

Statements of witnesses - Sheriff's Department November 22.

The Sheriff's Department, adjacent to the crime, was used as a point to which witnesses could be taken for the procurement of statements. The witnesses are often inconsistent, frequently obviously wrong, but there are certain patterns that are consistent. These include the shot coming from behind and to the west of the building, <sup>in</sup> the general area of the overpass and the railroad yard and tracks. Several witnesses specifically described "puffs of smoke" or "puffs of steam". Several witnesses also described seeing bullets hit pavement.

Robert E. Edwards (19 H 473) ~~saw~~ saw a man in a window - he thought it was the fifth floor - who he described as wearing a light colored, yellow or white sport jacket, "and his hair was rather ~~rather~~ short". He placed the age at about 26.

Edwards was a friend of Ronald B. <sup>Fischer</sup> ~~Fisher~~ (19 H 475) who "noticed that he seemed to be laying down there or in a funny position anyway, because all I could see was his head. I noticed that he was light-headed and that he had on an open-neck shirt, and that was before the motorcade rounded the corner." Fischer also placed the age in the twenty's.

The young negro, Euins, who for some unaccountable reason was quoted by the commission in its Report, in his initial statement said "This was a white man". One of the media people heard him giving a statement to a policeman with a fuller description of a negro, within minutes after the assassination. The Commission itself said that Euins was unable to determine whether the man he saw was a negro or white.

Of course eye witnesses of dramatic incidents are always in disagreement. Things happen fast and they are not trained observers.

But when the Commission uses such witnesses as Euins and Brennan, it either has nothing or it doesn't dare use the other witnesses. In this case I am inclined to lean more heavily on the second, because the other witnesses it could have used all said things which were against the Commission's thesis.

Phillip Hatheway (19 H 477) was one of a number of witnesses who placed other people in the area of the assassination or in the general vicinity with a rifle. On his way to the parade with his friend, John Stevens Rutter Lawrence, they saw a large man who they described clearly ~~as~~ but figured he must be a Secret Service man because of his obvious transport of a rifle under such circumstances. Hatheway remembers the man clearly because the man was even larger than Hatheway who is 6'5" and weighs 200 pounds.

Lawrence's confirming statement is on 19 H 482.

S. M. Holland (19 H 480), a signalsupervisor for the Union Terminal was inspecting signals and switches and stopped to watch the parade at the triple underpass. He said "...I looked over toward the arcade and trees and saw a puff of smoke come from the trees and I heard three more shots after the first shot but that was the only puff of smoke I saw." Again an explanation of why all the activity in this area and not initially directed toward the building, especially with ranking officials of the police directing it that way.

Emmett Joseph Hudson, who was called as a witness, gave an affidavit (19 H 481) in which he described himself as sitting on the concrete steps to the west of the building. He said "The shots that I heard definately came from behind and above me." This, in the Commission's favorite phase of evasion, is "consistent" with

Holland and the other witnesses who testified about the shot from the arcade, the trees, etc.

Julia Ann Mercer (19 H 483) introduced another note in describing a truck with two men on the right hand side of the road near the entrance to the freeway. One man in his forties, heavy set and wearing a green jacket behind the wheel. The other man "reached over the tailgate and took out from the truck what appeared to be a gun case. This case was about 8" wide at it's widest spot and tapered down to a width of about 4" or 5". It was brown in color. It had a handle and was about  $3\frac{1}{2}$  to 4 feet long. The man who took this out of the truck then proceeded to walk away from the truck and as he did, the small end of the case caught in the grass or sidewalk and he reached down to free it. He then proceeded to walk ~~o~~ across the grass and up the grassy ~~hill~~ hill which forms part of the overpass." She described this man as "in his late 20's or early 30's and he was wearing a grey jacket, brown pants and plaid shirt as best as I can remember."

Austin Miller (19 H 485) said "One shot apparently hit the street past the car. I saw something which I though was smoke or steam coming from a group of trees north of Elm off the Railroad tracks."

Gayle Newman, standing with her husband about halfway between Houston and the underpass, (19 H 488) saw Governor Connally react to the second shot she heard.

Barbara Rowland (19 H 493) saw a man standing in the window holding a rifle when her husband called her attention to it about 15 minutes before the motorcade arrived.

Her husband's affidavit (19 H 494) said he saw the man standing



about 15 feet back from the window with "what appeared to be a hi powered rifle because it looked as though it had a scope on it." . He also said it was about 15 minutes before the motorcade.

Royce Skelton (19 H 496) was standing on the train trestle with Austin Miller and "I saw something hit the pavement at the left rear of the car...I then heard another shot and saw the bullet hit the pavement. The concrete was knocked to the South away from the car. It hit the pavement in the left or middle lane."

Jesse James Williamson (19 H 497) with "a lady friend" visited at the motel of an acquaintance two days before the assassination. They don't have his name but they have his license number. Williamson got drunk. They had another woman with them. This "acquaintance" soon "began to make indecent remarks to the woman, to the effect that he wanted her to get in bed with him." This led to words following which "he pulled a rifle out of the closet" and again ordered them to leave, during which time he made additional indecent remarks. Then, "He left the rifle inside the room and came outside and told us to get into the car and he would take us back to our car. When we got back to the parking lot where we had previously left my car,...then he pulls a pistol -- I don't know where it came from, whether from his pocket or from the seat of the car on the left. ...This man...approximately five foot eight inches tall, weighing approximately 175 pounds; with dark hair; normal complexion; approximately 30 years old."...The woman friend says that he had real wavy black hair and was in her opinion about five foot ten, and would weigh about 165, and about 30 years old."

Note these descriptions.

Eddie Piper (19 H 499) a janitor at the Book Depository in a

statement given on the 23rd says that at about noon he saw Oswald who said "'I'm going up to eat' and I went on to my lunch".

This partially confirms the statement Oswald gave the police.

Malcolm Summers (19 H 500) who thought of the activity at the railroad tracks "they had somebody trapped up there", after 15 or 20 minutes went to his truck on Houston Street. "I had just pulled away from the curb and was headed toward the Houston street viaduct when an automobile that had 3 men in it pulled away from the curb in a burst of speed, passing me on the right side, which was very dangerous at that point, then got in front of me, and it seemed then as an afterthought, slowed in a big hurry in front of me as though realizing they would be conspicuous in speeding. These three men were of slender build and seemed to be very excited in ~~talk~~ talking and motioning to each other. ...They were in a 1961 or 1962 Chevrolet sedan, maroon in color."

William Clifford Anderson (19 H 501) is employed by Joe Summers Loop 12 Conoco Service Station. He said that "On Saturday, November the 16th, 1963 a man whose name I do not know moved into the cottage behind 2503 Kilburn (he lived at 2503 Kilburn) that he rented from Mrs. Rogers. He rented this cottage for 1 week. Another man has been to this cottage named D. H. McFadin. McFadin is about 26 or 27 years of age, dark hair, heavy build, 160 to 170 pounds. The other man I have not seen but one time and I can not be sure of a good description on him. These two men either come in late at night or early in the mornings. One other odd thing is that they always park their cars by backing them into the driveway. One of the cars is a two tone Pontiac about a 58 model and the other one is a foreign made car and is black." He then says that after he retired Friday

night, "I think it must have been early Saturday morning, I heard voices outside my window on the walk. One person was saying 'Well it's over'. The other man said 'Keep quiet, that gus is probably still awake'. ...This morning (his statement was dated the 25th of November) Mrs. Rogers told me that she had not seen them anymore and I went out to the cottage and looked around. I found 3, 30-30 calibre shells a photograph taken at Guthries at Corinth and Industrial and another picture and a letter and an envelope. I picked up these things after thinking about what had happened and the conversation I had overheard and brought them to the Dallas County Sheriff's Office. To me these two men have acted peculiar all week and after hearing them early Saturday morning, they have disappeared. The man shown in the picture from Guthrie's is the McFadin man."

Whatever he turned over to the Sheriff is not reproduced at this point.

Here follow statements from members of the Sheriff's staff, the first by Harry Weatherford (19 H 502).

He was in front of the Sheriff's office when the motorcade went past, heard the first explosion which "sounded as if it came from the railroad yard." and decided the second was a rifle "and I started ~~running~~ towards the corner when I heard the 3rd report. By this time I was running towards the railroad yards where the sound seemed to come from." He and others searched that area. "I then went to the Elm Street loading gates of the Texas School Book Depository where I met Deputies Ralph Walters, Luke Mooney, Eugene Boone and Sam Webster. We all went into the building and proceeded to the first floor by way of the stairs. I jumped out the first



window onto the roof of the adjoining covered loading dock. I then searched the roof for any expended shell cases, as at this time we were trying to find just where the shots came from and if they were fired from the west side of the building they possibly could have fallen onto this roof."

This reveals several things. First the building was not secure after these deputies had completed their search of the railway area. Second, they had reason to believe that the shots had come from the west of the building or the west side of the building. Next, even with the elapse of all of this time, no organized plan had been devised, no instructions had been given to search the building in the area of the sixth floor. He was on the sixth floor when Mooney found the empty shells.

He was sent (19 H 503) with other deputies to join <sup>police</sup> in a search at the Payne residence. There is no reference to a search warrant but he does say "I showed her my ID and told her we were from the Sheriff's Office...We told Mrs. Payne we wanted to search her home and she told us to go ahead, that she understood."

This statement was dated the 23rd.

Michael Payne came while the police and sheriff's men were there. He was questioned, then all the Paynes and the Oswalds and the evidence were taken to Captain Fritz.

This was confirmed by the statements of <sup>Deputies</sup> ~~Deputy~~ Buddy Walthers 19 H 518-21, and J. L. Oxford 19 H 530.

~~19 H 518-21 / 11/21/6~~

The investigation report of Deputy Ralph Walters (19 H 505-6) says he ran over to the scene of the assassination and with several others searched the immediate outside area for "possible 5 or 6 minutes after the time we reached the area, we went from there to

the Texas School Book Depository and 7 of us went inside. We were the first ones into the building from the front door and several of us searched the first floor and moved on up into the building. I took the back stairs and went first to the 5th floor. I did not see anything on this floor and continued on up to the 6th floor and by that time officers Mooney and Grandstaff were on the 6th floor. ..."

Even without orders, the Deputy Sheriffs proceeded more logically than the police, also without orders, as this and other statements indicate.

Walters says he was about 8 feet away from Mooney when Mooney discovered the shells. "I crawled up on a stack of pasteboard boxes ... and looked ...". That certainly helped the fingerprint department. Mooney called the Sheriff from the window. <sup>Walters</sup> ~~Webster~~ noted "By this time there were numerous City officers gathering on the streets." He reported that Chief Lumpkin and other policemen came to the sixth floor "and told us not to ~~touch~~ touch anything." Even this they didn't do immediately. And about five minutes after Lumpkin arrived "Capt. Will Fritz and several of his officers came onto this floor. There were about 8 to 10 officers on this floor by this time and we had already started a systematic search of the floor, looking for the weapon. About 2 minutes after Capt. Fritz had arrived on the floor, Deputy Eugene Boone called out that he had found the rifle shoved down between 2 rows of pasteboard boxes of books. Capt. Fritz took over the search at this time (after the deputies had ~~done~~ done all of his work for him) and one of the other Deputies who had been in the building came and told us that Sheriff Decker had given orders to let the City take over the investigation..."



The first statement of E. L. Boone to Sheriff Decker is possibly the briefest. It is nine lines long and says that "when he and "Officer Whitman (sic) DPD" as we approached the Northwest corner of the building I was (sic -- means saw) the rifle partially hidden behind a row of books with two (2) other boxes of books against the rifle. The rifle appeared to be a 7.65mm Mauser with a telescope sight... Capt. Fritz...also ~~sum~~ someone from the ID (sic) pictures were taken and then Capt Fritz picked up the rifle. I first saw the rifle at 1:22pm date."

Note pictures were taken of the real rifle before it was touched.

No such pictures have I yet seen. I have seen no other reference to them. Note also that Boone thought the rifle a 7.65 Mauser. Additionally note no reference to any effort by Fritz to preserve fingerprints.

Boone's second statement of November 22nd (19 H 508-9) begins with the statement that at 1 o'clock when he was in the Sheriff's Office he heard the ~~shots~~ shots. He ran to the scene where "Some of the bystanders said the shots came from the overpass. I ran across the street (Elm) and up the imbankment over the retaining wall and into the freight yard and was unable to locate anything." He located H. W. Betzner who had taken some photos "just prior to the shots (35mm film)". Betzner's film was taken to ID and the film developed. I have seen no prints of these films or any other references to them except in Betzner's own statement. We don't know what they showed. Betzner says he took one picture just before the first shot. (19 H 467)

He found the rifle "In the northwest corner of the building

approx. three (3) feet from the east wall of the stairwell and behind a row of cases of books". Here again he says it "appeared to be a 7.65 mm Mauser with a telescopic site."

A deputy who signed himself "Elkins" (19 H 510) reported that Lee Bowers, Union Terminal Co., was on duty in the tower about 200 yards west of the Depository. About ten minutes before he heard the shots he "saw a car driving around behind the building. It was a 1961 chev. impala, white, occupied by one white male. He said it had a Goldwater sticker on the back window. He said about five minutes later he saw another car in the same area. It was also occupied by one white male. It was a 1957 ford, black, gold stripe down the side. It had an out of state license, white with black numerals, 6 digits." The occupant had what looked to be a telephone in his hand."

Deputy Jack W. Faulkner (19 H 511) was on the corner of Main and Houston when the motorcade passed. When he got to the intersection of Elm he asked a woman where the shots had come from "and she pointed toward the concrete arcade on the east side of Elm St., just west of Houston St. (Obviously, north side is intended) There were many officers going toward the railroad yard by this time and I joined them in search of the assassin. A small negro boy came up to a Dallas Uniform officer and told him that he saw a man shoot out of the window of the school Book Depository. I immediately went to the depository where I was met by A. D. McCurley, Bill Wiseman of the SO and Joe Loraine of the Texas School Book Depository went to the top of the building and started checking the floors going down from the top in search of the assassin. When we got down to the third floor we talked to office workers who told us

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that they were looking out of the third floor window when the shots were fired from the street near the concrete arcade."

Here again from people who should have been in the position to see the identification of the arcade area.

Statement of Deputy Sheriff A. D. McCurley, November 22, 1963, (19 H 514). He was standing in front of the Sheriff's Office when he heard "a ~~report~~ report and I immediately recognized it as the sound of a rifle." He ran around the corner, heard a second and then a third shot, and with other officers "rushed towards the park" and with them then to the railroad "and jumped a fence and a railroad worker stated to me that he believed the smoke from the bullets ~~bullets~~ came from the vicinity of a stockade fence which surrounds the park area."

Here again is one of a number of statements that reports that when they were searching the area outside near the building "information came to us that the shots came from the Texas School Book Depository Building at the corner of Elm and Houston. ...went to the building and started checking the floors..."

Deputy Charles Polk Player was in the Sheriff's Office, heard the shots, went out "by the back door...my squad car was parked on the side street just back of the book depository. I drove the car on to the rail road tracks, turned the car around and stopped head west." He was joined by Sgt. Harkness, a policeman with a 3-wheel motorcycle. Between the two of them they monitored Channel 2 and the sheriff's radio and set up a command post without instructions (19 H 515).

Deputy L. C. Smith in a statement dated the 22nd told the Sheriff "... I knew then that this was gun shots and everyone else



did also." As he ran to the scene he heard a woman say "the shots came from the fence on the North side of Elm." He and others went there and searched. While they were doing they were told the shot "was thought to have come from the Texas Book Depository Bldg." and he and the others went there.

Report of Deputy Buddy Walthers (19 H 518421).

He immediately recognized the first "retort" as a rifle shot, and ran across Houston and Elm "and up into the Railroad yards." While he was searching the area of the overpass and unknown man told him "that something had hit his face while he was parked on Main Street." Walthers examined "the curb and pavement in this vicinity" ~~vicinity~~ and "found where a bullet had splattered on the top edge of the curb on Main Street. ..." He said this "would place the direction of firing, high and behind the ~~pts~~ position the President's car was in when he was shot." By this time he said the Book Depository Building "was fast becoming surrounded by police officers." He went out on the Tippett call and helped surround the library where "it was then determined that the person inside the library was the wrong person."

Nobody ever says anything else about this, How they knew the person was the wrong person or anything like that. He was in on the Oswald capture. Afterward he, Weatherford and Oxford were ordered to the Payne home to "meet some officers from Capt. Will Fritz' office. We arrived at location and met Detectives Rose and Adamcik from the Homicide division..." They showed their credentials. There is no reference to a search warrant. Mrs. Payne gave them permission to search the house. "Upon searching this house we found stacks of hand bills concerning 'Cuba for Freedom' advertising, seeking

publicity and support for Cuba. Also found was a set of metal file cabinets containing records that appeared to be names and activities of Cuban sympathizers. All of this evidence was confiscated and turned over to Captain Fritz of the Dallas Police Department and Secret Service Officers at the City Hall."

This is a fascinating thing. Oswald was a one man pro-Castro committee in New Orleans and engaged in no such activity any place else. I can't conceive of how he could have compiled such a list of names. The reference here is to Cuba not Castro. Is it possible the names were of a <sup>different</sup> ~~different~~ character? Or is it possible that this information was not correct? Note the next sentence "A blanket was found at location that had a string tied around one end of it and still bore an imprint of a rifle." Wasn't that accommodating of Oswald? If it was Oswald.

An unsigned report to the Sheriff with the word "Radio" written in under "Name of Complainant" (19 H 522-3) is presumably by the dispatcher. He presumed the reports were "rifle or shotgun blast". When he heard them "I looked at the time on the radio panel and it was about 40 seconds after 12:30pm as I was ~~called~~ calling Dallas PD ~~pm the jpt ;ome and O asled tje p2ratpr t jat answered of am~~ on the hot line and I asked the operator that answered if anything had been reported and she said no I told her that I heard what I believed to be three shots... At that time all the traffic officers ~~were on their motorcycles with~~ at the intersection of Main and Record started running and some were on their motorcycles with red light and siren wide open headed in the direction of the railroad area north of Elm St."

"Grand Prairie" phoned they had arrested a white male "driving

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a 1957 Ford green and white Texas license DT 4857 (as) involved in the assassination." He says this message was broadcast on his radio, but I don't remember it. There are other indications that those who prepared <sup>the</sup> transcripts of the logs were <sup>too</sup> selective in their excerpting.

He also reported a call from "Carrollton" PD saying "someone had reported that the following vehicle had been parked near the Harry Hines circle for the last 3-4 days and very shortly after the shooting was reported the vehicle left traveling North on Harry Hines at a very high rate of speed. Description as follows, Red, 1963 Chevrolet Impala bearing Georgia License 52J1033, this information was broadcast to all stations North."

It certainly wasn't broadcast, according to the transcripts of the Sheriff's broadcasts printed by the Commission.

His name is given at the bottom as Watson.

Deputy C. L. Lewis (19 H 526-7) lists people from whom statements were taken.

Deputy Luke Mooney (19 H 528-9) gave a statement the 23rd/ ~~He~~ he also ran immediately "up the terrace to the railroad yards." and searched until sent to the Depository Building. "As we approached the two big steel wire gates to the loading dock at the back of the building on Elm Street side, we saw that the loading dock had locks on it and I then pulled the steel gates closed and requested of a citizen standing there to see that no-one came out or went in until I could get a uniformed officer there, which he did." This is how the building had been secured. The Commission, I believe, makes absolutely no reference to this in their report.

He says he was the "only person on the 6th floor when I was



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searching it..." He said he "found where someone had been in an area of perhaps 2 feet surrounded by cardboard cartons of books.// ...three more boxes so arranged as to provide what appeared to be a rest for a rifle. On one of these cartons was a half-eaten piece of chicken." Here he is speaking of other boxes or he is reporting something noone else reported.

As soon as he saw the shells "I hung my head out of the half opened window and signaled to Sheriff Bill Decker and Captain Will Fritz...I had located the area from which the shots had been fired." He and several others "guarded this spot until Crime Lab Officers got upstairs..."

Statement of Deputy J. L. OXFORD, 19 H 530

He heard "what I thought to be shots". He and others ran across Elm and down to the underpass ... everyone was looking toward the railroad yards. We jumped the picket fence which runs along Elm Street and on over into the railroad yards. When we got over there, there was a man who told us that he had seen smoke up in the corner of the fence ..."

He was one of the crew sent by the sheriff to the Paine home. No reference to a search warrant. "We found a blanket in the garage. This blanket looked like a rifle had been wrapped in it. We also found about 7 metal boxes which contained pamphlets and literature from abroad. Also, there were cameras and film found. All of this was brought to the City Hall along with Mr. and Mrs. Paine and Mrs. Oswald. The children were also brought along. We called Sheriff Decker and he told us to leave all of the evidence at the City Hall and report back to the Sheriff's Office."

This is how the pictures got to the police. Nobody but one of the

police officers could have stolen and capitalized on the missing negative, if Oswald was wrong and it is not a fake.

Statement of ALLEN SWEATT, Criminal Deputy, 19 H 531-3

He also immediately identified them as shots. He was about "30 feet east of the corner of Houston and Main Street on Main Street." "A man by name of 'Hester' told Deputy John Wiseman that the shots had come from the old Sexton building. As we approached the building we were told the shots had come from the fence." He placed the number of deputies alone at the scene at 15. He says, "At that time" without any indication as to what that time was, "Inspector Sawyer of the DPD came to the front of the building and started taking names of witnesses and I suggested to Inspector Sawyer that I get two deputies and send the witnesses to the Sheriff's Office for statements instead of letting the witnesses leave the scene. Inspector Sawyer agreed with this plan and as witnesses were brought together they were taken directly across the street to the Sheriff's Office to wait until statements could be taken."

Does this, together with other statements and information, indicate that Inspector Sawyer was in charge of the police? Would he be the one who should know the source of the description of the assassin? He was still there when Mooney discovered the shells. This his statement says, "Shortly after (discovery of the shells), a DPD officer brought a boy in a sport coat up and said, 'Here is the man that had done the shooting'."

The boy was taken away as people gathered.

I recall no other reference to such an arrest. There was, however, an earlier reference to a "foreign car" in the area of the railroad track.

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As of the date of his statement, the 23rd November, Sweatt still had "in my custody all original statements, supplements and copies of pictures by Betzner subject."

If there are any supplements, they are not in Decker exhibit 5323, this long list of statements. Nor are the Betzner pictures. There are also references to pictures from two girls brought in by Bill Wiseman, a deputy.

In a report dated Nov. 23, Buddy Walthers told the sheriff "About 8:00 am this morning, while in the presents of Allen Sweatt, I talked to Sorrels the head of the Dallas Secret Service. I advised him that for the past few months at a house at 3128 Harlendale some Cubans had been having meetings on the week ends and were possibly connected with the 'Freedom for Cuba Party' of which Oswald was a member."

On the same report under date of "11-26-63" he has this addition: "I don't know what action the secret service has taken but I learned today that sometime between seven days before the president was shot and the day after he was shot these Cubans moved from this house. My informant stated that subject Oswald had been to this house before."

It is probably safe to assume that nothing happened about this incident, and it may be here, if anywhere, that there was the greatest loss in not following up a lead paralleling the information from Mrs. Odio.

Statement of Deputy Sheriff JOHN WISEMAN, Nov. 23, 1963, 19 H 535-6

He too immediately identified the shots as such and ran to the area from the sheriff's office "... across the park ... man laying on the grass said the shots came from the building and he was pointing to the old Sexton Building. I talked to a Marilyn Sitzman, 202 S. Lancaster who said her boss, Abraham Zaprutes, (sic) RI 8 6071, had movies of the shoot-



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ing. She said the shots came from that way and she pointed also to the old Sexton building. I ran at once to the Sexton Building and went in." Apparently the old Sexton building is the same as the Book Depository Building. In the building he asked and was told by women that 4 doors lead from the building (there are more). He also reports no systematized search. He reports, "Officer Day of the DPD Crime Lab came and took pictures of the gun in its hiding spot behind the boxes and then removed it from this spot."

We have an additional statement that photographs were taken and, in addition, we know by whom they were taken. They have yet to see the light of day so far as I have yet seen.

He then describes the pictures taken by Mary Moorman with her Polaroid. "... in the background of p this picture was a picture of the Sexton Building and the window where the gunman sat when doing the shooting. I took this picture to Chief Criminal Deputy Sheriff, Allan Sweatt, who later turned it over to Secret Service Office Patterson." I don't recall this Moorman picture ever being used. Of course, it may show nothing.

Statement of McCoy, to the Sheriff, Nov. 24, 1963, 19 H 537-9

There is a deputy named C. C. McCoy. This reports calls from all over the country, most of them sympathetic. He then says, "WHEN YOU CALLED THE OFFICE AT 2:00 AM., I HAD NOT RECEIVED ANY THREATS ON THE LIFE OF OSWALD BUT AT THAT TIME YOU MENTIONED THE FACT THAT YOU THOUGHT THAT OSWALD SHOULD BE TRANSFERRED FROM THE CITY JAIL WHILE IT WAS STILL DARK AND YOU WANTED TO KNOW ABOUT WHAT TIME THAT IT WAS DAY LIGHT, AND I TOLD YOU THAT IT WAS DAY LIGHT AT APPROX. 6:30 AM. OR 6:45 AM. AND YOU ASKED ME TO CALL YOU AT 6:00 AM. AND YOU WOULD SEE ABOUT GETTING OSWALD TRANSFERRED WHILE IT WAS STILL DARK.

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"AT APPROX. 2:15 AM. I RECEIVED A CALL FROM A PERSON THAT TALKED LIKE A W/M AND HE STATED THAT HE WAS A MEMBER OF A GROUP OF ONE HUNDRED AND THAT HE WANTED THE SHERIFF'S OFFICE TO KNOW THAT THEY HAD VOTED ONE HUNDRED PER CENT TO KILL OSWALD WHILE HE ~~WAS~~ <sup>WAS</sup> IN THE PROCESS OF BEING TRANSFERRED TO THE COUNTY JAIL AND THAT HE WANTED THIS DEPARTMENT TO HAVE THE INFORMATION SO THAT NONE OF THE DEPUTIES WOULD GET HURT." He described the voice as deep, sincere, and of a person that "talked with ease. THE PERSON DID NOT SEEM EXCITED LIKE SOME OF THE CALLS THAT WE HAD RECEIVED ... AND HE SEEMED VERY CALM ABOUT THE WHOLE MATTER." Someone named Virgil also listened in on part of it. "A SHORT TIME LATER, MR. NEWSOME, FROM THE FBI OFFICE CALLED AND WANTED TO KNOW IF WE HAD RECEIVED ANY CALLS ON THE LIFE OF OSWALD AND I PASSED ON THE ABOVE INFORMATION AND HE ASKED ME TO CALL THE POLICE DEPARTMENT AND GIVE THEM THE SAME INFORMATION." He did, to Capt. Fritz's office.

He also received another call "REGARDING THE TRANSFER OF OSWALD AND WHEN I ANSWERED THE TELEPHONE, A MALE VOICE ASKED IF THIS IS THE SHERIFF'S OFFICE AND I SAID THAT IT WAS, HE SAID JUST A MINUTE AND THEN ANOTHER MALE VOICE STATED THAT OSWALD WOULD NEVER MAKE THE TRIP TO THE COUNTY JAIL."

He then reports a scheme the sheriff considered of having McCoy and another deputy "WITHOUT CAUSING MUCH OF A SCENE" transfer Oswald by handcuffing him to McCoy and keeping him in the floorboards of the of the car so he couldn't be seen. McCoy had said he was willing but reports Decker told him to wait until Decker talked to Fritz. Later an officer McCoy thought was Capt. Tolbert called for Decker and later Decker reported his inability to reach Fritz, to not do anything yet, and to hold the night shift. Then Capt. Frazier of the police called to report he had been trying unsuccessfully to reach Curry, "COULD NOT

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GET AN ANSWER ON THE TELEPHONE AND I BELIEVE THAT HE STATED THAT HE WAS GOING TO SEND A SQUAD BY THE CHIEFS HOME. I ASKED CAPTAIN GRAZIER (sic) TO CALL YOU AT HOME AND GIVE THAT INFORMATION TO YOU. ... YOU CALLED BACK AT ABOUT 7:50 AM, AND YOU STATED THAT THEY WOULD (probably "would" but typed over) NOT GO FOR MAKING THE TRANSFER AT THIS TIME ..."

Squad 33, Elkins, in a report to the Sheriff dated the 26th (19H540) said that he also identified the sounds as shots. Like most of the others, he grouped them one and then two close together. He also ran to the area between the railroad and the ~~Book~~ <sup>Book</sup> Depository where, with officers already there, "we secured it from the public". He also got the description of the two automobiles from the Tower ~~employee~~ <sup>employee, but</sup> went to the Book Depository when other officers told him "that it had been established that the shots were fired" from there. After locating some witnesses for interrogation, he went to WFAA-TV "and got two witnesses who had been taken there by some reporters." Then "a while later a City of Dallas policeman came to our office with three prisoners who he had arrested on the railroad yards. I took these three to the city jail and turned them over to Capt. Fritz."

I recall no previous reference to these 3 prisoners.

A statement that is signed by a name seeming to be "W. W. Mabra", the name of one of the deputies, dated Nov. 27, 19 H 541. He also identified the sounds as shots. The officer with him thought it sounded like a deer rifle. They were near the Criminal Courts Building. He also went to the railroad yards where he talked to a city officer who told him, "I was stationed in rail yards and had this entire area in view. No body came this way."

In a statement by L. C. Todd, dated Nov. 27, 1963, (19 H 543), the sheriff was told by Todd, who was then at the jail, he thought the first



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sound was a backfire but of the last two "I immediately recognized  
as being gunfire".