

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 your 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 "X" 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 your 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. CUTCCHSHAW. 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. CUTCCHSHAW. 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. CUTCCHSHAW. 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. CUTCCHSHAW. 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.