

across it, continuing on the second page, marked Exhibit 3-B, and the third page marked Exhibit 3-C, down to the lower portion ending with "deceased mother."

Mr. GRIFFIN. All right. Now, directing your attention to Exhibit 3-A, would you read the first two lines on Exhibit 3-A that consist of the notes taken at your interview with Ruby in the fifth floor jail cell?

Mr. SORRELS. "Chicago, 3-25-1911, Jack Ruby (Rubenstein), Entertainment, Carousel Club. Had business closed for 3 days."

Mr. GRIFFIN. Now, let me hand you again Exhibit No. 1, and ask you if that is a true and accurate copy, to sign your name on the first page of that exhibit.

Mr. SORRELS. Yes, it is.

Mr. GRIFFIN. Would you sign your name, then, on the first page of the exhibit?

Mr. SORRELS. Yes, sir.

Mr. GRIFFIN. Let me hand you what has been marked as Exhibit 2-A, B and C, and D, and ask you if that is a true and accurate copy to sign your name on the first page of Exhibit 2-A.

Mr. SORRELS. Yes.

Mr. GRIFFIN. Let me hand you, Mr. Sorrels, Exhibit 3-A, B, and C, and ask you the same question with respect to that, and ask you to do the same thing.

Mr. SORRELS. Yes, sir.

Mr. GRIFFIN. Now, let the record reflect that I am putting my initials, BWG, on pages 2-A, 2-B, 2-C, and 2-D. Let the record reflect I have done the same thing with pages 3-A, 3-B, and 3-C.

Mr. STERN. Mr. Smith, are there any questions you would like to ask Mr. Sorrels at this stage of his deposition, to clarify any points on the record?

Mr. SMITH. Yes, just with respect to one point.

Mr. STERN. Please go ahead.

Mr. SMITH. Mr. Sorrels, you testified that in your interview with Jack Ruby in the jail, you did not warn him of his constitutional rights. Was this due to oversight on your part?

Mr. SORRELS. No, it was not.

Mr. SMITH. Will you state, then, the reason why you did not do so?

Mr. SORRELS. My purpose in getting to Jack Ruby and talking to him as quickly as I did was to determine whether or not he was involved with anyone else in connection with the shooting of Lee Harvey Oswald, and also to determine whether or not Jack Ruby had any connection or association with Lee Harvey Oswald. I did not warn him of his constitutional rights, because insofar as I was concerned at this particular interview, my conversation with him was not—strike was not—had no bearing insofar as the murder case against Jack Ruby was concerned.

My purpose was trying to obtain information for my service to determine whether or not there were others involved in this case that would be of concern to the Secret Service in connection with their protective duties of the President of the United States and the Vice President.

Mr. STERN. Is there anything else, Mr. Smith, you would like to cover?

Mr. SMITH. No. Thank you.

Mr. STERN. Mr. Sorrels, you have had a lengthy session here today. If it is convenient for you, I would prefer to carry on that part of it that I am interested in tomorrow morning, rather than to try to finish late today. Would that be convenient for you?

Mr. SORRELS. That is satisfactory for me, yes.

Mr. STERN. Fine. Why don't we suspend now and resume in the morning.

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### TESTIMONY OF DR. FRED A. BIEBERDORF

The testimony of Dr. Fred A. Bieberdorf was taken at 3:25 p.m., on March 31, 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. The deposition of Dr. Fred A. Bieberdorf [spelling] B-i-e-b-e-r-d-o-r-f. Right?

Dr. BIEBERDORF. That's correct.

Mr. HUBERT. Dr. Bieberdorf, my name is Leon Hubert, I am a member of the advisory staff of the General Counsel of the President's Commission. Under the provisions of the Executive Order No. 11130, dated November 29, 1963, Joint Resolution of Congress 137, and rules of procedure adopted by the President's Commission in conformance with the Executive order and 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, Dr. Bieberdorf, the nature of the inquiry is to ascertain the facts that you know about the death of Oswald and then any other pertinent facts you may know about the general inquiry. Now, Doctor, I think you have received a letter addressed to you by Mr. J. Lee Rankin, General Counsel for the President's Commission, is that correct?

Dr. BIEBERDORF. Yes.

Mr. HUBERT. Was that letter received by you in excess of 3 days from today?

Dr. BIEBERDORF. Yes.

Mr. HUBERT. All right, you are appearing here as a consequence of that letter?

Dr. BIEBERDORF. That's correct.

Mr. HUBERT. Would you stand 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?

Dr. BIEBERDORF. I do.

Mr. HUBERT. Please state your name, sir.

Dr. BIEBERDORF. Frederick Adolph Bieberdorf.

Mr. HUBERT. Your age?

Dr. BIEBERDORF. Twenty-five.

Mr. HUBERT. Your residence?

Dr. BIEBERDORF. 8603 Midway Road, Dallas.

Mr. HUBERT. What is your occupation?

Dr. BIEBERDORF. At present, fourth-year medical student.

Mr. HUBERT. Where?

Dr. BIEBERDORF. At Southwestern Medical School, University of Texas.

Mr. HUBERT. Did you happen to be in the basement of the jail of the Dallas police, on the morning of November 24, 1963?

Dr. BIEBERDORF. I was.

Mr. HUBERT. In what capacity?

Dr. BIEBERDORF. I was, at that time, employed by the city of Dallas, city health department, as first aid attendant for the—I was employed at that time as first aid attendant by the city of Dallas, city health department. The nature of this job is as follows: Mainly administering first aid and emergency medical care to prisoners within the city jail, or prisoners that they've brought in.

Mr. HUBERT. Had you been doing that sort of work for some time?

Dr. BIEBERDORF. A little bit over a year.

Mr. HUBERT. You say fourth year at the Southwestern University, does that mean that you are a senior?

Dr. BIEBERDORF. That's right. I graduate in June.

Mr. HUBERT. You will receive a M.D. in June?

Dr. BIEBERDORF. Yes.

Mr. HUBERT. In June of 1964?

Dr. BIEBERDORF. Yes; that's correct.

Mr. HUBERT. What time did you go on duty that day?

Dr. BIEBERDORF. I arrived down there about 9:30 in the morning.

Mr. HUBERT. Now, Doctor, I have shown you, and I believe you have read what purports to be a report of an interview of you by FBI Agents Mabey and Hughes on December 5, 1963, which I am now marking for identification on the first page by writing as follows: "Dallas, Tex., March 31, 1964. Exhibit 5123,

Deposition of Dr. Fred Bieberdorf." I am signing my own name on the first page; on the second page I am placing my initials in the lower right-hand corner, the same with the third and the same with the fourth and last. In order that the record may show that we are both talking about the same document, I ask you please to sign your name under my signature, or by it, and place your initials also on the subsequent pages. Now, Doctor, addressing ourselves to the exhibit marked now for identification as 5123, I ask you if you have read it?

Dr. BIEBERDORF. I have read it.

Mr. HUBERT. Is it correct and true?

Dr. BIEBERDORF. In the main, it is. There are a few corrections in it and additions that I would like to make.

Mr. HUBERT. Very well. Suppose that we do it this way. If you can identify by page, paragraph and sentence that part which you need to have modified by reading in quotes, as it were, stating then for the record, "quote, unquote," and then make the comment. I think that the record will be better in that way.

Dr. BIEBERDORF. Okay. First of all, throughout this document my last name is misspelled.

Mr. HUBERT. Well, let's see. To get that straight, your last name is [spelling] B-i-e-b-e-r-d-o-r-f?

Dr. BIEBERDORF. And it is spelled "B-e-i," instead of B-i-e.

Mr. HUBERT. I see.

Dr. BIEBERDORF. Okay. And on page 1, paragraph 2, on the second sentence of that paragraph that reads, "He stated he relieved a Bill Hall, former classmate, who had been on duty since noon of the previous day."

Mr. HUBERT. Now, what is the comment you have to make about that?

Dr. BIEBERDORF. Well, he is not a classmate. He is a medical student, but he is not a classmate of mine.

Mr. HUBERT. Otherwise, the sentence is correct?

Dr. BIEBERDORF. Otherwise it is correct. Okay. In that same—on page 1, second paragraph, the sixth sentence, which reads, "He advised that from his position he had an unobstructed view of the basement parking area and that he did not notice if there were any doors between them and the basement area."

The position that they are talking about that has been previously identified, I did not have what you would call an unobstructed view of the area, due to the presence of somewhere around 20, somewhere between 15 and 20 newsmen that were standing between me and the basement parking area.

Mr. HUBERT. Where were you standing?

Does that Exhibit 5123, state?

Dr. BIEBERDORF. It states that I was standing in the basement at an intersection of the hallway beneath the city hall.

Mr. HUBERT. Isn't that correct?

Dr. BIEBERDORF. That is correct, and I suppose that is the only intersection of hallways underneath the city hall to the basement. I can assure you on this [indicating].

Mr. HUBERT. Yes. All right, now, in connection with your explanation of the sentence you have just quoted, I want to ask you what your position was in the jail basement area. Now, you have examined the mockup which is in this room, and in order to make a permanent record of where you pointed out you were, I am marking a chart of the basement as follows: "Dallas, Tex., March 31, 1964. Exhibit 5124. Deposition of Dr. Fred Bieberdorf." I am signing my name, and below that, and in order that the record may show that we are both talking about the same document, I ask you to sign your name below mine, and then correlating the mockup and the chart marked Exhibit 5124, ask you to place an "X" and encircle the "X" as to the position you were standing at the time of the shooting.

Dr. BIEBERDORF. Let me look at this. Yes, that is the exact way. This is accurate [indicating].

Mr. HUBERT. Now, you have marked—

Dr. BIEBERDORF. I drew in another line to represent the wall around the corner.

Mr. HUBERT. You have also placed an "X" in your own handwriting, and I am writing now the following: "Position of Dr. Bieberdorf at the time of shooting."

I am encircling that language and connecting it by a line with the circle drawn by Dr. Bieberdorf. All right. Now, have you any other comments to make about Document Exhibit 5123?

Dr. BIEBERDORF. A few more minor ones. Several more minor ones.

Mr. HUBERT. All right.

Dr. BIEBERDORF. Page 1, second paragraph, the last sentence on that page states "He stated that he then immediately saw Ruby laying faceup in the jail office lobby, approximately 10 feet inside the jail lobby door."

Mr. HUBERT. Now, your comment.

Dr. BIEBERDORF. My comment is that I did see Ruby's feet, at least, but I did not notice whether he was lying faceup or facedown. He was surrounded by a number of police officers.

Mr. HUBERT. Did you know Ruby at the time?

Dr. BIEBERDORF. No, I didn't have any idea who it was, and that is the reason that I got so close there, that I thought that this was Oswald.

Mr. HUBERT. You thought it was the man who had been shot?

Dr. BIEBERDORF. All right. Correction, not Oswald, but the person who had been shot. At the time I did not know who had been shot, if, any shot—if, indeed it had been a shot and I did not get a look at the person to see his face, or even to see whether he was lying faceup or facedown. I could just see him on the floor surrounded by a number of men.

Mr. HUBERT. All right, any other modifications or corrections?

Dr. BIEBERDORF. On page 2, it is actually a continuation of the same sentence that ends on page 1. On page 2, "And he then saw Oswald in the same position."

Well, "same position," refers to "faceup," and indeed, Oswald was faceup, but if this is an amendment where Ruby is no longer faceup, better change this to "faceup."

Mr. HUBERT. All right.

Dr. BIEBERDORF. Okay. On page 2, the first paragraph; about the third sentence there begins, "He noticed that someone had pulled Oswald's shirt up to his chest, and he could see a puncture wound in the left side of Oswald's stomach just below the rib cage."

He did have this puncture wound on his left side, but it wasn't below his rib cage. It was—I'd like to correct that "stomach". Just below the rib cage to the left side of his lower chest. I don't really—I didn't count what rib it was under, but I believe it was between the two ribs, probably down just below the fifth or sixth.

Mr. HUBERT. All right, any others?

Dr. BIEBERDORF. Oh; I skipped one or two. Excuse me. Back on page 1, the second paragraph on page 1, the sentence that begins near the bottom of the page, that begins: "He stated this took him several minutes due to the confusion and by the time he reached the general vicinity of the location—". This "several minutes," I don't believe is accurate. I don't recall whether I said several minutes at the time. I later—well, I think it was a matter of, say, "something like 1 to 2 minutes, rather than several minutes" and again, in the same paragraph, next to last sentence on the page that begins, "He stated he searched the immediate area for several minutes before proceeding."

I think this, again, is way too long and had better read, "a few seconds," than several minutes.

Mr. HUBERT. Any other corrections?

Dr. BIEBERDORF. On page 2, second paragraph, the third sentence which is the last sentence, "He stated the latter two," referring to the ambulance driver and his assistant, "—ambulance driver and his assistant were riding in the front seat, and the two detectives were in a seat immediately behind the front seat, and Detective Leavelle was sitting immediately to his left in the rear of the ambulance." The two detectives, and rather than "sitting in the seat in—immediately behind the front seat," they were behind—just inside the tailgate of the ambulance, about Oswald's feet, and Officer Leavelle and myself were sitting in the seat directly behind the front seat.

You earlier made the query about when I had left him. It states in here—on page 2, the last sentence of the last paragraph, "He stated 2 minutes after entering the emergency room, also known as the trauma room, Oswald was

removed to the operating room." He was removed to the operating room via an elevator, and at that point that was the point I last saw him.

Mr. HUBERT. Was he alive at that point?

Dr. BIEBERDORF. He was still alive at that time. I am just going by hearsay, now. He was said to have died—well, he was still moving around at that time, so, he was definitely alive.

Mr. HUBERT. You were with him in the ambulance all the way through?

Dr. BIEBERDORF. Yes, sir.

Mr. HUBERT. And when he got to the ambulance you saw signs of life?

Dr. BIEBERDORF. Although, I did not until we got about halfway to Parkland.

Mr. HUBERT. You thought he was dead?

Dr. BIEBERDORF. He—I surmised he was dead until he started moving a little bit.

Mr. HUBERT. Did he make any statement at all?

Dr. BIEBERDORF. He did not utter any sound at all, that I heard.

Mr. HUBERT. Any other corrections?

Dr. BIEBERDORF. Let's see. On page 3, the second paragraph, "Bieberdorf states that he was not acquainted with Jack Ruby, but that he did interview Ruby in the police jail on Sunday, November 24, at about 4 or 5 p.m."

This time—I looked it up at a later date, and it was at exactly 2:05 p.m., rather than my estimation at that time of 4 or 5 p.m.

Mr. HUBERT. All right, have you any other on that document 5123?

Dr. BIEBERDORF. Well, there are a few more.

Mr. HUBERT. Otherwise, it stated correctly the nature of the physical examination that you gave to Ruby and the findings?

Dr. BIEBERDORF. The next sentence that follows that is correct, but then there is another. That same paragraph, the last sentence in this paragraph reads, "Bieberdorf states that he gave Ruby a physical examination at this time in order to insure Ruby had not concealed any weapon on his person."

This is not correct here. Later on in the afternoon of November 24, I was asked by the police or Lieutenant—I believe in charge of the jail at that time, to go upstairs and at the request of detectives and one of the FBI agents, I performed a rectal examination on him to make sure he had not smuggled—or to see if he had brought anything in on his person.

This was at 6 p.m., so, I did see Ruby on two occasions. One at 2:05 and one at 6. I think that report tends to indicate it was only one.

Mr. HUBERT. It really was two, and you have explained it.

Dr. BIEBERDORF. Yes.

Mr. HUBERT. All right.

Dr. BIEBERDORF. Okay, on page 3, the last paragraph, second sentence, "He stated he had no knowledge of security measures in effect in the basement on November 24, 1963, other than the fact that he was asked to remove himself from the basement, and he assumed only police officers and press men were allowed to remain." I think that sentence ought to be deleted and changed to something like: "I was asked to remove myself from the basement parking area at—prior to Oswald's being moved, and was told by police officers at that time that only police personnel were being allowed in the area, and I, of course, later saw that press men were able to gain access to the area by presenting their credentials."

And that is, I think, the only correction.

Mr. HUBERT. About what time did you move from the first aid—

Dr. BIEBERDORF. 9:45. It states that earlier in here. States that on the first page.

Mr. HUBERT. Did you remain in the position indicated by you on the chart, which has been identified as Exhibit 5124, all that while? In other words, you were told by the police to leave the—

Dr. BIEBERDORF. To leave the parking area, and I left there, and at the time of the shooting I was at that particular spot.

Mr. HUBERT. That is to say, the spot that—

Dr. BIEBERDORF. That I marked on that you have marked the—No. 5124.

Mr. HUBERT. Between the time that you left and the time of the shooting, where were you?

Dr. BIEBERDORF. I was, the majority of the time, down at the subbasement in the locker room. I was no closer to the spot that Oswald was shot—at which Oswald was shot than I was at the time of the shooting, and no time was I—well, with the exception of crossing through about 9:45.

Mr. HUBERT. Now, when you left the first aid room in the bottom floor, did you leave anybody in there? Was there anyone in those rooms at that time?

Dr. BIEBERDORF. There was no one in the room. It was empty. The fellow that I had relieved left the building.

Mr. HUBERT. Were those doors locked?

Dr. BIEBERDORF. Those doors were locked, and I had a key to them. The police officer, just before I left, looked in the rooms, searched them. I unlocked the rooms for them. Now, I don't know——

Mr. HUBERT. To your knowledge, was there anyone in those rooms at all?

Dr. BIEBERDORF. There was nobody in those rooms, and I had the only key that is commonly used to open those rooms, other than the keys that the janitors have.

Mr. HUBERT. And all doors were locked and you had a key, and as far as you know, you are the only one who does have a key unless there is a general key?

Dr. BIEBERDORF. Well, I am sure there is.

Mr. HUBERT. All right. Any other corrections to be made on that exhibit?

Dr. BIEBERDORF. I don't believe so. I could add, to what Ruby said, or what——

Mr. HUBERT. Well, yes; I should like you to say if there is anything in there that—or if you heard something that Ruby said which is not in your report denominated as Exhibit 5123, I wish you would add that.

Dr. BIEBERDORF. Okay; well, as I stated earlier, I saw him on the two occasions. Once at approximately 2:05, and the second time at approximately 6 p.m., both on November 24.

At the 2:05 time that I saw him, he, as I stated in this document—Well, let me just go through what, as best I can recall, what was said. I identified myself to him. I don't recall that he said who he was or that either the police officer with him or the FBI agent with him at the time identified him to me. I told him that I had been asked to see if he had any complaints or injuries as a result of the earlier scuffle he had in the city hall.

He assured me that he was not injured in any way. He took off his coat, which he had on at the time, and showed me a few bruises on the medial aspect of his right arm, and I also noted a few bruises on his right wrist which appeared to be fresh, but, he assured me these weren't bothering him, and he had no other injuries. He, at that time—oh, I don't recall the exact words he used, but he expressed an admiration for the police officers. And in saying that he had no injuries he stated that the police had just done what they had to do, that they hadn't injured him any more than necessary, than he would expect in such a scuffle, and again spoke of how the police were doing their job and how they were doing their job well.

At 6 o'clock. Well, excuse me. Delete that 6 o'clock.

He, at that time, did not seem to act—I did not make any observation of his behavior at that time.

Just saw him for a matter of 2 or 3 minutes during that time. I did not attempt to do any mental status observation or examination on him, and really couldn't say anything, hadn't formed any opinion as to the state of mind that he was in at that time.

Mr. HUBERT. Is that last statement of yours true as to both interviews, or only the 6 o'clock one?

Dr. BIEBERDORF. Both interviews. I saw him 2 or 3 minutes at 2 o'clock, or 2:05, and another 2 or 3 minutes at 6 o'clock. Now, the conversation that I mentioned occurred at 2:05.

Mr. HUBERT. No conversation in the evening, in the later call, later visit?

Dr. BIEBERDORF. At that time—6 o'clock when I saw him, I had stated that I had been asked to do additional and rectal examination to make sure he had not smuggled anything into the jail. By this time he had on a pair of white pants and white shirt that apparently, looked like a uniform that cooks in the

city jail wear. He had on different clothes than he had on at 2:05, and I explained to him what I had been asked to do and we found a little room just off the main lobby there, and went in there, and he bent over and I performed a rectal examination on him, and he made the comment that this was the worst massage that he had ever had, and that is all the conversation that I recall. The only comment that I recall that he made. That was at the 6 o'clock visit.

Mr. HUBERT. All right. Any other corrections you have to make?

Dr. BIEBERDORF. I believe that is all.

Mr. HUBERT. As to Exhibit 5123?

Dr. BIEBERDORF. That's all.

Mr. HUBERT. Did Ruby, at any time, make any comments as to his motive, or his intent?

Dr. BIEBERDORF. At neither time that I saw him was the shooting brought up. I did not mention it and he did not mention it, and it was all the talk we had.

Mr. HUBERT. Let me put it to you this way; do you consider that taking the FBI report which has been identified as Exhibit 5123, and taking also your deposition today, including your identification on the chart, which is 5124, that there has now been recorded all you know about this matter, completely?

Dr. BIEBERDORF. Yes.

Mr. HUBERT. Now, have you been interviewed by any member of the Commission's staff prior to the time——

Dr. BIEBERDORF. Not by the Commission.

Mr. HUBERT. None of the Commission's staff?

Dr. BIEBERDORF. I mean by the Commission's staff.

Mr. HUBERT. Other than myself?

Dr. BIEBERDORF. Well, not that I know of. I was interviewed, of course, by the FBI man.

Mr. HUBERT. Insofar as our interview is concerned, today, prior to the commencement of this deposition, was there anything in that interview which is inconsistent with your deposition taken after the interview ended?

Dr. BIEBERDORF. I believe not.

Mr. HUBERT. Anything of material nature which was discussed in the interview which has not been brought out in this deposition?

Dr. BIEBERDORF. No.

Mr. HUBERT. All right; I think that is it, sir.  
Thank you.

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## TESTIMONY OF MRS. FRANCES CASON

The testimony of Mrs. Frances Cason was taken at 4:10 p.m., on April 1, 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 Mrs. Frances Cason [spelling] F-r-a-n-c-e-s?

Mrs. CASON. Yes, sir.

Mr. HUBERT. Mrs. Cason, my name is Leon Hubert, I am a member of the advisory staff of the General Counsel on the President's Commission. Under the provisions of the Executive Order 11130, dated November 29, 1963, the Joint Resolution of Congress No. 137, and the rules and procedure adopted by the Commission in conformance with the Executive order and joint resolution, I have been authorized to take a sworn deposition from you. Mrs. Cason, 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 as to you, Mrs. Cason, the nature of the inquiry today is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.