

Mr. BELIN. Down Elm Street as it goes into the expressway there?

Mr. COUCH. That's right.

Mr. BELIN. And when you say "45° angle" would that be up or down, or are you referring to the angle of incline, or the angle of west and south?

Mr. COUCH. The angle of incline—from a horizontal position.

Mr. BELIN. All right. So, you would estimate about a 45° angle downward pointing in what would be a southwesterly direction?

Mr. COUCH. Uh—westerly direction. From looking straight on at the building, one could not tell the—uh—angle, whether it was more southward or not. In other words, something sticking out the building, I couldn't tell. It was not—it did not appear to me that it was sticking straight out the window, so to speak.

Mr. BELIN. Yes. Is there anything else that you noticed about the gun?

Mr. COUCH. No.

Mr. BELIN. All right. Thank you. I just wanted to make sure I got that on the record.

TESTIMONY OF TOM C. DILLARD

The testimony of Tom C. Dillard was taken at 9:15 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Mr. BALL. State your name.

Mr. DILLARD. Tom C. Dillard.

Mr. BALL. Will you stand and raise your right hand, please?

Mr. DILLARD (Complying).

Mr. BALL. Do you solemnly swear the testimony given before this Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DILLARD. I do.

Mr. BALL. My name is Joseph A. Ball. I am staff counsel for the President's Commission on the Assassination of President Kennedy. You have already been requested to be present have you not—

Mr. DILLARD. By letter; yes.

Mr. BALL. By letter which you received last week?

Mr. DILLARD. Yes, sir.

Mr. BALL. What is your occupation?

Mr. DILLARD. I am a photographer.

Mr. BALL. I might state the purpose of questioning you is to ask you questions as to any knowledge you might have as to the facts concerning the assassination of President Kennedy on November 22, 1963, at Dallas, Tex.

Mr. DILLARD. I understand. My occupation is journalist; I am chief photographer of the Dallas Morning News, do some aviation writing but my primary job is head of the photographic department and, of course, I do outside work for the paper on photographic work.

Mr. BALL. How old are you?

Mr. DILLARD. I'm 49.

Mr. BALL. What has been your general education?

Mr. DILLARD. High school, very few college courses.

Mr. BALL. What?

Mr. DILLARD. High school and very few college courses.

Mr. BALL. Where did you go to school?

Mr. DILLARD. I didn't go to school. I graduated Fort Worth, from the old Central High School, went to the Officer Candidate School in the Military and Air University.

Mr. BALL. How long have you been with the paper?

Mr. DILLARD. The Dallas News since 1947 and I was with the Star Telegram, went to work in 1929.

Mr. BALL. Have you been a photographer for the papers all these years?

Mr. DILLARD. Well, yes; of course, the first years, when I was started at the age of 15, I was a copy boy and did various reporting and whatever we could do on the paper. I was 15 when I started.

Mr. BALL. On November 22, you were in the motorcade who followed President Kennedy, weren't you?

Mr. DILLARD. That is correct. I understand our car was about number six in the line.

Mr. BALL. Did you meet the President at Love Field?

Mr. DILLARD. That's right.

Mr. BALL. And then you rode in the motorcade from Love Field into Dallas?

Mr. DILLARD. Right.

Mr. BALL. Who was in your car?

Mr. DILLARD. I remember Jim Underwood, he's an announcer for KRLD-TV and cameraman, acting as a cameraman that day; and Bob Jackson of the Times-Herald, cameraman; and Couch with our TV station, Channel 8, and did you have information his name is Couch?

Mr. BALL. That's right; and the man that drove—

Mr. DILLARD. Channel 5—Darnell, I think his name is, and the driver of the car which I don't believe I remember his name. It was a Chevrolet convertible.

Mr. BALL. Your car was about sixth, was it?

Mr. DILLARD. I believe.

Mr. BALL. From the President's car?

Mr. DILLARD. From the President's car. We lost our position out at the airport. I understood we were supposed to have been quite a bit closer. We were assigned as the prime photographic car which, as you probably know, normally a truck precedes the President on these things and certain representatives of the photographic press ride with the truck. In this case, as you know, we didn't have any and this car that I was in was to take any photographs which was of spot-news nature.

Mr. BALL. As you turned from Main Street onto Houston, was the President's car in sight at that time?

Mr. DILLARD. No; and the whole parade, the whole trip to town, I could only distinguish the President's car on very few occasions in high rises in the ground, when we got on hills. It was difficult because the people in the cars ahead of me were sitting on the backs of cars which pretty well covered the President's car for me. We had a very, very poor view of the President's car at any time from the time the parade started.

Mr. BALL. Can you tell me whether or not the President's car had made the turn off Houston Street when your car turned north on Houston?

Mr. DILLARD. It had.

Mr. BALL. It had?

Mr. DILLARD. No; I won't say it had. I think it had because, like I say, I could never see the car very well. I believe it had.

Mr. BALL. Where were you sitting in the car?

Mr. DILLARD. I was sitting in the right front.

Mr. BALL. Who was in the front seat with you?

Mr. DILLARD. Oh, I don't remember; I think Jackson was sitting beside me—no; I believe Jackson was sitting in the back. I don't remember what our locations were.

Mr. BALL. But you know you were in the right front?

Mr. DILLARD. Yeah.

Mr. BALL. Did you hear something unusual as you were driving north on Houston?

Mr. DILLARD. Yes; I heard an explosion which I made the comment that I believe, in my memory, I believe I said, "My God, they've thrown a torpedo" and why I said "torpedo", I don't know. If you wish, I'll go ahead—

Mr. BALL. Go ahead with your story.

Mr. DILLARD. Well, then I later estimated, immediately later, estimated, oh, 4, about 3 or 4 seconds, another explosion and my comment was, "No, It's heavy rifle fire," and I remember very distinctly I said, "It's very heavy rifle fire."

Mr. BALL. How many explosions did you hear?

Mr. DILLARD. I heard three—the three approximately equally spaced.

Mr. BALL. What is the best estimate of the position of your car with reference to the turn at Main and Houston when you heard the first explosion?

Mr. DILLARD. Perhaps, oh, just a few feet around the corner and it seems we had slowed a great deal. It seems that our car had slowed down so that we were moving rather slowly and perhaps just passed the turn when I heard the first explosion.

Mr. BALL. Did you hear anyone in your car say anything?

Mr. DILLARD. Well, after the third shot I know my comment was, "They killed him." I don't know why I said that but Jackson—there was some running comment about what can we do or where is it coming from and we were all looking. We had an absolutely perfect view of the School Depository from our position in the open car, and Bob Jackson said, "There's a rifle barrel up there." I said, "Where?" I had my camera ready. He said, "It's in that open window." Of course, there were several open windows and I scanned the building.

Mr. BALL. Which building?

Mr. DILLARD. The School Depository. And at the same time I brought my camera up and I was looking for the window. Now, this was after the third shot and Jackson said, "There's the rifle barrel up there," and then he said it was the second from the top in the right-hand side, and I swung to it and there was two figures below, and I just shot with one camera, 100-mm. lens on a 35-mm. camera which is approximately a two times daily photo twice normal lens and a wide angle on a 35-mm. which took in a considerable portion of the building and I shot those pictures in rapid sequence with the two cameras.

Mr. BALL. You shot how many pictures?

Mr. DILLARD. Two pictures.

Mr. BALL. With one camera or two different cameras?

Mr. DILLARD. Two different cameras—one daily photo, not extreme daily photo, but twice the normal lens.

Mr. BALL. You say your cameras were ready? How were they ready?

Mr. DILLARD. Hung around my neck and held in my hand.

Mr. BALL. You brought them up and focused and shot?

Mr. DILLARD. Well, on the whole ride, I had been watching the tops of buildings and watching for any signs or anything unusual which, of course, is a newsman's chore on a parade like that. We were badly—in a very bad position from our viewpoint to cover anything on the parade, so we were all, as any news photographer is, rather tense when he is covering a Presidential or an affair of that sort and he is trying to get whatever pictures possible and watching for every possibility, and so we all tried for a number of things. Incidentally, the only unusual thing in the parade that I noticed was the President—I understand the President stopped his car at Lemmon and Loma Alta, which is out in the near suburbs of Dallas, as I understand, at the request of a sign that said, "Mr. President, stop and shake hands with us." I jumped out of the car—it was a convertible with the top down—and tried to run to get pictures of it but by that time the parade started and I was unable to get up that far.

Mr. BALL. When you shot these two pictures of the Texas School Book Depository Building, how far were you from the building, would you say?

Mr. DILLARD. From the window or from the—

Mr. BALL. From the building. That would be, I suppose, a measurement along the street.

Mr. DILLARD. I would say it was just before we reached the corner of Elm and Houston Streets.

Mr. BALL. You were south of Elm and Houston, were you?

Mr. DILLARD. Yes.

Mr. BALL. About how far? Well, perhaps as a photographer, you can give me a more accurate estimate this way; tell me how far you think your camera was from the upper windows when you shot that picture?

Mr. DILLARD. Oh, it wasn't over 50, 60 yards.

Mr. BALL. Did you see anything in the windows?

Mr. DILLARD. No.

Mr. BALL. You didn't see a rifle barrel?

Mr. DILLARD. No.

Mr. BALL. But you did see some figures or forms in the window?

Mr. DILLARD. Only in the windows which was the windows below.

Mr. BALL. How many forms did you see in the windows below?

Mr. DILLARD. I saw two men in the windows, at least the arched windows. I saw them in my picture. I was making the picture my eyes were covering.

Mr. BALL. You saw them as you were taking the picture?

Mr. DILLARD. I may have; I don't know.

Mr. BALL. Do you remember if you saw two or three figures?

Mr. DILLARD. I don't remember.

Mr. BALL. But you did see some figures and you cannot be accurate?

Mr. DILLARD. Right.

Mr. BALL. Your car stopped where?

Mr. DILLARD. As I remember, we were stopping and starting down Houston Street or moving very slowly while this shooting was going on, and I know we came around the corner of Houston and Elm and saw people lying on the ground down the hill on the sides of the lawns there in the plaza, and I jumped out of my car. The car stopped then and I got out and I don't know what happened.

Mr. BALL. What did you do after you got out?

Mr. DILLARD. Well, I made a picture of cars moving into the sun under the underpass, somebody chasing the car and I looked at the situation in that area and saw absolutely nothing of the Presidential car or anything that appeared worth photographing to me at the time.

Mr. BALL. How long did you stay around there?

Mr. DILLARD. Perhaps 2 minutes.

Mr. BALL. Then where did you go?

Mr. DILLARD. Another car, Chevrolet convertible, of the party came by with, I assume, dignitaries in it and I jumped on the back of it and we started—I told them, of course, who I was and we started out Stemmons Expressway toward the Trade Mart and I explained to them what I knew and tried to hold onto the back of that car at rather high speed. I never saw the Presidential car.

Mr. BALL. Do you have any idea or any impression as to the source of the explosions—what direction it was coming from?

Mr. DILLARD. Yes, I felt that, at the time, I felt like it was coming from a north area and quite close, and I might qualify I have had a great deal of experience. I am a gun nut and have a great number of high-powered rifles at home, so I know a little bit about guns.

Mr. BALL. You have had experience with rifles?

Mr. DILLARD. Yes, I have shot a great deal, so I am familiar with the noise that they made in that area. We were getting a sort of reverberation which made it difficult to pinpoint the actual direction but my feeling was that it was coming into my face and, in that I was facing north toward the School Depository—I might add that I very definitely smelled gun powder when the car moved up at the corner.

Mr. BALL. You did?

Mr. DILLARD. I very definitely smelled it.

Mr. BALL. By that you mean when you moved up to the corner of Elm and Houston?

Mr. DILLARD. Yes; now, there developed a very brisk north wind.

Mr. BALL. That was in front of the Texas School Book Depository?

Mr. DILLARD. Yes, it's rather close—the corner is rather close. I mentioned it, I believe, that it was rather surprising to me.

Mr. BALL. Who did you mention it to?

Mr. DILLARD. Bob, I'm sure.

Mr. BALL. Bob Jackson?

Mr. DILLARD. Yeah, Bob and I were talking about it.

Mr. BALL. You developed your pictures, didn't you?

Mr. DILLARD. I don't remember.

Mr. BALL. Or did you turn them over?

Mr. DILLARD. I printed them.

Mr. BALL. You printed them?

Mr. DILLARD. Yes, I don't remember whether I developed that roll or not. I may have.

Mr. BALL. Did you do that the same day?

Mr. DILLARD. Yes, immediately thereafter, shortly after I came back from the hospital.

Mr. BALL. Then you examined the pictures that you had taken—those two pictures you had taken?

Mr. DILLARD. Yes.

Mr. BALL. I have——

Mr. DILLARD. There was never any question in my mind that there was more than or less than three explosions which were all heavy rifle fire, in my opinion, of the same rifle. The same rifle fired three shots.

Mr. BALL. Do you still have the two negatives?

Mr. DILLARD. Yes; of these [indicating]?

Mr. BALL. Yes.

Mr. DILLARD. Yes.

Mr. BALL. You have them in your possession?

Mr. DILLARD. At the Dallas News; they're in a box kept locked in the managing editor's office.

Mr. BALL. Suppose we could do this. I have pictures here which you can identify but perhaps it might be a little closer to the source if we do this. Could you make me up two prints for your deposition from those negatives?

Mr. DILLARD. Well, I guess so.

Mr. BALL. Off the record.

(Off-record discussion.)

Mr. BALL. You will endorse your signature on each copy as being a print made from your negatives, is that satisfactory?

Mr. DILLARD. Suits me; I could get it notarized.

Mr. BALL. You don't need to do that because we can attach it as a copy to this deposition.

Mr. DILLARD. I could sign these; of course, you want that other.

Mr. BALL. We have two here. First of all, you made one picture with a wide lens?

Mr. DILLARD. Yes.

Mr. BALL. And you made a picture with a short lens?

Mr. DILLARD. Long lens—short and wide are the same.

Mr. BALL. A short, wide lens and one long lens. Now, I show you two pictures and I mark one "A" and mark one "B." Look them over and tell me whether or not those are prints from the picture that you made that day.

Mr. DILLARD. These are prints from one of the negatives I made on November 22.

Mr. BALL. And then you will furnish us two prints, one from each negative which we will mark as "C" and "D" and you will initial them, is that correct?

Mr. DILLARD. That is correct.

Mr. BALL. Do you mind initialing the "A" and "B" and we will make it part of this deposition—just on the back?

Mr. DILLARD. One of them will be the same picture as these two. These two are prints from one of my negatives.

Mr. BALL. That will be all right.

Mr. DILLARD. I have another negative.

Mr. BALL. Which you will make a print of?

Mr. DILLARD. If you wish.

Mr. BALL. Make up a print from each negative. Now, you made a statement to Agent Keutzer of the Federal Bureau of Investigation on the 25th of November 1963, didn't you, or thereabouts?

Mr. DILLARD. Yes.

Mr. BALL. And at that time, you told him that you first heard a noise which sounded like a torpedo, didn't you?

Mr. DILLARD. Yes, I said——

Mr. BALL. Off the record.

(Off-record discussion.)

Mr. BALL. Did you tell him that hearing another sound similar to that, you realized it was gunfire?

Mr. DILLARD. Yes.

Mr. BALL. And you heard the third shot. Now, the statement says that upon hearing the third shot, the car in which he was riding was stopped almost in front of the Texas School Book Depository Building.

Mr. DILLARD. My car?

Mr. BALL. Yes.

Mr. DILLARD. Yes.

Mr. BALL. Did you hear Bob Jackson of the Dallas Times-Herald exclaim "I see a rifle; it's up in the open window"?

Mr. DILLARD. Yes.

Mr. BALL. And Jackson pointed to the Texas School Book Depository located at Elm and Houston Streets?

Mr. DILLARD. That's right.

Mr. BALL. And you looked up at the building and you did not see a rifle protruding from any window?

Mr. DILLARD. I did not see a rifle.

Mr. BALL. But you did take two photographs?

Mr. DILLARD. Correct.

Mr. BALL. And you still have those negatives?

Mr. DILLARD. That's true.

Mr. BALL. Were you ever in a position where you could see anyone leave the Texas School Book Depository Building?

Mr. DILLARD. Briefly, only in the very short time, perhaps a period of 3 or 4 minutes, that I was in the general area. After the third shot, I was probably not there over 3 or 4 minutes.

Mr. BALL. Did you see anybody leave the building?

Mr. DILLARD. To my knowledge; no.

Mr. BALL. I think that's everything. Will you waive signature on this?

Mr. DILLARD. Sure.

Mr. BALL. Thank you, sir.

Mr. DILLARD. That's all right, glad to help.

TESTIMONY OF JAMES ROBERT UNDERWOOD

The testimony of James Robert Underwood was taken at 11:25 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Mr. BALL. Mr. Underwood, will you stand up and be sworn?

(Complying.)

Mr. BALL. Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. UNDERWOOD. I do.

Mr. BALL. Will you state your name, please?

Mr. UNDERWOOD. My name is James Robert Underwood.

Mr. BALL. Your occupation?

Mr. UNDERWOOD. I am the assistant news director of KRRLD-TV and radio in Dallas.

Mr. BALL. On November 22, 1963, you were in the motorcade, the Presidential motorcade?

Mr. UNDERWOOD. Yes, sir; I was three cars behind the President.

Mr. BALL. Who was in the car with you?

Mr. UNDERWOOD. There was a photographer from channel 5, WBAP-TV, whose name is James Darnell, and a photographer from the Dallas Morning News—I know his name but I can't think of it right now—