

Mr. KELLY. Yes, sir.

Mr. HUBERT. Were you in the basement of the police department on Sunday, November 24th, before Oswald was shot down there?

Mr. KELLY. Yes; I sure was.

Mr. HUBERT. I think you were in the company with Harold Fuqua and Alfreadia Riggs and that's all of those?

Mr. KELLY. Yes, sir.

Mr. HUBERT. I am showing you a document which purports to be a report of an interview with you by FBI Agent Jack Peden, and I am marking it for identification as follows: "Dallas, Tex., April 1, 1964. Exhibit No. 5133, Deposition of Edward Kelly."

Signing my name to it. It consists of one page only, and I ask you if you have read that document?

Mr. KELLY. Yes, sir.

Mr. HUBERT. In order that the record may show that we are both speaking about the same thing, I wonder if you would place your initials on that document. Now, Mr. Kelly, you have put your initials on this document which I have marked 5133, by putting "EK", is that correct?

Mr. KELLY. That's correct.

Mr. HUBERT. Is this document correct, Mr. Kelly?

Mr. KELLY. Yes.

Mr. HUBERT. You have had a chance to read it?

Mr. KELLY. Yes; I have had—I have read it twice. There is nothing wrong about it.

Mr. HUBERT. Anything that should be added to it?

Mr. KELLY. As far as I can remember.

Mr. HUBERT. This conveys all that you know about the matter?

Mr. KELLY. Yes.

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

Mr. KELLY. No, sir; besides—I mean, you know, Mr. Peden.

Mr. HUBERT. No; he is an FBI man.

Mr. KELLY. Well, that is the onliest one.

Mr. HUBERT. Where were you when Oswald was shot?

Mr. KELLY. I was up in the—on the first floor on the Commerce exit side.

Mr. HUBERT. You were along with Mr. Pierce and—

Mr. KELLY. Yes, sir.

Mr. HUBERT. And Mr. Servance?

Mr. KELLY. Yes.

Mr. HUBERT. Did you see Alfreadia Riggs and Harold Fuqua there that time, too?

Mr. KELLY. At the same time he was shot?

Mr. HUBERT. Yes.

Mr. KELLY. No, sir.

Mr. HUBERT. Had they been there earlier?

Mr. KELLY. Yes.

Mr. HUBERT. Where did they go, to your knowledge?

Mr. KELLY. I don't know. Didn't know they left.

Mr. HUBERT. But, you knew they left, but you don't know where they went, or how they got there, from your knowledge?

Mr. KELLY. No.

Mr. HUBERT. Thank you very much. I think that is all we need from you.

Mr. KELLY. Okay.

TESTIMONY OF LOUIS MCKINZIE

The testimony of Louis McKinzie was taken at 9 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. Mr. McKinzie, my name is Leon 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 President's Executive Order 11130, dated November 29, 1963, a Joint Resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with an Executive order in that resolution, I have been authorized to take a sworn deposition of you, Mr. McKinzie. 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 Oswald. In particular to you, Mr. McKinzie, 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 general inquiry. Now, Mr. McKinzie, you have appeared here today by virtue of the fact that the members of the Secret Service contacted you to locate you and ask you to come, is that correct?

Mr. MCKINZIE. That's correct.

Mr. HUBERT. You have not yet received the letter addressed to you by Mr. J. Lee Rankin, that you would be asked to come here, is that correct?

Mr. MCKINZIE. That's correct.

Mr. HUBERT. I see that the copy of the letter that I have was addressed to 321 Harmon Street, Dallas, Tex. That is not your address. Your address was 3321 Harmon, so, they left out one 3 there. There was also a copy of a letter sent to the Dallas Public Works Department addressed to you that you didn't receive.

Mr. MCKINZIE. I didn't receive that.

Mr. HUBERT. Let me say that under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition. As I told you, we sent out the letter with the hope that it would be received, but apparently you have not received it. The rules, however, provide that any witness may waive the 3-day notice if he wishes to do so. Are you willing to waive the 3-day notice?

Mr. MCKINZIE. Probably, I don't quite understand there what you mean.

Mr. HUBERT. In other words, you could, if you want to say now, "I'll come in when I get the letter."

Mr. MCKINZIE. I see. I see. Well, not necessary.

Mr. HUBERT. If you want to. It is just a waiving of nothing else but the notice.

Mr. MCKINZIE. In other words, since I am here, I'd just as soon not do that. I mean, I'd just as soon answer your questions.

Mr. HUBERT. You are waiving nothing else but the notice that the rules of procedure adopted by the Commission say that you are entitled to.

Mr. MCKINZIE. Yes.

Mr. HUBERT. If you feel that you would just as soon go ahead now and not come back 3 days after you get the letter, then you are willing to waive it, is that correct?

Mr. MCKINZIE. That's right.

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

Mr. MCKINZIE. I do.

Mr. HUBERT. Please state your name for me.

Mr. MCKINZIE. Louis McKinzie.

Mr. HUBERT. What is your age?

Mr. MCKINZIE. Fifty-four.

Mr. HUBERT. Where is your residence, Mr. McKinzie?

Mr. MCKINZIE. 3321 Harmon.

Mr. HUBERT. That is Dallas, Tex.?

Mr. MCKINZIE. Dallas, Tex.

Mr. HUBERT. What is your occupation?

Mr. MCKINZIE. Porter.

Mr. HUBERT. Where?

Mr. MCKINZIE. City hall, public works department.

Mr. HUBERT. You are a city employee?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. How long have you been a city hall employee, sir?

Mr. MCKINZIE. Exact—this is March and—Oh, I'd say 6 years and 6 months. That would be just about it, correct.

Mr. HUBERT. What was your occupation before that?

Mr. MCKINZIE. Well, I did construction work mostly.

Mr. HUBERT. Carpenter?

Mr. MCKINZIE. Carpenter's helper.

Mr. HUBERT. Carpenter's helper?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Have you been living in the Dallas area all your life?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. Where did you live before coming to Dallas?

Mr. MCKINZIE. I was raised at East Texas, Palestine, Anderson County.

Mr. HUBERT. Are you married?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Children?

Mr. MCKINZIE. Five.

Mr. HUBERT. All grown.

Mr. MCKINZIE. All grown.

Mr. HUBERT. What is your particular job with the Dallas Public Works Department?

Mr. MCKINZIE. General porter work. I keep the first floor on the public works department and water department and building permit department and general split shift. I work, oh, every day, part-time.

Mr. HUBERT. Now, when you say general porter in the water works department, that is the first floor of the municipal building?

Mr. MCKINZIE. Yes; that's right.

Mr. HUBERT. Now, I would like you to describe how you can get into the first floor of the municipal building. All possible ways to get in the first floor?

Mr. MCKINZIE. Well, you have got—you have got a door on Main Street that you can come in. You have got a door on Commerce Street that you can come in. Also, have a door on the alley coming from the Western Union that you can come in, and if somebody lets you in, well, I mean, you know it is open to the public through the week, but weekends it is not. In other words, none of the doors open to the public on weekends. Just working days only.

Mr. HUBERT. Those doors are locked on weekends, that is, Friday night?

Mr. MCKINZIE. That's right. In other words, after 6:30 in the afternoon all doors are locked and all elevators are canceled but one, which that is what they call the freight elevator. It runs from the basement all the way to the fifth floor, and that is where everybody is supposed to go in and out, through the building at night and on weekends, Saturdays and Sundays and holidays, unless it is maintenance men, they have their own keys.

Mr. HUBERT. Now, is there any passageway between the building known as the jail building, or the police department building and the municipal building?

Mr. MCKINZIE. First floor, second floor and third floor.

Mr. HUBERT. And what?

Mr. MCKINZIE. In other words, they have gates there that they close after closing time and lock.

Mr. HUBERT. Sort of a gate made of—

Mr. MCKINZIE. Metal.

Mr. HUBERT. Metal across metal, sort of like an accordion.

Mr. MCKINZIE. That's right.

Mr. HUBERT. And it locks?

Mr. MCKINZIE. They lock that after closing time. Stay locked until 6:30, 7 the next morning.

Mr. HUBERT. And on weekends?

Mr. MCKINZIE. No; on weekends it would be locked permanently.

Mr. HUBERT. From 6:30 Friday, in the afternoon until about 7 o'clock Monday morning?

Mr. MCKINZIE. Right.

Mr. HUBERT. And that is true of the gates, small gates on the second and third floor, also?

Mr. MCKINZIE. First, second and third. That is the only—there is three of them, three floors, first, second and third.

Mr. HUBERT. Now, is it possible to get into the first floor of the municipal building from the basement by using a—the staircase, the fire escape, the fire escape staircase?

Mr. MCKINZIE. It is kept locked. They do have a door there.

Mr. HUBERT. There is a double door.

Mr. MCKINZIE. No, sir; they have just an ordinary door made like that one there that you go up the stair steps from the basement, but it is locked. It is—well, it is locked at nights, too.

Mr. HUBERT. It is locked. Which side?

Mr. MCKINZIE. From the—it would be locked from the outside.

Mr. HUBERT. From the basement side?

Mr. MCKINZIE. That's right. You can come out it. You can come down and come out it, but you can't go in it from the basement without a key.

Mr. HUBERT. Now, if a person was on the first floor, could he get to the basement by using the fire escape stairs?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. In other words, the fire escape staircase doors on the first floor of the municipal building are not locked?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. So, you can get into that fire escape staircase, as it were, and go one flight down and—

Mr. MCKINZIE. That's right.

Mr. HUBERT. And you can open the door down there, that is not locked?

Mr. MCKINZIE. It is locked, but you can open it from the inside.

Mr. HUBERT. Okay, open from the staircase side, so, if you got into the staircase, you could get into the basement, is that right?

Mr. MCKINZIE. Yes, sir; that's right.

Mr. HUBERT. Now, on the 24th, which was on a Sunday, the Sunday after President Kennedy was killed, were you on duty that day?

Mr. MCKINZIE. Yes, sir; I was.

Mr. HUBERT. What time did you come on duty?

Mr. MCKINZIE. 7 o'clock, Sunday morning.

Mr. HUBERT. What time did you leave?

Mr. MCKINZIE. 3 in the afternoon.

Mr. HUBERT. Now, what was your particular duty that day?

Mr. MCKINZIE. I was running the freight elevator.

Mr. HUBERT. Did you operate the elevator all day?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Did you leave it at any time?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. When?

Mr. MCKINZIE. Around 10 o'clock is when I got orders to carry it to the first floor and cut it off and not bring any passengers down to the basement until I got further permission from the police department, and I was off of it then, I was still on the first floor, I just wasn't operating it.

Mr. HUBERT. Did you leave the elevator itself?

Mr. MCKINZIE. Sir?

Mr. HUBERT. Did you leave the elevator itself and walk some place else?

Mr. MCKINZIE. Just down the hallway.

Mr. HUBERT. Were the doors of the elevator open then?

Mr. MCKINZIE. It was open, but it was cut off. I had it automatic, and I had it cut off with the key. Couldn't nobody—

Mr. HUBERT. Now, that really has two doors in it, doesn't it?

Mr. MCKINZIE. Back and front.

Mr. HUBERT. That is the front one, I suppose, you designate as the one that opens up into the municipal building?

Mr. MCKINZIE. That's right.

Mr. HUBERT. And the back one is the one that opens up into a little hallway that leads to an alleyway?

Mr. MCKINZIE. Yes, sir; that's right.

Mr. HUBERT. Does that back door of the elevator also open on other floors?

Mr. MCKINZIE. On the second floor of the building.

Mr. HUBERT. Now, when you left the elevator what was the position of both doors?

Mr. MCKINZIE. Front was open facing the municipal building. The back was closed.

Mr. HUBERT. It never was open at all?

Mr. MCKINZIE. No, sir; never was open.

Mr. HUBERT. Do you recall whether the back of the elevator was open any time during the morning of November 24th, until the shooting?

Mr. MCKINZIE. I am sure that I wouldn't be making no mistake if I said it was open several times, because we had some porters down there working that brings trash from the jail department, and I always let them out that door, and they go out the back, and that is where they keep all their trash and the garbage and so forth, and I imagine about 8 or 8:30, that they were open, because that is about the time they carries the trash and stuff out.

Mr. HUBERT. So that the back—

Mr. MCKINZIE. There would be one porter probably went out maybe one or two trips.

Mr. HUBERT. How would he get out through that back door leading onto the alleyway? Is that an open door?

Mr. MCKINZIE. It is locked.

Mr. HUBERT. Who has the key?

Mr. MCKINZIE. They gives them a key to go out that door to carry the trash, and they bring the key back and carry them back down to the basement.

Mr. HUBERT. They don't have a key personally; the key is in the elevator on a ring, is that right?

Mr. MCKINZIE. That's right.

Mr. HUBERT. And they have to get that key from the elevator operator?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Now, did you give the key to anybody that day, do you remember?

Mr. MCKINZIE. Well, I'm sure that I give it to—I don't know which porter was working, just exactly. I think Alfreadia Riggs, or some of them, but I am sure I give them the key to unlock the back door to carry his trash out.

Mr. HUBERT. Does that back door have a latch on it so that you can push it and it will stay open?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. That door requires a key all the time, either way?

Mr. MCKINZIE. That's right.

Mr. HUBERT. When they go out, how do they get back in?

Mr. MCKINZIE. They got to leave it open, or either carry the key to come back in.

Mr. HUBERT. How did they leave it open?

Mr. MCKINZIE. They just walk out on the little ramp. The garbage cans is sitting right by the building, and they just, oh, about 4 feet from the door is about all, or 5 feet from the door is all they have to walk. They mostly have that trash in a sack, and just throw it in the corner and right back in the building.

Mr. HUBERT. All right; now, after you had been told not to bring the elevator down to the basement any more, did you follow those orders?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. And you never brought the elevator down at all any more?

Mr. MCKINZIE. No, sir; not until—well, I know it was 11:30, probably 12 o'clock.

Mr. HUBERT. It was after the shooting?

Mr. MCKINZIE. Yes, sir; it was after the shooting.

Mr. HUBERT. And you want to say now that that elevator never came down to the bottom floor all the time?

Mr. MCKINZIE. No, sir; it didn't.

Mr. HUBERT. All right; you also state, so that we can be clear that after you took the elevator to the first floor the doors of the elevator—the front doors of the elevator rather were open, but the back door was not?

Mr. MCKINZIE. That back was not.

Mr. HUBERT. And the elevator, any time you left it, was cut off so that it couldn't be operated?

Mr. MCKINZIE. That's right.

Mr. HUBERT. It had a key, isn't that correct?

Mr. MCKINZIE. That's right.

Mr. HUBERT. And without turning the elevator on with the key, it couldn't move?

Mr. MCKINZIE. Couldn't move.

Mr. HUBERT. You had the key in your possession?

Mr. MCKINZIE. That's right.

Mr. HUBERT. So, the elevator didn't move unless you knew about it?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Did you let any porters out after you had been told not to move the elevator?

Mr. MCKINZIE. No, sir; I didn't.

Mr. HUBERT. Out the back door?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. And the back door, by the way, was closed?

Mr. MCKINZIE. That's right. So, your statement is that from the time you were told not to bring the elevator down any more there was nobody who could have gone out of the door or come into it?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Through the elevator door there or that alley door?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Nobody asked you for the keys to get out?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. Now, do you know—what is his name, Alfreadia Riggs?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Do you know where he lives?

Mr. MCKINZIE. No, sir; I really don't.

Mr. HUBERT. Did you see him that day?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. What was his job?

Mr. MCKINZIE. He was a porter.

Mr. HUBERT. Now, do you remember allowing Alfreadia Riggs and Harold Fuqua to go through the back door of the elevator and out of the back door on the alley?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. That did not happen?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. It didn't happen at any time at all?

Mr. MCKINZIE. Well, now, not during the period of the time that I had the elevator cutoff.

Mr. HUBERT. Well, did it happen at anytime from the—

Mr. MCKINZIE. Well—

Mr. HUBERT. From the time that you were ordered not to bring the elevator down until after the shooting?

Mr. MCKINZIE. No, sir; it didn't happen.

Mr. HUBERT. Nobody passed through that door?

Mr. MCKINZIE. One lady probably came from—I went to five and got a telephone operator and brought her down to one. I told her I couldn't carry her down to the basement, and she walked down the stairway and she couldn't get the elevator. She walked down, and I carried her back up to one, but outside of that, those two women that I can recall, two women, but I don't know the name, but a telephone operator that got the elevator, one of them on the first floor, and one walked from the first—fifth floor down to the first floor, the—down the stairway and I carried her back in the elevator.

Mr. HUBERT. Up to the fifth?

Mr. MCKINZIE. Up to the fifth floor. Outside of that after I got her it was a telephone man came in just as they left—gave me those orders, but they give me orders to carry him to the fifth floor and bring him right back, and he was the last passenger that I carried all the way from the basement to the fifth floor after I got orders to cut the elevator off, to the fifth floor, he went up there and right back.

Mr. HUBERT. Did you see anybody open up either the Commerce Street entrance or the Main Street entrance and go out?

Mr. MCKINZIE. Nobody. I say, the engineerman had a key, and him and a bunch of them stood in the Commerce side at the door.

Mr. HUBERT. He opened the door?

Mr. MCKINZIE. He opened it one time, but now what I can understand—I don't know, I think they had three policemen at that door, and they wouldn't let him come out.

Mr. HUBERT. That is on the municipal building, first floor, Commerce Street?

Mr. MCKINZIE. Commerce Street.

Mr. HUBERT. And they wouldn't let him out?

Mr. MCKINZIE. No, sir; give him orders they couldn't let him out. Opened the first door, and walked out into the lobby, you know, got a little lobby. This is as far as they got, that lobby there.

Mr. HUBERT. What about the Main Street entrance?

Mr. MCKINZIE. Nobody went to Main Street. Nobody went to that door.

Mr. HUBERT. Who had the key to those doors?

Mr. MCKINZIE. Mr. Pierce, the engineer.

Mr. HUBERT. He is the engineer?

Mr. MCKINZIE. Yes.

Mr. HUBERT. Where—what is his first name, do you know?

Mr. MCKINZIE. I really don't know his first name, but he was on duty that Saturday.

Mr. HUBERT. He is the engineer?

Mr. MCKINZIE. Yes.

Mr. HUBERT. He works in the basement?

Mr. MCKINZIE. Yes; subbasement.

Mr. HUBERT. Subbasement. That's where all the engineering equipment and air conditioning is located?

Mr. MCKINZIE. Yes.

Mr. HUBERT. Is he the only one who has the keys?

Mr. MCKINZIE. No, sir; I don't know how many engineers they have down there, but I understand every one of them has keys. Every one.

Mr. HUBERT. Did you have a key?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. The keys you had were to the elevator and to the back door facing on the alley, is that right?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Do you use any kind of a sign-in and sign-out system?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Did you do so that day when you let the porters out?

Mr. MCKINZIE. The porters don't sign.

Mr. HUBERT. Well, they—

Mr. MCKINZIE. No, sir; the porters don't sign.

Mr. HUBERT. Now, what would you say if I'd tell you that both Alfreadia Riggs and Henry—I think it is Harold Fuqua say they did go out of the building?

Mr. MCKINZIE. Well—

Mr. HUBERT. Riggs says he went out through the back door, through the back elevator door and through the door and he walked on down Main Street and Fuqua says he went out the Main Street entrance.

Mr. MCKINZIE. During the time that I had it cut off?

Mr. HUBERT. Yes, sir.

Mr. MCKINZIE. Well, now, it was they went out of that building, I understand, but now, they didn't go out the elevator. What I understand, they went through the building somewhere and went down in the police department, because that

is where they got stopped at. At the police department, they got cutoff down there.

Mr. HUBERT. They were in the municipal building?

Mr. MCKINZIE. Yes; they was in the municipal building.

Mr. HUBERT. And that was after you had been told not to bring anybody down?

Mr. MCKINZIE. Yes, sir; I saw them.

Mr. HUBERT. You saw them after that?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Therefore, the only way they could get down or out of that building was in one of the methods we have talked about.

Mr. MCKINZIE. Yes, sir; that's right.

Mr. HUBERT. On out the Main Street door, going out the Commerce Street door, going through the corridor that goes to the jail.

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. Or going down the steps?

Mr. MCKINZIE. That's right.

Mr. HUBERT. Or going to the elevator and into the alleyway?

Mr. MCKINZIE. That's right. One of the two.

Mr. HUBERT. Now, do you know how they got out?

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

Mr. HUBERT. Are you willing to state that they did not get out through the elevator at all?

Mr. MCKINZIE. I can't figure how they could unless one of them had a key, and I don't think one of them had a key, because I had the key myself and when I turned it off I took it with me.

Mr. HUBERT. Nobody asked you to take them down?

Mr. MCKINZIE. No.

Mr. HUBERT. Or to open the back door?

Mr. MCKINZIE. No.

Mr. HUBERT. Is it possible that the back doors of the elevator were open when you had the elevator cut off?

Mr. MCKINZIE. I don't think so. It could have been a button might have flew open, but I think when I cut it off, when you mash your button, why, it don't open until you turn your switch.

Mr. HUBERT. You didn't leave the back door open?

Mr. MCKINZIE. No; I left it closed.

Mr. HUBERT. Sir, if somebody had to open it——

Mr. MCKINZIE. It would have been open when I went back to it. It wouldn't close.

Mr. HUBERT. It wouldn't automatically close?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. No way to make it close from the outside?

Mr. MCKINZIE. No, sir; when you've got it cut off. When it is on automatic when you cut it off if you leave your doors open they stay open. If you close them up they stay closed.

Mr. HUBERT. And you say they were closed?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. So, even pushing the button wouldn't have opened the back door?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. The key to the back door of the building that goes out to the alleyway, was it left in the elevator when you left the elevator?

Mr. MCKINZIE. I hang the keys on a ring and hang them up on the wall.

Mr. HUBERT. Those keys were there?

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. So if they had managed to get the elevator door open, they could have used that key to get the back door leading onto the alley open?

Mr. MCKINZIE. Oh, yes, sir.

Mr. HUBERT. But, you didn't see anything like that?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. You didn't see them go out Main Street?

Mr. MCKINZIE. No, sir. Now, which way they went out of that, I really do

not know, but I do learn—I heard them say, myself, they believed they would go down to the police department and watch television.

Mr. HUBERT. How would they get to the police department from the main floor of the municipal building?

Mr. MCKENZIE. They would have had, at least, to went out Commerce Street and went down and gone down into the basement, or either—or they would have had to went through the screen door, the door between the two swinging, so, they had to go one of two ways. The only way to go to the police department from the municipal building into the police department. After they got in that alley, they had to go right down in the stairways, as I understand is where they was, they went downstairs, they had to go out through a gate if they went downstairs, and they stopped them over in the police department before they even got over to the televisions. That is where they were stopped at.

Mr. HUBERT. Your thought is that they used the staircase, the fire stairs?

Mr. MCKENZIE. No, sir; I think they must have used the door between the two buildings.

Mr. HUBERT. You mean that door that has got two metal doors like an accordian?

Mr. MCKENZIE. Yes.

Mr. HUBERT. Did they have a key to that?

Mr. MCKENZIE. I don't know whether Riggs had keys or not. He is a truck-driver. He might have keys of his own. He works daytime and I work nights. I don't know too much about it. I don't know too much about it, but I know he drives a truck and porter work, and those head boys, some of them has keys.

Mr. HUBERT. Did you know this man called Jack Ruby?

Mr. MCKENZIE. No, sir.

Mr. HUBERT. Never met him before in your life?

Mr. MCKENZIE. No, sir.

Mr. HUBERT. Of course, you have seen pictures of him?

Mr. MCKENZIE. Yes, sir; that's all.

Mr. HUBERT. Did he come in there that day?

Mr. MCKENZIE. I don't know. I didn't see him if he did and I don't think he did. I really don't.

Mr. HUBERT. Now, you are swearing that you didn't see him come in?

Mr. MCKENZIE. That's right; that's right.

Mr. HUBERT. Now, since all this happened you must have stopped to think to yourself, "Well, did that man come in through where I was supposed to be?"

Mr. MCKENZIE. Oh, yes, sir. I have thought of it, but I know he didn't.

Mr. HUBERT. That is what I want to find out. You have put your mind to it and you have thought about it a great deal—

Mr. MCKENZIE. Yes, sir.

Mr. HUBERT. And you are prepared to tell us under oath now, Louis, that this man did not come through, so far as you know, you didn't see him?

Mr. MCKENZIE. That's right. That's right. He come in there some other way. He didn't come through that elevator.

Mr. HUBERT. Have you anything else you want to say, Louis, that might help the President's Commission in finding out the truth about this thing?

Mr. MCKENZIE. Well, I don't—other words about it, I just don't know anything I could say.

Mr. HUBERT. Well, we certainly don't want you to invent anything. On the other hand, we want you to feel free to say anything that is the truth.

Mr. MCKENZIE. Yes, sir; that's right.

Mr. HUBERT. Because this is an important thing.

Mr. MCKENZIE. Sure. I realize that.

Mr. HUBERT. Nobody blames you, or anybody. On the other hand, if we could find out the truth it would help us to protect other people and other Presidents in the future.

Mr. MCKENZIE. Yes, sir.

Mr. HUBERT. And you have given thought to all that, and you are saying that what you are telling us is the truth?

Mr. MCKENZIE. That's right.

Mr. HUBERT. If you should remember sometime something that you haven't told us here this morning, or you haven't told the FBI or the investigating officers, why, I would like very much for you to contact the President's Commission through the U.S. attorney's office there, Mr. Barefoot Sanders, and tell us you have something to say to us that hasn't been said before.

Mr. MCKINZIE. Yes, sir.

Mr. HUBERT. And we'll get in touch with you. Now, let me ask you one more thing. Has anybody other than the Government officials, U.S. officials talked to you about this?

Mr. MCKINZIE. No.

Mr. HUBERT. The police department didn't talk to you about it at all?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. They didn't inquire of you as to whether Ruby had come that way?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. Nobody from the Dallas Police Department ever talked to you?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. Nobody has threatened you?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. They haven't told you not to tell the truth?

Mr. MCKINZIE. That's right. Nobody said anything.

Mr. HUBERT. Nobody said anything like that to you? Didn't even speak to you about it?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. Nobody ever took a statement from you?

Mr. MCKINZIE. Nobody from the police department.

Mr. HUBERT. Now, the FBI, of course.

Mr. MCKINZIE. Yes, FBI; that is the only one.

Mr. HUBERT. Now, prior to my speaking to you this morning and taking this deposition, there had been no interviews between you and me, is that correct?

Mr. MCKINZIE. That's correct.

Mr. HUBERT. I mean, we haven't spoken about this matter until you came into this room and took your oath?

Mr. MCKINZIE. No, sir.

Mr. HUBERT. All right, Louis. Thank you very much.

Mr. MCKINZIE. Okay. I thank you.

TESTIMONY OF EDWARD E. PIERCE

The testimony of Edward E. Pierce was taken at 2 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, assistant counsel of the President's Commission.

Mr. HUBERT. Mr. Pierce, 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 Executive Order 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and the 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 facts relating to the assassination of President Kennedy and the subsequent and violent death of Lee Harvey Oswald.

In particular as to you, Mr. Pierce, 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 general inquiry and the physical setup of the police department and the municipal building.