

Mr. GRIFFIN. I haven't any more questions. I want to thank you for coming in and being so helpful to us.

Is there anything else that you would like to say?

Mr. MILLER. There isn't anything I know.

Mr. GRIFFIN. All right, thank you very much. Nice to have met you, Mr. Miller.

One thing, I want to ask you to sign the interview report that I have marked as Exhibit No. 1. If you would sign it up near where I have marked it, and if you would also put your initials on the second page.

[Mr. Miller signs and initials.]

Mr. GRIFFIN. Fine. Thank you very much.

Mr. MILLER. Thank you.

TESTIMONY OF NELSON BENTON

The testimony of Nelson Benton was taken on July 7, 1964, at 300 Oil and Gas Bldg., 1100 Tulane Avenue, New Orleans, La., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Nelson Benton. Do you have a middle initial?

Mr. BENTON. Well, my first name is Joseph but I just use Nelson.

Mr. HUBERT. Mr. Benton, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, the joint resolution of the Congress No. 137, and the rules of procedure adopted by the Commission, and in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Benton, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associates as to his movements on the dates of November 22 through November 24, 1963.

Now, Mr. Benton, normally a witness is given a 3-day written notice before his deposition is taken, in accordance with the rules of the Commission governing the procedure, but the rules also provide that a witness may waive any notice and have his deposition taken, by request, at any time.

In the instant case, no letter has been written to you or no request to appear, but as I understand it, you waive all notice and are willing to have your deposition taken now, this morning?

Mr. BENTON. That is right.

Mr. HUBERT. All right. Now, will you be sworn, please?

(Nelson Benton, a witness called by the President's Commission on the Assassination of President Kennedy, having been first duly sworn, was examined and testified as follows:)

Mr. HUBERT. Will you state your full name, please?

Mr. BENTON. My full name is Joseph Nelson Benton, B-e-n-t-o-n.

Mr. HUBERT. I understand, however, that in your profession you do not use the name Joseph but are known as Nelson Benton.

Mr. BENTON. That's right.

Mr. HUBERT. Where do you normally reside?

Mr. BENTON. 3201 St. Charles.

Mr. HUBERT. That's apartment 301?

Mr. BENTON. Apartment 321, I believe.

Mr. HUBERT. Apartment 321? What is your occupation, Mr. Benton?

Mr. BENTON. I am a correspondent for CBS News.

Mr. HUBERT. How long have you been a correspondent for CBS News?

Mr. BENTON. I have been employed by CBS News for 4 years. I have been a correspondent since February. I'll clarify that. Correspondent is a title. I have been a reporter for CBS News since 1960.

Mr. HUBERT. And what was your occupation prior to that, sir?

Mr. BENTON. I was a reporter for a television station in Charlotte, N.C.

Mr. HUBERT. Now, Mr. Benton, I am inquiring this morning about the events of November 22 through November 24, 1963 in Dallas, in particular connection with the death of President Kennedy and the death of Lee Harvey Oswald, and the connection of Jack Ruby with the latter event. Is it a fact that you were assigned as a correspondent for CBS to cover the Presidential visit to Dallas on November 22?

Mr. BENTON. That is correct.

Mr. HUBERT. When did you arrive there, sir?

Mr. BENTON. I arrived on Thursday, November 21.

Mr. HUBERT. Now, where were you when the President was shot?

Mr. BENTON. I was at television station KRLD, which is located, I believe, on Camp Street.

Mr. HUBERT. Now, after the President was shot and after his death, where did you go?

Mr. BENTON. I went to Parkland Memorial Hospital.

Mr. HUBERT. How long did you stay there?

Mr. BENTON. Approximately 2 hours. A little less than 2 hours.

Mr. HUBERT. Would you state for the record, please, approximately when you got there and approximately when you left?

Mr. BENTON. I arrived at the hospital at approximately 1 p.m. central standard time. I would guess that I left around 2:30 or 2:45 central standard time.

Mr. HUBERT. Do you know a Scripps-Howard reporter or correspondent by the name of Seth Kantor?

Mr. BENTON. I do not.

Mr. HUBERT. Now you, of course, subsequent to November 22, saw and identified and could now identify a man by the name of Jack Leon Ruby, is that correct?

Mr. BENTON. I certainly could.

Mr. HUBERT. Did you see him at Parkland Memorial Hospital—

Mr. BENTON. I did not.

Mr. HUBERT. On the 22d?

Mr. BENTON. No, sir.

Mr. HUBERT. Did you remain in any particular place at Parkland or did you move around?

Mr. BENTON. I moved around from the emergency entrance, where I talked to Senator Yarborough—Senator Yarborough was in a car about three cars behind the Presidential car—that was the first spot to which I went. The second spot was a pressroom which had been set up, which, I believe was a nursing classroom. That's the spot at which the announcement of the President's death was made. The other place to which I went at the hospital was the nurses' quarters, which is across the street about 100 yards, and my purpose in going there was to get to a pay phone since all the phones leading to the hospital were jammed up at the time.

Mr. HUBERT. Would you tell us about what time you left Parkland to go to the nurses' home?

Mr. BENTON. Well, this was not to go and stay. This was a shuttle. I went over there several times. The first time I went was after interviewing Senator Yarborough, which I would guess to be shortly after 1 p.m. The next time I went was after Mr. Kilduff had announced that the President was dead.

Mr. HUBERT. Could you tell us the circumstances under which that announcement was made?

Mr. BENTON. Yes, sir. There was a room with, I would guess, 40 to 50 reporters in it. Mr. Kilduff came in and yelled to everybody to be quiet and sit down. He said, "I have to announce that the President of the United States died at approximately 1 p.m. central standard time of bullet wounds in the

head. I have no further details." His statement was a little more complete. I think he said President John F. Kennedy.

Mr. HUBERT. At approximately what time was that?

Mr. BENTON. Right at 1:30 central standard time.

Mr. HUBERT. Can you fix that by reason of some event that stays in your memory?

Mr. BENTON. I looked at my watch and tried to compute the time, or was looking to see how fast we had been advised.

Mr. HUBERT. Had you been told previous to the announcement by Mr. Kilduff that there would be an announcement and to congregate at that time and place or how did it happen?

Mr. BENTON. Someone suggested we congregate there. A Wayne Hawks, who is a White House aide, a civil service person, he suggested we all move up there. There had been a large number of people congregated around the emergency entrance.

Mr. HUBERT. And that suggestion by Mr. Hawks was made at what time?

Mr. BENTON. I can only say between—some time between 1 p.m. and 1:30. I don't know exactly.

Mr. HUBERT. But it was after you had spoken to Senator Yarborough?

Mr. BENTON. That's correct. Senator Yarborough was the first person that I spoke to when I arrived at the hospital.

Mr. HUBERT. And that was 1 o'clock, you said, approximately?

Mr. BENTON. I can only guess. Approximately 1 o'clock.

Mr. HUBERT. Then you went across to the nurses' home to make your telephone call and came back and it was after that the announcement was made to congregate? Perhaps we can approach it this way: Do you remember how long you had been in the room, after the announcement by Mr. Hawks?

Mr. BENTON. Not very long. I would say 10 minutes.

Mr. HUBERT. So that backing off of 1:30, it would be fair to say Mr. Hawks must have announced that the correspondents should collect about 1:20 or somewhere—

Mr. BENTON. Mr. Hawks did not say gather at any time. I just recall his saying: let's go up. We set up a pressroom. Something to that effect.

Mr. HUBERT. And that would have been about 1:20 or some time—

Mr. BENTON. I would guess; yes.

Mr. HUBERT. Now, after you left Parkland Memorial, where did you go?

Mr. BENTON. I went to the jail.

Mr. HUBERT. And then after that, where did you go?

Mr. BENTON. I think I returned to KRLD.

Mr. HUBERT. At what time did you first go to the Dallas City Jail Building?

Mr. BENTON. It was some time in the evening of Friday, the 22d.

Mr. HUBERT. You were not there in the afternoon at all?

Mr. BENTON. I was not there in the afternoon when the arrest—

Mr. HUBERT. When you say evening, of course, you mean after nightfall?

Mr. BENTON. I would guess around 7 or 8 o'clock in the evening.

Mr. HUBERT. How long did you stay?

Mr. BENTON. I stayed until after midnight.

Mr. HUBERT. Now, did you see Jack Ruby at any time during the period you have just stated, from 8 to midnight, on the night of the 22d at the Dallas City Police Jail?

Mr. BENTON. I did.

Mr. HUBERT. You did not know him at the time, is that correct?

Mr. BENTON. No.

Mr. HUBERT. How do you associate the man you now know to be Ruby as a man that you saw?

Mr. BENTON. Because of something he said. Well, I told the FBI the man was wearing a white on white shirt, and we—I hadn't seen many reporters wearing white on white shirts. It was—

Mr. HUBERT. You mean a white tie on a white shirt?

Mr. BENTON. No; I mean a white shirt with white figures embroidered—what appeared to be embroidered figures in the shirt. I noticed him because of something he said to District Attorney Wade, I believe it was. Wade was discussing

the political background of Lee Oswald and Wade said something to the effect, and this is not a direct quote, "Well, I think he's a member of that Free Cuba group;" whereupon, Jack Ruby corrected Wade and said, "No, it's the Fair Play for Cuba and there's a great difference between the two and I wanted to point that out."

Mr. HUBERT. Did Wade acknowledge that correction?

Mr. BENTON. Wade said, "Well," something like that. His answer is not clear in my mind.

Mr. HUBERT. Where did that take place? I mean, what part of the jail?

Mr. BENTON. To the best of my recollection, it occurred in what is called the assembly room, which is a room to which Oswald was taken that night to make a statement to the press. And to the best of my knowledge this occurred after Oswald had been in and—

Mr. HUBERT. Left? Do you know what time that was?

Mr. BENTON. Some time between 11 o'clock and midnight.

Mr. HUBERT. Now, the FBI report of the interview with you on December 1, 1963, indicates that Ruby's comment in regard to the difference between "Free Cuba," and a "Fair Play for Cuba," was made to correct Chief of Police Curry, whereas you have stated now that it was made to Mr. Wade, the district attorney.

Mr. BENTON. I don't recall saying that it was Chief Curry. I recall it was—

Mr. HUBERT. But you now remember it was made to correct Wade's remark and not Curry's remark?

Mr. BENTON. That is correct.

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

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

Mr. HUBERT. Did you see him after?

Mr. BENTON. Yes, sir.

Mr. HUBERT. I mean on the 22d.

Mr. BENTON. No, sir.

Mr. HUBERT. Now, when you did see him on the 22d, and your attention was brought to him by the remark that he made, what was he doing?

Mr. BENTON. What was he, Ruby, doing?

Mr. HUBERT. Yes.

Mr. BENTON. I don't recall, sir. A number of reporters were talking to Wade.

Mr. HUBERT. He was in the room with them, is that right?

Mr. BENTON. He was in the room.

Mr. HUBERT. Had you seen him at all before that remark in that room?

Mr. BENTON. No, sir. My attention was concentrated on Oswald at the time.

Mr. HUBERT. Now, did you see Ruby on Saturday, November 23, at any time?

Mr. BENTON. I don't recall seeing him then.

Mr. HUBERT. Were you in the jail, the Dallas jail, during any time on Saturday, the 23d?

Mr. BENTON. Yes, sir. As I recall, I was there most of the day.

Mr. HUBERT. Now, passing to Sunday, November 24, I think you had mentioned heretofore to the FBI that you had an interview with Chief of Police Curry?

Mr. BENTON. That's correct.

Mr. HUBERT. About what time was that?

Mr. BENTON. I have to space these things back according to specific events. I would guess it was some time between 9 and 10 a.m.

Mr. HUBERT. Well, let's start it this way. What time did you get there on Sunday morning?

Mr. BENTON. I think about 8:30.

Mr. HUBERT. And you went right up to the third floor?

Mr. BENTON. That is correct.

Mr. HUBERT. By the way, did you have any identification?

Mr. BENTON. Yes; I did.

Mr. HUBERT. Were you challenged?

Mr. BENTON. I was.

Mr. HUBERT. I take it from what you have told us that during the period, November 22 through 24, 1963, you went in and out of the jailhouse and the third floor on quite a number of occasions?

Mr. BENTON. That is true.

Mr. HUBERT. Were you challenged at all times or once or twice?

Mr. BENTON. Not directly challenged. For purposes of the President's visit, press passes that you pin on your jacket were issued in Dallas. I had one of those, which had been issued me prior to the President's arrival, which I wore.

Mr. HUBERT. Did you wear that at all times in the period in question?

Mr. BENTON. I wore that at all times. On Sunday, the security at the police department and jail was far more strict than it had been on the previous 2 days. There were times when I was asked to show additional identification. I don't remember specifically which times, but on the morning of Sunday, November 24, when I entered the jail, I was stopped, asked to show identification, and for the purpose I showed a Department of Defense accreditation which has my name and picture on it issued by the Department of Defense. And my name was taken at the time by a plainclothesman, of course.

Mr. HUBERT. Where did that occur?

Mr. BENTON. That occurred on the street floor of the police department. Not the basement, but what I presume you would call the main floor.

Mr. HUBERT. You mean by the elevators or—

Mr. BENTON. In the vicinity of the elevators; yes, sir.

Mr. HUBERT. On which side? Commerce?

Mr. BENTON. I entered the building from—let's see. Is it Main Street and Commerce Street or Commerce Street and Main? At any rate, I entered from the—I believe it's Main, Commerce, and Harwood that bound the city jail, and I think I entered from the—

Mr. HUBERT. Let me put it this way. If a person is in the jailhouse and is looking toward Harwood he will find Commerce on his left and Main on his right.

Mr. BENTON. Well, I entered, then, from the Commerce Street side.

Mr. HUBERT. And it was there you were challenged as to your identity?

Mr. BENTON. That's correct; yes, sir.

Mr. HUBERT. Now, you mentioned a distinction between the security measures you observed on Sunday and those that you observed on the previous days and I wonder if you could tell us a bit more about that. I think you said that it was much tighter or something like that.

Mr. BENTON. It was tighter to the extent that a plainclothesman, who was in the company of another plainclothesman, not only asked to see my credentials but wrote my name down at that time, and I presume the name of my association.

Mr. HUBERT. Well, did you see, on the previous days, anybody going in without any kind of identification? In and out?

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

Mr. HUBERT. Well, now returning to the interview with Curry, which you said occurred between 9 and 10, was that interview with Curry by you alone or was the interview of Curry by several news persons?

Mr. BENTON. As I recall, this particular one was either by me, alone, or perhaps one other network reporter.

Mr. HUBERT. Where did that take place?

Mr. BENTON. It took place in the large anteroom into which Chief Curry's office adjoins.

Mr. HUBERT. Was this taped in any way? Was it a radio or television interview?

Mr. BENTON. Yes, sir; it was television, and, to my knowledge, I think it was taped. I don't know whether it was broadcast live or taped. I did not have direct communications with New York. That was through the truck. I merely relayed; I have something, and I was given a cue to go, and what disposition they made of it; I don't know.

Mr. HUBERT. I understand. This was what station again?

Mr. BENTON. Sir?

Mr. HUBERT. What television station?

Mr. BENTON. This was KRLD. We had employed the facilities of KRLD, and, of course, it was—we were all doing the same thing. It got to a point there was no distinction between us and their people. We were all working together.

Mr. HUBERT. So that interview was actually a live interview of Curry with you doing the questioning?

Mr. BENTON. It was on a live camera. Whether it was broadcast live, I don't know.

Mr. HUBERT. But you, doing the questioning, I presume you were on the screen, or were both of you on the screen?

Mr. BENTON. Both of us were on the screen, I presume.

Mr. HUBERT. Now, you just simply asked Curry for that interview and got it? Is that it?

Mr. BENTON. That's correct.

Mr. HUBERT. How long did it last, do you remember?

Mr. BENTON. Probably 5 minutes.

Mr. HUBERT. Now, I assume there is a tape available on that; but, anyhow, can you tell us the general nature of what was said?

Mr. BENTON. The general nature, as I recall it—the only specific reason that I did the interview was to point out that Chief Curry had planned to bring an armored car to the—as I recall it now, the Commerce Street side of the jail, in which to transport Oswald to the county jail.

Mr. HUBERT. In other words, you had the information that an armored car was going to be used and you wished to have an interview to develop that, is that correct?

Mr. BENTON. That's correct.

Mr. HUBERT. How did you learn there was to be an armored car used?

Mr. BENTON. For the life of me, I can't tell you. I picked it up.

Mr. HUBERT. Did you see it?

Mr. BENTON. I did.

Mr. HUBERT. And was this interview of Curry before you saw it or afterwards?

Mr. BENTON. I think probably it was before.

Mr. HUBERT. In other words, you heard there was to be an armored car, then you interviewed Curry, and then, later, you saw the armored car?

Mr. BENTON. That's correct.

Mr. HUBERT. Did Curry tell you why an armored car was going to be used?

Mr. BENTON. His answer was; this is not—something to the effect that—this is not an ordinary prisoner. We want to take every security measure we can.

Mr. HUBERT. Now, I think perhaps you stated—what you have given to the FBI, in their report in the interview of December 1, is that this was at 9 o'clock. And I believe you told us a few moments ago it was somewhere between 9 and 10.

Mr. BENTON. That's correct.

Mr. HUBERT. You can't fix it any closer?

Mr. BENTON. No, sir; I don't think I can fix it any closer.

Mr. HUBERT. Do you recall whether Chief Curry had made any announcement on Saturday night, November the 23d, as to the movement of Oswald the next day?

Mr. BENTON. Chief Curry said something to the effect that: if you fellows are here by 10 o'clock, you'll be all right. I heard no announcement saying that Lee Oswald would be moved at 10 o'clock.

Mr. HUBERT. At the time of the interview with Curry on the 24th, did he state at that time when Oswald would be moved?

Mr. BENTON. To my knowledge, to my recollection, he did not say a specific time.

Mr. HUBERT. How long after this interview ended did you leave the third floor to go down, wherever you did go?

Mr. BENTON. Mr. Hubert, I could only guess. This was a time during which we were guessing ourselves, and I really don't know. I think—

Mr. HUBERT. Let's put it this way. After the interview with Curry was over, where did you go? Do you remember?

Mr. BENTON. I think I may have gone down to Commerce Street where our mobile unit was located. I think I may have gone down there several times and returned. But I would not be able to say at what time or how long I stayed at a given place. I circulated between the third floor, the mobile unit we had located on Commerce Street and the basement entrance to the jail.

Mr. HUBERT. Where was your mobile unit located?

Mr. BENTON. It was located on Commerce Street, right outside the building, the old municipal building.

Mr. HUBERT. Could you name some of the people who were connected with the mobile unit?

Mr. BENTON. The director was a man by the name of Lee Webb. One of the cameramen's names was English, I believe. Harold English. I'm not sure. These are not CBS employees. They were KRLD employees.

Mr. HUBERT. KRLD is what city?

Mr. BENTON. Dallas; it's owned by the Times Herald.

Mr. HUBERT. Did you see another mobile unit belonging to another TV station along in there?

Mr. BENTON. Yes, sir; I did.

Mr. HUBERT. How far away?

Mr. BENTON. As I recall, it was adjacent to ours.

Mr. HUBERT. Was there a crowd on Commerce Street at that time?

Mr. BENTON. Not a large crowd; no, sir.

Mr. HUBERT. Do you recall seeing a crowd on the opposite side of Commerce Street?

Mr. BENTON. Yes; a small crowd. Less than 100 people.

Mr. HUBERT. They were controlled by police; were they?

Mr. BENTON. There seemed no need for control. I'm sure there were some police out there but—

Mr. HUBERT. Well, in the area of your mobile unit, I take it that there were not many people congregated?

Mr. BENTON. That's correct.

Mr. HUBERT. It was fairly clear? There were some police personnel and that was about it?

Mr. BENTON. That's right.

Mr. HUBERT. I understand, too, from what you said, that between the time of your arrival there at 8:30 until the time of the shooting, which was somewhere around 11:20, that you commuted, as it were, from the jail down to your mobile unit?

Mr. BENTON. Not from the jail; no, sir. I was never in the jail itself.

Mr. HUBERT. I mean the jail building.

Mr. BENTON. Right. From the third floor to the mobile unit.

Mr. HUBERT. And how many times do you suppose you commuted in that way?

Mr. BENTON. It's only a guess. I would say at least four or five times.

Mr. HUBERT. Now, at any time that you did so commute, did you see the man that you have subsequently come to know as Jack Ruby in that area?

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

Mr. HUBERT. Now, where were you at the time the actual shooting occurred?

Mr. BENTON. I was in the mobile unit.

Mr. HUBERT. How long had you been there?

Mr. BENTON. Less than 10 minutes.

Mr. HUBERT. Where did you come from?

Mr. BENTON. I had come from the third floor of the building.

Mr. HUBERT. Why did you leave the third floor to go to the mobile unit?

Mr. BENTON. I had an indication from someone, and I cannot say who because I just don't recall, that the move was imminent.

Mr. HUBERT. How did that indication come to you?

Mr. BENTON. It could have come from another reporter. It could have come from a police official. I don't know. It may have just come from instinct.

Mr. HUBERT. Did you see any movement that indicated that something like that was imminent?

Mr. BENTON. I guess I saw more lack of movement. There weren't many people on the third floor.

Mr. HUBERT. And theretofore there had been?

Mr. BENTON. So that could have triggered an instinct. I don't know. I had stayed up there because earlier I had asked Huffaker, H-u-f-f-a-k-e-r, who is a reporter for KRLD—it had been decided that he would stay at the jail entrance and I would stay in the mobile unit where I could see what all of our cameras

were picking up, rather than only on one scene. I knew that he was at the basement entrance to the jail and I knew that we were covered there. Consequently, I felt free to roam, to a certain extent, and pick up information.

Mr. HUBERT. Do you remember about what time it was that the movement of the press people on the third floor began?

Mr. BENTON. No, sir; and I don't think it was any unanimous thing at all. I think it was just strictly moving around.

Mr. HUBERT. Let's put it this way. I understand there was quite a crowd of people there, say an hour before the transfer?

Mr. BENTON. That's true.

Mr. HUBERT. And then 10 minutes or so before you left, the crowd had cleared out considerably?

Mr. BENTON. That is correct.

Mr. HUBERT. Do you remember any announcement or any statement by anyone that Oswald would be moved by use of the basement ramps?

Mr. BENTON. No, sir; I don't. I think this may have been something that we assumed since we knew that there was a basement entrance to the jail which connected to an elevator. I think we assumed he would be moved by some sort of vehicle. There were some of us who were not convinced the armored car was going to be used, and, as I later found out, there was no intention of using the armored car, which later I was told.

Mr. HUBERT. Now, at the time you left, which you stated was roughly 10 minutes before the shooting occurred, did you see any movement in Captain Fritz' office to indicate that movement was imminent?

Mr. BENTON. No, sir.

Mr. HUBERT. Did you see Oswald, particularly, in Captain Fritz' office at that time?

Mr. BENTON. No, sir; I did not see Oswald at all on the morning of the 24th. The only place I saw him was on a television screen.

Mr. HUBERT. Were you able to observe whether the detectives from the bureaus were leaving their offices to go down to the basement area?

Mr. BENTON. I don't recall specifically noticing that. I do recall on one of my trips that there was a large number of people congregated at the basement entrance and—

Mr. HUBERT. Which basement entrance?

Mr. BENTON. This is the entrance in which Oswald was shot.

Mr. HUBERT. Oh, you mean—

Mr. BENTON. The ramp.

Mr. HUBERT (continuing). The corridor that goes through the little jail office from the elevator?

Mr. BENTON. It doesn't go through the jail office, sir.

Mr. HUBERT. Well, there is a corridor—

Mr. BENTON. There's a corridor that leads from, I believe, the spot where you pay traffic tickets that leads out—

Mr. HUBERT. Swinging doors and then the corridor and then it leads into the basement ramp?

Mr. BENTON. That's right.

Mr. HUBERT. Which goes both ways, to Main and to Commerce. There is some indication that at 10 o'clock on Sunday morning, that there was an expectation as to a time when Oswald would be moved. Do you recall anything about that, sir?

Mr. BENTON. No, sir; I don't. I may have heard it at the time but I remember no official announcement whatsoever that: we're going to move him at such and such an hour.

Mr. HUBERT. I gather from your statement that your interview with Curry must have ended prior to 10 o'clock?

Mr. BENTON. Yes, sir; I'm sure that it did.

Mr. HUBERT. That would mean there was an hour and 20 minutes between the end of the interview and the actual shooting of Oswald. During that interval, I take it, also, you were moving around as you described?

Mr. BENTON. That's correct.

Mr. HUBERT. Until ultimately, you came down to monitor the various pictures that were being picked up by your cameras?

Mr. BENTON. Yes, sir.

Mr. HUBERT. During that period from 10 until the time you last left before the shooting, did you see anything or hear anything to indicate a time of movement or a schedule of movement?

Mr. BENTON. No, sir.

Mr. HUBERT. At any time was the route to be used, within the jail, first, and then after leaving the jail, or either of those two routes, discussed or commented upon by any public official that you know?

Mr. BENTON. I think the route from the jail to the courthouse was discussed.

Mr. HUBERT. That is to say, outside the jail?

Mr. BENTON. That's right.

Mr. HUBERT. On the streets?

Mr. BENTON. Yes, sir. My memory is hazy. I can only say I think, because I am not sure. I think that in the interview I had with Chief Curry that that route was discussed and that—please understand this is a vague recollection. You plan on one thing and then it gets torn up and you lose a few details. But as I recall, I think I was told, in the discussion of the armored car, that he would be taken down Commerce Street to the jail, which, as I recall, Commerce Street goes past one side of the building, and it's only necessary to make a right turn onto Houston Street to get to the jail entrance. I believe that's correct.

I remember looking at a picture on the wall in that anteroom to which Chief Curry's office adjoins. It's a picture taken from a high angle beyond the triple overpass which shows Main Street, Elm Street, Commerce Street—you can see the jail building, and, if someone will point it out to you, you can also see the top of the jail building, and it seems to me there was some discussion of that route. There was some discussion of a route between Chief Curry and myself, and whether we discussed merely landmarks, and this was the way the President's motorcade went, or whether we discussed the actual route of transportation for a prisoner, I don't remember.

Mr. HUBERT. Do you recall whether the time was discussed?

Mr. BENTON. No, sir; I don't recall the time being discussed.

Mr. HUBERT. Let me get this straight. Is it that no time was discussed positively, or you don't remember whether it was or not?

Mr. BENTON. I don't think it was because I had some certain journalistic qualms of my own about discussing the specific time and I don't think I asked a question like that because I didn't feel it was proper.

Mr. HUBERT. Do you know whether anyone else asked the question?

Mr. BENTON. I'm sure they did.

Mr. HUBERT. Did you hear them?

Mr. BENTON. No, sir.

Mr. HUBERT. Now, as I understand it, there were no notes taken by you during your interview of Chief Curry, is that correct?

Mr. BENTON. That's correct.

Mr. HUBERT. I think you have told me, in the discussion we had immediately prior to the beginning of this deposition, that you had some 10 pages of notes of the events of November 22 through the 24th but that it consisted mostly of names. Is that correct?

Mr. BENTON. Yes, sir; and I think the majority of my notes were taken prior to the 24th, because starting with—

Mr. HUBERT. Prior to the 24th?

Mr. BENTON. Yes, sir; prior to the 24th. Because starting on Saturday morning, the 23d—well, let me digress a bit. Up until midnight Friday night I was working with a film camera crew. Film has to be processed, edited, and prepared for broadcast. Notes are very necessary if you want to determine which sections of the film to try to grab and use, if it has to be done in a hurry. After that time, everything I was doing was either being taped for fast reuse or it was going out live. Consequently, from a purely technical standpoint, there was no need for me to take notes. The story was in the hands of the producer and the editors simultaneously by the time it occurred, and this, plus the fact that I was

in a rather large group of reporters, I had to hold a microphone in one hand. It was physically impossible to take any notes.

Mr. HUBERT. So the majority of your notes were taken, really, on Friday and Friday night?

Mr. BENTON. That's correct.

Mr. HUBERT. And those would have to do, you say, not so much with information to be reported but with notes for your own use in editing, is that correct?

Mr. BENTON. That's right. I took a great number of notes at the hospital because I was reporting after the fact rather than live.

Mr. HUBERT. I see. You say those notes are available?

Mr. BENTON. I think they are; yes, sir.

Mr. HUBERT. I wonder if you would undertake, when you have an opportunity to do so, to look them up and let me know about them. We'll then have them photostated or Xeroxed and return them to you.

Mr. BENTON. All right.

Mr. HUBERT. And I would ask you at the time you turn them over to us to just jot on each page your name, and date, and just put: In re: deposition.

Mr. BENTON. All right.

Mr. HUBERT. So as to tie into this deposition without having to call you back again, you see.

Mr. BENTON. Yes.

Mr. HUBERT. Now, is there anything else that you can think of that you would like to make a part of this deposition?

Mr. BENTON. No, sir; I don't think so.

Mr. HUBERT. Now, is there anything that was discussed between us prior to the beginning of this deposition that has not been covered and made a part of this deposition by the actual recordation by the recorder here?

Mr. BENTON. No, sir; I don't think so. I think you asked me one time—either you or the FBI asked me—if I saw Jack Ruby again on November 24. I did, after he had been arrested.

Mr. HUBERT. Yes, I did want to get that. Where did you see him next?

Mr. BENTON. I saw him in the corridor on the third floor of the police station.

Mr. HUBERT. How long after the shooting was that?

Mr. BENTON. I would guess an hour.

Mr. HUBERT. You just saw him in passing or did you have an interview with him or—

Mr. BENTON. He was being brought from the jail to Captain Fritz' office.

Mr. HUBERT. You did not speak to him?

Mr. BENTON. I asked him a question and—

Mr. HUBERT. What question?

Mr. BENTON (continuing). He did not answer. I asked him why he did it.

Mr. HUBERT. That's the only time?

Mr. BENTON. He was brought down from the jail to Captain Fritz' office and returned via the same route.

Mr. HUBERT. How long was he in Captain Fritz' office, would you say?

Mr. BENTON. I would say at least an hour; maybe longer.

Mr. HUBERT. And you first saw him about 12:20?

Mr. BENTON. I would say between 12:15 and 12:30.

Mr. HUBERT. And you say he was in there 1 hour?

Mr. BENTON. At least an hour. It may have been longer.

Mr. HUBERT. And then he was brought back up again. Do you recall who was with him at that time?

Mr. BENTON. He was in the custody of at least four or five officers. I don't know who they were.

Mr. HUBERT. Do you know FBI Agent Hall?

Mr. BENTON. No, I do not.

Mr. HUBERT. Do you know Secret Service Agent Forrest Sorrels?

Mr. BENTON. I know the name. I think I know the face. I'm not sure.

Mr. HUBERT. Do you know whether he was there when Ruby was in Fritz' office?

Mr. BENTON. I don't remember.

Mr. HUBERT. Now, after Ruby was brought back upstairs, after having been in Fritz' office at least 1 hour, did you see him again that day?

Mr. BENTON. No, sir.

Mr. HUBERT. All right. Now, when this deposition has been transcribed, we would like to send you a copy so that you may read it and make what stylistic semantic corrections you think should be made without changing the meaning, and then there will be a place for you to sign and then you can return it. I will ask the stenographer to send the transcript to me here. I will make some of these changes myself and send it on to you.

Mr. BENTON. Yes, sir.

Mr. HUBERT. At that time I will probably enclose a self-addressed and stamped envelope to the Commission in Washington so that you may send it on. Now, where will you be? I understand you are going to—

Mr. BENTON. San Francisco; tomorrow.

Mr. HUBERT. And you will be there until—

Mr. BENTON. I think until the 18th or 19th.

Mr. HUBERT. Could you tell me, Miss, when this will be in my hands?

The REPORTER. We normally have 2 weeks delivery. When would you need it?

Mr. HUBERT. Well, could you have it in my hands by Tuesday, the 14th?

The REPORTER. Yes, I'm sure I can.

Mr. HUBERT. Where will you be staying?

Mr. BENTON. I'll be staying at the Hilton Hotel in San Francisco.

Mr. HUBERT. And you won't leave there until the 18th?

Mr. BENTON. That is the present plan.

Mr. HUBERT. Well, we'll try to send it out to you airmail special delivery on the 14th so it ought to get there on the 15th or 16th and perhaps you'll have a chance to look it over. In any case, send it on. I guess you will leave a forwarding address. Could you be reached at this New Orleans address we have?

Mr. BENTON. Well, my wife would know where I am. The St. Charles Avenue address.

Mr. HUBERT. Yes; and the CBS local would know?

Mr. BENTON. Well, she would probably come closer to knowing than they would at CBS because quite often all of us are out of town.

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

TESTIMONY OF FRANK BELLOCCHIO

The testimony of Frank Bellocchio was taken at 11:50 a.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Frank Bellocchio.

Mr. Bellocchio, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Bellocchio, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his movements and his operations and associates and so forth. I think you have