

Mr. RANKIN. Yes. And that is what you were trying to satisfy?
Mr. CURRY. That is what I was trying to do.
Mr. RANKIN. Those are all the questions.
Mr. McCLOY. I don't think I have anything else.
Mr. RANKIN. Thank you very much, Chief, for all of your help.
Mr. CURRY. Thank you for your consideration.
Mr. RANKIN. I want to offer the Exhibits 701 through 708, both inclusive.
Mr. McCLOY. They may be admitted.
(Commission Exhibits Nos. 701 through 708 were received in evidence.)

TESTIMONY OF J. W. FRITZ

Mr. McCLOY. You know the purpose of what we are here for, captain?
Mr. FRITZ. I think so.
Mr. McCLOY. We have a very broad mandate to look into all the circumstances relating to these unfortunate incidents that occurred in Dallas on November 22 last year, and thereafter.
Mr. FRITZ. Yes, sir.
Mr. McCLOY. And we have had Chief Curry on this morning, as I am sure you understand, and we would like to continue our investigation through you. We understand that you were in very direct contact with this problem of investigation, and I will ask you to stand and raise your right hand, sir.
Do you solemnly swear the testimony you will give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?
Mr. FRITZ. Yes, sir.
Mr. BALL. Will you state your name, please?
Mr. FRITZ. J. W. Fritz.
Mr. BALL. Where do you live?
Mr. FRITZ. I live in Dallas.
Mr. BALL. Could you tell us something about yourself; tell us where you were born and what your education is and what your training has been as a police officer?
Mr. FRITZ. I was born in Dublin, Tex., and lived there for several years. My father moved to New Mexico, and I grew up at Lake Arthur, N. Mex. And then I came back to Texas, and came to the police department in January of 1921, and have been there ever since.
Mr. BALL. You started as a patrolman, did you, in the Dallas Police Department?
Mr. FRITZ. Yes, sir; I started as a patrolman, worked as a patrolman approximately 2 years, I am not sure of the exact time and I was then moved to the detectives' office and have come up through the ranks there, up and down.
Mr. BALL. You are now a captain of police, are you?
Mr. FRITZ. Captain of homicide and robbery bureau; yes, sir.
Mr. BALL. How long have you held that office?
Mr. FRITZ. Since it was set up, I believe, in 1932 or 1933, I am not sure.
Mr. BALL. You have been head of homicide and robbery detail since 1932 or 1933?
Mr. FRITZ. That is right. I have had other jobs, too. One time I had the whole CID; they didn't call it CID at that time; they called it detectives' office, but I kept the homicide and robbery under my supervision during that time. I later went back with the homicide and robbery, full time.
Mr. BALL. Is there a division of detectives separate from homicide and robbery?
Mr. FRITZ. Well, we call it now the CID. It would be ordinarily called the detective division; yes, sir.
Mr. BALL. Who is in charge of that?
Mr. FRITZ. Who is in charge of it?
Mr. BALL. Yes.
Mr. FRITZ. Of course, we are all directly under the chief, and Chief Stevenson is the head of the CID, M. W. Stevenson.
Mr. BALL. Have you had any special training in police schools or places like that?

Mr. FRITZ. Well, of course, I have had a good many years of experience, and I attempted, I still go to school to our police schools, and I now attend seminars at different places, Oklahoma University and Texas University and go to most any training school that is available.

Mr. BALL. On November 22, 1963, you had been told the President or before November 22, 1963, you had been told that the President was coming to Dallas?

Mr. FRITZ. Yes, sir.

Mr. BALL. And had you taken certain precautions for his safety?

Mr. FRITZ. Well, we had taken some precautions but those were changed. We were told in the beginning that we would be in the parade directly behind it, I don't know whether it was the second or third car, but the Vice President's car, that we would be directly behind that, and we did make preparation for that.

But at 10 o'clock the night before the parade, Chief Stevenson called me at home and told me that had been changed, and I was assigned with two of my officers to the speakers' stand at the Trade Mart.

Mr. BALL. Was most of your work out at the Trade Mart that day?

Mr. FRITZ. Well, we didn't have a great deal of work to do there, other than check the speakers' stand and make a check to see if everything was all right before the President got there. He would have been there in 10 more minutes.

Mr. BALL. Did you check the waiters who had been hired?

Mr. FRITZ. That wasn't my job.

Mr. BALL. Someone else did?

Mr. FRITZ. Someone else did; yes.

Mr. BALL. How many men did you have assigned?

Mr. FRITZ. Where?

Mr. BALL. With you at the Trade Mart.

Mr. FRITZ. Two.

Mr. BALL. Who were they?

Mr. FRITZ. Detectives Sims and Boyd.

Mr. BALL. And they are both homicide?

Mr. FRITZ. Both homicide officers; yes. I had other officers assigned to different places. I had two of my officers assigned to ride in the car that was in front of the parade a half mile, with Chief Lumpkin. That was Senkel and Turner.

Mr. BALL. You were at the Trade Mart when you heard the President had been shot?

Mr. FRITZ. Yes, sir.

Mr. BALL. That was about what time you heard that? You have a little notebook there.

Mr. FRITZ. Yes, sir; I have a notebook.

Mr. BALL. Did you make notes as of that time?

Mr. FRITZ. We made this, not at that time, we made this after the tragedy.

Mr. BALL. How long after?

Mr. FRITZ. We started on it real soon after, and we have been working on it ever since.

Mr. BALL. Did somebody assist you in the preparation of that notebook?

Mr. FRITZ. Yes, sir.

Mr. BALL. Who was that?

Mr. FRITZ. I had several officers assist me with this, and some secretaries, of course, that helped us with it. I had my lieutenant, T. L. Baker, help me to put this book together, this larger book, I think you have a copy of it there, and to make some additional books like this.

Of course, we worked the whole office ever since it happened so it is hard to say just who helped.

Mr. BALL. Now, the book you are talking about is a notebook that you have with you, the book at which you are looking now?

Mr. FRITZ. This is the book I am talking about.

Mr. BALL. You made a formal report, didn't you, to the attorney general of Texas?

Mr. FRITZ. We, we didn't make it for the attorney general of Texas. At the time we made this we were just making, we were told that we would probably

need a report for this investigation, and we started immediately to making this. We didn't know at that time the attorney general would need one of these but when we were told he would need one we, of course, sent him one, too.

Mr. BALL. What I want to do is distinguish between the books you are looking at for this record.

Mr. FRITZ. Yes, sir.

Mr. BALL. You have a book that is of some size there?

Mr. FRITZ. Yes, sir.

Mr. BALL. And you call that what?

Mr. FRITZ. Well, "Investigation of the Assassination of President Kennedy."

Mr. BALL. That is the same as Commission's Document No. 81B. Now, then, you have a smaller book before you, haven't you?

Mr. FRITZ. Yes; a little index book.

Mr. BALL. An index.

Mr. FRITZ. It really is an index book for this larger file but it is kind of a quick reference book.

Mr. BALL. I see. Now, what time did you, what time was it that you heard the President had been shot?

Mr. FRITZ. I show that he was shot at 12:35, and one of the Secret Service men who was assigned the same location where we were assigned, got a little call on his, evidently got a call on his little transistor radio and Chief Stevenson, who was also assigned to some part of the building there, came to me and told me that the President had been hit at the underpass, and asked me to go to the hospital and see what I could do.

Mr. BALL. You say you show he was shot at 12:35?

Mr. FRITZ. Yes, sir.

Mr. BALL. You mean that is the time you heard about it?

Mr. FRITZ. Well, we heard about it immediately after that, and we arrived and we checked—

Mr. BALL. What time did you hear about it?

Mr. FRITZ. Just when Chief Stevenson came to me and told me.

Mr. BALL. Did you make a note of it at the time?

Mr. FRITZ. No, sir; I didn't make a note of it at the time.

Mr. BALL. When you heard of this what did you do?

Mr. FRITZ. Immediately left, and I told the two officers with me, Mr. Sims and Boyd that we would run to our police car that was parked nearby, listened to radio call to see whether it was a hoax or whether it was the truth. It was only 10 minutes' time for the President's arrival, we didn't want to leave unless this was a genuine call, and a true call.

When we got to the radio, of course, we began to get other news. We went to Parkland Hospital as we had been instructed, and as we drove up in front of the hospital, we, I suppose intercepted the chief, Chief Curry, between the curb and the hospital, and I told him we had had a call to the hospital but I felt we were going to the wrong place, we should go to the scene of the crime and he said, "Well, go ahead," so I don't think our car ever quit rolling but we went right to the scene of the crime.

Mr. BALL. Did you go directly to a building?

Mr. FRITZ. Directly to the Texas School Book Depository Building.

Mr. BALL. What time did you arrive there?

Mr. FRITZ. Well, sir; we arrived there—we arrived at the hospital at 12:45, if you want that time, and at the scene of the offense at 12:58.

Mr. BALL. 12:58; the Texas School Book Depository Building.

Mr. FRITZ. Yes.

Mr. BALL. Were there any officers there at the time?

Mr. FRITZ. Yes, sir.

Mr. BALL. In the front?

Mr. FRITZ. Several officers; yes, sir.

Mr. BALL. Do you know who they were?

Mr. FRITZ. I couldn't give you the name of all of them.

Mr. BALL. What did you do when you got to this building?

Mr. FRITZ. Some officer told us they thought he was in that building, so we had our guns—

Mr. McCLOY. Thought who was in the building?

Mr. FRITZ. The man who did the shooting was in the building. So, we, of course, took our shotguns and immediately entered the building and searched the building to see if we could find him.

Mr. BALL. Were there guards on the doors of the building at that time?

Mr. FRITZ. I am not sure, but I don't—there has been some question about that, but the reason I don't think that—this may differ with someone else, but I am going to tell you what I know.

Mr. BALL. All right.

Mr. McCLOY. By all means.

Mr. FRITZ. After I arrived one of the officers asked me if I would like to have the building sealed and I told him I would.

Mr. BALL. What officer was that?

Mr. FRITZ. That is a uniformed officer, but I don't know what his name was, he was outside, of course, I went upstairs and I don't know whether he did because I couldn't watch him.

Mr. BALL. Then what did you do?

Mr. FRITZ. We began searching the floors, looking for anyone with a gun or looked suspicious, and we searched through hurriedly through most all the floors.

Mr. McCLOY. Which floor did you start with?

Mr. FRITZ. We started at the bottom; yes, sir. And, of course, and I think we went up probably to the top.

Different people would call me when they would find something that looked like something I should know about and I ran back and forth from floor to floor as we were searching, and it wasn't very long until someone called me and told me they wanted me to come to the front window, the corner window, they had found some empty cartridges.

Mr. BALL. That was on the sixth floor?

Mr. FRITZ. That is right; the sixth floor, corner window.

Mr. BALL. What did you do?

Mr. FRITZ. I told them not to move the cartridges, not to touch anything until we could get the crime lab to take pictures of them just as they were lying there and I left an officer assigned there to see that that was done, and the crime lab came almost immediately, and took pictures, and dusted the shelves for prints.

Mr. BALL. Which officers, which officer did you leave there?

Mr. FRITZ. Carl Day was the man I talked to about taking pictures.

Mr. BALL. Day?

Mr. FRITZ. Lieutenant Day; yes, sir.

Mr. BALL. Do you know whether he took the pictures or not?

Mr. FRITZ. I feel like he did but I don't know because I didn't stay to see whether he could.

Mr. BALL. You didn't know whether he took the pictures?

Mr. FRITZ. I went on searching the building. I just told them to preserve that evidence and I went right ahead.

Mr. BALL. What happened after that?

Mr. FRITZ. A few minutes later some officer called me and said they had found the rifle over near the back stairway and I told them same thing, not to move it, not to touch it, not to move any of the boxes until we could get pictures, and as soon as Lieutenant Day could get over there he made pictures of that.

Mr. BALL. After the pictures had been taken of the rifle what happened then?

Mr. FRITZ. After the pictures had been made then I ejected a live shell, a live cartridge from the rifle.

Mr. BALL. And who did you give that to?

Mr. FRITZ. I believe that I kept that at that time myself. Later I gave it to the crime lab who, in turn, turned it over to the FBI.

Mr. BALL. Did you put any marking of yours on the empty cartridge?

Mr. FRITZ. On that loaded cartridge?

Mr. BALL. On that loaded cartridge.

Mr. FRITZ. I don't know, I am not sure, I don't think so.

Mr. BALL. Was there any conversation you heard that this rifle was a Mauser?

Mr. FRITZ. I heard all kinds of reports about that rifle. They called it most everything.

Mr. BALL. Did you hear any conversation right there that day?

Mr. FRITZ. Right at that time?

Mr. BALL. Yes.

Mr. FRITZ. I just wouldn't be sure because there were so many people talking at the same time, I might have; I am not sure whether I did or not.

Mr. BALL. Did you think it was a Mauser?

Mr. FRITZ. No, sir; I knew—you can read on the rifle what it was and you could also see on the cartridge what caliber it was.

Mr. BALL. Well, did you ever make any—did you ever say that it was a 7.65 Mauser?

Mr. FRITZ. No, sir; I am sure I did not.

Mr. BALL. Or did you think it was such a thing?

Mr. FRITZ. No, sir; I did not. If I did, the Mauser part, I won't be too positive about Mauser because I am not too sure about Mauser rifles myself. But I am certainly sure that I never did give anyone any different caliber than the one that shows on the cartridges.

Mr. BALL. Did you initial the rifle?

Mr. FRITZ. The rifle; no, sir.

Mr. BALL. You didn't. Who did you give the rifle to after you ejected this live cartridge?

Mr. FRITZ. I believe that that rifle, I didn't take the rifle with me, Lieutenant Day took that rifle, I believe, to the city hall, and later I asked him to bring it down—I don't believe I ever carried that rifle to city hall. I believe Lieutenant Day carried it to city hall, anyway if you will ask him he can be more positive than I.

Mr. BALL. While you were there Mr. Truly came up to you?

Mr. FRITZ. Yes, sir; where the rifle was found. That was about the time we finished Mr. Truly came and told me that one of his employees had left the building, and I asked his name and he gave me his name, Lee Harvey Oswald, and I asked his address and he gave me the Irving address.

Mr. BALL. This was after the rifle was found?

Mr. FRITZ. Yes, sir; after the rifle was found.

Mr. BALL. Another witness has testified that the rifle was found at 1:22 p.m., does that about accord with your figures or your memory?

Mr. FRITZ. Let's see, I might have that here. I don't think I have that time.

Mr. BALL. Do you have the time at which the shells were found?

Mr. FRITZ. No, sir; I don't have that time.

Mr. BALL. How long did you stay there at the Texas School Book Depository?

Mr. McCLOY. Can I ask one question there, did you take any precautions as to fingerprints before you ejected this?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. So in your opinion your fingerprints wouldn't show?

Mr. FRITZ. He could have taken mine but I let him dust first before I ejected a shell.

Mr. BALL. How long did you stay at the Texas School Book Depository after you found the rifle?

Mr. FRITZ. After he told me about this man almost, I left immediately after he told me that.

Mr. BALL. You left almost immediately after he told you that?

Mr. FRITZ. Almost after he told me that man, I felt it important to hold that man.

Mr. BALL. Did you give descriptions to Sims and Boyd?

Mr. FRITZ. Yes, sir; I told them to drive me to city hall and see if the man had a criminal record and we picked up two other officers and my intentions were to go to the house at Irving. When I got to the city hall, I asked, because, I will tell you why I asked because while we were in the building we heard that our officer had been killed, someone came in and told me, I asked when I got to my office who shot the officer, and they told me his name was Oswald, and I said, "His full name?" And they told me and I said, "That is the suspect we are looking for in the President's killing."

So, I then called some of my officers to go right quickly, and asked them about how much evidence we had on the officer's killing and they told me they had several eye witnesses, and they had some real good witnesses, and I instructed them to get those witnesses over for identification just as soon as they could, and for us to prepare a real good case on the officer's killing so we would have a case to hold him without bond while we investigated the President's killing where we didn't have so many witnesses.

Mr. BALL. Now, you instructed some other officers to go to Irving, didn't you?

Mr. FRITZ. Yes, sir; I did.

Mr. BALL. And you told Sims and Boyd to stay with you?

Mr. FRITZ. Yes, sir; I don't believe I sent them to Irving, I have the names of the officers I sent to Irving.

Mr. BALL. Who did you send to Irving?

Mr. FRITZ. To Irving, Officer Stovall, Rose, and Adamcik.

Mr. BALL. After you had done that what did you do?

Mr. FRITZ. I sent some officers—you mean right at that time? I also sent officers over to the Beckley address, you know, as soon as we got there, I don't believe we had the Beckley address at this part of this question.

Mr. BALL. You didn't have it at that time, did you?

Mr. FRITZ. Not right at this time, but as soon as I got to that address.

Mr. BALL. Let's come to that a little later and we find out when you got there.

Mr. FRITZ. When I got there?

Mr. BALL. Yes. What did you do after you had sent the officers to Irving?

Mr. FRITZ. When I started to talk to this prisoner or maybe just before I started to talk to him, some officer told me outside of my office that he had a room on Beckley, I don't know who that officer was, I think we can find out, I have—since I have talked to you this morning I have talked to Lieutenant Baker and he says I know maybe who that officer was, but I am not sure yet.

Mr. BALL. Some officer told you that he thought this man had a room on Beckley?

Mr. FRITZ. Yes, sir.

Mr. BALL. Had he been brought into the station by that time?

Mr. FRITZ. He was at the station when we got there, you know.

Mr. BALL. He was?

Mr. FRITZ. Yes, sir; so then I talked to him and I asked him where his room was on Beckley.

Mr. BALL. Then you started to interrogate Oswald, did you?

Mr. FRITZ. Yes, sir.

Mr. BALL. And you called him into your room?

Mr. FRITZ. Yes, sir.

Mr. BALL. Will you describe the interrogation room, what it looks like and where it is located?

Mr. FRITZ. It is on the, room 317, on the third floor of the courts building, and it isn't a large office. I believe it is 9½ feet by 14 feet, I have the exact measurements that I think are correct. Glass all around, and it has a door leading out into a hallway. My secretaries are seated in the front. There is a lieutenant's office and desk across the hall from me. To my right and through the back window out of my office would be the squadroom where the officers write their reports. And at the end of the hall I have an interrogation room and one interrogation in back of the squadroom.

Mr. BALL. Your room opens onto—

Mr. FRITZ. A little hallway.

Mr. BALL. A little hallway?

Mr. FRITZ. Yes, sir.

Mr. BALL. That is not the main hall that goes through the third floor, is it?

Mr. FRITZ. Sir? No, no, a little hallway in the office.

Mr. BALL. The main corridor on the third floor—your office does not open onto the main corridor of the third floor, does it?

Mr. FRITZ. My own office?

Mr. BALL. Yes.

Mr. FRITZ. No, sir; when I say my office, the homicide and robbery office, my office opens onto the main hallway.

But my little office, a private office opens into a smaller hallway.

Mr. BALL. Where was Oswald being kept before you got there, what room was Oswald in?

Mr. FRITZ. When I got there he was in the front interrogation room at the end of the little hall.

Mr. BALL. Here is a map or a diagram drawn by Chief Curry. It is Commission Exhibit 701. Take a look at this, is that a diagram of the floor?

Mr. FRITZ. This would be my office right here.

Mr. BALL. That would be the entry to the homicide and robbery?

Mr. FRITZ. Homicide and robbery bureau.

Mr. BALL. This is your office?

Mr. FRITZ. My office opens right here.

Mr. BALL. Off of the hall?

Mr. FRITZ. Yes, sir.

Mr. BALL. Off the homicide and robbery?

Mr. FRITZ. Yes; there should be another line, wait just a minute. There is a little mistake right here, would it be all right if I correct it?

Mr. BALL. Go ahead and correct it, your office is farther back from the hall, isn't it?

Mr. FRITZ. You see this, coming up from the hall, down at this end the administrative office, the chief's office, and the dispatcher's office over here, and over here is the chief's office back here, here are some assistant chiefs all along here, and in this corner. Now, in coming down this hall, this is open right in here that makes a square that goes into the other building in city hall, and this comes to the elevators, the elevators are right here.

Now then, right here in this little jail office, a little small office for the jail elevators right here, and two toilets right here. Now then, this should have a hallway in here like that, beginning right here.

Mr. BALL. You are adding to Chief Curry's map showing a little hallway?

Mr. FRITZ. That is right. This is the lieutenant's office right here.

Mr. BALL. You are marking "Lieutenant's office."

Mr. FRITZ. Yes, sir; and that is his—that is placed there just like my office is, and right at the end of this hall, right here, using a little part of that probably, but in there is a little conference room right in here which comes clear across here.

Here, I have a desk, a metal desk with all the records, daily record, the working records stacked right on here for the benefit of the officers who work in this squadroom right here with these desks.

Mr. BALL. Where is the door to your office?

Mr. FRITZ. Here is the door to my office right here.

Mr. BALL. Mark that, please. Show me where Oswald was kept.

Mr. FRITZ. In this little place right here.

Mr. BALL. Put a big X there where Oswald was kept.

Mr. FRITZ. At first?

Mr. BALL. At first.

Mr. FRITZ. He was there when I came in. We didn't keep him there long.

Mr. BALL. That was only a few steps from your office?

Mr. FRITZ. Only a few steps. That is where he was when I came into the office.

Mr. BALL. In the room marked "X" on this Exhibit No. 701 is where he was?

Mr. FRITZ. Yes, sir.

Mr. BALL. After a few moments you had him come in, in a little while, to your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. Do you have that in time when he came into your office?

Mr. FRITZ. The chief's map would have been, I could have made this better if I had used the chief's map and put the lieutenant's office over here.

Mr. BALL. Don't worry about it. That is close enough. We have him from X which is the conference room into your office.

Mr. FRITZ. Yes; my desk is right here and I sit behind it right here and there are some chairs and telephone table right here and I had him sitting in a chair, right here.

Mr. BALL. Right beside you?

Mr. FRITZ. Yes, sir; I have other chairs along here.

Mr. BALL. All right.

Now, Captain, about what time did you first bring him to your office?

Mr. FRITZ. Let's see, I have it right here. Oswald was arrested at 1:40 and I think he was taken to the city hall about 2:15 and I started talking to him probably a little bit after that.

Mr. BALL. About what time?

Don't you have a time marked in your report there?

Mr. FRITZ. I think so.

Mr. BALL. Of 2:25.

Mr. FRITZ. 2:25?

Mr. BALL. On page 237 of your report, your report of Sims and Boyd refers to a time that he was brought to your room, and I believe 165.

Mr. FRITZ. My report, my report should have a report right there that should show it. This shows here 2:15 and I don't think that is right.

Mr. BALL. Mr. Baker's report on 165 gives the time also.

Mr. FRITZ. The nearest that I have here then would be shortly after 2:15 p.m.

Mr. BALL. You will notice that Sims and Boyd make it, state they brought him from the conference room to your office at about 2:20.

Mr. FRITZ. That might be all right because I have 2:15 here but I think 2:15 may be 5 or 10 minutes too early.

Mr. BALL. It was soon after you got there?

Mr. FRITZ. Soon after I got there.

Mr. BALL. That you brought him into your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. Who was present when you talked with him?

Mr. FRITZ. At that time, when I first brought him in there there would be Sims and Boyd and probably one or two officers from the office, I am not sure, just who else might have been there. I know those two, I am sure, I believe those two were there. Just about the time I started talking to him, I had just started to question him, I got a phone call from Mr. Shanklin, Gordon Shanklin, agent in charge of the FBI calling for Mr. Bookhout, and I asked Mr. Bookhout to go to pick up the extension.

Mr. BALL. Was Mr. Bookhout there?

Mr. FRITZ. He had just come into the lieutenant's office and Mr. Shanklin asked that Mr. Hosty be in on that questioning, he said he wanted him in there because of Mr. Hosty knowing these people and he had been talking to them and he wanted him in there right then.

So, I got up from my desk and walked over to the lieutenant's office and asked Mr. Bookhout to come in, the reason I asked both of them to come in and Mr. Bookhout is in my office most of every day and works with us in a lot of cases and asked him to come in with Mr. Hosty.

Mr. BALL. So Bookhout and Hosty came into your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. Was anyone else present?

Mr. FRITZ. I don't remember whether there was anyone else right at that time or not.

Mr. BALL. Do you remember what you said to Oswald and what he said to you?

Mr. FRITZ. I can remember the thing that I said to him and what he said to me, but I will have trouble telling you which period of questioning those questions were in because I kept no notes at the time, and these notes and things that I have made I would have to make several days later, and the questions may be in the wrong place.

Mr. BALL. What is your best memory of what you said to him when he first came in?

Mr. FRITZ. I first asked him as I do of most people something about where he was from, and where he was raised and his education, and I asked him where he went to school and he told me he went to school in New York for a while, he had gone to school in Fort Worth some, that he didn't finish high school, that he went to the Marines, and the Marines, and finished high school training in the Marines.

And I don't remember just what else. I asked him just the general questions for getting acquainted with him, and so I would see about how to talk to him, and Mr. Hosty spoke up and asked him something about Russia, and asked him if he had been to Russia, and he asked him if he had been to Mexico City, and this irritated Oswald a great deal and he beat on the desk and went into a kind of a tantrum.

Mr. BALL. What did he say when he was asked if he had been to Mexico City?

Mr. FRITZ. He said he had not been. He did say he had been to Russia, he was in Russia, I believe he said for some time.

Mr. BALL. He said he had not been in Mexico City?

Mr. FRITZ. At that time he told me he had not been in Mexico City.

Mr. BALL. Who asked the question whether or not he had been to Mexico City?

Mr. FRITZ. Mr. Hosty. I wouldn't have known anything about Mexico City.

Mr. BALL. Was there anything said about Oswald's wife?

Mr. FRITZ. Yes, sir. He said, he told Hosty, he said, "I know you." He said, "You accosted my wife on two occasions," and he was getting pretty irritable and so I wanted to quiet him down a little bit because I noticed if I talked to him in a calm, easy manner it wasn't very hard to get him to settle down, and I asked him what he meant by accosting, I thought maybe he meant some physical abuse or something and he said, "Well, he threatened her." And he said, "He practically told her she would have to go back to Russia." And he said, "He accosted her on two different occasions."

Mr. BALL. Was there anything said about where he lived?

Mr. FRITZ. Where he lived? Right at that time?

Mr. BALL. Yes.

Mr. FRITZ. I am sure I had no way of asking him where he lived but I am not too sure about that—just how quick he told me because he corrected me, I thought he lived in Irving and he told me he didn't live in Irving. He lived on Beckley as the officer had told me outside.

(At this point Mr. Dulles entered the hearing room.)

Mr. FRITZ. And I asked him about that arrangement and I am again, I can't be too sure when this question was asked. I asked him why his wife was living in Irving and why he was living on Beckley and he said she was living with Mrs. Paine. Mrs. Paine was trying to learn to speak Russian and that his wife, Mrs. Oswald, had a small baby and Mrs. Paine helped with the baby and his wife taught Mrs. Paine Russian and it made a good arrangement for both of them and he stayed over in town. I thought it was kind of an awkward arrangement and I questioned him about the arrangement a little bit and I asked him how often he went out there and he said weekends.

I asked him why he didn't stay out there. He said he didn't want to stay out there all the time, Mrs. Paine and her husband didn't get along too well. They were separated a good part of the time and I asked him if he had a car and he said he didn't have a car, he said the Paines had two cars but he didn't use their cars.

Mr. BALL. Did you ask him anything about his address or did he volunteer the address?

Mr. FRITZ. He volunteered the address at Beckley?

Mr. BALL. Yes.

Mr. FRITZ. Well, I will tell you, whether we asked him or told him one, he never did deny it, he never did deny the Beckley Street address at all. The only thing was he didn't know whether it was north or south.

Mr. BALL. Did you ask him whether it was north or south?

Mr. FRITZ. Yes, but he didn't know. But from the description of surroundings we could tell it was North Beckley.

Mr. BALL. Up to that time you hadn't sent any men out to North Beckley, had you?

Mr. FRITZ. Well, I sent them out there real soon and Officer Potts called me back from out there and talked to me on the telephone and gave me a report from out there on the telephone, and I am sure that that is the time that he told me about the way he was registered, and I asked Oswald about why he was registered under this other name.

Mr. BALL. What other name?

Mr. FRITZ. Of O. L. Lee.

Mr. BALL. O. H. Lee?

Mr. FRITZ. O. H. Lee. He said, well, the lady didn't understand him, she put it down there and he just left it that way.

Mr. BALL. Did you ask him whether he had signed his name O. H. Lee?

Mr. FRITZ. No, I hadn't asked him.

Mr. BALL. Did you know that he had personally registered?

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

Mr. BALL. He said the lady didn't understand him?

Mr. FRITZ. He said the lady didn't understand him and he just left it that way.

Mr. BALL. How long did this first questioning take?

Mr. FRITZ. Of course, I talked to him several times during that afternoon. I would have to go out and talk to every officer and give them different assignments and talk to them about these witnesses, and help some in getting the witnesses over there.

I also asked Lieutenant Day to bring the rifle down after I sent after Mrs. Oswald, and had her to look at the rifle. She couldn't identify it positively but she said it looked like the rifle that he had, but she couldn't say for sure. She said she thought he brought it from New Orleans.

Mr. BALL. How long a time did you sit with Oswald and question him this first time?

Mr. FRITZ. The first time, not but a few minutes.

Mr. BALL. That was the time Hosty and Bookhout were there?

Mr. FRITZ. That is right. But sometimes when I would leave the office to do something else, it is hard to imagine how many things we had happening at the one time or how many different officers we had doing different things without seeing it but we were terribly busy.

I had called all my officers back on duty and had every one of them assigned to something, so going back and forth kept me pretty busy running back and forth at the time of questioning.

I don't know when I would leave, I suppose Mr. Bookhout and Mr. Hosty asked him a few questions, but I don't believe they questioned him a great deal while I was gone.

Mr. BALL. You said just a few minutes, what did you mean by that, 15, 20, 25?

Mr. FRITZ. It would be pretty hard to guess at a time like that because we weren't even quitting for lunch so I don't even know, time didn't mean much right at that time. For a few minutes, you would think 30 or 40 minutes the first time.

Mr. BALL. Thirty or forty minutes?

Mr. FRITZ. I am guessing at that time.

Mr. BALL. He hadn't been searched up to that time, had he?

Mr. FRITZ. Yes, sir; he had been searched.

Mr. BALL. Wasn't he searched later in the jail office?

Mr. FRITZ. He was searched, the officers who arrested him made the first search, I am sure. He had another search at the building and I believe that one of my officers, Mr. Boyd, found some cartridges in his pocket in the room after he came to the city hall. I can't tell you the exact time when he searched him.

Mr. BALL. You don't have the record of the time when he was searched?

Mr. FRITZ. No.

Mr. BALL. You remember they found a transfer of Dallas Transit Company?

Mr. FRITZ. Yes, sir; found a transfer.

Mr. BALL. And some bullets?

Mr. FRITZ. Bullets; yes, sir. Cartridges.

Mr. BALL. He had an identification bracelet, too, didn't he?

Mr. FRITZ. I am not sure about that.

Mr. BALL. You don't remember?

Mr. FRITZ. No.

Mr. BALL. You had a showup that afternoon?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. May I ask what kind of bullets these were?

Mr. FRITZ. .38, cartridges for a .38 pistol.

Mr. McCLOY. Pistol?

Mr. FRITZ. Yes, pistol cartridges.

Mr. BALL. You had a showup that afternoon?

Mr. FRITZ. That first showup was for a lady who was an eye witness and we were trying to get that showup as soon as we could because she was beginning to faint and getting sick.

In fact, I had to leave the office and carry some ammonia across the hall, they were about to send her to the hospital or something and we needed that identification real quickly, and she got to feeling all right after using this ammonia.

Mr. BALL. Do you remember her name?

Mr. FRITZ. I have her name here.

Mr. BALL. Was that Mrs. Markham?

Mr. FRITZ. Yes, Helen Markham.

Mr. BALL. That was the first showup, was it?

Mr. FRITZ. Yes, sir.

Mr. BALL. Were you there?

Mr. FRITZ. Yes, sir.

Mr. BALL. With her?

Mr. FRITZ. Yes, sir.

Mr. BALL. Will you tell me what happened there?

Mr. FRITZ. She looked at these people very carefully, and she picked him out and made the positive identification.

Mr. BALL. What did she say?

Mr. FRITZ. She said that is the man that I saw shoot the officer.

Mr. BALL. Who did she point out?

Mr. FRITZ. She pointed out Oswald; yes, sir.

Mr. BALL. In your showup room you have the prisoners separated from the visitors?

Mr. FRITZ. There is a screen. They are on a stage with numbers over their heads for identification, and measurements to show their height, and this is lighted back there so the people can see them plainly, and the people who are looking at them usually sit at desks out some distance, probably as far as here from that window from the showup screen.

Mr. BALL. Near the window, you mean about 15, 20 feet.

Mr. FRITZ. Yes; about that far.

Mr. BALL. And then, now in this showup there were two officers of the vice squad and an officer and a clerk from the jail that were in the showup with Oswald?

Mr. FRITZ. That is true. I borrowed those officers, I was a little bit afraid some prisoner might hurt him, there was a lot of excitement and a lot of feeling right about that time so we didn't have an officer in my office the right size to show with him so I asked two of the special service officers if they would help me and they said they would be glad to, so they took off their coats and neckties and fixed themselves where they would look like prisoners and they were good enough to stand on each side of him in the showup and we used a man who works in the jail office, a civilian employee as a third man.

Mr. BALL. Now, were they dressed a little better than Oswald, do you think, these three people?

Mr. FRITZ. Well, I don't think there was a great deal of difference. They had on their regular working clothes and after they opened their shirts and took off their ties, why they looked very much like anyone else.

Mr. BALL. They were all handcuffed together, were they?

Mr. FRITZ. I am not sure, I don't remember for sure if they were all handcuffed together or not. They probably did. I couldn't be positive about that.

Mr. BALL. Now, after you had had the showup with Helen Markham, did you question Oswald again?

Mr. FRITZ. Yes, sir.

Mr. BALL. In your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. Go directly from the showup room up there?

Mr. FRITZ. Well, I am not sure whether directly, but shortly, there wouldn't be too much time when we talk to him after that.

Mr. BALL. Your records show the showup for Helen Markham was 4:45.

Mr. FRITZ. Yes, sir.

Mr. BALL. Do you think that is about right?

Mr. FRITZ. I think that is about right.

Mr. BALL. All right, now how long after that would you say you went back to your office and talked to him again?

Mr. FRITZ. I would say within, it would take us a few minutes, you know, to get him back from the showup, probably 15 minutes, something like that.

Mr. BALL. Who was present?

Mr. FRITZ. Twenty minutes.

Mr. BALL. Who was present at this questioning?

Mr. FRITZ. This particular questioning?

Mr. BALL. Yes.

Mr. FRITZ. I believe—I don't want to be sure about whether Mr. Hosty stayed at this next time or not because he left at some time. Mr. Bookhout stayed and my officers were there.

Mr. BALL. Now, there was a time when you asked him where he worked and what he did?

Mr. FRITZ. Yes, sir.

Mr. BALL. And was that the first—

Mr. FRITZ. That was the first time.

Mr. BALL. The first question—what did he tell you about that?

Mr. FRITZ. He told me he worked at the Texas School Book Depository.

Mr. BALL. Did he tell you—

Mr. FRITZ. I asked him how he got his job down there, too.

Mr. BALL. What did he say?

Mr. FRITZ. He told me that someone that he knew, a lady that he knew recommended him for that job and he got that job through her. I believe the records show something else but that is what he told me.

Mr. BALL. Did you ask him what happened that day; where he had been?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. Well he told me that he was eating lunch with some of the employees when this happened, and that he saw all the excitement and he didn't think—I also asked him why he left the building. He said there was so much excitement there then that "I didn't think there would be any work done that afternoon and we don't punch a clock and they don't keep very close time on our work and I just left."

Mr. BALL. At that time didn't you know that one of your officers, Baker, had seen Oswald on the second floor?

Mr. FRITZ. They told me about that down at the bookstore; I believe Mr. Truly or someone told me about it, told me they had met him—I think he told me, person who told me about, I believe told me that they met him on the stairway, but our investigation shows that he actually saw him in a lunchroom, a little lunchroom where they were eating, and he held his gun on this man and Mr. Truly told him that he worked there, and the officer let him go.

Mr. BALL. Did you question Oswald about that?

Mr. FRITZ. Yes, sir; I asked him about that and he knew that the officer stopped him all right.

Mr. BALL. Did you ask him what he was doing in the lunchroom?

Mr. FRITZ. He said he was having his lunch. He had a cheese sandwich and a Coca-Cola.

Mr. BALL. Did he tell you he was up there to get a Coca-Cola?

Mr. FRITZ. He said he had a Coca-Cola.

Mr. BALL. That same time you also asked him about the rifle.

Mr. FRITZ. I am not sure that is the time I asked him about the rifle. I did ask him about the rifle sometime soon after that occurred, and after the showup; I am not sure which time I asked him about the rifle.

Mr. BALL. Did you bring the rifle down to your office?

Mr. FRITZ. Not to him; not for him to see.

Mr. BALL. You never showed it to him?

Mr. FRITZ. No, sir. I asked him if he owned a rifle and he said he did not. I asked him if he had ever owned a rifle. He said a good many years ago he owned a small rifle but he hadn't owned one for a long time. I asked him if he owned a rifle in Russia and he said, "You know you can't own a rifle in Russia." He said, "I had a shotgun over there. You can't own a rifle in Russia." And he denied owning a rifle of any kind.

Mr. BALL. Didn't he say that he had seen a rifle at the building?

Mr. FRITZ. Yes, sir; he told me he had seen a rifle at the building 2 or 3 days before that Mr. Truly and some men were looking at.

Mr. BALL. You asked him why he left the building, didn't you?

Mr. FRITZ. Yes, sir.

Mr. BALL. He told you because he didn't think there would be any work?

Mr. FRITZ. Yes, sir.

Mr. BALL. Did you ask him what he did after he left the building?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. He told me he went over and caught a bus and rode the bus to North Beckley near where he lived and went by home and changed clothes and got his pistol and went to the show. I asked him why he took his pistol and he said, "Well, you know about a pistol; I just carried it." Let's see if I asked him anything else right that minute. That is just about it.

Mr. BALL. Did you ask him if he killed Tippit?

Mr. FRITZ. Sir?

Mr. BALL. Did you ask him if he shot Tippit?

Mr. FRITZ. Oh, yes.

Mr. BALL. What did he say.

Mr. FRITZ. He denied it—that he did not. The only thing he said he had done wrong, "The only law I violated was in the show; I hit the officer in the show; he hit me in the eye and I guess I deserved it." He said, "That is the only law I violated." He said, "That is the only thing I have done wrong."

Mr. BALL. Now, in this first conversation he told you that he had lived at 1026 Beckley, didn't he?

Mr. FRITZ. Yes, sir. He didn't know whether it was north or south.

Mr. BALL. And you sent a group of officers out there to search that address?

Mr. FRITZ. Yes, sir; that is right.

Mr. BALL. Before you talked to him the second time you had talked to Potts on the telephone, had you not?

Mr. FRITZ. Yes, sir; I had.

Mr. BALL. He told you what he had done?

Mr. FRITZ. Yes, sir. I should have remembered that when I talked to you this morning.

Mr. BALL. Wasn't there some conversation also about what his political beliefs were?

Mr. FRITZ. I believe that is later. I asked him about his political beliefs and he said that he believed in fair play for Cuba. He said he was a member of the Fair Play for Cuba organization. They had headquarters in New York, had an office in New Orleans.

At one time he had been secretary for this organization down there. I asked him if he belonged to any other organizations of any kind, and he said he belonged to the American Civil Liberties Union, and I asked him what dues he paid. He said, "\$5 per month." I believe he said, or for a year. I am not positive about that. I would have to look at my notes.

Mr. BALL. Was that at the first or second questioning?

Mr. FRITZ. I think it was the second or third; that was later.

Mr. BALL. Later on?

Mr. FRITZ. Yes, sir. I don't think I talked to him about his political beliefs until later.

Mr. BALL. Did you say anything to him about an attorney the first time you talked to him?

Mr. FRITZ. Yes, sir; the first time. He asked about an attorney, and I told him he certainly could have an attorney any time he wanted it. I told him he could have an attorney any time he liked, any attorney he wanted. I told him, I said, we will do it. He said he wanted an attorney in New York. And he gave me his name, Mr. Abt, and he said that is who he wanted, and I told him he could have anyone he liked. He said, well, he knew about a case that he had handled some years ago, where he represented the people who had violated the Smith Act, and he said, "I don't know him personally, but that is the attorney I want."

He said, "If I can't get him then I may get the American Civil Liberties Union to get me an attorney."

Mr. BALL. Was there anything said about calling him on the telephone?

Mr. FRITZ. A little bit later.

Mr. BALL. Not that time?

Mr. FRITZ. Not that minute. A little bit later, he asked something else about an attorney and I said, "Did you call an attorney?" And he said, "You know I can't use the telephone." And I said, "Yes, you can; anybody can use a telephone." So, I told them to be sure to let him use a telephone and the next time I talked to him he thanked me for that, so I presume he called.

Mr. BALL. You don't know whether he called?

Mr. FRITZ. I don't know whether he did or not.

Mr. BALL. When you say a little bit later, you mean another period of questioning?

Mr. FRITZ. Sometime during that talk.

Mr. BALL. You haven't identified these periods of questioning by time.

Mr. FRITZ. I can't identify them positively. I can do the best I can by memory, but I wouldn't want to try to answer any of these questions by time because I might get them in the wrong question and in the wrong—time span.

Mr. BALL. At 6:30 you had another showup, at which time McWatters, Guinyard, and Callaway—do you remember those witnesses? Callaway is the car salesman, and Sam Guinyard is the porter at the used-car lot at the corner of Patton and Jefferson, and McWatters is a cabdriver—no; is a busdriver.

Mr. FRITZ. We have the names; if those names are right, that is true. At that time on this showup we put some officers up on the stage with him; officers stayed on the stage with him during the showup.

Mr. BALL. I point that time out as 6:30 because it appears that you started to question Oswald after you had the Markham showup sometime after 4:35, 4:40, 4:45. Did you question him steadily from then until 6:30, the time of the second showup?

Mr. FRITZ. I don't—I don't believe there was any time when I went through a very long period without having to step to the door, or step outside, to get a report from some pair of officers, or to give them additional assignments.

Mr. BALL. Where did you keep him; in what room?

Mr. FRITZ. In my office there.

Mr. BALL. He was in your office all the time?

Mr. FRITZ. Yes, sir; within there.

Mr. BALL. Between the two showups at 4:35 and 6:30, he was in your office all the time?

Mr. FRITZ. Well, I believe he was there all that time; let's see, 4:30 to 6:30; I don't remember him being carried out there any time.

Mr. BALL. Was he being questioned by somebody all the time, whether you or somebody else?

Mr. FRITZ. I doubt it, because I don't think those officers talked to him very much while I was out of the office. I think they might have asked him a few questions, but didn't ask him much.

Mr. BALL. Were you present at the showup when Callaway and Guinyard and the busdriver were there?

Mr. FRITZ. I don't believe so.

Mr. BALL. Now, your records show that in your office at 6:37 there was an arraignment; do you remember that?

Mr. FRITZ. Yes, sir; I remember that arraignment.

Mr. BALL. Will you tell us what happened then? It doesn't show arraignments.

Mr. FRITZ. Do you show arraignment for 7:30?

Mr. BALL. No; 6:30, 7, you discussed, you met with Alexander, the district attorney's office, didn't you?

Mr. FRITZ. I probably did. I probably talked to him about the evidence.

Mr. BALL. He was arraigned at 7:10.

Mr. FRITZ. He was in our outer office most all the time and I talked to him two, three different times.

Mr. BALL. Did he ever take part in the questioning of Oswald?

Mr. FRITZ. I don't believe so; no, sir.

Mr. BALL. What happened at 7:10?

Mr. FRITZ. 7:10 we had this arraignment with Judge David Johnston, and present, I was present, and Officers Sims, Boyd, Hall, and Mr. Alexander from the district attorney's office, and that was in my office.

Mr. BALL. How was the arraignment conducted?

Mr. FRITZ. Well, the judge gave him a warning, talked to him for a little bit.

Mr. BALL. What warning did he give him?

Mr. FRITZ. He advised him of his rights. I believe he had a form; I couldn't repeat it, of course, but I believe he had some forms that he went over with him.

Mr. BALL. What rights did he advise him of; do you know?

Mr. FRITZ. Of his rights for an attorney, and everything that he told was supposed to be voluntary and things of that kind.

Mr. BALL. He was advised that he had a right to an attorney, was he?

Mr. FRITZ. Yes, sir; I am sure he was; I advised him on that on two or three different occasions.

Mr. BALL. Did—you have a rule in Texas, do you, that whatever a witness, a person in custody, says cannot be used against him unless he is warned?

Mr. FRITZ. We do have; yes, sir. We have to warn them before we can use the testimony. We have to warn them in the beginning before he is questioned.

Mr. BALL. Before he is questioned you must warn him?

Mr. FRITZ. Yes.

Mr. BALL. Before you questioned Oswald the first time, did you warn him?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did you tell him? What were the words you used?

Mr. FRITZ. I told him that any evidence that he gave me would be used against him, and the offense for which the statement was made, that it would have to be voluntary, made of his own accord.

Mr. BALL. Did he reply to that?

Mr. FRITZ. He told me that he didn't want a lawyer and he told me once or twice that he didn't want to answer any questions at all. And once or twice he did quit answering any questions and he told me he did want to talk to his attorney, and I told him each time he didn't have to if he didn't want to. So, later he sometimes would start talking to me again.

Mr. BALL. Do you remember when you warned him again?

Mr. FRITZ. Yes, sir; I warned him two or three different times; yes, sir.

Mr. BALL. Do you remember when those times were?

Mr. FRITZ. No, sir; but during the afternoon.

Mr. BALL. They were—you were more or less continuously questioning through the afternoon, were you?

Mr. FRITZ. Yes, sir.

Mr. BALL. Now, at 7:10, he was arraigned in your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. By arraign you mean he was informed of the charge against him?

Mr. FRITZ. That is right.

Mr. BALL. He wasn't asked to plea.

Mr. FRITZ. Before a judge, before a justice of the peace, a magistrate.

Mr. BALL. It is not your practice to ask for a plea at that stage, is it?

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

Mr. BALL. All you do is advise him of his rights and the charge against him?

Mr. FRITZ. That is right, I am not a lawyer, you might feel—I don't want to leave a bad impression, I am just telling you what we do.

Mr. BALL. What the practice is in Texas.

Mr. FRITZ. Yes, sir.

Mr. BALL. Did Oswald make any reply to Judge Johnston?

Mr. FRITZ. He said a lot of sarcastic things to him.

Mr. BALL. What did he say?

Mr. FRITZ. Irritable, I can't remember all the things that he said. He was that way at each arraignment. He said little sarcastic things, some of the things were a little impudent things.

Mr. BALL. After the arraignment, your records show that there was—he talked to an agent named Clements, do you remember that?

Mr. FRITZ. I believe that during one of the times when I was out, had to leave the office for a minute to attend to something, Mr. Clements asked me if it would be all right for him to take a little personal history.

Mr. BALL. Were you present at that time?

Mr. FRITZ. No.

Mr. BALL. That was in your office?

Mr. FRITZ. In the office.

Mr. BALL. Who was there at the time?

Mr. FRITZ. I don't know. He was there, I know some of my officers were there, they had to watch him all the time.

Mr. BALL. Sims and Boyd?

Mr. FRITZ. If they weren't there, some homicide officers were.

Mr. BALL. You had two officers with him all times?

Mr. FRITZ. Yes, sir; sometimes three.

Mr. BALL. Always with him in the room?

Mr. FRITZ. Yes, sir; all the time. They never questioned him but they stayed in the room.

Mr. BALL. Then your records show another showup at 7:50?

Mr. FRITZ. At what time?

Mr. BALL. 7:50, that is the third showup. Mrs. Davis—

Mr. FRITZ. That would be showup No. 3.

Mr. BALL. That is showup No. 3.

Mr. FRITZ. Showup No. 3 was held for Barbara Jean Davis.

Mr. BALL. And Virginia Davis.

Mr. FRITZ. Virginia Davis.

Mr. BALL. Were you there at the time of the showup?

Mr. FRITZ. No, sir; I don't believe I was there, Mr. Hall, Mr. Sims, Mr. Boyd, and Mr. Moore.

Mr. BALL. Do you know who chose the people for the showup there?

Mr. FRITZ. Who showed the people; yes, sir.

Mr. BALL. Who chose the people. There is a Walter, Richard Walter Borchardt.

Mr. FRITZ. Are those the people you mean for the showup?

Mr. BALL. Yes.

Mr. FRITZ. No, sir; I don't know who chose those people.

Mr. BALL. Don Braswell and John Abel.

Mr. FRITZ. No, sir; that would be done by my officers.

Mr. BALL. And you don't think you were present at that?

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

Mr. BALL. Did you ever ask him if he had kept a rifle in the garage at Irving?

Mr. FRITZ. Yes, sir; I did. I asked him and I asked him if he had brought one from New Orleans. He said he didn't.

Mr. BALL. He did not.

Mr. FRITZ. That is right.

I told him the people at the Paine residence said he did have a rifle out there, and he kept it out there and he kept it wrapped in a blanket and he said that wasn't true.

Mr. BALL. Do you remember when that was that you asked him?

Mr. FRITZ. No, sir; during some of those questions.

Mr. BALL. It was after Stovall and Adamcik had come back?

Mr. FRITZ. I believe so.

Mr. BALL. Now, during the evening, did you question him some more?

Mr. FRITZ. Well, I am sure that I did. Let me see.

Mr. BALL. It shows he was fingerprinted at 8:55.

Mr. FRITZ. I probably talked to him a little bit more after that. It shows he was fingerprinted at what time?

Mr. BALL. 8:55. Or 9 o'clock, around 9 o'clock. Fingerprinted, at that time there was a paraffin test of the hands and face.

Mr. FRITZ. I don't believe he was fingerprinted. I think we made the paraffin test in my office.

Mr. BALL. There was a paraffin test.

Mr. FRITZ. I allowed them to use my office right there to make a paraffin test.

Mr. BALL. And your records show he was fingerprinted there, too.

Mr. FRITZ. It is possible, I didn't stay there with him. He could have. I don't think they fingerprinted him at that time. I wouldn't see any need for it.

Mr. BALL. Did you ever talk—you remember Wesley Frazier who came into the department and made a statement, do you, the boy who—

Mr. FRITZ. I think I remember some man, I believe that is his correct name, some man who came in with some story about seeing Oswald run from the building.

Mr. BALL. No.

Mr. FRITZ. That is not the one?

Mr. BALL. A boy who lived in Irving who drove Oswald weekends back and forth from Irving.

Mr. FRITZ. Yes.

Mr. BALL. You remember you talked to him that night and he told about a package that Oswald carried into the Texas School Book Depository Building that morning.

Mr. FRITZ. Yes, sir; that is right.

Mr. BALL. Do you remember what that was?

Mr. FRITZ. He said he asked him what it was and he told him it was curtain rods.

Mr. BALL. Did you ever talk to Oswald about that?

Mr. FRITZ. Yes, sir; I did.

Mr. BALL. When?

Mr. FRITZ. I talked to him about that on the last morning before his transfer.

Mr. BALL. That was on Sunday morning?

Mr. FRITZ. Sunday morning, that would be the 24th, wouldn't it?

Mr. BALL. Yes.

Mr. FRITZ. And I asked him about that and he denied having anything to do with any curtain rods. It is possible that I could have asked him that on one of those other times, too, but I know I asked him that question the last morning.

Mr. BALL. Well, you learned about it on Friday night according to your reports here when Mr. Frazier came in and you gave Frazier a polygraph test.

Mr. FRITZ. I hesitated to ask him about those curtain rods and I will tell you why I hesitated, because I wanted to find out more about that package before I got started with the curtain rods because if there were curtain rods I didn't want to mention it to him but we couldn't find—I talked to his wife and asked her if they were going to use any curtain rods, while I was talking to her that afternoon and she didn't know anything about it.

No; I believe I talked to Mrs. Paine, one of them.

Mr. BALL. Do you think you talked to Oswald before Sunday morning about curtain rods?

Mr. FRITZ. It is possible but I know I talked to him Sunday morning.

Mr. BALL. Now, did you tell him what Frazier had told you?

Mr. FRITZ. I don't know that I told him what Frazier had told me but I told him someone had told me.

Mr. BALL. What did you tell him?

Mr. FRITZ. I told him he had a package and put it in the back seat and it was a package about that long and it was curtain rods. He said he didn't have any kind of a package but his lunch. He said he had his lunch and that is all he had, and Mr. Frazier told me that he got out of the car with that package, he saw him go toward the building with this long package.

I asked him, I said, "Did you go toward the building carrying a long package?"

He said, "No. I didn't carry anything but my lunch."

Mr. BALL. Did Frazier ever tell you how long the package was?

Mr. FRITZ. He just measured, told me about that long.

Mr. BALL. Approximately how long?

Mr. FRITZ. I am guessing at this, the way he measured, probably 26 inches, 27 inches, something like that. Too short for the length of that rifle unless he took it down, I presume he took it down if it was in there, and I am sure it was.

Mr. BALL. Do you remember what time you—was it the way Frazier showed it to you—was it the size of a rifle that was broken down?

Mr. FRITZ. Yes, sir; it would be just about right.

Mr. BALL. Later that night you took him down to the showuproom again, didn't you, when you had a press interview?

Mr. FRITZ. No, sir; I didn't have a press conference.

Mr. BALL. You didn't?

Mr. FRITZ. No.

Mr. BALL. Did you give any instructions to the press conference?

Mr. FRITZ. Yes, sir; the chief told me he wanted him brought down for a press conference, and I told my officers to take them down and I asked the chief to let me put it on the stage. I was a little bit afraid something might happen to him in front of that stage, someone in the crowd might hurt him but he said no, he wanted him out there in the front, and I told him I would like to put him on the stage so that the officers could jerk him inside the jail office if anything happened but he said no, he wanted him in front, so I told the officers to take him down.

I went down later to see how everything was going but I couldn't get in. The crowd had jammed clear back out into the hall.

Mr. BALL. Do you know what time you sent him up to the jail?

Mr. FRITZ. I have it here, I think—12:05; yes, sir.

Mr. BALL. 12:05?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. May I ask you a question?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. Where was the—where did you first see the gun that was presumably used in the murder of Tippit?

Mr. FRITZ. Of Tippit?

Mr. McCLOY. Tippit, yes; .38-caliber pistol.

Mr. FRITZ. The officers brought that in, you know, when they brought him in from the arrest at Oak Cliff.

Mr. McCLOY. And they had that, you had seen it at about the time you first saw Oswald?

Mr. FRITZ. Well, a few minutes later.

Mr. McCLOY. A few minutes later?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. It did show signs from your experience of having been recently fired?

Mr. FRITZ. I don't believe you can tell about that too well any more. You know the old style ammunition you could tell if a gun had been fired recently by the residue left in the barrel and smelling the barrel, but with the new ammunition they don't have that.

Mr. McCLOY. And this was new ammunition that he was using?

Mr. FRITZ. Yes, sir; he was using new ammunition.

Mr. McCLOY. Was the gun fully loaded when it was taken from him?

Mr. FRITZ. I didn't see it loaded, of course, it would have been unloaded. I understood it was fully loaded, but I didn't see it.

Mr. DULLES. That is he had replaced the bullets that he had used, is that it?

Mr. FRITZ. Yes, sir; the people told us as he ran across the yard he was reloading the gun as he ran across the yard. Yes; the witnesses told us that.

Mr. McCLOY. If I can take you back a little further also.

Mr. FRITZ. All right, sir.

Mr. McCLOY. Did you see the gun in the position, the rifle I am talking about now.

Mr. FRITZ. Yes, sir.

Mr. McCLOY. Did you see the rifle in the position in which it was found?

Mr. FRITZ. Yes, sir; I did.

Mr. McCLOY. Where was it found?

Mr. FRITZ. It was found back near the stairway in a little—some boxes were stacked about this far apart, about that far apart. The rifle was down on the floor and partially under these boxes back near the stairway in the corner of the building.

Mr. McCLOY. This was on the sixth floor?

Mr. FRITZ. Sixth floor; yes, sir.

Mr. McCLOY. Nobody had touched it by the time you saw it?

Mr. FRITZ. No, sir; nobody touched it. They called me as soon as they saw it and I went back there and I saw it.

Mr. McCLOY. Then you say the rifle was then dusted?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. Does that mean the laboratory people had already come there then?

Mr. FRITZ. He came down from where he had been; he was on the same floor checking the empty cartridges, and he came back.

Mr. McCLOY. Oh, yes.

Mr. FRITZ. To the back, when I called him, and he came back there and checked the rifle; yes, sir.

Mr. McCLOY. When you went up to the sixth floor from which Oswald apparently had fired these shots, what did it look like there, what was the—how were things arranged there? Was there anything in the nature of a gun rest there or anything that could be used as a gun rest?

Mr. FRITZ. You mean up in the corner where he shot from, from the window?

Mr. McCLOY. Yes.

Mr. FRITZ. Yes, sir; there were some boxes stacked there and I believe one box, one small box I believe was in the window, and another box was on the floor. There were some boxes stacked to his right that more or less blinded him from the rest of the floor. If anyone else had been on the floor I doubt if they could have seen where he was sitting.

Mr. McCLOY. Did you see anything other—

Mr. FRITZ. Lieutenant Day, of course, made a detailed description of all of that and he can give it to you much better than I can.

Mr. McCLOY. He is going to be here?

Mr. FRITZ. Yes, sir; and he will give it to you in detail; yes, sir.

Mr. DULLES. When was the paper bag covering that apparently he brought the rifle in, was that discovered in the sixth floor about the same time?

Mr. FRITZ. No, sir; that was recovered a little later. I wasn't down there when that was found.

Mr. DULLES. It was recovered on the sixth floor, was it not?

Mr. FRITZ. Yes, sir; I believe so. We can check here and see. I believe it was. But I wasn't there when that was recovered.

Mr. BALL. Here is a picture of Commission Exhibit 514.

Mr. FRITZ. That is the—do I have it turned around?

Mr. BALL. Do you recognize it?

Mr. FRITZ. That is it.

Mr. BALL. Is that the scene that was photographed by the crime lab group?

Mr. FRITZ. Yes, sir; that is right. But there is one thing that this picture is a little bit deceiving in one way. This picture is taken with a man standing, no doubt, on boxes up high like this, standing down level on the floor. This gun was partially under the end of those boxes right there. You see the camera evidently took a picture under like that, and he got a little more gun than you would see if you were standing on the floor.

Mr. BALL. I want to ask you about a showup.

Mr. FRITZ. Yes, sir.

Mr. BALL. Callaway and Guinyard and McWatters. You—did you say you were present at that showup? That is No. 2.

Mr. FRITZ. No. 2 showup. I show there Leavelle, Brown, and Dougherty. It doesn't show that I was at that showup.

Mr. BALL. You were at that showup?

Mr. FRITZ. No, sir; it doesn't show.

Mr. BALL. Did you talk to Callaway before he went to the showup?

Mr. FRITZ. Callaway—I will have to look there to see. Can you tell me something about what he has testified?

Mr. BALL. Callaway is a tall blond man, he was a used car salesman, used carlot on the corner of Patton and Jefferson.

Mr. FRITZ. I believe Officer Leavelle talked to him. Any of these witnesses when I say I didn't talk to them, that doesn't mean I didn't go out and say something to them but I didn't question them.

Mr. BALL. Did you say to anyone of these witnesses, "We think we have got the man that killed Tippit and he is probably the man who killed the President"? Anything like that?

Mr. FRITZ. I don't remember saying anything like that.

Mr. BALL. Did you say, "I want you to look at him good because we want to make the identification."

Mr. FRITZ. Oh, no. We didn't need to. The first witness that went down with me convinced me on the Tippit killing.

Mr. McCLOY. That is Mrs. Markham?

Mr. FRITZ. Yes; Helen Markham. And she was a real good witness and she identified him positively and picked him out in a manner that you could tell she was honest in her identification.

Mr. BALL. We came up to the time you got him in jail that is at 12:05.

Mr. FRITZ. Yes, sir.

Mr. BALL. Were you through with him at that time?

Mr. FRITZ. No, sir.

Mr. BALL. Did you see him again?

Mr. FRITZ. I believe we had another arraignment, did we not?

Mr. BALL. You had an arraignment charging him with the assassination of President Kennedy, murder of President Kennedy.

Mr. FRITZ. Yes, sir; I went to that arraignment.

Mr. BALL. That was at what time? I believe you showed it at 1:35 a.m. in your records.

Mr. FRITZ. That would be about right.

Mr. BALL. 1:35?

Mr. FRITZ. I will tell you in a minute to be sure. I show 1:35.

Mr. BALL. That was where?

Mr. FRITZ. In the identification bureau.

Mr. BALL. Who was present?

Mr. FRITZ. That is just outside the jail.

Mr. BALL. Who was present at that time?

Mr. FRITZ. Well, I show Bill Alexander of the district attorney's office, Henry Wade. That was before Judge Johnston also, and I was there, and I am sure of three or four other people that I can't name.

I think Chief Curry might have gone to this, I can't answer for him, but I believe he might have.

Mr. BALL. That is one, 1:35 a.m., shortly after midnight was the arraignment.

Mr. FRITZ. Yes, sir.

Mr. BALL. Now, your records show that he was checked in the jail at 1:10 a.m. and it doesn't show a checkout when he was taken to the arraignment.

Mr. FRITZ. To the arraignment. It probably wouldn't show that. Sometimes those cards, I don't usually make cards if the man is still in the custody of the jailers, and sometimes, of course, they might miss a card anyway because we use a lot of civilian employees up there.

Mr. BALL. And the jailer was there with him, wasn't he?

Mr. FRITZ. Yes, sir. He brought him out.

Mr. BALL. Another thing, that day, at sometime during the 22d when you questioned Oswald, didn't you ask him about this card he had in his pocket with the name Alek Hidell?

Mr. FRITZ. I did; yes, sir.

Mr. BALL. What did you ask him about that?

Mr. FRITZ. I believe he had three of those cards if I remember correctly, and he told me that was the name that he picked up in New Orleans that he had used sometimes. One of the cards looked like it might have been altered a little bit and one of them I believe was the Fair Play for Cuba and one looked like a social security card or something.

Mr. BALL. Yes.

Mr. FRITZ. We have pictures of those cards here. You no doubt have them.

Mr. BALL. Yes. We have them. Did he say that he had used that as a name?

Mr. FRITZ. He told me that is a name he picked up in New Orleans.

Mr. BALL. Did he say—

Mr. FRITZ. I presumed by that he had used it by saying he had picked it up in New Orleans.

Mr. BALL. To one officer he said he didn't want to talk about that or he wouldn't talk about that?

Mr. FRITZ. That is right. Very often he would do that. He would tell him some things and tell me some things.

Mr. BALL. I am talking about this card, A. Hidell. Do you recall whether he told you he had picked it up in New Orleans and—or did he tell you he didn't want to talk about it? He wouldn't talk about it?

Mr. FRITZ. He didn't tell me he wouldn't want to talk about it. He told me he had picked it up down there and when I questioned further then he told me he didn't want to talk about it.

Mr. BALL. Now, the next morning or the next day you questioned him again, didn't you?

Mr. FRITZ. Let's see, that would be on the 23d.

Mr. BALL. You had another showup on the 23d in the afternoon, but apparently that morning before the showup you talked to him in your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. What do your records show as to the first time you talked to him on November 23?

Mr. FRITZ. Let's see.

Mr. BALL. I believe if you will look on page 6 of 137B of your formal report that will refresh your memory.

Mr. FRITZ. Which part of this do you want now?

Mr. BALL. I want to know what time you started to question him on November 23.

Mr. FRITZ. I think I can get that time out of the little book.

Mr. BALL. If you look at the top of page 6 there.

Mr. FRITZ. I don't have it.

Mr. BALL. Do you have 137B?

Mr. FRITZ. Yes; I have it. I show 10:25 a.m.

Mr. BALL. 10:35?

Mr. FRITZ. 10:25.

Mr. BALL. 10:25 a.m.?

Mr. FRITZ. Yes, sir.

Mr. BALL. Who was present at this time? Still—look at your notes there.

Mr. FRITZ. I show here Jim Bookhout, Forrest Sorrels, special agent in charge of Secret Service, Robert Nash, who is U.S. marshal there in Dallas, and an officer besides myself.

Mr. BALL. What officer beside yourself?

Mr. FRITZ. I have that in here.

Mr. BALL. Tell me what you talked about this morning on the 23d? You called him down there for a certain purpose, didn't you?

Mr. FRITZ. Let's see if this is the morning of the 24th, is it—is this the 23d or 24th?

Mr. BALL. This is Saturday morning, the 23d.

Mr. FRITZ. Saturday morning.

Mr. BALL. You learned certain things from your investigation of the day before, hadn't you?

Mr. FRITZ. Yes, sir.

Mr. BALL. One of them was you found he had a transfer, didn't you, in his pocket when he was arrested?

Mr. FRITZ. Yes, sir; I sure talked to him about the transfers.

Mr. BALL. All right. What did he say?

Mr. FRITZ. He admitted the transfer.

Mr. BALL. I don't want you to say he admitted the transfer. I want you to tell me what he said about the transfer.

Mr. FRITZ. He told me that was the transfer the busdriver had given him when he caught the bus to go home. But he had told me if you will remember in our previous conversation that he rode the bus or on North Beckley and had walked home but in the meantime, sometime had told me about him riding a cab.

So, when I asked him about a cab ride if he had ridden in a cab he said yes, he had, he told me wrong about the bus, he had rode a cab. He said the reason he changed, that he rode the bus for a short distance, and the crowd was so heavy and traffic was so bad that he got out and caught a cab, and I asked him some other questions about the cab and I asked him what happened there when he caught the cab and he said there was a lady trying to catch a cab and he told the busdriver, the busdriver told him to tell the lady to catch the cab behind him and he said he rode that cab over near his home, he rode home in a cab.

I asked him how much the cabfare was, he said 85 cents.

Mr. BALL. Did you ask him if he went directly to his home?

Mr. FRITZ. Yes, sir; he said he went straight home.

Mr. BALL. Didn't you learn from the cabdriver that he hadn't taken him to 1026 North Beckley?

Mr. FRITZ. I knew he had taken him near there but I am telling you what he told me, he told me he had taken him home.

Mr. BALL. Did you ask him whether he had gone directly home?

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

Mr. BALL. Then you found out the day before about the Wesley Frazier package, hadn't you?

Mr. FRITZ. Yes, sir; I found out about the package from Irving.

Mr. BALL. Yes.

Mr. FRITZ. Yes, sir.

Mr. BALL. And also that he usually went home on Friday night and this time he went home on Thursday night.

Mr. FRITZ. I asked him why he had changed nights.

Mr. BALL. Yes, sir.

Mr. FRITZ. And let me see what he told me about why he had changed. The man I talked to told me he usually went out on weekends, on Friday, so I believe he told me, I am not positive why he told me why he went home on this different night but I think he told me because someone else was going to be over there on weekends or something to that effect.

I can look right here and see what he told me.

Mr. BALL. All right, look and see. You also asked him that day about the curtain rods, didn't you?

Mr. FRITZ. Yes, sir.

Mr. BALL. Had you asked him about that the night before, do you know or was this the first time you talked to him about it?

Mr. FRITZ. I don't think I asked him the night before, I am sure I did not. I am sure I did not ask him the night before. I remember I was pretty hesitant about asking him about them at all because I told you I didn't want to tell him—I didn't want him to tell me about curtain rods until I found out a little more about them.

Mr. BALL. But you asked him about them this morning?

Mr. FRITZ. Yes, sir.

Mr. BALL. He had told Frazier that he had curtain rods in the package?

Mr. FRITZ. Yes, sir; he denied having curtain rods or any package other than his lunch.

Mr. BALL. Didn't you also ask him what he had done when he went home, what, when he went to 1026 North Beckley?

Mr. FRITZ. When he went to Beckley?

Mr. BALL. What he did.

Mr. FRITZ. What he did when he went on North Beckley?

Mr. BALL. After the cab ride, what he had done.

Mr. FRITZ. This time he told me a different story about changing the clothing. He told me this time that he had changed his trousers and shirt and I asked him what he did with his dirty clothes and he said, I believe he said, he put them, the dirty clothes, I believe he said he put a shirt in a drawer.

Mr. BALL. And you asked him again, didn't you, what he was doing at the time the President was shot?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. Well, he told me about the same story about this lunch.

Mr. BALL. He mentioned who he was having lunch with, did he not?

Mr. FRITZ. Yes, sir; he told me he was having lunch when the President was shot.

Mr. BALL. With whom?

Mr. FRITZ. With someone called Junior, someone he worked with down there, but he didn't remember the other boy's name.

Mr. BALL. Did he tell you what he was eating?

Mr. FRITZ. He told me, I believe, that he had, I am doing this from memory, a cheese sandwich, and he also mentioned he had some fruit, I had forgotten about the fruit until I looked at this report.

Mr. BALL. Did he say that was in the package he had brought from home?

Mr. FRITZ. Yes, sir; there was one reason I asked him about what was in the package, we had had a story that had been circulated around the meantime about some chicken bones, I am sure you heard of that, and I wanted to find for sure what he did have in his lunch and he told me about having—he told me they did not have any chicken out there and I also talked with the Paines and they told me they didn't have any chicken in the icebox, they did have some cheese.

Mr. BALL. But he said he had had lunch with Junior?

Mr. FRITZ. Yes, sir; and with someone else.

Mr. BALL. Did you find out that there was an employee named Junior, a man that was nicknamed Junior at the Texas School Book Depository?

Mr. FRITZ. Probably we have it here, some of the officers probably did, we had all these people checked out. I didn't do it myself probably.

Mr. BALL. That same morning, you asked him also about his affiliations, didn't you ask him if he belonged to the Communist Party?

Mr. FRITZ. Yes, sir; I asked him if he belonged to the Communist Party.

Mr. BALL. What did he say?

Mr. FRITZ. He said he did not. He said he never had a card. He told me again that he did belong to the Fair Play for Cuba organization, that he was in favor of the Castro revolution and I don't remember what else he might have told me.

Mr. BALL. What about the pistol that he had on him when he was arrested, did you question him about that this morning?

Mr. FRITZ. That morning?

Mr. BALL. Your notes show that you did.

Mr. FRITZ. Yes, sir; I talked to him about the pistol and asked him where he got it.

Mr. BALL. What did he say?

Mr. FRITZ. He told me he had got it about 6 or 7 months before in Fort Worth but he wouldn't tell me where he got it. When I asked him a little further about that he told me he didn't want to talk any further about the pistol.

Mr. BALL. Did the FBI, did any FBI agent question him that morning?

Mr. FRITZ. Yes, sir; Mr. Bookhout asked a few questions along, I don't remember just exactly what they asked, but he asked him a few questions.

Mr. BALL. Was there any further questioning about an attorney, whether or not he wanted a lawyer and who he wanted?

Mr. FRITZ. Yes, sir; there probably was because I talked to him about a lawyer a number of times and he said he didn't want the local attorneys, some attorney had been up to see him after one of these questionings, and he said he didn't want him at all. He wanted Mr. Abt. And he couldn't get him and I told you about the ones there in the American Civil Liberties Union.

Mr. BALL. Didn't he tell you at one time he didn't want to answer any questions until he talked to his lawyer?

Mr. FRITZ. Yes, sir; he told me that two or three times.

Mr. BALL. This morning he told you that, didn't he?

Mr. FRITZ. He probably did.

Mr. BALL. Look on your notes there on the page 137D and see whether or not that refreshes your memory? (Commission Document 81B.)

Mr. FRITZ. 137G?

Mr. BALL. 137D.

Mr. FRITZ. I told him—you know he had told me he could not use the telephone because he didn't have the money to pay for a call. I told him he could call collect from the jail to call anyone he wanted to, and I believe at that time he probably thanked me for that.

But I told him that we allowed all prisoners to do that.

Mr. BALL. Did he say he didn't have money enough?

Mr. FRITZ. He told me that but as I said I told him he didn't need the money, he could call him collect, and use the jail phone, telephone.

Mr. BALL. What did he say?

Mr. FRITZ. That seemed to please him all right, because he evidently did because the next time I saw him he thanked me for letting him use the phone, but I told him it wasn't a favor; everyone could do that.

Mr. DULLES. Do you know who he called?

Mr. FRITZ. I don't know, I wasn't there.

Mr. DULLES. Is there any record?

Mr. FRITZ. I don't believe there would be. I think you give him the use of the telephone and they could call when they wanted to. He could have called half a dozen people if he wanted to.

Mr. DULLES. He couldn't make a long distance call, could he? I suppose he could if he called collect.

Mr. FRITZ. Yes.

Mr. BALL. Was Mr. Kelley of the Secret Service present at this time, this morning?

Mr. FRITZ. He was there most of the time after the 22d. He wasn't there on the 22d.

Mr. BALL. This is the morning of the 23d we are talking about.

Mr. FRITZ. Yes, sir; he was there, yes, sir.

Mr. BALL. Did you ever ask him what he thought of President Kennedy or his family?

Mr. FRITZ. Yes, sir; I asked him what he thought of the President.

Mr. BALL. What did he say?

Mr. FRITZ. What he thought about the family—he said he didn't have any particular comment to make about the President.

He said he had a nice family, that he admired his family, something to that effect. At one time, I don't have this in my report, but at one time I told him, I said, "You know you have killed the President, and this is a very serious charge."

He denied it and said he hadn't killed the President.

I said he had been killed. He said people will forget that within a few days and there would be another President.

Mr. DULLES. Did he say anything about Governor Connally?

Mr. FRITZ. No, sir; I don't think I questioned him about the Governor at that time. I might have asked him at one time. I remember telling him at one time he shot the Governor.

Mr. DULLES. Will you give us that?

Mr. FRITZ. He denied shooting any of them.

Mr. DULLES. Did he express any antipathy for or friendship for—

Mr. FRITZ. No, sir; he didn't. He didn't express—during one of Mr. Hosty's

talks with him he had talked to him about Governor Connally, and about some letters but that information I don't have. That is something Mr. Hosty will have to tell you about.

Mr. BALL. Your notes show at 11:33 he went back to the jail and about an hour later at 12:35 he was brought back.

Mr. FRITZ. Yes, sir.

Mr. BALL. In your office for another interview.

Mr. FRITZ. Yes, sir.

Mr. BALL. In which Mr. Kelley of the Secret Service was present?

Mr. FRITZ. Yes, sir.

Mr. DULLES. Are we now on Saturday noon?

Mr. BALL. Yes, sir; this is noon about 12:35.

Mr. FRITZ. Yes, sir.

Mr. BALL. In the meantime your officers had brought back from Irving some pictures that they found in the garage, hadn't they?

Mr. FRITZ. Yes, sir.

Mr. BALL. And you had had them blown up, hadn't you?

Mr. FRITZ. That is right.

Mr. BALL. What pictures—and you showed Oswald a picture at this time?

Mr. FRITZ. A picture of him holding a rifle and wearing the pistol. It showed a picture of him holding a rifle and wearing the pistol. I showed him first an enlarged picture.

Mr. BALL. I will show you Commission Exhibit No. 135.

Mr. FRITZ. That is the picture.

Mr. BALL. That is the picture you showed him?

Mr. FRITZ. Yes, sir; that is a similar picture, that is a copy of the picture I showed him.

Mr. BALL. You had had your laboratory enlarge the picture that your men had brought back from Irving?

Mr. FRITZ. Yes, sir; he said that wasn't his picture, he said, "I have been through that whole deal with all people in the cameras," he said, "One has taken my picture and that is my face and put a different body on it." He said, I know all about photography, I worked with photography for a long time. That is a picture that someone else has made. I never saw that picture in my life."

I said, "Wait just a minute, and I will show you one you have seen probably," and I showed him the little one this one was made from and when I showed him the little one he said, "I never have seen that picture, either." He said, "That is a picture that has been reduced from the big one."

Mr. BALL. I show you Commission No. 133, is that the small picture?

Mr. FRITZ. The small picture; yes, sir.

Mr. BALL. A picture of the small picture?

Mr. FRITZ. A picture of the small picture, I guess this is.

Mr. BALL. There are two pictures on 133. Which one was it?

Mr. FRITZ. On the left.

Mr. BALL. The one on the left?

Mr. FRITZ. Yes, sir; the one holding the two papers.

Mr. BELIN. As you face the picture?

Mr. BALL. As you face the picture the one on the left? [Exhibit No. 133-A.]

Mr. FRITZ. There is a lot of questioning in our mind about the time of this middle day questioning here. We checked it over and over and we can't be sure about the time and I don't want to go on record as not knowing whether this time is correct because it might not be.

Mr. BALL. You mean 12:35?

Mr. FRITZ. 12:35.

Mr. BALL. But you do know this conversation—

Mr. FRITZ. I do know we talked to him a number of times all along, and these questions and answers are right, but the times may be off.

Mr. BALL. You did show him this picture, a picture of Oswald with a rifle and pistol?

Mr. FRITZ. I showed him that at one of those interviews, yes, sir.

Mr. BALL. And he denied that that was a picture of him.

Mr. FRITZ. That is true ; yes, sir ; that is right.

Mr. BALL. There was another showup that afternoon at 2:15?

Mr. FRITZ. Yes, sir.

Mr. BALL. At which time two cabdrivers, one named Scoggins and one named Whaley were shown Oswald. Were you present at that showup?

Mr. FRITZ. I don't think so. I will look and see right quickly but I don't think I was. That would have been on the 23d.

Mr. BALL. Yes.

Mr. FRITZ. That shows him—M. G. Hall—wait a minute, I am in the wrong one, pardon me. Showup No. 4, shows Officers V. S. Hinkel, Walter Potts, M. G. Hall, C. W. Brown, and J. R. Leavelle who was with the people handling the showup.

Mr. BALL. Your records also show that you were brought—he was brought to your office again at 6 o'clock?

Mr. FRITZ. Yes, sir.

Mr. BALL. Will you look at page 138B of your notes. (Commission Document 81B) Was that the time you talked to him about the rifle?

Mr. FRITZ. 6 o'clock?

Mr. BALL. Yes.

Mr. FRITZ. That is when I showed an enlarged picture, yes, sir, that is what I show here, yes, sir.

Mr. BALL. In the meantime you had gone out to Neely Street, hadn't you, to try to determine whether or not this was the place for the rifle?

Mr. FRITZ. No, sir ; we didn't find that out until some time later.

Mr. BALL. You didn't?

Mr. FRITZ. No, sir ; we had heard of the Neely Street address but we didn't know that that was the place where the picture was taken. But later on, Mr. Sorrels and some of the Secret Service men called me and they had found out, I believe from Marina, that that is where the picture was made and they called me and asked me to go with them and we made some other pictures out there to show the place.

Mr. BALL. On this evening at 6 o'clock who was present at the questioning?

Mr. FRITZ. At the questioning, just a minute.

Mr. DULLES. What is the reference to the Marines?

Mr. BALL. Marina.

Mr. DULLES. Marina, I didn't catch it.

Mr. BALL. Who was present at that, do you remember, on 6 o'clock on Saturday evening, the 23d? See page 138B.

Mr. FRITZ. Yes, sir ; I believe Mr. Bookhout, Inspector Kelley, myself, and officers.

Mr. McCLOY. This was an interrogation?

Mr. FRITZ. Yes.

Mr. BALL. Was that the time when he told you, someone superimposed the picture on his face?

Mr. FRITZ. Yes, sir ; that is right.

Mr. BALL. After he had talked to you a while he told you he didn't want to talk to you any more, didn't he?

Mr. FRITZ. Yes, sir.

Mr. BALL. Look on the second page, 138C, and tell me what happened. Give me in your own words what occurred there.

Mr. FRITZ. You mean about the picture?

Mr. BALL. Tell me in your own words, yes.

Mr. FRITZ. Yes, sir ; at that time he told me that—the first of the page up here is when he told me he didn't want to answer more questions. "I just told you about that but you want to know something else about this other party."

Mr. BALL. You talked to him sometime later.

Mr. FRITZ. Yes, sir ; I showed him this map, showed him a map of the city of Dallas that he had, and the map had been brought in from his address on North Beckley, and he told me that those markings, they had several markings on this map, one of them was near—

Mr. BALL. Wait a minute, isn't that the next morning? We are talking

about Saturday night now, you have told us about showing him the enlarged photograph.

Mr. FRITZ. I show 9:30 the morning of the 24th.

Mr. BALL. I am talking about the night.

Mr. FRITZ. All right.

Mr. DULLES. 6:30 at night.

Mr. BALL. 6:30 in the evening.

Mr. FRITZ. Yes, sir.

Mr. BALL. You showed him the photographs?

Mr. FRITZ. Yes, sir; pictures.

Mr. BALL. And he told you they weren't his?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he tell you then? Didn't he tell you then he didn't want to answer any more questions?

Mr. FRITZ. Let's see if he did.

Mr. BALL. Yes.

Mr. FRITZ. That is the time that he told me about the photography, that he knew all about photography, and then he said, he didn't want to answer any more questions.

Mr. BALL. What time did you put him back in jail?

Mr. FRITZ. 7:15 p.m.

Mr. BALL. And you didn't see him again that night?

Mr. FRITZ. No, sir.

Mr. BALL. Now, the next morning you checked him out of jail?

Mr. FRITZ. Yes, sir; the 24th we had him down in the morning, yes, sir.

Mr. BALL. Who was present that time?

Mr. FRITZ. That time here at 9:30 in the morning, one of the postal inspectors, Mr. Holmes, Mr. Sorrels, Mr. Bookhout, and I am not sure about Mr. Sorrels staying in there all the time. He was in there part of the time, and that is the time that I showed him the map, too, that morning with these markings on it.

Mr. BALL. What did he say?

Mr. FRITZ. Well, he said they didn't mean anything. Those markings were places he had gone looking for work. I asked him at that time, too, more about his religious beliefs, and Inspector Kelley asked him what he thought about religion and he said he didn't think too much of it. I believe he said of the philosophy of religion.

So he asked him two or three other questions and he was a little evasive so I asked him if he believed in a deity. He said he didn't care to discuss that with me.

Mr. BALL. What else was said?

Mr. FRITZ. I asked him, too, I believe on that same morning, I asked him more about his political beliefs and he told me he didn't belong to any political party and he told me he was a Marxist but that he wasn't a Marxist-Leninist, that he was just a Marxist, and that he again told me that he believed in the Castro revolution. That is the morning of the transfer.

Mr. BALL. You asked him about the gun again, didn't you?

Mr. FRITZ. I asked him about a lot of things that morning, I sure did.

Mr. BALL. Tell us about it.

Mr. FRITZ. He denied anything about Alek Hidell, and again about his belief in the Fair Play for Cuba.

Mr. BALL. What about the rifle?

Mr. FRITZ. I asked him about the Neely Street address and he denied that address. He denied having a picture made over there and he even denied living there. I told him he had people who visited him over there and he said they were just wrong about visiting.

Mr. BALL. Did you ask him again about the rifle, did you ask him if that was the picture, that that rifle was his?

Mr. FRITZ. Yes, sir; I am sure I did.

Mr. BALL. Look at your notes.

Mr. FRITZ. All right, sir. Yes, sir; I did. I asked him again if that was his picture holding the rifle and he said it was not.

Mr. BALL. What did he say?

Mr. FRITZ. He denied it. He said he didn't have any knowledge of the picture at all. He said someone else had made it, he didn't know a thing about it or the rifle.

Mr. BALL. Didn't you also that same morning again ask him if he brought a sack with him to work on the morning the President was killed?

Mr. FRITZ. Well, I asked him, I believe that morning I might have asked him that. I believe I asked him about the sack.

Mr. BALL. Without looking at your notes there let me ask you this.

Mr. FRITZ. All right.

Mr. BALL. When you did ask him about the sack, you did ask him about it, a sack at one time bringing a sack to work that morning?

Mr. FRITZ. Yes; I did.

Mr. BALL. And you asked him the size and shape of the sack, didn't you?

Mr. FRITZ. He never admitted bringing the sack. I showed him the size probably in asking him if he brought a sack that size and he denied it. He said he brought his lunch was all he brought.

Mr. BALL. Didn't he say when you asked him the size and shape of the sack that he had with him, he said, "I don't recall, it may have been a small sack or a large sack. You don't always find one that fits your sandwiches," something like that.

Mr. FRITZ. That might be true but he said it was a small sack. He said it was a lunch sack.

Mr. BALL. Didn't you ask him where he usually kept his sacks, how he carried it when he came to work in the car?

Mr. FRITZ. I asked him where he had the sack—his lunch, and he said he had it in the front seat with him.

Mr. BALL. Did you ask him if he put any sack in the back seat?

Mr. FRITZ. He said he did not.

Mr. BALL. Did you tell him that Frazier had told you that he had had a long parcel and placed it in the back seat?

Mr. FRITZ. I am not sure about saying Frazier, I am looking at this note to see if I did.

Mr. BALL. The driver of the car——

Mr. FRITZ. I remember telling him that someone told me that and I might have told him that two people saw him because not only Frazier but Frazier's sister saw that package, you know, and I did question him about that.

Mr. BALL. Did he say anything like this? "He might be mistaken or perhaps thinking about some other time when he picked me up."

Mr. FRITZ. That is probably right.

Mr. BALL. Do you remember that?

Mr. FRITZ. I don't remember it this time but if it is in that note that is probably right.

Mr. BALL. On the curtain rods story, do you remember whether you ever asked him if he told Frazier that he had curtain rods in the package?

Mr. FRITZ. If I asked him what, please, sir?

Mr. BALL. Did you ever ask Oswald whether or not he had told Frazier that he had curtain rods in the package?

Mr. FRITZ. I am sure I did but I can't remember that right now. But I am sure I asked him that because I must have asked him that because I asked him a lot of questions, I asked him if he was fixing his house, I remember asking about that, and he said he was not.

Mr. BALL. He said he was what?

Mr. FRITZ. He was not.

Mr. BALL. He said he was not fixing it?

Mr. FRITZ. Yes.

Mr. BALL. Do you know what he said in reply to your question?

Mr. FRITZ. No, sir; I don't remember what he said about that.

Mr. BALL. Was he questioned about post office boxes that morning?

Mr. FRITZ. Yes, sir; I did, I asked him about those post office boxes, because the postal inspector had told us about those boxes, and Mr. Holmes did most of the talking to him about the boxes, and he knew about the boxes and where

they were, and he said he had, and I asked him too if he had ordered a rifle to be shipped to one of those boxes, and he said he had not, to one of those box numbers.

Mr. BALL. Did you ask him why he had the boxes?

Mr. FRITZ. He told me that he had, one of the boxes, if I remember correctly, he never admitted owning at all. The other box he told me he got his, he kept to get his mail, that he said he got some papers from Russia and correspondence with people from Russia and he used that box for his mail.

Mr. BALL. How long did you talk to him this morning of November 24?

Mr. FRITZ. Morning, well, let's see, I am not sure what time we started talking to him.

Mr. BALL. 9:30.

Mr. FRITZ. 9:30, we talked to him then until about—I have the exact time here.

Mr. BALL. Can we cut it shorter, your records show 11:15 in your office.

Mr. FRITZ. Here it is, 11:15.

Mr. BALL. Is that right?

Mr. FRITZ. Yes, sir.

Mr. BALL. First of all, I am going to go through some generally without identifying the particular place but just the subject matter.

In an interview with him you did ask him about the pistol, didn't you?

Mr. FRITZ. Which pistol, the one he shot Tippit with?

Mr. BALL. The one he had with him when he was arrested.

Mr. FRITZ. Yes, sir; I asked him about it, yes, I did.

Mr. BALL. You asked him when he got it and where he got it?

Mr. FRITZ. He said he bought it in Fort Worth about 6 or 7 months ago.

Mr. BALL. How long ago?

Mr. FRITZ. 6 or 7 months.

Mr. BALL. Did he tell you where in Fort Worth?

Mr. FRITZ. No, sir; he wouldn't tell me.

Mr. BALL. Did you ask him?

Mr. FRITZ. Yes, sir; I asked him.

Mr. BALL. What did he say?

Mr. FRITZ. He just wouldn't tell me.

Mr. BALL. Did you ask him why he had five live .38 caliber bullets in his shirt?

Mr. FRITZ. Yes; in his pocket?

Mr. BALL. Yes.

Mr. FRITZ. No; I didn't ask him that.

Mr. BALL. You didn't ask him that?

Mr. FRITZ. No.

Mr. BALL. Now you did ask him about the photograph, his photograph, the photograph that was found in his garage?

Mr. FRITZ. That is right.

Mr. BALL. That shows him with a rifle and pistol?

Mr. FRITZ. Yes.

Mr. BALL. What did he say?

Mr. FRITZ. He said it was not his picture at all.

Mr. BALL. You did ask him if he had purchased a rifle from Klein's store in Chicago, Ill., didn't you?

Mr. FRITZ. Yes; I did.

Mr. BALL. What did he say?

Mr. FRITZ. He said he did not.

Mr. BALL. You did ask him how he explained the photograph, didn't you?

Mr. FRITZ. How he explained the photograph?

Mr. BALL. Yes.

Mr. FRITZ. I asked him about the photograph and he said someone else took it. It wasn't his picture at all. He said someone in the hall had taken his picture and made that photograph.

Mr. BALL. In other words, he said the face was his face but the picture was made by somebody superimposing his face?

Mr. FRITZ. That is right; yes.

Mr. BALL. He denied ever having lived on Neely Street, did he?

Mr. FRITZ. Yes, sir; he did.

Mr. BALL. And you asked him also if he had ever owned a rifle?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. He said he had not. He said a long time ago he owned a small rifle.

Mr. BALL. What size did he say?

Mr. FRITZ. He didn't say. He said small rifle.

Mr. BALL. Did you ask him if he kept a rifle in Mrs. Paine's garage at Irving, Tex.?

Mr. FRITZ. Yes, sir; and I asked him if he brought it from New Orleans and he said no.

Mr. BALL. Did you ask him where he kept, if he did keep a rifle in a blanket?

Mr. FRITZ. I asked him if he kept it in a blanket and he said no.

Mr. BALL. Didn't you tell him *someone told you he had kept it there*?

Mr. FRITZ. Someone told me he had a rifle and wrapped in a blanket and kept it in the garage and he said he didn't. It wasn't true.

Mr. BALL. Did he at any time tell you when you asked him if he owned a rifle, did he say, "How could I afford to order a rifle on my salary of a dollar and a quarter an hour," something like that?

Mr. FRITZ. I don't remember that.

Mr. BALL. You asked him whether or not he shot President Kennedy, didn't you?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. He said he did not.

Mr. BALL. And you asked him if he shot Governor Connally?

Mr. FRITZ. Yes, sir; he said he didn't do that, he said he didn't shoot Tippit.

Mr. BALL. With reference to where he was at the time the President was shot, did he tell you what floor of the building he was on?

Mr. FRITZ. I feel sure that he told me he was on the second floor.

Mr. BALL. Look at 136B.

Mr. FRITZ. All right, sir.

Mr. BALL. The second paragraph down, 136B.

Mr. FRITZ. Yes, sir; second floor; yes, sir. He said he usually worked on the first floor. I asked him what part of the building at the time the President was shot. He said he was having lunch at about this time on the first floor.

Mr. BALL. In his first interview you say that Hosty asked him if he had been to Mexico.

Mr. FRITZ. Yes; he did.

Mr. BALL. He denied it. Did he say he had been at Tijuana once?

Mr. FRITZ. I don't remember him saying he had been at Tijuana.

Mr. BALL. What did you remember him saying?

Mr. FRITZ. I remember him saying he had been to Russia, told me he had been to Russia, and was over there for some time, and he told Hosty that he had a record of that, knew he had been there, told him a number of things so far as that is concerned.

Mr. BALL. What did he say about Mexico?

Mr. FRITZ. Mexico, I don't remember him admitting that he had been to any part of Mexico.

Mr. BALL. What do you remember him saying?

Mr. FRITZ. I remember he said he did not go to Mexico City and I don't remember him saying he ever went to Tijuana.

Mr. BALL. In your report at 138E you have made a statement there of the conditions under which this interrogation proceeded, haven't you?

Mr. FRITZ. Yes; I did.

Mr. BALL. Will you tell us about that. You can describe it either as you state it here in your own words, but tell us what your difficulties were?

Mr. FRITZ. I can tell you in just a minute. My office is small as you know, it is a small office, it doesn't have too much room to begin with.

With all the outer office full of officers who all wanted to help and we were glad to have their assistance and help, and we appreciate it, but in the hallway we had some 200 news reporters and cameramen with big cameras and little cameras

and cables running on the floors to where we could hardly get in and out of the office.

In fact, we had to get two police officers assigned to the front door to keep them out of the office so we could work.

My office is badly arranged for a thing of this kind. We never had anything like this before, of course, I don't have a back door and I don't have a door to the jail elevator without having to go through that hall for 20 feet, and each time we went through that hallway to and from the jail we had to pull him through all those people, and they, of course, would holler at him and say things to him, and some of them were bad things, and some were things that seemed to please him and some seemed to aggravate him, and I don't think that helped at all in questioning him. I think that all of that had a tendency to keep him upset.

Mr. BALL. What about the interview itself?

Mr. FRITZ. Now the interview itself inside, of course, we did have a lot of people in the office there to be interviewing a man. It is much better, and you can keep a man's attention and his thoughts on what you are talking to him about better I think if there are not more than two or three people.

But in a case of this nature as bad as this case was, we certainly couldn't tell the Secret Service and the FBI we didn't want them to work on it because they would have the same interest we would have, they would want to do anything they could do, so we, of course, invited them in too but it did make a pretty big crowd.

Mr. BALL. Did you have any tape recorder?

Mr. FRITZ. No, sir; I don't have a tape recorder. We need one, if we had one at this time we could have handled these conversations far better.

Mr. BALL. The Dallas Police Department doesn't have one?

Mr. FRITZ. No, sir; I have requested one several times but so far they haven't gotten me one.

Mr. BALL. And you had quite a few interruptions, too, during the questioning, didn't you?

Mr. FRITZ. Yes, sir; we had quite a lot of interruptions. I wish we had had—under the circumstances, I don't think there is much that could have been done because I saw it as it was there and I don't think there was a lot that could have been done other than move that crowd out of there, but I think it would have been more apt to get a confession out of it or get more true facts from him if I could have got him to sit down and quietly talked with him.

Mr. BALL. While he was in your custody up to this time at 11:15, when he left your office what precautions did you take for his safety in custody?

Mr. FRITZ. In custody. We took all kinds of precautions to keep him, anyone from hurting him. We had an officer go with the jailer and back and we did everything we thought we could do.

As I told you a while ago we even put officers on the stage with him and when we couldn't do that put officers at the end of the stage with him so they could get quickly to him if anybody tried to hurt him or molest him.

Mr. BALL. In your office you always had officers with him?

Mr. FRITZ. Always, right near him.

Mr. BALL. When you went down this crowded hallway, how did you protect him?

Mr. FRITZ. There were officers went with him each time.

Mr. BALL. How many?

Mr. FRITZ. From three to six.

Mr. BALL. And in the jail, what did you do?

Mr. FRITZ. In the jail, I don't know. I didn't handle the jail.

Mr. BALL. You didn't handle the jail?

Mr. FRITZ. No, sir; I don't handle the jail. I am sure though they used more than average precautions up there.

Mr. BALL. When you left at 11:15, what was your purpose in leaving at 11:15?

Mr. FRITZ. To transfer him to the—you are talking about the 24th?

Mr. BALL. On the 24th, yes.

Mr. FRITZ. To transfer him to the county jail.

Mr. BALL. Had you been requested by Sheriff Decker to transfer him there before?

Mr. FRITZ. No, sir. I had talked to the chief about transferring him down there. The chief had called me on the 23d, on the 23d, I can't give you the exact minute, probably a little after noon, he had called me and asked me when we would be ready to transfer him and I told him we were still questioning him. We didn't want to transfer him yet. He said, "Can he be ready by about 4 o'clock? Can he be transferred by 4 o'clock?" I told him I didn't think we could.

Mr. BALL. That would be Saturday afternoon?

Mr. FRITZ. That would be the 23d, would be Saturday, yes, sir. Then he asked me could he be ready by 10 o'clock in the morning, so I could tell these people something definitely, and I felt sure we would be ready by then. However, we didn't, we ran overtime as you can see by this report, an hour and a half over, when they come over to transfer him.

Mr. BALL. Why did you say you would not be ready by 4 o'clock on Saturday?

Mr. FRITZ. We wanted to ask him some more questions, to get more information.

Mr. BALL. Did you consider transferring him at night?

Mr. FRITZ. At night?

Mr. BALL. Yes.

Mr. FRITZ. During the night on Saturday night, I had a call at my home from uniformed captain, Captain Frazier, I believe is his name, he called me out at home and told me they had had some threats and he had to transfer Oswald.

And I said, well, I don't know. I said there has been no security setup, and the chief having something to do with this transfer and you had better call him, because—so he told me he would.

Mr. BALL. Did you think—

Mr. FRITZ. He called me back then in a few minutes and he told me he couldn't get the chief and told me to leave him where he was. I don't think that transferring him at night would have been any safer than transferring, may I say this?

Mr. BALL. Yes.

Mr. FRITZ. Any safer than transferring him during the day. I have always felt that that was Ruby who made that call, I may be wrong, but he was out late that night and I have always felt he might have made that call, if two or three of those officers had started out with him they may have had the same trouble they had the next morning.

I don't know whether we had been transferring him ourselves, I don't know that we would have used this same method but we certainly would have used security of some kind.

Mr. BALL. Now weren't you transferring him?

Mr. FRITZ. Sir, yes, sir.

Mr. BALL. What do you mean if we were transferring him ourselves?

Mr. FRITZ. I mean transferring like I was told to transfer him.

Mr. BALL. I beg your pardon?

Mr. FRITZ. I was transferring him like the chief told me to transfer him.

Mr. BALL. How would you have transferred him?

Mr. FRITZ. I did do one thing here, I should tell you about. When the chief came back and asked me if I was ready to transfer him, I told him I had already complained to the chief about the big cameras set up in the jail office and I was afraid we couldn't get out of the jail with him with all those cameras and all those people in the jail office.

So when the chief came back he asked if we were ready to transfer and I said, "We are ready if the security is ready," and he said, "It is all set up." He said, "The people are across the street, and the newsmen are all well back in the garage," and he said "It is all set."

And at that time he told me, he said, "We have got the money wagon up there to transfer him in," and I said, "Well, I don't like the idea, chief, of transferring him in a money wagon." We, of course, didn't know the driver, nor who he was, nor anything about the money wagon, and he said, "Well, that is all right. Transfer him in your car like you want to, and we will use the money wagon

for a decoy, and I will have a squad to lead it up to the central expressway and across to the left on Elm Street and the money wagon can turn down Elm Street and you can turn down Main Street, when you get to Main Street, going to the county jail," and he told me he and Chief Stevenson would meet me at the county jail, that is when we started out.

Mr. BALL. How would you have done it if you were going to do it?

Mr. FRITZ. Well, I hesitate to say because it didn't work good this way. If I had done it like I would do it or usually do it or something and it hadn't worked I would be just in the same shape you know, and it would be just as bad, so I don't like to be critical of something because it turned out real bad.

You can kind of understand my—I know that our chief didn't know anything was going to happen or he surely wouldn't have told me to transfer it that way.

Mr. BALL. How would you have done it?

Mr. FRITZ. Well, we transferred Ruby the next day at about the same time, and I had two of the officers from my office to pick me up away from the office. We drove by the county jail, saw that the driveway was open. We had about the same threats on him that we did with Oswald. We saw that the driveway was open. I went back to the bus station and I called one of my officers upstairs, gave him the names of two other officers, told him to get those two officers and not tell anyone even in the office where they were going, mark Ruby transferred temporarily, which means coming to the office or going for some fingerprints or anything, mark him transferred temporarily, bring him down to the jail elevator at the bottom of the jail, put two of them to stay in the jail elevator with him. For the other one to come to the outside door and when he saw our car flush with the door, bring that man right through those cameras and put him in the back seat, and they did, they shot him right through those people and they didn't even get pictures and we had him lie down on the back seat and two officers lean back over him and we drove him straight up that same street, turned to the left down Main Street, ran him into the jail entrance, didn't even tell the jailer we were coming and put him in the jail. It worked all right.

But now if it hadn't worked, you know, I don't want to be saying that I know more about transferring than someone else, because this could happen to me. I could see if it happened to Ruby, I would have had all the blame.

Mr. BALL. Now, if on that morning at 11:15 you planned to transfer him, didn't you, according to the chief's orders?

Mr. FRITZ. Yes, sir; I did.

Mr. BALL. And you were through questioning him, weren't you?

Mr. FRITZ. Sir?

Mr. BALL. You were all through questioning him?

Mr. FRITZ. Yes, sir; we had everything that we could do at that time. I would have talked to him later in the county jail but we didn't need to hold the man any longer.

Mr. BALL. Had he been handcuffed?

Mr. FRITZ. Yes, sir; and I told—he was already handcuffed, and I told one of the officers to handcuff his left hand to Oswald's right hand, and to keep him right with him.

Mr. BALL. That was Leavelle?

Mr. FRITZ. Leavelle, yes, sir. He first started the other hand on the other side, and I told Officer Graves to get on the other side and Montgomery to follow him, and I would go down and an officer by the name of Swain who works across the hall from us came over and offered to help us, he went down the jail elevator and he went out ahead of me and I went out in back of him and I was approaching our car to open the back door to put him in, they were having a terrible time to get the car in through the people—they were crowding all over the car—and I heard the shot and I turned just in time to see the officers push Ruby to the pavement.

Mr. BALL. When you came out of the jail door were the lights on?

Mr. FRITZ. Yes, sir; the lights were on. I don't believe they were on as we came to the door, but they came out immediately as we were coming out of the door, and I asked one of the officers, two of them answered me if everything was secure and they said everything was all right. So we came out.

Mr. BALL. What about the lights?

Mr. FRITZ. The lights were almost blinding.

Mr. BALL. Did you see the people in the crowd?

Mr. FRITZ. I could see the people but I could hardly tell who they were, because of the lights. I have been wearing glasses this year and with glasses those lights don't help you facing a bright light like that, the lights were glaring.

Mr. BALL. How far ahead of Ruby were you?

Mr. FRITZ. Well. I thought they were right behind me almost but I noticed from the picture they were a little further back than I actually thought they were, probably where Mr. Baker is to this gentleman. I believe maybe a little bit farther than that, maybe about——

Mr. BALL. How far behind Oswald were you, how far behind Oswald. Oswald was behind you?

Mr. FRITZ. Behind me.

Mr. BALL. How many feet would you say?

Mr. FRITZ. In feet I would say probably 8 feet.

Mr. BALL. Did you ever know of Jack Ruby?

Mr. FRITZ. No, sir; I never did know him. I never knew him at all. Some of the officers knew him. But I never knew him.

Mr. BALL. Were there any flashbulbs or were they just steady beams of light?

Mr. FRITZ. I didn't see any flashing lights. These were steady blinding lights that I saw. That I couldn't see, you might say.

Mr. DULLES. These were television cameras?

(Discussion off the record.)

Mr. BALL. Did you hear of Warren Reynolds?

Mr. FRITZ. Warren Reynolds?

Mr. BALL. Who was shot sometime afterwards?

Mr. FRITZ. Used car lot man?

Mr. BALL. Used car lot?

Mr. FRITZ. Yes, sir; I talked to him. He was shot through the head.

Mr. BALL. Yes.

Mr. FRITZ. I didn't talk to him very long because I didn't have to talk to him long or I didn't have to talk to him very long but he told me two or three different stories and I could tell he was a sick man and he had no doubt brain damage from that bullet and he is apt to say anything.

Mr. BALL. What did he say?

Mr. FRITZ. He told me that—he told me two or three stories, one story he told me when they first brought him into me, for me to talk to him, he told me that he saw this Ruby coming down there and he told him—he said he followed him up and saw which way he went.

Mr. BALL. Ruby?

Mr. FRITZ. Saw Oswald.

Mr. BALL. Oswald?

Mr. FRITZ. Yes, Oswald, and I questioned him further and I asked him, how far, how close was the closest you were ever to him, how far were you from him? He said, well, from that car lot across the street there. Well, of course, if he had been at a car lot across the street it would be difficult to follow him on the sidewalk. It would be quite difficult so I talked to him for just a short time and I didn't bother with him any more.

I already had some history on him because the other bureau, the forgery bureau had been handling him and they had already told me a lot about him. They discounted anything that he told.

Mr. BALL. Did you find out who shot him and why he was shot?

Mr. FRITZ. This man on the car lot?

Mr. BALL. Yes.

Mr. FRITZ. They think it might have been over a car deal but they are not positive and I don't know that he will ever tell them.

Mr. BALL. Have you ever discovered any connection between the shooting of Warren Reynolds and the killing?

Mr. FRITZ. Never.

Mr. BALL. The assassination of the President?

Mr. FRITZ. None at all.

Mr. BALL. The killing of Tippit?

Mr. FRITZ. No; we found nothing. We checked it.

Mr. BALL. Any connection between Oswald and Warren Reynolds or Ruby and Warren Reynolds?

Mr. FRITZ. We found no connection. We had all kinds of rumors, of course, that they were connected, and we didn't find anything.

Mr. BALL. Did you investigate it?

Mr. FRITZ. Yes, sir; I had some officers investigate it, and the forgery bureau investigated him because they were already working on the shooting case. They handled all the shootings where people are not killed.

Mr. BALL. I see.

Had you originally planned to be in the motorcade, had you been ordered to be?

Mr. FRITZ. At first?

Mr. BALL. Yes, sir.

Mr. FRITZ. I had been; yes, sir.

Mr. BALL. Then it was changed, what day?

Mr. FRITZ. Ten o'clock the night before the parade, I got a call at home telling me that my assignment had been changed and told me to go to the speaker's tent.

Mr. BALL. Who called you?

Mr. FRITZ. Chief Stevenson.

Mr. BALL. Do you think that made any difference?

Mr. FRITZ. I don't know. I wouldn't want to say because it is like telling about those transfers, where we would have been in that parade we would have been pretty close under that window we might have had a man shot or have good luck or bad luck.

Mr. DULLES. I didn't quite get you where were you to be in the motorcade if you had been?

Mr. FRITZ. Right behind the Vice President's car.

Mr. DULLES. Behind the Vice President's car?

Mr. FRITZ. Yes, sir.

Mr. DULLES. Had there been a plan for a car in front of the President's car?

Mr. FRITZ. I don't know, I didn't make the arrangements for the parade. That was only—those were the only instructions I had—was that one assignment.

Mr. BALL. Did you—do you feel any resentment toward the Secret Service or the FBI men because they were in your office?

Mr. FRITZ. Oh, no, no, because I work with them all the time.

Mr. BALL. You do?

Mr. FRITZ. Mr. Bookhout is in my office with the FBI. My books are all on the outside and they check my books as often as I do.

Mr. BALL. Well, do you think you could have done a better job perhaps if there hadn't been some investigators?

Mr. FRITZ. I don't know, that would be kind of a bad question.

Mr. BALL. I mean questioning Oswald.

Mr. FRITZ. Maybe they would have done better if I hadn't been there.

Mr. DULLES. How was the cooperation, was it pretty good between the Secret Service and the FBI?

Mr. FRITZ. We got along fine with the Secret Service and FBI a hundred percent.

Mr. McCLOY. Captain Fritz, did you have charge of the attempted shooting of General Walker?

Mr. FRITZ. No; that wasn't homicide, it would be handled by Captain Jones, it would have been the other bureau.

Mr. McCLOY. Captain Jones. Have we examined Captain Jones?

Mr. HUBERT. A deposition has been taken.

Mr. DULLES. You had nothing to do with the investigation of the Walker case?

Mr. FRITZ. Not at all. That happened to be Captain Jones and Lieutenant Cunningham.

Mr. DULLES. Did that case come up at all in any of your interrogations of

Oswald? Did you ever ask him whether he was involved or anything of that sort?

Mr. FRITZ. I don't think that I ever asked him about that. If I did, I don't remember it. I don't remember asking about that, asking him about that at all. We had a little information on it but I didn't want to mix it up in that other case and I didn't want to mix it up.

Mr. McCLOY. I would like to go back some distance. When you first went into the building there.

Mr. FRITZ. Yes, sir.

Mr. McCLOY. And as of your knowledge, when did the first broadcast go out of a description of Oswald, according to what information you had on the subject?

Mr. FRITZ. I wouldn't have that because I hadn't heard a broadcast of a description when I went into the building. So if one went out it probably was after I went in.

Mr. McCLOY. When Mr. Truly told you that one of his men was missing?

Mr. FRITZ. Yes, sir; then he gave me a description of him.

Mr. McCLOY. And he gave you a description at that time?

Mr. FRITZ. Yes; home address.

Mr. McCLOY. That was his home address and also a description?

Mr. FRITZ. His home address and a description, what he looked like, his age, and so forth.

Mr. McCLOY. Now that description, to whom was that description given?

Mr. FRITZ. Well, I never did give it any anyone because when I got to the office he was there.

Mr. McCLOY. He was there when you got to the office?

Mr. FRITZ. Yes.

Mr. McCLOY. I understand—

Mr. FRITZ. I think I could help you a minute about that description that went out over the radio but I didn't hear it. When I got to the building, some officer there told me, said we think the man who did the shooting out of the window is a tall, white man, that is all I had. That didn't mean much you know because you can't tell five or six floors up whether a man is tall or short.

Mr. McCLOY. Did you question the colored men that were on the fifth floor?

Mr. FRITZ. I talked to part of them. Most of them were questioned by the other officers, investigating officers I had assigned there; yes, sir. I talked to very few of them. I did do this. I did assign an officer to take affidavits from all of those people.

Mr. McCLOY. Were you present at the showup at which Brennan was the witness?

Mr. FRITZ. Brennan?

Mr. McCLOY. Brennan was the alleged—

Mr. FRITZ. Is that the man that the Secret Service brought over there, Mr. Sorrels brought over?

Mr. McCLOY. I don't know whether Mr. Sorrels—

Mr. FRITZ. I don't think I was present but I will tell you what, I helped Mr. Sorrels find the time that that man—we didn't show that he was shown at all on our records, but Mr. Sorrels called me and said he did show him and he wanted me to give him the time of the showup. I asked him to find out from his officers who were with Mr. Brennan the names of the people that we had there, and he gave me those two Davis sisters, and he said, when he told me that, of course, I could tell what showup it was and then I gave him the time.

Mr. McCLOY. But you were not present to the best of your recollection when Brennan was in the showup?

Mr. FRITZ. I don't believe I was there, I doubt it.

Mr. McCLOY. Did you ever inspect these premises on Neely Street?

Mr. FRITZ. Yes, sir; I did. With the Secret Service. We went over there and we searched that apartment thoroughly. It was vacant. The man came over that owned it, opened the house for us, we searched it thoroughly and went through the yard and made some pictures in the backyard exactly like that with another man, of course, holding the papers.

Mr. McCLOY. Are the pictures in the record?

Mr. FRITZ. Yes, sir; we have them in the record, the ones we made over there. I suppose you have them here.

Mr. McCLOY. Do we have the pictures?

Mr. BALL. I don't believe we have any pictures that you made.

Mr. FRITZ. Of the one we made over in the backyard.

Mr. McCLOY. I think it is important we get those because of the charge this picture was doctored. Have a picture of the premises which these pictures were taken.

Mr. BALL. Maybe Lieutenant Day has them.

Mr. FRITZ. No, sir; those pictures were made with—we have them, I am sure of that, our men made the pictures. I believe we have them right here. Maybe we didn't bring them, but we have them.

Mr. BALL. Could you send them to us?

Mr. FRITZ. Yes; Lieutenant Day may have some with him. His men have them.

Mr. BALL. Maybe Lieutenant Day has them. I have a few questions here. You mentioned that Hosty, the first day he was there you said that he said he knows these people. Did he tell you that he knew Oswald?

Mr. FRITZ. Well, I will tell you, he wasn't talking to me really.

Mr. BALL. What did he say to Oswald?

Mr. FRITZ. That was the agent—what did Hosty say to Oswald?

Mr. BALL. Yes.

Mr. FRITZ. Or what did—

Mr. BALL. Did Hosty say?

Mr. FRITZ. I thought you meant what about Shanklin said to Hosty.

Mr. BALL. Did Hosty say to you that he knew Oswald?

Mr. FRITZ. I heard Mr. Shanklin tell Mr. Hosty on the telephone. I had Mr. Bookhout pick up the telephone and I had an extension.

Mr. BALL. What did he hear?

Mr. FRITZ. He said is Hosty in that investigation, Bookhout said no. He said, "I want him in that investigation right now because he knows those people he has been talking to," and he said some other things that I don't want to repeat, about what to do if he didn't do it right quick. So I didn't tell them that I even knew what Mr. Shanklin said. I walked out there and called them in.

Mr. BALL. Was Oswald handcuffed at all times during the interrogation?

Mr. FRITZ. I believe he was; yes, sir, I believe we kept him handcuffed at all times. The first time we brought him in he was handcuffed with his hands behind him and he was uncomfortable and I had the officers change them and put his hands up front.

Mr. BALL. Was he fed any time during that day?

Mr. FRITZ. Yes, sir; he was. I don't remember buying him something to eat. I usually do, if they are hard up in jail at the time I buy something to eat but some of the other officers remember me buying him food but the only thing he would drink was I believe some milk and ate a little package of those crackers sandwiches and one of the other officers bought him a cup of coffee and that is all he would either eat or drink, that is all he wanted.

Mr. BALL. Now he talked to his wife and—

Mr. FRITZ. And his mother.

Mr. BALL. And his brother, Robert?

Mr. FRITZ. Yes, sir; I am pretty sure he did.

Mr. BALL. Where did he talk to them?

Mr. FRITZ. I believe that would be up in the jail. He didn't want them in my office.

Mr. BALL. Do you have that jail—

Mr. FRITZ. Wait just one second. No, sir; that was in the jail.

Mr. BALL. Is the jail wired so that you can listen to conversations?

Mr. FRITZ. No, sir; it isn't. Sometimes I wish I could hear some of the things they say but we don't.

Mr. BALL. In other words, you don't monitor conversations?

Mr. FRITZ. No, sir; we let them talk to anyone they want to. If they are allowed to use the telephone, of course, they are allowed free use of it. Sometimes they do a little better than that. Sometimes they place a long distance call and charge it to the city.

Mr. McCLOY. When you went in, Captain Fritz, and you saw the site which Oswald is alleged to have fired the shot from——

Mr. FRITZ. Yes, sir.

Mr. McCLOY. Did you see any signs of a lunch there, a chicken there?

Mr. FRITZ. No, sir; I will tell you where that story about the chicken comes from. At the other window above there, where people in days past, you know had eaten their lunches, they left chicken bones and pieces of bread, all kinds of things up and down there. That isn't where he was at all. He was in a different window, so I don't think those things have anything to do with it. Someone wrote a story about it in the papers, and we have got all kinds of bad publicity from it and they wrote in telling us how to check those chicken bones and how to get them from the stomach and everything.

Mr. DULLES. What was Oswald's attitude toward the police and police authority?

Mr. FRITZ. You know I didn't have trouble with him. If we would just talk to him quietly like we are talking right now, we talked all right until I asked him a question that meant something, every time I asked him a question that meant something, that would produce evidence he immediately told me he wouldn't tell me about it and he seemed to anticipate what I was going to ask. In fact, he got so good at it one time, I asked him if he had had any training, if he hadn't been questioned before.

Mr. DULLES. Questioned before?

Mr. FRITZ. Questioned before, and he said that he had, he said yes, the FBI questioned him when he came back from Russia from a long time and they tried different methods. He said they tried the buddy boy method and thorough method, and let me see some other method he told me and he said, "I understand that."

Mr. DULLES. Did you ask him whether he had had any communist training or indoctrination or anything of that kind?

Mr. FRITZ. I asked him some questions about that and I asked him where he was in Russia. He told me he was in Russia, first I believe he told me, first I believe he was in Moscow, and then he said he went to Minsk, Russia, and I asked him what did you do, get some training, go to school? I suspected he had some training in sabotage from the way he talked and acted, and he said "no, I worked in a radio factory." He acted like a person who was prepared for what he was doing.

Mr. DULLES. Have you any views of your own as to motive from your talks with him? Did you get any clues as to possible motive in assassinating the President?

Mr. FRITZ. I can only tell you what little I know now. I am sure that we have people in Washington here that can tell far more than I can.

Mr. DULLES. Well, you saw the man and the others didn't see the man.

Mr. FRITZ. I got the impression, I got the impression that he was doing it because of his feeling about the Castro revolution, and I think that he felt, he had a lot of feeling about that revolution.

(At this point the Chief Justice entered the hearing room.)

Mr. FRITZ. I think that was the reason. I noticed another thing. I noticed a little before when Walker was shot, he had come out with some statements about Castro and about Cuba and a lot of things and if you will remember the President had some stories a few weeks before his death about Cuba and about Castro and some things, and I wondered if that didn't have some bearing. I have no way of knowing that other than just watching him and talking to him. I think it was his feeling about his belief in being a Marxist, I think he had—he told me he had debated in New Orleans, and that he tried to get converts to this Fair Play for Cuba organization, so I think that was his motive. I think he was doing it because of that.

Mr. DULLES. Did he express any animosity against anyone, the President or the Governor or Walker or anybody?

Mr. FRITZ. No, sir; he did not. Not with me he didn't.

Mr. DULLES. Not with you?

Mr. FRITZ. No, sir. He just, the fact he just didn't talk about them much. He just didn't say hardly anything. When I asked him he didn't say much about them.

Mr. McCLOY. You knew Officer Tippit?

Mr. FRITZ. I wanted to tell you one thing before I forget. One time I asked him something about whether or not, either I asked him or someone else in there asked him, if he thought he would be better off, if he thought the country would be better off with the President killed and he said, "Well, I think that the Vice President has about the same views as the President has." He says he will probably do about the same thing that President Kennedy will do.

Mr. DULLES. Oswald said that to you?

Mr. FRITZ. Either to me or someone, it could be one of the other officers who asked that question while they were talking about him.

Mr. McCLOY. Of course, you knew Officer Tippit?

Mr. FRITZ. I didn't know him. I didn't know him. No, sir.

Mr. McCLOY. He didn't work directly under you?

Mr. FRITZ. I looked at his record and saw that the chief of the personnel file and I looked at the personnel file and I talked to a number of officers who did know him and they speak very highly.

Mr. DULLES. Have you ever reviewed his record since these events?

Mr. FRITZ. I didn't exactly review it but I read a good part of it and the chief read a good part of it to me.

Mr. DULLES. The record is good?

Mr. FRITZ. The record is good. It was average, it looked better than a lot of them do. It is all right. It had the same little things that happen to most officers, maybe some little complaint about something minor, nothing of any consequence.

Mr. McCLOY. So far as you know he had no connection with Ruby?

Mr. FRITZ. I am sure he did not. I think I know what you people have probably heard. We hear all kinds of rumors down our way and I am not trying to volunteer a lot of things here. I know you have a lot of business to do, have you heard something about some connection between Oswald and Ruby and Tippit, and some fourth person, I heard some story, we didn't find any ground for it at all. We didn't find any connection of any kind that would connect them together. I can't even find a connection between Ruby and Oswald and I can't place them in the same building at the same time nor place them in the same building together, YMCA, one of them lived there and one of them was taking some kind of an athletic course there.

Mr. McCLOY. But not at the same time?

Mr. FRITZ. Well, I can't place them there at the same time; no, sir.

Mr. DULLES. Have you discovered any connection between any of your officers and Ruby?

Mr. FRITZ. Well, I think a lot of the officers knew Ruby. I think about two or three officers in my office knew him, and I think practically all of the special service officers who handle the vice and the clubs and the liquor violations, I think nearly all of them knew him and, of course, the officer knew him who had arrested him carrying pistols a time or two, two or three times, uniformed officer mostly. He seemed to be well known. It seems a lot of people in town knew him. But I never was in his place and I didn't know him. Twenty years ago I might have been in his place.

Mr. BALL. Captain Fritz, from being with Oswald for a couple of days what were your impressions about him? Was he afraid, scared?

Mr. FRITZ. Was he afraid?

Mr. BALL. Yes.

Mr. FRITZ. No, sir; I don't believe he was afraid at all. I think he was a person who had his mind made up what to do and I think he was like a person just dedicated to a cause. And I think he was above average for intelligence.

I know a lot of people call him a nut all the time but he didn't talk like a nut. He knew exactly when to quit talking. He knew the kind of questions, I could talk to him as long as I wanted to if I just talked about a lot of things that

didn't amount to anything. But any time I asked him a question that meant something he answered quick.

Mr. BALL. Did you ever hear of a lawyer in Chicago that called up and offered to help Ruby?

Mr. FRITZ. Some lawyer from Chicago sent him a wire.

Mr. BALL. Did you see the wire?

Mr. FRITZ. I saw the wire; yes.

Mr. BALL. Do you know who the lawyer was?

Mr. FRITZ. No, sir; I don't remember his name. I believe he probably had it delivered to the jail.

Mr. BALL. To Oswald, a lawyer from Chicago offered his services to Oswald?

Mr. FRITZ. Yes; Ruby too. But I am talking about the one to Oswald. I don't know that I would even know his name if I heard it.

Mr. BALL. We have some pictures here from the crime laboratory as we have marked Exhibits 712, 713, and 714. The witness has already identified a picture of Oswald. I show you this, Captain, can you tell me which one of these pictures on Exhibit 714 that you showed to Oswald the day when you interrogated him, asked him if that was his picture?

Mr. FRITZ. It is the one with the two papers in his hand.

Mr. BALL. The one to the right. Did you ever show him the one to the left?

Mr. FRITZ. I don't think so.

Mr. BALL. We offer 713, 712, and 714 as two pictures taken.

Mr. FRITZ. These are the pictures I told about a while ago.

Mr. BALL. They were taken by your crime lab?

Mr. FRITZ. Our crime lab took these pictures when I went over there with Mr. Sorrels.

Mr. BALL. Where were they taken?

Mr. FRITZ. In the backyard of the Neely Street address. If you will note, you will see in this picture, you notice that top right there of this shed. Of course, this picture is taken up closer, but if you step back further you can see about where the height comes to on that shed right there. Not exactly in the same position.

Mr. BALL. I offered these. (Commission Exhibits Nos. 712, 713, and 714 were admitted.)

Mr. FRITZ. It shows the gate.

Mr. BALL. Indicating the location of the picture taken—this set will indicate the pictures were all taken at the Neely Street backyard.

Mr. DULLES. You recall the date of these pictures, in April?

Mr. FRITZ. I believe they will be dated on the back of them.

Mr. DULLES. April, so the trees would be about the same.

Mr. BALL. When were the pictures taken by your crime lab?

Mr. FRITZ. I am not sure but I believe the date will be on the back of the picture. November 29, 1963. Picture made by Officer Brown who works in the crime lab.

Mr. BALL. Captain, I would like to ask you some more questions about your prisoner.

Mr. FRITZ. All right, sir.

Mr. BALL. The first day that you had Oswald in custody, did you get a notice from the FBI, any of the FBI officers that there had been a communication from Washington suggesting that you take extra precautions for the safety of Oswald?

Mr. FRITZ. No, sir; there was not.

Mr. BALL. Do you recall whether or not on Friday—

The CHAIRMAN. What was your answer to that?

Mr. FRITZ. I did not, I got no such instructions. In fact, we couldn't—we would have taken the precautions without the notice but we did not get the notice, I never heard of that.

Mr. BALL. Do you recall that on Friday, November 22, Wade asked you or did he or didn't District Attorney Wade ask you to transfer Oswald to the county jail for security?

Mr. FRITZ. That would be on the night of the 22d?

Mr. BALL. On the night of the 22d.

Mr. FRITZ. Yes, sir; he asked me if I would transfer him that night.

Mr. BALL. What did you tell him?

Mr. FRITZ. I told him we didn't want to transfer him yet. We wanted to talk to him some more. We talked a little bit. He didn't actually want him transferred. He just was more or less talking about whether or not we wanted to transfer him.

Mr. BALL. Now on Saturday Decker called you and asked you to transfer him?

Mr. FRITZ. On Saturday did he call me and ask me to transfer him?

Mr. BALL. Yes, that would be the 23d.

Mr. FRITZ. No, sir; he did not.

Mr. BALL. Did Chief Curry tell you that Decker had called or anything of that sort?

Mr. FRITZ. Yes, sir; when I was talking to Chief Curry on one of those conversations, I don't think it is the conversation now when he told me about the hours, I think it is another conversation, I told him, I said, "I don't know whether we were going to transfer him or Decker was going to transfer him," and Chief Curry said, "We are going to transfer him, I have talked to Decker, we are going to transfer him."

Mr. BALL. When were the plans for the transfer made?

Mr. FRITZ. When were the plans made?

Mr. BALL. Yes; do you know?

Mr. FRITZ. I don't know about that. The only thing I know is what I told you about when the chief told me about would he be ready by 10 o'clock that morning, and I told him I had ever heard of that.

Mr. BALL. You didn't make the plans yourself?

Mr. FRITZ. No, sir.

Mr. BALL. They were made by the chief?

Mr. FRITZ. Yes, sir; they were made by the chief.

Mr. BALL. When did the chief first tell you what the plans were?

Mr. FRITZ. That was on the 23d. He didn't tell me about all the plans, of course, at that time because I told you when he came up to tell us about that, when he asked when we were ready to go he told me about the armored car, that is the first I had ever heard of that.

Mr. BALL. Did you ever tell any of the press the time that Oswald would be moved?

Mr. FRITZ. No, sir; I don't believe I did. I was interrogated by a bunch of them as I started to leave the office on the night of the 23d. As we started to the elevator, a group of us from my office, and some of the FBI officers, we started to the elevator some 10 or 20 reporters came up and said the chief said we were going to transfer him at 10 o'clock the next morning and if we were and I didn't talk to them so I don't think I ever said much if anything to them because I know one of them followed me almost to my parking lot, I know, asking me questions about the transfer.

Mr. BALL. At 11:15 when they left your office, do you know whether or not there was any broadcast over your radio as to your movements?

Mr. FRITZ. On our radio?

Mr. BALL. Yes.

Mr. FRITZ. I wouldn't know.

Mr. BALL. Or on any radio, were there any radio broadcasters on your floor at that time?

Mr. FRITZ. Any of those newsmen?

Mr. BALL. Newsmen?

Mr. FRITZ. Oh, yes; they might not have been on the floor but they were all down in the basement. You are talking about the morning of the 24th?

Mr. BALL. On the morning of the 24th when you were moving?

Mr. FRITZ. Any number of them downstairs. I don't remember whether there were any upstairs or not. There probably was maybe a few of them because I don't think there was any time when there wasn't a few of them up there, but we didn't leave through that hall and go through the elevator. We went through the mail elevator.

Mr. BALL. On the 22d and 23d, the third floor was full of newspapermen and photographers?

Mr. FRITZ. Yes, sir; all the time, completely full.

Mr. BALL. Had they left the third floor on the 24th?

Mr. FRITZ. A lot of them had; yes, sir. A lot of them had, and were downstairs in the basement.

Mr. BALL. How about the television cameras?

Mr. FRITZ. I noticed—television cameras, they were downstairs too.

Mr. BALL. They weren't up on the third floor?

Mr. FRITZ. I don't believe—there could have been one or two of them left up there, I don't think many of them were still up there.

Mr. BALL. Most of them were downstairs?

Mr. FRITZ. Most of them were downstairs. I wouldn't say there weren't any up there because I don't think there was any time when there wasn't at least a few of them up there.

Mr. BALL. Now, when you went down the jail elevator and you said you got out and went forward to see if everything was secure. What did you mean by that?

Mr. FRITZ. Well, I meant if everything, it was all right for us to go to our car with him. We didn't want to leave the jail office with him unless everything was all right because as long as we were in the jail office we could put him back in the elevator and if everything wasn't all right, I didn't want to come out with him.

Mr. BALL. And you went ahead, didn't you?

Mr. FRITZ. Yes, sir; first Lieutenant Swain and then I went out and then the other officers followed me with the prisoner.

Mr. BALL. Was the car there you were going to get in?

Mr. FRITZ. Yes, sir.

Mr. BALL. Had you reached the car yet?

Mr. FRITZ. I was just in the act of reaching for the door to open the back door, I looked at that picture, and it doesn't show the exact distance I was from the car but I couldn't have been any further than reaching distance.

Mr. BALL. When you left, or after Ruby shot Oswald, he was taken upstairs, wasn't he?

Mr. FRITZ. Yes, sir; he was. He was first carried into the jail office, you mean Ruby?

Mr. BALL. Ruby, when Ruby shot Oswald?

Mr. FRITZ. Oswald was carried into the jail office and put on the floor there. Ruby was brought into the jail office. Now I believe that Ruby was brought into the jail office after Oswald, I believe Oswald was already on the floor or behind there because I know the officers had taken Ruby upstairs went behind me and I saw them pass behind me with him to the jail.

Mr. BALL. Did you talk to Ruby?

Mr. FRITZ. Did I talk to him; no, sir; I talked to him later.

Mr. McCLOY. I wonder if at this time you would want a little recess?

Mr. FRITZ. No, sir; I am comfortable.

Mr. McCLOY. I think we kept the chief on a little bit too long this morning.

Mr. FRITZ. If it is all right with you.

Mr. BALL. Did you talk to Ruby at that time?

Mr. FRITZ. No, sir; not at that time.

Mr. BALL. Later?

Mr. FRITZ. I talked to him later, probably an hour later. I guess I have the exact time here if you need it.

Mr. BALL. What did Ruby say to you, do you have the exact time?

Mr. FRITZ. Well, he told me, I told him, I, of course, wanted to know something about premeditation because I was thinking about the trial too and I told him I wanted to ask him some questions and he said, well, he first said, "I don't want to talk to you. I want to talk to my lawyers," and he said, I believe he told me too that he had been advised by a lawyer, and I asked him some other question and he said, "Now if you will level with me and you won't make me look like a fool in front of my lawyers I will talk to you."

I didn't ask him one way or the other, but I did ask him some questions and he told me that he shot him, told me that he was all torn up about the Presidential killing, that he felt terribly sorry for Mrs. Kennedy. He didn't want to see her to have to come back to Dallas for a trial, and a lot of other things like that.

Mr. BALL. Did you ask him how he got down to the jail?

Mr. FRITZ. Yes; I did.

Mr. BALL. What did he say?

Mr. FRITZ. He told me he came down that ramp from the outside. So I told him, I said, "No, you couldn't have come down that ramp because there would be an officer at the top and an officer at the bottom and you couldn't come down that ramp." He said, "I am not going to talk to you any more, I am not going to get into trouble," and he never talked to me any more about it.

Mr. BALL. Did you ever talk to him again?

Mr. FRITZ. I don't think I ever talked to him after that. I talked to him a little while then and I don't believe I ever talked to him after that. I asked him when he first decided to kill Oswald, and he didn't tell me that. He told me something else, talked about something else.

Mr. BALL. What was that time, you said you could give us the time?

Mr. FRITZ. Yes, sir; I can give you the time. 3:05.

Mr. BALL. What time?

Mr. FRITZ. 3:05.

Mr. BALL. 3:05 in the afternoon?

Mr. FRITZ. Yes, sir.

Mr. BALL. Did you know that Archer or Dean or Newman had talked to Ruby?

Mr. FRITZ. I didn't know that they had talked to him. I knew that some officers had talked to him but I didn't know who they were.

Mr. BALL. Were there any reports given you by any one of these three men, Dean—

Mr. FRITZ. They weren't given to me. Those reports were given to the investigative team that the chief setup headed by Captain Jones and some of the inspectors and they gave me a copy. I have copies of it.

Mr. BALL. You have copies of those reports?

Mr. FRITZ. Yes, sir; I do.

Mr. BALL. Do you know, did you know prior to the trial of Ruby that either Dean or Archer or Newman, either one, had claimed to have talked to Ruby about his premeditation in the killing of Oswald?

Mr. FRITZ. Well, sir, I didn't know, I wouldn't have known that. They never told me about that. I wouldn't have known. I think that maybe the chief had taken some report from Dean, but I didn't see that until, I think I put it in this book a few days ago.

Mr. BALL. Well now, did you have charge of the investigation of the Oswald killing?

Mr. FRITZ. Yes, sir.

Mr. BALL. You were in charge of that?

Mr. FRITZ. Yes, sir.

Mr. BALL. Then all the reports would come to you?

Mr. FRITZ. Come here; yes, sir. With one exception. The reports from all those officers in the security in the basement. You see, I had nothing to do with setting up the security in the basement, that was under the security division and the chief might have given that assignment to, those are in a different book, they are in a report made to this investigative team appointed by the chief. We have their copies, too.

Mr. BALL. Well, but you had charge of the investigation of the homicide?

Mr. FRITZ. The homicide but I didn't have charge of the investigation of the basement incident.

Mr. BALL. Well, the reason for my question is that there has been some question raised as to testimony in the Ruby trial of these men, Dean, Archer, and Newman.

Mr. FRITZ. Yes, sir; I heard that.

Mr. BALL. And they have testified to certain statements made that they heard from Ruby afterward, and the question is whether or not these men have reported to you that they had heard that.

Mr. FRITZ. They didn't report it to me; no, sir.

Mr. BALL. Or reported it in writing to their department?

Mr. FRITZ. They didn't report it to me, if they reported to anyone I didn't

get it. But I understand that Dean had made some kind of special report to the chief but that wasn't to me.

Mr. BALL. Did you ever know a man named Roger Craig, a deputy sheriff?

Mr. FRITZ. Roger Craig, I might if I knew which one he was. Do we have it here?

Mr. BALL. He was a witness from whom you took a statement in your office or some of your men.

Mr. FRITZ. Some of my officers.

Mr. BALL. He is a deputy sheriff.

Mr. FRITZ. One deputy sheriff who started to talk to me but he was telling me some things that I knew wouldn't help us and I didn't talk to him but someone else took an affidavit from him. His story that he was telling didn't fit with what we knew to be true.

Mr. BALL. Roger Craig stated that about 15 minutes after the shooting he saw a man, a white man, leave the Texas State Book Depository Building, run across a lawn, and get into a white Rambler driven by a colored man.

Mr. FRITZ. I don't think that is true.

Mr. BALL. I am stating this. You remember the witness now?

Mr. FRITZ. I remember the witness; yes, sir.

Mr. BALL. Did that man ever come into your office and talk to you in the presence of Oswald?

Mr. FRITZ. In the presence of Oswald?

Mr. BALL. Yes.

Mr. FRITZ. No, sir; I am sure he did not. I believe that man did come to my office in that little hallway, you know outside my office, and I believe I stepped outside the door and talked to him for a minute and I let someone else take an affidavit from him. We should have that affidavit from him if it would help.

Mr. BALL. Now this man states that, has stated, that he came to your office and Oswald was in your office, and you asked him to look at Oswald and tell you whether or not this was the man he saw, and he says that in your presence he identified Oswald as the man that he had seen run across this lawn and get into the white Rambler sedan. Do you remember that?

Mr. FRITZ. I think it was taken, I think it was one of my officers, and I think if he saw him he looked through that glass and saw him from the outside because I am sure of one thing that I didn't bring him in the office with Oswald.

Mr. BALL. You are sure you didn't?

Mr. FRITZ. I am sure of that. I feel positive of that. I would remember that I am sure.

Mr. BALL. He also says that in that office——

Mr. FRITZ. Yes, sir.

Mr. BALL. After he had said, "That is the man," that Oswald got up from his chair and slammed his hand on the table and said, "Now everybody will know who I am." Did that ever occur in your presence?

Mr. FRITZ. If it did I never saw anything like that; no, sir.

Mr. BALL. That didn't occur?

Mr. FRITZ. No, sir; it didn't. That man is not telling a true story if that is what he said. Do you have any—could I ask a question, is it all right if I ask a question?

Mr. McCLOY. All right, go ahead.

Mr. BALL. Go ahead.

Mr. FRITZ. I was going to ask if we had any affidavits from any of our officers that would back that up? If they did I never heard of it.

Mr. BALL. If you are here tomorrow.

Mr. FRITZ. It is something I don't know anything about.

Mr. BALL. If you are here tomorrow I would like to show you the deposition of the man for you to read it.

Mr. FRITZ. I am sure I would know that. The only time I saw the man hit the desk was when Mr. Hosty talked to him and he really got upset about that.

Mr. DULLES. Is that in the testimony, have you testified about that?

Mr. FRITZ. Yes, sir.

Mr. McCLOY. That shows his agitation over the alleged——

Mr. FRITZ. Questioning.

Mr. McCLOY. Questioning of his wife.

Mr. FRITZ. That is right.

Mr. BALL. In the light of your experience in this case, do you think you should alter your regulations with the press, have a little more discipline when the press are around?

Mr. FRITZ. We can with the local press. We can't do much with those people that we don't know from those foreign countries, and from distant States, they don't ask us. They just write what they hear of and we read it.

Mr. BALL. No; but I mean in the physical control of your plant there?

Mr. FRITZ. There at city hall?

Mr. BALL. Do you think you should alter your policy?

Mr. FRITZ. We think we can control it normally, because those officers, those people from the press there wouldn't come in and start taking pictures without permission. They wouldn't do that without asking, and then usually I ask a prisoner because some prisoners don't want their pictures taken and sometimes they do, if they want it taken why it is all right. Sometimes we don't let them take them at all, depending on circumstances.

Mr. BALL. Do you permit television interrogation of your prisoners in jail?

Mr. FRITZ. No, sir.

Mr. BALL. Or in the——

Mr. FRITZ. In the jail I don't have charge of the jail but I am sure they don't because I haven't heard of that. We don't have it in the office either.

Mr. McCLOY. But——

Mr. FRITZ. I don't think it is a good idea at all because I don't know what that man might say.

Mr. BALL. I agree.

Mr. McCLOY. You would have jurisdiction to keep out foreign correspondents if you wanted to?

Mr. FRITZ. Keep them out of the office; yes, sir.

Mr. McCLOY. Keep them out of the building?

Mr. FRITZ. Yes, sir; I wouldn't have charge of the building but I can keep them out of my office, up to that door, I can have enough officers I can take care of that fine. Out in that building, that is more or less a job for the uniform division.

Mr. DULLES. A job for the uniform division, the police?

Mr. FRITZ. A job for the uniform division, they can take charge of it and they have uniforms.

Mr. DULLES. Who establishes the policy?

Mr. FRITZ. The chief of police establishes the policy. He has assistants, of course.

Mr. McCLOY. You have testified that you were really hampered in your investigation, in your interrogation of Oswald by reason of the confusion.

Mr. FRITZ. I think so.

Mr. McCLOY. By reason of too many people being around, isn't that right?

Mr. FRITZ. I think so, but I am not sure that could have been avoided under these circumstances.

Mr. McCLOY. Well, couldn't you——

Mr. FRITZ. I think that——

Mr. McCLOY. Couldn't you have demanded that your office be cleared so that you could have a quiet investigation?

Mr. FRITZ. I could hardly tell the Secret Service and the FBI or any other Federal agency—I had the outer office had Texas Rangers out there, several of them, and you could understand why they would be in there because the Governor had been shot and they work directly for the Governor out of Austin, so you could hardly tell people like that that you don't want them to help.

Now, if this were just an average case, just an average hijacking case we have, we could easily, we could handle it with all ease but where the President of the United States is killed it would be hard to tell the Secret Service and the FBI that they couldn't come in.

Mr. McCLOY. But you could have told the newspaper people, the media people that they couldn't come in.

Mr. FRITZ. I didn't let them come in my office or in my part of the office.

Mr. McCLOY. They never were in your office when you were examining Oswald?
Mr. FRITZ. Never. I think one of them got inside of the outer office but someone immediately put him out.

Mr. DULLES. What is the jurisdiction of the city manager as compared to the chief of police, does he have authority over the chief of police?

Mr. FRITZ. The city manager is our big boss, he is over all of us. He is over the chief of police and he operates the city. He is responsible only to the mayor and city council. And I think that they give him a pretty free hand.

We have got a city manager and he tells, he sets the policies, of course, maybe I made a mistake when I told you that the chief of police sets the policies of our police department, but the city manager would set the policies for the city as a whole.

Mr. BALL. I have no further questions.

Mr. McCLOY. Do you have anything else that you think that is on your mind that might help us in getting at the rockbottom of either the Oswald murder or the President's murder?

Mr. FRITZ. I believe that you people know about everything that we know. We have tried to get everything in this book. We have tried not to withhold anything, and I will tell you something about this case that I told some people in the beginning.

I don't know of anything about this case that we can't tell all about, the truth about it from start to finish now. I think the truth fits it better than anything we can do to it. I hope I have gotten this story to you correctly. I hope I haven't made some mistakes in some of my testimony about time and the dates and things because if I have——

Mr. McCLOY. Are there any further leads that you would like to follow up or do you feel that the case is from your point of view closed in terms of—

Mr. FRITZ. We won't ever close it. We never close any murder case and we won't ever close it. I will tell you what, if anything came up about this case that we thought we could do to help on it, and it came up 10 years from now we would work on it. We would work on it regardless of what time it came up. I do think this, that there have been a lot of things about this case that we won't be able to handle. If we get any information about anything that involves foreign relations we will pass that on to the people who know what to do with it. We won't try to handle anything like that because we might do a very wrong thing. We would give that to either the FBI or the Secret Service, depending on the type of information it was, and they would pass it on to wherever they wanted to.

Mr. McCLOY. Are there any pending leads in this case that you feel that you would like to follow up beyond?

Mr. FRITZ. Right now?

Mr. McCLOY. Right now.

Mr. FRITZ. I don't believe we have one. Do you think of any lead to follow up? I can't think of one. If I thought of one we would sure start on it. But I don't think we have.

Mr. BALL. There is one problem here in your records that we asked about. Where was Oswald between 12:35 a.m., and 1:10 a.m., on Saturday, November 23, that is right after midnight?

Mr. FRITZ. Right after midnight.

Mr. BALL. The jailer's records show he was checked out.

Mr. FRITZ. I think I know where he was right after midnight. I think he went to the identification bureau to be fingerprinted and have his picture made.

Mr. BALL. You know. You can probably advise him and he can tell us. What is it?

Mr. FRITZ. I think that, if it is the time that I am thinking about, if it is the time that after he was, after he had his arraignment, I think from what we found out since then that he went there for picture and fingerprints.

Mr. BALL. I have no further questions.

Mr. FRITZ. Maybe you should ask Lieutenant Baker here something that I don't know anything about, that he knows, that might help to clarify that question you asked me just then. I thought he went for the picture, but tell him.