

will show all the corrections that we have talked about here, and that is what we are trying to do, is get that into the record. Let me ask then, if you will, if you are satisfied that other than what you have pointed out as being incorrect, that this is an accurate report of what you told them, I will ask you to sign.

Mr. HANSEN. I think it is pretty accurate. Where do you want me to sign it?

Mr. GRIFFIN. Sign it up where I have marked it, anywhere in a conspicuous place.

Mr. HANSEN. Sign this Timothy? Occasionally people call me Tim, but I don't know where he got Timothy. It is plain T-i-m.

Mr. GRIFFIN. Let's cross that out.

Mr. HANSEN. Let me ask you, do the other policemen sign these things?

Mr. GRIFFIN. Yes. If you don't want to, it is simply a formality that we go through, and if you would prefer not to sign—

Mr. HANSEN. Have any of the rest of them preferred not to?

Mr. GRIFFIN. No; there haven't been any that declined to.

Mr. HANSEN. I have no reason not to sign. I will put it that way.

Mr. GRIFFIN. The only reason we are doing is to establish for people later on.

Mr. HANSEN. You want me to sign each page?

Mr. GRIFFIN. If you will, just initial the other sheets. We are simply trying to establish for our own record that the documents that we have been talking about is actually the document that winds up in the record.

Mr. HANSEN. I have helped you as much as I possibly can, and I was figuring you would call me up and were going to ask me about the parade, and all I can tell you is, I saw that the parade got through and he didn't get hurt, and I believe it would have broke my heart if something had happened to him, because I never was so glad. It is just like a man took a hundred pounds off his back. And before he got there, of course, people ran and I was sweating blood, and I was afraid of something, but when he got through there, it was just like somebody took a heavy load off you.

And when I heard about what happened, I couldn't believe it. I couldn't, like everybody else. A man came from the stock exchange and whispered in my ear, and I knew he was either drunk or lying, and I knew he didn't drink. But I realized then, I began to—I guess you have a dull feeling in your mind that you realize the President had been shot.

Then when you put the two together and hear all the sirens, you knew it actually happened. A policeman—because he's got an instinct about it. The first siren I heard, I said, "Well, that is bad, but I saw one on Akard and a man don't drive that way unless he is going to another officer or something real bad. I had a bad feeling, or actually I didn't think—I thought somebody may have tried something, and it never entered my mind that he actually had been hurt.

Then when that fellow told me, it was awful. I never will forget that day. I never saw people look like that, walking around like a bunch of mummies. It is hard to even talk about it now.

Mr. GRIFFIN. Officer, I appreciate your taking all this time.

Mr. HANSEN. I hope I have helped you, and if I can do anything else for you, let me know.

TESTIMONY OF DAVE L. MILLER

The testimony of Dave L. Miller was taken at 8:50 a.m., on July 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I will introduce myself again. My name is Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

We have a routine procedure before we actually take the testimony, of explaining to the witness a little bit about what the Commission is attempting to do.

The Commission was set up pursuant to an Executive order of President Johnson, issued on November 29, 1963, and a joint resolution of Congress.

Under these two official acts, the Commission has been directed to investigate the assassination of President Kennedy, and the death of Lee Harvey Oswald, and to evaluate all the facts they find and report back to the President of the United States.

Now, the reason that we have asked you to come here today in particular is that you have known Jack Ruby for a period of time, and we are hopeful that you can give us some insight into the kind of person he was, and also some information concerning his activities shortly before Oswald was killed.

Under the rules of the Commission, I have been designated to take your deposition specifically. Also, under the rules of the Commission, you are entitled to receive a 3-day written notice before we ask you to appear here. I believe we sent you a letter?

Mr. MILLER. Yes.

Mr. GRIFFIN. Do you remember when you received the letter?

Mr. MILLER. I moved from where I was. The letter was sent, and the landlady called me Tuesday, and I went by the post office to get the letter which had been sent special delivery, and the mailman carried it, and I received it on Wednesday. But prior to that, Mrs. Stroud called me and notified me I was to appear up here (this morning, and I have the letter at home. I called her and told her I had received the letter.

Mr. GRIFFIN. Do you have any questions you would like to ask me before we go ahead with the testimony?

Mr. MILLER. No; you just go ahead and ask me the questions, and I will answer them as truthfully as I know, and what I told the FBI when they were here.

Mr. GRIFFIN. Will you 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. MILLER. I do.

Mr. GRIFFIN. Would you give us your full name?

Mr. MILLER. Dave L. Miller.

Mr. GRIFFIN. Where do you live, Mr. Miller?

Mr. MILLER. 5323 Live Oak, Apartment 105.

Mr. GRIFFIN. Is that in Dallas?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. How long have you lived in Dallas?

Mr. MILLER. Since 1918.

Mr. GRIFFIN. What is your occupation?

Mr. MILLER. I have a cleaning and pressing shop on Commerce Street.

Mr. GRIFFIN. What is the name?

Mr. MILLER. Enquire Shine & Press Shop.

Mr. GRIFFIN. What is the address of that on Commerce?

Mr. MILLER. 1322 Commerce.

Mr. GRIFFIN. How far is that from the Carousel Club?

Mr. MILLER. About three doors.

Mr. GRIFFIN. When were you born?

Mr. MILLER. May the 26th, 1909.

Mr. GRIFFIN. You know Jack Ruby, don't you?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. How long have you known Mr. Ruby?

Mr. MILLER. Approximately 3 years.

Mr. GRIFFIN. How did you first happen to meet him?

Mr. MILLER. He had taken over the Carousel Club and brought some clothes for me to clean for him.

Mr. GRIFFIN. Did you have occasion to see him fairly regularly after that?

Mr. MILLER. He would bring his clothes in two or three times a week.

Mr. GRIFFIN. Did there come a time when Jack Ruby asked you to put up a sign for him, or do some other advertising for him?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. When was that, if you recall?

Mr. MILLER. That is when he first changed his club into the striptease. He had some little, you call them little pages of folders—not folders, but advertising, and I just put them up for the public.

Mr. GRIFFIN. Was it newspaper advertising?

Mr. MILLER. No; he had them printed himself.

Mr. GRIFFIN. Handbills?

Mr. MILLER. Handbills; yes.

Mr. GRIFFIN. Did you put them in your store window, or on the walls, or what?

Mr. MILLER. We put them in the window at that time. Later on, Mr. Ruby fixed a stand and we had pictures of that type on it, and I put it in my window at night.

Mr. GRIFFIN. Did Mr. Ruby pay you anything for doing that?

Mr. MILLER. He has at times, would give me something. Sometimes \$5, just like an accommodation thing.

Mr. GRIFFIN. Did you ever have occasion to talk with Mr. Ruby about any of his problems that he was having?

Mr. MILLER. No; he never mentioned anything to me about his problems.

Mr. GRIFFIN. Did he ever have occasion to talk with you about his competition, the Weinsteins?

Mr. MILLER. When he first changed to striptease, he did.

Mr. GRIFFIN. What did he tell you, if you recall?

Mr. MILLER. Well, it seemed that the Weinsteins didn't want him to have a striptease, and he was going to show them he was going to stay in the business. That was the only thing that he said anything about the Weinsteins.

Mr. GRIFFIN. Did Jack Ruby tell you that the Weinsteins didn't want him to have the place, or did you hear from some of the Weinsteins, or some place else?

Mr. MILLER. Jack Ruby told me himself.

Mr. GRIFFIN. What hours is your shine and press shop open?

Mr. MILLER. I am there from 6 in the morning until 6 at night.

Mr. GRIFFIN. Is that 6 days a week?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Do you remember seeing him sometime before he shot Lee Harvey Oswald?

Mr. MILLER. Well, of course, I would see him almost every week, but prior to the time of Lee Oswald, the day the President was killed, he come in the place around 5:30, I imagine, and I had been putting the sign in the window, and he asked me not to put the sign, because he wouldn't be open until after the funeral.

Mr. GRIFFIN. How do you estimate that it was 5 or 5:30?

Mr. MILLER. It was late in the evening, because it was pretty close to my closing time.

Mr. GRIFFIN. Could it have been earlier than 5 o'clock? Could it have been as early as 3:30 or 4 o'clock?

Mr. MILLER. No, sir.

Mr. GRIFFIN. What makes you say that?

Mr. MILLER. Because, like I say, it was late in the evening, and I was getting ready to close up, because we start getting the shine stand cleaned and was going through that procedure at that time.

Mr. GRIFFIN. You say you were putting the sign in the window?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. What sign were you putting in the window?

Mr. MILLER. Well, he made a stand and put pictures of the girls and who was the master of ceremonies, might have been, and, of course, he has that at the Carousel Club.

Mr. GRIFFIN. Did you put the sign in the window every night, or did you leave it up all the time?

Mr. MILLER. Take it down during the day, and put it up at night.

Mr. GRIFFIN. Any particular reason why you took it down during the day?

Mr. MILLER. It was in the way.

Mr. GRIFFIN. I see. Did you have any sort of routine as to when you would put the sign up?

Mr. MILLER. Put it up just before closing time.

Mr. GRIFFIN. Would that have been later than 5:30 in the evening?

Mr. MILLER. No, sir.

Mr. GRIFFIN. You say that with a positive voice.

Mr. MILLER. Because I know it could have been no later, because he had come in there about 5 or 5:30, about the time he was in there.

Mr. GRIFFIN. Is there any question in your mind but that this was on November 22, the day the President was shot?

Mr. MILLER. It was on November 22; yes, sir.

Mr. GRIFFIN. What else did Jack Ruby say to you on that occasion when he came into your shop?

Mr. MILLER. He come in and says, I feel he had been crying because his eyes were real red, and he said, "What do you think of that s.o.b. killing the President?"

Mr. GRIFFIN. What did you say?

Mr. MILLER. I told him it was a dirty shame that the thing had happened.

Mr. GRIFFIN. How long did Jack remain there talking to you?

Mr. MILLER. Just less than 5 minutes.

Mr. GRIFFIN. Did he mention to you anything about where he had been that day?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did you see him before he walked into the shop? That is to say, did you see him walking down the street to your shop?

Mr. MILLER. No, sir; because where our cash register is back in behind, I couldn't see him walking.

Mr. GRIFFIN. When he left your shop, did you see what direction he went when he went out the door?

Mr. MILLER. No, sir; didn't pay him any mind.

Mr. GRIFFIN. Did Jack tell you where he was going when he left?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did you see him again after that?

Mr. MILLER. I saw him Saturday night approximately the same time.

Mr. GRIFFIN. How did you happen to see him on that occasion?

Mr. MILLER. He come in the place that evening.

Mr. GRIFFIN. What did he say when he came into the shop that evening?

Mr. MILLER. Nothing I can remember. He said he was coming in to ask me how I was feeling, that is all.

Mr. GRIFFIN. How long did he remain?

Mr. MILLER. Just a very short time. Maybe 2 or 3 minutes.

Mr. GRIFFIN. Did he say anything to you about what he had been doing?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did he give you any indication of where he was going?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did he have anybody with him at that time?

Mr. MILLER. He was by himself.

Mr. GRIFFIN. Now, the first occasion that he came in on Friday, did he have anyone with him on that occasion?

Mr. MILLER. No, sir; he was by himself at that time.

Mr. GRIFFIN. When he came in on November 22, the day that the President was killed, was there anybody else in the shop?

Mr. MILLER. Well, the shine boys and the pressers, and I think one of the boys was shining a man's shoes. Just don't remember exactly.

Mr. GRIFFIN. Have you talked with the boys in the shop about Jack having been in there on those two occasions?

Mr. MILLER. You mean since I got this letter?

Mr. GRIFFIN. No; since November 22.

Mr. MILLER. No; I haven't said anything to them. Of course, one boy has been with me a long time. He would remember him coming in.

Mr. GRIFFIN. Which boy is that?

Mr. MILLER. Sam Hicks.

Mr. GRIFFIN. Have you talked to Sam to know whether he does actually remember?

Mr. MILLER. I haven't said anything to him.

Mr. GRIFFIN. Doesn't your brother—isn't there another Miller? Is that your brother?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Izzie Miller, have you talked to him? Does he remember?

Mr. MILLER. He doesn't stay around too much at the place down there.

Mr. GRIFFIN. Do you know whether he was present on these two occasions?

Mr. MILLER. No, he wasn't there them two times; no, sir. He had had a heart attack, and he takes it easy, so he won't come down too much.

Mr. GRIFFIN. Do you think any of the other employees besides Sam Hicks might have seen Jack on that occasion?

Mr. MILLER. Well, you know them shine boys, they come and go, and I would have to go back and look in my book I keep on them as to who was working at that time.

Offhand, I couldn't say. But I know Sam Hicks was working at that time.

Mr. GRIFFIN. The FBI report of the interview that they had with you some time ago indicates that Jack wrote you a letter while he was in jail and mentioned both Sam Hicks and another one of your shoe shine boys, Dwayne Armstrong. Dwayne Armstrong is a brother of the boy that used to work for Jack Ruby, isn't he?

Mr. MILLER. Yes.

Mr. GRIFFIN. Was Dwayne working there at the time; November 22 and November 23?

Mr. MILLER. I couldn't really say. I would have to look it up. I wouldn't want to say yes, and I wouldn't want to say no. I wouldn't remember.

Mr. GRIFFIN. Is Dwayne still working for you now?

Mr. MILLER. No, sir.

Mr. GRIFFIN. I am going to mark for the purpose of identification a copy of an interview report that was prepared by FBI agent, Edmond C. Hardin as a result of talking with you on January 3, 1964. I am going to mark it, "Dave L. Miller, deposition of July 25, 1964, Exhibit No. 1."

This document consists of two pages numbered consecutively at the bottom pages 37 and 38, and I will hand it to you and ask you to read it, and then what I would like to know is whether that accurately reflects what you told the FBI on that occasion, and also if you have any changes that you would make in that?

[Mr. Miller reads report.]

Mr. MILLER. I told you about 5:30. There is only one thing I noticed there. He says, "Ruby appeared in Miller's place of business at 5:30 on November 23" when he dropped in and asked me not to display the sign of the Carousel Club.

He had done that on the 22d.

Mr. GRIFFIN. Do you remember that he also did it on the 23d?

Mr. MILLER. I don't remember whether he did it on the 23d, but I definitely know it was on the 22d.

Of course, I might have made a mistake and told him the 23d, but I definitely know the 22d.

Mr. GRIFFIN. Have you seen Jack Ruby in any fights?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Has Jack ever talked to you about any of his sensitivity, the things that he objects to, or any of his personal ideas?

Mr. MILLER. No, he never said anything.

Mr. GRIFFIN. Is there anything else that you can think of that you know about Jack Ruby that you would want to tell us that we haven't covered?

Mr. MILLER. The only thing I know was, he was a darn good customer to me, and he was very good to all the boys around there.

In fact, I was sick in the hospital and he come to see me one night. And he would always ask how I was getting along, and even called the hospital how I was getting along.

So, it was surprising to me that he would do anything like that.

Mr. GRIFFIN. Do you remember any other kindnesses that he bestowed on people?

Mr. MILLER. Well, I know during the wintertime he would bring coffee down to the boys in the two garages. There is a garage on each side of me.

And if he went off from the place, he would always bring sandwiches.

He would give the shirt off his back. If you needed a dollar and he had a dollar, he would give you the last dollar.

The boys would tell me at the garage that he brought the sandwiches.

Mr. GRIFFIN. Do you know George Senator?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Did you see George Senator on November 22 or November 23?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Do you know Ralph Paul?

Mr. MILLER. I think I met Ralph Paul after the President was killed. He come in one day, I believe it was something to do, I think, with the Carousel Club. I don't know exactly.

Mr. GRIFFIN. Do you know Tammi True?

Mr. MILLER. No.

Mr. GRIFFIN. Do you know Little Lynn?

Mr. MILLER. No, sir. If I knew them—if I saw them, I didn't know who they were.

Mr. GRIFFIN. How about Kathy Kay? Do you know his dancer Kathy Kay?

Mr. MILLER. The only one I knew was the heavy body. I don't know her name—what the heck is her name? I don't remember that. I didn't know her personally, but I knew her for I had seen her a time or two.

Mr. GRIFFIN. Did you know an entertainer named Breck Wall?

Mr. MILLER. No.

Mr. GRIFFIN. Do you remember Larry Crafard? Do you remember this boy Larry that worked for Jack about 6 weeks before the President was shot?

Mr. MILLER. I might know him, but the name don't ring a bell. I can't recall. The names don't ring no bell, that is all.

Mr. GRIFFIN. Do you remember if you saw Andy Armstrong on November 22 or 23?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. When did you see Andy?

Mr. MILLER. He come down just prior to Jack's coming down.

Mr. GRIFFIN. On which day?

Mr. MILLER. The 22d.

Mr. GRIFFIN. About how much time elapsed between the time that Andy came down and the time that Jack showed up?

Mr. MILLER. Approximately 30 minutes.

Mr. GRIFFIN. Did Andy come into your shop?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Did he come in to talk to his brother, or what did he come in for?

Mr. MILLER. He come down to tell me not to—he advised me not to put the sign in at first, that Jack wasn't going to operate that night.

I imagine he knew Jack was going to come down, so he come in ahead of Jack and told me not to put the sign out that night.

Mr. GRIFFIN. But you say that when you saw Jack, you were putting the sign in the window anyhow on Friday night?

Mr. MILLER. No. After Andy had come down and told me not to put it.

I never put the sign, but just about the time we closed the door, because it has to fit in a certain place, but opening and closing the door, it would be in the way.

Mr. GRIFFIN. Maybe I misunderstood what you said at the beginning. I thought you said when you saw Jack on Friday night, you were just about to put the sign in the window?

Mr. MILLER. No. He asked me, the time I saw Jack, I told you about 5:30, because we were cleaning up.

In shining the shoes, the boys would drop dressing, and they take it and wipe it off, and they started about 5:30 wiping it off, so when we leave, it would all be clean.

Mr. GRIFFIN. Did you see Andy Armstrong on Saturday?

Mr. MILLER. I don't remember.

Mr. GRIFFIN. I haven't any more questions. I want to thank you for coming in and being so helpful to us.

Is there anything else that you would like to say?

Mr. MILLER. There isn't anything I know.

Mr. GRIFFIN. All right, thank you very much. Nice to have met you, Mr. Miller.

One thing, I want to ask you to sign the interview report that I have marked as Exhibit No. 1. If you would sign it up near where I have marked it, and if you would also put your initials on the second page.

[Mr. Miller signs and initials.]

Mr. GRIFFIN. Fine. Thank you very much.

Mr. MILLER. Thank you.

TESTIMONY OF NELSON BENTON

The testimony of Nelson Benton was taken on July 7, 1964, at 300 Oil and Gas Bldg., 1100 Tulane Avenue, New Orleans, La., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Nelson Benton. Do you have a middle initial?

Mr. BENTON. Well, my first name is Joseph but I just use Nelson.

Mr. HUBERT. Mr. Benton, 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 the Congress No. 137, and the rules of procedure adopted by the Commission, and 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 Harvey Oswald. In particular to you, Mr. Benton, 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 as to his movements on the dates of November 22 through November 24, 1963.

Now, Mr. Benton, normally a witness is given a 3-day written notice before his deposition is taken, in accordance with the rules of the Commission governing the procedure, but the rules also provide that a witness may waive any notice and have his deposition taken, by request, at any time.

In the instant case, no letter has been written to you or no request to appear, but as I understand it, you waive all notice and are willing to have your deposition taken now, this morning?

Mr. BENTON. That is right.

Mr. HUBERT. All right. Now, will you be sworn, please?

(Nelson Benton, a witness called by the President's Commission on the Assassination of President Kennedy, having been first duly sworn, was examined and testified as follows:)

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

Mr. BENTON. My full name is Joseph Nelson Benton, B-e-n-t-o-n.

Mr. HUBERT. I understand, however, that in your profession you do not use the name Joseph but are known as Nelson Benton.

Mr. BENTON. That's right.

Mr. HUBERT. Where do you normally reside?

Mr. BENTON. 3201 St. Charles.

Mr. HUBERT. That's apartment 301?

Mr. BENTON. Apartment 321, I believe.

Mr. HUBERT. Apartment 321? What is your occupation, Mr. Benton?