

Date December 3, 1963

FRANK BERNARD JOHNSTON, photographer, United Press International, American Statesman Building, Austin, Texas, home address 3011 Whittis, Apartment 205, advised Special Agent M. T. BURK on November 30, 1963, as follows:

JOHNSTON holds press cards issued by the Austin Police Department and the Texas Department of Public Safety, Austin, Texas. He went to Dallas on November 22, 1963, and after covering an assignment to secure photographs at a rooming house where LEE HARVEY OSWALD lived, he was assigned to cover the third floor of the City Hall in Dallas on the night of November 22, 1963, where OSWALD was being questioned. No one asked him for identification and none was shown by him. He remained on this assignment until after midnight and perhaps as late as 2:00 a.m., November 23, 1963.

Those present during this time were: PETE FISCHER, United Press International photographer, New Orleans, Louisiana; FRED KAUFMAN, photographer, Associated Press, Dallas; an unknown TV cameraman and several reporters, but the names of the papers they represented are not known to JOHNSTON.

JOHNSTON does not know whether there was anyone present on the third floor other than the photographers and reporters and police since he has never worked in Dallas before and knows very few people there.

On November 23, 1963, JOHNSTON returned to the third floor of City Hall, Dallas, between 6:00 a.m. and 7:00 a.m. and relieved WILLIAM RAILLEY, United Press International, Bureau Manager of Houston, Texas. During this day there were so many people in and out of the third floor it was impossible to formulate any idea of their identity as to whether they were police, reporters, or curious citizens. OSWALD's mother, wife, and brother

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were all in and out of the third floor this day. On one occasion on November 23, 1963, OSWALD was brought out of the elevator on the third floor into an interrogation room and JOHNSTON made photographs of him as well as the above mentioned relatives. JOHNSTON cannot recall ever having spoken to JACK RUBEY at any time and has never met him officially. He recalls having seen RUBEY on the third floor of City Hall during the day of November 23, 1963. JOHNSTON went off duty after 11:00 p.m. on November 23, 1963, after spending all day on the third floor. About 4:30 a.m. November 24, 1963, JOHNSTON relieved PETE FISCHER in the basement of City Hall, Dallas. FISCHER had his rented car parked in the basement of City Hall at that time just opposite the hallway where OSWALD was shot. JOHNSTON recalls asking FISCHER how he happened to get his car into that location and FISCHER replied that he just drove it there and parked it.

JOHNSTON showed no identification to get into the City Hall basement but recalls introducing himself to Lieutenant WIGGINS, Booking Desk, Dallas Police Department basement and told him orally that he was a United Press International photographer. JOHNSTON recalls seeing a free-lance photographer, name not known, in the basement of City Hall that morning with a 35 millimeter Nikon-F camera, described as 24 to 25 years of age, white male, 6' tall, dark hair, 150 to 165 pounds, and slender build. This man said he had been there all night and stood near JOHNSTON waiting for a considerable time.

Others known to have been in the City Hall basement in Dallas on November 24, 1963, are as follows:

1. MIKE SMITH, Associated Press photographer, Los Angeles, California.
2. JACK BIERS, Photographer, Dallas Morning News.

10/30/63 at Austin, Texas File # SA 44-748
 SA M. T. BURK / njs Date dictated 12/1/63

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3. BOB JACKSON, Photographer, Dallas Times Herald.
4. A man with National Broadcasting Company who had a movie rig, name unknown.
5. Another movie cameraman who had a sound man helping him, names unknown.
6. Unknown United Press International Newsreel Cameraman from Chicago, Illinois.
7. Numerous persons thought to be newspaper reporters.
8. Lieutenant WIGGINS and his staff.
9. JACK RUBY who was not observed in the basement until about the time OSWALD was brought out and RUBY seemed to come up from behind where JOHNSTON was standing, then pushed in front of JOHNSTON as OSWALD approached.

JOHNSTON took three photographs of OSWALD: one when he was about ten feet away; one in which RUBY jumped in front of JOHNSTON and blocked his view of OSWALD; and one was made of Dallas Police Department Detective grappling with RUBY after the shooting of OSWALD.

Prior to OSWALD being brought out of the elevator in the City Hall basement, a large number of police "made a chain" along the route OSWALD would take from the elevator to a waiting car. Captain WILL FRITZ, Dallas Police Department preceded OSWALD out of the elevator with two other detectives on each side of OSWALD. Someone remarked "Here he comes." After JOHNSTON took his first photograph of OSWALD, he recalls seeing RUBY's image in his view finder of his camera before he snapped the second photograph and he recalls RUBY remarked "You son of a bitch," then JOHNSTON saw a flash from what he supposed was a gun that sounded

FRANCOIS PELOU, representative of the France Press News Agency, Washington, D. C., who resides at 128 Bank Street, New York, New York, was interviewed in the Statler-Hilton Hotel, Dallas, Texas. PELOU stated he arrived in Dallas at 8:30 p.m., November 22, 1963, and that same evening he saw LEE HARVEY OSWALD for the first time in the assembly room, Dallas Police Headquarters, where a conference was being held for the press. He did not interview OSWALD on that occasion.

PELOU believes he first saw JACK RUBY on Saturday afternoon, November 23, 1963, at Dallas Police Headquarters where RUBY was passing out sandwiches to members of the press. PELOU said he did not talk to RUBY on that occasion, nor did he see RUBY talk to anyone else.

PELOU related that on Sunday, November 24, 1963, he arrived at Dallas Police Headquarters at approximately 8 a.m. and shortly thereafter he went to the basement of the building to arrange a telephone line to his office in New York City. From approximately 8 a.m. until 10:30 a.m. of the same morning PELOU was either in the basement or on the first floor of the Dallas Police Headquarters. He related that at 10:30 a.m. he went to the basement of the building and remained there until approximately 11:00 a.m. when OSWALD made his appearance with Dallas Police Officers. A man who was identified as JACK RUBY immediately slipped from the crowd in the basement and shot OSWALD. PELOU said RUBY moved forward and fired the shot at OSWALD so quickly that, in his opinion, no one could possibly have prevented the incident.

PELOU advised that when he first entered the Dallas Police Headquarters on the morning of November 24, 1963, he was requested to identify himself as a member of the press and on several occasions from approximately 8 a.m. until 10:30 a.m. on that date, while inside Dallas Police Headquarters, his identification was sought by members of the Dallas Police Department. He said that while in the Dallas Police Headquarters on that date he particularly noticed extremely adequate security measures at each entrance to the building as well as within the building itself. He knew of no unauthorized person who was permitted to enter the basement, and he knew of no one permitted to enter the building, including the basement, without showing proper identification.

on 12/1/63 at Dallas, Texas File # DL 44-1639
 by Special Agent S. JAMES E. GARRIS and
R. NELL QUIOLEY :bmm Date dictated 12/2/63

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