

## TESTIMONY OF DANNY PATRICK McCURDY

The testimony of Danny Patrick McCurdy was taken at 4:15 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 Danny Patrick McCurdy.

Mr. McCurdy, my name is Leon Hubert. I'm 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 the President'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. McCurdy, 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 movements and associates and so forth on a certain date.

Now, I believe 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 be present.

Mr. McCURDY. Right.

Mr. HUBERT. Do you remember the date of the letter?

Mr. McCURDY. I am not sure. I think it was the 22d, if I'm not mistaken, is when I got it. It was dated the 22d at the top of the letter.

Mr. HUBERT. When did you get it?

Mr. McCURDY. About the 23d or 24th.

Mr. HUBERT. Well, under the rules adopted by the Commission every witness is entitled to a 3-day written notice prior to the taking of his deposition, dating from the date of the request, and it is probable therefore that the rules have been complied with, but in any case the rules do provide that a witness may waive that 3-day notice, and I ask you whether you are willing to go ahead and testify now?

Mr. McCURDY. Yes; I will go ahead and testify right now.

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

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

Mr. McCURDY. I do.

Mr. HUBERT. Mr. McCurdy, I have heretofore, a little while ago, handed you a document consisting of two pages which I have marked for identification as follows: On the first page in the right-hand margin I have marked the words "Dallas, Texas, June 26, 1964, Exhibit No. 1, Deposition of Danny Patrick McCurdy" and on the second page I have placed my initials in the lower right-hand corner. This document purports to be the report of an interview of you by FBI Agent Coleman Mabray on November 29, 1963. Have you read this, sir?

Mr. McCURDY. Yes; sure have.

Mr. HUBERT. Can you tell us whether this is a correct report of the interview?

Mr. McCURDY. Well, basically it is. There are two or three discrepancies at the end. I suppose they misunderstood me, but they're not earth shattering or anything about the conversation that I had with Jack.

Mr. HUBERT. You are referring to page 2?

Mr. McCURDY. Right—it says, "McCurdy advised that he ended his conversation with Ruby and he entered the diskjockey room". Now, our conversation took place in the diskjockey room, that is, our console room, and not the newsroom.

Now, Jack spent the majority of the time in the newsroom with our newsman, Glenn Duncan, the man that just left, and a man by the name of Russ

"Knight" Moore, who is now at WXYZ at Detroit, Mich., and also a gentleman named Pappas that I mentioned—I can't remember what his first name was, but anyway he's a newsman with WNEW in New York City, but Jack's conversation and my conversation took place by ourselves in the control room. Now, he was in the control room at the time. There is another discrepancy down here, and it says I had met Ruby one time before.

Mr. HUBERT. That's in the fourth paragraph.

Mr. McCURDY. Actually, I had been with him twice. I had been to his club twice, rather than just once—it's once—right here, and in the same paragraph it says, "So far as I know Ruby is not a personal friend of anyone at the station." This is not true. He was a friend of Russ Moore. Now, Russ didn't really appreciate his friendship, but he was a friend of Russ and this clarifies the last paragraph where it says, "I have no idea how Ruby obtained the telephone number at the station." He knew several of the diskjockeys, one who had left the radio station earlier named Chuck Dunnaway—Charles Dunnaway who is now in Beaumont. He knew him, so I could easily see how he got the telephone number of the unlisted phone number—either through Chuck or Russ, or possibly one of our newsmen, that he possibly knew.

Mr. HUBERT. Is this an incorrect report or is it that you did tell this to the FBI people and now your memory is clearer on it?

Mr. McCURDY. I don't exactly know. I can't remember telling Mr. Mabray anything. Of course, it was such an informal conversation we had anyway, that these are actually I'm sure not earth shattering discrepancies, but Mr. Mabray was handwriting most of the stuff and some of the questions—I'm sure he wrote down answers that were understood rather than—since he wasn't there, he couldn't understand the setup of the control room. Now, we are in a new control room now over across the street, but at this particular time I suppose maybe my description of the control room—the difference between the control room and the newsroom possibly didn't make it clear in Mr. Mabray's mind as to the difference.

Mr. HUBERT. Well, in any case, with the exceptions that you have noted, the document which has been identified Exhibit No. 1 is substantially correct?

Mr. McCURDY. Correct; entirely correct.

Mr. HUBERT. Apparently you talked to Ruby about 5 minutes after he arrived with the sandwiches; is that correct?

Mr. McCURDY. Yes, sir.

Mr. HUBERT. You were alone with him, I believe, at that time, were you not?

Mr. McCURDY. Yes.

Mr. HUBERT. What was the nature of the conversation?

Mr. McCURDY. Well, now first of all—Jack and I met in the newsroom. I went back with him to the newsroom and we had the sandwiches and everything and I grabbed a sandwich and started back to the control room and Jack walked part of the way back with me and he stopped in the hall.

Now, as far as our conversation was concerned—it was just—Jack mentioned how terrible it was about President Kennedy being assassinated and he said he felt like it was a good thing that we had changed our station format, which we had done. We had changed our news format and weren't playing any rock and roll at the station, but were playing album music, soft listening music, and I don't know whether I mentioned it or not—I can't remember whether I mentioned it or not but he looked rather pale to me as he was talking to me and he kept looking at the floor. Well, I went on back to the control room and Jack went back to the newsroom and talked to the newsman, and then I would say 5 or 6 minutes later came back to the control room where I was by myself and he stood there and talked to me and basically told me what was on your paper right there. He told me once again—he rementioned how sorry he was that all this had happened and he gave me a little card that I think I still have, an advertisement for his club.

Mr. HUBERT. The Carousel Club?

Mr. McCURDY. Yes; the Carousel Club, and we just sat around and talked in general and he mentioned that he was going to close his club down for the weekend—I can't remember his exact words—I think it was more correct on this because it was closer to the time he said it and I gave it to the FBI man. He

said, "I'm going to close my club down this weekend. I'd rather lose 12 or 15,000—" Oh, that's a discrepancy—I think he said 12 or 1500 right there.

Mr. HUBERT. Yes.

Mr. McCURDY. It should be 12 or 1500, and he said that.

Mr. HUBERT. It's a discrepancy then in the second paragraph of page 2 of Exhibit No. 1 where it says "12 to 15,000" it should be "12 to 1500"?

Mr. McCURDY. Right. He said, "I'd rather lose 12 or 1500 this weekend by closing down than I had not to be able to live with myself." You can certainly imagine what a shock this was to me when he went out on Sunday and shot Oswald.

Mr. HUBERT. I show you a photostat of a card. Is that the Carousel Club's card?

Mr. McCURDY. As a matter of fact, I have one right here.

Mr. HUBERT. Is that the one?

Mr. McCURDY. Yes, sir.

Mr. HUBERT. You are showing me one that you're taking out of your wallet?

Mr. McCURDY. Yes; and here's another one Jack had given me earlier, a picture of one of the strippers on it.

Mr. HUBERT. These two cards are different from the one I'm showing you?

Mr. McCURDY. Yes.

Mr. HUBERT. The one I'm showing you is a part of the exhibit one page 3, Exhibit No. 1 of the deposition of David L. Johnston. Was that the type of card he gave you?

Mr. McCURDY. No; this is the one he gave me—right here. This one also, of course, is his. Now, this doesn't have any advertising for Jack, but this is the back ground on one of his girls down there that he had. Also, I have no idea why he did it, but I have one of the bottles that Jack left up there and it was a very unusual brand of soda pop that I had taken to my apartment. I took it over to the apartment and just threw it in the ice box because it was one of them that was left over, and I had heard earlier that they found some cold drink bottles up in the window where Oswald was and I was going to say if there was any kind of connection as far as this type of cold drink was concerned, I would certainly be able to identify the other bottle, if it was like this one.

Mr. HUBERT. Can you fix the time when Ruby first called by telephone, I think you received the call, didn't you?

Mr. McCURDY. Yes. Oh, my gosh, it would have to be after midnight and I'm sure it was before 1 o'clock.

Mr. HUBERT. Why do you pick those two times?

Mr. McCURDY. Well, it was my recollection that I had just come on the air. I went on at midnight at that time and Russ Knight, the Weird Beard, was still there, and he gets off at midnight, and he was sticking around the station and I placed the time that I got the call the first time, I would say, about 12:20.

Mr. HUBERT. Were there two calls or one?

Mr. McCURDY. There was only one to my recollection that Jack made.

Mr. HUBERT. Was that on the hot line?

Mr. McCURDY. No; it was on what we term the jock line. It's in my paper there. The number has since been changed. It's changed periodically.

Mr. HUBERT. Did you transfer him over to Glenn Duncan?

Mr. McCURDY. No; I didn't. As far as I know; I didn't.

Mr. HUBERT. Well, did you give him the number, the hot line number?

Mr. McCURDY. To my knowledge; I didn't.

Mr. HUBERT. You were aware that he did subsequently call Glenn? And I think you introduced him to Glenn; didn't you?

Mr. McCURDY. As far as I know; I didn't.

Mr. HUBERT. Maybe it was Mr. Moore?

Mr. McCURDY. Well, now, Russ was a closer friend to Jack than I was.

Mr. HUBERT. We have fixed then the time that he called and spoke to you—what was that conversation about?

Mr. McCURDY. Well, Jack said he had some sandwiches and some cold drinks that he would like to bring up to the station, that he knew we were working hard, and under a lot of strain, and he wanted to bring us some refreshment up, and so he brought some up. Oh, my gosh, corn beef on rye and we had some

cold drinks—Dr. Black's cold drink. The reason I remember this—they are surrounded with or had gold foil on them and he said you could only get them in New York and that they were the best cold drinks in the world, and they were in my estimation—the best cold drinks I've ever had, but as I said, I felt later I should have turned one of these bottles over to the FBI. I didn't think about it until just here recently, about turning it over to the FBI.

Mr. HUBERT. Why was that?

Mr. McCURDY. Well, because it had been said they found some cold drink bottles where Oswald supposedly shot President Kennedy, and I was going to say—for Heaven's sake, if they found the same kind as these cold drink bottles, I see no reason why they should, but if they did, it would certainly establish some kind of a link.

Mr. HUBERT. In other words, they were unique kinds of bottles?

Mr. McCURDY. They were—they certainly were.

Mr. HUBERT. Unique in shape or what?

Mr. McCURDY. Well, they were unique in shape.

Mr. HUBERT. What was the shape?

Mr. McCURDY. Well, it was more on the order of a small Pepsi-Cola bottle but the label was what was different. It had gold foil wrapped around it up at the top. It was apparently a very expensive cold drink—I would say.

Mr. HUBERT. It was called Dr. Black?

Mr. McCURDY. Dr. Black's cold drinks.

Mr. HUBERT. And your thought is that if the bottles found near the position where Oswald was supposed to be, were the same type of bottle, that would be significant, is that it?

Mr. McCURDY. It certainly would; yes.

Mr. HUBERT. That, of course, is noted and will be followed up. About how long afterward did Ruby actually appear at the station?

Mr. McCURDY. Oh, I hate to say anything contradictory to what's in the statement there, but I really can't remember what I said. I just read over it a little bit ago, though.

Mr. HUBERT. Well, do you want to look it over again?

Mr. McCURDY. Yes; let's see. "I advised that some 15 or 20 minutes later I ran downstairs between a record"—I started to putting on a record apparently or some album record, one of our albums there and I ran downstairs and opened the front door and Jack was waiting there with sandwiches and drinks and he was waiting there and apparently had been waiting a few minutes.

Mr. HUBERT. Was Russ Moore with him then at that time?

Mr. McCURDY. I can't remember. Now, I get the feeling that Russ went down with me to open the door, and the more I think about it, I'm not exactly sure that he did.

Mr. HUBERT. You said that was about 20 minutes after the phone call?

Mr. McCURDY. Right. I would say sometime before 1 o'clock, around a quarter to 1.

Mr. HUBERT. You testified a minute ago, I think, that you thought the phone call was about 12:20, so this would have been 12:40 or 12:45?

Mr. McCURDY. Right; correct.

Mr. HUBERT. How long did he stay?

Mr. McCURDY. To my knowledge Jack stayed, maybe an hour or maybe longer. After our conversation ended, I didn't really take note of whether Jack was still in there or not—he was kind of a hanger-on.

Mr. HUBERT. You didn't talk to him but just these few minutes?

Mr. McCURDY. The two times I talked to him—once in the hall and in the control room.

Mr. HUBERT. Do you remember whether he was there when Glenn Duncan went on his 2 o'clock news broadcast?

Mr. McCURDY. I can't remember—I really can't remember. I'll tell you—there was a diversionary action going on and I was paying attention to this Pappas, what's his name, that was from WNEW. Of course, all of us in markets the size of Dallas are always interested in larger markets like New York and Chicago, and I was kind of watching him, and so it threw part of my attention off of Jack on to him.

Mr. HUBERT. Do you know what a thing called an Alpawna [spelling] A-l-p-a-w-n-a box is?

Mr. McCURDY. A what?

Mr. HUBERT. An Alpawna box?

Mr. McCURDY. Alpawna box—no; I don't. I have no idea.

Mr. HUBERT. I don't either.

Mr. McCURDY. Apparently, if it was of any size, he didn't have it on him, because as I testified to the FBI agent, he didn't look like he had a gun on him of any kind. Of course, he may have.

Mr. HUBERT. Do you know how he was dressed?

Mr. McCURDY. Yes; he had on to my recollection a dark charcoal business suit with a matching dark tie and with dark shoes and a dark hat with a little funny band on it.

Mr. HUBERT. What about an overcoat?

Mr. McCURDY. No.

Mr. HUBERT. He had no topcoat on?

Mr. McCURDY. No topcoat on.

Mr. HUBERT. Are you familiar with the famous Weissman ad?

Mr. McCURDY. Weissman ad?

Mr. HUBERT. Yes; which appeared in the Dallas Morning News?

Mr. McCURDY. Oh, yes; wait a minute, what did it say?

Mr. HUBERT. It asked some questions of Mr. Kennedy and so forth.

Mr. McCURDY. It was an advertisement for a local establishment?

Mr. HUBERT. No; it was an advertisement generally critical of the President. It was a full-page ad which appeared on the day of the President's visit and at the very bottom of it it was signed by Mr. Bernard Weissman.

Mr. McCURDY. Well, I don't remember that. I do remember a local grocery store chain—I remember what it was—it was a grocery store chain or something—it was in, I think, the Morning News the next morning—they failed to pull out, after President Kennedy was killed; Saturday morning this came out and it was a picture of a rocking chair and the back of a man and it was, of course, President Kennedy and the little girl was standing there saying something cute and something funny and it would have been very funny had it not been that day, but it was just an oversight and a tragedy.

Mr. HUBERT. But in any case, coming back to the Weissman ad, you had no conversation with Ruby about any such thing?

Mr. McCURDY. Oh, no; no.

Mr. HUBERT. Did Ruby in the course of his conversation with you or with anyone else you heard advert to the Jewish question or Judaism in any way at all?

Mr. McCURDY. None whatsoever.

Mr. HUBERT. Did you hear him make any comments with respect to a pamphlet called "Heroism"?

Mr. McCURDY. No; now, I heard this—the reason this sticks in my mind is because it was by H. L. Hunt, isn't it, or a Life Line reprint from H. L. Hunt?

Mr. HUBERT. Yes.

Mr. McCURDY. Russ Knight, the Weird Beard, mentioned it to me later on that Jack had given him this. He didn't give me a copy of it, but he apparently passed it to Russ in a very militant manner, apparently, from what Russ had to say.

Mr. HUBERT. But he did not converse with you about it at all?

Mr. McCURDY. No.

Mr. HUBERT. What was Ruby's general attitude and state of mind or state of emotions that night?

Mr. McCURDY. Well, I hesitate to use any adjectives for fear of it causing it to be misleading.

Mr. HUBERT. Well, of course, it's a matter of semantics, but once we get an adjective perhaps we can then use it as a point of departure by describing physical action.

Mr. McCURDY. Right; I would say, just glancing back, that Jack's overall mood and appearance that night was—looking at it now strictly in the light of his actions on Sunday, it would appear to me that he was in a, well—to draw

a bad analogy—a state of a dormant volcano. He was very dormant, quiet—he looked like he was mulling over many things, which I'm sure he was and all of us were at that time.

Mr. HUBERT. Did he seem abnormally sad?

Mr. McCURDY. Well, more so than myself. Of course, I was very shook up about this. He did seem more so than I felt like I would have expressed it.

Mr. HUBERT. How did he manifest it?

Mr. McCURDY. By being sullen, quiet, looking at the floor, glancing far away into space for no apparent reason. This is what I remember.

Mr. HUBERT. Did he make any statements that now in retrospect you can classify as being related to his subsequent actions?

Mr. McCURDY. None.

Mr. HUBERT. No threats?

Mr. McCURDY. No.

Mr. HUBERT. Or comments such as "Somebody ought to do something about this"?

Mr. McCURDY. Well, he said he was doing something about it by closing down his club and missing his money. Now, this is something I just thought of looking back in retrospect, as you said. By him mentioning to me that he was closing down his club, apparently he was trying to give me a feeling that he was making a tremendous sacrifice, monetary sacrifice in order to hold up or support national pride of some kind of his own. Looking at it in the light of what he did on Sunday, I can see that apparently he wanted to draw some of my attention to him and that he was making a tremendous sacrifice.

Mr. HUBERT. Did you have that impression then?

Mr. McCURDY. No; I didn't—I didn't. I must say that truthfully—it's only in retrospect. It wasn't that outstanding at that particular time.

Mr. HUBERT. I believe that's all, sir. Have you anything else that you wish to add?

Mr. McCURDY. Nothing else.

Mr. HUBERT. Now, I don't believe there has been any conversation between us that has not become a part of the record; is that correct? We have not discussed anything off the record?

Mr. McCURDY. No.

Mr. HUBERT. And everything that has passed between us has become a part of this record?

Mr. McCURDY. Other than our meeting at the door. We said nothing other than, "Hello, and glad to meet you."

Mr. HUBERT. All right; very good, and thank you very much.

Mr. McCURDY. All right; thank you.

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### TESTIMONY OF JOHN WILKINS NEWNAM

The testimony of John Wilkins Newnam was taken at 10:51 a.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 Mr. John Newnam.

Mr. Newnam, 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 Executive Order 11130 dated November 29, 1963, the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that 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