

Mr. HOLLY. No; no other report other than the one that I talked to Lieutenant Revill about.

Mr. HUBERT. Have you any other statements or comments to make concerning any part of this?

Mr. HOLLY. No; I have covered it pretty well, I think.

Mr. HUBERT. Have you had any interviews with any others than this deposition today?

Mr. HOLLY. No, sir; this is the first time I ever met or seen you.

Mr. HUBERT. Have you had any interviews with any other members of the President's Commission, do you know?

Mr. HOLLY. No; other than the FBI, two FBI officers.

Mr. HUBERT. I am talking about persons who identified themselves as members of the Commission?

Mr. HOLLY. No; none whatsoever.

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

Mr. HOLLY. That is all right. I am glad to be of service.

TESTIMONY OF HARRY M. KRISS

The testimony of Harry M. Kriss was taken at 7:30 p.m., on March 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Harry Kriss. Mr. Kriss, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the Commission. Under the provisions of the President's Executive Order 11130, dated November 23, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Kriss, the nature of the inquiry today is to determine the facts that you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Mr. Kriss, you have appeared here tonight by virtue of a general request made by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission to Mr. J. E. Curry, the chief of police, who was asked to make all of you gentlemen available to us. Under the rules adopted by the Commission, however, you were entitled to a 3-day written notice prior to the taking of this deposition, but the rules also provide that a witness may waive this 3-day notice if he wishes to do so. Are you willing to waive?

Mr. KRISS. Yes; I will waive.

Mr. HUBERT. Will you stand so as to be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KRISS. So help me God.

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

Mr. KRISS. Harry M. Kriss [spelling] K-r-i-s-s. M is the initial.

Mr. HUBERT. Your age, please? Your age?

Mr. KRISS. Fifty-three.

Mr. HUBERT. Where do you reside, sir?

Mr. KRISS. 6906 Merrilee Lane.

Mr. HUBERT. In Dallas?

Mr. KRISS. In Dallas.

Mr. HUBERT. Now, you are a reserve officer, are you not?

Mr. KRISS. Yes, sir; in Dallas.

Mr. HUBERT. What is your occupation in general?

Mr. KRISS. Occupation in general, manufacturer of sportswear, men's, and manufacturer of neckwear.

Mr. HUBERT. Are you a native of Dallas?
Mr. KRISS. Yes.
Mr. HUBERT. And how long have you been in the reserve?
Mr. KRISS. Eleven years.
Mr. HUBERT. All right, now, were you called on November 24, 1963?
Mr. KRISS. Well—
Mr. HUBERT. That is the Sunday after the President's death.
Mr. KRISS. That is Sunday after—yes, sir; yes.
Mr. HUBERT. You were at home at the time?
Mr. KRISS. Yes, sir; I was getting ready to play golf. Four or five more minutes and I'd have been gone.
Mr. HUBERT. And you were called to report?
Mr. KRISS. Yes.
Mr. HUBERT. And when you did report, did you report in uniform?
Mr. KRISS. Yes; surely I did.
Mr. HUBERT. Well, Mr. Kriss, I am showing you here two documents which concern what you have already had to say about the matter.
Mr. KRISS. Yes.
Mr. HUBERT. And I think we can save considerable time if I'll ask you to identify these and comment upon them, but before doing so I wish to identify them as exhibits so that we can speak of them in those terms.
Mr. KRISS. Okay.
Mr. HUBERT. Therefore, on the letter, or copy of a letter dated November 26, addressed to J. E. Curry, the original of which, I suppose, was signed by you, I am marking it for identification, "Dallas, Texas, March 26, 1964, Exhibit 5106. Deposition of H. M. Kriss." I will put "reserve officer." I will sign my name to that, and I note that this Exhibit 5106 consists of one page only. The next document is a report of an interview made December 3, 1963, with you by the FBI Agents Wilkinson and Hardin and it consists of two pages. I am marking the first page, "Dallas, Texas, March 26, 1964, Exhibit 5107. Deposition of H. M. Kriss." Or, rather, "reserve officer", and I am signing my name on the first page and placing my initials in the lower right-hand corner of the second page. Now, Mr. Kriss, you have read both of these statements I believe?
Mr. KRISS. Yes, sir.
Mr. HUBERT. Are these substantially correct?
Mr. KRISS. Substantially; yes.
Mr. HUBERT. Do you have any additions to add to it?
Mr. KRISS. I can't think of any.
Mr. HUBERT. Do you have anything that you see that is wrong that should be deleted?
Mr. KRISS. No, sir.
Mr. HUBERT. Well, then, in order that your testimony just now concerning these documents may be tied into the particular documents, I would like you to sign them so that the record will show that we are both talking about the same documents.
Mr. KRISS. Yes.
Mr. HUBERT. Just write underneath my signature.
Mr. KRISS. Well, do you have a pen?
Mr. HUBERT. Yes; you can use that one. Just initial the second page. Now, sign—initial the second page on the FBI report.
Mr. KRISS. You want me to sign?
Mr. HUBERT. Yes; just sign under my name. I think there is only one point I want to clarify about this matter. Are you familiar with the chart or map made by the Dallas Police Department of the basement area showing the positions of all the various officers?
Mr. KRISS. Yes.
Mr. HUBERT. Well, in the report that they have filed, the documents relative to your statements, you are identified in that report as No. 61. As a matter of fact, attached to the map was a key, showing that 61 was H. M. Kriss. It shows, however, that you were standing, at the time of the shooting, in the north part, I suppose it would be, on the Main Street ramp?
Mr. KRISS. No.

Mr. HUBERT. And I notice that your statement says it was different.

Mr. KRISS. No; I wasn't.

Mr. HUBERT. Even so, to clarify that, I would like you to see what this is so you can see what I am talking about. See your number on this key. This 61?

Mr. KRISS. 61; yes.

Mr. HUBERT. Now, when you get to this map—see 61 on the Main Street ramp?

Mr. KRISS. That is the Main Street ramp. That is where I was after—it was—that is where I placed myself when they said, "Don't let anyone out of the basement."

Mr. HUBERT. All right. That will clarify it then.

Mr. KRISS. You can see it on television. I saw it the other night again where I ran across and when they said, "Don't let anyone out of the basement," that is where I placed myself.

Mr. HUBERT. I think that is going to explain that, and in order to make it a matter of record, I am going to ask you to show your position before the shooting, and your position after the shooting on this map, but first let me identify this map by marking it, "Dallas, Tex., March 26, 1964, Exhibit No. 5108, deposition of H. M. Kriss." I am signing my name to it, and I will ask you for the purposes of identification so that the record will show that we are both talking about the same document, to put your name right there. Now, I would like you to look over there at the mockup. And on the mockup, determine where you were.

Mr. KRISS. That is Main Street—I was right here [indicating].

Mr. HUBERT. Now, let's see if we can find that on the map and mark it. It would be right here, wouldn't it?

Mr. KRISS. No; right over here [indicating]. Wouldn't it? No, here is the—wait a minute. Wait a minute.

Mr. HUBERT. Now, we get at this—

Mr. KRISS. This is Main—

Mr. HUBERT. And this is Commerce Street.

Mr. KRISS. Right. That is the jail right—

Mr. HUBERT. Yes.

Mr. KRISS. Here is the position right here [indicating].

Mr. HUBERT. On the Commerce Street like that? I am drawing a circle—

Mr. KRISS. Right.

Mr. HUBERT. And I am drawing the line out then and I am putting, "Position of H. M. Kriss."

Mr. KRISS. The four—

Mr. HUBERT. Prior to the shooting?

Mr. KRISS. That's right.

Mr. HUBERT. Now, I noticed on the large map that was attached to the Dallas report that—and to the key to the personnel, your number was 61, and that they had 61 in the position I am now marking in a circle. Can you tell me what the explanation of that is, sir?

Mr. KRISS. That is confusing, because after the shooting they hollered, "Don't let anyone out of the basement." And I saw the truck over here, so I ran over here and placed myself right here.

Mr. HUBERT. Where this circle is.

Mr. KRISS. Yes, right; that is where I placed myself.

Mr. HUBERT. In other words, you are at this position, but it was after the shooting instead of before?

Mr. KRISS. After the shooting.

Mr. HUBERT. So, I am placing a circle of your position.

Mr. KRISS. After the shooting.

Mr. HUBERT. And drawing a line from it and writing "Position of H. M. Kriss after the shooting."

Mr. KRISS. Yes.

Mr. HUBERT. Right.

Mr. KRISS. Right.

Mr. HUBERT. Now, about how long had you been in the position you were in before the shooting and until the shooting?

Mr. KRISS. Well, we had been kind of walking over here watching the door over—

Mr. HUBERT. When you say "over here"—

Mr. KRISS. In the garage area. I had already put some men out here on both sides.

Mr. HUBERT. You had already put some men out here on both sides? Out on the Commerce Street side?

Mr. KRISS. Yes, sir; and on the Main.

Mr. HUBERT. And on the Main Street side.

Mr. KRISS. And we were told by the officers to move all the press back over this way, keep them on this side [indicating].

Mr. HUBERT. Now, you see, you have to explain what you mean by "this side," because—

Mr. KRISS. Well, that is—

Mr. HUBERT. Because someone reading a transcript of it later won't be able to tell.

Mr. KRISS. That is the west side then.

Mr. HUBERT. West side of the ramp, is that correct?

Mr. KRISS. That's right.

Mr. HUBERT. Do I understand you to say that you had been instructed to keep all the press—

Mr. KRISS. Yes, go ahead.

Mr. HUBERT. Out of the ramp area?

Mr. KRISS. Yes; against the west wall only, all the rail—the area in here, to keep the press back over here and [indicating]—

Mr. HUBERT. Against the rail, or on the side?

Mr. KRISS. No; against the rail. If I just leave through—they were trying to clear this up right in here.

Mr. HUBERT. How long had you been in the position that we have marked "Position prior to shooting"?

Mr. KRISS. Possibly 10 minutes.

Mr. HUBERT. Ten or fifteen minutes?

Mr. KRISS. Something along there. Prior to that time, is when I had been walking right back in here [indicating]. Yes; and standing, I believe standing right over in here is where I placed myself.

Mr. HUBERT. All right. I will put another circle and I am going to mark that "Position of H. M. Kriss prior"—

Mr. KRISS. "To—

Mr. HUBERT. "Shooting."

Mr. KRISS. Before being told to move the press on this side.

Mr. HUBERT. "Position of H. M. Kriss prior"—

Now, we have not—this is the west side. That is the east side—"of being told to keep the press back." In other words, your first position was really the position—

Mr. KRISS. Right here. That is it.

Mr. HUBERT. Well, let's put a number—No. "1" in it. That was your first position?

Mr. KRISS. That's right.

Mr. HUBERT. And your second position—

Mr. KRISS. No. "2."

Mr. HUBERT. As No. "2." "Position of H. M. Kriss prior to shooting." And No. "3" is your position after the shooting? Right?

Mr. KRISS. That's it; sir.

Mr. HUBERT. Now, you say that you had been in position No. "2" for about 10 minutes or so before they brought Oswald down?

Mr. KRISS. Yes.

Mr. HUBERT. Which way were you facing then?

Mr. KRISS. This way [indicating].

Mr. HUBERT. Facing north?

Mr. KRISS. Facing north; yes.

Mr. HUBERT. Could you see anything up there?

Mr. KRISS. No; all I saw was officers standing right at the head of this—this officer right there. With a shotgun.

Mr. HUBERT. Do you know who he was?

Mr. KRISS. No, sir; I don't.

Mr. HUBERT. But he is a regular?

Mr. KRISS. No reserves were armed. We are all unarmed. Unarmed and we don't carry arms.

Mr. HUBERT. Now, in looking from your position No. "2." Up the ramp, were there—can you tell us whether there were a lot of people standing in that area?

Mr. KRISS. No; I didn't. I was just—had lots of people right in this area, right about here [indicating].

Mr. HUBERT. You were talking about that northeast position?

Mr. KRISS. Yes, sir; all this area right in here [indicating].

Mr. HUBERT. And where the down ramp going—

Mr. KRISS. All this area right on this side. That is where they were all standing.

Mr. HUBERT. Well, you can't say "this side," sir. While I understand it—

Mr. KRISS. The east side. The east side, excuse me. The east side. I keep forgetting she's taking it down.

Mr. HUBERT. They were all standing up against the rail?

Mr. KRISS. Yes, sir.

Mr. HUBERT. Right by the television cameras.

Mr. KRISS. Right.

Mr. HUBERT. Is that correct?

Mr. KRISS. Right; that's right.

Mr. HUBERT. And then the ramp going from the basement down into the parking area?

Mr. KRISS. Yes; right.

Mr. HUBERT. And further along toward Commerce Street along that rail?

Mr. KRISS. Yes; there was a truck there, large truck here and another car pulled up right behind the armored truck.

Mr. HUBERT. Both on the Commerce Street side?

Mr. KRISS. Yes.

Mr. HUBERT. Directing your attention again to whether there were a great number of people in an area that I am now marking with an oblong and going to call it "area A," and—

Mr. KRISS. That area there?

Mr. HUBERT. Well—

Mr. KRISS. Well, I couldn't be for sure, but it seemed that large amount people all around there and in here, too.

Mr. HUBERT. Did you notice an automobile being driven out of there just a few seconds or minutes—

Mr. KRISS. I can't recall that. I have tried to remember that and I can't recall that. No; I can't recall that.

Mr. HUBERT. You don't recall it?

Mr. KRISS. No; I can remember something vaguely. I can remember doing something—they were moving a car, but I was mostly interested in watching the press, keeping everyone here. That was my job, keeping everyone on the east side of the rail.

Mr. HUBERT. I understand, and you were looking more at the press than at the Main Street ramp?

Mr. KRISS. That's correct; that's correct.

Mr. HUBERT. Did you see this man when he came down?

Mr. KRISS. No; I didn't see—all I saw was just a blur right in here [indicating]. I didn't see—I was like everyone else, I was waiting here, and Oswald was right here [indicating], and that is where I looked at Oswald, and I was a curiosity seeker, I think, when I should have been watching—I was—learned my lesson.

Mr. HUBERT. Well—

Mr. KRISS. Like everyone else, everyone else was watching that.

Mr. HUBERT. So, your attention was on Oswald?

Mr. KRISS. Right.

Mr. HUBERT. And you saw a blur?

Mr. KRISS. Yes.

Mr. HUBERT. Did you recognize the man at all?

Mr. KRISS. Right then? No.

Mr. HUBERT. Had you known Ruby?

Mr. KRISS. Known, of him, saw him before in the papers and everything.

Mr. HUBERT. What did you do after that?

Mr. KRISS. Well, they said—somebody said, "Don't let anyone out of the basement." And I ran across here and I thought I saw one of the captains, Arnett, and I saw him going down, and he was in the confusion and in that confusion here, and ran over there and saw that everything was all right, and they said, "Don't let anyone out."

Mr. HUBERT. And you positioned yourself right in the middle?

Mr. KRISS. Positioned myself in the middle and no one passed thereafter. That I can assure you of. That is the only thing I do know for sure.

Mr. HUBERT. All right. Let me see if there's anything else.

All right. Is there anything else you would like to add that is not contained in the statement, or in your testimony today?

Mr. KRISS. No, sir; I just don't know a thing.

Mr. HUBERT. All right for now. Have you ever been interviewed by any member of the Commission's staff prior to today?

Mr. KRISS. No; only the FBI is all.

Mr. HUBERT. And you have never been interviewed by me prior to this deposition today?

Mr. KRISS. No.

Mr. HUBERT. All right, sir. I think that is all and I certainly thank you very much.

TESTIMONY OF ROY LEE LOWERY

The testimony of Roy Lee Lowery was taken at 11 a.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Detective R. L. Lowery, Dallas Police Department. Mr. Lowery, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of the Executive Order No. 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order in the joint resolution, I have been authorized to take the sworn deposition from you, Mr. Lowery. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, Mr. Lowery, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the death and the general inquiry.

Now, Mr. Lowery, you have appeared here today by virtue of a request made to Chief Curry by Mr. J. Lee Rankin, who is the general counsel on the staff of the President's Commission. Under the rules adopted by the Commission, you are entitled to a 3-day written notice by the Commission prior to the taking of this deposition, but the rules adopted by the Commission also provide that a witness may waive that 3-day notice if he wishes to do so. Do you wish to waive the 3-day notice?

Mr. LOWERY. I will waive it.

Mr. HUBERT. Will you raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?