

Mr. BELIN. Let me ask you, did you have anything to do on November 22, or anything more to do on November 22, with either the Tippit shooting or investigation or apprehension of Oswald or the assassination of the President's investigation?

Mr. WALKER. No. I stayed down in Captain Westbrook's office for a while until I got off.

Mr. BELIN. How about November 23, did you have anything to do that day?

Mr. WALKER. That would have been Saturday.

Mr. BELIN. Or did you work on Saturday?

Mr. WALKER. Yes, I worked on Saturday. I didn't follow up on any investigation of any kind.

Mr. BELIN. Were you going back to accident investigation?

Mr. WALKER. Yes, I went back to the accident investigation.

Mr. BELIN. You didn't have anything to do with anything connected with the assassination after November 22?

Mr. WALKER. No.

Mr. BELIN. Is there anything that we haven't covered here that you can think of at this time, Officer Walker?

Mr. WALKER. Not that I can think of. It's been a long time, and I just don't recall. I think there was more conversation with Oswald, but I can't recall all of it. I just remember what I considered the high points of it.

Mr. BELIN. Did he ever ask for a lawyer in your presence?

Mr. WALKER. I don't recall. I think he said—I know he was repeating, "I know my rights." I don't recall him actually asking for a lawyer.

Mr. BELIN. Did he say where he got the gun?

Mr. WALKER. No, he didn't say where he got the gun.

Mr. BELIN. Did he admit that it was his gun?

Mr. WALKER. Never did ask him actually whether it was his gun. He said he knew he was carrying a gun and he wasn't supposed to, so I assumed it was his gun.

Mr. BELIN. Well, we certainly appreciate your taking the time to come down here to testify before us, and we want to thank you very much for your cooperation.

Mr. WALKER. Okay. I know you've got a problem here.

Mr. BELIN. Have I asked you whether or not you care to read the deposition? I don't believe I have. You have an opportunity here to either read the deposition and then sign it, or else waive the signing of it and have the court reporter, Helen Laidrich, send it directly to us in Washington?

Mr. WALKER. I will go ahead and sign it.

Mr. BELIN. All right, Miss Laidrich will get in touch with you at the Dallas Police Department, I assume.

Mr. WALKER. Yes. Do you want me to sign it now?

Mr. BELIN. I am talking about when she gets it typed up. Do you want to read it or have her send it to us directly?

Mr. WALKER. Do I have to come down here to read it here?

Mr. BELIN. Yes, you have to come down and read it here.

Mr. WALKER. I will come down and read it and sign it.

Mr. BELIN. All right, fine. Thank you, sir.

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#### TESTIMONY OF GERALD LYNN HILL

The testimony of Gerald Lynn Hill was taken at 4:15 p.m., on April 8, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. David W. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Sergeant, would you stand and raise your right hand, please.

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

Mr. HILL. I do.

Mr. BELIN. All right. Sergeant, could you please state your name.

Mr. HILL. Gerald Lynn Hill.

Mr. BELIN. What is your occupation?

Mr. HILL. Sergeant in the Dallas Police Department.

Mr. BELIN. How long have you been with the Dallas Police Department?

Mr. HILL. Since March 7, 1955.

Mr. BELIN. How old are you, Sergeant Hill?

Mr. HILL. Thirty-four.

Mr. BELIN. Where were you born?

Mr. HILL. Ferris, Tex.

Mr. BELIN. Did you go to school there?

Mr. HILL. No, sir; I went to school in Dallas.

Mr. BELIN. How far did you get through school?

Mr. HILL. Went through high school.

Mr. BELIN. Then what did you do when you got out of high school?

Mr. HILL. Went to work for the Dallas Times Herald. Worked there from January of 1948 until April of 1954.

At the time I resigned there, I was radio-television editor for the paper.

Went from there to the Dallas Bureau of WBAP-TV in Fort Worth, and worked for them until March the 21st, 1958.

The last 2 weeks I was working for them, I was attending the police academy for the police department.

Mr. BELIN. Then you went in the police department?

Mr. HILL. I went with the police prior to quitting. I turned in my notice with WBAP and they let me work it out while I attended the police school, because I was actually hired on a Saturday, and the police school started on Monday, and I wanted to leave on good terms with one place and start to school on time with the other, so they worked out an agreement with me.

Mr. BELIN. Were you on duty on November 22, 1963?

Mr. HILL. Yes, sir; I was.

Mr. BELIN. Where were you on duty?

Mr. HILL. I was on special assignment, detached from the police patrol division, and assigned to the police personnel office investigating applicants for the police department.

Mr. BELIN. Where was this?

Mr. HILL. On that particular day, I was at the city hall in the personnel office, and did not have an assignment of any kind pertaining to the President's trip or any other function other than the investigation of police applicants.

Mr. BELIN. When did you leave the city hall?

Mr. HILL. The President had passed the corner of Commerce or—excuse me, Main and Harwood, turned off Harwood onto Main, and proceeded west on Main.

I had watched it from the personnel office window, which is on the third floor of the police and courts building, and Capt. W. R. Westbrook, who was my commander, had apparently been on the streets watching the parade, and he came back in and we were discussing some facts about how fast it passed and the police unit in it, and we had seen the chief's car in it, and how Mrs. Kennedy was dressed, and we were sitting in the office when a lady by the name of Kemmey, I believe is the way she spelled it, came in and said that the President had been shot at Main and Lamar.

Our first reaction was one of disbelief, but a minute later—she just made the statement and walked out—and a minute later Captain Westbrook said, "She wasn't kidding."

And I said, "What do you mean?"

And he said, "When she is kidding, she can't keep a straight face."

And figuring it was true, the dispatcher's office would be packed to the gills, so I walked down to the far end of the hall on the third floor where there is an intercom box connected to the radio from the dispatcher's office, and also you can hear the field side of the intercom of anything that is said to the police radio, and this is down in the press room.

I stood there for a minute and I heard a voice which I am almost sure was

Inspector Sawyer—but being I didn't see a broadcast, I couldn't say for sure—saying we think we have located the building where the shots were fired from at Elm and Houston Streets, and send us some help.

At this time I went back to the personnel office and told the captain that Inspector Sawyer requested assistance at Elm and Houston Streets. The captain said, "Go ahead and go."

And he turned to another man in the office named Joe Fields and told him to get on down there.

I got on the elevator on the third floor and went to the basement and saw a uniformed officer named Jim M. Valentine, and I asked Jim what he was doing, and he said, "Nothing in particular."

And I said, "I need you to take me down to Elm Street."

"The President has been shot."

We started out of the basement to get in his car, and a boy named Jim E. Well, with the Dallas Morning News, had parked his car in the basement and was walking up and asked what was going on, and we told him the President was shot.

And he said, "Where are you going?"

And we said, "Down to Elm and Houston where they think the shots came from."

And he said, "Could I go with you?"

So we took him in the back seat of the car. And I don't remember what the number was.

We came out of the basement on Commerce, went to Central, turned left, went over on Elm, ran into a traffic jam on Elm, went down as far as Pearl Street and turned back to the left on Pearl and went to Jackson Street, went west on Jackson to Houston Street, and turned back to the right and pulled up in front of the Book Depository at Elm and Houston, jumped out of the car and Inspector Sawyer was there.

I asked him did he have enough men outside to cover the building properly, and he said, "Yes; I believe so."

And I said, "Are you ready for us to go in and shake it down?"

And he said, "Yes, let's go in and check it out."

About this time Captain Fritz and two or three more detectives from homicide, a boy named Roy Westphal, who works for the special service bureau, and a couple of uniformed officers, and a couple of deputy sheriffs came up.

Now you identified them to me the other day, the two boys that were on the sixth floor from the sheriff's office.

Mr. BELIN. I think when I think when we chatted briefly the other day, I believe I said Boone and Mooney. Does that sound familiar?

Mr. HILL. I wouldn't know, but I know they identified themselves to us as deputy sheriffs, and some more people knew them.

So we went into the building, and Captain Fritz and his men said they would start at the first floor and work up, and they asked several of us to go to the top floor and work down.

We went up to the seventh floor on the elevator and I believe the elevator ran to the sixth, and we cut around the stairway and got to seven and shook it down.

At this time there were the two deputy sheriffs and I and one uniformed officer up there.

Mr. BELIN. You went to the top floor of the building?

Mr. HILL. Right.

Mr. BELIN. Do you know whether or not the elevator went all the way up, or did you climb?

Mr. HILL. I think we climbed a flight of stairs. In fact, I am almost sure.

Mr. BELIN. Do you think you climbed a flight of stairs because the elevator went no further?

Mr. HILL. I think it either went to fifth or sixth, but I am almost positive it didn't go to seventh. I may be wrong, but I didn't particularly take notice.

But I think they told us we were going to have to walk up a couple of flights because the elevator didn't go all the way.

Mr. BELIN. Where did you take this elevator?

Mr. HILL. Walked in the front door of the Book Depository and turned to the right. Took the passenger elevator. We did not take the freight elevator. The freight elevator goes all the way, I believe.

Mr. BELIN. You took a passenger elevator?

Mr. HILL. Yes.

Mr. BELIN. When you got off the passenger elevator, what did you do?

Mr. HILL. We asked them where the stairway was to the top floor, and if this was on the fifth, we walked through—there is a little office section near the elevator. We walked over past it and through a large room to the stairway, and then went all the way as high as the stairway would take us, which would have been on seven.

In the middle of the floor on the seventh floor there was a ladder leading up into an area they called the penthouse, which was used mainly for storage.

Westphal went up this ladder, I know, and the uniformed officer went up it.

The rest of us were checking around the boxes and books.

So on file we verified that there was not anyone on the seventh floor, and we didn't find any indication that the shots had been fired from there.

Mr. BELIN. Then what did you do?

Mr. HILL. Left the uniformed officer there, and these two deputies and I went down to sixth.

I started to the right side of the building.

Mr. BELIN. When you say the right side, you mean—

Mr. HILL. Well, it would have been the west side.

Mr. BELIN. All right, they moved over to the east side?

Mr. HILL. We hadn't been there but a minute until someone yelled, "Here it is," or words to that effect.

I moved over and found they had found an area where the boxes had been stacked in sort of a triangle shape with three sides over near the window.

Two small boxes with Roller books on the side of the carton were stacked near the east side of the window.

Mr. BELIN. Let's talk about which window now, sir. First of all, what side of the building? Was it on the north, east, south, or west?

Mr. HILL. It would have been on the south side near the east wall. It would have been the window on the southeast corner of the building facing south.

Mr. BELIN. Would it have been the first window next to the east wall or the second window, or what, if you remember?

Mr. HILL. As near as I can remember, it was the first window next to the east wall, but here again it is—I stayed up there such a short time that—yes, that is the one I am going to have to say it was, because as near as I can remember, that is the one it was.

Mr. BELIN. What did you see over there?

Mr. HILL. There was the boxes. The boxes were stacked in sort of a three-sided shield.

That would have concealed from general view, unless somebody specifically walked up and looked over them, anyone who was in a sitting or crouched position between them and the window. In front of this window and to the left or east corner of the window, there were two boxes, cardboard boxes that had the words "Roller books," on them.

On top of the larger stack of boxes that would have been used for concealment, there was a chicken leg bone and a paper sack which appeared to have been about the size normally used for a lunch sack. I wouldn't know what the sizes were. It was a sack, I would say extended, it would probably be 12 inches high, 10 inches long, and about 4 inches thick.

Then, on the floor near the baseboard or against the baseboard of the south wall of the building, in front of the second window, in front of the, well, we would have to say second window from the east corner, were three spent shells.

This is actually the jacket that holds the powder and not the slug. At this point, I asked the deputy sheriff to guard the scene, not to let anybody touch anything, and I went over still further west to another window about the middle of the building on the south side and yelled down to the street for them to send us the crime lab. Not knowing or not getting any indication from the street

that they heard me, I asked the deputies again to guard the scene and I would go down and make sure that the crime lab was en route.

When I got toward the back, at this time I heard the freight elevator moving, and I went back to the back of the building to either catch the freight elevator or the stairs, and Captain Fritz and his men were coming up on the elevator.

I told him what we found and pointed out the general area, pointed out the deputies to them, and told him also that I was going to make sure the crime lab was en route.

About the time I got to the street, Lieutenant Day from the crime lab was arriving and walking up toward the front door. I told him that the area we had found where the shots were fired from was on the sixth floor on the southeast corner, and that they were guarding the scene so nobody would touch anything until he got there. And he said, "All right."

And he went on into the building, and I went over to tell Inspector Sawyer, who was standing almost directly in front of the building across the little service drive there at what would actually be Elm and Houston. About this time I saw a firetruck come up, but I didn't pay any attention.

I was talking to Inspector Sawyer, telling him what we found, when Sgt. C. B. Owens of Oak Cliff—he was the senior sergeant out there that day, and actually acting lieutenant—came up and wanted to know what we wanted him to do, being that he had been dispatched to the scene.

Mr. BELIN. Let me stop you right there. Who dispatched him to the scene?

Mr. HILL. Apparently the dispatcher. Now his call number that day could have been 19.

Mr. BELIN. Okay, go ahead, Sergeant Hill.

Mr. HILL. We were standing there with Inspector Sawyer and Assistant District Attorney Bill Alexander came up to us, and we had been standing there for a minute when we heard the strange voice on the police radio that said something to the effect that, if I remember right, either the first call that came out said that they were in the 400 block of East Jefferson, and that an officer had been shot, and the voice on the radio, whoever it was, said he thought he was dead.

At this point Sergeant Owens said something to the effect that this would have been one of his men. And prior, on our way to the location from the city hall, a description had been broadcast of a possible suspect in the assassination.

With the description, as I remember, it was a white male, 5'8", 160 pounds, wearing a jacket, a light shirt, dark trousers, and sort of bushy brown hair. Captain Sawyer said, "Well, as much help as we have here, why don't you go with Sergeant Owens to Oak Cliff on that detail." And Bill Alexander said, "Well, if it is all right, I will go with you." And the reporter, Jim Ewell, came up, and I said an officer had been shot in Oak Cliff, and he wanted to go with us also.

In the process of getting the location straight, and I think it was at this point I was probably using 19 call number, because I was riding with him, we got the information correctly that the shooting had actually been on East 10th, and we were en route there.

We crossed the Commerce Street viaduct and turned, made a right turn to go under the viaduct on North Beckley to go up to 10th Street. As we passed, just before we got to Colorado on Beckley, an ambulance with a police car behind it passed us en route to Methodist Hospital.

We went on to the scene of the shooting where we found a squad car parked against the right or the south curb on 10th Street, with a pool of blood on the left-hand side of it near the side of the car.

Tippit had already been removed. The first man that came up to me, he said, "The man that shot him was a white male about 5'10", weighing 160 to 170 pounds, had on a jacket and a pair of dark trousers, and brown bushy hair."

At this point the first squad rolled up, and that would have been squad 105, which had been dispatched from downtown. An officer named Joe Poe, and I believe his partner was a boy named Jez.

I told him to stay at the scene and guard the car and talk to as many witnesses as they could find to the incident, and that we were going to start checking the area.

Mr. BELIN. Now, let me interrupt you here, sergeant. Do you remember the name of the person that gave you the description?

Mr. HILL. No. I turned him over to Poe, and I didn't even get his name.

Mr. BELIN. Had anyone at anytime given you any cartridge cases of any kind?

Mr. HILL. No; they had not. This came much later.

Mr. BELIN. Go ahead if you would, please.

Mr. HILL. All right, I took the key to Poe's car. Another person came up, and we also referred him to Poe, that told us the man had run over into the funeral home parking lot. That would be Dudley Hughes' parking lot in the 400 block of East Jefferson—and taken off his jacket.

Mr. BELIN. You turned this man over to Poe, too?

Mr. HILL. Yes, sir.

Mr. BELIN. I notice in the radio log transcript, which is marked Sawyer Deposition Exhibit A, that at 1:26 p.m., between 1:26 p.m., and 1:32 p.m., there was a call from No. 19 to 531. 531 is your home number, I believe? Your radio home station?

Mr. HILL. Yes.

Mr. BELIN. That says, "One of the men here at the service station that saw him seems to think he is in this block, 400 block East Jefferson, behind his service station. Give me some more squads over here." "Several squads check out." Was that you?

Mr. HILL. That was Owens.

Mr. BELIN. Were you calling in at all?

Mr. HILL. No. That is Bud Owens.

Mr. BELIN. You had left Owens' car at this time?

Mr. HILL. I left Owens' car and had 105 car at this time.

Mr. BELIN. Where did you go?

Mr. HILL. At this time, about the time this broadcast came out, I went around and met Owens. I whipped around the block. I went down to the first intersection east of the block where all this incident occurred, and made a right turn, and traveled one block, and came back up on Jefferson.

Mr. BELIN. All right.

Mr. HILL. And met Owens in front of two large vacant houses on the north side of Jefferson that are used for the storage of secondhand furniture.

By then Owens had information also that some citizen had seen the man running towards these houses.

At this time Sergeant Owens was there; I was there; Bill Alexander was there; it was probably about this time that C. T. Walker, an accident investigator got there; and with Sergeant Owens and Walker and a couple more officers standing outside, Bill Alexander and I entered the front door of the house that would have been to the west—it was the farthest to the west of the two—shook out the lower floor, made sure nobody was there, and made sure that all the entrances from either inside or outside of the building to the second floor were securely locked.

Then we went back over to the house next door, which would have been the first one east of this one, and made sure it was securely locked, both upstairs and downstairs. There was no particular sign of entry on this building at all. At this point we came back out to the street, and I asked had Owens received any information from the hospital on Tippit.

And he said they had just told him on channel 2 that he was dead. I got back in 105's car, went back around to the original scene, gave him his car keys back, and left his car there, and at this point he came up to me with a Winston cigarette package.

Mr. BELIN. Who was this?

Mr. HILL. This was Poe.

Mr. BELIN. You went back to the Tippit scene?

Mr. HILL. Right.

Mr. BELIN. You went back to 400 East 10th Street?

Mr. HILL. Right. And Poe showed me a Winston cigarette package that contained three spent jackets from shells that he said a citizen had pointed out to him where the suspect had reloaded his gun and dropped these in the

grass, and that the citizen had picked them up and put them in the Winston package.

I told Poe to maintain the chain of evidence as small as possible, for him to retain these at that time, and to be sure and mark them for evidence, and then turn them over to the crime lab when he got there, or to homicide.

The next place I went was, I walked up the street about half a block to a church. That would have been on the northeast corner of 10th Street in the 400 block, further west of the shooting, and was preparing to go in when there were two women who came out and said they were employees inside and had been there all the time. I asked them had they seen anybody enter the church, because we were still looking for possible places for the suspect to hide. And they said nobody passed them, nobody entered the church, but they invited us to check the rest of the doors and windows and go inside if we wanted to.

An accident investigator named Bob Apple was at the location at that time, and we were standing there together near his car when the call came out that the suspect had been seen entering the Texas Theatre.

Mr. BELIN. What did you do then?

Mr. HILL. We both got in Apple's car and went to Jefferson, made a right on Jefferson, headed west from our location, and pulled up as close to the front of the theatre as we could. There were already two or three officers at the location. I asked if it was covered off at the back.

They said, "We got the building completely covered off."

I entered the right or the east most door to the south side of the theatre, and in the process or in the meantime, from the time we heard the first call to the time we got to the theatre, the call came on over the radio that the suspect was believed to be in the balcony.

We went up to the balcony, ran up the stairs, which would have been also on the east side. And the picture was still on. I remember yelling to either the manager or the assistant manager or an employee, maybe just an usher, to turn on as many lights as they could. Went up to the balcony, and Detective Bentley was up there, and a uniform officer, and here again there was another deputy sheriff. He was a uniform man.

There were some six people in the balcony, and we checked them out and none of them appeared to fit the physical description that we had of the man that shot Tippit.

I went over and opened the fire escape door or fire exit door and stepped out on the fire escape, and Capt. C. E. Talbert was down on the ground. He said, "Did you find anything?"

And I said, "Not up here."

He said, "Have you checked the roof?"

There was a ladder leading from the fire escape that goes on up to the top of the roof, and the deputy sheriff said, "I will get that for you." And he started up it.

The captain said words to the effect that, "Make sure you don't overlook him in there." So we went back inside and we didn't find him in the balcony. We started downstairs and these would have been the west stairs on the west side of the balcony. About the time I got to the lower floor, I heard a shout similar to a "I've got him," which came from the lower floor. And I ran through the west door from the lobby into the downstairs part of the theatre proper.

Mr. BELIN. Let me stop you right there. When you say it is the west door, as I remember this theatre, the entrance faces to the south, is that correct?

Mr. HILL. Right.

Mr. BELIN. But then when you walked in, you walked in straight headed north, and then you had to turn to the right?

Mr. HILL. So once you turned, I went up. That would have made me come down the north, go up the south stairway to the balcony, and come down the north stairway.

Mr. BELIN. All right. Now, you got down to the first floor. As you go in to face the screen, the right side of the theatre when you are facing the screen, you are facing roughly east?

Mr. HILL. Right side of the theatre would have been south.

Mr. BELIN. South as you face the screen. All right, now.

Mr. HILL. So I went through the north lower door.

Mr. BELIN. All right.

Mr. HILL. Came down the north stairway, and the commotion would have been to my right or just south of the center of the theatre near the back. Went over, and as I ran to them I saw some officers struggling with a white male.

I reached out and grabbed the left arm of the suspect, and just before I got to him I heard somebody yell, "Look out, he's got a gun."

I was on the same row with the suspect. The man on the row immediately behind him was an officer named Hutson. McDonald was on the other side of the suspect from me in the same aisle.

Two officers, C. T. Walker and Ray Hawkins, were in the row in front of us holding the suspect from the front and forcing him backwards and down into the seat. And to McDonald's right reaching over, and I don't recall which row he was on, was an officer named Bob Carroll. And then Paul Bentley and K. E. Lyons, who was Carroll's partner, they were both in the special service bureau, also was there. They came up at various intervals while all this was going on.

We finally got the man subdued to the point where we had control of him and his legs pinned and his arms pinned. I said, "Let's handcuff him." And being that I was working in plainclothes and working in personnel, didn't have a pair of handcuffs, and I asked Hawkins if he had. And he said, "Yes."

And I said, "Let's get them."

And Hawkins and I handcuffed him while the others held him.

Mr. BELIN. You said you were working in plainclothes?

Mr. HILL. Yes.

Mr. BELIN. Did you have any hat on?

Mr. HILL. Yes; I did have a hat.

Mr. BELIN. I want to hand you what I will mark as G. L. Hill Deposition Exhibit A, and ask you to state if you know what this is.

Mr. HILL. Yes, sir; this is a picture that was made about the time when we were actually putting the handcuffs on the suspect in the theatre. That may have been a split second before or a split second after, or right as we completed the putting on of the handcuffs.

Mr. BELIN. Do you recognize any people in there?

Mr. HILL. This would have been the suspect [pointing].

Mr. BELIN. Now, the suspect is a man who you can see parts of the profile from the left side of his face. He appears to be seated or lower than the others?

Mr. HILL. Lower than the other people in the picture.

Mr. BELIN. Then there is a person with a hat on to the right.

Mr. HILL. To the immediate right of the suspect, and that is me.

Mr. BELIN. Then there is a man with a cigar who is looking over the suspect?

Mr. HILL. That is Detective Paul Bentley.

Mr. BELIN. Now there is a person with light-colored hair that appears to have his hands—

Mr. HILL. That would be C. T. Walker.

Mr. BELIN. Then there is another person that is in the extreme left-foreground part of the picture. Do you know who that is?

Mr. HILL. Capt. W. R. Westbrook.

Mr. BELIN. Then a party with a hat on. Do you know who that is?

Mr. HILL. I have no idea.

Mr. BELIN. That is to the left?

Mr. HILL. No, sir.

Mr. BELIN. Then there is, you can barely see maybe a police hat. Is that anything you can recognize?

Mr. HILL. Not from that; no, sir.

Mr. BELIN. All right, go ahead, sir.

You say that you and Ray Hawkins handcuffed the suspect?

Mr. HILL. At about this time Captain Westbrook and a man who was later in the day identified to me as, I believe his name was Barnett, an FBI agent—



Mr. BELIN. Would it be Barrett?

Mr. HILL. Yes.

Mr. BELIN. Do you remember his first name?

Mr. HILL. Bob was identified to me later in the day by Captain Westbrook. Came in from, I presume they came in from the north fire exit, which would have actually been coming in from outside, and came over to us, and Captain Westbrook instructed us to get the man out of there as soon as possible.

And at the same time instructed some of the other uniform officers to stay there and protect the scene, and call the crime lab. This was the actual scene where the arrest was made.

Mr. BELIN. Let me stop you right there. Do you know how this FBI agent happened to be there at the time?

Mr. HILL. I heard later, and—but not actually to my own knowledge, that he was riding with Captain Westbrook.

To my knowledge, I don't know this, but I understand he had ridden out from town with Captain Westbrook, that he was gravitating toward the incident in Oak Cliff, and had arrived at the theatre just possibly before we came in, or right after we went in, and was still outside.

Mr. BELIN. All right.

Mr. HILL. We started moving the suspect down the aisle, which would have been walking him north to the exit on that side until we got to the aisle that would have been dividing the center section and the north section of the theatre.

And there we formed a more or less wedge formation with C. T. Walker in front, Bob Carroll, I believe was on the suspect's left, K. E. Lyons was on his right, and Paul Bentley and I were to the rear.

I was on the left. I would have been to the suspect's left-rear side.

Paul Bentley would have been to the right-rear side.

At this point this is the first time I remember encountering any newspapermen or cameras, but as we walked into the lobby there was a man shooting movies.

Mr. BELIN. Movies?

Mr. HILL. He was from channel 8, but who he was, I don't know. He was a short, rather heavy-set fellow with kinky hair. This I remember about him.

We walked the suspect out the right front or the north door. No, wait a minute, we have lost our directions again. We walked him out the west door of the theatre into a squad car, which was out front. Some of the officers that were still outside had the crowd parted back to where nobody got to us or to the suspect.

But there were shouts at this time from the crowd of, "That is him. We ought to kill him. String him up. Hang him.", et cetera and so on.

Mr. BELIN. Any other calls from the crowd?

Mr. HILL. Not that I can recall. There was quite a bit of confusion, but we kept moving.

Mr. BELIN. Let me stop you right there. You mentioned that when you were coming down from the balcony to the first floor, or in the process of going into the first floor, you heard an officer or someone yell something along the effect, "I've got him."

Mr. HILL. Right.

Mr. BELIN. Did you hear anyone else yell or make any other statements?

First, I will ask you this. Did you hear the suspect make any statement of any kind?

Mr. HILL. Not any distinguishable statement that I can specifically recall. Later in the course of trying to piece this thing together for a report, I believe it was McDonald and Hutson that stated, and we put it in the report that way, that the suspect yelled, "This is it."

Mr. BELIN. Did you hear that with your own ears? That you can remember?

Mr. HILL. No, sir; not as a distinguishable specific "This is it," no.

As much confusion and all going on, I didn't distinguish that. Now if we can back up a little bit to where we made the, got him handcuffed in the theatre, before we started moving out with him, he started, Oswald or the suspect at this point, we didn't know who he was, so we will keep on calling him the suspect,

started making statements about "I want a lawyer. I know my rights. Typical police brutality. Why are you doing this to me."

As we continued to move him down the aisle out to the aisle dividing the two sections, out into the lobby of the theatre, he began yelling words similar to, "Typical police brutality."

And once we got actually outside the door of the theatre, from there to the period of time that we got to the car, with all the crowd and commotion and all, I don't recall any further statements of his until we got in the car.

Mr. BELIN. All right, let me stop there before you testify about getting into the car. Do you have anything else to add to the statement prior to getting into the car?

Mr. HILL. Not that I can recall.

Mr. BELIN. Did you hear the suspect say anything while you were trying to subdue him, or, "I am not resisting arrest?"

Mr. HILL. No; I don't recall a statement to that effect.

Mr. BELIN. Did you hear any officer say anything to the suspect?

Mr. HILL. About the time we got him subdued and handcuffed, I know that Hutson asked me about did I hear the gun click.

Hutson was the one that was behind him and was pulling him backward, off balance. He was probably, as near as I could determine from the position, was probably the second officer to him.

In other words, McDonald made the initial contact, and then Hutson and then probably Walker and Hawkins with Walker, and then Hawkins, in that order, getting into the scuffle attempting to subdue him and keep him from using the gun.

Mr. BELIN. What did you reply to this question?

Mr. HILL. I told him no. Because apparently this had happened in the interim from the time of the first yell until I got there, and with the scuffling of feet, unless you would be right at it, I don't know that you would hear it.

Mr. BELIN. Did you hit the suspect at all?

Mr. HILL. No; I did not.

Mr. BELIN. Did anyone else hit the suspect?

Mr. HILL. No one that I know of. When we got him subdued, he had a small laceration on the left eyebrow, and what appeared to be a bruise on the upper-left eyebrow and down along his cheek, but an actual lick, to see this done, I did not see.

Mr. BELIN. Did you hear any police officer make any remark such as "Kill a policeman, will you," or something along that line?

Mr. HILL. No, sir; not at this point I didn't. There was a—you want—

Mr. BELIN. Let's stop there before we get in the car.

Mr. HILL. There were some statements made in the car similar to this, in talking about killing a policeman, but I didn't hear any at the time in the theatre or from the theatre to the car.

Mr. BELIN. I want to try to cut off this thing in segments. Did you hear any policeman make any other statements to him during this scuffle?

Mr. HILL. No; everybody was saying, "Look out," and "Get this arm," or "Watch that leg," or "Make sure you've got a good hold on him."

But as far as any direct quotes to the suspect, or him being called anything such as a cop killer or statements that you have killed a police officer, you have killed a cop, or anything of that type, I did not hear any.

Mr. BELIN. Did you see the suspect hitting any police officer?

Mr. HILL. Did I see the suspect hitting a police officer?

Mr. BELIN. Yes.

Mr. HILL. No, sir; I did not. I saw his left arm flying about wildly about the time when I got there. That is what I latched on to, but I didn't actually identify any direct blows.

Mr. BELIN. Did you see any movements of the suspect other than the left arm flailing?

Mr. HILL. He was fighting and turning and making an attempt to free himself of the hold that the officers had on him. As to actually hitting anybody or to actually seeing the suspect with a gun in his hand, I did not.

Mr. BELIN. I hand you what has been marked as "G. L. Hill Deposition Exhibit B." State if you know what this is.

Mr. HILL. This is known to be a picture that was made still inside the theatre as we were moving down the aisle, I believe, to get him to the aisle that divided the two sections.

Now specifically, the exact point in the theatre where this was made, I don't know.

Mr. BELIN. Do you recognize anything?

Mr. HILL. There are three people in this picture that I recognize. The officer with the white uniform hat on that is in the foreground looking at the picture, would be to the left side, is C. T. Walker. The suspect, and what is an open collar, and what appears to be a T-shirt from here, looking almost directly at the camera with his face practically covered by the officer's cap, is a man later identified to us as Lee Harvey Oswald.

And the man in the suit looking at the camera with a cigar in his mouth is Detective Paul Bentley.

There is, to Mr. Bentley's left, part of another officer that is apparently wearing a suit with only part of his suit and his shirt and his left hand showing. That cannot be recognized, but I will have to admit I think it is me.

And there is a faint image there, if you get the light—that is what I am trying to see—very faintly—if we had a—yes, that is going to be me. What we need is to get the light in at an angle.

Mr. BELIN. If you hold it a little bit to your right?

Mr. HILL. Yes; that is going to be me.

Mr. BELIN. Do you know who this person is with the helmet at the extreme left of the person with the helmet?

Mr. HILL. I do not recognize him specifically, but just trying to identify that much of him, I would say it could be an officer named L. E. Gray, but I can't make positive identification.

Mr. BELIN. Okay, sergeant.

By the way, what is the suspect wearing? You mentioned a T-shirt in the picture.

Do you remember what else he had on?

Mr. HILL. He had on a dark—I don't recall it being a solid brown—shirt, but it was a dark-brownish-looking sports shirt, and dark trousers. This I specifically remember.

Mr. BELIN. Any jacket?

Mr. HILL. No, sir; he didn't have a jacket on at this time.

Mr. BELIN. All right, go ahead.

Mr. HILL. I understand a light-colored jacket was found in the parking lot of the funeral home, as a man had previously stated, but I don't recall actually seeing this jacket.

Mr. BELIN. All right, anything else that anyone else said prior to the time you got to the car?

Mr. HILL. Not that I can recall, sir; other than, as I was saying, as we went out, the crowd was jeering, making some threats and calling out things.

If at this time the suspect said anything, I didn't hear him.

And we were moving quite rapidly to get him into the car.

Mr. BELIN. Handing you what has been marked "G. L. Hill Exhibit C," I will ask you to state if you know what this is?

Mr. HILL. This is a picture of the Texas Theatre on West Jefferson, and it is a picture that I believe was made after we left the location with the suspect.

Mr. BELIN. Why do you say that?

Mr. HILL. Because the car that we left with the suspect in was parked right here.

Mr. BELIN. You are pointing to a position ahead of the Dallas Police Car No. 151, which appears in the picture?

Mr. HILL. That's right.

Mr. BELIN. Would that be about the size of the crowd that was there, as you remember it?

Mr. HILL. The crowd was split up into two groups at that time, on each side of the theatre entrance.

Mr. BELIN. You mean by the time you brought the suspect out?

Mr. HILL. Yes; the area immediately in front of the theatre looking to the car was open at the time.

Mr. BELIN. Who opened it?

Mr. HILL. The crowd had been kept back by some officers who had been left outside to cover off the front of the theatre when the rest of us entered.

Mr. BELIN. Apart from the fact that the crowd was split when you led the suspect out, does this appear to be about the number of people there?

Mr. HILL. No, sir. I would say probably this picture appears to me to contain 75 to 100 people, and I would say probably at the time that we came out of the theatre, by just glancing on both sides as we moved between the two groups to the car, I would estimate the crowd was probably about 200.

Mr. BELIN. All right; anything else up to the time you got to the car that anyone said or did that you haven't related, that you can remember now?

Mr. HILL. Not that I can recall, sir.

Mr. BELIN. All right; now, let's pick up what happened from the time you started, with the time you opened the doors of the car to put the suspect in the car.

Mr. HILL. Officer Bentley--the suspect was put in the right rear door of the squad car and was instructed to move over to the middle. C. T. Walker got into the rear seat and would have been sitting on the right rear.

Paul Bentley went around the car and got in the left rear door and sat on that side.

Mr. BELIN. That would have been from the left to the right, Bentley, Oswald, and Walker? Or Bentley, the suspect, and Walker?

Mr. HILL. K. E. Lyons got in the right front. I entered the door from the driver's side and got in the middle of the front seat.

Mr. BELIN. And being that he had the keys to the car, Bob Carroll drove the vehicle.

Mr. HILL. As he started to get in the car, he handed me a pistol, which he identified as the one that had been taken from the suspect in the theatre.

Mr. BELIN. When did he identify this to you?

Mr. HILL. I asked him was this his. He said, "No, it is the suspect's."

Mr. BELIN. When did he do that?

Mr. HILL. As soon as he handed it to me.

Mr. BELIN. When was that?

Mr. HILL. Right as I sat down in the car, he apparently had it in his belt, and as he started to sit down, he handed it to me. I was already in the car and seated.

Mr. BELIN. Now I am going to hand you what has been marked Commission Exhibit 143. Would you state if you know what this is?

Mr. HILL. This is a .38 caliber revolver, Smith & Wesson, with a 2' barrel that would contain six shells. It is an older gun that has been blue steeled, and has a worn wooden handle.

Mr. BELIN. Have you ever seen this gun before?

Mr. HILL. I am trying to see my mark on it to make sure, sir. I don't recall specifically where I marked it, but I did mark it, if this is the one. I don't remember where I did mark it, now.

Here it is, Hill right here, right in this crack.

Mr. BELIN. Officer, you have just pointed out a place which I will identify as a metal portion running along the butt of the gun. Can you describe it any more fully?

Mr. HILL. It would be to the inside of the pistol grip holding the gun in the air. It would begin under the trigger guard to where the last name H-i-l-l is scratched in the metal.

Mr. BELIN. Who put that name in there?

Mr. HILL. I did.

Mr. BELIN. When did you do that?

Mr. HILL. This was done at approximately 4 p.m., the afternoon of Friday, November 22, 1963, in the personnel office of the police department.

Mr. BELIN. Did you keep that gun in your possession until you scratched your name on it?

Mr. HILL. Yes, sir; I did.

Mr. BELIN. Was this gun the gun that Officer Carroll handed to you?

Mr. HILL. And identified to me as the suspect's weapon.

Mr. BELIN. This is what has now been marked as Commission Exhibit 143, is that correct?

Mr. HILL. Yes, sir; that is what it says.

Mr. BELIN. It also says the number on this sack in kind of a red ink or something "C15" on it, too, is that right?

Mr. HILL. It has C15, and on the other side it has 176-G, whatever that is.

Mr. BELIN. And then we have marked Commission Exhibit 143?

Mr. HILL. Right.

Mr. BELIN. Now, you said as the driver of the car, Bob Carroll, got in the car, he handed this gun to you?

Mr. HILL. Right, sir.

Mr. BELIN. All right, then, would you tell us what happened? What was said and what was done?

Mr. HILL. Then I broke the gun open to see how many shells it contained and how many live rounds it had in it.

Mr. BELIN. How many did you find?

Mr. HILL. There were six in the chambers of the gun. One of them had an indentation in the primer that appeared to be caused by the hammer. There were five others. All of the shells at this time had indentions.

All of the shells appeared to have at one time or another scotch tape on them because in an area that would have been the width of a half inch strip of scotch tape, there was kind of a bit of lint and residue on the jacket of the shell.

Mr. BELIN. Did you ever mark those?

Mr. HILL. I can say that I marked all six of them.

Mr. BELIN. I am first going to hand you what has been marked as Q-178 on the lead portion. It is 178 or 170. It appears to be Q-178, with the initials JH running together and CK, and then another initial R, with a dash behind it.

Do you see any identification mark of yours on there at all?

Mr. HILL. Yes, sir; on the side of the jacket of the bullet there is the name scratched H-i-l-l, and also the initials BC. I scratched the H-i-l-l on this shell, and Bob Carroll scratched the BC on it in my presence in the personnel office of the police department on the third floor.

Mr. BELIN. What is that?

Mr. HILL. This is one of the shells which is a .38 special shell that was removed from the suspect's weapon, removed from the weapon that was taken from the suspect at the time of his arrest.

Mr. BELIN. When was it removed?

Mr. HILL. They were not taken out of the gun, as I recall, sir, until we arrived at the station.

Mr. BELIN. Who took it out of the gun?

Mr. HILL. I took it out of the gun.

Mr. BELIN. Did you keep it in your possession until you put on your initials?

Mr. HILL. All six shells remained in my possession until I initialed them.

Mr. BELIN. Was this an empty shell or live bullet?

Mr. HILL. That is a live round.

Mr. BELIN. For what caliber?

Mr. HILL. A .38 caliber.

Mr. BELIN. I am going to hand you another bullet which has been marked Q-177.

Mr. HILL. That appears to be Q-177.

It's also on the what appears to be the copper tip has the initial JH running together, the initials CK on it also.

It is a Western .38 special bullet. It has not been fired. It is a copper-colored slug. On the case of this shell is also the name H-i-l-l, which was placed there on November 22.

Mr. BELIN. Let the record show that I believe that these are Exhibit 145, but I am not sure. I mean Commission Exhibit 145, and therefore, I identified them by the "Q" number which is on the bullet itself.

Was this also something that you took out?

Mr. HILL. This would have been another of the shells, and the gun.

Mr. BELIN. I hand you four more bullets which have been marked as, I believe they are Commission Exhibit 518, but again I will withhold that identification.

I see the markings on this—let me see if I can see some “Q” numbers.

I see one Q-79. Do you see that, sergeant?

Mr. HILL. Now that I know where to look, I can find it. It is going to be Q-79.

It has the initials CK. That is distinguishable on it. It has two X's near the identification number that are legible.

And it has other markings that is R something or “R-” that is apparently on some of the others.

Mr. BELIN. Do you see your name on that?

Mr. HILL. My name is also on this, on the metal jacket portion of the shell.

Mr. BELIN. What kind of bullet is that?

Mr. HILL. This is another Western .38 special with a copper-colored coating on the lead inside the bullet.

Mr. BELIN. Handing you Q-78.

Mr. HILL. This is a .38 caliber Western shell with the identification mark Q-78, with the other markings of JH and CK on it, and also on the shell casing near the rear of the bullet is the name H-i-l-l, with which I marked it.

Mr. BELIN. Handing you Q-80.

Mr. HILL. Okay. This is an R-P. .38 shell with the identification number Q-80.

The initials CK and JH near the “Q” number on the jacket of this one. Also is the name H-i-l-l scratched into the metal, which I placed on it. And this one also is a plain lead shell.

Mr. BELIN. Handing you Q-81, do you see Q-81, on there?

Mr. HILL. This is an R and P shell with the identification number Q-81, with the initials CK and JH scratched near the “Q” number.

On the side of this shell also is the word H-i-l-l, which was placed on this shell by me.

This is a .38 lead slug.

Mr. BELIN. What is the fact as to whether or not all of these slugs were removed from this gun which has been marked as Exhibit 143?

What is the fact as to whether or not all of those six were removed?

Mr. HILL. All six of the slugs that were identified immediately previous to this point were removed from the gun, identified as Commission Exhibit 143, by me.

Mr. BELIN. What is the fact as to whether or not from the time this gun was handed to you until the time you removed these six bullets, this gun was in your possession?

Mr. HILL. The gun remained in my possession until it, from the time it was given to me until the gun was marked and all the shells were marked. They remained in my personal possession. After they were marked, they were released by me to Detective T. L. Baker of the homicide bureau. He came to the personnel office and requested that they be given to him, and I marked them and turned them over to him at this point.

Mr. BELIN. All right, now, I want to return to the car, Sergeant Hill.

You stated that this gun was handed to you by—

Mr. HILL. Detective Bob Carroll.

Mr. BELIN. Detective Bob Carroll when he got in?

Mr. HILL. Yes.

Mr. BELIN. All right.

After he handed you—handed the gun to you, will you tell us what happened inside the car, or whether anyone made any remarks? And if you can, what happened in the car?

Mr. HILL. We mostly got the car in motion, traveled to the first corner where we could make a right turn, made a right turn, traveled one block, made another right turn, continued down this street, and at this point we would have been going east until we reached Zangs Boulevard, and turned left onto Zangs.

Within, I would say seconds—this is just a guess—after we got in the car, I picked up the radio and used the call number 550, car 2, which No. 550 is the number assigned to the personnel office, and because I knew the captain was out in the field and he would be using 550, if he got on the radio.

I used call 550, car 2, and made the statement, "We have suspect and weapon and are en route to the station."

Mr. BELIN. Now I want to hand you what has been marked Sawyer Deposition Exhibit A, which is the transcript of the police log, and I notice that at 1:52 p.m., there was a 550-2-531, with the notation, "Suspect on shooting of police officer is apprehended en route to the station." Was that—

Mr. HILL. Well, that would have generally been—that would have been—

Mr. BELIN. Would have been you?

Mr. HILL. That would have been me.

Mr. BELIN. It is marked "Westbrook-Batchelor." Is that because of the No. 2 on it?

Mr. HILL. Yes.

Possibly Batchelor's call is 2, and Westbrook's is 550, so apparently they showed Westbrook was talking to Chief Batchelor, which at this point—

Mr. BELIN. Someone else put this handwriting in. That is, "Westbrook-Batchelor," but is that the time that you called in?

Mr. HILL. Yes, sir; I don't remember the exact words, but I did get on the radio as soon as we got to the car and it got moving, notifying that we were en route to the station with the suspect. That would have been possibly right.

Mr. BELIN. It goes on to say, "From the Texas Theatre."

And, "caught him on the lower floor of the Texas Theatre after a fight."

Did you say that?

Mr. HILL. This would have been the dispatcher to me asking the question did we have him in the Texas Theatre. Was that where we arrested him?

Mr. BELIN. That is 531-550-2?

Mr. HILL. In other words, it is dispatcher to 550 car 2.

Mr. BELIN. All right.

Mr. HILL. And he was finding out for sure if we had arrested him at the theatre.

Mr. BELIN. Then it goes to 550.

Mr. HILL. Car 2 would have been my answer to the dispatcher.

Mr. BELIN. It says, "Caught him on the lower floor of the Texas Theatre after a fight." And then 531-2-3.

Mr. HILL. That would have been the dispatcher talking to—

Mr. BELIN. Someone?

Mr. HILL. Chief Batchelor and Chief Stevenson.

Mr. BELIN. Two and three?

Mr. HILL. Then 531 again would have been the dispatcher advising 305, which is a homicide unit that the apprehension had been made.

And then the 550 car 2, to 531 would have been me telling him that we had 223, who was Walker—that is Walker's call number, and 492, which was Carroll, and Lyons' call number in the car with me.

And we later had to make arrangements for somebody to go back and pick up 223 car and take it back.

Mr. BELIN. That last call then was made at 1:53 p.m., in which you advised who was in the car?

Mr. HILL. With us en route to the station.

Mr. BELIN. And the first one that you made after you got to the car was at 1:52 p.m.?

Mr. HILL. Yes, sir.

Mr. BELIN. Now, also turning to Sawyer Deposition Exhibit A, I notice that there is another call on car No. 550-2. Was that you at that time, or not, at 1:40 p.m.?

Would that have been someone else?

Mr. HILL. That probably is R. D. Stringer.

Mr. BELIN. That is not you, then, even though it has a number 550-2?

Mr. HILL. Yes; because Stringer quite probably would have been using the same call number, because it is more his than it was mine, really, but I didn't

have an assigned call number, so I was using a number I didn't think anybody would be using, which is call 550-2, instead of the Westbrook to Batchelor as it indicates here.

Mr. BELIN. Now after, from the time you started in motion until the time you called in, do you remember anyone saying anything at all in the car?

Mr. HILL. The suspect was asked what his name was.

Mr. BELIN. What did he say?

Mr. HILL. He never did answer. He just sat there.

Mr. BELIN. Was he asked where he lived?

Mr. HILL. That was the second question that was asked the suspect, and he didn't answer it, either.

About the time I got through with the radio transmission, I asked Paul Bentley, "Why don't you see if he has any identification."

Paul was sitting sort of sideways in the seat, and with his right hand he reached down and felt of the suspect's left hip pocket and said, "Yes, he has a billfold," and took it out.

I never did have the billfold in my possession, but the name Lee Oswald was called out by Bentley from the back seat, and said this identification, I believe, was on the library card.

And he also made the statement that there was some more identification in this other name which I don't remember, but it was the same name that later came in the paper that he bought the gun under.

Mr. BELIN. Would the name Hidell mean anything? Alek Hidell?

Mr. HILL. That would be similar. I couldn't say specifically that is what it was, because this was a conversation and I never did see it written down, but that sounds like the name that I heard.

Mr. BELIN. Was this the first time you learned of the name?

Mr. HILL. Yes; it was.

Mr. BELIN. All right; when did you learn of his address?

Mr. HILL. There were two different addresses on the identification.

One of them was in Oak Cliff. The other one was in Irving. But as near as I can recall of the conversation in the car, this was strictly conversation, because I didn't read any of the stuff. It didn't have an address on Beckley, that I recall hearing.

Mr. BELIN. Let me ask you this. Now from the time you got in the car to the time you got to the station, I believe you said that at least the second question asked was where do you live, and the man didn't answer?

Mr. HILL. The man didn't answer.

Mr. BELIN. Was he ever asked again where he lived, up to the time you got to the station?

Mr. HILL. No; I don't believe so, because when Bentley got the identification out, we had two different addresses. We had two different names, and the comment was made, "I guess we are going to have to wait until we get to the station to find out who he actually is."

After about the time Bentley reached in his pocket and got his billfold, the suspect made the statement, "I don't know why you are treating me like this. The only thing I have done is carry a pistol in a movie."

Then there was a remark made something to the effect, "Yes, sir; you have done a lot more. You have killed a policeman."

And then the suspect made a remark similar to "Well, you fry for that," or something to that effect.

Mr. BELIN. Something to what effect?

Mr. HILL. Well, now, he either made the statement, "You only fry for that," or "You can fry for that," or a similar statement. Now the exact words of it, I don't recall.

Mr. BELIN. All right; then what was said?

Mr. HILL. Some more questions were asked as to where he had been prior to going to the movie, which he did not answer. Some more questions were asked as to what was his true name, and in neither case did he ever answer them. He did make a comment, if I recall, about the handcuffs, about, "I don't see why you handcuffed me." And here again he repeated the statement, "The only crime I have committed was carrying a pistol in a movie."



We got the suspect to the city hall as rapidly as possible without using the siren and red light, but we took advantage of every open spot we had to make a little speed, and we explained to him this—I did, before we got into the basement, that there would probably be some reporters and photographers and cameramen waiting in the basement when we got to the station, and that if he so desired, we would hold him in a way that he could hide his face if he wanted to, and also told him he did not have to speak to the press if he didn't want to.

He didn't comment on this at this point, but as we pulled into the basement from the Main Street side, we were wanting to get out and get organized enough that we would set up our wedge again to get him in the station through the basement, and so we pulled over to what would have been the southeast side of the basement, got out of the car, and formed a wedge in the same position that we left the theatre, and told the suspect again he could hide his face if he wanted to.

And he said, "Why should I hide my face. I haven't done anything to be ashamed of."

And with that we started walking him up the aisle of the basement and walked him through the door into the basement of the city hall proper, put him on the elevator, stayed on the elevator with him, put him back behind the wall, and sort of formed a wall around him.

Some of the press pushed into the elevator with us.

Got him out on the third floor, walked him into the homicide and robbery office, placed him in the first interrogation room inside the homicide and robbery office, and left Officer Walker there with him.

At this point I stood in the door of the, or at the door of the room he was in.

Reporters wanted to see the pistol. I held it up to them but never relinquished control of it. I asked Baker at this time, who was Detective T. L. Baker, if he wanted the pistol, and he said, "No; hold on to it until later."

I explained to him that this was the suspect on Tippit and did he want us to make up the arrest sheet, or would they make them up.

We were trying to get together to decide who was going to make the offense report and get all the little technicalities out of the way when a detective named Richard Stovall and another one, G. F. Rose, came up, and the four of us were standing when Captain Fritz walked in.

He walked up to Rose and Stovall and made the statement to them, "Go get a search warrant and go out to some address on Fifth Street," and I don't recall the actual street number, in Irving, and "pick up a man named Lee Oswald."

And I asked the captain why he wanted him, and he said, "Well, he was employed down at the Book Depository and he had not been present for a roll call of the employees."

And we said, "Captain, we will save you a trip," or words to that effect, "Because there he sits."

And with that, we relinquished our prisoner to the homicide and robbery bureau, to Captain Fritz.

Walker, Bentley, Lyons, Carroll, and I knew that the prisoner had received a laceration and bruises while effecting his arrest, and that an officer had been scratched while effecting the arrest, and that Bentley had sprained an ankle, and Lyons had sprained an ankle while effecting the arrest—they were fixing to have to make a whole bushel basket of reports—we adjourned to the personnel office, which was further down the hall from homicide and I sat down and started to try to organize the first report on the arrest.

I originally had the heading on it, "Injuries sustained by suspect while effecting his arrest in connection with the murder of Officer J. D. Tippit," and a few minutes later Captain Westbrook came in the office and said that our suspect had admitted being a Communist. This is strictly hearsay. I did not hear it myself.

He himself also said a few minutes later he had previously been in the Marine Corps, had a dishonorable discharge, had been to Russia, and had had some trouble with the police in New Orleans for passing out pro-Castro literature.

This still is all hearsay because I didn't actually hear it firsthand myself.

And at about this point Captain Westbrook suggested that I change the heading of my report to include arrest of the suspect in the assassination of the President and in the murder of Officer J. D. Tippit, which I did.

I originally wrote the report for Bob Carroll's signature and for my signature, and left it with the captain to be typed while we moved over in another office to get a cup of coffee and sort of calm down and recap the events.

By then McDonald was there, and we had added some information that he could give us such as the information about "This is it." Which the suspect allegedly said as he came into contact with him.

The exact location of the officers and who was there on the original arrest and everything, and we were waiting around for the secretary to finish the report.

When we got it back ready to sign, Carroll and I were sitting there, and it had Captain Westbrook's name for signature, and added a paragraph about he and the FBI agent being there, and not seeing that it made any difference, I went ahead and signed the report.

Actually, they were there, but I didn't make any corrections.

And as far as the report, didn't allege what they did, but had added a paragraph to our report to include the fact that he was there, and also that the FBI agent was there.

Now as to why this was done, your guess is as good as mine.

Mr. BELIN. Were they there at the time?

Mr. HILL. They were there. They got there inside where we were about the time he was being handcuffed.

Mr. BELIN. All right, let me go back a minute now.

You left the suspect in the custody of homicide?

Mr. HILL. Right.

Mr. BELIN. In what office was he left?

Mr. HILL. He was still in the interrogation room and still in the homicide and robbery bureau office.

Mr. BELIN. Who was in there with him when you left?

Mr. HILL. When I left the office, Captain Fritz, who was the commander of the bureau was there, and I had assumed, being that he was the officer in charge, the highest ranking man there, and it was his bureau and his office, theoretically he was in possession of the prisoner.

However, now as to specifically who went in and took him out of the interrogation room and took him to the captain's office, I don't know.

Mr. BELIN. Was Captain Fritz in the interrogation office?

Mr. HILL. Captain Fritz was in the hall. There was a little small hallway to the door here, and there is a hallway just big enough to pass through. The suspect was in the interrogation room and Captain Fritz immediately in front of him.

Mr. BELIN. Was anyone else in the interrogation room when you left?

Mr. HILL. No; Walker was, and when we turned him over to homicide, Walker came out and Fritz and his people had control of the prisoner.

Mr. BELIN. So when you and Walker left, the nearest office to him was Fritz'?

Mr. HILL. As far as I know; yes, sir.

Mr. BELIN. At any time up to the time you left, did you ever get any address on the suspect as to where he lived other than the statement of Capain Fritz that he had this address on Fifth Street somewhere in Irving?

Mr. HILL. Paul Bentley called off two addresses. One, as I recall, in Irving, and another one in Oak Cliff, when he was reading from information inside the suspect's billfold. But neither of these addresses was an address on 10th or on Beckley.

As to exactly what they were, I don't recall, as I didn't see the identification.

Mr. BELIN. Would one of them have been an address on Neely Street?

Mr. HILL. It very possibly could be. In fact I believe it was.

Mr. BELIN. To the best of your knowledge, did anyone in the car in which you were riding down to the police station ever mention any Beckley Street address for the suspect?

Mr. HILL. No.

Mr. BELIN. To the best of your knowledge, when the suspect was brought into the police station, up to the time you left him with Captain Fritz there, had anyone mentioned a Beckley Street address?

Mr. HILL. No.

Mr. BELIN. What else did the suspect say, if anything?

Mr. HILL. Other than the statement he made about brutality in the theatre, and other than the statements he made in the car about "Why are you treating me this way? The only thing I have done is carry a gun," and "Why are you handcuffing me, the only thing I have done is carry a gun," and when the comment was made about something of killing an officer, and he said something to the extent that you can only fry for that, and the man showed absolutely no emotion.

He gave the appearance of being arrogant, and yet he didn't make boastful statements. He was silent almost the entire time he was in the car except for the flareup of the brutality in the theatre, and the two statements or the three statements that he made in the car. He was silent almost the entire time until we got to the basement when he made the statement that he didn't know why he should hide his face, he didn't have anything to be ashamed of.

Mr. BELIN. When the comment was made about frying, did any police officer in the car say in substance, "Maybe you will find out," or something like that?

Do you remember anything like that being said?

Mr. HILL. There was probably a sarcastic remark to that made, but as to the exact words of it, "You will find out," or "You will get a chance to find out," but I am sure there was an answer to his question, and I don't recall who said it.

But as near as I can remember, it came from the back seat.

Mr. BELIN. Was there any reply by the suspect along the lines of "Well, I understand it only takes a minute," or something like that?

Did you hear him say anything like that?

Mr. HILL. I don't recall that statement. It could have been made, because there were about half a dozen conversations actually going on in the car.

At one point after I opened the pistol, and I did open it in the car, and found that one of the slugs or one of the shells did have an indentation to the primer that could have been caused by the hammer, we made a comment that he tried or he did pull the trigger, and this was in line with what Hutson had asked me, in the theatre, had I heard the gun click.

Mr. BELIN. Anything else that happened in the car?

Mr. HILL. Not that I can recall of specific detail.

There was quite a bit of excitement.

Everybody had been in the little scuffle and were huffing and puffing, and especially me, as fat as I am, but there weren't any, I don't recall any more direct statements. There was nothing ever said in the car that I can recall that would have put it at this time. We didn't have enough to be sure that maybe the two were tied together.

Mr. BELIN. Anything else about the demeanor of the witness at all?

Mr. HILL. Other than as I said, he gave the appearance of arrogance, but yet he did not talk boastfully. In fact, he talked very little. This was one of the things that stuck out most about him in my mind, was how quiet he did keep.

His commenting or relating the statement that the only crime he had committed was carrying a gun in the theatre, and the refusal to answer questions as to what his name was and where he lived, this is not unusual immediately after an arrest, because when a man is arrested, he is keyed up too, and probably thinks that the best thing that they can do is keep their mouth shut, and he had previously in the theatre said he wanted his attorney.

Mr. BELIN. He had said this in the theatre?

Mr. HILL. Yes; when we arrested him, he wanted his lawyer. He knew his rights.

Mr. BELIN. Did he ever say he requested an attorney on the way down to the police station?

Mr. HILL. I do not recall.

I was going to say that by making the statement earlier, it is possible, it is a

possibility that he decided the best thing to do was keep his mouth shut; that is a supposition on my part, and I couldn't prove it as to the reason he didn't say any more on the way to the police station.

Mr. BELIN. Where did the police get ahold of his address on Beckley?

Mr. HILL. I don't know. This apparently came from homicide later, and once we turned him over to homicide, with the exception of seeing him walking down the hall again in front of several TV people later in the day, I had nothing else to do with the man. I never saw him again.

Mr. BELIN. Sergeant Hill, from the time he was handcuffed until the time you turned him over to Captain Fritz, except for the moments that he was in the room with Officer Walker in the interrogation room, were you with the suspect at all times?

Mr. HILL. Yes; and I was also with him when I was standing in the doorway of the room when he was there, with Walker. The door was never closed.

Mr. BELIN. The door was never closed?

Mr. HILL. No.

Mr. BELIN. While you were standing in the doorway with Walker, did the man, suspect, say anything at all, or not?

Mr. HILL. Not that I recall, sir. At this time when I was in the doorway, I was talking to Baker and had my attention more on him and what he was saying, because at that point we were trying to decide if he wanted the gun, if we were going to make the offense, or homicide, or the officers that stayed out at the scene to wait for the crime lab. We were talking trying to get the paperwork straight.

Mr. BELIN. How far was the suspect from you at this time?

Mr. HILL. Sitting across the table, about as wide as this, and maybe 2 more feet to the door.

Mr. BELIN. About how far would that be?

Mr. HILL. About 6 feet.

Mr. BELIN. How close was the other officer to you?

Mr. HILL. The other officer was at the end of the table here. He was probably 4 feet from me and 4 feet from the suspect.

Mr. BELIN. Did you hear the other officer say anything to the suspect?

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

Mr. BELIN. Did you hear the suspect say anything at all?

Mr. HILL. I didn't hear the suspect say anything at all. Other than the statement he made in the basement, I didn't hear him utter another word.

Mr. BELIN. If the suspect had told anyone his address from the time he was apprehended until the time he was turned over to Captain Fritz, would you have been in a position to hear that statement made?

Mr. HILL. With my attention diverted talking to Baker, it is possible that he could have given his address to Walker without me hearing it, but I can't say for sure.

Mr. BELIN. Apart from what he may have said to Walker, if there was anything else that he could have said except for during that period, would you have heard it if he said anything about living on North Beckley?

Mr. HILL. I am sure until the time that the suspect was turned over to Fritz, other than maybe a couple of words exchanged between Walker and the suspect while I was standing in the door talking to Baker, I am sure I would have heard it, and I never did hear the address North Beckley mentioned until much later in the day, and this was strictly hearsay, sir.

Mr. BELIN. Well, did you hear any Beckley Street address mentioned?

Mr. HILL. I didn't hear anything on Beckley mentioned until probably 7 or 8 o'clock that night.

Mr. BELIN. Did you talk to Walker after he left the interrogation room?

Mr. HILL. Talked to Walker after he left the interrogation room. He came into the personnel office with us, and we sat down and made sure that—we just talked over our story and made sure that we had all the details as to who was where in the arrest, what door the man came in into the theatre, where they were when the original contact was made, how Bentley hurt his foot, how Lyons hurt his foot, and all this, and decided, well, rather than have to get everybody back together and round them up and all six or seven people sign the one

report, it was decided that Carroll and I would be the only two that signed it, and that Bentley would go on to the hospital and get his foot fixed, and Lyons would go to the hospital and get his foot fixed, and after McDonald finally got down there to the station and we sent him over to the city hall to get the scratch on his face treated, and then the rest of the time, with the exception of going across the hall for a cup of coffee, probably I didn't get out of the office to almost 5 o'clock.

Mr. BELIN. Did Walker ever mention to you any conversation he had with Oswald in the interrogation room?

Mr. HILL. No, sir.

Mr. BELIN. Did you and he discuss all the conversations that were had with the prisoner?

Mr. HILL. With the exception of getting some information from McDonald as to what Oswald actually said at the time of his contact with him in the theatre, the statement to the effect, "This is it," I figured that I had been in on the conversation when he was discussing the brutality and the statements he made in the car, and the statement he made in the basement when we were telling him he could duck his head if he wanted to, enough that I had all the information that I needed for the report, so I never did discuss any of the conversation that could possibly have taken place between Walker and the suspect in the interrogation room.

Mr. BELIN. Over what period of time span would that have been that he was in the interrogation room and you were standing in the doorway there?

Mr. HILL. Probably 3 or 4 minutes.

Mr. BELIN. Now, when you were going down to the station in the car, I believe the question was asked of the suspect to give his name and his address and he refused, is that correct?

Mr. HILL. He didn't answer either question. He didn't say, "I am not going to tell you anything." He just didn't answer, that is all.

Mr. BELIN. But at least Officer Walker never told you that he finally answered that question, did he?

Mr. HILL. No.

Mr. BELIN. Well, you had one report that you entitled "The arrest of Lee Harvey Oswald," which pertained to the Texas Theatre. Did you have any other report that you made at all, or not?

Mr. HILL. I had to make one later about a telephone call that I made from San Antonio to Dallas when we got the flash down there on Sunday morning that Oswald had been shot. I was attending a meeting down there.

Mr. BELIN. Well, apart from that, anything?

Mr. HILL. Also, I made a statement to the FBI concerning the fact that I had known Jack Ruby prior to this thing. But as far as another report, other than the original report that afternoon on the arrest of the suspect, I don't recall writing any other report after that one report that was signed by Carroll and I and Captain Westbrook is the only one I wrote on the actual arrest.

Mr. BELIN. I see one 2-page report that is signed by you.

Mr. HILL. Can I look at it?

Mr. BELIN. You bet you can.

[Handing to witness.]

Mr. HILL. This was later when they wanted a report from each individual officer. Yes, sir; I did write this.

Mr. BELIN. You are referring to a report dated what?

Mr. HILL. This would have been dated November 22, sir, and it is signed by Captain Westbrook and Bob Carroll and myself. I do not have it with me, but in case it is not in there, I have a carbon copy of it with all three signatures on it.

Mr. BELIN. Did you have anything to do with either the assassination investigation or the Tippit investigation on Saturday, November 23?

Mr. HILL. No, sir; I was off that day.

And then on Sunday the 24th, I had flown out of Dallas that morning on a Braniff flight to San Antonio with a sergeant from Dallas and captain from Garland and captain from Denison to attend a state board meeting of the Texas Municipal Police Association in San Antonio at the International Building, and

we took a coffee break somewhere around 11:30 or 12, I don't know the exact time.

Mr. BELIN. When was the last time you saw Jack Ruby prior to the shooting of Oswald?

Mr. HILL. It was probably 6 to 8 weeks, and that was a contact that I was walking by a garage one night about the time he came down to get his car, and we talked for a minute and that is all.

Mr. BELIN. Do you remember what you said or what he said at all, or not?

Mr. HILL. It just was a greeting. We hadn't seen each other in quite a while. In the interim, I had been on—normally when I was on a rotating schedule of working evenings and deep nights, the Carousel Club was located in the district that I worked quite often, and I would stop in there once in a while, and I had been on a special assignment for about 2 months working straight days, in town and out of town, and I hadn't been by or hadn't seen him, and this particular night we ran into each other, and he wanted to know what I was doing, and I told him I was working in personnel.

And he said, I haven't been much around much lately, and I said, "I am staying home."

Mr. BELIN. When was the last time you saw him prior to that meeting?

Mr. HILL. Probably the last time, I was in his place on duty, maybe 3 or 4 weeks before this.

Mr. BELIN. I wonder if you would describe the situation in the police department on the third floor with regard to reporters or what have you during the period of time that you brought Oswald in and during the rest of the time you might have been there on the afternoon of November 22?

What did you find when you got there?

Mr. HILL. There wasn't anybody except the ones that were down in the basement waiting for us to bring him in, and they were standing in the doorway, that if you turned to the right, you go in the jail office.

If you go straight, you go into the basement of the building.

Some of them rode up on the elevator with us. When we started off the elevator, they got ahead of us and shot us walking down the hall and took pictures of us going to homicide.

We carried him into the interrogation room and they followed us into the homicide office.

At this time probably there were six or seven people, Jim Underwood from KRLD was one of them, and I don't recall any more specifically by name.

But as time went by in the afternoon, more and more people came in until I would say about 6:45 or 7 o'clock that night, the night of the 22d, when I left, there were some 70- or 80-odd reporters and floodlights and two or three live cameras and several more cameras on tripods, and out-of-town reporters, and local reporters, and everything else, that officers were on duty and in uniform to keep the halls open as much as possible.

And if you wanted to go from the elevator entrance on back toward homicide or to any of the other detective offices, you had to drag your way through TV cables and bodies of people, seesawing your course to get through there.

Mr. BELIN. Now you have stated when we first started this deposition that you had some background in either newspaper or radio or television?

Mr. HILL. Yes, sir.

I worked at the Herald both as a police reporter, as a newswriter, and a radio-TV editor, and left there and went with WBAP as a member of their Dallas Bureau, covering the, working out of an office in the police station here in Dallas, and covering police news and all other types of news also.

Mr. BELIN. Was there any request ever made to the press people to clear the hall or clear the floor at all?

Mr. HILL. Not to my personal knowledge; no, sir. It could have been made when I wasn't there, or it could have been made before I got there, or after I left or while I was in an office or something, but I don't know that a direct order was ever given to get everybody out.

Mr. BELIN. Could you tell us what general discussion there was among the officers, the line officers, without quoting any names that might embarrass anyone, about all of these people and paraphernalia there?

Mr. HILL. As to the situation, we commented that it was a bad thing that we didn't have a space big enough to put everybody and make press releases to them like they did in some of the eastern cities.

I think somebody brought up the fact that in New York you wouldn't do what was done here because everybody had to go to one place and when they got ready to tell you something, they would come in and make a formal announcement, and if they wanted to throw it open for questions they did, and if they didn't they would walk out.

There was commenting on the smallness of the space that we had to work in and the inconvenience there, and the building, had it been Brooklyn, it wouldn't have created as much congestion and all.

But there was a feeling of congeniality between the police and the press, and I observed some of the officers that did have to go ask somebody to move or get out of the way, or not block a door, or so, or not block this, and the press was very nice about cooperating and doing at that time what they were asked to do.

What happened Saturday and Sunday, I don't know. But it was rather crowded, I will make that statement.

Mr. BELIN. Sergeant Hill, I have handed you these six bullets that you previously identified with your signature on it here, and asked you to examine and try to find which one, if any, had a scratch that you talked about, and you picked out what might properly be the one.

What is the fact as to whether or not this depression was a deep one or was one that you found difficult to see?

Mr. HILL. It was one that I found difficult to see at the time.

However, the bullets had not been handled as much at that time, and they were less shiny, and evidence would have been a little better on a dull shell where a new marking had been made on it rather than one that had been handled a few times.

Mr. BELIN. The two that you picked out are marked, I believe, "Q-80" and the other one is "Q-177," is that it?

Mr. HILL. That's right.

Mr. BELIN. I think you said as between the two of them, you saw—

Mr. HILL. Q-80 would be the one.

Mr. BELIN. Now, Sergeant Hill, we met one time earlier here, I think, a couple of days ago, is that correct?

Mr. HILL. I believe it was Friday afternoon, sir.

Mr. BELIN. Friday afternoon?

Mr. HILL. Yes.

Mr. BELIN. Originally we had your deposition set for Friday afternoon, is that correct?

Mr. HILL. That's right.

Mr. BELIN. You came and I had an airplane flight, an 8 o'clock flight, that was canceled?

Mr. HILL. That left.

Mr. BELIN. I left at 5:30—and now it is past 7 o'clock—and I told you I didn't think we had a chance to get your deposition.

At that time I believe I asked you just to state what general areas of work you had worked in so we could try and see whether or not we had time to take your deposition in half an hour, and I believe you described your work at the Texas School Book Depository in general terms, and in general terms your being at the Texas Theatre, but did we go into any details at that time?

Mr. HILL. The only specifics we discussed were this.

You were asking Officer Hicks if either one recalled seeing a sack, supposedly one that had been made by the suspect, in which he could have possibly carried the weapon into the Depository, and I at that time told you about the small sack that appeared to be a lunchsack, and that that was the only sack that I saw, and that I left the Book Depository prior to the finding of the gun.

Or the section, if it was found up there on the sixth floor, if it was there, I didn't see it.

Then you asked me some statement, if I had heard it in the car, but I don't recall what statement it was.

But I told you at that time there was remarks made, but I didn't recall hearing that. I don't remember what it was.

Perhaps your memory on that is better than mine.

Mr. BELIN. Was there anything else in specific that we discussed at that time?

Mr. HILL. Not that I recall.

Mr. BELIN. Otherwise, that is our only conversation that we had?

Mr. HILL. Yes, sir; it was just very general and very limited due to the stress of time.

Mr. BELIN. By the way, did you search the suspect that you brought in from the Texas Theatre?

Mr. HILL. As to any other possible weapon?

Mr. BELIN. Yes; or ammunition?

Mr. HILL. I did not search him, and being that he was handcuffed, and being that they were moving him out hurriedly, I don't recall anyone else searching him after he was placed under arrest.

Mr. BELIN. Is there anything else you can think of, whether I have asked it or not, that is in any way relevant to this area of inquiry pertaining to the investigation of the assassination, or the investigation of the Tippit murder?

Anything else you can think of that you would like to comment on at this time?

Mr. HILL. Not that I can recall, sir.

Mr. BELIN. Sergeant Hill, we want to thank you very much for your splendid cooperation, and for the cooperation of the entire police department here, and you particularly.

You had to make two trips, because of the fact that the one airplane of mine was canceled.

Mr. HILL. They were both on duty, so I don't mind.

Mr. BELIN. You have an opportunity, if you like, to read the typewritten transcript of this deposition and sign it, or else you can waive the signing and have it go directly to Washington without your reading.

Do you have any preference?

Mr. HILL. Sir, if it would be all right, I would like to run by and sign it? If you will just let me know when, I will be here.

Mr. BELIN. They will contact you and again we want to thank you very much.

Mr. HILL. It is my pleasure. Anytime I can help, let me know.

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## TESTIMONY OF J. M. POE

The testimony of J. M. Poe was taken at 10:30 a.m., on April 9, 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. Would you stand and be sworn, please.

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. POE. Yes.

Mr. BALL. State your name.

Mr. POE. J. M. Poe [spelling]. P-o-e.

Mr. BALL. And your address?

Mr. POE. 1716 Cascade Street.

Mr. BALL. And your occupation?

Mr. POE. Police officer, city of Dallas.

Mr. BALL. All right, what is your rank in the department?

Mr. POE. Patrolman.

Mr. BALL. How long have you been in the department?