

Mr. SHIELDS. That's right, I did. I didn't know what had happened.

Mr. BALL. Then what did you do?

Mr. SHIELDS. Well, Givens run down here—right down here.

Mr. BALL. He ran down here to this building?

Mr. SHIELDS. He ran down to the next corner.

Mr. BALL. And what was the next corner?

Mr. SHIELDS. That was on Elm and Houston.

Mr. BALL. Did you come with him?

Mr. SHIELDS. No; I did not—he had me to stay there at the lot.

Mr. BALL. And they all ran down there?

Mr. SHIELDS. Yes.

Mr. BALL. Did you see Givens again?

Mr. SHIELDS. Yes; we came back to the building—he and Tracey.

Mr. BALL. Then what did you do?

Mr. SHIELDS. We came back down to the Texas School Book Depository Building here and tried to get in the building and they wouldn't let no one in—he couldn't get in and I went on back to the warehouse.

Mr. BALL. What did Givens do?

Mr. SHIELDS. Well, they came and got him because he was working here and I was at the warehouse.

Mr. BALL. Did you see him leave with the police?

Mr. SHIELDS. No; I didn't. I was at the warehouse and he had come here.

Mr. BALL. I believe that's all. This will be written up and you will be asked to sign it and to make any corrections that you wish, you may make them in your own handwriting, and somebody will call you from the U.S. attorney's office and let you know when to come up.

Mr. SHIELDS. OK.

Mr. BALL. Thank you very much.

Mr. SHIELDS. OK.

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### TESTIMONY OF SAM GUINYARD

The testimony of Sam Guinyard was taken at 10:15 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. Joseph A. Ball, assistant counsel of the President's Commission.

Mr. BALL. Will you stand up, Sam, and hold up your right hand? Do you solemnly swear that the testimony you are about to give before the Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GUINYARD. Yes.

Mr. BALL. Will you state your name and address for the record?

Mr. GUINYARD. Sam Guinyard.

Mr. BALL. That's [spelling] G-u-i-n-y-a-r-d, and what is your address—where do you live?

Mr. GUINYARD. 2815 South Ervay Street.

Mr. BALL. Where were you working on November 22, 1963?

Mr. GUINYARD. On East Jefferson—501 East Jefferson.

Mr. BALL. Where is that?

Mr. GUINYARD. Harris Motor Co.

Mr. BALL. A used-car lot?

Mr. GUINYARD. Yes.

Mr. BALL. What kind of work were you doing?

Mr. GUINYARD. Porter.

Mr. BALL. How old are you, Sam?

Mr. GUINYARD. I am 28.

Mr. BALL. And where were you born?

Mr. GUINYARD. In Ennis.

Mr. BALL. Ennis, Tex.?

Mr. GUINYARD. Yes.

Mr. BALL. Where did you go to school?

Mr. GUINYARD. Ennis and Hillsboro.

Mr. BALL. And how far through school did you go?

Mr. GUINYARD. Well, I got to the sixth grade.

Mr. BALL. What have you done since then, what kind of work have you done mostly?

Mr. GUINYARD. Compress work.

Mr. BALL. What is that?

Mr. GUINYARD. Press cotton—pressing cotton.

Mr. BALL. When did you come to Dallas?

Mr. GUINYARD. Well, I have been back in Dallas ever since 1957. I lived in Plainview about 13 years.

Mr. BALL. At—what kind of work have you done since you came to Dallas?

Mr. GUINYARD. Well, a porter in a carlot.

Mr. BALL. A porter in a carlot?

Mr. GUINYARD. Yes.

Mr. BALL. Have you ever been in any kind of trouble in your life?

Mr. GUINYARD. No, sir; nothing but a little poker fines that otherwise I paid and I got a couple of tickets in my life.

Mr. BALL. Now, on the day of November 22, 1963, that's the day the President was killed, what were you doing?

Mr. GUINYARD. Working there.

Mr. BALL. And you heard about it, that he had been shot? Didn't you?

Mr. GUINYARD. Yes; at the time I did.

Mr. BALL. What were you doing and where were you then when you heard that?

Mr. GUINYARD. In Oak Cliff at 501 East Jefferson.

Mr. BALL. What were you doing?

Mr. GUINYARD. Polishing and waxing a station wagon.

Mr. BALL. And did something else happen that day that you remember?

Mr. GUINYARD. Yes, sir.

Mr. BALL. What?

Mr. GUINYARD. Well, this was when Oswald shot the policeman.

Mr. BALL. Tell me what you heard—I just want to know what you were doing and what you heard?

Mr. GUINYARD. Well, he was about—I guess—

Mr. BALL. Now, wait a minute, were you polishing cars when you heard something?

Mr. GUINYARD. When I heard a shot.

Mr. BALL. You heard a noise?

Mr. GUINYARD. Yes.

Mr. BALL. And it sounded like shots?

Mr. GUINYARD. Yes.

Mr. BALL. How many?

Mr. GUINYARD. I heard three.

Mr. BALL. Where did the sound come from?

Mr. GUINYARD. Right behind me, north of me—behind me.

Mr. BALL. What street is north of you?

Mr. GUINYARD. Tenth.

Mr. BALL. You were on what street—your carlot faces what street?

Mr. GUINYARD. It faces Jefferson and 10th.

Mr. BALL. And 10th Street is north?

Mr. GUINYARD. Yes; and I was in the back—I was about half way right in the back.

Mr. BALL. The cross street is Patton Street?

Mr. GUINYARD. Yes.

Mr. BALL. What did you do when you heard the shots?

Mr. GUINYARD. I raised up trying to see where they were coming from, where the sound was coming from.

Mr. BALL. Then what did you do?

Mr. GUINYARD. I was looking—trying to see and after I heard the third shot, then Oswald came through on Patton running—came right through the yard in

front of the big white house—there's a big two-story white house—there's two of them there and he come through the one right on the corner of Patton.

Mr. BALL. Could you see down to the corner of 10th and Patton to the house?

Mr. GUINYARD. I seen him when he come between the two houses, come around in front of the last house to get on Patton Street to come out to Jefferson.

Mr. BALL. Where were you when you saw this?

Mr. GUINYARD. Where was I?

Mr. BALL. Yes.

Mr. GUINYARD. I was there at the back, right at the alley back there about as far from Patton Street as—about twice as far from here as to that window.

Mr. BALL. Then, you were about 10 feet from Patton Street?

Mr. GUINYARD. Yes, sir.

Mr. BALL. So that you could look up Patton Street?

Mr. GUINYARD. Yes.

Mr. BALL. North on Patton?

Mr. GUINYARD. Yes.

Mr. BALL. And you saw a man, did you?

Mr. GUINYARD. Yes.

Mr. BALL. What did you see him doing?

Mr. GUINYARD. He came through there running and knocking empty shells out of his pistol and he had it up just like this with his hand.

Mr. BALL. With which hand?

Mr. GUINYARD. With his right hand; just kicking them out.

Mr. BALL. He had it up?

Mr. GUINYARD. Yes; he had it up just like this.

Mr. BALL. How was he kicking them out?

Mr. GUINYARD. He was rolling them with his hand—with his thumb.

Mr. BALL. Rolling them with his thumb?

Mr. GUINYARD. Checking them—he had the pistol up just like this [indicating].

Mr. BALL. Did he use his left hand any?

Mr. GUINYARD. No; I never did see him use his left hand.

Mr. BALL. He didn't?

Mr. GUINYARD. No, sir.

Mr. BALL. And where was he with reference to the corner of Patton and 10th when you saw him?

Mr. GUINYARD. Where was he?

Mr. BALL. Yes.

Mr. GUINYARD. Just as he come around the corner on Patton, he cut through the yard and missed the corner on 10th and Patton and cut through the yard.

Mr. BALL. He cut through the yard of the house on the corner of 10th and Patton?

Mr. GUINYARD. That's right.

Mr. BALL. That would be the southeast corner, wouldn't it?

Mr. GUINYARD. The west—southwest corner—the southeast corner is where he started across, but he come out on Patton on the southwest corner.

Mr. BALL. In other words, when you first saw him he was cutting across the yard of the house on the southeast corner?

Mr. GUINYARD. Yes, sir.

Mr. BALL. That's the white house?

Mr. GUINYARD. Yes; the big two-story white house.

Mr. BALL. Did he cross Patton?

Mr. GUINYARD. No, sir; he come down Patton until he got to about 5 feet from the corner of Jefferson and then he turned across and went across to the west corner on Jefferson.

Mr. BALL. What side of the street did you see him coming down on?

Mr. GUINYARD. He was on the left side—when he come down—it would be the east side.

Mr. BALL. Did you see Mr. Callaway there?

Mr. GUINYARD. We was together; yes, sir.

Mr. BALL. You were together?

Mr. GUINYARD. Yes, sir; he was at the front and I was at the back.

Mr. BALL. You and Callaway were standing at the alleyway?

Mr. GUINYARD. Yes.

Mr. BALL. The alleyway that runs along the north side of the lot?

Mr. GUINYARD. Yes.

Mr. BALL. Now, where was Oswald when he passed you going south toward Jefferson?

Mr. GUINYARD. Well, he was between the alley and the driveway coming off Patton.

Mr. BALL. And he was across the street from you, wasn't he?

Mr. GUINYARD. No; he was on this side of the street.

Mr. BALL. You were on the east side of the street?

Mr. GUINYARD. Yes, sir; and he was too—he was on the east side of the street until he got across our driveway and then he got onto the west side.

Mr. BALL. How close was he to you when you saw him?

Mr. GUINYARD. I guess he was about 10 feet from me—maybe.

Mr. BALL. About 10 feet?

Mr. GUINYARD. Yes, sir.

Mr. BALL. Mr. Callaway has told us and we measured it with a tape measure, that Oswald was on the west side of the street, and we measured it and he figured it was about 55 feet from him when he passed.

Mr. GUINYARD. Well, he crossed over after he crossed the driveway.

Mr. BALL. Well—

Mr. GUINYARD. Mr. Callaway followed him, you see, we was together—he was my boss at that time and he followed him.

Mr. BALL. Callaway?

Mr. GUINYARD. Yes; trying to see which way was he going.

Mr. BALL. And then, which way did he go after he got to Jefferson?

Mr. GUINYARD. He went west on Jefferson—on the right-hand side—going west.

Mr. BALL. And what did Callaway do?

Mr. GUINYARD. He turned around and run back to the street and we helped load the policeman in the ambulance.

Mr. BALL. He ran back up to 10th Street, did you say?

Mr. GUINYARD. Yes.

Mr. BALL. Did you go with him?

Mr. GUINYARD. Right with him.

Mr. BALL. Did you see a police car there?

Mr. GUINYARD. Yes.

Mr. BALL. What did you see besides the police car?

Mr. GUINYARD. The police that was laying down in the front of the car.

Mr. BALL. A policeman?

Mr. GUINYARD. Yes.

Mr. BALL. Was he dead or alive at that time?

Mr. GUINYARD. He looked like he was dead to me.

Mr. BALL. What did you do?

Mr. GUINYARD. Helped put him in the ambulance.

Mr. BALL. You stayed there until the ambulance came?

Mr. GUINYARD. Yes, sir.

Mr. BALL. Were you there when the truck came up that was driven by Benavides?

Mr. GUINYARD. Yes, sir.

Mr. BALL. He came up right after this?

Mr. GUINYARD. Yes; he came up from the east side—going west.

Mr. BALL. And then what did you do after that?

Mr. GUINYARD. Well, we stood there a while and talked and I called him Donnie, he picked up all them empty hulls that come out of the gun.

Mr. BALL. Who did—Benavides?

Mr. GUINYARD. Yes.

Mr. BALL. Did you pick them up—any of them?

Mr. GUINYARD. He picked them up—I didn't pick them up—I was there with him.

Mr. BALL. You were there?

Mr. GUINYARD. I was there with him.

Mr. BALL. You were there when he picked them up?  
Mr. GUINYARD. Yes.  
Mr. BALL. Where were they?  
Mr. GUINYARD. Laying across the yard as he kicked them out all around the sidewalk.  
Mr. BALL. Were they anywhere near the bushes?  
Mr. GUINYARD. No, sir; there was just this little old shrub that was in the yard just laying down through the yard—that little old shrub that was there.  
Mr. BALL. Later that day, did you go down to the police department?  
Mr. GUINYARD. Yes, sir; I went down that night.  
Mr. BALL. That same night?  
Mr. GUINYARD. Yes.  
Mr. BALL. Whom did you go down with?  
Mr. GUINYARD. Me and Ted.  
Mr. BALL. You and who?  
Mr. GUINYARD. Ted—Ted Callaway.  
Mr. BALL. Ted Callaway?  
Mr. GUINYARD. Yes.  
Mr. BALL. And where did you go when you went to the police station?  
Mr. GUINYARD. I went to the identifying office.  
Mr. BALL. You went into a place where there were police officers?  
Mr. GUINYARD. Yes, sir.  
Mr. BALL. And how did you identify him—tell me what happened to you, what you saw?  
Mr. GUINYARD. Well, I just saw him.  
Mr. BALL. Well, were you in a big room?  
Mr. GUINYARD. Yes—in a big room.  
Mr. BALL. With police officers?  
Mr. GUINYARD. Yes, sir.  
Mr. BALL. And what did you see?  
Mr. GUINYARD. I don't understand you.  
Mr. BALL. Did you see some men up ahead of you?  
Mr. GUINYARD. Yes—four men.  
Mr. BALL. Four men?  
Mr. GUINYARD. Yes—four men—handcuffed together.  
Mr. BALL. What did you say?  
Mr. GUINYARD. They was handcuffed together.  
Mr. BALL. They was handcuffed?  
Mr. GUINYARD. Yes; all four of them.  
Mr. BALL. Were they of different sizes?  
Mr. GUINYARD. Well, they was pretty close together—there wasn't much difference in size.  
Mr. BALL. In height—they were about the same?  
Mr. GUINYARD. About the same.  
Mr. BALL. Were they all about the same color?  
Mr. GUINYARD. No, sir; they wasn't all about the same color.  
Mr. BALL. All about the same color?  
Mr. GUINYARD. No, sir; they wasn't all about the same color.  
Mr. BALL. Did you say anything to any police officer there after you saw them?  
Mr. GUINYARD. I talked to one—with the detective—after he came out there.  
Mr. BALL. What did you tell him—I mean in this room—as you saw these four men up there?  
Mr. GUINYARD. He just asked me reckon I could identify them and I said I sure could.  
Mr. BALL. What did you tell him?  
Mr. GUINYARD. I just told him I sure could.  
Mr. BALL. What did you say to him about it?  
Mr. GUINYARD. Well, I didn't say anything—I was just waiting on them to bring them in.  
Mr. BALL. After they brought them in and after you looked at them, what did you tell the police officers?

Mr. GUINYARD. I told them that was him right there—I pointed him out right there. That was him right there.

Mr. BALL. Do you remember where he was standing in the lineup—what number he was?

Mr. GUINYARD. I don't know what his number was, but I can tell you where he was standing at.

Mr. BALL. Where was he standing?

Mr. GUINYARD. He was standing—the second man from the east side, and that lineup was this way [indicating] and he was the second man from that there end.

Mr. BALL. And did you tell any police officer that you thought that was the man?

Mr. GUINYARD. Yes, sir.

Mr. BALL. Whom did you tell; what police officer was it?

Mr. GUINYARD. I don't know his name.

Mr. BALL. You don't know his name?

Mr. GUINYARD. No, sir; I don't know his name but I know him now if I would see him.

Mr. BALL. Before you went in there, did the police officers show you any pictures?

Mr. GUINYARD. No, sir.

Mr. BALL. Did the police officer say anything to you before you went in there?

Mr. GUINYARD. No, sir.

Mr. BALL. Did he say that he thought they had the man that killed the police officer?

Mr. GUINYARD. No, sir; he didn't tell me that.

Mr. BALL. Did you hear Ted Callaway say anything before you said you thought that was the man?

Mr. GUINYARD. No, sir.

Mr. BALL. Were you with Ted at the time?

Mr. GUINYARD. Yes, sir.

Mr. BALL. How close was Ted to you?

Mr. GUINYARD. Oh—sitting about like that.

Mr. BALL. You mean 3 or 4 feet away from you?

Mr. GUINYARD. Yes; something like that.

Mr. BALL. How was this man dressed that had the pistol in his hand?

Mr. GUINYARD. He had on a pair of black britches and a brown shirt and a little sort of light-gray-looking jacket.

Mr. BALL. A gray jacket.

Mr. GUINYARD. Yes; a light gray jacket and a white T-shirt.

Mr. BALL. A white T-shirt?

Mr. GUINYARD. Yes; a white T-shirt on under it.

Mr. BALL. Now, he had a light gray jacket on?

Mr. GUINYARD. And a brown shirt on.

Mr. BALL. And a white T-shirt on?

Mr. GUINYARD. Underneath it, because this brown shirt was open at the throat and the white T-shirt under it like this [indicating].

Mr. BALL. That's all I've got to examine you about now, except to show you these clothes, and they are upstairs. We will go up now and take a look at them.

(At this time Counsel Ball, the witness Guinyard and the reporter Oliver left the deposing room on the third floor of the Federal Building and resumed in a deposing room on the fourth floor of the Federal Building and the deposition proceedings continued as follows:)

Mr. BALL. Sam, I'll show you an exhibit here, which is a piece of clothing and which is marked Commission Exhibit No. 150. Have you ever seen this before?

Mr. GUINYARD. Yes, sir.

Mr. BALL. When and where?

Mr. GUINYARD. In Oak Cliff.

Mr. BALL. Did you ever see anybody wearing it?

Mr. GUINYARD. Yes, sir.

Mr. BALL. Who?

Mr. GUINYARD. Oswald.  
Mr. BALL. Where?  
Mr. GUINYARD. Oak Cliff.  
Mr. BALL. Tell me a little more about it.  
Mr. GUINYARD. In Oak Cliff and down in the courtroom.  
Mr. BALL. Where?  
Mr. GUINYARD. Down in the examining room.  
Mr. BALL. When this man came down Patton Street toward Jefferson with his gun, you have mentioned he had a shirt on?  
Mr. GUINYARD. Yes, sir.  
Mr. BALL. You described that shirt as a brown shirt?  
Mr. GUINYARD. Yes.  
Mr. BALL. Does this look anything like the shirt?  
Mr. GUINYARD. It looks just like it does.  
Mr. BALL. You saw that shirt before?  
Mr. GUINYARD. Yes.  
Mr. BALL. Where?  
Mr. GUINYARD. Down at the city hall.  
Mr. BALL. At the police station?  
Mr. GUINYARD. Yes.  
Mr. BALL. And what did you tell them when they showed you this shirt?  
Mr. GUINYARD. I told them that that's the shirt he had on.  
Mr. BALL. Now, the next exhibit here is Commission Exhibit No. 162; have you ever seen this before?  
Mr. GUINYARD. That's the jacket.  
Mr. BALL. This is a gray jacket?  
Mr. GUINYARD. Yes; that's the gray jacket.  
Mr. BALL. It has a zipper on it?  
Mr. GUINYARD. Yes.  
Mr. BALL. You say that's the jacket?  
Mr. GUINYARD. Yes; that he had on in Oak Cliff when he passed the lot.  
Mr. BALL. That the man with the pistol had on?  
Mr. GUINYARD. Yes, sir.  
Mr. BALL. I have no further questions for you, Sam, and I thank you for coming down, and you can go home now.  
Mr. GUINYARD. Thank you.

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### AFFIDAVIT OF LT. J. C. DAY

The following affidavit was executed by Lt. J. C. Day on May 7, 1964.

PRESIDENT'S COMMISSION  
ON THE ASSASSINATION OF  
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,  
County of Dallas, ss:

Before me, Mary Rattan, a Notary Public in and for said County, State of Texas, on this day personally appeared Lt. J. C. Day, Dallas Police Department, who, after being by me duly sworn, on oath deposes and says:

When testifying before the President's Commission, I stated I did not remember who returned the two spent 6.5 hulls and envelope to my possession on the night of November 22, 1963. Since returning to Dallas Detective C. N. Dhority has called my attention to the fact he brought the three hulls in the envelope to me and asked me to check them again for fingerprints even though I had checked them when they were picked up on the sixth floor of the Texas School Book Depository about 1:20 p.m. November 22, 1963 by Detective R. M. Sims and myself and placed in a manila envelope. Since talking to Dhority I re-