

Mr. HUBERT. Now, after Ruby was brought back upstairs, after having been in Fritz' office at least 1 hour, did you see him again that day?

Mr. BENTON. No, sir.

Mr. HUBERT. All right. Now, when this deposition has been transcribed, we would like to send you a copy so that you may read it and make what stylistic semantic corrections you think should be made without changing the meaning, and then there will be a place for you to sign and then you can return it. I will ask the stenographer to send the transcript to me here. I will make some of these changes myself and send it on to you.

Mr. BENTON. Yes, sir.

Mr. HUBERT. At that time I will probably enclose a self-addressed and stamped envelope to the Commission in Washington so that you may send it on. Now, where will you be? I understand you are going to—

Mr. BENTON. San Francisco; tomorrow.

Mr. HUBERT. And you will be there until—

Mr. BENTON. I think until the 18th or 19th.

Mr. HUBERT. Could you tell me, Miss, when this will be in my hands?

The REPORTER. We normally have 2 weeks delivery. When would you need it?

Mr. HUBERT. Well, could you have it in my hands by Tuesday, the 14th?

The REPORTER. Yes, I'm sure I can.

Mr. HUBERT. Where will you be staying?

Mr. BENTON. I'll be staying at the Hilton Hotel in San Francisco.

Mr. HUBERT. And you won't leave there until the 18th?

Mr. BENTON. That is the present plan.

Mr. HUBERT. Well, we'll try to send it out to you airmail special delivery on the 14th so it ought to get there on the 15th or 16th and perhaps you'll have a chance to look it over. In any case, send it on. I guess you will leave a forwarding address. Could you be reached at this New Orleans address we have?

Mr. BENTON. Well, my wife would know where I am. The St. Charles Avenue address.

Mr. HUBERT. Yes; and the CBS local would know?

Mr. BENTON. Well, she would probably come closer to knowing than they would at CBS because quite often all of us are out of town.

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

TESTIMONY OF FRANK BELLOCCHIO

The testimony of Frank Bellocchio was taken at 11:50 a.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Frank Bellocchio.

Mr. Bellocchio, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Bellocchio, 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 about Jack Ruby and his movements and his operations and associates and so forth. I think you have

appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission asking you to come here; is that correct?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. When did you receive that letter?

Mr. BELLOCCHIO. Approximately 6 days ago, I believe, 5 or 6 days ago.

Mr. HUBERT. Would you stand and take the oath, please, 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?

Mr. BELLOCCHIO. I do.

Mr. HUBERT. Your name is Frank Bellocchio; is that correct?

Mr. BELLOCCHIO. That is correct.

Mr. HUBERT. Where do you live, sir?

Mr. BELLOCCHIO. 9832 San Lea Drive, Dallas.

Mr. HUBERT. What is your occupation?

Mr. BELLOCCHIO. Jeweler—self-employed.

Mr. HUBERT. Located where?

Mr. BELLOCCHIO. 8310 Varsity Plaza is the retail store and at 1517 Commerce Street.

Mr. HUBERT. That's a retail store?

Mr. BELLOCCHIO. No, this is a jewelry workshop.

Mr. HUBERT. Do you know Jack Ruby?

Mr. BELLOCCHIO. Yes; I do.

Mr. HUBERT. How long have you known him?

Mr. BELLOCCHIO. Seven or eight years.

Mr. HUBERT. In what way did you get to know him and how did your acquaintance or friendship continue?

Mr. BELLOCCHIO. I believe it was about 8 years ago that my wife and I strolled into his nightclub in Oaklawn.

Mr. HUBERT. The Vegas Club?

Mr. BELLOCCHIO. The Vegas.

Mr. HUBERT. You got to know him there?

Mr. BELLOCCHIO. And I got to know Jack Ruby. He introduced himself to me, and also some people knew me as a jewelry designer and he seemed to be impressed by this. He came over and he introduced himself to me and made his acquaintance in that manner.

Mr. HUBERT. How did your acquaintance or friendship, whichever it was, develop from that point?

Mr. BELLOCCHIO. Then I believe I went in—I believe my brother came down here from New York that summer.

Mr. HUBERT. That's about 8 years ago?

Mr. BELLOCCHIO. About 8 years ago—maybe 7 and maybe 9. My brother came down from New York City and my wife and I, I believe my brother and I believe his wife, went to the Vegas Club. Again, Jack Ruby came over to the table. My brother is on the police department in New York City and of course Jack Ruby was always impressed, you know, with police officers and so forth, and he got to talking to me and my brother all about some sort of business deal he had down here. I think it was this frozen pizzas. Jack Ruby spoke about going into the frozen pizza business, and the way he put it, I think he had plans to corner the frozen pizza business in the South. This was on my second meeting with Jack Ruby, and I believe the only time I actually sat at a table and spoke with him. After that from time to time I would see Jack Ruby downtown maybe walking in the opposite way or in a restaurant and he would always give me a big "Hello."

Mr. HUBERT. There was no social relationship between you then such as visiting in one another's houses and going out together or anything like that?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Did you have any business relationships with him?

Mr. BELLOCCHIO. Never.

Mr. HUBERT. Did he come to your shop sometime?

Mr. BELLOCCHIO. I don't—I'm sure Jack Ruby was never in our store at Preston Center, and he may have visited my workshop downtown once. I vaguely remem-

ber him talking to me about designing some sort of an ornament for the winners at his dance club. He used to have competition between dancers and give prizes to the winners.

Mr. HUBERT. I think you saw him on the 23d of November 1963?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. When was the last time prior to that time that you had seen him?

Mr. BELLOCCHIO. I would say perhaps 6 months or 8 months or 10 months before that.

Mr. HUBERT. Where did you see him on Saturday, November 23, which was the Saturday after the shooting and death of the President?

Mr. BELLOCCHIO. At Sol's Turf Bar or Delicatessen.

Mr. HUBERT. Where is that located?

Mr. BELLOCCHIO. 1517 Commerce Street, right across from the Dallas Power and Light Co. It may be 1515 Commerce Street.

Mr. HUBERT. I think your number is 1515?

Mr. BELLOCCHIO. Yes; I'm located right upstairs.

Mr. HUBERT. Who were you with?

Mr. BELLOCCHIO. Tom Apple.

Mr. HUBERT. Who is he?

Mr. BELLOCCHIO. He's a personal friend of mine.

Mr. HUBERT. What business is he in?

Mr. BELLOCCHIO. He's an American Airlines pilot and also an engraver in the jewelry business.

Mr. HUBERT. What time did you and Apple go down?

Mr. BELLOCCHIO. I believe we went down around 3 o'clock.

Mr. HUBERT. For what purpose—to get lunch or a drink or what?

Mr. BELLOCCHIO. I believe—lunch, a drink, and it was a day in which everybody was upset and talking and I didn't feel much like working.

Mr. HUBERT. How do you fix the time at 3?

Mr. BELLOCCHIO. Originally, Tom and I thought or I thought that we had seen Jack Ruby about 1 o'clock or 1:30 or 2.

Mr. HUBERT. And you so stated, I think, to the FBI in your statement which has not yet been identified?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. But now you wish to correct that and say it was later?

Mr. BELLOCCHIO. We have established the time as being later than that, to the extent that I spoke to another friend of ours that was down there and he tells us it was closer to, I believe, 4 or 4:30 and he knows this is true because he had an appointment, I believe, at 2 o'clock and he was still there at 2 o'clock, and he's told us he stayed about 2 hours after that; therefore, he's very sure that it was not at 2 o'clock.

Mr. HUBERT. In other words, you fix the time at 4 o'clock because some friend of yours has told you that he saw you there?

Mr. BELLOCCHIO. Yes; we spoke with him.

Mr. HUBERT. You spoke with him and he knows it was 4 because he couldn't himself have gotten there until 4 o'clock.

Mr. BELLOCCHIO. That's right.

Mr. HUBERT. What is that friend's name?

Mr. BELLOCCHIO. I can't think of his name, but he's in the door business. It may come to me in a few seconds—I just can't think of his name right now.

Mr. HUBERT. How did you have occasion to talk to him about this time question?

Mr. BELLOCCHIO. Well, naturally, afterward we all spoke about having seen Jack Ruby and we spoke about the FBI contacting us, and then we just spoke about it, tried to hash it out exactly what happened, when it happened.

Mr. HUBERT. But you remembered that you had told the FBI it was sometime between 1 and 2 o'clock?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. And then this man reminded you it couldn't have been then because he had seen you earlier?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. In spite of the fact that he saw you there at 4 o'clock, would that have eliminated the possibility that you were there at 2, necessarily?

Mr. BELLOCCHIO. I could have been there myself at 2 o'clock. As I said, it was a day in which everybody was very upset.

Mr. HUBERT. Did this friend indicate to you that he saw Ruby there?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. He saw Ruby there at 4?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. Now, how long was Ruby there altogether?

Mr. BELLOCCHIO. Approximately 15 minutes.

Mr. HUBERT. And he was not there twice, that is to say, to your knowledge while you were there, he was there once?

Mr. BELLOCCHIO. To my knowledge he was only there once.

Mr. HUBERT. And that was for 15 minutes?

Mr. BELLOCCHIO. Fifteen or twenty minutes.

Mr. HUBERT. And therefore, if the man who is in the door business whose name you don't remember at the moment, if he says he saw you talking to Ruby, that it had to be 4 o'clock because he couldn't have been there before 4 o'clock, then you are willing to amend your statement to show that it was 4 rather than 2?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. Now, I will introduce that statement. I have handed to you previously so that you might read it, a document which purports to be an interview of you by FBI Agent James S. Weir on December 5, 1963, which for the purpose of identification I have marked as follows: "Dallas, Texas, June 27, 1964, Exhibit No. 1, Deposition of Frank Bellocchio," and have signed my name Leon D. Hubert, Jr., which I have marked in the right-hand margin of the first page, the document consisting of two pages, and on the second page I have placed my initials on the lower right-hand corner.

Now, you have read this document, I think, and I ask if, except for the element of time, this document is correct, and does it correctly reflect the interview you had with the FBI agent?

Mr. BELLOCCHIO. Yes; it does.

Mr. HUBERT. Now, in the third paragraph it does state that the time was between 1 and 2 o'clock and you have in the last few minutes explained why you believe it was not that time, but rather 4 o'clock, right?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. How long did you say you talked with Jack?

Mr. BELLOCCHIO. Ten, fifteen, or twenty minutes.

Mr. HUBERT. Was all of that conversation in the presence of Mr. Apple?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Was any of it in the presence of Mr. Apple?

Mr. BELLOCCHIO. Yes, some of it; some of it was in the presence of Mr. Apple.

Mr. HUBERT. Would you describe then how it was that Mr. Apple was present during some of the conversation but not during other parts of it? In other words, how did you become separated?

Mr. BELLOCCHIO. Tom Apple and myself—how did we become separated?

Mr. HUBERT. Yes—from Ruby? In other words, Ruby came in after you were in there, is that correct?

Mr. BELLOCCHIO. I don't know whether Ruby was in there when I came in or whether he came in afterwards. I didn't see him enter or leave. He was there.

Mr. HUBERT. Did he come up to you and talk or did you go to him?

Mr. BELLOCCHIO. I believe I walked towards the rear of Sol's Turf Bar and Ruby said "Hello" to me.

Mr. HUBERT. And then did you engage him in a conversation?

Mr. BELLOCCHIO. There was considerable confusion. I don't remember whether I engaged him or he engaged me.

Mr. HUBERT. Was Apple present when you first saw him?

Mr. BELLOCCHIO. Apple was sitting at the bar. When I first saw Ruby—Apple was not with me, and to my knowledge Apple had never met and did not know Ruby.

Mr. HUBERT. So you spoke to Ruby alone, then, about how many minutes?

Mr. BELLOCCHIO. Oh, perhaps, 5, 8 or 10 minutes. There were other people around though.

Mr. HUBERT. How did Apple get into the conversation?

Mr. BELLOCCHIO. Well, Tom and I, before—

Mr. HUBERT. "Tom" is Mr. Apple, right?

Mr. BELLOCCHIO. Mr. Apple, right. Mr. Apple and I had been sitting at the bar and we were both naturally very upset about the President's assassination. I was on this day very emotional myself, and in a sense, I was holding Dallas responsible for the assassination of the President. Tom disagreed with me. We were discussing this at the bar. Then, I walked towards the rear of Sol's Turf Bar and somehow I got involved in a conversation with Ruby.

Mr. HUBERT. Well, suppose you tell us about that conversation between you and Ruby first. What was the nature of it and what subjects were discussed?

Mr. BELLOCCHIO. I believe I told Ruby that much of what had happened. Dallas could take the responsibility for.

Mr. HUBERT. What was his attitude toward that position?

Mr. BELLOCCHIO. His attitude toward that—he was very incoherent. He was agreeing with me and he was disagreeing with me.

Mr. HUBERT. Was he under the influence of liquor?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Was he drinking at all?

Mr. BELLOCCHIO. No; not to my knowledge.

Mr. HUBERT. Did he have any drink in front of him?

Mr. BELLOCCHIO. No; he did not.

Mr. HUBERT. Did this place sell alcoholic liquor?

Mr. BELLOCCHIO. Pardon?

Mr. HUBERT. Did this place sell liquor?

Mr. BELLOCCHIO. Yes; it did. The reason I say he was very incoherent, I remember while I was feeling very, very bad about it, I told Jack Ruby I felt like letting my business go and moving from Dallas, and I remember Ruby telling me not to get excited, that there were a lot of good citizens in Dallas and not to hold everybody responsible.

Mr. HUBERT. In other words, he was calming you down?

Mr. BELLOCCHIO. He was calming me down—yes, but at the same time, rather, I showed him an advertisement that appeared in the Dallas Morning News.

Mr. HUBERT. That's the Weissman ad?

Mr. BELLOCCHIO. The Weissman ad.

Mr. HUBERT. You had cut it out?

Mr. BELLOCCHIO. I had cut it out.

Mr. HUBERT. What was his reaction when you showed him that?

Mr. BELLOCCHIO. His reaction to this was that this was perhaps the work of a group of individuals trying to stir up trouble here in Dallas, racial trouble here in Dallas.

Mr. HUBERT. Did he seem to know about the ad?

Mr. BELLOCCHIO. He said that he had been down to the newspaper and I believe that part of the ad had been paid in cash.

Mr. HUBERT. In other words, he did know about the advertisement?

Mr. BELLOCCHIO. He did know—yes, he definitely did know about the ad.

Mr. HUBERT. But his attitude toward the Weissman ad at that time, in response to your reaction, was that it was probably a group trying to stir up racial difficulties?

Mr. BELLOCCHIO. Racial—yes.

Mr. HUBERT. What sort of racial difficulties?

Mr. BELLOCCHIO. I assumed he meant an anti-Jewish feeling.

Mr. HUBERT. Did he use those words specifically?

Mr. BELLOCCHIO. No; he did not say those specific words.

Mr. HUBERT. You gathered that from the fact that the name Weissman normally is taken to be a Jewish name?

Mr. BELLOCCHIO. Yes; and he seemed to be very upset because the name was Weissman.

Mr. HUBERT. Did you know that Jack Ruby was Jewish?

Mr. BELLOCCHIO. Yes; I assumed he was Jewish.

Mr. HUBERT. Did he seem to think that the Jewish people in Dallas might be blamed for the assassination of the President on account of this ad?

Mr. BELLOCCHIO. He didn't say so but he inferred this.

Mr. HUBERT. Well, I take it from what you tell me that you were more excited about the ad and about the assassination than he was?

Mr. BELLOCCHIO. Well, I was excited—I was.

Mr. HUBERT. In any case, he was calming you down, I believe you said?

Mr. BELLOCCHIO. He was in a sense trying to pacify me.

Mr. HUBERT. At least to the extent that when you were inclined to blame Dallas, he defended Dallas, is that right?

Mr. BELLOCCHIO. That's correct, but by the same token, he turned around and produced a Polaroid film of a sign, a photograph, that said "Impeach Earl Warren."

Mr. HUBERT. Did he tell you how he obtained those pictures?

Mr. BELLOCCHIO. I don't believe so, or, he said that he had taken them with a camera.

Mr. HUBERT. What was his statement concerning those Polaroid pictures?

Mr. BELLOCCHIO. This upset him greatly, and at this point he seemed to be verifying my supposition that Dallas was responsible. As I said, he seemed to be taking two sides—he wasn't coherent.

Mr. HUBERT. He seemed to be vacillating between the two?

Mr. BELLOCCHIO. Between the two, and this is how Tom Apple got into the discussion.

Mr. HUBERT. All this had occurred prior to Tom Apple's getting into it?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. How did Tom Apple get into it? Did you all go to him or did he come to you?

Mr. BELLOCCHIO. No; when I saw the pictures "Impeach Earl Warren," this again supported my argument that Dallas in a sense was responsible.

Mr. HUBERT. So what did you do?

Mr. BELLOCCHIO. I asked Ruby if I could have one of the pictures. He said, "No." I said, "Well, would you come over and show them to a friend of mine?" and we went over and showed Tom Apple the photographs.

Mr. HUBERT. Did you introduce Ruby to Apple and vice versa, or did they know each other?

Mr. BELLOCCHIO. They didn't know each other and I don't believe I introduced them formally.

Mr. HUBERT. Is it your impression that they did not know each other then, is that right?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. What is this part about Ruby's making some comment about having a squabble with respect to the taking of that picture?

Mr. BELLOCCHIO. I asked him a number of times if I could have one of the photographs.

Mr. HUBERT. What did you want them for?

Mr. BELLOCCHIO. Again, this was verifying my position that Dallas was responsible, in a city that would allow signs like this to be exhibited.

Mr. HUBERT. In other words, you wanted to use it later on in your arguments or discussions with friends as to your position?

Mr. BELLOCCHIO. That's right.

Mr. HUBERT. And you say he would not let you have them?

Mr. BELLOCCHIO. He would not let me have them.

Mr. HUBERT. Did he state why?

Mr. BELLOCCHIO. I believe he said he had some sort of a scoop and wanted to see that the right persons would get the photographs. I'm not at all sure, but I believe he said that.

Mr. HUBERT. Was he worried about his own business or seem to be or indicate that he was?

Mr. BELLOCCHIO. No; he didn't mention his own business.

Mr. HUBERT. How long was the conversation between you, Apple, and Ruby?

Mr. BELLOCCHIO. Perhaps 3 minutes, 4 minutes.

Mr. HUBERT. Now, how did the whole matter end? That is to say, you discussed the matter with Apple and you asked him again for the picture and he told you or indicated something about wanting a scoop or thinking he had a

scoop, and what happened next? Did he leave you, you leave him, or what happened?

Mr. BELLOCCHIO. It was almost as if he--I spoke to Tom and said a few more words to Tom, and Ruby was gone—never said "Goodbye" or "I'll be seeing you".

Mr. HUBERT. You don't recollect his leaving?

Mr. BELLOCCHIO. I don't recollect his leaving.

Mr. HUBERT. You don't know whether he left the bar at that time?

Mr. BELLOCCHIO. No; I don't.

Mr. HUBERT. You did not see him leave the bar?

Mr. BELLOCCHIO. I did not see him leave the bar.

Mr. HUBERT. How long after that did you stay?

Mr. BELLOCCHIO. Perhaps 45 minutes.

Mr. HUBERT. Did you see him during those 45 minutes?

Mr. BELLOCCHIO. No.

Mr. HUBERT. So, he may have been there or he may not have?

Mr. BELLOCCHIO. He may have been there.

Mr. HUBERT. Have you seen him since?

Mr. BELLOCCHIO. On television.

Mr. HUBERT. No; I mean in person?

Mr. BELLOCCHIO. I saw him at the trial.

Mr. HUBERT. Were you called as a witness?

Mr. BELLOCCHIO. Yes; I was.

Mr. HUBERT. By the defense or the prosecution?

Mr. BELLOCCHIO. By the defense.

Mr. HUBERT. But you haven't communicated with him otherwise?

Mr. BELLOCCHIO. No; I haven't.

Mr. HUBERT. Who communicated with you to get you to be a witness at the trial?

Mr. BELLOCCHIO. One of the private detectives working for the defense counsel.

Mr. HUBERT. I suppose you were interviewed by the defense counsel also?

Mr. BELLOCCHIO. Yes, sir.

Mr. HUBERT. By Mr. Belli?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Mr. Tonahill?

Mr. BELLOCCHIO. On the stand.

Mr. HUBERT. I beg your pardon?

Mr. BELLOCCHIO. On the stand only. I was never interviewed prior to then by them.

Mr. HUBERT. You were never interviewed prior to that?

Mr. BELLOCCHIO. No.

Mr. HUBERT. But you were interviewed by the private detective?

Mr. BELLOCCHIO. Yes; I was.

Mr. HUBERT. And you told him in effect what, what you told us today?

Mr. BELLOCCHIO. In effect the same thing I have just given to you. They were more interested in his emotional condition, whether he seemed to be stable and so forth, at the time I spoke to him.

Mr. HUBERT. During any part of this conversation you had with Ruby on the 23d, did he make any remarks seeming to connect up the shooting of the President with the Weissman ad and the Earl Warren signs?

Mr. BELLOCCHIO. I don't believe so—no; and looking back at my conversation with him, he seemed to be very incoherent. He didn't seem to be thinking along any straight or any clear line. He would take one side and then he would jump and take the other side. He said Dallas was not responsible, and then he produced the photographs which said, "Impeach Earl Warren," and at this point he seemed to be holding Dallas responsible. He seemed to be taking both sides of the issue.

Mr. HUBERT. All right; do you have any other comment to make?

Mr. BELLOCCHIO. No, sir.

Mr. HUBERT. Now, Mr. Bellocchio, I don't think there have been any conversations between us at all since I first met you a few moments ago that have not been recorded, is that correct?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. Thank you very much for coming, Mr. Bellocchio, and I appreciate your help.

Mr. BELLOCCHIO. Thank you.

TESTIMONY OF JOHN HENRY BRANCH

The testimony of John Henry Branch was taken at 1:30 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of John Henry Branch.

Mr. BRANCH. Yes; that's right.

Mr. HUBERT. Mr. Branch, my name is Leon D. 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, and the joint resolution of Congress No. 137, and the rules of procedure adopted by President Johnson's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Branch, 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 about Jack Ruby and his operations and associates and movements on the dates in question.

I think you have appeared here by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, is that correct?

Mr. BRANCH. That's correct.

Mr. HUBERT. Do you know the date of the letter, do you remember the date?

Mr. BRANCH. I have it here—it's the 22d.

Mr. HUBERT. When did you receive it?

Mr. BRANCH. Yesterday.

Mr. HUBERT. Yesterday?

Mr. BRANCH. Yes.

Mr. HUBERT. Now, under the rules of the Commission every witness is entitled to a 3-day written notice, dating actually from the date of the letter, but in any case the rules of the Commission provide that a witness may waive that 3-day notice and testify, and I ask you now if you are willing to testify and if you are willing to waive the 3-day notice?

Mr. BRANCH. Yes; that's all I can do.

Mr. HUBERT. You have no objection to testifying now?

Mr. BRANCH. No, sir.

Mr. HUBERT. Would you stand then and let me administer the oath to you?

Do you solemnly swear that the testimony you are about to give in this matter will be the whole truth and nothing but the truth; so help you God?

Mr. BRANCH. I do.

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

Mr. BRANCH. John Henry Branch.

Mr. HUBERT. Where do you live, Mr. Branch?

Mr. BRANCH. 3722 Greenleaf.

Mr. HUBERT. That's in Dallas?

Mr. BRANCH. Dallas, Tex.

Mr. HUBERT. How old are you?

Mr. BRANCH. Fifty-three.

Mr. HUBERT. What is your occupation, sir?