

about it there a minute before I went up and got him, talked about informing him of this lawyer's request or offer. I said "Why not let him have the telegram, show him the telegram, let him read it himself," so, that's what the captain done—let him have the telegram.

Mr. STERN. Do you recall whether any of the witnesses at the showups at which you were present said that they had seen Oswald on television before they got to the police headquarters?

Mr. LEAVELLE. Well, I think it would have been impossible for anybody, any of them to see him with the exception of the two bus—cabdrivers. Now, the others may have, I don't recall, but the others all came down on the day of the assassination so I don't believe that they would have, but I know Helen Markham would not have because she was taken directly to city hall and had been there ever since it happened, so she would not, and I do not believe Mr. Callaway and the Negro porter, Sam Guinyard, would have had an opportunity, either.

Mr. STERN. In any event, you do not recall it?

Mr. LEAVELLE. I do not recall, but I am not saying it would not have happened.

Mr. STERN. That's all I have.

Mr. BALL. I would like to have Officer Leavelle's reports on the officer's duties filed as an exhibit to this deposition. It is marked "Pages 216, 217, 218, 219, 220." It is a part of the formal report of the Dallas Police Department concerning the assassination of President Kennedy and Officer Leavelle, your testimony will be written up by the shorthand reporter and will be submitted to you if you wish for you to read it and sign it, or, if you wish, you can waive your signature and it will be written up and forwarded to the Commission without your signature. How will you prefer?

Mr. LEAVELLE. I see no reason for me to sign it as long as it comes out like I put it down there.

Mr. BALL. If you have confidence in the reporter you can waive signature and we will send it on.

Mr. LEAVELLE. All right.

Mr. BALL. It is pages 216 through 220 of the formal report which is included in this Exhibit A. Thank you very much, Mr. Leavelle.

TESTIMONY OF W. E. BARNES

The testimony of W. E. Barnes was taken at 9:15 a.m., on April 7, 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. Would you rise and raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARNES. I do.

Mr. BELIN. Would you please sit down. You can smoke if you want to.

Mr. BARNES. It causes lung cancer.

Mr. BELIN. I don't know if I formally introduced myself. I am David Belin, actually a practicing attorney from Des Moines, Iowa, and about a dozen of us practicing attorneys from across the country have been with the President's Commission on the Assassination for most of the past 3 months as consultants, and that is how I happen to be down here in your city.

Would you please state your name for the record.

Mr. BARNES. W. E. Barnes.

Mr. BELIN. Where do you live, Mr. Barnes?

Mr. BARNES. Route 2, Plano, Tex.

Mr. BELIN. Is that a suburb of Dallas?

Mr. BARNES. It is.

Mr. BELIN. What is your occupation?

Mr. BARNES. I am a policeman for the city of Dallas.

Mr. BELIN. Any particular department?

Mr. BARNES. I am a sergeant in the crime scene search section of the identification bureau.

Mr. BELIN. How old are you Sergeant Barnes?

Mr. BARNES. Forty-two years.

Mr. BELIN. Were you born in Texas?

Mr. BARNES. Yes, sir.

Mr. BELIN. Went to school here?

Mr. BARNES. Yes.

Mr. BELIN. Did you go to high school?

Mr. BARNES. Graduate of Plano High School.

Mr. BELIN. Then what did you do after you were graduated from high school?

Mr. BARNES. I worked for an aircraft company in California, and went into the Merchant Marine Service.

Mr. BELIN. That was during World War II?

Mr. BARNES. Yes.

Mr. BELIN. How long were you in the merchant marine?

Mr. BARNES. Little over 3 years.

Mr. BELIN. Then what did you do?

Mr. BARNES. Went to work for Dallas Police Department.

Mr. BELIN. That would be in 1947 or 1946?

Mr. BARNES. 1947.

Mr. BELIN. Have you been with them ever since?

Mr. BARNES. I have been.

Mr. BELIN. Pardon?

Mr. BARNES. Yes.

Mr. BELIN. Family?

Mr. BARNES. Two children, boy and a girl.

Mr. BELIN. Sergeant, were you on duty on November 22, 1963?

Mr. BARNES. Yes; I was.

Mr. BELIN. What time did you go on duty?

Mr. BARNES. I came at 7 a.m.

Mr. BELIN. Was your shift from 7 a.m., to——

Mr. BARNES. 3 p.m.

Mr. BELIN. Did you leave at 3 p.m., on that day?

Mr. BARNES. No; I did not.

Mr. BELIN. When you first learned of the assassination or the shooting of the President, where were you and what were you doing?

Mr. BARNES. I was in Dr. Bledsoe's office just finishing a dental appointment.

Mr. BELIN. Then what did you do?

Mr. BARNES. I immediately drove to the city hall.

Mr. BELIN. At about what time did you get there?

Mr. BARNES. Shortly after the President was assassinated.

Mr. BELIN. You had your appointment over the noon hour?

Mr. BARNES. Yes.

Mr. BELIN. What did you do after you got to the Dallas Police Station?

Mr. BARNES. I asked the captain did he want me to go to the scene or to stand by until we freed the two men that were at the scene?

Mr. BELIN. You had two men?

Mr. BARNES. At the scene.

Mr. BELIN. When you say the scene, what do you mean?

Mr. BARNES. The scene of the assassination.

Mr. BELIN. Were they in a building there?

Mr. BARNES. The Texas School Book Depository Building.

Mr. BELIN. The Texas School Book Depository Building?

Mr. BARNES. That's right.

Mr. BELIN. Do you know who those men were?

Mr. BARNES. Detective R. L. Studebaker and Lt. J. C. Day.

Mr. BELIN. When you say two men, you mean from the crime laboratory?

Mr. BARNES. Two men from our crime scene search section.

Mr. BELIN. What were you advised to do?

Mr. BARNES. I was told to standby until further notice.

Mr. BELIN. What was the next thing that occurred?

Mr. BARNES. Officer Tippit was shot at 10th and Patton in Oak Cliff.

Mr. BELIN. What did you do then?

Mr. BARNES. I immediately went to the scene of the shooting.

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

Mr. BARNES. The first thing that I did was to check the right side of Tippit's car for fingerprints.

Mr. BELIN. Did you find any fingerprints on the right side of the car?

Mr. BARNES. There was several smear prints. None of value.

Mr. BELIN. Where were these smear prints located?

Mr. BARNES. Just below the top part of the door, and also on the right front fender.

Mr. BELIN. Why did you happen to check that particular portion of the vehicle for fingerprints?

Mr. BARNES. I was told that the suspect which shot Tippit had come up to the right side of the car, and there was a possibility that he might have placed his hands on there.

Mr. BELIN. Did you do anything else at all out there?

Mr. BARNES. I photographed the scene.

Mr. BELIN. Have you had much experience in photography?

Mr. BARNES. I have been in the crime scene search section doing this work since August 1, 1956.

Mr. BELIN. When you photographed the scene, did you use flashbulb equipment or not?

Mr. BARNES. No; I did not.

Mr. BELIN. I assume that because many crime scenes are inside, that you are also familiar with the operation of flash equipment?

Mr. BARNES. We use flash equipment on the inside and outside when I think it is necessary.

Mr. BELIN. What kind of camera do you use?

Mr. BARNES. Speedgraphic.

Mr. BELIN. Is that the kind of camera that newspaper cameramen often use?

Mr. BARNES. A lot of them do.

Mr. BELIN. Anything else that you did out at the crime scene?

Mr. BARNES. I photographed the scene; yes. There was a couple of hulls that was turned over to me.

Mr. BELIN. Do you mean empty shell casings?

Mr. BARNES. Empty .38 caliber hulls was turned over to me at the scene by patrolman—I believe I would be safe in saying Poe, but I am not sure about that.

Mr. BELIN. How do you spell that?

Mr. BARNES. P-o-e, I believe is the way he spells it.

Mr. BELIN. You think he was the one that turned over some shells?

Mr. BARNES. I believe it is. I am not too sure right now, but I believe that is what is on the report. I would have to check it to be sure.

Mr. BELIN. Would these be on your report?

Mr. BARNES. It would be on our report, at the crime scene search section.

Mr. BELIN. Is there anything else that was turned over to you at the scene besides these hulls that you think Patrolman Poe turned over?

Mr. BARNES. Not that I can remember at this time.

Mr. BELIN. While you were out there, were any additional hulls found other than these two?

Mr. BARNES. Yes. Captain Doughty picked up another hull, .38 caliber.

Mr. BELIN. Did you see Captain Doughty pick it up?

Mr. BARNES. I did not.

Mr. BELIN. Were you advised as to anyone who might have pointed it out to Captain Doughty, or did he get it himself, or what?

Mr. BARNES. I heard that someone pointed it out to him and he picked it up.

Mr. BELIN. You mean some citizen?

Mr. BARNES. Some citizen pointed it out to him, and he picked it up?

Mr. BELIN. Do you remember where he might have located it? What approximate location?

Mr. BARNES. I was a busy man and I didn't watch his operation.

Mr. BELIN. Anything else out there?

Mr. BARNES. Not that I can recall at this time.

Mr. BELIN. Now you took pictures of the Tippit vehicle?

Mr. BARNES. The what?

Mr. BELIN. Of the Tippit police car. You took pictures of that out there?

Mr. BARNES. Yes; I did.

Mr. BELIN. Did you take any pictures of anything on the street in the immediate vicinity of the car?

Mr. BARNES. Yes; I did.

Mr. BELIN. What was that?

Mr. BARNES. I took a picture of a stop sign that was located down at the intersection of Patton and 10th. We had a report that we thought maybe that might have had some significance on the case.

I also took shots at the rear of the car on the parking lot where a jacket was discarded by the suspect.

Mr. BELIN. Where would that be?

Mr. BARNES. In the alley between Patton and the next street over.

Mr. BELIN. The next street to the west?

Mr. BARNES. Between Patton and the alley that ran between the two. I would have to check on the map. Cumberland—you got a street map?

Mr. BELIN. I have a map here which, if you will excuse me for a moment, I will try and get.

Mr. BARNES. I sure will. Crawford.

Mr. BELIN. We now have a map of Dallas, and you say that the jacket was found in the alley between Patton and Crawford? Where with relation to 10th or Jefferson?

Mr. BARNES. It would be between Jefferson and 10th in the alley that separates those two streets, and running from Patton and Crawford.

Mr. BELIN. You say running from Patton and Crawford. You mean parallel?

Mr. BARNES. It runs parallel to Jefferson.

Mr. BELIN. Parallel to Jefferson?

Mr. BARNES. Between Patton and Crawford.

Mr. BELIN. Between Patton and Crawford. Was there a Texaco station around there at all?

Mr. BARNES. There is a service station right south of it. The kind of station that it is, I don't recall the kind of station it was, but there is a service station, and sort of a parking lot where this jacket was discarded. We got photos of this car where the jacket was found just behind it.

Mr. BELIN. Now you took some pictures out there, you say, is that correct?

Mr. BARNES. I did.

(Discussion off the record for selection of pictures.)

Mr. BELIN. Sergeant Barnes, I am going to hand you some pictures which we will mark as "Barnes Deposition Exhibits A, B, C, D, and E" on the deposition of Barnes, and I am going to ask you to state whether or not the original negatives from which these prints were made were taken by you?

Mr. BARNES. They were.

Mr. BELIN. Now the first one, Barnes Deposition Exhibit A, is a picture of the Dallas Police squadcar No. 10. Was that the Tippit automobile?

Mr. BARNES. It was.

Mr. BELIN. About when did you say you got out to the Tippit scene?

Mr. BARNES. Approximately 1:40.

Mr. BELIN. 1:40 in the afternoon?

Mr. BARNES. Approximately, November 22.

Mr. BELIN. When would you have started taking these pictures?

Mr. BARNES. Shortly afterwards.

Mr. BELIN. Within 5 or 10 minutes?

Mr. BARNES. Yes.

Mr. BELIN. Now I notice on the right-front door window it appears that the

vent window was open and that the main window is closed. Is that the way that you found the car when you got there?

Mr. BARNES. That is true.

Mr. BELIN. Inside the window there appears to be some kind of paper or document. Do you remember what that is at all, or not?

Mr. BARNES. That is a board, a clipboard that is installed on the dash of all squad cars for the officers to take notes on and to keep their wanted persons names on.

Mr. BELIN. Were there any notes on there that you saw that had been made on this clipboard?

Mr. BARNES. Yes; we never read his clipboard.

Mr. BELIN. That is the way you saw the clipboard there?

Mr. BARNES. That is the way it was.

Mr. BELIN. It appears to be there is a picture of some man on the clipboard. Did you notice whether or not there was any handwriting or any memorandum paper on the board?

Mr. BARNES. I couldn't tell you what was on the clipboard.

Mr. BELIN. Anything else about this particular picture, Barnes Deposition Exhibit A?

Mr. BARNES. What?

Mr. BELIN. Anything that you can tell us about it that you think might be relevant?

Mr. BARNES. Not that I know.

Mr. BELIN. I am now turning to Barnes Deposition Exhibit B. What is Exhibit B?

Mr. BARNES. That is a picture showing the front of the squadcar, and also blood on the street where Tippit fell.

Mr. BELIN. I wonder if you could circle with this ballpoint pen on Barnes Deposition Exhibit B, the spot of blood where you say Tippit fell?

Mr. BARNES. (Circles.)

Mr. BELIN. You have circled that in ink. Now going back to Barnes Deposition Exhibit A: earlier, Sergeant Barnes, you said that you tried to get some prints and you found some smears on the right side of the car. I wonder if on Barnes Deposition Exhibit A with a red pencil you could show us the general area where you found the smears?

Mr. BARNES. [Marks with red pencil on photo.]

Mr. BELIN. You put on this print a relatively horizontal line on the right front car door immediately below the bottom part of the window, and also what I will call the right part of the top of the right-front fender near where the headlight is.

Mr. BARNES. That is true.

Mr. BELIN. Was this police car dirty or clean?

Mr. BARNES. Dirty.

Mr. BELIN. What is the fact as to whether or not this in any way affects your ability to lift fingerprints?

Mr. BARNES. Any dirty surface will create a hardship as far as lifting a latent print.

Mr. BELIN. Were you able to find any identifiable prints?

Mr. BARNES. No legible prints were found.

Mr. BELIN. When you came to the scene, Officer Tippit had already been removed?

Mr. BARNES. That is true.

Mr. BELIN. Anything else on Barnes Deposition Exhibit B that you think is relevant?

Mr. BARNES. None that I can recall at this time.

Mr. BELIN. Turning to Barnes Deposition Exhibit C, could you state what this is, please?

Mr. BARNES. That is a picture of squad car No. 10, which was driven by Tippit, a more distant shot showing where Tippit fell, and the scene where the squad car was.

Mr. BELIN. Had the Tippit car been moved at any time during the taking of any of these pictures by you?

Mr. BARNES. None that I can recall.

Mr. BELIN. Anything particularly relevant about Barnes Deposition Exhibit C that you want to further discuss at this time?

Mr. BARNES. I believe not.

Mr. BELIN. Handing you Barnes Deposition Exhibit D, will you state what this is?

Mr. BARNES. That is a side view of the Tippit car.

Mr. BELIN. That is looking toward the driver's side, is that correct?

Mr. BARNES. That's right.

Mr. BELIN. You see the houses in the background which would be roughly to the south, is that right?

Mr. BARNES. That's correct.

Mr. BELIN. This is a picture of the car as you found it?

Mr. BARNES. That's right.

Mr. BELIN. Now, do you remember whether or not the window on the driver's side was up or down?

Mr. BARNES. I believe it was down.

Mr. BELIN. Was any jacket of any kind hanging in the back of the car?

Mr. BARNES. Yes; Tippit's Eisenhower jacket, that's what we call them, was hanging on a hanger in the back of the car.

Mr. BELIN. Handing you Barnes Deposition Exhibit E, would you state what this is?

Mr. BARNES. This is a shot from the south looking northward at the front of the Tippit car, and showing the blood shot on the pavement where Tippit fell.

Mr. BELIN. This has a caption on it, "Spot where Patrolman Tippit fell." Does the arrow point to the spot to which you refer?

Mr. BARNES. It does.

Mr. BELIN. Anything else particularly relevant about Barnes Deposition Exhibit E that you want to discuss now?

Mr. BARNES. No. I made that one [pointing].

Mr. BELIN. You are now referring to Barnes Deposition Exhibit F, is that correct?

Mr. BARNES. That is true.

Mr. BELIN. What is that a picture of?

Mr. BARNES. That shows the rear of the Tippit car, left rear, and also a view looking to the east, which covers the spot where Tippit fell.

Mr. BELIN. At this time we introduce in evidence Barnes Deposition Exhibits A, B, C, D, E, and F, and I will just have these copies with the original copy of the deposition for madam reporter. We won't ask you to make copies of these.

Now you mentioned out there that some cartridge cases were found, is that correct?

Mr. BARNES. That is true.

Mr. BELIN. Sergeant, I will ask you to examine Commission Exhibits Nos. Q-74, Q-75, Q-76, and Q-77, and ask you to state whether or not there appears to be any identification marks on any of these exhibits that appear to show that they were examined or identified by you?

Mr. BARNES. I placed "B", the best that I could, inside of the hull of Exhibit 74—I believe it was Q-74 and Q-75, as you have them identified.

Mr. BELIN. Now all four of these exhibits appear to be cartridge case hulls, is that correct?

Mr. BARNES. .38 caliber.

Mr. BELIN. .38 caliber pistol?

Mr. BARNES. Yes.

Mr. BELIN. They are kind of silver or chrome or grey in color? You can identify it that way?

Mr. BARNES. Yes.

Mr. BELIN. How many of these hulls, to the best of your recollection, did you identify out there?

Mr. BARNES. I believe that the patrolman gave me two, and Captain Doughty received the third.

Mr. BELIN. The two that the patrolman gave you were the ones that you put this identification mark on the inside of?

Mr. BARNES. Yes.

Mr. BELIN. What instrument did you use to place this mark?

Mr. BARNES. I used a diamond point pen.

Mr. BELIN. You put it on Q-74 and Q-75?

Mr. BARNES. It looks like there are others that put their markings in there too.

Mr. BELIN. Did you have anything to do with identifying either the slugs that were eventually removed from Officer Tippit's body, or the pistol?

Mr. BARNES. No.

Mr. BELIN. You never put any identifying marks on those. Is there anything else that you did out at the crime scene?

Mr. BARNES. We made a crime sketch of the scene.

Mr. BELIN. You made a crime sketch of the scene?

Mr. BARNES. Yes.

Mr. BELIN. Anything else?

Mr. BARNES. No; not that I can recall at this time.

Mr. BELIN. What did you do with those cartridge case hulls, Q-74 and Q-75?

Mr. BARNES. We placed them in our evidence room, and turned them over to the FBI. I believe Special Agent Drain of the FBI was the agent that took them.

Mr. BELIN. Anything else that you can think of that might be relevant with regard to your work at the Tippit scene?

Mr. BARNES. None. Not at this time.

Mr. BELIN. Well, when did leave there?

Mr. BARNES. I don't know the exact hour that I left there, that I got through.

Mr. BELIN. Where did you go?

Mr. BARNES. I went on a major accident at Veterans Drive and Ledbetter.

Mr. BELIN. Where did you go after that?

Mr. BARNES. Back to the city hall.

Mr. BELIN. Did you make any other pictures that day?

Mr. BARNES. I don't believe I did.

Mr. BELIN. Did you make any pictures with regard to the investigation of the President's assassination or the murder of Officer Tippit at any other time on either Saturday the 23d or Sunday the 24th up to the time of the shooting of Oswald by Jack Ruby?

Mr. BARNES. No.

Mr. BELIN. Did you make any pictures of the Texas Theatre?

Mr. BARNES. I did.

Mr. BELIN. When did you do those?

Mr. BARNES. I did that the afternoon of November 22, as soon as I finished with the Tippit car pictures.

Mr. BELIN. Would you include that as part of the Tippit investigation?

Mr. BARNES. Yes; that was in the same part.

Mr. BELIN. Let me backtrack a minute. You may have misunderstood my question. When you finished up at East 10th and Patton Streets, you took pictures, you got shells, you said you tried to get fingerprints. Did you try to do anything else at East 10th and Patton?

Mr. BARNES. No.

Mr. BELIN. Then where did you go from East 10th and Patton?

Mr. BARNES. The Texas Theatre.

Mr. BELIN. Before you got to the Texas Theatre, did you stop at the spot where you say this jacket was found?

Mr. BARNES. Yes.

Mr. BELIN. Did you take a picture there?

Mr. BARNES. Yes.

Mr. BELIN. All right, did you take any other pictures between East 10th and Patton and the Texas Theatre?

Mr. BARNES. I took two photos of the place where the jacket was found.

Mr. BELIN. But other than that, you then went to the Texas Theatre?

Mr. BARNES. Yes.

Mr. BELIN. At the time you got to the Texas Theatre, had Oswald or the person that was apprehended there already been taken away from the theatre?

Mr. BARNES. Yes.

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

Mr. BARNES. I photographed the interior of the theatre.

Mr. BELIN. Any particular position of it that you remember?

Mr. BARNES. The lobby and the place where the arrest was made.

Mr. BELIN. It was after that that you then went to investigate that major automobile accident?

Mr. BARNES. Yes.

Mr. BELIN. Now after you investigated or took pictures at this major automobile accident, then what did you do?

Mr. BARNES. I returned to the city hall.

Mr. BELIN. What did you do when you returned to the city hall?

Mr. BARNES. We started working out the evidence and developing negatives of all the photos that were taken at the Kennedy assassination site and also at the Tippit site.

Mr. BELIN. Who were you working with at that time?

Mr. BARNES. We had just about all the manpower of the crime scene search section working.

Lt. J. C. Day, myself, Detective R. L. Studebaker, Detective J. B. Hicks, and Detective R. W. Livingston.

Mr. BELIN. Did you know about what time of the day you were doing this?

Mr. BARNES. We started on it, I would say, roughly after I returned to the city hall. It was getting close to 4 o'clock.

Mr. BELIN. Where was this work done?

Mr. BARNES. In the crime scene search section of the identification bureau.

Mr. BELIN. On what floor is that?

Mr. BARNES. It is on the fourth floor of the city hall.

Mr. BELIN. On the fourth floor, were there any people other than police personnel?

Mr. BARNES. Not where we were; no.

Mr. BELIN. When you got there, did you see what the situation was on the third floor?

Mr. BARNES. Yes; we could.

Mr. BELIN. What was the situation on the third floor?

Mr. BARNES. Turmoil of news media, photographers.

Mr. BELIN. What do you mean by turmoil?

Mr. BARNES. Well, they just all of them trying to get up in there where they could get a shot.

Mr. BELIN. By a shot, you mean a picture?

Mr. BARNES. Yes; a photo. Any photos they might get for the newspapers. In case they should get a view, they wanted to be there at the time. I presume that is what they were there for.

Mr. BELIN. Was Oswald on the third floor at the time?

Mr. BARNES. Yes.

Mr. BELIN. Did they have wires coming through the windows for television cameras, or not?

Mr. BARNES. There was wires running all over the city hall; cables.

Mr. BELIN. Cables?

Mr. BARNES. Yes.

Mr. BELIN. What about stands for lights, were they there, too?

Mr. BARNES. That's right, they come up with lights and also TV cameras to cover.

Mr. BELIN. When you say city hall, really the third floor that we are talking about is exclusively used by the police department, is that correct?

Mr. BARNES. Yes.

Mr. BELIN. All right, do you have any estimate of the number of newspaper people there were on the third floor at that time?

Mr. BARNES. It would be a guess. I wouldn't want to venture to guess, because it would be just strictly guesswork.

Mr. BELIN. More than 20?

Mr. BARNES. Yes.

Mr. BELIN. More than 50?

Mr. BARNES. I am not saying. I don't know.

Mr. BELIN. All right, in any event, you were working on the fourth floor?

Mr. BARNES. Yes.

Mr. BELIN. Then where did you go?

Mr. BARNES. Later we went to the third floor, to the office of Captain Fritz.

Mr. BELIN. What did you go to Captain Fritz' office for?

Mr. BARNES. To make a paraffin test of Lee Harvey Oswald's hand.

Mr. BELIN. About when would this have been, approximately, if you know?

Mr. BARNES. I tell you, the time didn't mean anything there, and it was after I returned to the city hall, and after 6 o'clock.

Mr. BELIN. Sometime after 6 o'clock?

Mr. BARNES. Yes.

Mr. BELIN. Did Captain Fritz call you up and tell you to come down and make the paraffin test?

Mr. BARNES. He didn't talk to me. I was advised to go to that office to help make the paraffin test.

Mr. BELIN. By your supervisor?

Mr. BARNES. Yes.

Mr. BELIN. Who would that have been?

Mr. BARNES. Lt. J. C. Day.

Mr. BELIN. Now is this the usual procedure when you are going to make a paraffin test, to go to an office such as Captain Fritz' office to do it?

Mr. BARNES. No.

Mr. BELIN. What would the usual procedure be?

Mr. BARNES. If he is alive, they usually bring them to our bureau.

Mr. BELIN. That would be to bring them up to the fourth floor?

Mr. BARNES. Yes.

Mr. BELIN. This would have necessitated, I would assume, moving the prisoner from Captain Fritz' office through the hallway up to the fourth floor?

Mr. BARNES. It would.

Mr. BELIN. Were there any people in the hallways at this time, or did anyone tell you why?

Mr. BARNES. Well——

Mr. BELIN. That is, tell you why they were going to make a paraffin test down in Captain Fritz' office rather than in your laboratory?

Mr. BARNES. No, sir; nobody said anything to me about it.

Mr. BELIN. Was there any particular problem that you saw insofar as taking the prisoner up to your office from Captain Fritz' office?

Mr. BARNES. Yes; you would have to take him through the throng of newspapermen and photographers who were in the hallway.

Mr. BELIN. What is the fact as to whether this might have presented a security problem in any way?

Mr. BARNES. It would.

Mr. BELIN. What equipment did you take down to make this paraffin test?

Mr. BARNES. I took paraffin, the paraffin kit that we have which consists of gauze and paraphernalia that we need to make the test.

Mr. BELIN. Was this your permanent equipment or your portable equipment? When I say your permanent, I mean your in-place equipment?

Mr. BARNES. It is the same equipment we use up in our bureau, working under makeshift conditions.

Mr. BELIN. When you use the phrase "makeshift conditions"——

Mr. BARNES. Just like putting up a portable camping ground to cook on. We have our benches to work on up at the crime scene search section which makes it handier to work with.

Mr. BELIN. Would the quality of the test be the same?

Mr. BARNES. Yes; I think so. The quality would be the same, just takes a little more time and inconvenience.

Mr. BELIN. When you got down there, what did you do and see? First of all, who was in the room?

Mr. BARNES. Detective Dhority and Detective Leavelle.

Mr. BELIN. Is that L-e-a-v-e-l-l-e?

Mr. BARNES. Right. And Lee Harvey Oswald.

Mr. BELIN. Did you have any discussion, or did you hear Lee Harvey Oswald say anything or anyone say anything to Lee Harvey Oswald while you were there?

Mr. BARNES. No conversation.

Mr. BELIN. What did you do?

Mr. BARNES. We got our equipment and got the paraffin melted, and while it was being prepared, we told him that we would have to make a paraffin cast of his hand.

Mr. BELIN. What did he say to that?

Mr. BARNES. It was okay with him.

Mr. BELIN. Did he say anything as to any other comments he had about the paraffin test?

Mr. BARNES. None other than he stated to me, "What are you trying to do, prove that I fired a gun?"

And I said, "I am not trying to prove that you fired a gun. We have the test to make, and the chemical people at the laboratory, at the city-county laboratory will determine the rest of it."

Mr. BELIN. What is the purpose of a paraffin test?

Mr. BARNES. The purpose is to find out if there is any nitrates on your hands.

Mr. BELIN. Officer, how many years have you personally made paraffin tests?

Mr. BARNES. Since 1956.

Mr. BELIN. What is the procedure by which you determine whether or not there are any nitrates on one's hand?

Mr. BARNES. The analyses are made at Parkland Hospital by their personnel.

Mr. BELIN. Do they analyze the wax?

Mr. BARNES. They analyze the wax that I remove from his hands after the casts are made.

Mr. BELIN. Well, if you were to take a paraffin or make a paraffin test on one of my hands, you would take melted hot wax and put it over my hands?

Mr. BARNES. It wouldn't be hot wax. It would have to be at a degree where it would be melted. Take a paint brush, small paint brush, dip it into the paraffin, and paint your hand as you would be painting a wall, and you build this paraffin up around and around your hand, front and back, until you get a layer approximately a quarter of an inch thick.

Then you wrap the hands in gauze, just a layer of gauze around it for reinforcement purposes such as you would put steel and concrete to reinforce it, and then on top of this gauze we put another layer of paraffin. In fact, several layers of paraffin on top of the gauze to round it out to make it more firm so that when we remove this paraffin from around his hands, we take a pair of surgical scissors and cut down each side, and it slips off just like you were removing a glove.

Mr. BELIN. You would make two cuts then, one along the side of the little finger and one along the side of the thumb?

Mr. BARNES. Well, really it is a V-cut on the thumb and forefinger, and a straight parallel line down the left- or right-little finger.

Mr. BELIN. On the side of the palm of the hand?

Mr. BARNES. Right.

Mr. BELIN. Have you done any reading as to what this test shows and what its limitations are at all?

Mr. BARNES. Well, yes; the purpose of it is when you put the heated paraffin on the hand, for the nitrates which might be on the hand, to be stuck to the paraffin that you put on there.

This paraffin that you place on the hand—I will rephrase this a little bit.

When you put the paraffin on your hand, the nitrates that might be on your hands will stick to the paraffin as it cools, and when you remove the paraffin, then this nitrate or powder residue which might be on the hands will be hardened into the paraffin and will slip off with the paraffin.

Mr. BELIN. Now when you say nitrates, I believe you used the word "residue"?

Mr. BARNES. Powder residue and nitrates.

Mr. BELIN. Is nitrate a compound which is in gunpowder residue?

Mr. BARNES. That is what they call the dermal nitrate test, I believe is the correct name that they give it.

Mr. BELIN. Does gunpowder generally have included in it some sort of nitrate compound?

Mr. BARNES. Yes.

Mr. BELIN. If I were firing a pistol, would this pistol leave a nitrate on my hands that would be detectable by the paraffin test?

Mr. BARNES. It should, unless it is awful tight.

Mr. BELIN. What do you mean by "awful tight"?

Mr. BARNES. You could have an automatic which very easily could keep you from having nitrate on your hands.

Mr. BELIN. Well, let's assume that we were taking a .38 caliber pistol. You have seen the pistol which Lee Harvey Oswald had in his possession at the time he was apprehended.

Let's assume I were firing that pistol. Would it leave some residue on my hand?

Mr. BARNES. It should.

Mr. BELIN. Suppose I were to wash my hands between the time I fired it and the time you took the paraffin test?

Mr. BARNES. It would hurt the test.

Mr. BELIN. It would cut down the test?

Mr. BARNES. Yes.

Mr. BELIN. Now if I were firing it, would it necessarily show on both hands? Suppose I were right-handed?

Mr. BARNES. Depends on the location of your left hand.

Mr. BELIN. Well, generally from your experience, is there any particular location for a right-handed person to keep his hand when he is firing a pistol?

Mr. BARNES. Police officers are taught to keep their left hand near the pistol handle.

Mr. BELIN. As an element of controlling it?

Mr. BARNES. As an element of controlling, and also an element which, if you should get wounded in your right shoulder, you would have the left hand to take the gun.

Mr. BELIN. If you keep it near then, I assume that you would get the nitrate on the other hand, too, or not?

Mr. BARNES. Very likely that you would.

Mr. BELIN. Suppose I were unloading a pistol and taking the cartridge case out and putting them in my left hand or handling the chamber where the cartridge cases had been, would this leave nitrate deposits on my hand?

Mr. BARNES. It is possible.

Mr. BELIN. Suppose you were to examine my hands and you were to find no nitrate deposits at all. Would you say that this conclusively shows that I did not fire a pistol?

Mr. BARNES. No.

Mr. BELIN. Well, does it conclusively show I had not fired a pistol within the last 6 or 8 or 10 hours?

Mr. BARNES. No.

Mr. BELIN. Why do you say that?

Mr. BARNES. Well, a lot would depend what kind of pistol.

Mr. BELIN. Well, suppose it were a .38 caliber pistol?

Mr. BARNES. Then it would depend on whether you had cleaned your hands or whether you had had gloves on.

Mr. BELIN. Well, suppose I were to tell you I didn't have gloves on.

Mr. BARNES. Had you washed your hands?

Mr. BELIN. Well, would this make much of a difference?

Mr. BARNES. Washing your hands would make a difference.

Mr. BELIN. All right, now, suppose you were to examine me for firing a rifle such as a bolt-action rifle rather than an automatic or semiautomatic.

Would you expect to find nitrate residue on my hands that a paraffin test would show?

Mr. BARNES. Chances are smaller on a rifle than it would be with a revolver.

Mr. BELIN. Why?

Mr. BARNES. Because your chamber is enclosed.

Mr. BELIN. What difference does that make?

Mr. BARNES. The powder couldn't get out like a pistol where the cylinder is open, and there is no casing around the cylinder of a revolver, and the chamber of a rifle, it is enclosed with the metal all the way around.

Mr. BELIN. Well, I operate the bolt on the rifle, does that make a difference about letting the gas or residue escape?

Mr. BARNES. No; all your explosives have already gone down the barrel. It is not coming down the side when you operate the chamber. There is no pressure there.

Mr. BELIN. What you are saying then is, that it is the pressure at the time of firing in an open chamber that creates the major portion of this residue?

Mr. BARNES. That's right.

Mr. BELIN. If you were to have a positive nitrate test on a person's hands, and by positive, I mean it would show the presence of nitrate, would you say, without knowing anything about the firearm that the person fired, that it was more likely that he had fired a .38 caliber revolver, or a bolt-action rifle?

I mean a nonautomatic revolver?

Mr. BARNES. Let me get your question to see if I am correct. If there were nitrates present?

Mr. BELIN. Yes.

Mr. BARNES. In my own mind would I come to the conclusion that it would probably come from a revolver? Rather than a rifle?

Mr. BELIN. Well, nonautomatic revolver, as opposed to a rifle. Which would be more likely?

Mr. BARNES. The revolver would be more likely.

Mr. BELIN. Now you said that you took the paraffin casts off the hands. Do you generally take it of both hands when you take a paraffin test?

Mr. BARNES. Yes; we do.

Mr. BELIN. When you take a usual paraffin test, do you take it of any other part of the body other than the hands?

Mr. BARNES. No.

Mr. BELIN. In this case, did you take it of any other portion of the body other than the hands?

Mr. BARNES. Yes; I did.

Mr. BELIN. What other portion of the body did you take it of?

Mr. BARNES. The right side of his cheek and face.

Mr. BELIN. The right side of Lee Harvey Oswald's cheek and face?

Mr. BARNES. Yes.

Mr. BELIN. Who directed you to take it there?

Mr. BARNES. Captain Fritz.

Mr. BELIN. Did he particularly say why he wanted it taken there?

Mr. BARNES. I didn't ask the questions why he wanted it. I was ordered to take it from him, and I took it because I had the order to take the test.

Mr. BELIN. Was there an order to take the left cheek also, or not?

Mr. BARNES. No.

Mr. BELIN. How long did you say that you had been making paraffin tests?

Mr. BARNES. Since 1956.

Mr. BELIN. Roughly, how many of those do you do in a month on an average?

Mr. BARNES. It would be hard to say. If I hit it lucky, I won't make too many. If it hits on some other man's duty. It would be hard to say how many I have made over a period of time. I can say that I have made many.

Mr. BELIN. Over these years, do you think you have made as many as 100?

Mr. BARNES. It would be hard to say. I am not going to go into any actual figures because it would be guesswork.

Mr. BELIN. Well, let me ask you this. Of the paraffin tests that you have made, how many have you made of a cheek or cheeks?

Mr. BARNES. One.

Mr. BELIN. Was that with Lee Harvey Oswald?

Mr. BARNES. It was.

Mr. BELIN. Other than that, you have never made a paraffin test of anyone's cheek?

Mr. BARNES. No.

Mr. BELIN. Any particular reason why you might not have in any other case?

Mr. BARNES. It has never been requested of me before.

Mr. BELIN. Based on your knowledge and information about the science of paraffin tests, do you know whether or not it is a common practice or not a common practice to make it of one cheek?

Mr. BARNES. It is not a common practice.

Mr. BELIN. Any particular reason it is not a common practice, that you can think of or know of?

Mr. BARNES. Firing a revolver, should he fire a revolver, I would say the revolver most likely would be far enough away where powder residue wouldn't reach his cheek?

Mr. BELIN. What about a rifle?

Mr. BARNES. Firing a rifle, you get your chamber enclosed with steel metal around it, and the chances of powder residue would be very remote.

Mr. BELIN. Have you fired a bolt-action rifle at all before?

Mr. BARNES. Many times.

Mr. BELIN. How close would the chamber be to the cheek as you would be looking through the sight of the gun.

Mr. BARNES. Be several inches to the rear of the chamber.

Mr. BELIN. Would this have any effect on the paraffin test at all?

Mr. BARNES. It sure would.

Mr. BELIN. What about telescopic sights? Would that push your face back further or not?

Mr. BARNES. Push it even further back.

Mr. BELIN. Would this have an effect on the paraffin test?

Mr. BARNES. The further you get from the chamber, the less possibility of getting powder residue on it would be.

Mr. BELIN. When you made the paraffin cast on the cheek, did you also paint it on with this brush that you are talking about?

Mr. BARNES. I did.

Mr. BELIN. To about a quarter of an inch thickness?

Mr. BARNES. Not quite that much.

Mr. BELIN. When you put the gauze on?

Mr. BARNES. Yes.

Mr. BELIN. And you put some more paraffin on?

Mr. BARNES. Yes.

Mr. BELIN. Then what did you do? Did you cool it with water, or let it naturally harden by room temperature?

Mr. BARNES. Nature cools it from room temperature.

Mr. BELIN. Then you removed it from the cheek?

Mr. BARNES. Yes.

Mr. BELIN. Did you need a scissors when you removed it from the cheek?

Mr. BARNES. No.

Mr. BELIN. What did you do with these paraffin tests after you made them?

Mr. BARNES. I placed them in a manila, large manila envelope separately.

Mr. BELIN. Then what did you do?

Mr. BARNES. I walked out of Captain Fritz' office, and I had a couple of patrolmen trying to weed their way through the news media so that I could have walking room to get to the elevator to get back to the fourth floor, the ID bureau.

Mr. BELIN. The news media had the third floor pretty well jammed at that time?

Mr. BARNES. I would say it was pretty well jammed.

Mr. BELIN. About what time of the night was this?

Mr. BARNES. Approximately 9 o'clock, I would say, approximately.

Mr. BELIN. Did Lee Harvey Oswald say anything to you as you were removing these casts, that you remember?

Mr. BARNES. Very little, other than what I repeated to you before, that he

knew what I was trying to do, and that I was wasting my time, that he didn't know anything about what we were accusing him of.

Mr. BELIN. Did Lee Harvey Oswald leave Captain Fritz' office at that time or did he stay there?

Mr. BARNES. I didn't go back, I couldn't tell you.

Mr. BELIN. He didn't come out with you, did he?

Mr. BARNES. No.

Mr. BELIN. Were any remarks of any kind made to you by any of the people in the hallway, nonpolice officers, as you left the office? Questions or remarks or what have you?

Mr. BARNES. Yes.

Mr. BELIN. What did they say?

Mr. BARNES. They kept storming questions at me, "What have you got in that sack, what have you got in that sack, you owe it to the news media to give it to us, what have you got in that sack?"

Mr. BELIN. Would this just come from one person?

Mr. BARNES. All of them.

Mr. BELIN. About how many of them were there at that time?

Mr. BARNES. They had the hallways blocked.

Mr. BELIN. Did you reply to them at all or not?

Mr. BARNES. I didn't answer.

Mr. BELIN. You then went up to the fourth floor to the lab, is that correct?

Mr. BARNES. That is true.

Mr. BELIN. What did you do then?

Mr. BARNES. I initialed the cast, sealed them, and placed them in our locked evidence room.

Mr. BELIN. Where did they go after that?

Mr. BARNES. They go to our city-county laboratory for analysis.

Mr. BELIN. Where is that city-county laboratory?

Mr. BARNES. At Parkland Hospital.

Mr. BELIN. Do you know when they went there?

Mr. BARNES. The following morning.

Mr. BELIN. Did you get the results from this analysis at all?

Mr. BARNES. The results were obtained by our bureau. I didn't get the results.

Mr. BELIN. Do you know what these results were?

Mr. BARNES. I understand—I haven't seen them personally—but I understand they are positive, the ones of his hands.

Mr. BELIN. By positive, you mean they showed the presence of nitrates?

Mr. BARNES. They showed the presence of nitrates.

Mr. BELIN. What about the one on the cheek?

Mr. BARNES. The one of his cheek was negative.

Mr. BELIN. Were any conclusions made because of either the positive results from the test on his hands or the negative result on the test of the cheek?

Mr. BARNES. In my own mind, I didn't expect any positive report from the cheek to start with. But to cut down criticism and to satisfy the public and to show the world that we tried to cover it very well, we did it for possibly any future—I don't know how to word it—any complaints that might come later on.

Mr. BELIN. By complaints, you mean people that might—

Mr. BARNES. Might question why you did or why you didn't do it on something this big. We felt like the public should know that we done the best that we knew how.

Mr. BELIN. Even though you didn't expect to have results?

Mr. BARNES. I didn't personally, and I am the one that made it.

From my experience with paraffin casts and from my experience in shooting rifles, common sense will tell you that a man firing a rifle has got very little chance of getting powder residue on his cheek.

Mr. BELIN. Have you ever made a paraffin cast of your cheek after you fired a rifle?

Mr. BARNES. No; I have not.

Mr. BELIN. Have you ever made a paraffin test of anyone else's cheek after that person fired a rifle?

Mr. BARNES. I believe I am on record that that is the first paraffin test I ever made of a cheek.

Mr. BELIN. Have you ever read periodicals discussing the paraffin test? Any limitations of its use to determine whether or not a person fired a rifle by making a cast of the cheek?

Mr. BARNES. No; I haven't read anything about it.

Mr. BELIN. Basically then, your reasons for reaching this conclusion are your own personal reasons?

Mr. BARNES. That's right.

Mr. BELIN. What you earlier described as the chamber being an enclosed chamber, is that it?

Mr. BARNES. That is true.

Mr. BELIN. Which you said that the gases would not come out of under pressure, and when the chamber would be open for the ejection of a shell from a bolt-action rifle, at that time there would be no bad pressure?

Mr. BARNES. All your pressure is gone forward through your barrel. There is no pressure on the chamber when you operate it after the shot is fired.

Mr. BELIN. In contrast with a nonautomatic revolver, when I pull the trigger, is the back of the chamber open then?

Mr. BARNES. It is open.

Mr. BELIN. Is there any other information or opinion you can give us with regard to the paraffin tests that might be relevant. Anything you can think of, whether or not I have asked it?

Mr. BARNES. I believe you have covered just about everything.

Mr. BELIN. I call myself a country lawyer, and I don't know.

Mr. BARNES. I am a country boy. I was raised on the farm myself.

Mr. BELIN. Well, maybe we both have something in common.

Mr. BARNES. Still live there.

Mr. BELIN. Sergeant, did you make any other tests or obtain any other evidence or information from Lee Harvey Oswald other than the paraffin that you made?

Mr. BARNES. I obtained palm prints from Lee Harvey Oswald.

Mr. BELIN. When did you do this?

Mr. BARNES. Immediately before we made—no, immediately after, I am sorry, immediately after we made the paraffin test.

Mr. BELIN. I would assume you did it afterwards?

Mr. BARNES. That is right. It was after we made the tests.

Mr. BELIN. Now, when you used the phrase a while ago—I mean that when we were discussing shortly before we were taking this deposition just what you did do insofar as your being involved in this investigation—

Mr. BARNES. That's right.

Mr. BELIN. In that discussion did I in any way tell you what to say, or did you just tell me what you did in the nature of the proceedings here?

Mr. BARNES. I told you just what I did. I haven't been prompted by no one.

Mr. BELIN. Now, what did you do when you took the palm print?

Mr. BARNES. We took them back upstairs to the ID bureau for comparison purposes.

Mr. BELIN. At the time you carried back the paraffin casts?

Mr. BARNES. No. We came back and got the palm prints after I delivered the paraffin tests upstairs.

Mr. BELIN. Again, would this be normal procedure to take a palm print in Captain Fritz' office as opposed to your own laboratory?

Mr. BARNES. No; it would be something different. Usually we have them coming up to our identification bureau for that purpose.

Mr. BELIN. Any particular reason that you know of why Lee Harvey Oswald wasn't brought up to your identification bureau?

Mr. BARNES. Yes.

Mr. BELIN. What?

Mr. BARNES. Security.

Mr. BELIN. Because of the people in the hall?

Mr. BARNES. The news media in the hallways, and danger of removing Lee Harvey Oswald through the mass of newspapermen.

Mr. BELIN. Did the newspapermen say anything to you as you went down the hallway to Captain Fritz' office?

Mr. BARNES. Everytime that you went through there they asked you all kinds of questions on what you had and what were you doing and how much longer is it going to take, and what have you proved.

Mr. BELIN. Did you answer any of these questions?

Mr. BARNES. No; I did not.

Mr. BELIN. What did you do when you got back in the office in Captain Fritz' office? What did you find there? Who did you find in Captain Fritz' office when you came back?

Mr. BARNES. Same two officers that I mentioned, besides Detective Dhority and Detective Leavelle.

Mr. BELIN. Was Lee Oswald present?

Mr. BARNES. Lee Oswald was present.

Mr. BELIN. Did you have any conversation with Oswald at that time?

Mr. BARNES. None other than telling him that I had to have palm prints of his hand.

Mr. BELIN. Did he have anything to say about that?

Mr. BARNES. Cooperative.

Mr. BELIN. What is the fact as to whether he made any objection to the taking of any palm prints?

Mr. BARNES. None whatsoever.

Mr. BELIN. Did he request that he have an attorney present at all, or not?

Mr. BARNES. He didn't request one. He would not sign the fingerprint card when I asked him. We have a place on this card for the prisoner's signature, and I asked him would he please sign that, and he said he wouldn't sign anything until he talked to an attorney.

Mr. BELIN. Did he ask for an attorney or say anything about an attorney when you took the paraffin test?

Mr. BARNES. None to me.

Mr. BELIN. What did you say when he said he would not sign the fingerprint card?

Mr. BARNES. That was all right with me.

Mr. BELIN. Did you just take the palm prints, or did you also take fingerprints?

Mr. BARNES. We took both.

Mr. BELIN. What is your process of doing that?

Mr. BARNES. Rolling his hands, an ink roller over his palm, and then we have a metal cylinder bar about an inch in diameter that we place the card on and then roll his hands to make it print on the fingerprint card.

Mr. BELIN. Have you ever taken palm prints before?

Mr. BARNES. Many times.

Mr. BELIN. Based on your knowledge and information, what is the fact as to whether or not palm prints are distinct means of identification of a person?

Mr. BARNES. Just as good as fingerprints. The only thing that I could add to that would be, there is no way of classifying palm prints, where with fingerprints, we have the system where we classify them and can go look them up.

Mr. BELIN. Is there anything else that you can offer with reference to the investigation of the assassination or the shooting of Officer Tippit other than the paraffin test and the palm and fingerprint tests that you took?

Mr. BARNES. None that I can think of right now, other than printing pictures of both killings.

Mr. BELIN. Do you remember anything else that Lee Oswald said other than the fact he would not sign his name to the card?

Mr. BARNES. He had very little to say.

Mr. BELIN. Is there anything else you can think of, whether I have asked it or not, that in anyway might be relevant to this investigation here?

Mr. BARNES. Not that I can think of at this time.

Mr. BELIN. Now were you on duty on Sunday morning, November 24?

Mr. BARNES. No; I was not.

Mr. BELIN. Was there any general comment among the police officers, what I call the line officers, about the presence of the press in the police headquarters building during this period of time?

Mr. BARNES. Yes; we discussed it.

Mr. BELIN. Without mentioning any names which might embarrass any individual, and without necessarily quoting yourself, what was the general nature or tenor of that discussion?

Mr. BARNES. Disgusted.

Mr. BELIN. Was there any objections that were voiced about this, or not?

Mr. BARNES. Yes; there were.

Mr. BELIN. What is the fact as to whether or not the presence of the press in any way affected the handling of this matter by the police department?

Mr. BARNES. It would be just like you carrying on your work in your office when you had it full of newspapermen or anybody else, as far as that is concerned.

Mr. BELIN. Were there people other than newspapermen generally in the police headquarters?

Mr. BARNES. It is hard to tell just who was who.

Mr. BELIN. Now you were not there at the time of the shooting of Lee Harvey Oswald by Jack Ruby, were you?

Mr. BARNES. No; I was not.

Mr. BELIN. Did you see the television showing of the film that ran during the—during that time?

Mr. BARNES. Yes; I did.

Mr. BELIN. You have had some experience, you said earlier, as a photographer, I believe, is that correct?

Mr. BARNES. Yes.

Mr. BELIN. What is the fact as to whether or not the presence of light such as you say you saw in the movie film that you saw—what is the fact as to whether or not the presence of these lights would affect the ability of officers protecting Lee Harvey Oswald to discern movements of people?

Mr. BARNES. Very much.

Mr. BELIN. In what way?

Mr. BARNES. Blinding them. The flash from the many cameras that were present in the basement of the city hall, the lights set up by your TV cameramen, all of this would work against the officers in safeguarding any prisoner.

Mr. BELIN. Is there anything else you can think of with reference to the security matters of Lee Harvey Oswald that might be relevant here other than your statements about the press and the problems of light?

Mr. BARNES. Other than the movement of him with the throngs of press men, which the security I thought was very good.

Mr. BELIN. Anything else you can think of right now?

Mr. BARNES. None that I can think of at this time.

Mr. BELIN. Is there anything else that you care to add in this deposition that might in any way be helpful or relevant?

Mr. BARNES. I think this pretty well covers it.

Mr. BELIN. Well, we want to thank you very much for your cooperation in coming down here, sergeant.

Mr. BARNES. I am glad to come. Hate to come under these circumstances.

Mr. BELIN. We hate to be here under these circumstances. It is not a pleasant job for any of us, but it is a job that has to be done. All right, sir.

I forgot to say that you have a right to, if you like, to read your deposition and sign it, or else you can waive reading and have the court reporter send it to us in Washington.

Mr. BARNES. I believe I will come back and let her show it to me, and I will sign it then.

TESTIMONY OF J. B. HICKS

The testimony of J. B. Hicks was taken at 3:10 p.m., on April 7, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. Joseph A. Ball and Samuel A. Stern, assistant counsel of the President's Commission.