

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.

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### 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 midway 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 2½ 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.

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## TESTIMONY OF WILBUR JAY CUTCCHSHAW

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