

spent, I don't know the exact amount of time we spent in the building after that, but when Lieutenant Jack Revill was satisfied, we went back downstairs and I went back out to my motorcycle and to my immediate superior officer and received another assignment.

Mr. BELIN. Did you have anything to do with the investigation of the assassination that day?

Mr. BREWER. No, sir.

Mr. BELIN. What about on Saturday?

Mr. BREWER. No, sir.

Mr. BELIN. Sunday?

Mr. BREWER. No, sir. My primary job was traffic control.

Mr. BELIN. Did you have anything to do with the investigation of Officer Tippit's murder?

Mr. BREWER. No, sir.

Mr. BELIN. Is there anything that you can think of that might in any way be relevant to the assassination of the President or the shooting of Officer Tippit?

Mr. BREWER. Not that I can think of; no, sir.

Mr. BELIN. Sir, I want to thank you very much for coming on down here.

You have an opportunity, if you like, to come back and read the deposition and sign it, or else you can waive the signing of it and have it sent directly to Washington, whichever you prefer.

Mr. BREWER. It don't matter. Whichever you prefer.

Mr. BELIN. We have no preference.

Mr. BREWER. Okay, you send it on.

Mr. BELIN. Do you want to waive the signing of it?

Mr. BREWER. Yes, sir.

TESTIMONY OF D. V. HARKNESS

The testimony of D. V. Harkness was taken at 11:30 a.m., on April 9, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. David W. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Will you stand and raise your right hand? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARKNESS. I do.

Mr. BELIN. Your name, sir, would you please state?

Mr. HARKNESS. D. V. Harkness, Dallas Police Department.

Mr. BELIN. Where do you live?

Mr. HARKNESS. 2123 San Pablo.

Mr. BELIN. Is that in Dallas?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What position do you have with the Dallas Police Department?

Mr. HARKNESS. Sergeant of police.

Mr. BELIN. How long have you been with the Dallas Police Department?

Mr. HARKNESS. Little over 17 years.

Mr. BELIN. How old are you, sir?

Mr. HARKNESS. Forty-two.

Mr. BELIN. Did you go to school here in Dallas?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. How far did you get through school?

Mr. HARKNESS. High school.

Mr. BELIN. High school graduate?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. One year worked for the East Texas Refining Co.

Mr. BELIN. Then what?

Mr. HARKNESS. Then I worked for the Baker Hotel in the auditing office.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. Went in the service for 4 years.

Mr. BELIN. Army?

Mr. HARKNESS. Coast Guard.

Mr. BELIN. What did you do in the Coast Guard, generally?

Mr. HARKNESS. I was a boatswain's mate second when I was discharged.

Mr. BELIN. Doing what?

Mr. HARKNESS. Let's see, I was on the troop transport at the time of my discharge.

Mr. BELIN. Honorable discharge?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. Come back and went to work for Alexander Motor Co.

Mr. BELIN. As what?

Mr. HARKNESS. Worked in the office in the purchasing department.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. Went with the Dallas Police Department.

Mr. BELIN. Been there ever since?

Mr. HARKNESS. Ever since.

Mr. BELIN. Were you on duty November 22, 1963?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Doing what?

Mr. HARKNESS. Supervising the traffic officers from Main and Field along the parade route to Elm and Houston.

Mr. BELIN. Where were you around 12:30 p. m?

Mr. HARKNESS. At Main and Houston.

Mr. BELIN. On the east or west side of Houston?

Mr. HARKNESS. West side of Houston.

Mr. BELIN. Did you watch the motorcade come by?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Where were you when you heard the shots?

Mr. HARKNESS. I had started west on Main Street to the, I don't know what they call this area here.

Mr. BELIN. Plaza.

Mr. HARKNESS. On the plaza area with the crowd to observe the President as he went west on Elm Street.

Mr. BELIN. How many shots did you hear?

Mr. HARKNESS. Three.

Mr. BELIN. What did you do after you heard those noises? Did you know they were shots, by the way?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What did you do?

Mr. HARKNESS. When I saw the first shot and the President's car slow down to almost a stop—

Mr. BELIN. When you saw the first shot, what do you mean by that?

Mr. HARKNESS. When I heard the first shot and saw the President's car almost come to a stop and some of the agents piling off the car, I went back to the intersection to get my motorcycle.

Mr. BELIN. You were in the process of doing that when you heard the second and third shots?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Where did the shots sound like they came from?

Mr. HARKNESS. I couldn't tell. They were bouncing off the buildings down there. I couldn't tell.

Mr. BELIN. You mean the reverberations?

Mr. HARKNESS. Yes.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. I went west on Main to observe the area between the railroad tracks and Industrial.

Mr. BELIN. Why did you go down there?

Mr. HARKNESS. By the way the people, when I went into this area, everybody

was hitting the ground, and someone led us to indicate that the shots were coming into the cars.

Mr. BELIN. You mean from some point in front of the cars?

Mr. HARKNESS. Yes.

Mr. BELIN. Do you know who that someone was?

Mr. HARKNESS. No, sir.

Mr. BELIN. What did that person do that indicated that?

Mr. HARKNESS. I don't remember.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. I went down to Industrial to see if I could see anyone fleeing that area.

Mr. BELIN. What did you see?

Mr. HARKNESS. I didn't see anyone, so I come back to the front of the Book Depository and went around to this fence that was across the street from Elm Street.

Mr. BELIN. What do you mean across the street from Elm Street?

Mr. HARKNESS. Again, I will have to—near the railroad track.

Mr. BELIN. Behind the building?

Mr. HARKNESS. No, sir; this area right here. See, Elm Street goes down.

Mr. BELIN. What you are really saying—

Mr. HARKNESS. This area.

Mr. BELIN. You are pointing to a place between what would be the extension of Elm that doesn't go down into the parkway but the actual extension of Elm?

Mr. HARKNESS. Yes; to the plaza area.

Mr. BELIN. The plaza area?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What did you find there?

Mr. HARKNESS. I found a little colored boy, Amos Euins, who told me he saw the shots come from that building.

Mr. BELIN. Now you just picked out a little small book, one of those little pocket notebooks?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Or a notepad from your pocket here. Is that the original notation that you made?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. When did you make that notation?

Mr. HARKNESS. Immediately after the shooting.

Mr. BELIN. Is that your own record that you have kept in your possession since then?

Mr. HARKNESS. Yes, sir. I turned—

Mr. BELIN. You turned what?

Mr. HARKNESS. After I took his name and address and put this information on the radio, I then took him on the back of my three-wheel motorcycle and put him in Inspector Sawyer's car.

Mr. BELIN. Now you mentioned that you put something on the radio here, and I hand you here what has been marked as Sawyer Deposition Exhibit A. Before doing that, do you remember what call number you used, you were using on that day?

Mr. HARKNESS. I believe 260.

Mr. BELIN. Well, I notice here that there is a call with a notation at 12:36 p.m., 260 to 531. 531 is your office in the main station?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What does it say there on that transcript?

Mr. HARKNESS. "Witness says shots came from fifth floor, Texas Book Depository store at Houston and Elm. I have him with me now and we are sealing off the building."

Mr. BELIN. All right, that was at 12:36 p.m.?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Had the building been sealed off at that time?

Mr. HARKNESS. Not to my knowledge. There were several officers around it, but I don't know whether it had been sealed off or not.

Mr. BELIN. In the process of sealing off the building, what did you do?

Mr. HARKNESS. Asked for a squad.

Mr. BELIN. How long did it take you after that to have the back part sealed off?

Mr. HARKNESS. The squad was arriving by the time I got off my motorcycle. There was already additional squads en route.

Mr. BELIN. How soon after 12:36 p.m., would you say the building was sealed off?

Mr. HARKNESS. It was sealed off then because I was back there and two other men.

Mr. BELIN. You are talking about the back part of the building?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What about the front part of the building? When was that sealed off?

Mr. HARKNESS. Inspector Sawyer and two officers were there.

Mr. BELIN. By the time you got around to the front part of the building?

Mr. HARKNESS. Yes, sir; by the time I put the witness in his car, I went immediately to the back.

Mr. BELIN. In other words, as I understand the sequence, you first went to the back of the building and had that sealed off first, or not?

Mr. HARKNESS. No, sir.

Mr. BELIN. You tell me what happened then.

Mr. HARKNESS. I had this witness with me. I didn't want to lose this witness.

Mr. BELIN. All right.

Mr. HARKNESS. So I took him to the car.

Mr. BELIN. To Inspector Sawyer's car?

Mr. HARKNESS. To Inspector Sawyer's car, which was right in front.

Mr. BELIN. Which was parked in front of the Texas School Book Depository?

Mr. HARKNESS. And left the witness there and went around to the back.

Mr. BELIN. On whose radio did you call? Did you call in before or after you left the witness in the car?

Mr. HARKNESS. I don't remember in exact sequence there, but it was in the process of going to the car there.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. See, here is the thing. The radio traffic was heavy at the time, and it depended on how long you had to wait to get in.

Mr. BELIN. All right, in any event, after you made the call, what did you do on the radio? And after you got the man in the car?

Mr. HARKNESS. Well—

Mr. BELIN. The witness in the car, what did you do?

Mr. HARKNESS. Stayed at the back of the building until I was relieved by a squad.

Mr. BELIN. So you then went to the back of the building?

Mr. HARKNESS. Yes.

Mr. BELIN. When you were at Inspector Sawyer's car, did you see him there?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Was he at his car?

Mr. HARKNESS. Yes, sir; he was by his car, near his car.

Mr. BELIN. Do you know whether or not he had gone inside the building yet?

Mr. HARKNESS. No, sir.

Mr. BELIN. You mean you don't know?

Mr. HARKNESS. Don't know whether he had gone in or not. Actually, he was standing there in front taking information. All the information was being funneled to Inspector Sawyer.

Mr. BELIN. Did you tell him you had a witness?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. In his car?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. At that time, had the building been sealed off yet when you told him that?

Mr. HARKNESS. At that time?

Mr. BELIN. When you told Inspector Sawyer that you had a witness that said the shot came from the building, up to that particular moment, had the front part of the building been sealed off yet?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. It had already been sealed off?

Mr. HARKNESS. There was two officers with Inspector Sawyer at the front.

Mr. BELIN. Were they stopping people from going in and out?

Mr. HARKNESS. I don't know.

Mr. BELIN. You don't know?

Mr. HARKNESS. No, sir; I don't know that, because I didn't go up and talk to them.

Mr. BELIN. Did you notice whether or not people were coming in and out of the building?

Mr. HARKNESS. No. I was interested in getting around to the back of the building to make sure it was.

Mr. BELIN. Then am I correct that your testimony is that you didn't notice whether people were coming in and out? Did you notice, or did you not notice whether people were coming out of the building at that time?

Mr. HARKNESS. Several officers at the area, and it was a lot of people around. I don't know whether they were going in or out or not. I couldn't say that.

Mr. BELIN. Then you went around to the back of the building?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Was anyone around in the back when you got there?

Mr. HARKNESS. There were some Secret Service agents there. I didn't get them identified. They told me they were Secret Service.

Mr. BELIN. Then did you stay around the back of the building?

Mr. HARKNESS. Yes; I stayed at the back until the squad got there.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. I went back to the front, and Inspector Sawyer—helped to get the crowd back first, and then Inspector Sawyer assigned me to some freight cars that were leaving out of the yard, to go down and search all freight cars that were leaving the yard.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. Well, we got a long freight that was in there, and we pulled some people off of there and took them to the station.

Mr. BELIN. You mean some transients?

Mr. HARKNESS. Tramps and hoboes.

Mr. BELIN. That were on the freight car?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Then what did you do?

Mr. HARKNESS. That was all my assignment, because they shook two long freights down that were leaving, to my knowledge, in all the area there.

We had several officers working in that area.

Mr. BELIN. Do you know whether or not anyone found any suspicious people of any kind or nature down there in the railroad yard?

Mr. HARKNESS. Yes, sir. We made some arrests, I put some people in.

Mr. BELIN. Were these what you call hoboes or tramps?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Were all those questioned?

Mr. HARKNESS. Yes, sir; they were taken to the station and questioned.

Mr. BELIN. Any guns of any kind found?

Mr. HARKNESS. Not to my knowledge.

Mr. BELIN. I want to go back to this Amos Euins. Do you remember what he said to you and what you said to him when you first saw him?

Mr. HARKNESS. I went in that crowd up there near the area there, and asked did anyone see any place where the shots come from, and there was an unidentified person pointed to him, said this boy here saw it, saw the shots, where the shots came from, and he told me it was.

Mr. BELIN. Then what did he say?

Mr. HARKNESS. He told me that the shots came from the window under the ledge.

Mr. BELIN. Of what building?

Mr. HARKNESS. Of the School Book Depository.

Mr. BELIN. Now have you since gone back to that building?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Do you know where the ledge is?

Mr. HARKNESS. Yes, sir; let's see, I have been by the place a million times. The ledge there is the one window where it came from, I believe.

Mr. BELIN. You can't right now definitely state what floor the ledge would be?

Mr. HARKNESS. Well—

Mr. BELIN. If you can't, I would rather not have you guess, but if you do know, I would like to have you state.

Mr. HARKNESS. I believe that it—

Mr. BELIN. Sergeant, now, do you know where that ledge is now?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Between what floors is the ledge?

Mr. HARKNESS. The ledge is between, over the sixth floor.

Mr. BELIN. All right, well here in your police report I show you Sawyer Deposition Exhibit A, you said the, "Witness says shots came from fifth floor Texas School Book Depository." Did the witness say it was from the sixth floor, or did he say it was from the fifth floor?

Mr. HARKNESS. He said it was from the fifth floor.

Mr. BELIN. What were the exact words of the witness?

Mr. HARKNESS. The exact words of the witness "It was under the ledge," which would put it on the sixth floor. It was my error in a hasty count of the floors.

Mr. BELIN. Did the witness say what particular window on that floor that he saw it on?

On the floor under the ledge?

Mr. HARKNESS. Said it was the last window, which would indicate it would be the last window on the east side of the building.

Mr. BELIN. Did he say to his right as he saw it, or did he just say the last window from where he was standing?

Mr. HARKNESS. Last window from where he was standing, and at that point it would indicate that it would be the last window on the east side of the building facing Elm Street.

Mr. BELIN. Were you standing at the time, on the north or south side of Elm when you talked to this witness?

Mr. HARKNESS. I was.

Mr. BELIN. When you were with this witness, had this Amos Euins, were you standing on the north or the south side of Elm as it goes into the Parkway there?

Mr. HARKNESS. Elm as it goes under the Parkway—was between Elm where it goes under the triple underpass, and the extension of Elm there in that park area.

Mr. BELIN. So that is where you were standing?

Mr. HARKNESS. Yes.

Mr. BELIN. So that would be north of Elm as it goes into the underpass, but south of the extension of Elm?

Mr. HARKNESS. Where that building is, yes, sir.

Mr. BELIN. Would you have been west of the School Book Depository Building at that time?

Mr. HARKNESS. Yes.

Mr. BELIN. So the witness pointed to the last one on that floor? That would be the last one which would be to the east, is that correct?

Mr. HARKNESS. That's correct.

Mr. BELIN. Anything else you can remember this witness said?

Mr. HARKNESS. No, sir.

Mr. BELIN. Did he say whether or not he saw a rifle?

Mr. HARKNESS. He couldn't tell.

Mr. BELIN. Sergeant, do you remember anything else that you said?

Mr. HARKNESS. No, sir.

Mr. BELIN. Did you actually talk to any other person whose name you recorded in your little book there?

Mr. HARKNESS. Yes, sir; Arnold Rowland.

Mr. BELIN. Arnold Rowland?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. What did he say?

Mr. HARKNESS. He said that he saw a man on one of those floors. He didn't clearly identify it, as he saw a man with a high-powered rifle walking around up there.

Mr. BELIN. Did he say anything else that you could have recorded there?

Mr. HARKNESS. No, sir.

Mr. BELIN. Anything else you remember?

Mr. HARKNESS. Except his address. I have his address as 3026 Hammerly.

Mr. BELIN. Did he say anything else?

Mr. HARKNESS. No, sir.

Mr. BELIN. Is there anything else that happened that day that might in any way be relevant to this investigation?

Mr. HARKNESS. No, sir.

Mr. BELIN. What did you do on Saturday?

Mr. HARKNESS. Saturday I was assigned to traffic at Elm and Houston, between Elm and Main.

Mr. BELIN. Is there anything else that you did on Saturday or on Sunday that might in any way be relevant to this area of inquiry?

Mr. HARKNESS. On Saturday had a large crowd down there, and I observed Jack Ruby at the entrance of the jail down there on Saturday.

Mr. BELIN. You saw Jack Ruby near the entrance of the jail on Saturday?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. Has your statement already been taken by anyone before on the President's Commission?

Mr. HARKNESS. Yes, sir.

Mr. BELIN. But you did see Jack Ruby?

Mr. HARKNESS. I testified in Ruby's trial to that effect.

Mr. BELIN. Anyone else or anything else that might be in any way relevant here?

Mr. HARKNESS. The only thing, on Sunday I was leaving town; going to Whitesboro, and my wife and kids, we heard over the radio that Oswald had been shot.

When I arrived in Whitesboro, I called Capt. Fritz of the Dallas Police Department, and told him that I had seen Ruby near the entrance of the county jail the day before, which was a Saturday.

Mr. BELIN. Anything else?

Mr. HARKNESS. That is all.

Mr. BELIN. But did you ever talk to Ruby at any time afterwards?

Mr. HARKNESS. No, sir; not afterwards.

Mr. BELIN. Did you know Ruby at all, or not?

Mr. HARKNESS. I had met him, and being downtown traffic sergeant, I had seen him before, and I knew who he was, but other than that, that is all.

Mr. BELIN. Is there any other thing you can think of, whether I have asked it or not, that might in any way be relevant to the investigation of the assassination or the shooting of Officer Tippit?

Mr. HARKNESS. No, sir; I don't have anything on that, other than what I heard over the radio.

Mr. BELIN. By the way, did your witness ever say whether the person he saw at the window was a white man or Negro?

Mr. HARKNESS. He just told me, he just said he couldn't identify him. That is what he told me.

Mr. BELIN. Did he tell you whether or not it was a man?

Mr. HARKNESS. I don't remember, because I knew I couldn't get any information out of him, enough to put out a description on it.

Mr. BELIN. Anything else?

Mr. HARKNESS. No, sir.

Mr. BELIN. Sir, we want to thank you very much for coming down here and testifying.

You have an opportunity, if you would like, to come back and read your deposition when it is typed, and sign it, or you can waive reading and signing it and just have the court reporter send the transcript to us directly in Washington. If you have any preference, you might let us know.

Mr. HARKNESS. I have no preference. I just hope I have been able to help you on these directions, because they are complicated to give directions, especially when you try to convince.

Mr. BELIN. In any event, do you want to sign or waive signing? You have a right to sign or you can waive the signing of it and send it directly to us, whatever you want to do.

Mr. HARKNESS. Waiver is customary? It doesn't make any difference.

Mr. BELIN. Some people do one way and some the other way. Do you want to come back and read it and sign it, or do you want to waive signing it and let the court reporter send us the transcript direct?

Mr. HARKNESS. What has most of them been doing?

Mr. BELIN. Gosh, I have them doing both ways. I couldn't tell you what most have been doing, sir.

Mr. HARKNESS. I will just waive.

TESTIMONY OF J. HERBERT SAWYER

The testimony of J. Herbert Sawyer was taken at 3:45 p.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. David W. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Would you stand 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. SAWYER. I do.

Mr. BELIN. What is your occupation?

Mr. SAWYER. Inspector of Police.

Mr. BELIN. Of what Police Department?

Mr. SAWYER. Dallas Police Department.

Mr. BELIN. You live here in Dallas?

Mr. SAWYER. Yes, sir.

Mr. BELIN. Inspector, how long have you been with the Police Department?

Mr. SAWYER. 23 years.

Mr. BELIN. That would be then you came to the Police Department around 1941 or so?

Mr. SAWYER. 1941, is right.

Mr. BELIN. You have been with them ever since 1941?

Mr. SAWYER. Except for a brief hitch in the Service during the war.

Mr. BELIN. What did you do in the Service?

Mr. SAWYER. I was a yeoman in the Navy.

Mr. BELIN. Honorable discharge?

Mr. SAWYER. Yes.

Mr. BELIN. Prior to going into the Service, what did you do?

Mr. SAWYER. Policeman.

Mr. BELIN. Before you went into the Service?

Mr. SAWYER. Yes.

Mr. BELIN. Did you go to school here in Dallas?

Mr. SAWYER. Yes.

Mr. BELIN. Graduated from high school?

Mr. SAWYER. Yes. I didn't graduate. I lacked half a year.