

TESTIMONY OF ELMER L. BOYD

The testimony of Elmer L. Boyd was taken at 11 a.m., on April 6, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. Joseph A. Ball, John Hart Ely and Samuel A. Stern, assistant counsel of the President's Commission. Dr. Alfred Goldberg, historian, was present.

Mr. BALL. Mr. Boyd, do you swear that 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. BOYD. I do.

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

Mr. BOYD. Elmer L. Boyd.

Mr. BALL. And what is your occupation?

Mr. BOYD. I am a detective in the homicide and robbery bureau for the Dallas Police Department.

Mr. BALL. You received a letter asking you to appear here today, didn't you?

Mr. BOYD. I think they received one over at the office and they notified me.

Mr. BALL. And you have been told the purpose of this investigation is to inquire into the facts and circumstances surrounding the assassination of President Kennedy?

Mr. BOYD. Yes, sir.

Mr. BALL. I'm going to ask you what you learned during the course of your investigation.

Mr. BOYD. All right.

Mr. BALL. Now, can you tell me something about yourself, where you were born and where you went to school and what you have done most of your life?

Mr. BOYD. Well, yes, sir. I can tell you I was born in Navarro County—the particular place was Blooming Grove, Tex., and it's about 15 miles west of Corsicana, and I was raised up about 7 miles north of there. I attended school, well, I started at a little country school—it was Pecan, was the name of the school. I went there 2 years and then they sent me to Blooming Grove and I started to school in my second grade. The reason I was in the second grade—I had to go through a primer before I got in the first grade—I didn't fail—I just had to go through this primer before I got in the first grade, and I graduated from high school at Blooming Grove in 1946 and I went into the Navy and served for 2 years, I believe I served about 22 months in the Navy—I joined and I went through boot training at San Diego, went from there to Newport, R.I., and caught my first ship, the USS Kenneth D. Bailey. I don't recall just how many months I spent on that—somewhere around 15 or 16 months, I've forgotten, and then they sent me to—I transferred from that ship and went on the USS Cone, that's another destroyer [spelling] C-o-n-e, and along about the first part of January, I believe, in 1948, they transferred me to Pensacola where I caught my third destroyer, the USS Forrest Royal, and we operated in and out of there until I got out of the Navy, and I believe it was about the first day of April 1948, when I was discharged, and I came to Dallas and I have been here in Dallas ever since.

I went to work on the police department May 19, 1952. Prior to that I worked, I believe, about 3 years for the gas company and I started out reading gas meters, and then I went into collecting, and I was a collector for the gas company when I came on the police department. I think I worked a couple of more places before then—one for a printing company down here on Cockrell, down here by Sears & Roebuck for a while, but I didn't stay there long.

Mr. BALL. How long have you been in homicide?

Mr. BOYD. I came in there on October 15, I believe, in 1957.

Mr. BALL. November 22, 1963, what were your hours of duty?

Mr. BOYD. Well, my hours of duty on November 22, 1963, I believe, was 4 to midnight.

Mr. BALL. So, on that day you went to work earlier?

Mr. BOYD. Yes, sir; I did.

Mr. BALL. What time?

Mr. BOYD. I came to work at 9 o'clock. Is it all right for me to go by this?

Mr. BALL. I see you have there a report that is entitled "Report on Officer's Duty in Regard to the President's Murder, R. M. Sims, No. 629, and E. L. Boyd, No. 840."

Mr. BOYD. Yes; we are partners.

Mr. BALL. Did you prepare that report yourself?

Mr. BOYD. He and I together prepared it.

Mr. BALL. When did you prepare it?

Mr. BOYD. Let me see—the last part of November—I'm not sure of the date.

Mr. BALL. Was it within a week after the events took place that are recorded there?

Mr. BOYD. I would say so; yes.

Mr. BALL. You dictated it to a secretary?

Mr. BOYD. Well, I wrote it out in longhand and carried it to the secretary and she typed it up.

Mr. BALL. It was written out in your longhand?

Mr. BOYD. Yes, sir.

Mr. BALL. Do you have those longhand notes?

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

Mr. BALL. This report has already been attached to Officer Sims' deposition as Exhibit A, so we have read it.

Mr. BOYD. Yes, sir.

Mr. BALL. During the course of your work, did you make notes of what you were doing in a notebook?

Mr. BOYD. Well, I made notes, and I believe I had a notebook.

Mr. BALL. Did you make it a habit of carrying a notebook with you?

Mr. BOYD. Yes, sir.

Mr. BALL. When you work?

Mr. BOYD. Yes.

Mr. BALL. And you just jot things down as they occur?

Mr. BOYD. Yes, sir.

Mr. BALL. Do you have that notebook with you?

Mr. BOYD. No; I do not.

Mr. BALL. Do you know where it is?

Mr. BOYD. No, sir; right offhand, I don't know where it is. Part of the time, you know, I just took a sheet of paper and put down the particular times, you know, and after I fixed this—I don't recall what I did with it. I may have torn it up.

Mr. BALL. You didn't have a regular notebook that you kept with you at all times?

Mr. BOYD. I had a regular notebook, but I didn't put everything in it, I'm sure.

Mr. BALL. This notebook that you had on November 22, 1963, have anything in it with respect to what you did on the 22d and the 23d of November?

Mr. BOYD. Of 1963—I don't recall if I have these showups in there or not—it seems like I did.

Mr. BALL. Do you have it with you?

Mr. BOYD. No; I do not.

Mr. BALL. Can you get it for me?

Mr. BOYD. I probably could if I have it.

Mr. BALL. Will you look it up?

Mr. BOYD. I will look for it.

Mr. BALL. I'll be down to the police department tomorrow morning at 10 o'clock and will you look it up between now and then and then let me see it if you still have it?

Mr. BOYD. All right.

Mr. BALL. I'll be up there in your department—near Captain Fritz' office.

Mr. BOYD. What time—at 10 o'clock?

Mr. BALL. At 10 o'clock in the morning.

Mr. BOYD. I'll be there—I come on at 10.

Mr. BALL. You come on at 10?

Mr. BOYD. Yes.

Mr. BALL. Then, I'll see you in the morning.

Mr. BOYD. All right.

Mr. BALL. On this morning of November 22, you had been ordered to work early; why was that?

Mr. BOYD. Well, President Kennedy was coming into Dallas and I was assigned to work with Captain Fritz and Detective Sims out at the Trade Mart.

Mr. BALL. Where did you hear that the President had been shot?

Mr. BOYD. Yes; I heard that.

Mr. BALL. You heard that over the radio, didn't you?

Mr. BOYD. Well, I believe it was around 12:40 when Chief Stevenson called and he talked to Captain Fritz out at the Trade Mart and he told him that—Captain Fritz told me that Chief Stevenson told him that the President had been involved in an accident down at the triple underpass and was on his way to Parkland.

Mr. BALL. Did you go over there?

Mr. BOYD. When we got out of the car, we checked, I believe, with—Mr. Sims called in on the radio and they told us he had been shot and we went to Parkland Hospital and pulled up to the emergency and saw there were a lot of people out there, but we saw Chief Curry out in front of the emergency there and he advised us to go back down to the scene of where we thought the shooting had occurred, down at the Texas Book Depository, and Mr. Sims and Captain Fritz and Sheriff Decker was also out there, and he rode back down with us.

Mr. BALL. And you went to the School Depository Building, did you?

Mr. BOYD. Yes, sir.

Mr. BALL. And you were told by Chief Curry to go to the School Depository Building at that time?

Mr. BOYD. Yes; down at the scene and that's where we had heard that they thought that the shot came from—from the Texas Book Store.

Mr. BALL. Where were you when you first heard that?

Mr. BOYD. We were at the Trade Mart when we heard that—pulling out—we were on our way to Parkland Hospital from the Trade Mart, pulling out in the car.

Mr. BALL. Now, when you arrived down here at the building, what did you do?

Mr. BOYD. Well, we went outside the building and we made two or three stops going up, you know, at different floors, and when we got up to the top floor—I believe it was the top one—I think it's the seventh floor, and someone called us and said they had found some hulls, rifle hulls, down on the sixth floor, I believe it was the sixth floor.

Mr. BALL. And you were with whom at that time?

Mr. BOYD. I was with Captain Fritz and Detective Sims.

Mr. BALL. Did you go down to the sixth floor?

Mr. BOYD. We stopped at the sixth floor—you say, did we go down to the sixth floor?

Mr. BALL. When you heard that they found some hulls, just tell us what you did.

Mr. BOYD. We went down to the sixth floor and found the hulls over on the southeast corner of the building and they had some books, I suppose it was books—boxes of books stacked up back over there that way.

Mr. BALL. Did you see the hulls on the floor?

Mr. BOYD. Yes.

Mr. BALL. Did you see anything else around there where the hulls were on the floor?

Mr. BOYD. Well, over to the west there was some paper sacks, and I think some chicken bones up on top of some boxes.

Mr. BALL. That was west?

Mr. BOYD. Right; yes, sir.

Mr. BALL. Near the windows?

Mr. BOYD. Yes, sir; they were near the windows.

Mr. BALL. How far west from where the hulls were located?

Mr. BOYD. Oh, I would say roughly between 30 and 40 feet, probably.

Mr. BALL. Where, with reference to the rows of windows—there are pairs of windows—how many pairs of windows away from where the hulls were located did you see the paper sack and chicken bones?

Mr. BOYD. Let me see—I don't recall just how many rows of windows from

there it was. They are in rows of two, now, I'm not sure, I think it was in front of the third or fourth window over from the southeast corner.

Mr. BALL. Third or fourth?

Mr. BOYD. Yes.

Mr. BALL. Pair of windows?

Mr. BOYD. Yes, sir; now—pair of windows—let's see.

Mr. BALL. The windows are in pairs on that side, on the Elm Street side—now, what sort of sack was it?

Mr. BOYD. The best I remember it was just a brown paper sack—it looked like a lunch sack.

Mr. BALL. About the size of a lunch sack?

Mr. BOYD. Yes.

Mr. BALL. Did you see any other paper sack around there?

Mr. BOYD. I don't recall any if I did.

Mr. BALL. Did you see any brown wrapping paper near the window where the hulls were found, near the windows alongside which the hulls were found?

Mr. BOYD. I don't believe I did.

Mr. BALL. What else did you see?

Mr. BOYD. I just saw those stacks of books up there, and after we had been up there a while, I saw a rifle back over toward the southwest corner over there.

Mr. BALL. Where was that located?

Mr. BOYD. It was down between some boxes.

Mr. BALL. Now, did you see any pictures taken of the hulls, photographs taken of the hulls?

Mr. BOYD. Well, let's see, Detective Studebaker and Lieutenant Day, I believe, came up there and they were taking pictures over there at the scene of the hulls.

Mr. BALL. And what about where the rifle was found, did you see pictures taken there?

Mr. BOYD. Yes; I saw pictures taken over there.

Mr. BALL. By whom?

Mr. BOYD. Lieutenant Day.

Mr. BALL. Did you see anything else on the sixth floor there?

Mr. BOYD. I saw a lot of officers.

Mr. BALL. Did you find anything yourself?

Mr. BOYD. Not on the sixth floor—I don't believe so.

Mr. BALL. What time did you leave there?

Mr. BOYD. Well, I think I've got it down here somewhere—near 2 o'clock—I believe, but let me check to make sure. It would have been between 1:30 and 2 o'clock.

Mr. BALL. Where were you when you heard the rifle had been found?

Mr. BOYD. I was over near the scene of where the shells had been found.

Mr. BALL. Did you see Captain Fritz handle the rifle after it had been found?

Mr. BOYD. I don't believe so.

Mr. BALL. Did you see him eject anything from it?

Mr. BOYD. Let me see, now, I believe they did get a shell out of it after Lieutenant Day came over there.

Mr. BALL. Did you see it, or are you just telling us what you heard?

Mr. BOYD. Well, I don't believe I saw him get it out.

Mr. BALL. You heard about it?

Mr. BOYD. Yes, sir.

Mr. BALL. You left there and went up to the police department, didn't you?

Mr. BOYD. Well, when we left there, we started to go to Irving, but someone—when we got downstairs—someone told Captain Fritz that Sheriff Decker wanted to see him over in his office.

Mr. BALL. You say you started to go where?

Mr. BOYD. Irving, Tex.

Mr. BALL. Where did you get the address in Irving, Tex., or the place to go to in Irving, Tex.?

Mr. BOYD. Captain Fritz got it from some man there on the sixth floor. He came up and talked to him a minute and then he told Mr. Sims and I that we should check this Lee Harvey Oswald out, and that was the address they gave us—it was in Irving, Tex.

Mr. BALL. And what did you do then?

Mr. BOYD. We started to go over there and when we got downstairs, like I said, someone told Captain Fritz that Sheriff Decker wanted to see him a minute before he left, and we went in there and while we were in there we learned that the man that had shot Officer Tippit, we thought was the man, was on his way up to our office and Captain Fritz wanted to go by there and we carried him there.

Mr. BALL. You were in Decker's office when you heard that a man had been arrested for the murder of Tippit?

Mr. BOYD. Yes; we heard about Tippit getting shot when we were up on the sixth floor.

Mr. BALL. Then, Fritz told you to go to Irving, didn't he?

Mr. BOYD. Yes, sir; we started to Irving.

Mr. BALL. Where were you when you heard the man had been arrested, the suspect for the murder of Tippit?

Mr. BOYD. Well, I think we was still in the Texas Book Depository when we heard about him being arrested over there.

Mr. BALL. Did you go to Decker's office with Fritz?

Mr. BOYD. Yes sir.

Mr. BALL. And then you went with Fritz up to your office?

Mr. BOYD. Yes, sir.

Mr. BALL. And did Fritz send somebody else out to Irving, or do you remember?

Mr. BOYD. I think later on, I believe, he sent someone else out there.

Mr. BALL. He told you to stay there at the police department, did he?

Mr. BOYD. Yes, sir.

Mr. BALL. What did you do when you got there?

Mr. BOYD. Well, we went in and there was a good many people there—I don't recall who all was there—I know we talked to Lieutenant Baker, and he told us that the man that shot Tippit was in the interrogation room and about 5 minutes or so after we were in the office, we took Lee Harvey Oswald out of there and brought him into Captain Fritz' office and he talked to him in there.

Mr. BALL. Tell us about what time of day that was?

Mr. BOYD. I believe it was around 2:20 when we took him out in there; yes, sir.

Mr. BALL. And who was there in the room with Oswald at that time?

Mr. BOYD. With Oswald at that time—?

Mr. BALL. You took Oswald into Fritz' office about 2:20?

Mr. BOYD. Yes, sir.

Mr. BALL. Who was there besides Oswald?

Mr. BOYD. Well, Captain Fritz, and let me see, there was some FBI agents.

Mr. BALL. Do you remember their names?

Mr. BOYD. I know one came in just shortly thereafter and I remember Mr. Bookhout and Mr. Hosty came in right after we got in there.

Mr. BALL. And who else was there?

Mr. BOYD. Mr. Hall and Mr. Sims; M. G. Hall is our other partner.

Mr. BALL. He's your other partner?

Mr. BOYD. Yes, sir.

Mr. BALL. And Sims was there, and was there a Secret Service man in there?

Mr. BOYD. Let me see—I think there was a Secret Service man there, but I don't recall—I don't know what his name was.

Mr. BALL. Do you remember what was said?

Mr. BOYD. Well, I don't remember exactly what was said.

Mr. BALL. Well, in general, what was the substance of what was said?

Mr. BOYD. Well—

Mr. BALL. Give me the substance.

Mr. BOYD. Well, I knew Captain Fritz asked him his name.

Mr. BALL. What did he say?

Mr. BOYD. I think he told us his name. I think when he asked him—I'm sure he told him his name because he would talk for a while and then he would quit.

Mr. BALL. Did he ask him where he lived?

Mr. BOYD. Yes, sir; I think he asked him where he lived.

Mr. BALL. What did he say?

Mr. BOYD. He said he lived over on Beckley.

Mr. BALL. Did he give the address?

Mr. BOYD. I believe that he said, well, I know he gave an address—I know he gave an address but he didn't say if it was north or south—I remember that—he didn't say if it was North Beckley or South Beckley and I remember another thing—Mr. Hosty came in and identified him himself, you know, as he came in.

Mr. BALL. What do you mean "identified him"?

Mr. BOYD. He took his identification out of his pocket and put it down there in front of him and told him who he was with.

Mr. BALL. He told Oswald his name and who he was with?

Mr. BOYD. Yes, sir.

Mr. BALL. What else happened?

Mr. BOYD. Well, they participated in the interrogation—Mr. Hosty asked him some questions and he was pretty upset with Mr. Hosty.

Mr. BALL. What do you mean by that, what gave you that impression—what happened?

Mr. BOYD. Well, just by Oswald's actions, he said he had been to his house two or three times talking to his wife and he didn't appreciate him coming out there when he wasn't there.

Mr. BALL. Is that what he said to Hosty?

Mr. BOYD. Yes, sir.

Mr. BALL. Anything else?

Mr. BOYD. I don't recall—I know Mr. Hosty asked him several questions and finally he jumped up and hit the desk, Oswald did, and sat down, and like I say, he was pretty upset.

Mr. BALL. Was he handcuffed at that time?

Mr. BOYD. Yes; I believe he was handcuffed.

Mr. BALL. Was he handcuffed with his hands behind him?

Mr. BOYD. No, sir.

Mr. BALL. Had his hands been handcuffed behind him before he came into the room?

Mr. BOYD. I couldn't say if they had or not—they could have been.

Mr. BALL. Do you know whether the handcuffs were changed after he got in the room?

Mr. BOYD. They could have been changed after he got in the room—I'm not certain.

Mr. BALL. Who changed them?

Mr. BOYD. I don't recall.

Mr. BALL. Now, when Oswald jumped up and struck the desk, he struck the desk with what? With his hand?

Mr. BOYD. With his hands.

Mr. BALL. What did Hosty ask him before that?

Mr. BOYD. He had asked him about a trip to Mexico City?

Mr. BALL. Who did?

Mr. BOYD. Mr. Hosty.

Mr. BALL. What did Oswald say?

Mr. BOYD. He told him he hadn't been to Mexico City.

Mr. BALL. What else?

Mr. BOYD. I don't recall just exactly—I think that the words that he used when he was talking to Mr. Hosty was that he had been out there and accosted his wife, I believe that's the words that he used and like I said, after he talked to him, he said he didn't appreciate him coming out there to his house.

Mr. BALL. What was it that Hosty said before Oswald got up and struck the desk with his hand—what question did he ask?

Mr. BOYD. I don't remember what the question was. I know it had something to do with—let me see—I'm not sure if he was still talking to him about his wife or the trip to Mexico City.

Mr. BALL. You remember he did ask him if he took a trip to Mexico?

Mr. BOYD. Yes, sir.

Mr. BALL. Oswald said he had not?

Mr. BOYD. He said he had not been to Mexico.

Mr. BALL. And what did Hosty say to that?

Mr. BOYD. He asked him if he denied being to Mexico City—I've just forgotten—it wasn't too awful long before that—I don't recall just exactly what time that he said—I know it was something recent.

Mr. BALL. What did Oswald say?

Mr. BOYD. He said he had not been there.

Mr. BALL. Do you remember anything else that was said?

Mr. BOYD. No, sir; right offhand—I don't.

Mr. STERN. Did he ask him anything about Russia?

Mr. BOYD. Yes, sir; something was asked him—I don't recall who asked him about that, and he told us about going over to Russia, I believe he was there in 1959, or something like that—about 1959. I'll tell you, I didn't keep notes in there because of the fact I was sitting right beside Oswald—right in front of him—more or less.

Mr. BALL. Did anybody keep notes?

Mr. BOYD. I saw the FBI man writing—they had a little book—across the table over there.

Mr. BALL. Did you have any microphones in there to record the conversation?

Mr. BOYD. No, sir.

Mr. BALL. Do you as a practice record the interrogations of your prisoners?

Mr. BOYD. No, sir; we don't.

Mr. BALL. How long did this take—how long was he questioned at this time?

Mr. BOYD. Let me see—we took him down to the first showup right after 4 o'clock, I think I have the exact time here—4:05 is when we left.

Mr. BALL. Was he in Captain Fritz' office from the time you took him in there—what time was that?

Mr. BOYD. At 2:15—2:20.

Mr. BALL. From 2:20 until 4 o'clock?

Mr. BOYD. Yes, sir.

Mr. BALL. Now, you took him into the first showup, did you?

Mr. BOYD. Yes, we left Captain Fritz' office at 4:05.

Mr. BALL. Who picked the men to go in the showup with him?

Mr. BOYD. Who picked the men?

Mr. BALL. Yes.

Mr. BOYD. I don't recall who picked those men.

Mr. BALL. Did you?

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

Mr. BALL. Did Sims?

Mr. BOYD. I don't recall if he did—I don't recall who picked those men.

Mr. BALL. Who were the men in this showup?

Mr. BOYD. Well, one of them's names was—we call him Bill Perry, his name is William E. Perry, he's a police officer and he was No. 1; and we had Lee Oswald, was No. 2; and R. L. Clark was No. 3; and Don Ables was No. 4.

Mr. BALL. The No. 4 man was a clerk there in the jail, was he?

Mr. BOYD. I believe he was a clerk down in the jail office.

Mr. BALL. Is it usual to have police officers show up with prisoners?

Mr. BOYD. Well, I have seen them in there before—I mean—it isn't done real often.

Mr. BALL. It's unusual to use officers to showup with prisoners?

Mr. BOYD. Well, I would say so, but I know that there has been officers.

Mr. BALL. Is that usual to use Don Ables, the clerk, in a showup?

Mr. BOYD. No, sir.

Mr. BALL. It is unusual?

Mr. BOYD. Yes.

Mr. BALL. The usual thing is to have other prisoners come in handcuffed with the suspect, isn't it?

Mr. BOYD. Yes.

Mr. BALL. Do you know why that wasn't done in this case?

Mr. BOYD. No; I do not.

Mr. BALL. When did you first learn that officers were going to go with you and with Oswald into the showup?

Mr. BOYD. When we got ready for the showup.

Mr. BALL. Did you hear anybody direct them to go into the showup with Oswald?

Mr. BOYD. No, sir.

Mr. BALL. You say when you got ready for the showup, that would mean where—where were you when you heard that officers were going to take part in the showup?

Mr. BOYD. Well, I guess it was down in the jail office. We took Lee Oswald down on the elevator and met the rest of them there in the jail office in the lobby there, to the best of my recollection.

Mr. BALL. Before you went into the showup, did you search Oswald?

Mr. BOYD. Yes; I did.

Mr. BALL. And what did you find?

Mr. BOYD. I found five .38 shells, I believe it was five.

Mr. BALL. Live? Live shells?

Mr. BOYD. Yes, sir.

Mr. BALL. What did you do with them?

Mr. BOYD. Well, I put them in an envelope and put them with the rest of the property up there to be turned in.

Mr. BALL. Did you put any mark on them?

Mr. BOYD. Let me see—I can look and see.

Mr. BALL. I will show you Commission Exhibit 592 in an envelope, will you take a look at that—at the cartridges?

Mr. BOYD. Yes—I got my mark on them.

Mr. BALL. You have your mark on all five of them?

Mr. BOYD. I have my mark on the first three—yes, sir—I have my mark on all of them.

Mr. BALL. On all five of them?

Mr. BOYD. Yes, sir.

Mr. BALL. You put those marks on there, did you?

Mr. BOYD. Yes, I did.

Mr. BALL. Now, looking those cartridges over, can you tell me whether these five cartridges, which constitute Commission Exhibit 592, are the cartridges which you took from Oswald?

Mr. BOYD. Yes; they are.

Mr. BALL. And where were you when you put the mark on them?

Mr. BOYD. I was back up in my office.

Mr. BALL. When you first took them from Oswald, where did you put them?

Mr. BOYD. I put them in my pocket.

Mr. BALL. And after you were back in the office, you put a mark on them, did you?

Mr. BOYD. Yes.

Mr. BALL. And turned them over to whom?

Mr. BOYD. Well, let me see—it seems like we had a drawer there where we had some more property, where we put it all in there—you know, where they had the other stuff—I have forgotten just exactly where it would be.

Mr. BALL. You turned them over to someone in the police department?

Mr. BOYD. Yes, sir.

Mr. BALL. Now, the showup was conducted and what side of the showup were you on? Stage side or out front?

Mr. BOYD. I was right next to the door on the inside, where you go into that showup room from the room leading into the jail office.

Mr. BALL. Who asked the questions?

Mr. BOYD. Let me see—at one of the showups—I've forgotten whether it was on this particular one—whether it was someone out from—Sims asked him some questions in one of those showups.

Mr. BALL. Did you ever ask any questions?

Mr. BOYD. Not that I recall—I don't believe I did.

Mr. BALL. How were these men dressed that were in this showup?

Mr. BOYD. Well, let me think—some of them had coats and slacks and one of them—let's see—I don't recall what color, but some of them—I don't believe any of them had a tie on—the officers had taken their ties off and I think Ables, I believe, was in his shirt sleeves.

Mr. BALL. Without a tie—did he have a tie on?

Mr. BOYD. No, sir; I don't believe so.

Mr. BALL. Ables was in his shirt sleeves. What about the two officers, Perry?

Mr. BOYD. Now, I remember Perry had on a coat, but he didn't have his shirt buttoned back up at the top, I remember that.

Mr. BALL. What about Clark?

Mr. BOYD. As I remember, Clark had on a white shirt. Now, I'm not sure—well, I'm not sure if he had on a coat or not, but I remember seeing him in a white shirt as he came in.

Mr. BALL. Were they manacled—handcuffed?

Mr. BOYD. Yes; they were handcuffed.

Mr. BALL. All four of them?

Mr. BOYD. Yes—handcuffed together.

Mr. BALL. What did Oswald have on?

Mr. BOYD. Well, he had on some—I believe it was dark slacks—it seems like it was a brown shirt he had on—he had on a long-sleeved shirt. It seems like he had on a jacket when he first came up there—I'm not too sure about that jacket—I know he had on a sport shirt and slacks.

Mr. BALL. Well, his clothes were a little rougher in character than the other three, weren't they?

Mr. BOYD. Well, could have been.

Mr. BALL. The other three were better dressed than Oswald, would you say?

Mr. BOYD. Well, yes, sir; I would say they probably were.

Mr. BALL. Oswald had a shirt that had a frayed elbow, didn't he, a hole in the elbow, didn't he?

Mr. BOYD. I don't recall if he did or not—I'm not sure.

Mr. BALL. Now, when they asked questions of Oswald at this showup, did he reply?

Mr. BOYD. I believe he did at that one—I believe he did reply.

Mr. BALL. Was he angry?

Mr. BOYD. I don't believe he was too angry.

Mr. BALL. Did he shout or yell in a loud voice?

Mr. BOYD. I don't recall him shouting.

Mr. BALL. He didn't shout or speak in a loud voice at this time?

Mr. BOYD. No.

Mr. BALL. Did he at some other showup protest?

Mr. BOYD. I heard he did, but I don't know.

Mr. BALL. Were you present?

Mr. BOYD. I wasn't present at that one.

Mr. BALL. You weren't present at any time in which he made any protest of the type of showup?

Mr. BOYD. No, sir; I don't believe so.

Mr. BALL. This day—this first showup—did he protest that it was not a fair showup?

Mr. BOYD. I don't recall if he did.

Mr. BALL. Did he at any time tell you after the showup that he didn't think it was fair to put those men in with him?

Mr. BOYD. He didn't tell me that—no, sir.

Mr. BALL. Did he ever tell you that any showup had been unfair?

Mr. BOYD. Not that I recall.

Mr. BALL. Now, did you hear any conversation that went on in the audience part of the showup?

Mr. BOYD. No, sir; I couldn't—I don't recall any of it—I couldn't hear anything.

Mr. BALL. Did you know any of the witnesses that were out there?

Mr. BOYD. I couldn't see them.

Mr. BALL. Did you take any witnesses' statements from people who were out in the audience?

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

Mr. BALL. What did you do after that showup?

Mr. BOYD. I took him back—I took Lee Oswald back to Captain Fritz' office.

Mr. BALL. What time did you get him back there?

Mr. BOYD. Well, we left in there, I think it was 4:20—I believe—yes; that was by my watch. I was just going by my watch; it could have been off.

Mr. BALL. Who was present at that interrogation?

Mr. BOYD. Well, let me see—I don't recall who was up there—I think there was an FBI agent and I think a Secret Service man was up there and I don't recall the names of the ones that was there.

Mr. BALL. Was there only one FBI agent at that interrogation?

Mr. BOYD. Well, it seems like that's all there was up there—just one. I think another one came in—now, I never did know—there was another one that came in—now, I never did know—then there was another one that came in, but I didn't ever know if he was Secret Service or an FBI man—I never did know. But someone—I believe, called him back out right after he got in there, but I'm not sure.

Mr. BALL. Do you know the names of the FBI agents?

Mr. BOYD. No, sir.

Mr. BALL. How about the Secret Service?

Mr. BOYD. I don't know their names.

Mr. BALL. Was there a Secret Service man there?

Mr. BOYD. I think there was a Secret Service man there.

Mr. BALL. More than one?

Mr. BOYD. Just one.

Mr. BALL. Do you know his name?

Mr. BOYD. Let me see if I have it here.

Mr. BALL. Was Kelley there?

Mr. BOYD. Mr. Kelley was there at one interrogation.

Mr. BALL. How long did this one last that started at 4:20?

Mr. BOYD. Let me see—I don't know, but at 6:20 we took him back downstairs for another showup.

Mr. BALL. Do you think it lasted 2 hours, the interrogation in Fritz' office?

Mr. BOYD. Well, no, sir; I don't think they were in there that long.

Mr. BALL. Did you feed Oswald at any time?

Mr. BOYD. Mr. Hall—I don't know—I believe someone asked him if he wanted anything and he said he didn't. Mr. Hall finally gave him a cup of coffee—he finally took a cup of coffee from Mr. Hall—I don't recall just exactly the time—that's M. G. Hall.

Mr. BALL. He's one of your partners?

Mr. BOYD. Yes, sir [spelling] H-a-l-l, and I think—let me see—I know that he gave him a cup of coffee.

Mr. BALL. Well, from the time that you first took Oswald into your custody after 2:15 or so, you said, until you put him in jail that night about 12:20, or 12:30, did he have anything to eat?

Mr. BOYD. I don't believe so because he said he didn't want anything.

Mr. BALL. Did you eat?

Mr. BOYD. I ate real late that night—I don't remember just what time it was.

Mr. BALL. How late?

Mr. BOYD. I think I ate around 9 o'clock—I'm not sure about that—it could have been 10.

Mr. BALL. Now, in this interrogation that started about 4:20, do you remember what was said?

Mr. BOYD. No, sir; I sure don't.

Mr. BALL. Was Oswald handcuffed?

Mr. BOYD. Yes, sir; I think he was handcuffed.

Mr. BALL. Were the handcuffs in front or behind?

Mr. BOYD. They were in front of him, I believe, still.

Mr. BALL. Do you remember anything that took place at that interrogation—anything that was said?

Mr. BOYD. No, sir—I sure don't.

Mr. BALL. Now, at 6:20 there was another showup?

Mr. BOYD. Yes.

Mr. BALL. And who was present at that showup?

Mr. BOYD. We had the same showup as we had had before and they were numbered the same as they were before.

Mr. BALL. Were the men dressed any differently?

Mr. BOYD. No, sir; they were dressed like they were before.

Mr. BALL. And do you know who conducted the showup—asked the questions?

Mr. BOYD. Now, I believe that this is the one that Mr. Sims asked some questions.

Mr. BALL. Do you know who it was that asked the questions at the first showup that afternoon?

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

Mr. BALL. Was there a Mr. Leavelle on duty that day?

Mr. BOYD. Mr. Leavelle was down there, I believe, on that day.

Mr. BALL. Did he ask questions at any of the showups?

Mr. BOYD. I think he did, but I'm afraid to say for sure because I don't really know.

Mr. BALL. At the second showup, did Oswald answer the questions—at 6:20?

Mr. BOYD. Yes; I think he answered the questions.

Mr. BALL. Was he angry?

Mr. BOYD. I don't recall him being angry.

Mr. BALL. Did he talk louder than the other three men?

Mr. BOYD. Not especially that I noticed.

Mr. BALL. Did you hear any of the conversation that went on in the audience part of the showup?

Mr. BOYD. No, sir.

Mr. BALL. Did you hear anything that was said to the witnesses, or what they said to the officers?

Mr. BOYD. No, sir.

Mr. BALL. What did you do after that showup?

Mr. BOYD. We took him back up to Captain Fritz' office.

Mr. BALL. That was about what time?

Mr. BOYD. I think it was 6:30 or 7 when we left the showup room when we took him there.

Mr. BALL. Who was present in Captain Fritz' office at that time?

Mr. BOYD. Well, that was when Justice of the Peace David Johnston [spelling] J-o-h-n-s-t-o-n, and our assistant district attorney, Bill Alexander, William F. Alexander, I believe is his true name—they came in with Captain Fritz.

Mr. BALL. Oswald was there too, was he?

Mr. BOYD. Yes.

Mr. BALL. What took place there?

Mr. BOYD. Well, Captain Fritz signed a murder complaint against Lee Harvey Oswald and that was for the murder of J. D. Tippit.

Mr. BALL. Was there some conversation that took place there at that time in front of Oswald?

Mr. BOYD. Yes, sir.

Mr. BALL. What was it, that you can remember?

Mr. BOYD. Well, I believe Judge Johnston, I believe, read the charge to Oswald, and—well, I don't recall the rest of that conversation.

Mr. BALL. Do you remember what Oswald said?

Mr. BOYD. No, sir.

Mr. BALL. At any time in any of the interrogations did you ever hear of anyone accuse Oswald of having shot Officer Tippit?

Mr. BOYD. Yes, sir—I heard—I believe I heard Captain Fritz talk to him about shooting Officer Tippit—I don't remember what interrogation it was in.

Mr. BALL. What did Oswald say?

Mr. BOYD. He said he didn't shoot anyone.

Mr. BALL. Did you ever hear anybody accuse Oswald of shooting the President, President Kennedy?

Mr. BOYD. I remember hearing them talk to him about shooting the President.

Mr. BALL. Who talked to him about it?

Mr. BOYD. I believe it was Captain Fritz.

Mr. BALL. What did Oswald say?

Mr. BOYD. He said he didn't shoot anyone.

Mr. BALL. Now, do you remember what Oswald said when Judge Johnston read the charge to Oswald? The charge of murder of Tippit, if he said anything?

Mr. BOYD. I think he said something, but I cannot tell you what it was.

Mr. BALL. You don't recall that?

Mr. BOYD. No, sir.

Mr. BALL. Oswald did make some statement, though?

Mr. BOYD. I believe he said something—yes, sir.

Mr. BALL. Did he ask for a lawyer?

Mr. BOYD. Well, let me see, he wanted to get in touch with a lawyer—I believe it was a lawyer by the name of Abt [spelling] A-b-t in New York City.

Mr. BALL. When did he say that? When did he tell you that?

Mr. BOYD. It was—either right before the first showup, or right after the first showup.

Mr. BALL. What did you tell him?

Mr. BOYD. Captain Fritz said he would—he didn't ask me, he was talking to Captain Fritz—yes.

Mr. BALL. This was in Captain Fritz' office?

Mr. BOYD. Yes.

Mr. BALL. What did Fritz say?

Mr. BOYD. He said he would see if he could make arrangements later on for him to use the telephone later on and call him.

Mr. BALL. Was anything said about who would pay for the call?

Mr. BOYD. No, sir.

Mr. BALL. No mention of that?

Mr. BOYD. I think he said he would call collect—I'm not sure.

Mr. BALL. Who said that—Oswald?

Mr. BOYD. Oswald.

Mr. BALL. Now, after the murder complaint was signed, what did you do?

Mr. BOYD. Well, let me see, I believe after that was signed, Mr. Clements—I believe, came in there.

Mr. BALL. In where?

Mr. BOYD. In Captain Fritz' office, and started talking to Lee Oswald.

Mr. BALL. And do you remember what he asked him?

Mr. BOYD. Well, I know he asked him about his name and I think he asked him where he was born, I think, and he asked him about his life in Russia—when he went to Russia and when he came back—I don't recall all of that.

Mr. BALL. And Oswald answered the questions?

Mr. BOYD. Yes, sir; I'll tell you—Oswald, he answered his questions until he finally—well, this interrogation was interrupted by another showup, and after we came back up Mr. Clements continued his interrogation and finally Oswald told him he was just tired talking and he thought he had talked long enough and he didn't have anything else to say.

He came in there and he wanted to get a little—well, he told him he wanted to get a little of his personal history and background, and Oswald finally got up and said, "What started out to be a short interrogation turned out to be rather lengthy," and he said, "I believe I have answered all the questions I have cared to answer, and I don't care to say anything else."

And sat back down.

Mr. BALL. He stood up and said that, did he?

Mr. BOYD. Yes; he stood up and said it. He just sat back in the chair and said, "I don't care to talk any more."

Mr. BALL. The first interrogation by Clements was interrupted, wasn't it?

Mr. BOYD. Yes.

Mr. BALL. That was interrupted by a showup, and that would be the third showup that you participated in?

Mr. BOYD. Yes, sir.

Mr. BALL. And that took place at what time?

Mr. BOYD. It was 7:30, let me see, no—7:40.

Mr. BALL. And who took part in that showup?

Mr. BOYD. You mean the officers?

Mr. BALL. No; who were the parties in the showup?

Mr. BOYD. Well, the first one was Richard Walter Borchgardt, and No. 2 was Lee Harvey Oswald, and No. 3 was—I have the wrong name in here—I have the last name—I just asked him his name as he came out in the showup room there and I understood him to say it was Braswell but it was Brazel.

Mr. BALL. Brazel—how do you spell that?

Mr. BOYD. [Spelling.] Brazel. B-r-a-z-e-l.

Mr. BALL. What is his full name?

Mr. BOYD. Ellis Carl Brazel.

Mr. BALL. He was the third man?

Mr. BOYD. Yes, sir.

Mr. BALL. Who was the fourth man?

Mr. BOYD. Don Ables was the fourth.

Mr. BALL. Was there some reason why you changed the parties to the showup?

Mr. BOYD. I don't know any reason.

Mr. BALL. Who directed that?

Mr. BOYD. I don't know—we met them down in the jail office and they had those three men down there.

Mr. BALL. What is the usual thing—when you are going to have a showup and you are in charge of investigation, who picks the people who appear in the showup?

Mr. BOYD. Well, most of the time we call down to the jail office and have them send us down—if he's already in jail, we just have them send up there and get him and just how many we want in the showup and we will tell them to give us this particular one—or three or four men—whatever the case may be.

Mr. BALL. Who picks them?

Mr. BOYD. The jailers upstairs.

Mr. BALL. Do you tell them to get them all the same color?

Mr. BOYD. Yes, sir; we always tell them to get them all the same color. I never have had too much trouble getting them all the same color.

Mr. BALL. What about the size and weight?

Mr. BOYD. Now, we always tell them to get them as near the same size and age and weight as they can. Sometimes they do and sometimes they don't.

Mr. BALL. In this case you didn't pick the men for the showup?

Mr. BOYD. I didn't know them—no, sir.

Mr. BALL. Or any of the showups?

Mr. BOYD. No, sir.

Mr. BALL. Now, this third showup took place at what time?

Mr. BOYD. We left the office at 7:40 and it takes, like I say, 2 or 3 minutes to get downstairs, and we got him back—we left down there to go back up at 7:55.

Mr. BALL. Who conducted the questioning on this third showup which you attended?

Mr. BOYD. I don't recall who did.

Mr. BALL. What about Oswald's manner in the third showup?

Mr. BOYD. I don't recall him being any different in that showup than the first two.

Mr. BALL. What about the appearance of the men in this showup—let's take the No. 1 man—what was his coloring and weight and size?

Mr. BOYD. Well, let's see—this is that Richard Walter Borchgardt. He was born May 30, 1940, and our records show him to be 5' 9", and 161 pounds.

Mr. BALL. That's [spelling] B-o-r-c-h-g-a-r-d-t?

Mr. BOYD. That's [spelling] B-o-r-c-h-g-a-r-d-t.

Mr. BALL. 161 pounds?

Mr. BOYD. Yes, sir; he had brown hair and blue eyes and fair complexion.

Mr. BALL. What was he in for, do you know?

Mr. BOYD. Yes, he was in for CPW and investigation of burglary and theft.

Mr. BALL. Then, the second man was who?

Mr. BOYD. Lee Harvey Oswald.

Mr. BALL. And the third man—was who?

Mr. BOYD. Ellis Carl Brazel [spelling] B-r-a-z-e-l.

Mr. BALL. That's [spelling] B-r-a-z-e-l—just one "l"?

Mr. BOYD. Yes, sir.

Mr. BALL. He was No. 3 and what is his description?

Mr. BOYD. He was born November 24, 1941, and it shows him to be 5' 10", 169 pounds, green eyes, blond hair, ruddy complexion.

Mr. BALL. What was he in for?

Mr. BOYD. I think he was in for tickets.

Mr. BALL. You mean, going too fast—speeding?

Mr. BOYD. Yes, sir; I believe that's right, or having some overdue tickets—he could have been in for something else, but that's what I think he was in for.

Mr. BALL. And Don Ables is the fourth man?

Mr. BOYD. Yes, sir.

Mr. BALL. He was the No. 4 man in the first two shows, too?

Mr. BOYD. This shows him to be 5' 9", 165 pounds.

Mr. BALL. What do you have Oswald down for?

Mr. BOYD. I don't have his description down, but I think he told me he was 5' and 8" or 9" and weighed 140-something pounds—I believe that is what he told me.

Mr. BALL. Do you know what happened to Borchgardt?

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

Mr. BALL. Or to Brazel?

Mr. BOYD. No, sir.

Mr. BALL. Now, in this showup, the third showup, was Oswald's manner any different than it had been the first two showups?

Mr. BOYD. I don't recall it being any different.

Mr. BALL. Did he shout, yell, or anything of the sort?

Mr. BOYD. I don't believe, because when he got back upstairs there, he started talking to Mr. Clements again and he didn't get upset.

Mr. BALL. How long did he talk to Mr. Clements? This last time?

Mr. BOYD. Well, let's see—he didn't talk to him but for about half an hour.

Mr. BALL. Then, after that what happened?

Mr. BOYD. Well, after Mr. Clements left, well, in a few minutes Detective Johnny Hicks and R. L. Studebaker from the crime lab came down to the office, that's Captain Fritz' office, and Detective Hicks fingerprinted Oswald and Sgt. Pete Barnes came in, and shortly afterward Capt. George Doughty came down and stayed just a few minutes and went back up, and he left out and I don't know where he went.

Mr. BALL. What did Barnes do?

Mr. BOYD. Well, he helped Johnny Hicks make some paraffin casts of Oswald's hands and the right side of his face.

Mr. BALL. You were there when that happened?

Mr. BOYD. I was in and out—I was in more than I was out. I was in and out at the time that was going on.

Mr. BALL. Then what happened—what did you do after that?

Mr. BOYD. About 11:30 Mr. Sims and I made out some arrest sheets on Lee Oswald.

Mr. BALL. And where was Oswald then?

Mr. BOYD. He was still up in the homicide office.

Mr. BALL. Did you question him again?

Mr. BOYD. No, sir.

Mr. BALL. And what did you do after that?

Mr. BOYD. Well, shortly after that Chief Curry and Captain Fritz came in, and Chief Curry asked us to take Lee Oswald back down into the assembly room and to take him out in front of the showup stage, and he told us not to let anyone get near to him or touch him—if they did—if anyone even tried it, to take him immediately to jail.

Mr. BALL. What did you do then?

Mr. BOYD. We went down there and stayed, I'll say, 5 minutes or so.

Mr. BALL. What happened when you stayed the 5 minutes—describe what you did?

Mr. BOYD. Well, there was a bunch of news reporters down there.

Mr. BALL. Television cameras?

Mr. BOYD. I believe there was some cameras in there—I'm not sure about the cameras—I know that there was a lot of reporters down there. They had some cameras on the outside.

Mr. BALL. What did you do with Oswald?

Mr. BOYD. We took him up there and some of them asked him some questions and he talked back and forth there for a minute and finally we got him and took him up in the jail office and carried him on up and put him in the jail.

Mr. BALL. Was Oswald angry?

Mr. BOYD. Part of the time he was.

Mr. BALL. What was said—can you remember?

Mr. BOYD. I remember somebody hollering out back there, "Why did you shoot the President?"

Mr. BALL. What did he say?

Mr. BOYD. He said, "I didn't shoot anyone."

Mr. BALL. You took him on up there, then, did you?

Mr. BOYD. Yes, sir.

Mr. BALL. And you put him in jail for the night, did you?

Mr. BOYD. Yes, sir.

Mr. BALL. And then you went home and went to bed?

Mr. BOYD. Later on I did.

Mr. BALL. What time did you go to work the next day—that would be November 23.

Mr. BOYD. I think I got in around 9 o'clock.

Mr. BALL. Then what did you do?

Mr. BOYD. I arrived at 9:30 and I stayed around the office until 10:25 and Mr. Sims, Hall, and myself went up and got Lee Oswald out of jail again and brought him down to my office.

Mr. BALL. Who told you to do that?

Mr. BOYD. Captain Fritz.

Mr. BALL. What did you do when you brought him down to your office?

Mr. BOYD. Well, Mr. Fritz and the FBI and Mr. Robert Nash, the U.S. marshal, and Mr. Kelley of Secret Service were in Captain Fritz' office at that time.

Mr. BALL. Who else was in the office?

Mr. BOYD. Let me see—I believe Mr. Sims and Hall, and Captain Fritz were there.

Mr. BALL. Now, Sims said he didn't stay there.

Mr. BOYD. Well, he came back out after we got him down there—that's right.

Mr. BALL. You stayed there, didn't you?

Mr. BOYD. Yes.

Mr. BALL. And you heard what was said?

Mr. BOYD. Yes, sir.

Mr. BALL. Tell us what you heard.

Mr. BOYD. Well, I know Mr. Nash asked him a question or two.

Mr. BALL. What were they?

Mr. BOYD. I don't recall what questions he asked.

Mr. BALL. Who else asked questions?

Mr. BOYD. Captain Fritz talked to him and—let me see—I don't remember if Mr. Bookhout—it seemed like Mr. Bookhout asked a question or two—I believe all of them asked him something.

Mr. BALL. Do you know what they asked?

Mr. BOYD. No, sir.

Mr. BALL. Do you remember what Oswald said?

Mr. BOYD. Well, let me see—no, sir; I can't recall what he said; like I say, I didn't keep notes there because I was sitting right near Oswald.

Mr. BALL. Was Oswald handcuffed?

Mr. BOYD. Yes; he was handcuffed.

Mr. BALL. Were the handcuffs in the front or in the back?

Mr. BOYD. They were in the front of him.

Mr. BALL. How long did this questioning last?

Mr. BOYD. It didn't last too awful long—about an hour or so, I believe, and we took him back to the jail at 11:30.

Mr. BALL. Then what did you do?

Mr. BOYD. Then Mr. Sims and Hall and Mr. Dhority, who is another detective in our bureau—went out to 1026 North Beckley to recheck Oswald's room out there.

Mr. BALL. Did you go out there then?

Mr. BOYD. Yes.

Mr. BALL. Did you have a search warrant?

Mr. BOYD. Let me see—I'm not sure if I had a search warrant—I know the landlady was there and let us in there. I didn't have the search warrant myself, I'll say that. One of the other officers might have had a search warrant.

Mr. BALL. But you didn't have one?

Mr. BOYD. I didn't have one.

Mr. BALL. You don't know whether you had one or not?

Mr. BOYD. I know there was a search warrant gotten but I didn't get it.

Mr. BALL. Well, there was a search warrant issued to search 1026 North Beckley the day before?

Mr. BOYD. Yes.

Mr. BALL. And it was searched the day before—you knew that, didn't you?

Mr. BOYD. Yes.

Mr. BALL. When you searched it this day, what did you find?

Mr. BOYD. Nothing.

Mr. BALL. Did you take anything with you?

Mr. BOYD. No, sir.

Mr. BALL. You took nothing out?

Mr. BOYD. I don't believe so. I think it was pretty clean.

Mr. BALL. What kind of furnishings did you see in there?

Mr. BOYD. Well, I saw a little bed, just a little small dresser—it barely would go in there and you barely did have room enough to walk between the dresser and the wall. The fact is the whole works were—wasn't any wider than that—just about that wide [indicating].

Mr. BALL. The whole room?

Mr. BOYD. The whole room.

Mr. BALL. It wasn't any wider than how many feet?

Mr. BOYD. I would say it wasn't over about 12 feet long and about 5 feet wide or something like that.

Mr. BALL. Did it have curtains on the windows?

Mr. BOYD. Well, it had—let's see, I'm not sure if it was curtains or blinds. It had one little bed in there and it barely did have room enough to get in there and go to bed.

Mr. BALL. You don't recall whether it had curtains or blinds?

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

Mr. BALL. Did you see Oswald again that day?

Mr. BOYD. I don't believe I did—let me see.

Mr. BALL. Well, it says in your report you brought him in at 6:30.

Mr. BOYD. I didn't do that.

Mr. BALL. You didn't do it? You were off duty?

Mr. BOYD. I wasn't off duty, but I just wasn't at the office at that time.

Mr. BALL. You don't think you saw him again?

Mr. BOYD. I don't believe so.

Mr. BALL. What about November 24?

Mr. BOYD. I worked late on the night of the 23d so I wouldn't have to come back early the next morning.

Mr. BALL. Then, you were with him on the 24th?

Mr. BOYD. I wasn't with him on the 24th—I was watching on the TV at home—I wasn't at home—I was out at my mother-in-law's at Irving, Tex., and I called Lieutenant Baker right after I learned about Oswald.

Mr. BALL. I want to ask you a question about Oswald's appearance when you first saw him. Did he have any marks on his face?

Mr. BOYD. He had one markup—I believe it was on his left eye—the thing that I noticed or was noticeable. And I asked him where he got that and he said, "Well, I struck an officer and he struck me back." He said, "Which he should have done."

Mr. BALL. Did he say "He should have done that?" Did Oswald say that?

Mr. BOYD. Yes, sir.

Mr. BALL. I want the exact words, not your version—give me the exact words.

Mr. BOYD. I'll tell you—I asked him how he got this place on his eye, and he says, "Well, I struck an officer and the officer struck me back, which he should have done."

Mr. BALL. Those were the exact words?

Mr. BOYD. Those were the exact words.

Mr. BALL. Was there anything else said about that?

Mr. BOYD. No, sir; he didn't seem too much upset about it.

Mr. BALL. Did he ever complain to you that he had been abused by the officers at the time of the arrest?

Mr. BOYD. No, sir.

Mr. BALL. Did he ever use the term that "police brutality"—did he ever use that term to you?

Mr. BOYD. I don't remember him ever using the term "police brutality".

Mr. BALL. Did he ever ask you to get him a lawyer?

Mr. BOYD. No, sir; he didn't ask me to get him one.

Mr. BALL. Were you present at any time when a lawyer visited Oswald?

Mr. BOYD. No, sir; I wasn't present—we asked him, did he want a lawyer here—Captain Fritz the next morning had asked him, and he said he didn't want a lawyer, he wanted Mr. Abt.

Mr. BALL. Do you have some questions?

Mr. STERN. What was your impression of Oswald—the way he handled himself, what kind of a man did he seem to you?

Mr. BOYD. I'll tell you, I've never saw another man just exactly like him.

Mr. STERN. In what way?

Mr. BOYD. Well, you know, he acted like he was intelligent; just as soon as you would ask him a question, he would just give you the answer right back—he didn't hesitate about his answers. I mean, as soon as you would pop him a question, he would shoot you an answer right back and, like I said, I never saw a man that could answer questions like he did.

Mr. STERN. Did he seem to be under stress or calm in those terms?

Mr. BOYD. Well, at times he was just as calm as could be, then once in a while he would—I don't know just how to tell you, but every now and then he would be talking and he would be just as calm and the next minute he would just liable to be—I mean his attitude, you know, would change, you know, rather frequently, but most of the time when he would be talking to you he was rather calm.

Mr. STERN. When it changed, was it for any noticeable reason or did it change apparently?

Mr. BOYD. Well, most of the time, you know, it was just when somebody would say something—some little something he didn't like, and he would—he didn't become mad, but the worst thing he did was when he jumped up and slapped the desk.

Mr. STERN. During the Hosty interrogation?

Mr. BOYD. Yes, sir.

Mr. STERN. He seemed to you to understand generally his rights?

Mr. BOYD. Yes, sir.

Mr. STERN. And do you know that he wasn't required to answer?

Mr. BOYD. Yes, sir.

Mr. STERN. Of course, this was a long day for everybody—did he seem by the end of the day still to be in command of himself, or did he appear tired or particularly worn out?

Mr. BOYD. Well, he didn't appear to be as tired as I felt—he didn't appear to be, because I imagine he could have been tired—he didn't show it.

Mr. STERN. This is quite unnatural—really rather exceptional; this is, of course, why you say somewhat unusual, a man accused of killing two people, one of them the President of the United States, and at the end of the day, he is pretty well in command?

Can you tell us in any other respect about the kind of person he seemed to you—anything else that you observed about him, as you now recall?

Mr. BOYD. I don't know—he just struck me as being the man, you know, who liked to move around a lot—I don't know that he did, but he just struck me as being a man that acted like he was not satisfied and—in one place.

Mr. BALL. When you participated in the search of Oswald and found five pistol cartridges in his pants pocket, was there any discussion of these bullets with him; did he say anything, or did you say anything to him about it?

Mr. BOYD. I just asked him, "What were they doing in there," and he said, "I just had them in my pocket."

Mr. STERN. The memorandum mentions the cartridges—bus transfer, except that he had a ring on his finger which he took off and he gave it to Mr. Sims. Do you remember any other items that he had that you got from him during this search?

Mr. BOYD. No, sir; I know that Mr. Sims did get the bus transfer and took his ring—he took his ring off and give it to Mr. Sims, and I got those five shells, and that's all that I recall being taken from him.

Mr. STERN. Do you remember an identification bracelet in the course of that investigation?

Mr. BOYD. Let me see—I'm trying to think if he had an identification bracelet. When we were up in Captain Fritz' office the first time—I recall—I don't recall if I saw that bracelet then or not—it seemed like I did. I know I saw a little card with his picture on it.

Mr. STERN. But this was not something you obtained in your search?

Mr. BOYD. No; I didn't.

Mr. STERN. That had been obtained earlier, apparently.

That's all. Do you have anything else?

Mr. ELY. Yes. Mr. Boyd, when you first saw Oswald when you went to the interrogation room and got him—do you remember that?

Mr. BOYD. Yes.

Mr. ELY. Who was with him in the interrogation room prior to your arrival?

Mr. BOYD. I am not positive about who was with him—there's some uniformed men in there and I believe there was Officer K. E. Lyons, but I would be afraid to say for sure, because I'm not positive, but I believe that's who it was.

Mr. ELY. Do you know whether whoever it was there with them, were they talking to him or questioning him, or don't you know?

Mr. BOYD. Well, I don't know. I just took it that they were the ones that brought him into—into the office up there. They were more or less just waiting for somebody.

I just assumed they were part of the officers that were out in the Texas Theatre where they arrested him and transferred down to our office from Oak Cliff.

Mr. ELY. Now, referring to the press conference Friday night, I believe you mentioned that part of the time Oswald seemed angry to you, do you know what it was that upset him?

Mr. BOYD. When someone called to him and asked him why he shot the President, that seemed like that's what upset him.

Mr. ELY. Do you know if there is anyone who could tell us who picked the people in the various lineups—you don't know exactly, but did you know, is there anybody you could tell us?

Mr. BOYD. I just don't know who it would be.

Mr. ELY. On Friday night, about what time did you check Oswald into the jail there?

Mr. BOYD. I think it was around 12:20 in the morning, I believe. According to my watch, I believe that's what I went by—that's what the time would be, of course, it could be a few minutes off. We turned him over to the jailers at 12:23 a.m.

Mr. ELY. Do you know whether he was checked out of the jail again after that time? Late at night—I realize you checked him out the next morning.

Mr. BOYD. No, sir; I don't know.

Mr. ELY. You don't know?

Mr. BOYD. No.

Mr. ELY. I believe that's all I have.

Mr. BALL. Well, Mr. Boyd, this will be written up and it will be submitted to

you and you can read it over and correct it and sign it if you wish. That's one procedure you can follow.

Or, this young lady will write it up and we'll send it on to the Commission as it is if you waive your signature. You have your option—you can do either one.

Mr. BOYD. I think she probably got it down all right—I'll trust her.

Mr. BALL. Then, you are waiving your signature?

Mr. BOYD. Yes, sir.

Mr. BALL. Thank you very much, and I am glad to have met you.

Mr. BOYD. Glad to have met you, Mr. Ball.

TESTIMONY OF ROBERT LEE STUDEBAKER

The testimony of Robert Lee Studebaker was taken at 3:45 p.m., on April 6, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. Joseph A. Ball, John Hart Ely, and Samuel A. Stern, assistant counsel of the President's Commission. Dr. Alfred Goldberg, historian, was present.

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

Mr. STUDEBAKER. Yes, sir.

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

Mr. STUDEBAKER. R. L. Studebaker—Robert Lee.

Mr. BALL. And you have been requested to appear here to give testimony in this inquiry, have you not, by your Chief of Police, who told you that we had a matter requiring your testimony?

Mr. STUDEBAKER. Yes.

Mr. BALL. The subject of the testimony is the assassination of President Kennedy.

You made certain investigations on November 22 and 23 and 24 with respect to that, did you not?

Mr. STUDEBAKER. Yes, sir.

Mr. BALL. What I want to ask you is what you did at that time. Can you tell me something about yourself, where you were born, where you went to school, and what your training is?

Mr. STUDEBAKER. I was born in Niles, Mich., and attended several schools and have been in Dallas and I have been in the Air Force and came to Dallas in 1950, and have been in the Police Department since February 8, 1954, and right now I am a detective in the Crime Scene Service Section of the ID Bureau of the Dallas Police Department.

Mr. BALL. What sort of training did you have for the crime lab work that you are doing?

Mr. STUDEBAKER. It's just on-the-job training—you go out with old officers and learn how to dust for prints and take pictures and fingerprints.

Mr. BALL. Have you had any special training in identification fingerprints?

Mr. STUDEBAKER. No, sir; we don't classify prints too much where we are. We just compare them.

Mr. BALL. What is the technique of lifting a print, as you call it?

Mr. STUDEBAKER. Well, it's just using the regular dusting powder that we have and if you find something that you want to dust, you dust for the print. We used on this special case up there on those boxes and things, we have a special powder that we used on that.

Mr. BALL. Then you take a picture of the print—a photograph?

Mr. STUDEBAKER. Of this area, we just taped it to preserve it. We just lift the print and then tape it to preserve it.

Mr. BALL. By "lifting a print," you mean to make it stand out?

Mr. STUDEBAKER. Raising it up; yes, sir.