

TESTIMONY OF EARLE CABELL

The testimony of Earle Cabell was taken at 9 a.m., on July 13, 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. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Hon. Earle Cabell, mayor of the city of Dallas.

Mr. CABELL. Former mayor.

Mr. HUBERT. Is that right?

Mr. CABELL. I resigned in February.

Mr. HUBERT. Mr. Cabell, my name is Leon D. Hubert. I am a member of the advisory staff of the General Counsel of 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 that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Cabell, 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.

Now Mr. Cabell, you appeared today by virtue of a letter which I understand was received by you on either July 8 or 9, written by Mr. J. Lee Rankin, General Counsel of the President's Commission; is that correct?

Mr. CABELL. That is correct.

Mr. HUBERT. Would you stand and raise your right hand? 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. CABELL. I do.

Mr. HUBERT. Will you please state your name for the record?

Mr. CABELL. My name is Earle Cabell.

Mr. HUBERT. What is your residence?

Mr. CABELL. My place of residence is 5338 Drane Drive, Dallas, Tex.

Mr. HUBERT. Mr. Cabell, I understand that you were formerly the mayor of Dallas, but you resigned about 2 or 3 months ago?

Mr. CABELL. I was installed as mayor of Dallas May 1, 1961, for a 2-year term. Was reinstalled May 1, 1963, upon reelection. Resigned that office on February 3, 1964, to become a candidate for the House of Representatives of the United States.

Mr. HUBERT. Prior to your becoming mayor, what occupation did you have? I simply want to get some background for the record.

Mr. CABELL. For the past 30-odd years I have been engaged in dairy products and food retailing in the city of Dallas and surrounding areas.

Mr. HUBERT. You still have that business?

Mr. CABELL. No; I am not connected with that business officially any longer. I retain my office at the former headquarters of that company, which is 4017 Commerce Street. I am on a retainer with the company in an advisory capacity.

Mr. HUBERT. Mr. Cabell, we are interested in a number of matters, but I think we can cover much of the ground by asking you to comment upon an interview of you by FBI Agents Warren Debrueys and George Carlson on December 12, 1963, which I have marked for identification as follows: On the first page in the right-hand margin I have marked "Dallas, Texas, July 13, 1964, Exhibit No. 1, deposition of Honorable Earle Cabell." I have signed my name under that and on each of these succeeding three pages I have marked my initials in the right-hand lower corner.

Exhibit No. 1 consists therefore of 4 pages. Mr. Cabell, I think you have had an opportunity to read this Exhibit No. 1; is that right?

Mr. CABELL. I have read it.

Mr. HUBERT. Now I ask you if the exhibit, which is, as I have said, a report of an interview of you by the FBI agents named, is an accurate and fair statement of the conference or interview had between you?

Mr. CABELL. It is entirely so.

Mr. HUBERT. Do you have any corrections or additions?

Mr. CABELL. I find no corrections or additions to make to that statement.

Mr. HUBERT. For the record, I would like you to state briefly just what was the chain of command of governmental authority in the city of Dallas, starting with you, I take it, as the top, on down at least to the police department.

Mr. CABELL. Under the charter of the city of Dallas, the city council is composed of councilmen and the mayor, the mayor having the status of a councilman, but also being the presiding officer elected by the people at large as the mayor. He is the presiding officer and the spokesman for the council. The council does not have administrative responsibilities nor authority. The council is a legislative and policymaking body who appoint the city manager, among certain other city officials or department heads.

The city manager in turn has the discretion of appointing those department heads under his direct jurisdiction, including the appointment of the chief of police. The council, by ordinance, is not authorized to, and in fact is prohibited from taking direct administrative action through or over any of the department heads appointed by and responsible to the city manager.

Mr. HUBERT. How many members compose the council, sir?

Mr. CABELL. Eight members, in addition to the Mayor.

Mr. HUBERT. They are elected?

Mr. CABELL. They are all elected by the citizens of Dallas at large. That is, they are all voted upon.

Mr. HUBERT. Now the city manager, as I understand it, is appointed by the council or by the mayor?

Mr. CABELL. No; the city manager is appointed by the council, by council action.

Mr. HUBERT. Now the city manager on November 22 through 24, 1963, was Mr. Crull?

Mr. CABELL. Elgin E. Crull.

Mr. HUBERT. Of course, for the record, you were then Mayor?

Mr. CABELL. That is correct.

Mr. HUBERT. I think it might be well also for the record if we have the names of the people that composed the council at that time.

Mr. CABELL. The council at that time was composed of Mr. Carie Welch. He was also mayor pro tem. Mr. William Roberts, Mrs. Tracy Rutherford, Mr. Joe Moody, Mr. Joe Golman, Mrs. Elizabeth Blessing, Mr. George Underwood, Jr., Mr. R. B. Carpenter.

Mr. HUBERT. I understand that Mr. Crull had been serving as city manager for quite some time?

Mr. CABELL. Something over 10 years.

Mr. HUBERT. Could you describe briefly for us the relationship between the mayor and the council and the city manager?

Mr. CABELL. Well, it is the relationship of the general manager of a corporate entity and his board of directors, with most day-to-day contact being made through the mayor as the presiding officer of that board.

Mr. HUBERT. In other words, the city manager really has the detailed administration of city affairs?

Mr. CABELL. He is entirely responsible for the administrative functions of the city government.

Mr. HUBERT. Now, the mayor, then, is responsible for policies with the council; is that correct?

Mr. CABELL. As the presiding officer, the mayor has only one vote on the action of the council, as any other councilman, but by virtue of being the presiding officer and the spokesman of the council, then on day-to-day routine matters, the contact of the city manager is through the mayor.

Mr. HUBERT. Does the council make any other appointments than the appointment of the city manager?

Mr. CABELL. Yes; the direct appointees of the council are the city attorney,

the city secretary, the supervisor of public utilities, and the city auditor, with the city auditor being nominated by the Dallas Clearing House Association.

Mr. HUBERT. I understand then that the chief of police is appointed by the city manager completely?

Mr. CABELL. That is correct; and is responsible only to the city manager.

Mr. HUBERT. Does the city council or mayor confirm the appointees of the city manager? What authority do they have?

Mr. CABELL. They confirm by virtue of approval of the budget wherein their salaries are stipulated and they are named.

Mr. HUBERT. But it is not an appointment such as with Federal officials where the President appoints and the city confirms?

Mr. CABELL. No.

Mr. HUBERT. Now I want to ask you to state what you observed concerning the actual shooting of the President, and perhaps the best way to start is to tell us what position you were in in the Presidential parade.

Mr. CABELL. We were separated from the President's car by the car in which the Vice President and Senator Yarborough were riding, and by a station wagon holding, I think, certain members of the press and possibly some Secret Service, and I believe one other car of Secret Service so there were either two or three intervening cars between our place in the motorcade and the Presidential car.

Mr. HUBERT. Who was in your car other than the driver?

Mr. CABELL. Mrs. Cabell and Congressman Ray Roberts from McKinney, Tex., Congressman from the Fourth District, and myself.

Mr. HUBERT. Just the three of you?

Mr. CABELL. That is correct.

Mr. HUBERT. Do you remember who the driver was?

Mr. CABELL. I do not remember his name. He was a member of the Department of Public Safety of the State of Texas.

Mr. HUBERT. When did you observe anything at all relative to the shooting of the President?

Mr. CABELL. Well, we were just rounding the corner of Market and Elm, making the left turn, when the first shot rang out.

Mr. HUBERT. Would you describe what you saw or heard, please, sir?

Mr. CABELL. I heard the shot. Mrs. Cabell said, "Oh a gun" or "a shot", and I was about to deny and say "Oh it must have been a firecracker" when the second and the third shots rang out. There was a longer pause between the first and second shots than there was between the second and third shots. They were in rather rapid succession. There was no mistaking in my mind after that, that they were shots from a high-powered rifle.

Mr. HUBERT. Are you familiar with rifles so that your statement that it was your opinion it came from a high-powered rifle was that of a person who knows something about it?

Mr. CABELL. I have done a great deal of hunting and also used military shoulder guns, as well as hunting rifles.

Mr. HUBERT. Were you in the armed services during the war?

Mr. CABELL. No; I was not, but there was no question in my mind as to their being from a high-powered rifle and coming from the direction of the building known as the School Book Depository.

Mr. HUBERT. That you judged, I suppose, by the direction from which you thought the sound came?

Mr. CABELL. Right.

Mr. HUBERT. Could you estimate the number of seconds, say, between the first and second shots, as related to the number of seconds between the second and third shots? Perhaps doing it on the basis of a ratio?

Mr. CABELL. Well, I would put it this way. That approximately 10 seconds elapsed between the first and second shots, with not more than 5 seconds having elapsed until the third one.

Mr. HUBERT. Two to one ratio?

Mr. CABELL. Approximately that. And again I say that, as you mentioned, as a matter of being relative. I couldn't tell you the exact seconds because they were not counted.

Mr. HUBERT. Now when you became conscious that these were shots and that they seemed to be coming from the building known as the Texas School Book Depository Building, did you look toward that building?

Mr. CABELL. My back was turned to it at the time, because I was riding in the front seat and was conversing with Mrs. Cabell and Mr. Roberts.

Mr. HUBERT. Who were in the back? And you were next to the driver?

Mr. CABELL. I was sitting in the front seat with the driver. This was a convertible in which we were riding with the top down.

Mr. HUBERT. So that actually the shots seemed to you to come from behind?

Mr. CABELL. From behind.

Mr. HUBERT. Did you turn in the direction of the shots?

Mr. CABELL. I turned then, rather looking down toward the Presidential car, and then I saw the people scattering and some throwing themselves on the ground. One man threw himself over a child that was sitting in the grass there. I did not observe anything in connection with the building itself.

Mr. HUBERT. You did not see anybody in any of the windows?

Mr. CABELL. No.

Mr. HUBERT. Now I think you mentioned that Mrs. Cabell made a remark to you, "Oh, that is a shot." I take it from what you have said, that remark was made immediately after the first shot?

Mr. CABELL. Just immediately; yes.

Mr. HUBERT. And before the second and third, is that right?

Mr. CABELL. And really before I could get my answer out—I think it was motivated by wishful thinking as much as anything else, to deny or to say possibly it wasn't—then the second and third shots rang out.

Mr. HUBERT. Were there any other spontaneous remarks made by anyone else in the car?

Mr. CABELL. Well, in the discussion which followed, both Mr. Roberts and myself said that it must have been from a gun similar to a .30-06.

Mr. HUBERT. By spontaneous, I meant those remarks made just immediately, not the discussion thereafter, you see.

Mr. CABELL. I don't remember.

Mr. HUBERT. So you do not recall any remarks made by anyone else of a spontaneous nature?

Mr. CABELL. No; I don't.

Mr. HUBERT. Well, what did you do after the shots were fired and the Presidential car and the vice presidential car went on?

Mr. CABELL. Then we just followed and told the driver to follow them.

Mr. HUBERT. You went on then to the—

Mr. CABELL. We went on to the hospital. We could not tell whether they were just going back to the airport or going toward the hospital. Now there was a question raised among us as to where we were headed.

Mr. HUBERT. You didn't in fact know who had been hit, I take it?

Mr. CABELL. No; we couldn't tell. We could tell, of course, there was confusion in the presidential car—activity. The Secret Service men ran to that car. From out of nowhere appeared one Secret Service man with a submachine gun. His attention seemed to be focused up toward the building. One of the motorcycle officers and the escort pulled his motorcycle over to the side and jumped off with his drawn handgun and ran up the slope toward the building, toward the School Book Depository. I do not recall any other shots being fired than the three which I mentioned.

Mr. HUBERT. I take it also that you got to the hospital very shortly after the Presidential car did?

Mr. CABELL. Of course, when we turned off of Stemmons Expressway, we knew then that we were headed toward Parkland. Otherwise, we would have proceeded on Stemmons to Mockingbird Lane, which would have been the direct route to the airport.

Mr. HUBERT. When you got to the hospital, had the President been removed from the car?

Mr. CABELL. He was in the process of being removed; was on the carriage. Another carriage was brought out, and I was there and helped to steady the carriage when the Governor was taken out of the car and placed on the car-

riage and wheeled in. And I helped escort the carriage on into the hospital into the anteroom and stayed there until the body was removed.

Mr. HUBERT. Did you happen to go to the room in which a press conference was held, at which the official announcement was made of the President's death?

Mr. CABELL. I was not in when any official thing—I assumed that the President was dead.

Mr. HUBERT. I was trying to get the anteroom or hallway that you described. Where was this with reference to the outside door of the hospital, or the emergency room, or something of that sort?

Mr. CABELL. Well, this was in the emergency section. There is a large anteroom with a glassed-in enclosure where telephones were, and then off from that larger room was a narrow anteroom from which a series of operating rooms connected.

The President was in one of those, and directly across this little hallway then was where Governor Connally was.

Mr. HUBERT. Were there any news people in that area?

Mr. CABELL. Yes; I am sure there must have been. I don't recall any whom I recognized personally.

Mr. HUBERT. Specifically, do you know a reporter, newspaperman now with Scripps-Howard, by the name of Seth Kantor?

Mr. CABELL. I can't recall.

Mr. HUBERT. Now there is some information, Mr. Cabell, that Jack Ruby was around the hospital some place, either near the entrance or near the pressroom, or something of that sort. And, of course, I take it that you now know what he looks like, from pictures in the press?

Mr. CABELL. Well, I knew him by sight.

Mr. HUBERT. You knew him by sight prior to this?

Mr. CABELL. Yes.

Mr. HUBERT. How long had you known him?

Mr. CABELL. I would say for several years.

Mr. HUBERT. Did you see him around the hospital then at any time?

Mr. CABELL. No; I did not.

Mr. HUBERT. And you stayed until the President's body was removed?

Mr. CABELL. Yes.

Mr. HUBERT. What did you do after that, sir?

Mr. CABELL. We went—Mrs. Cabell accompanied me and went back to Love Field. There was a number of members of the Texas delegation to the Congress who had accompanied the President and Vice President on the trip down here, and I more or less took them in tow and secured a station wagon from the vehicles that were outside the hospital and carried them, at the direction of one of the Secret Service agents who was more or less in charge in there, to the Southwest Airmotive side of Love Field, which is the eastern side, because he advised me that Air Force I would take off from that side. So there was some with us in our car, and then the station wagon with the additional ones. When we got to Southwest Airmotive, Air Force I was still parked on the west side of the field where they had deplaned the passengers earlier. Realizing that it was going to take off rather quickly, I asked the public relations man for Southwest Airmotive to get on the radio and contact the Air Force officer in charge through the control tower as to what to do about these men, whether to bring them over to that side, or was the plane going to come over there.

We did not get a direct answer, but the squad car of the Dallas Police Department, which is assigned to Love Field, came over and got us, apparently through clearance of the control tower, and carried us right straight across the field. Apparently they stopped any movement to get us across the field. Then those men were able to board the plane.

Mr. HUBERT. Well, after you left the field, after Air Force I had left, what was your activity then, sir?

Mr. CABELL. We stayed there on the ground until after *Air Force I* had taken off with the body of the President. We conferred for a few minutes with Sheriff Bill Decker and Chief of Police Curry. Chief Curry was in the plane and a witness to the swearing in of President Johnson. Shortly after it took off, then Mrs. Cabell, and I returned home. We dropped Mrs. Cabell off, and

then the driver carried me to Mr. Jonsson's house where I left my car, and then I returned home.

Mr. HUBERT. When did you first know of the apprehension of Lee Harvey Oswald?

Mr. CABELL. On the field there, Chief Curry told us of the killing of Officer Tippit, and I believe told us at the same time that they had apprehended the suspect.

Mr. HUBERT. That is to say, the suspect of the killing of the President, or of Tippit?

Mr. CABELL. That he was one and the same.

Mr. HUBERT. Did he tell you what information he had to indicate that the killer of Tippit was also the assassin of the President?

Mr. CABELL. Only that it was believed that he was one and the same. Now the details, I did not get at that time either concerning the killing of Officer Tippit or the subsequent apprehension of Oswald.

Mr. HUBERT. What was your next contact with Curry, if you recall?

Mr. CABELL. I don't recall any further contact with Curry. This was not a face to face or personal contact. It was telephonic concerning the issuance of this parade permit, which is covered in the report by the bureau man.

Mr. HUBERT. That was a conference by telephone on Sunday the 24th?

Mr. CABELL. That is correct.

Mr. HUBERT. You had no contact, to your knowledge, with him?

Mr. CABELL. I don't recall any further contact with Chief Curry.

Mr. HUBERT. Did you have a contact with any other member of the police department?

Mr. CABELL. No.

Mr. HUBERT. Did you have any knowledge of the situation in the county jail with reference to the news media?

Mr. CABELL. That was the city jail.

Mr. HUBERT. I beg your pardon, city jail, with reference to the covering of the matter by the news media, and the confusion that came about as a result of that?

Mr. CABELL. I knew fairly well what was going on by watching my own TV from time to time and the covering that they had on the activities around the police department of the city hall.

Mr. HUBERT. Was there any meeting of the council during the interval between the 22d and the 24th?

Mr. CABELL. No.

Mr. HUBERT. Did you have any contact with City Manager Crull during that time?

Mr. CABELL. The Sunday morning, I knew that the city manager was out of town, and in my conversation with Chief Curry subsequent to the shooting of Oswald, I asked him if he had made contact with Mr. Crull, and suggested that if he had not, that he do make immediate contact and ask for his return to the city.

Mr. HUBERT. That was after the shooting of Oswald?

Mr. CABELL. This was after the shooting of Oswald. And he told me at that time that Mr. Crull had been contacted and was on his way back.

Mr. HUBERT. Did you know prior to the shooting of Oswald, or have you learned since whether there was any awareness in the police department of possible danger to Oswald?

Mr. CABELL. No, no. After it had all occurred, then I recall having been told by someone that there had been an attempt, or that an attempt would be made, but that is not clear, and purely a matter of hearsay.

Mr. HUBERT. I believe in your conversation with Chief Curry on Sunday, you discussed a threat that had been made to you, or indirectly?

Mr. CABELL. He called me that this call had come through the switchboard of the city hall, and it was his understanding that it was long distance, but he did not know the source, and since it was a direct dial and they could not trace it, there was not enough time, wherein the caller said that an attempt would be made on my life.

Mr. HUBERT. He told you that was a long-distance call?

Mr. CABELL. It was his impression, the switchboard operator's impression that it was some long distance.

Mr. HUBERT. That was prior to Oswald's death?

Mr. CABELL. No; that was following Oswald's death, and that is when he told me that he was sending officers out to maintain security.

Mr. HUBERT. Attached to page 3 it seems to indicate that the call with Curry must have occurred a bit before you received the news of Oswald's shooting?

Mr. CABELL. The first call from Curry, or only the starting of any conversations with Chief Curry were relative to this torchlight parade on that night. I had called him and told him that I would recommend the cancellation of that parade. He had granted it, but then I had recommended the cancellation, and I would assume full responsibility for having given that instruction.

Mr. HUBERT. At that time Oswald had not been shot?

Mr. CABELL. No.

Mr. HUBERT. But on that first call then, was there any discussion between you and Chief Curry about the transfer of Oswald?

Mr. CABELL. No.

Mr. HUBERT. Was there any discussion about the security precautions that were being observed or the problems that they were?

Mr. CABELL. I do not recall any discussion on that at all.

Mr. HUBERT. Chief Curry did not tell you that any threats had been made to Oswald?

Mr. CABELL. No.

Mr. HUBERT. Now during the period November 22 until the shooting of Oswald, did you have any conversations with the press concerning the whole matter?

Mr. CABELL. There were a number of calls. There were members of the press, both the national and international press that came to my home during that period. I had given a statement on Friday night to both television stations.

Mr. HUBERT. That was by—

Mr. CABELL. That was on Friday.

Mr. HUBERT. On television?

Mr. CABELL. Yes.

Mr. HUBERT. Do you recall whether any part of those statements or interviews had to do with the transfer of Oswald?

Mr. CABELL. None whatsoever. There was never any during that period. There was never any mention of that. It was not brought up nor discussed.

Mr. HUBERT. Then later on Sunday morning, I understand after the security call from Chief Curry, there was another call from him with regard to the death of Oswald?

Mr. CABELL. He called me.

Mr. HUBERT. I mean the shooting of Oswald.

Mr. CABELL. Yes; the incident referred to here about a friend calling.

Mr. HUBERT. You say "here." You are referring to page 3 of Exhibit No. 1?

Mr. CABELL. "He received a telephone call from a friend." That friend was Mrs. R. O. Alexander who said, "Do you have your television on?" And I said, "No." She said, "Get it on quick. They have just shot Oswald." And I immediately turned my television on. I was in the den where I was sitting and taking these telephone calls, and then just as I get it turned on, they still had not removed Oswald at that time because this was just a matter of a minute or 2 from the actual shooting. Then Chief Curry called and said, "They have just shot Oswald." And I said, "Yes; I have it on TV now."

Mr. HUBERT. Was any action taken then by anybody, do you know, concerning, first, security measures or further protection against?

Mr. CABELL. Nothing to my knowledge.

Mr. HUBERT. I think I have asked this before. If I have, then just disregard it, but did you contact City Manager Crull during the interval?

Mr. CABELL. No; I did not contact him. Now he came to my home immediately on his return to the city.

Mr. HUBERT. Which was about what time?

Mr. CABELL. This was, well, it was early afternoon.

Mr. HUBERT. Of the 24th?

Mr. CABELL. This was on the 24th, on Sunday; yes. It was about 1 o'clock.

Mr. HUBERT. Can you comment upon this Lancaster Smith proposal of a parade?

Mr. CABELL. Lanc Smith is a very well-known, very active lay worker in the Catholic church, and he had called me earlier, and I think the suggestion for this came from some nuns, and when he first talked to me I didn't realize frankly the implications or the hazard of a procession such as that, and I told him—he asked about a permit, and I said that that is a matter that is handled by the chief of police, that he would have to be the one to issue a permit for any type of parade, because that is what that amounted to.

Mr. HUBERT. What was the proposal of Mr. Smith?

Mr. CABELL. Well, a torchlight procession of both the clergy and any lay people as a procession of mourning that would pass by the site of the assassination and put flowers at the site.

Mr. HUBERT. That was proposed for Sunday night?

Mr. CABELL. That was proposed for Sunday night, and after having talked with him, then the implications began to dawn on me, and when I realized that that was in a rather poorly lighted area, it is not in the best part of town, and that the procession itself would pass possibly under the very window of the jail where Oswald presumably would be by that time, then that was the reason behind my calling the chief then.

He told me he had issued the permit because he had no reason not to, and then that is when I made the recommendation that it be canceled.

Mr. HUBERT. It was canceled in fact?

Mr. CABELL. Yes; it was.

Mr. HUBERT. Before Oswald was shot?

Mr. CABELL. Oh, I think undoubtedly, because he said he would call Lanc immediately back.

Mr. HUBERT. When did Lancaster Smith call you?

Mr. CABELL. I think it must have been around 8 or 9 o'clock in the morning, originally.

Mr. HUBERT. Then you called Chief Curry about what time?

Mr. CABELL. Must have been very shortly after that. I would say 9 o'clock or possibly a short time after. I believe that it must have been just a little before 10, because I think that he was talking to me in his office at the time word was brought to him that Oswald was shot, or possibly had hung up the phone, or he would have mentioned that to me at the time.

Mr. HUBERT. Because the evidence we now have shows that Oswald was shot about 11:20, so perhaps your time would have been 11 rather than 10?

Mr. CABELL. Yes; I was thinking in terms of 10 o'clock being the hour of shooting, but we can move this conversation with Curry to a matter of minutes preceding the shooting of Oswald.

Mr. HUBERT. Now were any threatening calls received by you directly?

Mr. CABELL. Only one, which was received by Mrs. Cabell on New Year's Eve.

Mr. HUBERT. December 31, 1963?

Mr. CABELL. December 31, 1963; yes, sir.

Mr. HUBERT. Were there any received indirectly?

Mr. CABELL. Only those that were reported to us by Chief Curry. There was one incident which was not a call, but which was an unusual thing and which caused a certain amount of apprehension.

On a Saturday evening, which one I can't tell you, but it was while security was being maintained, that I decided to go out and eat dinner. Mrs. Cabell did not want to go. She said she would just stay at home. One of the officers stayed with Mrs. Cabell. The other one accompanied me to Tupinamba, a Mexican cafe on Lovers Lane. I told Mrs. Cabell I would get Mexican food there. There are three places in the immediate vicinity, all of which we patronize from time to time.

The officer and I were in having our dinner when the proprietor came over and said that I was wanted on the phone. I picked up the receiver. I could hear traffic noises in the background, so I knew that the line was open. I said, "Hello" several times, and the receiver clicked in my ear. I thought that Mrs. Cabell had possibly tried to get hold of me, and I called her, and she said, "No, she had not." So it was obvious that someone who was either in

the restaurant and had left when we came in, or had seen us enter the restaurant, put in this call, apparently just a nuisance or harassing type of thing.

Mr. HUBERT. How long after you had been in the restaurant did this call come?

Mr. CABELL. Oh, a matter of 10 or 15 minutes.

Mr. HUBERT. You never found the source of that?

Mr. CABELL. No.

Mr. HUBERT. Was any investigation made?

Mr. CABELL. There was no way of making an investigation. The assumption is that the call was placed from one of the public telephones that are up and down that business section there.

Mr. HUBERT. Mr. Cabell, there have been some reports as to the authenticity or veracity of, for which I do not vouch at all, to the effect that some pressure was put upon Chief of Police Curry by you or others to cooperate with the press in all ways possible. I think in fairness I should give you an opportunity to comment upon that.

Mr. CABELL. There was one that has been rumored. One of our local weekly publications made that as a statement. That is completely false. At no time did I have any contact with Chief Curry to the extent that I gave him any orders, instructions, or make any comment upon the situation other than the contact which I have mentioned with reference to this proposed torchlight parade.

Mr. HUBERT. Do you know of any pressure put upon him by anyone in authority over him?

Mr. CABELL. I do not know of any, and my assumption would be, and I say assumption, would be that none had been made, because I know how Mr. Crull operates to the extent that he would not interfere in the duties of his chief of police. Now I am sure that they had conversations with reference to security and that sort of thing, but I would question very definitely that any orders as such on that subject would have been issued by Mr. Crull.

Mr. HUBERT. In any case, neither you nor anyone else, to your knowledge, did anything of that sort, to wit, bring pressure upon him in anyway whatsoever?

Mr. CABELL. That is entirely correct.

Mr. HUBERT. Mr. Cabell, do you have anything else to say, sir?

Mr. CABELL. No, sir; I don't know of anything else that I could add.

Mr. HUBERT. Prior to the commencement of the recordation of your testimony, we had a very short conversation, but will you agree with me now that there was nothing that was discussed in that conversation relating to the testimony that has not been actually covered in the deposition?

Mr. CABELL. That is correct. I recall no conversation of any sort pertaining to this incident that has not been covered in the examination under this deposition.

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

(The following questions were asked upon completion of the deposition of Mrs. Earle Cabell.)

Mr. HUBERT. Mayor Cabell, I wonder if you would agree for just a couple of questions for your deposition to be continued under the same terms and conditions that I began, and that you are under the same oath?

Mr. CABELL. Yes.

Mr. HUBERT. I would like for you to comment, if you will, please, about the recordation of conversations on your telephone, telling us when the recordation system was set up, and when removed.

Mr. CABELL. It was set up on Sunday afternoon. That would have been the 24th; which recorded all conversations that came into action when the receiver was taken off the hook. It was removed on, I would say, after about 3 weeks. I am quite sure that it had been removed prior to December 31.

Mr. HUBERT. Have you yourself ever learned of any conversations that were of a threatening nature?

Mr. CABELL. No.

Mr. HUBERT. You have not heard the tape, of course?

Mr. CABELL. No; I have not.

Mr. HUBERT. It is reasonable to suppose that if any had been recorded, it would have been brought to your attention?

Mr. CABELL. I am sure it would.

Mr. HUBERT. Who has the possession of that tape?

Mr. CABELL. The police department.

Mr. HUBERT. They still have it?

Mr. CABELL. I am assuming that they still have it.

Mr. HUBERT. All right, thank you very much, sir. I certainly thank both of you.

TESTIMONY OF MRS. EARLE CABELL

The testimony of Mrs. Earle Cabell was taken at 10 a.m., on July 13, 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. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mrs. Earle Cabell. Mrs. Cabell, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of 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 that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mrs. Cabell, 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.

Now Mrs. Cabell, you appear today by virtue of a letter addressed actually to you and your husband, Mayor Earle Cabell, by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, is that correct? That letter was dated either the 8th or 9th, or in any case was received on the 8th or 9th of July?

Mrs. CABELL. Yes.

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

Mrs. CABELL. I do.

Mr. HUBERT. Please state your name for the record, please, ma'am.

Mrs. CABELL. Mrs. Earle Cabell.

Mr. HUBERT. You are the wife of former Mayor Earle Cabell?

Mrs. CABELL. Yes.

Mr. HUBERT. You reside with him now at what address?

Mrs. CABELL. 5338 Drane.

Mr. HUBERT. Mrs. Cabell, I think you were with your husband in the presidential parade on November 22, 1963?

Mrs. CABELL. That's right.

Mr. HUBERT. I wish you would tell us in your own words what you observed concerning the shooting of the President. I might say that your husband has testified that you were in the second or third car behind the President's car—the third or fourth car.

Mrs. CABELL. Third or fourth. We have never been able to be sure about that, because we were under the impression—of course, the chief of police's car preceded the presidential car, and we were under the impression that it was the presidential car, the vice presidential car, the station wagon apparently with Secret Service men, and then our car. There have been other statements made which we have never been quite sure of, that there was a Secret Service car