

Mr. HOLMES. I believe not.

Mr. BELIN. Other than the fact that within a week of one another these two applications were taken out at the same post office?

Mr. HOLMES. That is the only significance that it has, as far as I am concerned.

Mr. BELIN. We will offer in evidence Holmes Deposition Exhibits 5 and 6, in addition to 1 through 4.

Let the record show that the original of Holmes Deposition Exhibit 5 will be returned to Mr. Holmes, and we will just for our records have copies made by the court reporter.

Mr. HOLMES. I have a photocopy machine in my office.

Mr. BELIN. Mr. Holmes, you have also asked me to make a photostatic copy of Holmes Deposition Exhibit 2 and you keep the original. This would be satisfactory for our purposes. This is the advertisement you cut out. Do you suppose you could get this to the court reporter yourself? Would you take the photostats?

Mr. HOLMES. Yes.

Mr. BELIN. Mr. Holmes, we want to certainly thank you for all the cooperation you have given the President's Commission.

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### TESTIMONY OF JAMES W. BOOKHOUT

The testimony of James W. Bookhout was taken at 11:15 a.m., on April 8, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Samuel A. Stern, assistant counsel of the President's Commission.

Mr. STERN. Will you please rise.

Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOOKHOUT. I do.

Mr. STERN. Sit down, please.

Mr. STERN. State your name, please.

Mr. BOOKHOUT. James W. Bookhout. Do you want my home address?

Mr. STERN. Yes.

Mr. BOOKHOUT. 7048 Cornelia Lane, Dallas, Tex.

Mr. STERN. What is your occupation, Mr. Bookhout?

Mr. BOOKHOUT. Special agent of the Federal Bureau of Investigation.

Mr. STERN. How long have you been with the Federal Bureau of Investigation?

Mr. BOOKHOUT. Little over 22 years.

Mr. STERN. How long have you been assigned to the Dallas office?

Mr. BOOKHOUT. Since about 1945.

Mr. STERN. Were you on duty on November 22?

Mr. BOOKHOUT. Actually, I was on leave on that particular date. However, I had been requested to come to the office to handle some expedited dictation in a particular case. Having completed that, I left the office and proceeded to the Mercantile National Bank, where I transacted some personal business. Upon leaving the bank, it was momentarily expected that the President's motorcade would pass that area. I stood there for a few minutes, and as the motorcade passed I was actually unable to personally observe the President, due to the crowd on the sidewalk. While waiting for the crowd to thin, in order to cross the street, several separate sirens on the police squad cars were heard proceeding in the direction of the county courthouse. While crossing the street, some citizen with a transistor radio stated that it had just been announced that shots had been fired at the President's motorcade.

I immediately proceeded toward the office and observed two agents coming from the direction of the office, who advised that the office was trying to contact me and I was to proceed to the homicide and robbery bureau of the Dallas Police Department.

I immediately proceeded to the homicide and robbery bureau and contacted my office and was advised that I was to maintain liaison with the homicide and robbery bureau.

Mr. STERN. Did you then go to the police headquarters?

Mr. BOOKHOUT. Yes; as I said, I went to the homicide and robbery bureau after contacting the Dallas office.

Mr. STERN. What then occurred at the police headquarters? Let me ask you this: How soon after you arrived there was Oswald brought in?

Mr. BOOKHOUT. Well, it was some little time, as I recall, the next pertinent instance was a report that the Dallas Police officer had been shot, and that was in the Oak Cliff area. Captain Fritz had not returned to the office at that time. When he did return, and subsequently Oswald was apprehended in the Texas Theatre, information was passed to Captain Fritz as to the name of the suspect that they had apprehended on the Tippit shooting, and at that time he stated that that was the suspect that they were looking for on the killing of the President.

Mr. STERN. Did the name Lee Harvey Oswald mean anything to you at that time?

Mr. BOOKHOUT. No. Captain Fritz went on to explain that Oswald was an employee of the Texas Book Depository, who they had ascertained left his employment there subsequent to the shooting incident.

Mr. STERN. And sometime after this he was brought to the police headquarters?

Mr. BOOKHOUT. Yes.

Mr. STERN. Were you present when he was brought in?

Mr. BOOKHOUT. Yes.

Mr. STERN. Can you describe his physical condition?

Mr. BOOKHOUT. I can recall one of the officers that brought him in was Paul Bentley. He is a polygraph operator in the identification division of the Dallas Police Department, and Bentley was limping, and Oswald had one eye that was swollen and a scratch mark on his forehead.

Mr. STERN. Did you observe any other bruises?

Mr. BOOKHOUT. None.

Mr. STERN. Was he handcuffed?

Mr. BOOKHOUT. Yes.

Mr. STERN. Was he walking by himself, or being held by police officers?

Mr. BOOKHOUT. To my recollection there was an officer on each side of him that had ahold of his arms.

Mr. STERN. Was he struggling?

Mr. BOOKHOUT. No; just walking in, you know what I mean.

Mr. STERN. Yes.

Mr. BOOKHOUT. In a normal fashion.

Mr. STERN. Then what occurred, that you observed?

Mr. BOOKHOUT. I believe he was taken directly into Captain Fritz' office and the interview started at that time with Captain Fritz, and two homicide officers.

Mr. STERN. Were you present?

Mr. BOOKHOUT. I was not in the office at that time. I called our office, advised them he had been brought in, and that the interview was starting and shortly thereafter Mr. Shanklin, our SAC called back and said the Bureau wanted the agents present in the interview and that Hosty, James P. Hosty, I believe was to sit in on the interview, and I was to also be present with Hosty. So, at that time, we asked Captain Fritz to sit in on the interview, and that was approximately 3:15 p.m.

Mr. STERN. How long had the interview gone on before you were present?

Mr. BOOKHOUT. Very shortly. I would give a rough estimate of not more than 5 to 10 minutes at the most.

Mr. STERN. How long did that first interview last?

Mr. BOOKHOUT. A little under an hour.

Mr. STERN. Was it interrupted at any point, if you remember?

Mr. BOOKHOUT. Well, what I am thinking, we have got several interviews here. I know from time to time I can't recall whether it was this interview, or subsequent interviews Captain Fritz would have to leave the office for a

second or two. By "office," I mean the immediate office that the interview was being conducted in, but still within the homicide and robbery office.

Mr. STERN. Did the interviewing continue when he was out of the room, or did you wait for his return?

Mr. BOOKHOUT. No; it would continue.

Mr. STERN. By whom was the interview conducted?

Mr. BOOKHOUT. Primarily it was conducted by Captain Fritz and then before he would leave from one point to another he would ask if there was anything we wanted to ask him particularly on that point.

Mr. STERN. By "we," you mean Agent Hosty and yourself?

Mr. BOOKHOUT. Right.

Mr. STERN. What was Oswald's demeanor in the course of this interview? Did he seem in control of himself, excited, or calm? Can you describe his conduct?

Mr. BOOKHOUT. He was very arrogant and argumentative. That is about the extent of the comment on that.

Mr. STERN. Is this as to you and Hosty, or also Captain Fritz? Did he differentiate in his conduct between Captain Fritz and the two of you?

Mr. BOOKHOUT. Now—no; that would apply to everyone present.

Mr. STERN. Did he answer all questions put to him or did he refuse to answer the questions?

Mr. BOOKHOUT. No; there would be certain questions that he refused to comment about.

Mr. STERN. When this happened was the question pressed, or another question asked?

Mr. BOOKHOUT. Anyone asking the—another question would be asked.

Mr. STERN. What sort of question would he refuse to answer? Was there any pattern to his refusing?

Mr. BOOKHOUT. Well, now, I am not certain whether this would apply then to this particular interview, the first interview or not, in answering this, but I recall specifically one of the interviews asking him about the Selective Service card which he had in the name of Hidell, and he admitted that he was carrying the card, but that he would not admit that he wrote the signature of Hidell on the card, and at that point stated that he refused to discuss the matter further. I think generally you might say anytime that you asked a question that would be pertinent to the investigation, that would be the type of question he would refuse to discuss.

Mr. STERN. Would you say he had a pretty good idea of what might be incriminating and what not incriminating?

Mr. BOOKHOUT. Well, I think that would call for an opinion, and I can only report the facts to you, and based on the example of the type of questions that I had commented on that he refused to answer, you will have to draw your own conclusion on that.

Mr. STERN. Fine. I am just trying to get at whether he seemed in command of himself and alert, and whether he handled himself responsibly from his own viewpoint, but if you don't want to venture an opinion, that's fine.

When you first joined the interview, did you advise him that you were an agent of the FBI, and did you say anything about warning him that evidence—that anything he said might be used?

Mr. BOOKHOUT. Yes; that was done by Agent Hosty.

Mr. STERN. Did he, at that point, or later say anything specifically regarding the FBI?

Mr. BOOKHOUT. Yes.

Mr. STERN. Tell us what that was.

Mr. BOOKHOUT. He accused the FBI of, generally, unfair tactics in interviewing his wife on some previous occasion.

Mr. STERN. Was this directed specifically at either you or Hosty, or to the general—

Mr. BOOKHOUT. It was directed against Hosty.

Mr. STERN. He did not, Oswald did not indicate that he knew Hosty himself, did he?

Mr. BOOKHOUT. No.

Mr. STERN. But, there was a complaint about an interview, or interrogation of Marina Oswald?

Mr. BOOKHOUT. Right.

Mr. STERN. Did he say anything about FBI interviews of him that had occurred in the past, any complaint about such interviews?

Mr. BOOKHOUT. I don't know that that would be in this particular interview, but in one of the interviews which has been reported he stated that he had been interviewed at Fort Worth, Tex., by agents upon his return to the United States from Russia, and he felt that they had used unfair means of interviewing him, or something. Those are not his exact words, but that is the impression he conveyed.

Mr. STERN. Unfair in what respect?

Mr. BOOKHOUT. I don't know.

Mr. STERN. Did he say?

Mr. BOOKHOUT. No.

Mr. STERN. Tell us the nature of his complaint.

Mr. BOOKHOUT. I think he probably used the expression, "Unfair tactics," or something in their interviews.

Mr. STERN. Yes. Did he indicate that he felt that the interview that was then going on was unfair in any way? Did he complain about that?

Mr. BOOKHOUT. No, he didn't complain about the interview. He made a complaint or two, as I recall, that one of the interviews that has been reported, in fact, I believe it was in this first interview he complained about his hands being handcuffed behind his back, and asked Captain Fritz to remove the handcuffs. Captain Fritz had one of his officers uncuff his hands from behind his back and recuff them in front and asked him if that was more satisfactory and he stated that it was.

Mr. STERN. Any other aspect of his treatment that he complained of?

Mr. BOOKHOUT. I recall one of the interviews that he complained about the lineup that he was in, that he wasn't allowed to wear a jacket similar to jackets worn by others in the lineup.

Mr. STERN. Did this occur at the lineup or subsequently?

Mr. BOOKHOUT. This was in one of the interviews in Captain Fritz' office.

Mr. STERN. Referring to a lineup that had—

Mr. BOOKHOUT. Subsequently been held—previously been held.

Mr. STERN. During the first interview was he asked whether he had ever been in Mexico, and if so, by whom?

Mr. BOOKHOUT. Yes; I recall Hosty asking him if he had ever been in Mexico.

Mr. STERN. What did he say?

Mr. BOOKHOUT. He said he had not. I believe he mentioned he had been in Tijuana, Mexico, I believe, but I believe the question was whether he had ever been in Mexico City.

Mr. STERN. Was he asked about an organization called the Fair Play for Cuba Committee, and if so, by whom?

Mr. BOOKHOUT. Yes, he was asked if he belonged to that. I don't recall specifically who raised the question.

Mr. STERN. What did he say?

Mr. BOOKHOUT. He said he was a member of it, and was secretary of the New Orleans branch. I believe he said the headquarters was in New York City.

Mr. STERN. Was there much discussion of this, or just the identification?

Mr. BOOKHOUT. Well, now, that is another instance where he balked on answering a question. He was asked who the officers were, and at that point he said he refused to discuss the matter further.

Mr. STERN. Was he asked his residence address in Dallas and did he give it?

Mr. BOOKHOUT. Yes; he furnished the address of 1026 North Beckley.

Mr. STERN. Did he say that he was living there under another name, or was another name and particularly the name O. H. Lee mentioned at all in this connection?

Mr. BOOKHOUT. He was asked why he was using the name Lee at this address, and he attempted to pass it off by stating that the landlord was an old lady,

and his first name was Lee and she just had gotten it in her head that he was Mr. Lee. He never did explain about the initials O. H.

Mr. STERN. Was he asked whether he had shot the President, or Officer Tippit?

Mr. BOOKHOUT. Yes; he was asked that, and denied shooting either one of them, or knowing anything about it.

Mr. STERN. Was he asked whether he was carrying a pistol at the time he was in the Texas Theatre?

Mr. BOOKHOUT. Yes; that was brought up. He admitted that he was carrying a pistol at the time he was arrested. He claimed that he had bought this some time ago in Fort Worth.

Mr. STERN. He said he had gotten it in Fort Worth?

Mr. BOOKHOUT. That is my recollection, and there again, in trying to follow through on that line of thought, he refused to answer any further questions as to whereabouts in Fort Worth he had bought it.

Mr. STERN. Did he talk about his arrest and his resistance of arrest at the Texas Theatre?

Mr. BOOKHOUT. He admitted fighting with the officer at the time of the arrest, but I don't recall any explanation as to why he was doing it.

Mr. STERN. Did he admit that he might have been wrong in doing that, or say anything to that effect?

Mr. BOOKHOUT. Seemed to me like he made the comment that the only thing he was guilty of, or the only thing he could be charged with would be the carrying of a concealed weapon, and of resisting the arrest.

Mr. STERN. When he was asked about involvement in the assassination of President Kennedy, or the shooting of Officer Tippit, how would you describe his denials?

Mr. BOOKHOUT. Well, I don't know exactly how to describe it, but as I recall, he spoke very loudly. In other words, he was—he gave an emphatic denial, that is about all I can recall on it.

Mr. STERN. I believe that in the report you filed on this first interview, you or Agent Hosty, who joined in the report with you, used the adverb "frantically" to describe his denial of an involvement. Does that refresh your recollection as to that? Would you use that word now, or was that your word?

Mr. BOOKHOUT. No; that was written by Hosty, and that would be his expression of describing it.

Mr. STERN. Do you think "emphatically," is perhaps the more descriptive word now?

Mr. BOOKHOUT. Well, that would be the way I would describe it. As I said, he spoke—

Mr. STERN. I am not trying to put words into your mouth.

Mr. BOOKHOUT. He spoke loudly.

Mr. STERN. I am most interested in getting the tone of this interrogation and his state, the way he conducted himself, and that is why I ask this question, and there is something of a difference between saying a man is acting frantically as opposed to his acting emphatically.

Mr. BOOKHOUT. Well, I suppose the word, "frantically," would probably describe it. In other words, I said that he spoke loudly. There just wasn't a normal type of denial. He was—it was more than that. That is the reason I say that probably "frantically," might be a descriptive word.

Mr. STERN. Did that occur only in connection with questions about whether he had shot the President, or was the general tone of this interrogation, as far as he was concerned, at that level?

Mr. BOOKHOUT. No; he wouldn't use the same expression of speech in answering all questions. He would have certain kinds there, and certain types of questions that he would apparently have stronger feelings on.

Mr. STERN. Do you recall at any time his pounding on the desk, or making any other physical gestures of that kind?

Mr. BOOKHOUT. I don't recall him pounding on the desk; no, sir.

Mr. STERN. Now, this interview, as I understand, took approximately an hour?

Mr. BOOKHOUT. That's correct.

Mr. STERN. According to this report, you and Agent Hosty entered the interviewing around about 3:15 p.m., and it ended at 4:05.

Mr. BOOKHOUT. That would be correct.

Mr. STERN. Were these times that you or Hosty would have recorded at that moment in the ordinary course of your participation?

Mr. BOOKHOUT. That's correct. There was no log made of it, as such, but those were the times recorded for that particular interview.

Mr. STERN. Your normal practice is to get times down pretty accurately in matter of this—

Mr. BOOKHOUT. Try to.

Mr. STERN. And did you make the record of these times, or did Agent Hosty?

Mr. BOOKHOUT. I can say that I did. Whether he did or not, I don't know.

Mr. STERN. Incidentally, normally, do you preserve those notes or destroy them when you make a formal report?

Mr. BOOKHOUT. They will be, normally, destroyed at the time you make your—what we refer to as an interview report.

Mr. STERN. And in this case, did you destroy your notes?

Mr. BOOKHOUT. That's correct.

Mr. STERN. So, you have no notes respecting this whole matter?

Mr. BOOKHOUT. No, other than the reported interviewing report.

Mr. STERN. Yes; when the first interview was concluded, it was, as I understand it, to take Oswald before a lineup?

Mr. BOOKHOUT. That's correct.

Mr. STERN. Did you go with the police taking Oswald?

Mr. BOOKHOUT. No; I didn't go with them. In other words, it was strictly, as far as we were concerned, a police operation. I did proceed to the lineup room and observed it for the purpose of maintaining our liaison and keeping up with what was going on.

Mr. STERN. Do you recall how many people were in the lineup?

Mr. BOOKHOUT. It was a four-man lineup.

Mr. STERN. Did you know any of the other people?

Mr. BOOKHOUT. No.

Mr. STERN. Do you recall now their physical characteristics, as related to Oswald's physical characteristics? Were they same size as he, or noticeably larger or smaller?

Mr. BOOKHOUT. I observed that the lineup consisted of four men who were numbered from left to right, one through four. Oswald was No. 2 in the lineup. All the individuals appeared to be of the same general age, height, and weight, and they were white American males.

Mr. STERN. What about the dress of all the people in the lineup?

Mr. BOOKHOUT. I cannot recall specifically what the dress was, but there was nothing obviously different between their dress.

Mr. STERN. From your experience as an FBI agent, from your experience in policework, I take it you observed nothing about this lineup that was out of the ordinary?

Mr. BOOKHOUT. That's correct.

Mr. STERN. Did you hear what the witnesses who were present at the lineup said about the lineup?

Mr. BOOKHOUT. No; I did not.

Mr. STERN. When the lineup was concluded, what happened next, as far as you were concerned?

Mr. BOOKHOUT. I returned to the homicide and robbery bureau.

Mr. STERN. Was Oswald brought back there, or taken elsewhere?

Mr. BOOKHOUT. I don't recall specifically whether he was brought back to the homicide and robbery bureau, or placed in jail, but I do know that I didn't interview him any more that day.

Mr. STERN. Did you have any further contact with him that day? Friday?

Mr. BOOKHOUT. No.

Mr. STERN. When did you next see Oswald?

Mr. BOOKHOUT. Well, it would be on the morning of November 23, 1963, in the homicide and robbery bureau.

Mr. STERN. This was another interrogation?

Mr. BOOKHOUT. Yes.

Mr. STERN. Conducted by Captain Fritz?

Mr. BOOKHOUT. That's correct.

Mr. STERN. Do you recall who else was present, and you may refer any time to your reports to refresh your recollection.

Mr. BOOKHOUT. All right; that will be the interrogation that was in the presence of myself, T. J. Kelley of the U.S. Secret Service, David B. Grant, U.S. Secret Service, Robert I. Nash, U.S. marshal, and Detectives Billy L. Senkel and Fay M. Turner from the homicide and robbery bureau, Dallas Police Department. This interview was conducted, primarily, by Captain Fritz.

Mr. STERN. Did you ask any questions in the course of this interview?

Mr. BOOKHOUT. Yes.

Mr. STERN. What were they, and what were the responses, if you recall?

Mr. BOOKHOUT. One specific question was with regard to the selective service card in the possession of Oswald bearing a photograph of Oswald and the name Alek James Hidell. Oswald admitted he carried this selective service card, but declined to state that he wrote the signature of Alek J. Hidell appearing on same. Further declined to state the purpose of carrying same, and—or any use he made of same.

Mr. STERN. Did Oswald say anything in the course of this interview with regard to obtaining a lawyer?

Mr. BOOKHOUT. Yes, it was in this interview that he mentioned he wanted to contact Attorney Abt [spelling] A-b-t, New York City. I recall Captain Fritz asked him if he knew Abt personally and he said he did not, but he explained that he knew that Abt had defended the Smith Act cases in 1949, or 1950, and Captain Fritz asked him if he knew how to get ahold of Mr. Abt, and he stated that he did not know what his address was, but he was in New York.

I recall that Captain Fritz explained to him that he would allow him to place a long distance call for Abt, and he explained to Oswald how to ask the long distance operator to trace him down and locate him, even though Oswald didn't even know his address or telephone number.

Mr. STERN. Did he actually make the call in your presence?

Mr. BOOKHOUT. No; he didn't make the call in my presence. The next interview that we had with him, I recall that Captain Fritz asked him if he had been able to contact Mr. Abt. Oswald stated that he had made the telephone call and thanked Captain Fritz for allowing him to make the call, but actually, he had not been able to talk to Abt. He wasn't available. Wasn't in his office or something—

Mr. STERN. Was he complaining about not having counsel furnished, or did he seem satisfied with the effort to reach Abt?

Mr. BOOKHOUT. No; he made no complaint about not being furnished an attorney. Actually, there was a good deal of conversation on that point, and he stated that he did not want any Dallas attorney representing him, and said that if he couldn't get in touch with Mr. Abt, that he would probably contact someone with the Civil Liberties Union, and have them furnish an attorney. I recall sometime during November 22 or 23, I believe it was, the head of the Dallas Bar Association appeared at the homicide and robbery bureau and requested permission to talk to Oswald. Captain Fritz gave him that permission, and when he got through talking to Oswald and came back in and told Captain Fritz that he had seen him, and that Oswald did not want anybody from Dallas to represent him.

Mr. STERN. You heard this?

Mr. BOOKHOUT. Yes; that was in my presence. I don't recall the name of the attorney, but I was there at the time or during that conversation.

Mr. STERN. Can you tell us approximately how long this Saturday morning interview took?

Mr. BOOKHOUT. Well, that would be approximately an hour. No interview that I participated in lasted over an hour, and I think roughly this one probably started around 10:35 in the morning and lasted for approximately an hour.

Mr. STERN. All right. What was his physical appearance at this time?

Mr. BOOKHOUT. His appearance was no different than it was on the 22d.

Mr. STERN. You saw no other bruises?

Mr. BOOKHOUT. No.

Mr. STERN. Did he seem rested, or tired?

Mr. BOOKHOUT. I saw no difference in his appearance on the 23d than it was on the 22d.

Mr. STERN. How about the way he handled himself? Was he any calmer, any more communicative Saturday morning than he had been Friday afternoon?

Mr. BOOKHOUT. Well, I think that he might not have been quite as belligerent on the 23d as he was on the 22d. But he still refused to discuss certain points indicated above, selective service card being one point that I recall. I remember he was asked if he would take a polygraph, and he said he would not, that it had always been his practice not to agree to take a polygraph.

Mr. STERN. Did he suggest that he had been asked before to take a polygraph?

Mr. BOOKHOUT. He made some comment along the line that it had never been his policy—before, to take a polygraph.

Mr. STERN. But he didn't elaborate on it?

Mr. BOOKHOUT. He didn't elaborate on it.

Mr. STERN. Did he make any further comment at this interview about his interviews with the FBI, or their interviews of his wife?

Mr. BOOKHOUT. I think probably this is the one I referred to a while ago. Yes, it would be in this interview that he made further comment that on the interview of Ruth Paine by the FBI, regarding his wife, that he felt that his wife was intimidated. Also, in this interview that he made mention as previously stated above that he had arrived about July 19, 1962, from Russia, and was interviewed by the FBI at Fort Worth, Tex.

He stated that he felt that they had overstepped their bounds and used various tactics in interviewing him.

Mr. STERN. Did he specify what the tactics were?

Mr. BOOKHOUT. No; he did not.

Mr. STERN. In your report before this interview you mentioned that he again denied shooting President Kennedy, and apparently said that he didn't know until then that Governor Connally had been shot?

Mr. BOOKHOUT. That's correct. That was his statement, that he denied shooting President John F. Kennedy on November 22, 1963, and commented that he did not know that Governor John Connally had been shot.

Mr. STERN. Did you form any impression about whether he was genuinely surprised? Did he look genuinely surprised to you, or how did you feel about that? I am just asking for your impression. If you don't have one, say so.

Mr. BOOKHOUT. No; I have no impression on that. I arrived at no conclusion.

Mr. STERN. What did he say at this interview with respect to the purchase of a rifle, or possession of a rifle?

Mr. BOOKHOUT. Generally, he stated that he didn't own a rifle, hadn't ever made any mail order purchase of one.

Mr. STERN. Now, did anything transpire that you observed concerning Oswald between the end of that morning interview on Saturday, and the next interview of Oswald?

Mr. BOOKHOUT. No.

Mr. STERN. You stayed at the police headquarters in that period performing liaison functions?

Mr. BOOKHOUT. Yes.

Mr. STERN. You did not observe another lineup?

Mr. BOOKHOUT. No; there were other lineups.

Mr. STERN. But you did not participate?

Mr. BOOKHOUT. But I did not observe.

Mr. STERN. Or observe?

Mr. BOOKHOUT. Any others.

Mr. STERN. Now, approximately when did the next interview occur?

Mr. BOOKHOUT. The interview at about 6:30 p.m., on November 23, 1963.

Mr. STERN. How long did this interview last?

Mr. BOOKHOUT. Not over an hour.

Mr. STERN. Who conducted this interview?

Mr. BOOKHOUT. Captain Fritz.

Mr. STERN. Did you ask any questions, that you recall?

Mr. BOOKHOUT. I don't recall asking any specific questions during this interview.

Mr. STERN. It was at this interview, was it not, that Oswald was shown photographs of himself holding a rifle and wearing a pistol in a holster?

Mr. BOOKHOUT. That's correct.

Mr. STERN. What was his comment about the photograph?

Mr. BOOKHOUT. His comment, as I recall, he was asked if this was his photograph, and his comment was that the head of the photograph was his, but that it could have been superimposed over the body of someone else. He pointed out that he had been apparently photographed by news media numerous times in proceeding from the homicide and robbery bureau to the lineup and back, and that is how they probably got the photograph of his face, and he went into a long discussion of how much he knew about photography, and knew that this—his face could be superimposed over somebody else's body holding the gun and pistol and so forth.

Mr. STERN. Now, was his appearance and demeanor at this interview—

Mr. BOOKHOUT. No different than it was during the previous interviews.

Mr. STERN. Did he have any comment at this interview about counsel?

Mr. BOOKHOUT. None other than at the outset of being first asked if that was his photograph, he first made the statement that he wouldn't make any comment about it without the advice of counsel, but then subsequently is when he went into the story about his face had been superimposed over somebody else's body.

Mr. STERN. Did he complain in the course of this interview about the way in which the lineup had been conducted?

Mr. BOOKHOUT. This is the interview in which he—a previously mentioned comment here was made to the effect that he had not been granted a request to put on a jacket similar to those worn by some of the other individuals in some previous lineups.

Mr. STERN. In each of these interviews was he generally taken through the same questions or similar questions, or were the interviews addressed to different areas?

Mr. BOOKHOUT. More or less, they had been to a specific area. For instance, in this last interview we are talking about, that was more or less confined to this photograph.

Mr. STERN. Yes. Did he ever complain that, "We have been over that ground before," or make any such statement?

Mr. BOOKHOUT. No; I don't recall anything along that line, but I can recall one subject matter probably in the first interview where he talked about his method of transportation after leaving the Texas Book Depository, having gotten on a bus, and then that subject was taken up again, as I recall, in the second interview, expressed the same answer at that time, and then subsequently to that interview he backed up and said that it wasn't actually true as to how he got home. That he had taken a bus, and due to the traffic jam he had left the bus and got a taxicab, by which means he actually arrived at his residence.

Mr. STERN. Had he been confronted by the driver of the taxicab, or been told that they had located the driver of the taxicab before he changed his story, or did he volunteer the story of the taxi?

Mr. BOOKHOUT. I don't recall specifically whether he was confronted with that or not.

Mr. STERN. All right. Do you recall whether in the course of any of the interrogations any official, anyone present suggested in any way to Oswald that things would be better for him if he told the truth, if he confessed? Was he ever offered any inducement—any suggestion made that he would be better off if he told the full story?

Mr. BOOKHOUT. I can't recall anything along that line. I don't recall any type of inducement whatsoever.

Mr. STERN. In each interview in which you participated, did you warn him about the possible use of his statement against him?

Mr. BOOKHOUT. I personally did not at each interview, but I can say that at

each interview he was warned. He was warned numerous times by Captain Fritz and his rights were fully explained to him.

Mr. STERN. What sort of warning would Captain Fritz give him, generally?

Mr. BOOKHOUT. He gave a warning consisting of the fact that he did not have to make any statement, that any statement he made could be used against him in court, and he had the right to consult with an attorney, generally, that was the rights that were explained to him, as I recall.

Mr. STERN. This was said at each session at which you were present?

Mr. BOOKHOUT. This was given at once each time, and the question would come up later on, I mean, he would repeat himself, that, you don't have to make any statement—and so forth.

Mr. STERN. Did you observe anytime any physical or mental coercion of Oswald by anyone?

Mr. BOOKHOUT. None whatsoever.

Mr. STERN. Off the record.

(Discussion off the record.)

Mr. STERN. Now, back on the record. This interview on late Saturday afternoon, was about 6 or 6:30, is that correct?

Mr. BOOKHOUT. This one started about 6:30 p.m. And I would say it lasted about an hour.

Mr. STERN. I see. So, that is 7:30?

Mr. BOOKHOUT. Yes.

Mr. STERN. Was there any further interview that day that you participated in?

Mr. BOOKHOUT. None that I recall.

Mr. STERN. Did you see Oswald again anytime after that interview concluded?

Mr. BOOKHOUT. Now, yes; on the morning of November 24, 1963, I observed him in interview with Captain Fritz and numerous other officers in the homicide and robbery bureau. Captain Fritz—I did not participate in this interview. It had already started before I arrived.

Mr. STERN. Did you notice anything unusual about his appearance?

Mr. BOOKHOUT. No.

Mr. STERN. Did you see Oswald again?

Mr. BOOKHOUT. I stayed there in the office of the homicide and robbery bureau. When I refer to "office," I mean the overall office, and inside of that office is a private office of Captain Fritz. The interview was being conducted in the private office. There is a glass partition or glass—well, say glass partition on one side of the office that you can see what is going on inside there. I took a seat adjacent to this glass area in the office proper of the homicide and robbery bureau, and watched Oswald during the interview that was going on. About—well, I don't know what time specifically, it was after 11 o'clock, as I recall, the interview terminated. I asked Captain Fritz if he had—if Oswald made any admissions, and he stated that he had not made any. Shortly thereafter he was taken out of the homicide and robbery bureau. I remained in the homicide office.

Mr. STERN. Did you see him again?

Mr. BOOKHOUT. Next time I saw him was after a report came out over the intercom system for any homicide and robbery officers to report to the city hall basement. I proceeded to the basement after learning from Lieutenant Baker in the homicide and robbery bureau, who had made a telephone call to the dispatcher to inquire what was going on, that Oswald had been shot.

When I arrived in the basement I asked where was Oswald, and they said that he was in the jail office. I asked who had shot him, and I was told an individual by the name of Jack Ruby. I asked where he was. They said, they have already taken him up to the jail.

Mr. STERN. Fine.

Mr. BOOKHOUT. Just shortly thereafter the ambulance came, and I observed them roll Oswald out of the jail office on the stretcher and that is the last—

Mr. STERN. I would like to clear up one point, Mr. Bookhout, about the number of interviews on Saturday. Your present recollection is that there were how many in which you participated?

Mr. BOOKHOUT. Two on Saturday.

Mr. STERN. One at about what time and the other at what time?

Mr. BOOKHOUT. One was about 10:35 a.m., and the second one was about 6:30 p.m.

Mr. STERN. You do not now recall any separate interview at about 12:30 on Saturday?

Mr. BOOKHOUT. I don't specifically recall any separate interview at that time. I checked the record before coming over and the interviews that I have mentioned are the only ones I have in the report.

Mr. STERN. Would you describe briefly the conditions in the corridor outside the homicide and robbery area.

Mr. BOOKHOUT. On November 22 and 23, the hallway in front of the homicide and robbery bureau located on the third floor of the city hall building was jammed with news media. From the elevator area to the end of the hallway, extending on past the homicide and robbery bureau entrance.

Mr. STERN. Could you hear anything from the hallway when you were in the interrogation room?

Mr. BOOKHOUT. No; there were two Dallas Police officers on duty at the entrance to the homicide and robbery bureau, who required you to identify yourself being that—before being allowed entrance into the bureau. The interviews of Oswald were conducted in the private offices of Capt. J. W. Fritz, located within the same bureau, and the door to the private office was closed, and we did not hear any commotion going on outside in the halls while the interviews were in progress.

Mr. STERN. Did Oswald ever say anything that you heard about the press and conditions in the hallway?

Mr. BOOKHOUT. The only thing I recall offhand is the incident mentioned previously about the press undoubtedly taking his photograph when he was going and coming from the homicide and robbery bureau.

Mr. STERN. I think that covers all the questions I have, Mr. Bookhout. Thank you very much for coming here.

Mr. BOOKHOUT. You are welcome.

Mr. STERN. If there is anything that occurs to you that I haven't asked about and you think the Commission should know, I would be delighted to have you tell me.

Mr. BOOKHOUT. I can't think of anything that I could add to what you have already heard.

Mr. STERN. Now, our reporter will transcribe your testimony and can make a copy available for you to read and sign. If you think it is accurate, you can waive that if you desire, and she will then send it directly to the Commission. It makes no difference at all to the Commission which you elect.

Mr. BOOKHOUT. I think that as far as I am concerned, it would be all right.

Mr. STERN. Fine. Then you will waive?

Mr. BOOKHOUT. My idea—the purpose—only purpose I would have would be just to help you if there are any typographical errors in there.

Mr. STERN. Fine. And thank you for coming in today.

Mr. BOOKHOUT. All right.

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### TESTIMONY OF MANNING C. CLEMENTS

The testimony of Manning C. Clements was taken at 10:15 a.m., on April 8, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Samuel A. Stern, assistant counsel of the President's Commission.

Mr. STERN. Good morning, Mr. Clements. Will you rise and raise your right hand, please.

Do you 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. CLEMENTS. I do.

Mr. STERN. Would you please sit down. State your name and address.