

when we were around to see Ted Callaway and he introduced you at Dootch Motors and we chatted for 3 or 4 minutes there?

Mr. BENAVIDES. Yes; you and two other men.

Mr. BELIN. Today when we met, you came up here and what is the facts as to whether I asked you before the court reporter was able to get here to just relate to me what happened, or did I start questioning you or try to tell you things as I saw them?

Mr. BENAVIDES. No; you just asked me what happened and I described to you what happened.

Mr. BELIN. Is there anything you said before the court reporter got here that is different in anyway that you said after the court reporter started taking your testimony?

Mr. BENAVIDES. Maybe now only in the change of time, or I imagine I added a little bit since she was here.

Mr. BELIN. Is there anything that would be at variance with what you told me before the court reporter got here?

Mr. BENAVIDES. Well, I don't understand.

Mr. BELIN. What I mean is, is there anything that you said before the court reporter got here that you haven't included after the court reporter got here?

Mr. BENAVIDES. No.

Mr. BELIN. Anything you have said in front of the court reporter that has been different insofar as being a fact which is opposite or different in anyway from what you told me before?

Mr. BENAVIDES. Different in wording but—

Mr. BELIN. But are the facts different?

Mr. BENAVIDES. No; I don't believe the facts are different.

Mr. BELIN. Now you have a right, if you want to, to come back and read the deposition and sign it, or you can just rely on the court reporter's accuracy and waive the signing of it. Do you want to waive it or not?

Mr. BENAVIDES. I would like to read it.

Mr. BELIN. All right.

Mr. BENAVIDES. Maybe I could add something I didn't add.

Mr. BELIN. All right, I will ask the court reporter to try and get in touch with you.

Mr. BENAVIDES. 3112 June Drive.

Mr. BELIN. She can reach you at Dootch Motors?

Mr. BENAVIDES. Dootch Motors.

Mr. BELIN. What is the address?

Mr. BENAVIDES. 501 East Jefferson.

Mr. BELIN. You did get notice of the taking of this deposition here today?

Mr. BENAVIDES. Yes, sir.

Mr. BELIN. You are here voluntarily appearing in front of the Commission?

Mr. BENAVIDES. Yes, sir.

Mr. BELIN. Well, we surely appreciate all of the cooperation you have shown here, sir, and if there is anything else that you think is important, we would appreciate your getting in touch with us.

Mr. BENAVIDES. That is the reason I wanted to read this, in case I might have left out something.

Mr. BELIN. Would you please thank whoever is the general manager at Dootch Motors for letting you come here and appear before us?

Mr. BENAVIDES. That is Mr. Harris.

Mr. BELIN. Thank you very much.

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#### TESTIMONY OF MRS. CHARLIE VIRGINIA DAVIS

The testimony of Mrs. Charlie Virginia Davis was taken at 9 a.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. David W. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Mrs. Davis, would you stand and raise your right hand and be sworn, please? Do you solemnly swear that the testimony you give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DAVIS. I do.

Mr. BELIN. Would you please state your name for the court reporter?

Mrs. DAVIS. Mrs. Charlie Virginia Davis.

Mr. BELIN. You are known as Mrs. Charles Davis?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Your first name is Virginia?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Where do you live, Mrs. Davis?

Mrs. DAVIS. Athens.

Mr. BELIN. In Texas?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. How old are you?

Mrs. DAVIS. Sixteen.

Mr. BELIN. How long have you lived in Athens?

Mrs. DAVIS. Well, about 6 months. It was after the President was shot.

Mr. BELIN. Do you remember when the President was shot?

Mrs. DAVIS. On November 22.

Mr. BELIN. About how long after that did you move to Athens?

Mrs. DAVIS. It was about 2 weeks after the President was shot.

Mr. BELIN. Mrs. Davis, how long have you been married?

Mrs. DAVIS. Seven months.

Mr. BELIN. Any children?

Mrs. DAVIS. No, sir.

Mr. BELIN. The time you moved to Athens would have been sometime in December of 1963?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Prior to that time, had you always lived in Dallas?

Mrs. DAVIS. Well, after I got married we moved to Dallas and we lived there ever since.

Mr. BELIN. When you got married, you moved to Dallas. Before you got married, where did you live?

Mrs. DAVIS. Palestine.

Mr. BELIN. Is that in Texas?

Mrs. DAVIS. Yes.

Mr. BELIN. Were you raised there?

Mrs. DAVIS. No, sir; I was raised in Athens.

Mr. BELIN. You were raised in Athens. Did you go to school in Athens?

Mrs. DAVIS. No; I went to school in Palestine.

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

Mrs. DAVIS. The ninth grade.

Mr. BELIN. Have you ever been employed at all?

Mrs. DAVIS. No.

Mr. BELIN. Now, Mrs. Davis, where were you living when you were living in Dallas in November of 1963?

Mrs. DAVIS. 400 East 10th Street.

Mr. BELIN. Is that 400 East 10th?

Mrs. DAVIS. Yes.

Mr. BELIN. Do you know what cross-street runs at 10th there?

Mrs. DAVIS. Patton.

Mr. BELIN. 10th and Patton?

Mrs. DAVIS. Yes.

Mr. BELIN. What kind of house did you live in? Was it a brick or frame home?

Mrs. DAVIS. It was a frame apartment house.

Mr. BELIN. Pardon?

Mrs. DAVIS. It was a frame apartment house.

Mr. BELIN. A frame apartment house. You and your husband lived in one apartment?

Mrs. DAVIS. And my sister and her husband lived in another one.

Mr. BELIN. There were two apartments there?  
Mrs. DAVIS. On the bottom floor.  
Mr. BELIN. What is your sister's name?  
Mrs. DAVIS. Mrs. Barbara Jeanette Davis.  
Mr. BELIN. Do you know what her husband's name is?  
Mrs. DAVIS. Troy Lee Davis.  
Mr. BELIN. Taking you back to the afternoon of November 22, do you remember anything out of the ordinary that happened on that date?  
Mrs. DAVIS. Well, the boy that was known as Lee Harvey Oswald shot J. D. Tippit.  
Mr. BELIN. Well, now, did you see him shoot J. D. Tippit?  
Mrs. DAVIS. No; we didn't see. Yes; we heard the shot. He had already shot him.  
Mr. BELIN. You say you heard a shot?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. Where were you when you heard the shot?  
Mrs. DAVIS. I was over at my sister-in-law's.  
Mr. BELIN. Her apartment?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. Where in her apartment were you?  
Mrs. DAVIS. I was in the living room.  
Mr. BELIN. You were in the living room?  
Mrs. DAVIS. Yes. We was lying down.  
Mr. BELIN. You were lying down in the living room on the sofa bed, or what?  
Mrs. DAVIS. It is a bed against the wall and a sofa.  
Mr. BELIN. Who was lying down?  
Mrs. DAVIS. Well, Jeanette was lying on the bed. I was lying on the couch, and Annette and James Lee were lying on the other bed.  
Mr. BELIN. Are these other people children of your sister's?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. About how old are those children?  
Mrs. DAVIS. James will be 6 and then Annette is 5.  
Mr. BELIN. Now as you were lying down, what did you see or hear?  
Mrs. DAVIS. We just heard a shot.  
Mr. BELIN. How many shots did you hear?  
Mrs. DAVIS. We heard the first one and then we thought maybe someone had a blowout like a tire or something and we didn't get up to see. Then we heard the second shot and that is when we ran to the front door.  
Mr. BELIN. Well, now, does that mean that you heard two shots?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. Are you sure there were not more than two, or are you sure that you heard two?  
Mrs. DAVIS. We just heard two.  
Mr. BELIN. Then what did you do?  
Mrs. DAVIS. Well, Mrs. Markham was trying to say—  
Mr. BELIN. Mrs. Markham?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. Do you know what her first name is?  
Mrs. DAVIS. No, sir. I just know her by Mrs. Markham.  
Mr. BELIN. Had you ever known her before?  
Mrs. DAVIS. No, sir.  
Mr. BELIN. How did you know it was Mrs. Markham?  
Mrs. DAVIS. Well, it said in the paper that it was Mrs. Markham, and my sister-in-law said it was Mrs. Markham. My sister-in-law knows Mrs. Markham.  
Mr. BELIN. Now you heard the shots. You heard, you say, the second shot and then what did you do?  
Mrs. DAVIS. We was already up. We ran to the door.  
Mr. BELIN. By we, who do you mean?  
Mrs. DAVIS. Jeanette and I.  
Mr. BELIN. You went to which door?  
Mrs. DAVIS. The front door.

Mr. BELIN. That would be the front of the house facing East 10th Street?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. What did you do when you got to the door?

Mrs. DAVIS. Mrs. Markham was standing at the tree.

Mr. BELIN. If we can picture the street intersection, was she standing in the middle of the street or on the sidewalk?

Mrs. DAVIS. She was on the sidewalk.

Mr. BELIN. Let me ask you this. Your house would be located at the south-east corner of the intersection, is that where it is, or not?

Mrs. DAVIS. Yes.

Mr. BELIN. Would she be standing on a corner that would be right across 10th Street but on the same side of Patton, or across. Would it be catty-cornered or would it be across 10th Street but on the other side? Maybe we can draw it here on a little paper.

Mrs. DAVIS. I don't remember it too good.

Mr. BELIN. Now I have drawn on a piece of paper here a street intersection and this is Patton and here is 400 East 10th, which would be your house. Do you want to mark here where you think you saw Mrs. Markham?

Mrs. DAVIS. Well, she was standing on the sidewalk right here. Do you want to put an "X" there?

Mr. BELIN. Please put an "X" there.

Mrs. DAVIS. (Marks "X".)

Mr. BELIN. I'm going to call that Virginia Davis Deposition, Exhibit 1. What was Mrs. Markham saying, or did you hear her say anything?

Mrs. DAVIS. We heard her say "He shot him. He is dead. Call the police."

Mr. BELIN. Was she saying this in a soft or loud voice?

Mrs. DAVIS. She was screaming it.

Mr. BELIN. Did you see anything else as you heard her screaming?

Mrs. DAVIS. Well, we saw Oswald. We didn't know it was Oswald at the time. We saw that boy cut across the lawn emptying the shells out of the gun.

Mr. BELIN. All right. Now, you saw a boy. Do you know how old he was?

Mrs. DAVIS. He didn't look like he was over 20.

Mr. BELIN. Do you remember what color hair he had?

Mrs. DAVIS. Let's see, the best I recall, he had sort of light brown.

Mr. BELIN. Light brown hair?

Mrs. DAVIS. Yes.

Mr. BELIN. Was he tall or short or average height?

Mrs. DAVIS. He was about average height.

Mr. BELIN. Fat, thin, or average weight?

Mrs. DAVIS. Slim.

Mr. BELIN. Pardon?

Mrs. DAVIS. Slim.

Mr. BELIN. Do you remember what he had on?

Mrs. DAVIS. He had on a light-brown-tan jacket.

Mr. BELIN. Do you remember what color his trousers were?

Mrs. DAVIS. I think they were black. Brown jacket and trousers.

Mr. BELIN. The trousers were black?

Mrs. DAVIS. Yes.

Mr. BELIN. Do you remember what kind of shirt he had on?

Mrs. DAVIS. No, sir; I don't recall that.

Mr. BELIN. Was the jacket open or closed up?

Mrs. DAVIS. It was open.

Mr. BELIN. But you don't remember what kind of shirt he had on?

Mrs. DAVIS. No, sir.

Mr. BELIN. Did he look at you?

Mrs. DAVIS. No, sir; not that I remember. I don't think so.

Mr. BELIN. And where was he when you first saw him?

Mrs. DAVIS. He was cutting across our yard.

Mr. BELIN. In what direction was he walking?

Mrs. DAVIS. He was walking——

Mr. BELIN. Away from Patton or towards Patton?

Mrs. DAVIS. Towards Patton.

Mr. BELIN. When you first saw him, had he gotten up to your yard yet or not?

Mrs. DAVIS. Yes; he was cutting over across our yard.

Mr. BELIN. He was cutting across your walk that leads up to the front door?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. About how far from the main sidewalk on East 10th was he?

Mrs. DAVIS. He was about 3 feet.

Mr. BELIN. About 3 feet or so?

Mrs. DAVIS. Yes; when I first saw him.

Mr. BELIN. Then he was cutting across your sidewalk about 3 feet away from the main sidewalk?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Then did you see him—how long did you see him? Where did you see him go?

Mrs. DAVIS. We saw him go around the corner of our house.

Mr. BELIN. How far did you see him go?

Mrs. DAVIS. Well, when he disappeared around that corner, that is the last we saw of him.

Mr. BELIN. Did you see him go through any bushes by your house or not? Or didn't you see him?

Mrs. DAVIS. No, sir.

Mr. BELIN. You mean you didn't see him?

Mrs. DAVIS. We saw him when he cut across our yard.

Mr. BELIN. Where was he when you last saw him? He was—was he still in your yard, or was he on the sidewalk on Patton Street?

Mrs. DAVIS. He was still in our yard.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. We already called the police.

Mr. BELIN. You called the police before you saw him?

Mrs. DAVIS. When Mrs. Markham was standing across the street hollering, she told us to call the police, so Jeanette and I went in there, and Jeanette called the police and we went back and he was cutting across our yard, and we gave him time to go on because we were afraid he might shoot us.

Mr. BELIN. Did you call the police before or after you saw him cut across your yard?

Mrs. DAVIS. Before.

Mr. BELIN. In other words, to your—to the best of your recollection, you heard the shots, you ran outside, you saw Mrs. Markham—did you see anything else when you saw Mrs. Markham?

Mrs. DAVIS. No, sir; we just saw a police car sitting on the side of the road.

Mr. BELIN. Where was the police car parked?

Mrs. DAVIS. It was parked between the hedge that marks the apartment house where he lives in and the house next door.

Mr. BELIN. Was it on your side of East 10th or the other side of the street?

Mrs. DAVIS. It was on our side, the same side that we lived on.

Mr. BELIN. Was it headed as you looked to the police car, towards your right or towards your left?

Mrs. DAVIS. Right.

Mr. BELIN. Did you see any police officer in a police car when you first saw him?

Mrs. DAVIS. No, sir.

Mr. BELIN. When your sister went to call the police, did you go with her, or did you stay by the front door?

Mrs. DAVIS. I went with her.

Mr. BELIN. What did you hear your sister do?

Mrs. DAVIS. Well, she called the police and told whoever answered the phone that there had been a murder out in front of our house, to come quick.

Mr. BELIN. Then what did she do?

Mrs. DAVIS. She hung up and then we went back to the front door and told the two kids to stay indoors.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Then we went out in the front yard and right down to the police car and that is when we saw the policeman lying on the street.

Mr. BELIN. Where was the policeman lying?

Mrs. DAVIS. He was lying just, well, he was half between the front end of his car and, well, his head was lying toward the front end of it.

Mr. BELIN. Was he on the driver's side of the front or on the other side?

Mrs. DAVIS. He was on the driver's side.

Mr. BELIN. All right, now, as I understand your testimony, after you made the call, you went out to the front yard, is that it?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. You then went out to see the policeman in the street?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. When you went out in the front yard, were you in the front yard when the man was going by there?

Mrs. DAVIS. No, sir; he had already gone when we went outside.

Mr. BELIN. He had already gone when you went outside?

Mrs. DAVIS. Yes.

Mr. BELIN. I thought you said that when you went outside you went on the sidewalk?

Mrs. DAVIS. See, all the people had already—see, he was already gone.

Mr. BELIN. Had he gone by at that time?

Mrs. DAVIS. By the time we got back from off the phone, he had already gone. He had already disappeared behind the corner of our house.

Mr. BELIN. Did you see him going in front of your house before you called on the phone?

Mrs. DAVIS. Yes. When we heard the second shot, we ran to the front door, and that is when we saw the boy cutting across the yard.

Mr. BELIN. Well, let me see if I understand your statement now. You went to the front door after you heard the second shot?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. What did you do when you got to the front door? Did you open the front door, or not?

Mrs. DAVIS. No, sir; we just looked through the front door.

Mr. BELIN. You looked through the front door?

Mrs. DAVIS. Yes.

Mr. BELIN. Was there a screen door on it or not?

Mrs. DAVIS. It was a screen door.

Mr. BELIN. Were you looking through the screen door, or was the screen door partially open, if you remember.

Mrs. DAVIS. It was closed. We was looking through it.

Mr. BELIN. You were looking through the screen door?

Mrs. DAVIS. Yes.

Mr. BELIN. Were you in front of your sister-in-law, or was she in front of you?

Mrs. DAVIS. She was in front of me.

Mr. BELIN. You were both looking through the screen door?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. What did you see when you looked through the screen door?

Mrs. DAVIS. We saw a boy walking, cutting across our yard.

Mr. BELIN. Where was he when you first saw him?

Mrs. DAVIS. He was about 3 feet from the sidewalk. Not the one that comes up to our front door, but the other sidewalk.

Mr. BELIN. He was about 3 feet from the front sidewalk on East 10th?

Mrs. DAVIS. Yes.

Mr. BELIN. Had he come up to your sidewalk yet that comes up from East 10th to your front door?

Mrs. DAVIS. Yes, he had already. He was about half on the concrete, I think.

Mr. BELIN. He was half on that concrete?

Mrs. DAVIS. Yes.

Mr. BELIN. Then what did you watch this man do?

Mrs. DAVIS. We watched him unload the shells out of his gun.

Mr. BELIN. What hand was he holding this gun in?

Mrs. DAVIS. In the right.

Mr. BELIN. He was holding the gun in his right hand, if you remember?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. What was he doing with his left hand?

Mrs. DAVIS. He was emptying the shells in his left hand.

Mr. BELIN. Was the gun broken open, so to speak? In other words, I don't know if you have ever seen a capgun. When you want to load the capgun, you have to kind of break it apart on a hinge.

Was the gun broken apart like that, or was the barrel straight?

Mrs. DAVIS. It was like the real gun, little one.

Mr. BELIN. What do you mean it was just like?

Mrs. DAVIS. It was just as best as I can remember, it was a little pistol, and he was emptying the shells. Where the shell was coming out, he was emptying the shells into his left hand.

Mr. BELIN. Did you see what he did with the shells when he emptied them into his left hand?

Mrs. DAVIS. After we, well, he was dropping them on the ground because we found two.

Mr. BELIN. You said that you found two? Did you see him drop them on the ground or not?

Mrs. DAVIS. No; we didn't see him.

Mr. BELIN. You just saw him emptying shells in his hand?

Mrs. DAVIS. Yes.

Mr. BELIN. You didn't actually see what he did with them when he got them in his hand, did you?

Mrs. DAVIS. No, sir.

Mr. BELIN. You are nodding your head no?

Mrs. DAVIS. No.

Mr. BELIN. Then what did you see the man do?

Mrs. DAVIS. Well, he just cut across. He disappeared from behind the corner of the house.

Mr. BELIN. Going toward what street?

Mrs. DAVIS. Well, going toward Jefferson Street.

Mr. BELIN. He was headed on Patton in the direction toward Jefferson?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Did you see him actually get to Patton Street?

Mrs. DAVIS. Yes; he was already around the corner.

Mr. BELIN. You saw him go around the corner of your home?

Mrs. DAVIS. Yes.

Mr. BELIN. What did you do or see then?

Mrs. DAVIS. Well, we just went out, because we had already called the police, notified them, and we went out in the yard.

Mr. BELIN. You notified the police. Let me ask you this. Did you notify the police before or after you saw the boy with the gun?

Mrs. DAVIS. Let's see, I think it was before.

Mr. BELIN. When you say before, what do you mean?

Mrs. DAVIS. Well, before we saw the boy.

Mr. BELIN. Before you saw the boy you notified the police?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Well, let me try and reconstruct your actions then. You heard the shots?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. You ran to the door?

Mr. BELIN. What did you see when you got to the door?

Mrs. DAVIS. Well, we just saw, you know, the police car parked down there and we wondered what was going on, so we heard Mrs. Markham across the street calling.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Well, she told us to call the police, well, so we went to the house. We was already in the house, and we went to the phone and called the police.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Then we went back to the front door.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. We saw the boy cutting across the street.

Mr. BELIN. Then what did you do or see?

Mrs. DAVIS. After he disappeared around the corner we ran out in the front yard and down to see what had happened.

Mr. BELIN. Then is that when you saw the policeman?

Mrs. DAVIS. I saw the policeman lying on the street.

Mr. BELIN. All right. Did you see or do anything else? Did you see anyone else that you know come up to the policeman?

Mrs. DAVIS. No sir; there was a lot of people around there.

Mr. BELIN. Do you remember about what time of day this was?

Mrs. DAVIS. I wouldn't say for sure. But it was about 1:30, between 1:30 and 2.

Mr. BELIN. All right, after this, did police come out there?

Mrs. DAVIS. Yes; they was already there.

Mr. BELIN. By the time you got out there?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Well, we just stood out there and watched. You know, tried to see how it all happened. But we saw part of it.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. We stood out there until after the ambulance had come and picked him up.

Mr. BELIN. All right, then what did you do?

Mrs. DAVIS. And we stood out there and talked to this woman who told us that President Kennedy was shot.

Mr. BELIN. About what?

Mrs. DAVIS. This woman had told us that President Kennedy was shot.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. When the police cars was circling all the blocks, about four or five blocks to see if they could find the boy, and we stayed out there all that time to see if they would locate him.

Mr. BELIN. All right, did you tell the police that you had seen anyone with a gun?

Mrs. DAVIS. Yes, sir; we told them that we saw a boy carrying a gun.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Well, that was—

Mr. BELIN. Did you ever go down to the police station or identify him?

Mrs. DAVIS. Yes, sir; we had to identify him in the lineup.

Mr. BELIN. What day was that? This same day or another day?

Mrs. DAVIS. Same day.

Mr. BELIN. About what time of the day was it?

Mrs. DAVIS. It was probably about 5:30.

Mr. BELIN. Who went down with you?

Mrs. DAVIS. Well, let's see, my *sister-in-law*.

Mr. BELIN. That would be Barbara Jeanette Davis?

Mrs. DAVIS. Yes, sir; and her husband Troy Lee and myself.

Mr. BELIN. What did you do when you got to the police station?

Mrs. DAVIS. We stayed there until this detective, some man walked up to us and led us to this dark room.

Mr. BELIN. Before they led you to the dark room, did he show you any pictures of anyone?

Mrs. DAVIS. No.

Mr. BELIN. Had you seen any pictures on television of anyone that might be the man you saw walking with the gun?

Mrs. DAVIS. No.

Mr. BELIN. Had you watched television at all?

Mrs. DAVIS. No; we didn't watch television.

Mr. BELIN. Had you seen any newspapers that afternoon?

Mrs. DAVIS. No, sir; we didn't get the newspapers until that following morning.



Mr. BELIN. All right, you went with the detective to a dark room?

Mrs. DAVIS. Yes.

Mr. BELIN. What did you do when you got to the dark room?

Mrs. DAVIS. He told us to sit down.

Mr. BELIN. All right.

Mrs. DAVIS. And then these five boys, or men walked up on this platform, and he was No. 2.

Mr. BELIN. You say he was No. 2. Who was No. 2?

Mrs. DAVIS. The boy that shot Tippit.

Mr. BELIN. You mean the man—did you see him shoot Tippit? Or you mean the man you saw with the gun?

Mrs. DAVIS. The man I saw carrying the gun.

Mr. BELIN. Was he white or a Negro man?

Mrs. DAVIS. He was white.

Mr. BELIN. Were all the men in the lineup white men or some Negroes?

Mrs. DAVIS. All of them were white.

Mr. BELIN. Could you describe any other people in the lineup as to whether they might be fat or thin or short or tall?

Mrs. DAVIS. Well, one of them was sort, well, he was tall and slim. And then the other one there, he was sort of chubby and he was short. Then this other one, he was about the same height as the other one, the last one I told you about, short and chubby. And the other one was about—medium tall.

Mr. BELIN. Now you identified someone in that lineup?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Did you hear your sister-in-law identify him first, or not?

Mrs. DAVIS. No, sir; I identified him first.

Mr. BELIN. Where was your sister when you identified him?

Mrs. DAVIS. She was sitting right next to me.

Mr. BELIN. How did you identify him? Did you yell that this is the man I saw?

Mrs. DAVIS. No; I just leaned over and told the detective it was No. 2.

Mr. BELIN. Where was the detective? Was he to your right or to your left?

Mrs. DAVIS. Let's see, to my right.

Mr. BELIN. Where was your sister, to your right or to your left?

Mrs. DAVIS. Right.

Mr. BELIN. As she was to your right, so you leaned over to the detective and told the detective it was No. 2?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Anything else that you can think of that happened that day?

Mrs. DAVIS. No, sir.

Mr. BELIN. Later did you ever see a picture of Lee Harvey Oswald on television?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. When did you first see it on television?

Mrs. DAVIS. When they was bringing him out of the jail out here.

Mr. BELIN. When?

Mrs. DAVIS. When they were bringing him out of the jail.

Mr. BELIN. You mean Sunday when he got shot?

Mrs. DAVIS. Yes.

Mr. BELIN. Did this look, could you tell whether this was the same man you saw running with the gun?

Mrs. DAVIS. I wouldn't say for sure.

Mr. BELIN. You mean from seeing his picture on television?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. What about the man you identified as No. 2? Would you say for sure that he was the man you saw running with the gun?

Mrs. DAVIS. I would say that was him for sure.

Mr. BELIN. What you are saying is that you couldn't necessarily tell from the television picture?

Mrs. DAVIS. No, sir. Our television was blurred anyway, so we couldn't hardly tell.

Mr. BELIN. Do you remember that you signed a statement when you were down at the Dallas Police Department at all, or not?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. I'm going to hand you what has been marked as Virginia Davis Deposition, Exhibit 2, and ask you to state if this is your signature on here?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Would you read the contents of your deposition Exhibit 2, and I will ask you if there is anything there that is inaccurate.

(Reads statement.)

Mr. BELIN. You have read Exhibit 2?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Is there anything in that statement that is inaccurate in any way?

Mrs. DAVIS. No, sir.

Mr. BELIN. Is that what you told the police of Dallas on November 22, 1963?

Mrs. DAVIS. That's right.

Mr. BELIN. Now on this statement it says that you heard a shot and then another shot and ran to the side door at Patton Street. Was that the side door or front door?

Mrs. DAVIS. It was the front door.

Mr. BELIN. Then it says, "I saw the boy cutting across our yard and he was unloading his gun." Is that correct?

Mrs. DAVIS. That's right.

Mr. BELIN. Then it says, "We walked outside and a woman was hollering, 'He's dead, he's dead, he's shot.'" Is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. Then it says, "This woman told Jeanette to call the police and she did." Is that what happened?

Mrs. DAVIS. Yes.

Mr. BELIN. It says, "I saw the officer that had been shot lying on 10th Street after Jeanette had called the police." Is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. Now it says, "Jeanette found a empty shell that the man had unloaded and gave it to the police." Did you see Jeanette find that shell?

Mrs. DAVIS. Yes. I was right along behind her.

Mr. BELIN. Where did she find it?

Mrs. DAVIS. She found it beside, well, the apartment was facing this way.

Mr. BELIN. Facing Patton Street?

Mrs. DAVIS. Yes, sir. And we was already outside. We thought maybe we could find some evidence for the police. So we went through the hedge, and by my front door of the apartment where we live, right there in the grass where he dropped them.

Mr. BELIN. Had the police started to search around your house yet when they found it?

Mrs. DAVIS. Yes; they already started to search.

Mr. BELIN. Would this have been to the side of the house or the corner of the house that you found, that Jeanette found that shell?

Mrs. DAVIS. It was by the side.

Mr. BELIN. This would have been by the side of the house that is next to Patton Street?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. About how far from the front of the house would it be?

Mrs. DAVIS. It was about 5 feet.

Mr. BELIN. About 5 feet. You saw Jeanette find the shell? You saw her pick it up from the ground?

Mrs. DAVIS. Yes.

Mr. BELIN. What color was it, do you remember?

Mrs. DAVIS. The best I can recall, it was gray, one of these—

Mr. BELIN. The best you can recall, it was gray?

Mrs. DAVIS. Yes.

Mr. BELIN. What did Jeanette do with it?

Mrs. DAVIS. She gave it to some detective.

Mr. BELIN. Did you see her find any other shells?  
Mrs. DAVIS. I found one after Jeanette, after all the police had gone.  
Mr. BELIN. When did you find yours?  
Mrs. DAVIS. It was about 10 minutes after all the police had gone.  
Mr. BELIN. Was that before or after you went down to the police station?  
Mrs. DAVIS. It was before.  
Mr. BELIN. About when before?  
Mrs. DAVIS. Well, I would say it was about 2:30, or 4.  
Mr. BELIN. Mrs. Davis, when did you say you found this other shell?  
Mrs. DAVIS. It was about 4.  
Mr. BELIN. Did you see or know of anyone else finding any other shell?  
Mrs. DAVIS. No, sir; not that I remember.  
Mr. BELIN. Do you remember what you did with your shell when you found it?  
Mrs. DAVIS. Well, before I picked it up, this boy told me that was walking along with us helping us find, see if we could find anything for evidence, he told me the police would get me if I picked it up by my fingers, and take fingerprints, and I got scared and ran to the house and got a Kleenex tissue and brought back outside and wrapped the shell in.  
Mr. BELIN. What did you do with it when you wrapped the shell up?  
Mrs. DAVIS. Jeanette took it and put it in her apartment up on the mantleboard.  
Mr. BELIN. Then what?  
Mrs. DAVIS. Then about 5:30 the same day the police called and wanted us to come down and identify him in the lineup.  
Mr. BELIN. Then what did you do with the shell?  
Mrs. DAVIS. I gave it to the police.  
Mr. BELIN. Did you give it to him at your house or down at the police station?  
Mrs. DAVIS. They come and picked us up.  
Mr. BELIN. You gave it to the officer that came to pick you up?  
Mrs. DAVIS. Yes, sir.  
Mr. BELIN. Do you remember what his name was, or not?  
Mrs. DAVIS. No, sir.  
Mr. BELIN. Now in your statement, Virginia Davis Deposition Exhibit 2, now you state that, "Jeanette found an empty shell that the man had unloaded and gave it to the police. After the police had left I found a empty shell in our yard." Is this the same shell you gave to Detective Dhority? Does the name Detective Dhority sound familiar to you now, or don't you remember?  
Mrs. DAVIS. I never did hear the detective called.  
Mr. BELIN. Pardon?  
Mrs. DAVIS. I didn't hear the detective's name called.  
Mr. BELIN. You say, "The man that was unloading the gun was the same man that I saw tonight as No. 2 man in a lineup." Is that right?  
Mrs. DAVIS. Yes.  
Mr. BELIN. Now, Mrs. Davis, on this statement, Virginia Davis Deposition Exhibit 2, it states that "We heard a shot and then another shot and ran to side door at Patton Street." You say that should have been the front door?  
Mrs. DAVIS. That was supposed to be the front door.  
Mr. BELIN. You say, "I saw the boy cutting across our yard and he was unloading his gun. We walked outside and a woman was hollering, 'he's dead, he's, he's shot'." "This woman told Jeanette to call the police and she did." Now according to this statement, you saw the man cutting across your yard before you called the police?  
Mrs. DAVIS. No, sir.  
Mr. BELIN. Now this statement is wrong, is that correct?  
Mrs. DAVIS. That's right.  
Mr. BELIN. It is your testimony now, as I understand it, that you went back in the house and you called the police, and then you went back outside the house and saw the boy cutting across the yard?  
Mrs. DAVIS. That's right.  
Mr. BELIN. That is your statement now?  
Mrs. DAVIS. Yes.

Mr. BELIN. Now I hand you what is Deposition Exhibit 3, and ask you to state if your signature appears on Deposition Exhibit 3?

Mrs. DAVIS. That's right.

Mr. BELIN. This appears to be an affidavit dated December 1, 1963, and I would like you to read the statement if you would.

Mrs. DAVIS. (Reads statement.)

Mr. BELIN. You have now had an opportunity to read over Virginia Davis Deposition Exhibit 3, is that correct?

Mrs. DAVIS. That's right.

Mr. BELIN. Is there anything on that statement that is not accurate?

Mrs. DAVIS. As I recall, this is all right on that statement.

Mr. BELIN. Pardon?

Mrs. DAVIS. I recall that is all right on that statement.

Mr. BELIN. Is there anything on that statement that is not accurate, to the best of your knowledge?

Mrs. DAVIS. No.

Mr. BELIN. You are nodding your head no?

Mrs. DAVIS. Not that I recall.

Mr. BELIN. Now, in this statement it says that you and your sister-in-law were lying on the bed with the two children when you heard a loud bang, and immediately following the first report there was another loud bang and you jumped up and ran to the front door? Is that correct?

Mrs. DAVIS. That's right.

Mr. BELIN. Then it says, "When we got to the door and went out on the porch, I saw a man who I later that day identified at the Dallas Police Department." Is that correct?

Mrs. DAVIS. That's right.

Mr. BELIN. Now, according to this statement, you saw the man when you first got to the door and went out on the porch? Now, did you see him then, or did you see him—

Mrs. DAVIS. We saw him cut across after he had shot the policeman. We saw him cut across our yard, and that is the last we saw of him.

Mr. BELIN. Well, now, you actually didn't see him shoot the policeman, did you?

Mrs. DAVIS. No, sir.

Mr. BELIN. You saw—just saw the man with the gun?

Mrs. DAVIS. I just saw the man with the gun cutting across the yard.

Mr. BELIN. After you heard some shots?

Mrs. DAVIS. After I heard the two shots.

Mr. BELIN. Now, about how soon after you heard the two shots did you get to the door?

Mrs. DAVIS. Well, we didn't even put on our shoes. We just run to the front door.

Mr. BELIN. Was it a matter of seconds or a matter of minutes?

Mrs. DAVIS. A matter of seconds.

Mr. BELIN. When you got there, you opened the door, and what did you see?

Mrs. DAVIS. We saw this boy or man cut across the yard.

Mr. BELIN. All right, and he had a revolver in his hand?

Mrs. DAVIS. That is right.

Mr. BELIN. In his right hand or left hand?

Mrs. DAVIS. In his right.

Mr. BELIN. This statement goes on to say that "The man had a revolver in his left hand and was shaking the shells out of it into his right hand." Is that right or wrong?

Mrs. DAVIS. Wrong.

Mr. BELIN. It was the other way around?

Mrs. DAVIS. It was the other way around.

Mr. BELIN. You got to the door and you opened the door, and what did you see now?

Mrs. DAVIS. We saw this boy cut across our yard unloading the shells out of his gun.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Mrs. Markham, this woman, was standing across the street hollering to us to call the police. So we went back in there and called the police.

Mr. BELIN. All right. Now, this statement says, goes on to say, "This man was coming across the yard and was almost to the walk which leads directly to the porch and is in a direct line with the front door."

Is that where the man was when you first saw him?

Mrs. DAVIS. That's right.

Mr. BELIN. "The man had a revolver in his left hand and was shaking the shells out of it into his right hand."

Mrs. DAVIS. It was the other way, sir.

Mr. BELIN. But you say "The man had a revolver in his left hand and was shaking the shells out of it into his right hand. As the man passed directly in front of us, he looked up for a second or so and then continued on across the yard to Patton Street in a normal walk." Was he walking or running when you saw him?

Mrs. DAVIS. He was walking.

Mr. BELIN. Did he look up at you?

Mrs. DAVIS. No.

Mr. DAVIS. Pardon?

Mrs. DAVIS. No, sir; not that I remember.

Mr. BELIN. All right, you just remember kind of seeing him from a side view?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. "At about this time, a woman directly across the intersection from our house yelled out, 'He's dead, he's dead, he shot him.'"

Mrs. DAVIS. That's right.

Mr. BELIN. "The man glanced up at the woman and kept on walking." Did you see the man glance up at Mrs. Markham when she was yelling?

Mrs. DAVIS. Yes; we saw when he looked over at Mrs. Markham.

Mr. BELIN. Did you see Mrs. Markham do anything when he looked at her?

Mrs. DAVIS. No; she was over there just hollering and screaming.

Mr. BELIN. Did you see her raise her hand to her face in any way?

Mrs. DAVIS. Yes, sir. She raised both her hands to her face.

Mr. BELIN. You saw her do that?

Mrs. DAVIS. Yes.

Mr. BELIN. Did you see her do anything else?

Mrs. DAVIS. No.

Mr. BELIN. You say, "He walked around the corner of the house that faces Patton Street and out of sight." Is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. "Barbara Davis and I returned to the house where she called the police." Is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. According to the statement then, it says that your sister Barbara Jeanette called the police after you saw the man, is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. "After she called the police, we went back out on the porch but by then the man we had seen with the gun was no longer in sight."

Is that right?

Mrs. DAVIS. That's right.

Mr. BELIN. Then it says, "When the police arrived we searched the area on the side of the house that faces Patton Street, and Barbara found a gunshell that had been fired." It that right?

Mrs. DAVIS. That's right.

Mr. BELIN. "After the police left we again searched the area and I again found a gunshell that had been fired. I later turned this shell over to the Dallas Police Department." Is that right?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Then it says, "I have been given an opportunity to make additions and corrections on this statement, and it is true to the best of my knowledge and belief."

Did they give you an opportunity to make additions and corrections on the statement?

Mrs. DAVIS. No.

Mr. BELIN. They did not?

Mrs. DAVIS. No.

Mr. BELIN. Did they read the statement back to you?

Mrs. DAVIS. Not that I remember.

Mr. BELIN. They may have but you don't remember.

Mrs. DAVIS. May have but I don't remember.

Mr. BELIN. Now, Mrs. Davis, you and I never talked about this matter until the court reporter started taking your testimony, have we?

Mrs. DAVIS. No, sir.

Mr. BELIN. I never met you before, is that correct?

Mrs. DAVIS. No, sir.

Mr. BELIN. Have you ever talked with any person in connection with the President's Commission before we started taking your testimony here?

Mrs. DAVIS. No, sir.

Mr. BELIN. I want to be certain that we get this time sequence correct as to when you saw the man with the gun and when the police were called, so I am just going to ask you to sit for about 30 seconds and just think as to just what did happen, and then just tell the court reporter in your own words just what did happen there.

(Three minutes of silence.)

Mr. BELIN. Now, Mrs. Davis, you may not be able to remember just what exactly the time sequence was. You have been sitting here about 3 minutes, and if you don't remember what the time sequence was, why I would like to have you so state. But if you do remember—or do you want more time to think about it?

Mrs. DAVIS. Well, the best I can remember, it was before that we saw the boy cut across the yard that we called the police, the best that I can remember.

Mr. BELIN. In other words, it is your testimony, as I understand it now, that you heard the shot, and then what did you do?

Mrs. DAVIS. We heard the second shot and we ran to the front door.

Mr. BELIN. What did you see?

Mrs. DAVIS. We saw this boy cut across the yard, and we had seen this woman was coming home from work, she had on a uniform, that was Mrs. Markham—we didn't know it was at the time, but she saw all that happen.

Mr. BELIN. What did you do when you got to the door?

Mrs. DAVIS. We saw the boy cut across our yard.

Mr. BELIN. At the time you got to the door, did you also see Mrs. Markham?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Did you see both at approximately the same time?

I will ask you whom did you see first, Mrs. Markham, or the boy cutting across the yard?

Mrs. DAVIS. The boy.

Mr. BELIN. You saw the boy first?

Mrs. DAVIS. That is who we saw first.

Mr. BELIN. Then you saw Mrs. Markham second?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Did the boy say anything?

Mrs. DAVIS. No, sir.

Mr. BELIN. Did Mrs. Markham say anything?

Mrs. DAVIS. Well, when she got across the other street, 10th, she hollered, "He's dead, he's dead, he shot him."

Mr. BELIN. Then what did she say?

Mrs. DAVIS. She was screaming. I don't know.

Mr. BELIN. Then what did you do?

Mrs. DAVIS. Well, we called the police. Notified them.

Mr. BELIN. So you called the police after you saw the boy?

Mrs. DAVIS. After we saw the boy.

Mr. BELIN. And Mrs. Markham?

Mrs. DAVIS. Yes.

Mr. BELIN. You are nodding your head yes. Is that your testimony, to the best of your recollection?

Mrs. DAVIS. That is my testimony.

Mr. BELIN. I want to ask you again, did you call the police before or after you saw the boy?

Mrs. DAVIS. It was after.

Mr. BELIN. It was after?

Mrs. DAVIS. Yes, sir; after, the best that I can remember.

Mr. BELIN. The best you can remember, you called the police before or after you saw the boy?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Before or after?

Mrs. DAVIS. After.

Mr. BELIN. After you saw the boy, you went back in the house and called the police?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Is there anything else that you can think of that we haven't talked about that might be helpful in this investigation?

Mrs. DAVIS. No.

Mr. BELIN. Did you see any ambulance come up to where Officer Tippit was?

Mrs. DAVIS. Yes; I saw the ambulance.

Mr. BELIN. You got there before the ambulance, did you not?

Mrs. DAVIS. Yes; we got there before.

Mr. BELIN. Did the ambulance get there first or the police get there first?

Mrs. DAVIS. The ambulance got there first.

Mr. BELIN. Did you see anyone making any calls over Tippit's radio?

Mrs. DAVIS. No, sir.

Mr. BELIN. When you got to Tippit's car, did you take a look at that police car?

Mrs. DAVIS. We didn't touch it.

Mr. BELIN. Did you look at it? Did you notice whether its windows were rolled up or rolled down?

Mrs. DAVIS. The one on his side was rolled down.

Mr. BELIN. What about the one on the passenger side of the front seat, did you notice that?

Mrs. DAVIS. Rolled up.

Mr. BELIN. Was that rolled up?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. When you got there?

Mrs. DAVIS. Yes.

Mr. BELIN. You are nodding your head yes.

Mrs. DAVIS. Yes.

Mr. BELIN. Now the front window has kind of a little window in it. Do you know that little tiny part of the front window that opens and closes?

Mrs. DAVIS. Yes, sir.

Mr. BELIN. Do you remember whether that one on the front seat by the right side of the front seat was open or not?

Mrs. DAVIS. No, sir.

Mr. BELIN. It was not open? Or you don't—

Mrs. DAVIS. I don't remember.

Mr. BELIN. Did you hear anyone make any statements that they had seen anything other than Mrs. Markham?

Mrs. DAVIS. No, sir.

Mr. BELIN. Did you see a taxicab parked anywhere in the vicinity?

Mrs. DAVIS. No.

Mr. BELIN. You are nodding your head no.

Mrs. DAVIS. No.

Mr. BELIN. Anything else you can think of?

Mrs. DAVIS. No, sir; I think I have told it all.

Mr. BELIN. All right, Mrs. Davis, we want to thank you very much for taking the time and the effort to come here. I know that this whole episode has taken time on your part, and we certainly appreciate your cooperation with the President's Commission.