DEAN. All right.

Mr. HUBERT. Any other matters?

Mr. DEAN. No, sir.

Mr. HUBERT. That is all. Thank you very much. Mr. MacMasters, thank you very much.

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