

Mr. HUBERT. Captain, do you know anything about this matter other than what we have talked about, that you would like to put into the record, sir?

Mr. SOLOMON. No, sir; I do not.

Mr. HUBERT. All right. Now, have you been interviewed by any member of the Commission staff?

Mr. SOLOMON. No.

Mr. HUBERT. As a matter of fact, before the commencement of this deposition, I did not interview you?

Mr. SOLOMON. No.

Mr. HUBERT. I think, Captain, that I mentioned the word "pistol" a moment ago in connection with arming of the reserves?

Mr. SOLOMON. Did you? I didn't recall it.

Mr. HUBERT. You indicated to me that actually these men are not armed with firearms?

Mr. SOLOMON. No; they are not armed. Would you want to make part—this part of the record? This is what I call an information sheet about what the reserve is. A lot of times a citizen calls me and wants to know something about it, and I mail them that.

(Hands to Mr. Hubert.)

Mr. HUBERT. All right. I will accept this. I will mark on the front page, "Dallas, Tex., March 26, 1964, Exhibit 5107." You call that a brochure?

Mr. SOLOMON. I call it an information sheet. We generally refer to it as a poop sheet.

Mr. HUBERT. I am writing on this sheet, "Exhibit 5107, deposition of Capt. J. M. Solomon." I am signing my name, and for identification, if you will sign yours?

Mr. SOLOMON. Yes. That just gives a little more detail than what I told you about it, and I had forgotten that. That might be important that they are not armed. That is why we don't let them work in any capacity unless they are in the company of an officer.

Mr. HUBERT. On the day in question, to wit, the 24th of November 1963, the reserve officers were in uniform but of course not armed?

Mr. SOLOMON. That's right.

Mr. HUBERT. I notice that this Exhibit 5107 contains information about the minimum standards that are required?

Mr. SOLOMON. Yes.

Mr. HUBERT. For admission and maintaining the status of a reserve officer, is that correct?

Mr. SOLOMON. Yes.

Mr. HUBERT. Can you state that these minimum standards are in force?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. One other question. Can you state that the reserve officers that were on duty on the 24th did meet these minimum standards?

Mr. SOLOMON. Yes, sir.

Mr. HUBERT. Do you have anything else to say?

Mr. SOLOMON. Well, I don't suppose you want to know that we had some on duty during the Presidential Parade? Is that important?

Mr. HUBERT. It might be in another aspect of the matter, but the one I am inquiring about, it is not. However, I am sure that the information that you have given me, generally speaking, should be made a part of the record, and that is why I have done that. Thank you very much, sir.

Mr. SOLOMON. You are so welcome.

Mr. HUBERT. I appreciate your coming down.

Mr. SOLOMON. All right. Thank you very much, sir.

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#### TESTIMONY OF M. W. STEVENSON

The testimony of M. W. Stevenson was taken at 7 p.m., on March 23, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Assistant Deputy Chief M. W. Stevenson of the Dallas Police Department.

Mr. Stevenson, my name Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy.

Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

Mr. Stevenson, I state to you now, that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald, and in particular as to you, Mr. Stevenson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts that you may know about the general inquiry.

Mr. Stevenson, you have appeared here today by virtue of a general request made by the general counsel of the staff of the President's Commission.

Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition. But the rules provide also that a witness may waive this notice of the taking of his deposition. Are you willing to waive this notice in time?

Mr. STEVENSON. I am ; yes, sir.

Mr. HUBERT. Now, will you rise and be sworn, please.

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

Mr. STEVENSON. I do.

Mr. HUBERT. Will you please state your full name, your age, your residence, and your occupation, and how long you have been in that occupation?

Mr. STEVENSON. M. W. Stevenson. I am 60 years of age. I reside at 3452 Boulder Drive. I am with the Dallas Police Department. Have been for 36 years.

Mr. HUBERT. What position do you now occupy with the Dallas Police Department?

Mr. STEVENSON. I am deputy chief, commanding the criminal investigation division.

Mr. HUBERT. Did you hold that same position during the period November 22 to 24 of 1963?

Mr. STEVENSON. Yes ; I did.

Mr. HUBERT. How long have you held that position?

Mr. STEVENSON. Since November of 1954.

Mr. HUBERT. Generally speaking, what are the functions of your job? What are your duties and responsibilities?

Mr. STEVENSON. I am in command of the criminal investigation division, and as such, I am responsible for the criminal investigation division of the Dallas Police Department.

I coordinate the work among the five bureaus which constitute the criminal investigation division.

Mr. HUBERT. Would you state what those bureaus are, please, sir?

Mr. STEVENSON. I have a homicide and robbery bureau, an automobile theft bureau ; I have a juvenile bureau ; a burglary and theft bureau ; and a forgery bureau.

Mr. HUBERT. Could you tell us now who was in charge of each of those bureaus during the period November 22-24, of 1963?

Mr. STEVENSON. Captain Fritz was in charge of the homicide bureau as the immediate supervisor. Captain Jones was in charge of the forgery bureau. Captain Nichols was off that day, and I don't know which lieutenant was on.

Mr. HUBERT. You say, "that day." I was really speaking of the 3-day period.

Mr. STEVENSON. Captain Nichols, I am sorry, was in charge of the automobile theft bureau. Capt. F. M. Martin was in charge of the juvenile bureau. Capt. W. C. Fannin was in charge of the burglary and theft bureau.

Mr. HUBERT. Just to get the record clear, insofar as Captain Nichols is concerned, you indicate he was off on 1 day of the 3-day period. Which day was that?

Mr. STEVENSON. I believe that was the 24th.

Mr. HUBERT. Now each one of these bureau chiefs reports to you and is responsible to you, is that correct?

Mr. STEVENSON. That's right; yes, sir.

Mr. HUBERT. Who are you responsible to?

Mr. STEVENSON. To the assistant chief of police.

Mr. HUBERT. Who is that?

Mr. STEVENSON. Chief Charles Batchelor.

Mr. HUBERT. In the course of this examination, it would be helpful to us if you would try to state an approximate time as to each episode or fact that you testify to, and also indicate whether the fact or matter or episode that you are testifying to is within your own knowledge; that is to say, gained from your own observation, or whether the information you give us was obtained from someone else, in that case, tell us if you can remember who gave you the information.

Mr. STEVENSON. Yes, sir.

Mr. HUBERT. Now, would you just give us briefly an account of what you did from about 12:30 on November 22 on forward.

Mr. STEVENSON. At about or approximately 12:30 p.m., on the 22d, I was at the Trade Mart on Industrial, as I had charge of the officers and the security of the building for the luncheon of President Kennedy.

At about 12:30, approximately, I was notified by Secret Service Agent Grant and Captain Souter that the President had been shot. We didn't know how severe. It was stated that he was on the way to the hospital.

I immediately contacted Captain Fritz and two of his homicide men and relieved them from their assignment at the Trade Mart and assigned them to the investigation. As soon as I had done that, I relieved 13 other detectives and supervisors. I believe it was 13. I told them to notify headquarters they were available for assignment, and if no assignment, to report to the Texas Book Depository, as it was reported that there was a possibility the suspect might still be in the building.

After that, as fast as I could safely in my own opinion relieve the balance of men who I had on duty, because it had not been announced to the entire group there what had happened—that was at the request of the Secret Service that we didn't want a stampede there—as fast as I could relieve the others, I started relieving and putting them on duty and telling them to report to headquarters or notify headquarters they were available for assignment and any assistance they could give.

At approximately 1 or 1:15, I would say, Mr. Eric Jonsson notified the group of people in the Trade Mart that the President had been shot and had succumbed. Then as soon as we could empty the building, we relieved everyone and put them all back on duty with instructions to report to headquarters, where we kept them on duty as long as we needed any on any of the assignments. Chief Batchelor was still at the Trade Mart when we finally relieved all of the men.

He and I left the Trade Mart and drove to Parkland Hospital to see if we could render any assistance out there. When we got out there, we found Mr. Lawson of the Secret Service. He stated he would be ready in a few moments, to transfer the President's body to Love Field to be flown back to Washington. He had no escort. He asked if we would escort the hearse bearing the body to Love Field. We told him that we would. He, and I believe it was a member of the White House staff, rode in the car with us. We led the hearse to Love Field. Arrived at Love Field—

Mr. HUBERT. Do you know what time you left the hospital, approximately?

Mr. STEVENSON. I would say around 1:40, that is as near as I could say offhand, Mr. Hubert. I would say 1:40 to 2 o'clock.

Mr. HUBERT. So you provided the escort for the hearse leaving the hospital about 1:40?

Mr. STEVENSON. About 1:40 or 1:50. It's got to be somewhere in there, because the body was not held at the hospital but a short while.

Mr. HUBERT. Did you know Jack Ruby prior to the time that he shot Oswald?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Of course, you have seen pictures of him since, I take it?

Mr. STEVENSON. Oh, yes.

Mr. HUBERT. While you were at the hospital, and I would like you to state if you can, the time you arrived there, did you see Jack Ruby at any place around the hospital?

Mr. STEVENSON. No, I did not. In fact, I did not get out of the car. I sat in the car by the radio while Chief Batchelor walked into the hospital to see if we could be of any further assistance.

Mr. HUBERT. That was about what time that you arrived there, Mr. Stevenson?

Mr. STEVENSON. I would say we arrived at the hospital around 1:40.

Mr. HUBERT. All right, then go on.

Mr. STEVENSON. After we reached Love Field, the Secret Service men loaded the casket onto the President's plane. They told us that they had called Judge Sarah T. Hughes to administer the oath of office to President Johnson.

She arrived in a short time. We remained at Love Field until she administered the oath and the plane was airborne. After the President's plane was airborne, we left and came back to the city hall. We arrived back at the city hall around 4 o'clock, I would say.

Mr. HUBERT. When you say city hall, do you mean police department?

Mr. STEVENSON. Police Courts Building, our headquarters.

Mr. HUBERT. For the record, I wish you would describe the relationship between what is the police building and the municipal building of the city hall.

Mr. STEVENSON. The Police and Courts Building is what was, until a few years ago, the city hall proper. A new building was constructed adjacent to this building and adjoining it just east of the Police and Courts Building.

It is now ordinarily referred to as the city hall, the building which is on the corner of Main, Harwood and Commerce, which is the old city hall, now known as the Police and Courts Building, and houses the jail, the police department, and one or two offices of our city government. But primarily it is referred to, or should be referred to as the Police and Courts Building.

Mr. HUBERT. All right. Now, go on. So you arrived back at the police department.

Mr. STEVENSON. We arrived back at the office about 4 o'clock, or maybe a few minutes later. I went directly to the homicide bureau. Chief Batchelor went to the administrative offices.

Before leaving the Trade Mart, I had gotten information through Captain Souter that the suspect in the shooting of Officer Tippit had been arrested. On the air on the way to the hospital, we heard several squads being dispatched to Texas Theatre. I asked the dispatcher what we had working at Texas Theatre, and he advised me that it was the suspect who had shot Officer Tippit, that he had been arrested at the Texas Theatre.

At that time I advised them that Chief Batchelor and myself, or "2" and "3," as I told him, which are our call numbers, were en route to Parkland Hospital and would be in the area and back to the office as soon as possible. When I arrived back at the city hall I went to the homicide bureau to see what progress on our investigation was made, I was advised that Oswald had definitely been identified in murder of Officer Tippit.

Mr. HUBERT. Who advised you of this?

Mr. STEVENSON. Lieutenant Wells in the homicide office.

Mr. HUBERT. Did you see Oswald at that time?

Mr. STEVENSON. No, sir; I didn't; he was being interviewed, but I did not see him.

Mr. HUBERT. Who was interviewing him?

Mr. STEVENSON. Captain Fritz and some FBI agent, I don't know who, and I believe a Secret Service agent.

Mr. HUBERT. Are you aware now of a message that had been sent by the FBI to the Dallas Police Department concerning the security of Oswald?

Mr. STEVENSON. Not at that time, no, sir. That was Friday afternoon?

Mr. HUBERT. Yes; but you didn't learn that Mr. Hoover had sent word that great care should be taken for the security?

Mr. STEVENSON. Not at that time, I had not; no, sir.

Mr. HUBERT. Will you tell us without detail, generally speaking, of your activities on the rest of the 22d, and the 23d.

Mr. STEVENSON. After I was advised that he had definitely been identified and from evidence which was being checked, it looked like he possibly might be the same man who shot the President, I returned to my office in the administrative offices, and was in and out of the homicide bureau on numerous times, staying in touch with the investigation, and they were in touch with my office.

About 7 p.m., I believe it was 7, approximately 7, Oswald was filed on for the murder of Officer Tippit, and was arraigned in the Police and Courts Building by Justice of the Peace Dave Johnston, I believe it was.

Now at approximately, I would say, 7 or 8 o'clock, some word came to me from Chief Curry, which apparently was from Mr. Hoover or someone from Washington, that they wanted an agent of the FBI or Secret Service present at all interviews. That was the first that I had heard of anything from this, and that came to me through Chief Curry.

At about 12 midnight, I was advised by Lieutenant Wells, and I talked to Mr. Alexander, assistant district attorney, and Mr. Jim Allen, former first assistant district attorney and a friend of the department, and was advised that sufficient evidence had been obtained and that charges were being filed in the death of President Kennedy.

Mr. HUBERT. Charges against Oswald?

Mr. STEVENSON. Oswald; yes, sir. He was arraigned.

Mr. HUBERT. They did not tell you at that time, did they, what evidence it was, but simply that it was sufficient evidence?

Mr. STEVENSON. No, sir; not all of it, but they told me at that time that they had found a rifle that they were sure was the one. They had talked to witnesses. The officer had seen him in the Texas Book Depository a few minutes after the shooting. He was an employee down there. He had left the building after the shooting.

Mr. HUBERT. They told you all this at the time they told you that they had enough in their opinion to charge?

Mr. STEVENSON. Yes; charges were filed. And at about 1:30 a.m., on the 23d, he was arraigned in the identification bureau on the charge of murdering President Kennedy, before Judge Dave Johnston, and was returned to his cell under guard at that time after the arraignment. I was present at that arraignment. I was not present at the arraignment on the Tippit case.

After he was arraigned, I returned to my office and was in my office, the homicide office or bureau where I might have business for the balance of the night up until about 3 o'clock, at which time the homicide office was closed until the following morning. I remained on duty in the administrative offices with detectives whom we had working that night standing by for any assignments or any other information we might get, that we wanted to investigate during the night—and left the city hall, the Police and Courts Building at about 12:35 Saturday afternoon.

Mr. HUBERT. Now are you familiar with the lineup conducted in the regular assembly or lineup room of the Dallas Police Department of Oswald when some newspaper people were present?

Mr. STEVENSON. Yes.

Mr. HUBERT. Could you tell us about that? First of all, what time was it?

Mr. STEVENSON. That was a few moments after charges were filed, I believe, by the district attorney.

Mr. HUBERT. Charges on Oswald?

Mr. STEVENSON. On Oswald in the President's death. The district attorney, Mr. Wade, and the assistant, Mr. Alexander, were present.

Mr. HUBERT. Were you present?

Mr. STEVENSON. I did not go into the room, I just went to the door down there. I was present when they did go down for the showup, but I did not go into the room.

Mr. HUBERT. You say you did not look into the room?

Mr. STEVENSON. I did not go into the room. The door, of course, was open, but I was present when they left the third floor, the homicide office, to go down for this lineup.

Mr. HUBERT. You went down to the door of the lineup room?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you recall looking in at all?

Mr. STEVENSON. Yes, I could look in through the open door.

Mr. HUBERT. Did you see a man since identified as Jack Ruby, in that room?

Mr. STEVENSON. Oh, no, sir; I did not.

Mr. HUBERT. Did you hear him say anything?

Mr. STEVENSON. No, sir. Frankly, I was not close enough. The only ones that I could see or did see were those lined up in the front of the room.

Mr. HUBERT. How many people were in that room, do you suppose?

Mr. STEVENSON. I would say, and this is an estimate on my part, Mr. Hubert—I would say from 100 to 125, including officers and news media and everything.

Mr. HUBERT. Do you know what security plan or actual operations were put into effect with respect to Oswald during that period?

Mr. STEVENSON. When he left upstairs, he was taken back through the jail office. From the jail office down, there is an elevator to the downstairs jail office, onto the "showup stage," as we call it in the assembly room. He was taken down through the jail; was not taken out from there.

Now to take him into the showup room, I was not where I could see how many officers were around him. But it was necessary to bring him from the elevator next to the homicide bureau every time we brought him down to interview him. At that time we would have as many as three officers with him, and from four to half a dozen officers on the route through to the next door.

Mr. HUBERT. Do you know what check was made of the people who were allowed into the assembly room?

Mr. STEVENSON. No one was supposed to have been in the assembly room or on the third floor except news media properly identified.

Mr. HUBERT. How was this established?

Mr. STEVENSON. We had officers at the elevators and the stairways with instructions that unless they were an official or connected with an official news media, they were not to be permitted on that floor unless they had business in one of the other bureaus, and the officer was to escort him to that bureau.

We later eliminated as much of that as we could that night by calling the jail office. If he wanted to visit some prisoner at the jail, the jail personnel called the bureau and were instructed as to whether a pass would be permitted.

Mr. HUBERT. But do you know whether or not, as these newsmen and the rest of the other news media went into the assembly room for this lineup, whether they were checked in any way again upon entering?

Mr. STEVENSON. No, sir; I don't, because when I went down to the basement, they were already in the room. In other words, they had already filed into the room.

Mr. HUBERT. What else do you know in general terms about the security of Oswald when he was in the cell? I think you have already covered when he was being moved?

Mr. STEVENSON. Yes; there was a guard on his cell at all times, and at sometimes there were as many as two, but around the clock a guard was placed outside his cell door. He was not permitted to converse with other prisoners. In fact, he was placed in a cell where it would be impossible for other prisoners to get to him.

For the arraignment in the murder of the President, he was brought from the jail into the identification bureau, where there is a barred door coming in to identification room from jail. He was not brought back through the Police and Courts Building proper. He was brought directly from the jail into the identification bureau when he was arraigned.

Mr. HUBERT. I think that takes us then to 12:30 on Saturday. You were on duty until 12:30 a.m. on Saturday?

Mr. STEVENSON. Right.

Mr. HUBERT. When did you come back to duty thereafter?

Mr. STEVENSON. I came back to the city hall Saturday evening about 7 or 7:15, and went immediately to the homicide bureau to check on any further developments, and was advised that the case was building stronger, other

evidence being accumulated, and if I might go back a little bit now, at around 1 o'clock, on Saturday morning—I am trying to get my time straightened out here—the pertinent evidence that we had checked in the case of Oswald's shooting of the President was forwarded to the Federal Bureau of Investigation Laboratory in Washington, D.C., to be processed, the rifle and other evidence as that for fingerprints and any other evidence that might help us in the investigation.

After I had gotten back to the city hall Saturday afternoon, through discussion, I don't recall from whom, but in the hallway, that the prisoner would not be transferred before 10 o'clock the next morning.

I went to Chief Batchelor and asked him about the authenticity of that particular remark, and he said, "Yes, that's right." And I said, "Has the press been notified?" And he said, "Yes."

Mr. HUBERT. What time was it that you first heard about the fact that Oswald would not be moved Saturday night?

Mr. STEVENSON. Approximately 7:30 p.m., on the 23d.

Mr. HUBERT. Now just what was it you heard and what was it that was confirmed by Batchelor?

Mr. STEVENSON. I heard, as I stated, I don't know who made the remarks, but from the discussion in the hall, that Oswald would be moved not before 10 o'clock the next morning.

Mr. HUBERT. Did the information that you received indicate a time of removal the next day?

Mr. STEVENSON. Nothing but that it would not be before 10 o'clock.

Mr. HUBERT. It didn't say what time after 10 o'clock?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did Batchelor tell you what time it would be after 10 o'clock?

Mr. STEVENSON. No, sir. I went to Chief Batchelor—the reason I went to Chief Batchelor with that when I heard these remarks, I wanted to know if the press had been told. I went to Chief Batchelor and affirmed the fact that the statement had been made and that the press had been told.

Mr. HUBERT. All right; just go ahead then.

Mr. STEVENSON. I remained at my office in the Police and Courts Building until approximately 10:30 Saturday night, at which time I went home.

And returned to the Police and Courts Building at approximately 8 o'clock, Sunday morning, the 24th.

Mr. HUBERT. Now before you left your duty on Saturday night, do you know of any plans that had been made for the transfer of Oswald and the security of that transfer?

Mr. STEVENSON. No, sir; not on Saturday night, to my knowledge, I don't recall.

Mr. HUBERT. All right, then, proceed to Sunday, please, sir.

Mr. STEVENSON. I arrived at the basement of the Police and Courts Building at approximately 8 o'clock. Maybe 8:15.

I believe Chief Batchelor arrived at about the same time, and Chief Curry either came in near that time or a few minutes later. Now, I don't recall.

When Chief Batchelor and I were in the basement; we observed a Captain Talbert had already started setting up security in the basement and on the streets outside.

Mr. HUBERT. Will you describe what you mean when you say he had already started setting up security?

Mr. STEVENSON. He had placed officers on the Commerce Street side of the city hall at the top of the ramp.

There was two or three officers at that time, we observed, in the basement. And I believe Captain Talbert was in the basement, and one of the sergeants, possibly Sergeant Dean. I could be wrong on Dean being there at that time.

Mr. HUBERT. That was when you first came in?

Mr. STEVENSON. That was when we first arrived at the city hall. It was too early at that time to see just where we would want the men assigned, or where he would have them assigned, rather, because I was not assigning the men to security other than being of any assistance to the men in my division that I could possibly be. Chief Curry, Chief Batchelor, and myself looked over the basement shortly after, or I would say 8:45. Chief Curry observed a large TV

camera sitting back in the alcove as you go into the double doors into the Police and Courts Building of the basement.

Mr. HUBERT. Is that the basement side of those double doors, or on the jail side?

Mr. STEVENSON. That was just outside the jail windows after you get through the double doors from inside the Police and Courts Building. It was sitting outside the doors in the part of what is a part of the basement.

Mr. HUBERT. I see.

Mr. STEVENSON. He instructed that the camera would have to be moved and moved across the driveway into the parking area proper. He also instructed at that time, I believe it was at that time, that the two cars that were parked, I would say it was a squad car and a plain car, in spaces one and two, as I will refer to them, were directly across from the door leading out of the basement, that they would be moved and those spaces left unoccupied, no cars would be parked in there.

Mr. HUBERT. Chief Stevenson, I have before me the chart of the basement area including the jail office and parking area and the ramps and so forth. I am going to date it, and I am doing so now, "Dallas, Tex., March 23, 1964, as Exhibit 5050," in the deposition of Chief M. W. Stevenson. I am signing it with my own name, and I am going to ask you to sign it just below mine, because in your testimony from now on out, I am going to ask you to refer to this chart and put certain positions down on it.

Now, when you mentioned just now, a moment ago when you said that Chief Curry asked that two cars in spots one and two be moved off, would you indicate on Exhibit 5050 by putting "Spot 1," and "Spot 2," what cars he was talking about?

(Writing on chart.)

Mr. STEVENSON. Right here.

Mr. HUBERT. Just put "Spot," so we will know. "Spot 1," and "Spot 2."

All right, was that done? Were the cars moved?

Mr. STEVENSON. Yes, sir; they were moved from those two parking spaces.

Mr. HUBERT. What happened next?

Mr. STEVENSON. At that time we all returned back up to the third floor. That was approximately, I would say, 8:40 or 8:45.

Mr. HUBERT. That would be you and Captain Batchelor?

Mr. STEVENSON. That would be me and Assistant Chief Batchelor and Chief Curry.

Mr. HUBERT. All right.

Mr. STEVENSON. We went back upstairs, and I would say 30 minutes later, or approximately 9 or 9:15, Chief Curry and Chief Batchelor had discussed the possibility of moving the prisoner in an armored car due to some threats—incidentally, I have to drop back a little.

Chief Batchelor notified me, when I met him down there that morning, that Captain Frazier, I believe it was, had called him at home and told him that the FBI had called up with some information that, I won't say how many, but a group of people were going to take Oswald away from the officers on the transfer.

Mr. HUBERT. Did Captain Frazier tell you?

Mr. STEVENSON. No; he called Chief Batchelor, and he told me that Captain Frazier had called him.

Mr. HUBERT. Told him there had been a message received from the FBI that someone had called the FBI?

Mr. STEVENSON. Yes.

Mr. HUBERT. Stating that there would be an effort made; is that correct?

Mr. STEVENSON. Right.

Mr. HUBERT. Did Captain Batchelor indicate to you at that time whether the FBI knew who had made this call?

Mr. STEVENSON. No, sir; he did not.

Mr. HUBERT. Did he indicate to you that it was an anonymous call?

Mr. STEVENSON. I believe, as I remember, he did say that the message that he got was that an anonymous caller had notified the FBI.

Mr. HUBERT. All right; go ahead with it then.



Mr. STEVENSON. They had discussed the possibility of transferring the prisoner in an armored car due to these threats. I walked in the office, in the chief's office while that was being discussed, and the chief asked me what I thought about it.

I told him I thought it would be a good idea, in view of the threats. Chief Batchelor went to his office to contact one of the local armored truck operators, who was, I believe, a Mr. Fleming, and made arrangements to get an armored truck. I remained around the office on the third floor, and I believe Chief Batchelor and I made another trip down in the basement before I went after some coffee.

Chief Batchelor advised Chief Curry he had ordered the armored truck and told Chief Curry, he and I were going to the basement and look the area over. We went to the basement, and Captain Talbert had set up, what we thought, was a very good security.

Mr. HUBERT. Did you see it yourself?

Mr. STEVENSON. Yes; I saw the officers, where they were distributed.

Mr. HUBERT. Would you state then for the record just what you saw, what you stated you considered to be good security? And it might be that you will want to use that chart to indicate what you mean.

Mr. STEVENSON. He had placed officers—he had not stationed them definitely, but he had officers there checking everybody that came into the basement. He had officers down there that searched the entire basement area, searching cars, on top of the heat conduits, and so forth. He had officers on the ramp up here.

Mr. HUBERT. Wait a minute, you say, "up here"?

Mr. STEVENSON. At the top of the Commerce Street ramp.

Mr. HUBERT. How many officers did he have there?

Mr. STEVENSON. I don't know just how many. He had some reserve and regular officers. And Captain Arnett advised us, I believe it was on this trip, that he had been instructed by Captain Talbert to move all of the people to the southside of Commerce Street, permit none of them to congregate on the city hall or Police and Courts Building side of Commerce, and that he had done that. We observed that the crowd was across the street. He had an officer stationed up here at the top of the Main Street ramp.

Mr. HUBERT. Do you know that officer's name?

Mr. STEVENSON. Vaughn, I believe it was.

Mr. HUBERT. I wonder if you would write his name there in your own handwriting.

Let the record indicate that Mr. Stevenson is writing the name of the Officer Vaughn on Exhibit 5050.

Can you tell us what officers you saw in the basement area?

Mr. STEVENSON. At that time when I was down there, I cannot say other than that I did see Captain Talbert. He was all over the area.

Mr. HUBERT. What time was this, about, again?

Mr. STEVENSON. This was around 9:45, I guess. As best I recall the time on that.

Mr. HUBERT. Any of the news people there then?

Mr. STEVENSON. Yes, sir; there were a few. This camera had been moved. They were back over in this area back in here.

Mr. HUBERT. Well, now, you are indicating on the chart that they had been moved to what is called there the parking area?

Mr. STEVENSON. Parking area of the basement; yes.

Mr. HUBERT. All right; go ahead.

Mr. STEVENSON. We returned back upstairs to the third floor. Chief Lumpkin and I went to the second floor to the patrol captain's office. Captain Talbert came up to the office and asked us to have a cup of coffee with him, which we did. He asked us at this time about the time of the route of the transfer. We told him at that time that we didn't know definitely, but that we believed that it would be east on Commerce to Central, north on Central to Main, and west on Main to the county jail.

Mr. HUBERT. You say that you were not certain of that information, but that you had gathered it? Could you expand on that and tell us where you think you got that information? As far as you are concerned, then, there had been no plans that you knew of as to the route?

Mr. STEVENSON. Not the exact route at 9:45 or 10 o'clock, somewhere in that area. He asked us what route it would travel, and we told him that we believed that it would go up to the Central Expressway and west on Main at that time.

Mr. HUBERT. When you used the pronoun "we," whom do you mean?

Mr. STEVENSON. Chief Lumpkin and I.

Mr. HUBERT. So that the route, so far as you knew it at that time, would be out of the Commerce Street exit, turning left, going beyond Pearl Street, which was one way against the direction which you wanted to go, and then over to North Central Expressway?

Mr. STEVENSON. Yes.

Mr. HUBERT. Turning left again and going to Main Street, turning left again, and then all the way down Main to Houston?

Mr. STEVENSON. Right.

Mr. HUBERT. Did he give any instructions, or did he indicate what he was going to do in connection with that plan?

Mr. STEVENSON. He said that he would call 10 men from his outside patrol and place one at each intersection on the route that would be taken to the county jail, which, as I said, at that time we figured would be Main Street, and he did make necessary arrangements.

Mr. HUBERT. All right then; go ahead.

Mr. STEVENSON. After we had drunk a cup of coffee, we returned back to the third floor and were advised a few moments later—Chief Batchelor advised me that the man had called him and that he was preparing to send the truck now. We again went to the basement, he and I, to see about the arrival of the armored truck.

I instructed Detective Captain O. A. Jones to go to the top of the Commerce Street ramp leading out of the basement to notify the two officers who were on duty there, to assist the truck when it came up and get it backed in as far as it would go down the ramp. Captain Jones did this and advised me that he also told Captain Talbert what he had done so that Captain Talbert would not move the officers when they got there. The truck was en route at that time.

After the truck arrived and was backed in, Chief Batchelor advised me that he and Lieutenant Smart opened the truck up and searched it completely, taking out, I believe, a couple of empty Coca-Cola bottles or soft drink bottles.

I had returned to the third floor, went to the homicide office, homicide bureau office, Chief Curry, Lieutenant Pierce, Captain Fritz, and I believe an FBI agent, and Lee Harvey Oswald was in Captain Fritz' office and some Federal officer had been interviewing him, oh, I would say at least for an hour, and I was advised at that time by Chief Curry—

Mr. HUBERT. What time was that?

Mr. STEVENSON. That was about 11:10 or 11:15—that they had changed their plans after discussing it with Captain Fritz and that instead of using the armored truck to transport the prisoner to the county jail, they would use the truck as a decoy because a car would be much more maneuverable if a crowd tried or anyone started to stop the car or take the prisoner, that the truck would proceed east on Commerce from the Commerce Street ramp to the Central Expressway north, north to Elm Street, Elm Street west to Houston, and would turn left and not stop at the county jail, but pass by the county jail on Houston, that the car carrying the prisoner followed by another car of detectives, and Chief Curry's car, which was also parked out in the street, would leave the truck at Main Street on North Central and turn west down Main Street and proceed directly to the county jail.

And the sheriff's office had been notified and would have the steel gate open where the car could drive in and the gate could be closed directly behind it. When given this information, I left the homicide bureau and started back to the basement.

I met Chief Lumpkin at the elevator on the way to the basement and I advised him of the change in plan. On arriving at the basement, I advised Chief Batchelor and Captain Jones of the change in the plan.

I had been in the basement a minute or two after I had advised them of the change, and two detectives were bringing two police and plain cars from the parking area proper onto the ramp from the parking area.

I stepped across the driveway and instructed the officers there to assist the detective in getting these cars up on the ramp where it could back into, to pick the prisoner up, and follow the last car which was driven by Detective Dhority. As I came out of the parking area, the car pulled onto the ramp to back up.

I stepped across behind the car right over here.

Mr. HUBERT. All right, would you draw a little square roughly the size of the automobile driven by Dhority, and then place a circle to indicate your own position of that time?

Mr. STEVENSON. That is a long automobile, but as I recall, this post, I was standing right here, and the car had gotten back to right along here.

Mr. HUBERT. You were on the south side of that post, standing?

Mr. STEVENSON. I believe I was standing right here at the edge.

Mr. HUBERT. Is that the very front of the automobile on the right side?

Mr. STEVENSON. No; I was just about at the right door hinge. The right front door hinge, that is where I was standing. That is a very poor drawing of the car, Mr. Hubert.

Mr. HUBERT. That is all right. Just put in there, "police car," in that square.

Now you have also drawn a circle to the south of that post, and I wish you would draw a little arrow and put your initials indicating that that was your position.

Now let me get this. Did your position change from the way you have marked it here at all up until Ruby shot Oswald?

Mr. STEVENSON. No, sir; it did not. If I may explain this a little bit, from where I have drawn this circle, this post that extends out here is built onto the wall, and where I was standing, I could see plumb back into here. I was not behind the post as it looks like here.

Mr. HUBERT. How much space was there between the post and the right side of the automobile?

Mr. STEVENSON. I would say there was 3 feet.

Mr. HUBERT. Now, would you describe for us the position of the news media in the basement area there, giving us as much as possible the number of people, say, on the Main Street ramp, and the number of people in the basement area proper?

Mr. STEVENSON. I would say from the corner of the building here, straight across.

Mr. HUBERT. When you say, "here," just mark a point. Let's call that "number 1" to point number 2.

Mr. STEVENSON. I can make that up this way, I believe.

I would say in this area, from here to here, and over here.

Mr. HUBERT. Let's say you are talking about the southwest wall of the—

Mr. STEVENSON. From the west wall—we term that the west side of the driveway of the ramp to the east side, and back up to here.

Mr. HUBERT. And back up to approximately where the ramp begins to go up, is it?

Mr. STEVENSON. Let me look at my small map.

I may have that marked wrong. I may not be saying what I want to say. If I have those maps with me, I hope I have as much as I worked on that thing. I ought to tell you with my eyes closed.

I evidently left them.

Mr. HUBERT. All right. Let's get at it this way.

Mr. STEVENSON. The driveway end out from right here.

Mr. HUBERT. Don't say from right here. Let me put it to you this way. On the Main Street ramp, it is from the—

Mr. STEVENSON. That would be the entrance into the—

(Discussion off the record to orient positions.)

Mr. HUBERT. From the corner which is formed by the intersection of the jail corridor and the Main Street ramp on a line roughly due east or northeast, rather, and another line running along the Main Street ramp, and then another line across the ramp to the wall, how many news people were in that area?

Mr. STEVENSON. I would say, and it is purely a guess, from 30 to 40 on the north ramp, Mr. Hubert.

Mr. HUBERT. How many people can you estimate could stand abreast along there?

Mr. STEVENSON. It is 12 feet and 6 inches wide, the ramp is. I would say 5 people could stand in there side by side.

Mr. HUBERT. It actually is a little wider, is it not?

Mr. STEVENSON. It is down here. That is why I was looking for another little map I had there. It is 15 and 2 here.

Mr. HUBERT. Well, roughly speaking, how many people did you see abreast there, and how many ranks of such people were there?

Mr. STEVENSON. I don't know how many ranks there were. I would say there were, counting the officers and the detectives, and that is what I would have to go by, because we had detectives ranging that whole area.

I would say they were 6 or 7 or 8 deep.

Mr. HUBERT. And about 5 or 6 across?

Mr. STEVENSON. Yes.

Mr. HUBERT. So that somewhere between 40 and 50 people?

Mr. STEVENSON. Possibly; yes, sir.

Mr. HUBERT. Now, in the basement area itself, in, and particularly that portion which faces into the jail corridor, how many people were there?

Mr. STEVENSON. I would say, counting police officers and everybody, and again that is what I'd have to go by, I would say there were at least 50 in this area in here.

Mr. HUBERT. When you say this area in here, you are describing a semi-circle?

Mr. STEVENSON. From the two spaces which were cleared in the parking area proper back to——

Mr. HUBERT. Just draw a line.

Mr. STEVENSON. [Compliance.]

Mr. HUBERT. Would you just mark within that line the number of people that you think were within that space?

Mr. STEVENSON. [Compliance.]

Mr. HUBERT. Now mark the same way on the Main ramp the number of people that were in the area on the Main ramp?

Mr. STEVENSON. [Marking] Well, it is purely a guess. I would say 40 to 50, in that area.

Mr. HUBERT. Let me see if I can recapitulate it.

On the Main ramp there were between 40 and 50 newspeople standing abreast?

Mr. STEVENSON. Not news—police and all.

Mr. HUBERT. And news people standing abreast is roughly five to six to seven to eight, perhaps?

Mr. STEVENSON. Right.

Mr. HUBERT. In this other area which you have marked with a rough semi-circle, there were between 50 and 60 people?

Mr. STEVENSON. That is an estimate, estimate on it; yes, sir.

Mr. HUBERT. Now, when you came down and observed the moving of the vehicle driven by Dhority, were those people in the ramp and basement area already located there?

Mr. STEVENSON. Yes, sir; they were.

Mr. HUBERT. Do you know what security arrangements had been made with respect to checking the presence of those people?

Mr. STEVENSON. Yes, sir; the same security arrangement we had used all the way. No one was to be permitted into the basement without being a bona fide member of the press or news media, and to our knowledge, or to my knowledge, there was no one down there except members of the press or police officers, or officers from some department, a Federal officer or sheriff's office.

Mr. HUBERT. Do you know of any instructions that had been given with reference to checking these people for identification?

Mr. STEVENSON. Only what was given to them on the third floor. Now, I don't know what instructions Captain Talbert had given the men, but he told me he had instructed that no one would be permitted in there unless they had a press pass and was officially connected with the news media.

Mr. HUBERT. Did he tell you how that would be ascertained?

Mr. STEVENSON. By the officers checking them and checking his credentials.

Mr. HUBERT. I think you had gone there earlier on the occasion of about 9:45, I believe it was, when you and Batchelor went to get coffee?

Mr. STEVENSON. That was Chief Lumpkin and I drank the coffee, Mr. Hubert.

Mr. HUBERT. Anyhow, I am thinking about the last time that you were there prior to your going down finally, or to put it another way, the second to the last time you were down?

Mr. STEVENSON. The next to the last time was after I drank the coffee, Chief Batchelor and I went down there.

Mr. HUBERT. What time was it then?

Mr. STEVENSON. About the best I recollect, around 10:30.

Mr. HUBERT. Now were these news media people in those areas at that time?

Mr. STEVENSON. Not on the Main Street or north ramp, not at that time.

Mr. HUBERT. Do you know where they were?

Mr. STEVENSON. They were back in here.

Mr. HUBERT. That is to say, back in the basement area?

Mr. STEVENSON. Yes; in the basement area.

Mr. HUBERT. So at that time you think there were approximately, well, twice the number of people that you have since described as were in the Main ramp and the basement area, roughly about a hundred people?

Mr. STEVENSON. At that time there might not have been, because that was some 40 or 50 minutes before the prisoner was transferred.

Mr. HUBERT. Were there people upstairs or elsewhere?

Mr. STEVENSON. Some of them were on the third floor. Some of them were on the first floor. Now just where they all were, Mr. Hubert, prior to the time the transfer was actually made, I don't know, but about 10:30, I would say that there was not that many down there at that time.

Mr. HUBERT. When you said the first floor, you meant the first floor of the police and courts—of the police department?

Mr. STEVENSON. Of the police and courts building; yes.

Mr. HUBERT. You have already testified concerning the relation of what you call the courts?

Mr. STEVENSON. The police and courts building.

Mr. HUBERT. To the municipal building or the city hall?

Mr. STEVENSON. Right.

Mr. HUBERT. Do you know of your own knowledge whether there was any security as to the entrance to the city hall's first floor?

Mr. STEVENSON. Oh, only what Captain Talbert advised me, that they did have it sealed off and had the elevators stopped on the first floor and nothing to come below the first floor of the city hall proper.

Mr. HUBERT. Do you know about what entrances do exist to the city hall municipal building's first floor?

Mr. STEVENSON. Yes.

There is an entrance off of Main Street. There is an entrance off of Commerce Street. There is also an entrance into what we call a freight elevator off the alley on the east side which the alley runs between Commerce and Main and right up to the east side of the city hall.

To my knowledge, those are the three entrances to the city hall proper other than from the basement and the elevators up from the basement.

Mr. HUBERT. Isn't there a corridor, however, that leads from the first floor of the city hall to the first floor of the police department?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you know what security there was with respect to that corridor?

Mr. STEVENSON. To my own knowledge, Mr. Hubert, I don't know other than he did have, Captain Talbert said he had men on the first floor of the police and courts building and I believe that you will find a steel gate that closes off the police and courts building from the municipal building.

Mr. HUBERT. Do you know whether that gate was closed?

Mr. STEVENSON. No, sir; I do not. I did not inspect that.

Mr. HUBERT. Do you know whether the entrance to the first floor of the municipal building on Main and Commerce were locked or not locked?

Mr. STEVENSON. I did not inspect them; no, sir. I do not know of my own knowledge, but usually on a Sunday, those doors are locked.

Mr. HUBERT. Is that statement true about the door on the alley?

Mr. STEVENSON. To my knowledge, only the maintenance crews have keys.

Mr. HUBERT. Now were any policemen assigned to any of those three entrances from the outside into the first floor of the municipal building? To wit, Main Street entrance, Commerce Street entrance, and the service door on the alley?

Mr. STEVENSON. To my own knowledge, I don't know whether Captain Talbert told me that he had security on the outside of the doors of the city hall and the municipal building, but I did not go out and check those to see.

Mr. HUBERT. Were you aware then—that is to say, on November 24th, of the position of two reserve officers called Brock and Worley?

Mr. STEVENSON. Not by name; no, sir.

Mr. HUBERT. Do you know that there were two reserve officers in the basement area, one of them near the elevators and one of them near the——

Mr. STEVENSON. This is a driveway into the parking area.

Mr. HUBERT. The driveway into the parking area proper?

Mr. STEVENSON. To my own knowledge, no, sir; I don't. I did not go back to the elevators over here to check on that. My officers were in this general area in here.

Mr. HUBERT. That is to say, you are indicating from the intersection of the jail corridor and the ramp at the basement?

Mr. STEVENSON. Directly out in front of the jail office entrance, and in this area in here, and up this way and back here.

Mr. HUBERT. Do you know anything about the removal of those two men from the positions indicated?

Mr. STEVENSON. No, sir; I do not.

Mr. HUBERT. Now, did you observe the shooting?

Mr. STEVENSON. No, sir; I did not witness the shooting. If I may explain that, when Mr. Doherty backed the car that was to carry Lee Harvey Oswald to the county jail, then, as I have stated before, I stepped to the west side of it and was right about the front hinge of the door. I heard someone remark "They are coming out."

I looked around and observed Captain Fritz coming right through here.

Mr. HUBERT. From the jail corridor?

Mr. STEVENSON. From the jail corridor. When I saw him, I immediately directed my attention to the overall basement area of our security setup to observe anything that went on, and they had not taken but a few steps and had not reached the back of the car when I heard a shot, and immediately again I directed by attention to the prisoner and observed a group of officers, I would say, some 8 or 10, subduing someone.

And as I stepped back here, I saw Detective Graves who had been with Oswald.

Mr. HUBERT. When you say, "stepped back"—

Mr. STEVENSON. Back to where the shooting had taken place, I saw him rise from the crowd with a gun in his hand still holding it around the cylinder.

Ruby was picked up and taken into the jail office, who I afterwards learned was Ruby, and Oswald was also carried into the jail office. Lieutenant Wiggins instructed an ambulance to be called.

I then stepped back out of the jail.

When the shooting took place, the officers on the Main Street ramp, this one up here——

Mr. HUBERT. That would be Mr. Vaughn?

Mr. STEVENSON. I don't know that he was one that pulled his gun, but there were several reserve officers and other officers down in here.

Mr. HUBERT. That is on the Main Street ramp?

Mr. STEVENSON. I was told by, I believe it was, Captain Jones, that the officers up there had their guns out. And I stepped back out of the jail office after seeing that Ruby and Oswald had been taken care of.

The north ramp was quiet, but the officers were having difficulty with people.

Mr. HUBERT. On the Commerce Street ramp?

Mr. STEVENSON. At the top of the Commerce Street ramp, or near the top.

I stepped back up here and told those officers that the man that did the shooting was in custody and there was no more trouble. Ruby was taken upstairs and the ambulance picked up Oswald.

Mr. HUBERT. Did you go up with Ruby yourself?

Mr. STEVENSON. No; Captain King, Detective Archer, and I believe McMillon went up with Lee Harvey Oswald.

Mr. HUBERT. You mean with Ruby?

Mr. STEVENSON. I mean with Ruby, pardon me. With Ruby up to the jail office.

Captain King advised me when I came back down that they had stripped Ruby of his clothing, searched him to see that he had nothing on him with which he could harm himself or harm anyone else, and in about, oh, I would say possibly 10 minutes after he was taken upstairs, Secret Service Agent Forrest Sorrels did go up and talk with him, and Sergeant Dean, I believe it was, took him up there.

Now this was told to me by Sergeant Dean, that Mr. Sorrels did request to go up and talk to him, and he did take him up there.

Mr. HUBERT. Did you observe Ruby before he was stripped of his clothing?

Mr. STEVENSON. Yes; I observed him in the jail office after he had been picked up, after he had shot Oswald.

He had been picked up from just outside the jail office door near the ramp and was taken into the jail office, and he was standing in the jail office with the detectives holding him, when I walked in there.

Mr. HUBERT. Did you observe any kind of press pass on his person?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did you know Ruby prior to that time?

Mr. STEVENSON. No, sir; I had never seen him before, as far as I know.

Mr. HUBERT. Had you seen him in the crowd?

Mr. STEVENSON. No, sir.

Mr. HUBERT. Did Ruby say anything in your presence that you yourself heard?

Mr. STEVENSON. Not that I heard myself.

Mr. HUBERT. Did you give any orders concerning the search of Ruby's automobile?

Mr. STEVENSON. Yes, sir; I did.

Mr. HUBERT. Will you tell us what they were, please?

Mr. STEVENSON. I don't recall who contacted me or called me and told me where his car was on the parking station near the Western Union, advising me that he had a dog in the car, a dog of some kind.

I contacted my Automobile Theft Bureau, which handles and is responsible for all impounded cars, and asked Lieutenant Smart to go up and get the car.

He took someone with him, I don't recall who, to impound the automobile, search it, and take everything out of it that he could find.

Mr. HUBERT. Now you did not get your information about the location of the car from Ruby himself?

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

Mr. HUBERT. And you think you got it from someone whose name you don't know or now remember?

Mr. STEVENSON. I don't recall who it was. It is possible someone who had talked to Ruby, but now I can't say about that because I just don't recall who it was that advised me that his car was up there at the Western Union, but I did receive the information and directed Lieutenant Smart to get the car and search it thoroughly, impound it, and have the pound take the dog.

Mr. HUBERT. So that when you did get the information about Ruby's car, you also got the information that there was a dog in it?

Mr. STEVENSON. Yes, sir.

Mr. HUBERT. Do you know who was assigned to control traffic at the corner of Main and Pearl? That is, by the Western Union Office?

Mr. STEVENSON. No, sir; I don't.

Mr. HUBERT. Or Main and Harwood?

Mr. STEVENSON. No, sir; I don't.

Mr. HUBERT. Now, you have made a statement, I think, to the FBI, have you not, sir?

Mr. STEVENSON. Yes; I was interviewed by the FBI.

Mr. HUBERT. I will hand you a document that I am going to mark now for identification as follows: Dallas, Tex., March 23, 1964, an Exhibit 5051, Deposition of Chief M. W. Stevenson. I am signing my name, and I would like you to read it, sir.

Mr. STEVENSON. (Reads.)

Mr. HUBERT. Now, Mr. Stevenson, you are signing it.

Do I take it by that, that that statement is correct, so far as you know?

At least that there are no errors in it?

Mr. STEVENSON. As far as I can see, there are no errors. Only one thing on this, unless I missed it right here, this does not say anything of the change of plan.

Mr. HUBERT. No?

Mr. STEVENSON. It sure doesn't.

Mr. HUBERT. Well, it just speaks for itself. But apparently you called to our attention an omission from that statement which has been covered by a part of this deposition, is that correct?

Mr. STEVENSON. This was taken on the 25th. I guess that is right. Isn't that the date here?

Mr. HUBERT. Yes; the 25th is correct.

Mr. STEVENSON. I don't understand why that part was omitted, but I was interviewed, and there is nothing in here, as far as I am concerned, that is wrong, to my knowledge, with the exception of that omission of the change in method, of transfer.

Mr. HUBERT. There may be other things also in your deposition that do not appear in that document which we have marked as Exhibit 5051.

Now I show you another document which I have marked "Dallas, Tex., March 23, 1964, Exhibit 5052, Deposition of M. W. Stevenson," and I have signed it with my own name. It is a part of the Commission Document 81-A, Page 95-A, and ask you, sir, if that is a correct statement of your interview with Captain Sawyer?

Mr. STEVENSON. Yes, sir; it is. I might add on this one, this was to find out about our security, the reason this one was put out, and that is the reason they didn't go any further. You want me to sign this?

Mr. HUBERT. Yes. As I understand you, that is correct, so far as it goes?

Mr. STEVENSON. That's right.

Mr. HUBERT. Would you care to state for the record, Chief Stevenson, what, in your opinion, was the cause of the breakdown of security which resulted in the death of Oswald?

Mr. STEVENSON. Mr. Hubert, I don't know whether I can tell you the cause or not, but there is no doubt we had a breakdown. And if our investigation is right, it was at the Main Street ramp into the basement through which Ruby claimed that he walked down that ramp while this officer had his back turned. And our investigation showed that he did leave the Western Union Office some 4 or 4½ minutes prior to the shooting.

Our breakdown, although this is my opinion, it was unintentional on the part of Officer Vaughn, in my opinion, he did come down that ramp.

Mr. HUBERT. Is there anything else you would like to say, sir, concerning any part of this matter whatsoever?

Mr. STEVENSON. Mr. Hubert, I don't recall a thing that I haven't attempted to cover. However, if there is anything that I have not covered, I will be glad to attempt to or to answer any questions that you might think pertinent to it, and anything that I have failed to cover has been unintentional, I assure you.

Mr. HUBERT. I simply want to give you an opportunity now to say anything else that you might want to say, realizing, of course, that there may be other things which don't come to your mind at the moment, but I would like you to think about it and tell us if there is anything at all that has not appeared in any statement you have made or in any part of this deposition.

Mr. STEVENSON. The only thing that I could say that comes to my mind



at the present is, up until Oswald was killed in the basement, we felt like we had built a good case on Oswald as the slayer of President Kennedy, and we felt we had done a good job on the arrest and the accumulation of the evidence.

We just had a breakdown. We were let down unintentionally, in my opinion, from the investigation, by one officer that permitted Ruby to get into the basement.

Mr. HUBERT. Have you made any other statement, Mr. Stevenson, other than those that you have identified as Exhibits 5051 and 5052?

Mr. STEVENSON. Not to my knowledge that I recall, other than the overall chronological report that we made to the chief of police regarding the entire operation and plan for the visit of the President all the way through until Oswald was slain by Ruby in the basement.

Mr. HUBERT. Was that a joint report?

Mr. STEVENSON. Yes.

Mr. HUBERT. Tell us who prepared that.

Mr. STEVENSON. It was Chief Batchelor, Chief Lumpkin, myself, Chief Fisher, Chief Lunday, Captain Souter, and all of the supervisors who had a definite responsibility in preparing and carrying out the plans for the President's visit to our city on November the 22d.

Mr. HUBERT. Was that a written report?

Mr. STEVENSON. Yes.

Mr. HUBERT. Do you have a copy of that, sir?

Mr. STEVENSON. It's in this. I believe I have it. (Looking.)

It isn't in there, sir. I believe that is the entire report.

(Handing papers to Mr. Hubert.)

I don't think it would be in there. That is our security investigation report, Mr. Hubert. You will find that that is signed by Chief Batchelor, Chief Lumpkin, and myself.

All of the officers did not sign it. We merely got their version, their reports and things and incorporated them in one chronological report.

Mr. HUBERT. You have, Mr. Stevenson, handed me a document consisting of 34 numbered pages, the first page apparently being unnumbered, dated November 30, 1963, addressed to Mr. J. E. Curry, chief of police, and bearing on page 34, the typed names of Charles Batchelor, George Lumpkin, and M. W. Stevenson.

You have also stated to me that this copy was available to the Commission. I am therefore marking it as follows:

"Dallas, Tex., March 23, 1964, Exhibit 5053, Deposition of M. W. Stevenson."

I am signing it with my name, Leon D. Hubert, Jr.

I am going to ask you to sign your name under mine, and I am initialling myself, each one of the pages, and I would appreciate it, if you would also initial each one of the pages.

I am placing my initials on each one of the pages in the lower right-hand corner of each page.

Mr. STEVENSON. (Initials each page.)

Mr. HUBERT. Mr. Stevenson, I have now signed the first page under my signature, that being the unnumbered page. I ask you if you have checked the sequence of pages thereafter and find that they run in perfect sequence 1 through 34, page 34, being the last page?

Mr. STEVENSON. I have.

Mr. HUBERT. You have also placed your initials on each one of those pages in the lower right-hand corner below my signature, is that correct?

Mr. STEVENSON. I have.

Mr. HUBERT. The original of this was signed by you, sir?

Mr. STEVENSON. By Chief Batchelor, Chief Lumpkin, and myself.

Mr. HUBERT. And you delivered that to Chief Curry?

Mr. STEVENSON. Yes.

Mr. HUBERT. Now, have you been interviewed by any of the Commission staff prior to the taking of this deposition?

Mr. STEVENSON. No, sir; I have not.

Mr. HUBERT. Well, let me correct you. You were interviewed by me just before the beginning of this deposition?

Mr. STEVENSON. Yes; I was. I answered too quick then.

Mr. HUBERT. That interview took place this afternoon for about an hour and a half, I think, immediately preceding the time that we started to take the deposition?

Mr. STEVENSON. That's right.

Mr. HUBERT. You have not been interviewed by any other member of the Commission staff except that interview with me?

Mr. STEVENSON. No, sir; I have not.

Mr. HUBERT. Can you tell me whether you perceive any inconsistency between the deposition you have given and the interview that I conducted with you prior to the taking of the deposition?

Mr. STEVENSON. No, sir; I don't believe I can see any inconsistency.

I did do this at your request, or I say with your permission I looked over some of my notes before the taking of this, and the only thing that I think was any change made was in answer to Captain Talbert's question as to what the route of transfer would be.

I think when I discussed it with you prior to the taking of this deposition, I told you that we told him we thought it would go down Elm. When I reviewed my notes, it was Main Street that we had told him.

Mr. HUBERT. Now do you know of any other material information that was covered in the interview that preceded this deposition which has not been developed during the deposition?

Mr. STEVENSON. No, sir; not that I recall.

Mr. HUBERT. I think that is all unless you have anything else.

Mr. STEVENSON. I don't recall a thing else, Mr. Hubert.

Mr. HUBERT. Thank you very much.

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### TESTIMONY OF CAPT. CECIL E. TALBERT

The testimony of Capt. Cecil E. Talbert was taken at 7:30 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. Cecil T. Talbert, patrol division, Dallas Police Department.

My name is Leon D. Hubert, Jr.; I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolutions, I have been authorized to take a sworn deposition from you, Captain Talbert. I will state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Captain Talbert, the nature of the inquiry tonight is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry of the Commission. Now, Captain Talbert, you have appeared here tonight by virtue of a general request made by the general counsel of the staff of the President's Commission, Mr. J. Lee Rankin. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but those rules also provide that a witness may waive the 3-day notice in writing. Are you willing to waive that notice?

Captain TALBERT. I'd like to waive it, sir.

Mr. HUBERT. Now, will you stand and be sworn?