

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Which is some months ago, to the best of your recollection did you report to the FBI agent, who was Mr. Berry—do you recall that name?

Mr. HUTCHISON. Yes, sir; Mr. Berry was the man that came out—yes, sir.

Mr. JENNER. It was then your recollection that the time that Oswald—the man you recognized as Oswald—tendered the check for cashing was November 8—that is, you used the expression, "Three weeks ago?"

Mr. HUTCHISON. Yes, sir; that would pinpoint it closer.

Mr. JENNER. Does that refresh your recollection now—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. As to the time it was?

Mr. HUTCHISON. Yes, sir; it does.

Mr. JENNER. Do you recall that on that occasion, that interview, that you told Mr. Berry that the occasion when the elderly lady, the young lady, and Oswald were in your store—that's an evening?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. You recall the incident?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. That it was on Wednesday evening November 13, 1963, rather than in October—between the 15th and the 1st of November, as you've testified today?

Mr. HUTCHISON. [Pausing before reply.] Mr. Jenner, the best—it was before the check cashing.

Mr. JENNER. Incident?

Mr. HUTCHISON. Yes, sir; it was before that. Yes, sir; because he tried to cash the check after he'd bought the bill of groceries.

Mr. JENNER. Yes; you fixed the time of day as the same.

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And according to the report I have—and all I have is the report—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. You fixed the date as November 13. But, now, that you've been able to reflect further about it. This check-cashing incident as related to the time when the three of them were in—

Mr. HUTCHISON. Yes, sir; was before.

Mr. JENNER. Was before rather than after?

Mr. HUTCHISON. Yes, sir. Yes, sir.

Mr. JENNER. I think that's all—no—one other thing I'd like to say to you. We did have a little bit of conversation before we started your deposition and we've been off the record once or twice—is there anything that I discussed with you while we were off the record or before your testimony began that you think is pertinent that I have failed to bring out?

Mr. HUTCHISON. No, sir.

Mr. JENNER. Is there anything that occurred during that time that you told me that you think is inconsistent with any of the testimony you have given—and which I failed to bring out?

Mr. HUTCHISON. No, sir; I think it's very full on everything I know.

Mr. JENNER. All right. Thank you very much. We're sorry to have inconvenienced you but we very much appreciate your help.

Mr. HUTCHISON. That's all right—it's perfectly all right. That's just something that everybody should do if they're good Americans.

Mr. JENNER. Thank you.

TESTIMONY OF FRANK PIZZO

The testimony of Frank Pizzo was taken at 3:35 p.m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Pizzo, would you stand up and be sworn?

Mr. PIZZO. All right.

Mr. JENNER. Do you solemnly swear that in the testimony you are about to give, you will tell the truth, the whole truth and nothing but the truth?

Mr. PIZZO. I do.

Mr. JENNER. Mr. Pizzo, I am Albert E. Jenner, Jr., a member of the legal staff of the President's Commission. You received a letter from Mr. Rankin, the general counsel, or did you?

Mr. PIZZO. No, I didn't.

Mr. JENNER. All right. Then, I'll tell you about it. The Commission to investigate the assassination of President Kennedy was appointed by President Johnson under Executive Order 11130, which in turn was pursuant to Senate Joint Resolution No. 137 of the Congress, and the Commission was authorized and appointed for the purpose of investigating the assassination of the late President, John F. Kennedy, on the 22d of November, 1963, and to report all the facts that are pertinent to that tragic event that we can discover.

We are particularly interested in persons who did or might have had some contact with Lee Harvey Oswald and Marina Oswald, and it is our understanding that you may have some information in that area and in the course of conducting your business back in the fall of 1963, and pursuant to my telephone call to you this morning, you have kindly come down here, voluntarily, have you?

Mr. PIZZO. I have.

Mr. JENNER. You have heretofore been interviewed by the FBI, haven't you?

Mr. PIZZO. Yes.

Mr. JENNER. And, I know you are busy as it is particularly busy at the end of the month in your business, and I'll see if I can't expedite this.

Mr. JENNER. Are you a native of Dallas?

Mr. PIZZO. No; I am a native of Providence, R.I.

Mr. JENNER. How long have you resided in Dallas?

Mr. PIZZO. Around May 15 in 1963.

Mr. JENNER. Take me back, say, to 1960—about yourself, or start with 1960; what were you doing then?

Mr. PIZZO. Well, in 1960, I was in the automobile business in Providence, R.I., with my own company.

Mr. JENNER. Automobile sales business?

Mr. PIZZO. Yes, used cars—Auto Village, Inc., in Providence, R.I. We came here in, let's see, February of 1963—we came to Lufkin.

Mr. JENNER. When you say "we," you mean you, your wife, and your family?

Mr. PIZZO. My wife and my child, a 5-year-old boy. We came to Lufkin, Tex. She is a native of Lufkin, Tex.

Mr. JENNER. She is a native of Lufkin, Tex.?

Mr. PIZZO. Yes, and we came down here to open up a business, which we did. We opened a business in Lufkin—she opened a beauty shop and I opened a used-car lot, and we were there a couple or 3 months and I came to Dallas to buy cars and I went to McAllister Lincoln-Mercury, who is now my boss, and owns Hamilton Chrysler-Plymouth, and while I was there trying to buy cars, I wound up coming to work for him.

Mr. JENNER. And the McAllister agency is located in downtown Dallas?

Mr. PIZZO. It is Downtown Lincoln-Mercury—it used to be McAllister Lincoln-Mercury.

Mr. JENNER. And now it is called Downtown Lincoln-Mercury?

Mr. PIZZO. That's correct—Downtown Lincoln-Mercury.

Mr. JENNER. Has that been a recent change in name?

Mr. PIZZO. Yes, it has.

Mr. JENNER. I'm just curious, because I tried to find it in the phone book this morning and I couldn't find Downtown Lincoln-Mercury.

Mr. PIZZO. That's right, it has been—let's see, we changed the name—the name was changed just before the assassination. You see, it's a factory franchise dealership and they changed it to Downtown Lincoln-Mercury.

Mr. JENNER. I was looking in a May 1963, directory.

Mr. PIZZO. That's it.

Mr. JENNER. That would be McAllister Lincoln-Mercury at that time?

Mr. Pizzo. When I went to work at that time—yes. Now, I stayed on when Mr. McAllister went on to Hamilton Chrysler-Plymouth and I stayed on as assistant manager at Downtown Lincoln-Mercury. We were working actually for the factory, because they were running the store—they had no president.

Mr. JENNER. In which of the two agencies do you now work as of today?

Mr. Pizzo. Hamilton Chrysler-Plymouth.

Mr. JENNER. And you are what position there?

Mr. Pizzo. Sales manager.

Mr. JENNER. And you were what position—what position did you have with McAllister?

Mr. Pizzo. You mean at Downtown Lincoln-Mercury or McAllister?

Mr. JENNER. Yes.

Mr. Pizzo. Assistant manager.

Mr. JENNER. You were assistant manager?

Mr. Pizzo. Yes.

Mr. JENNER. When did that work commence—when did you start to work with McAllister?

Mr. Pizzo. Around the 14th or 15th of May.

Mr. JENNER. Of 1963?

Mr. Pizzo. That's right.

Mr. JENNER. Did you have an employee under your supervision and direction at that time by the name of Bogard?

Mr. Pizzo. Yes, I did.

Mr. JENNER. What is his full name?

Mr. Pizzo. Albert G. Bogard.

Mr. JENNER. Albert G. Bogard?

Mr. Pizzo. Albert G. Bogard, that's correct.

Mr. JENNER. And has he also worked over at the Hamilton agency?

Mr. Pizzo. No, sir; he came from Ed Maher Ford.

Mr. JENNER. That's M-a-h-e-r (spelling)?

Mr. Pizzo. Yes—two words. When he applied for the job, he was working at Maher's.

Mr. JENNER. Some of these salesmen are inclined to shift about, I guess?

Mr. Pizzo. Yes—if they like the looks of a car this year—it might look a little better on this make of car, and you know, to them, it is all money, and they are going to move around, but a real good person will stay. He will stay in one place and build up a clientele.

Mr. JENNER. With repeat sales?

Mr. Pizzo. That's right. These boys—most of them live on floor traffic.

Mr. JENNER. They wait for people to come in?

Mr. Pizzo. Yes; they are not real working automobile salesmen.

Mr. JENNER. In other words, I'll summarize—you are a native-born American and a native of Rhode Island, Providence?

Mr. Pizzo. Yes, sir; and I served in the U.S. Marine Corps in World War II.

Mr. JENNER. You did?

Mr. Pizzo. Yes, sir.

Mr. JENNER. And you were in the used car business in Providence and you and your wife in due course came here to Dallas and she is a native of Texas, as you recited?

Mr. Pizzo. Yes.

Mr. JENNER. And you were in the used car business there, and what was that town again?

Mr. Pizzo. Lufkin.

Mr. JENNER. Could you spell it?

Mr. Pizzo. L-u-f-k-i-n (spelling).

Mr. JENNER. And then you became associated with Downtown Lincoln-Mercury?

Mr. Pizzo. Yes.

Mr. JENNER. In May of 1963? Was there an incident that occurred sometime in 1963, but prior to November 22, 1963, involving somebody who might have been Lee Harvey Oswald?

Mr. Pizzo. Yes; there was an incident.

Mr. JENNER. Would you tell us about the incident, first, and then we will become oriented?

Mr. PIZZO. All right—of course, at the time nothing was thought of the incident because it was just a natural sales setup we had. Our salesmen, when they can't sell a customer a car, they run to the manager and tell him, they'll say, "He's going to leave."

Mr. JENNER. And that manager in this instance was you?

Mr. PIZZO. It was me.

Mr. JENNER. All right.

Mr. PIZZO. And, I asked to see the man—no, I didn't ask to see him personally—no, I didn't.

Mr. JENNER. Who was the salesman?

Mr. PIZZO. Albert G. Bogard.

Mr. JENNER. The man we have identified here?

Mr. PIZZO. That's right, sir. He brought the man to me—it was quite late in the evening—it wasn't evening, because it was dark.

Mr. JENNER. Do you remember what day of the week it was?

Mr. PIZZO. I really don't—really don't.

Mr. JENNER. It was a weekday?

Mr. PIZZO. It was a weekday.

Mr. JENNER. You are open on Sunday?

Mr. PIZZO. No; we are not open on Sunday.

Mr. JENNER. Are you open on Saturday?

Mr. PIZZO. Yes.

Mr. JENNER. It could have been any day in the week?

Mr. PIZZO. It could have been—it seems to me like it was the middle of the week, towards the weekend, but I couldn't swear to that.

Mr. JENNER. What month was it?

Mr. PIZZO. It was November—now.

Mr. JENNER. November 1963?

Mr. PIZZO. November 1963—yes; I'm pretty sure it was November. Now, that I can recollect—it was November. When he brought the man to me, he said, "This man will have some money. He doesn't have the down payment," because when we were trying to sell the man a car, he asked me how much money he needed to buy this car and I said, "That man needs around \$200 or \$300."

Mr. JENNER. This is Bogard asking you?

Mr. PIZZO. Yes; the salesman asking me. He asked me that and I said it was around \$200 or \$300, and so he went back to his booth to work on the customer.

Mr. JENNER. Excuse me, at this point, you had not yet seen the customer?

Mr. PIZZO. No, sir.

Mr. JENNER. And Mr. Bogard had come to you as assistant sales manager, to find out the minimum, let us say, of the down payment?

Mr. PIZZO. Of the down payment.

Mr. JENNER. And he had a man who was interested in what make of car?

Mr. PIZZO. Now, that's something that I do not remember because there was no writeup sheet that I could go back to to find out exactly what car. I believe it was a Comet.

Mr. JENNER. Have you made an effort to find a writeup sheet?

Mr. PIZZO. Yes; we did—all of us did.

Mr. JENNER. And you discovered what?

Mr. PIZZO. I discovered nothing—no writeup sheet, but the incident that happened later—I'll get to it, if you want me to get to it now, I'll go to it now.

Mr. JENNER. All right. I think probably the best thing for you to do would be for you to tell us in your own words, and I'll try not to interrupt you.

Mr. PIZZO. All right, sir. He brought the customer to me, but previous to that he had taken the customer out on a demonstration ride.

Mr. JENNER. By the way, this occurred at McAllister Downtown Lincoln Mercury?

Mr. PIZZO. That's correct. I think it's better if we do call it that—Downtown McAllister Lincoln Mercury, because the exact day of the change of the name, I don't remember, you see.

Now, this was previous to the assassination—I would say between a period of a week and a half to 2 weeks, and I would guess I would be right. After the man was worked on to buy a car——

Mr. JENNER. By Bogard.

Mr. PIZZO. By Bogard, Mr. Bogard brought the man to my office and I'm sitting like you are and he brought him to the door.

Mr. JENNER. Was this the same day?

Mr. PIZZO. Yes; this was within 2 hours, within a period of 2 hours.

Mr. JENNER. This all occurred within a period of 2 hours.

Mr. PIZZO. This all occurred within a period of 2 hours and he brought the man to the door.

Mr. JENNER. What door?

Mr. PIZZO. My office door, and I get up from behind my desk and walk up to the door, and he says, "He doesn't have the down payment, but he will have \$200 or \$300 in a couple or 3 weeks."

Mr. JENNER. And this conversation you are now relating occurred after Bogard had demonstrated the car?

Mr. PIZZO. Had demonstrated the car.

Mr. JENNER. And had come to you and asked for the minimum?

Mr. PIZZO. Yes; for the minimum.

Mr. JENNER. And then he had gone back to the customer?

Mr. PIZZO. And the customer told him he didn't have the down payment.

Mr. JENNER. And then he brought the customer to the door of the office?

Mr. PIZZO. Right. So, it was just 2 or 3 minutes—I was very busy, we had other deals going, and I said, "Okay," and just let it go at that.

Mr. JENNER. What did that mean—"okay"?

Mr. PIZZO. There was nothing we could do with the customer if he didn't have the down payment. I said, "Okay," to Al Bogard, which means—follow him up, use him as a prospect, call him later—that's what we do, we call a man later and try to work something out and this is strictly automobile business.

Mr. JENNER. I appreciate that; yes.

Mr. PIZZO. Now, what else do you want to know now? What happened later?

Mr. JENNER. Have you now completed relating the incident on the particular date you have in mind?

Mr. PIZZO. On that day; yes, sir.

Mr. JENNER. And your recollection at the moment is that Bogard was seeking to interest him in a Comet?

Mr. PIZZO. I think so.

Mr. JENNER. That's the Ford compact, is it not?

Mr. PIZZO. Yes; that's the Mercury compact. The Caliente—we had a red Caliente, I believe, and I believe it was a red Caliente he went for a ride in, not that he was selling that particular car, but we had just gotten the new line of the hot compact, which was the Caliente, and we bought them all in red and that's what he went for a ride in.

Mr. JENNER. Did you say "hot" or "hard"?

Mr. PIZZO. Hot—Caliente means hot, and that was the hot model of the year—it had just come out.

Mr. JENNER. You have a little bit of New England accent or Rhode Island or the Boston area?

Mr. PIZZO. You can't miss it—you can't hide it.

Mr. JENNER. Now, you volunteered there a second that the man had taken a ride in the Comet Caliente?

Mr. PIZZO. Yes.

Mr. JENNER. On what do you base that statement?

Mr. PIZZO. On what Al Bogard told me, that that was the car he had taken him for a ride in.

Mr. JENNER. You had not seen this man in the car?

Mr. PIZZO. In the car or drive off either.

May I tell you the normal procedure that every salesman follows? He talks to the customer, gets him interested in a car, takes him out for a ride and puts him in a booth to see if he can sell him a car, and that's the routine he followed.

Mr. JENNER. And this first stage of taking him for a ride, the salesman drives the car rather than the customer?

Mr. PIZZO. That's the way it should be.

Mr. JENNER. And if the normal procedure were followed here, the prospect would have been taken for a ride by Mr. Bogard?

Mr. PIZZO. If it was followed, but according to——

Mr. JENNER. Well, if it were followed?

Mr. PIZZO. If it was followed—he drives the customer to a point and lets the customer drive it back. But the only way to demonstrate an automobile is that. You drive it and demonstrate it as you are driving it.

Mr. JENNER. Now, since you weren't present at this point we are relying on normal procedures.

Mr. PIZZO. Right, sir.

Mr. JENNER. And a remark made by Mr. Bogard that the customer, whoever he was, had been taken for a demonstration ride by Bogard?

Mr. PIZZO. By Bogard.

Mr. JENNER. Now, have you now stated everything that occurred that particular day, occurred or said to you on that particular day?

Mr. PIZZO. Yes; I can't remember anything else.

Mr. JENNER. Now, was there a subsequent incident or something that occurred with respect to the incident you have now related, is there a second stage of this?

Mr. PIZZO. Yes; after the assassination.

Mr. JENNER. Now, when after the assassination?

Mr. PIZZO. The same day—within, oh, 4 or 5 o'clock or something like that.

Mr. JENNER. Of the—late in the day on the 22d of November?

Mr. PIZZO. When this man was captured, and the name announced over the radio, the possible suspect, or the suspect's name was announced on the radio, we had all radios on in the showroom.

Mr. JENNER. You had your radios and television on?

Mr. PIZZO. No; just radios.

Mr. JENNER. Just radio?

Mr. PIZZO. Well, we had the television set up in the Continental Department that we were all watching.

Mr. JENNER. And when you say "all," does that include Mr. Bogard?

Mr. PIZZO. That includes Mr. Bogard.

Mr. JENNER. All right, relate what happened—you were all sitting around looking at the television, were you?

Mr. PIZZO. I wasn't—I was standing around listening to the radio. We were all in just different groups—this is a mighty big showroom, Downtown Lincoln-Mercury, it is 350 feet long, and we were sitting around listening to the news and also doing the work that had to be done, and when the suspect's name was announced, I was standing right in the middle of the showroom floor and——

Mr. JENNER. This is this great big showroom—the 350-foot long showroom?

Mr. PIZZO. Yes; but right in front of my office is where the group was standing, because that's a front door and there are three front doors, but this is the first front door, and we were standing right there. Of course, all of us were looking out at the underpass, which we are right under, the triple underpass there.

Mr. JENNER. Near the area of the assassination scene?

Mr. PIZZO. That's right, sir; we are on this side—the Oak Cliff side of the bridge, and, of course, we were all standing at the big windows looking at that area and listening to the radio and a remark was made, "Well," now, I didn't hear this. It was told to me just a few minutes later.

Mr. JENNER. By whom?

Mr. PIZZO. By some salesman there and I just can't remember which one it was. I think we had around 15 or 16 salesmen there at the time. We weren't all standing around, but someone made the remark that, "Al Bogard lost his prospect."

Mr. JENNER. You overheard that?

Mr. PIZZO. I overheard that. I said, "What do you mean?" They said, "Well—" he pulled out a card, his own business card like this [indicating].

Mr. JENNER. Your salesman did?

Mr. PIZZO. Albert Bogard—this salesman made the remark that Al Bogard had pulled out a business card and written behind the business card—a lot of salesmen will do that—they will write down names of prospects on the card and if they don't have a piece of paper, they will just pull out one of their cards and write the names down, and he said, "Well, there goes my prospect," when he heard the name Lee Harvey Oswald, so he dumped it in the wastebasket.

Now, I didn't know about this until a few minutes later and I didn't make much of it at that time. That was it—at that time. I didn't know that that was a custom he had—a week or two before it just—nothing never entered my mind, we were all pretty saddened by the thing, and that was it for that day. Let's see, I believe, was that a Friday or Saturday?

Mr. JENNER. The 22d was on a Friday.

Mr. PIZZO. It was on a Friday—I want to tell it to you as correct as I can, that's why I'm wondering.

One of the boys said the next day that he had lost his customer and the guy that they have got is the man that Bogard has as a prospect, so I says, "Let's look—where is the writeup?" The first thing that I had in my mind was—get the writeup, so everyone was looking for the writeup. By now Bogard wasn't there, I think it was after lunch or breakfast, so we went through the drawers, and we went through the baskets and I called the two porters we have in the garage—called them in there and I said, "Who dumped the baskets out last night," and one fellow said, "I did." I said, "Where?" We have a trash barrel—not a barrel, but it's a huge incinerator and the trash men come by and pick it up, and so we went back there and I jumped inside this thing—that's how big it is and started throwing out the papers, looking for some kind of a writeup, and never could find anything. I just wanted the writeup to see if he did have a writeup, but by that time Bogard came back and I asked him, I said, "Al, have you got a writeup on that man, the man that they have got locked up?" He said, "Yes," and I said, "Where is it?" He said, "Well, it's not a writeup—I've got it on a card and I just took it and threw it down in the basket."

Mr. JENNER. The day before?

Mr. PIZZO. The day before. I said, "Well, where is it now?" He said, "I don't know."

Mr. JENNER. Did you look through the refuse container to try to find that card?

Mr. PIZZO. We looked for the card too—we went right back again and did the same thing, and he helped look for it and we had the colored boy there helping us looking for it and then when some FBI men came there they went in there and looked for it.

Mr. JENNER. We became very interested in that.

Mr. PIZZO. Me too. So, I kind of said, "Are you kidding us or what? You either have his name or you don't." He said, "Well, Frank, don't you remember?" I said, "I don't remember." He said, "I brought him to your office and you said he needed \$200 or \$300 down," and I said, "Yes, I guess I remember." He said, "Well, you should remember because when I took that man for a ride he drove like a wild man, and besides we had Gene Wilson's car and Gene got mad because we used up all his gas." He said, "He drove so fast, he scared the daylights out of me. Don't you remember me coming back and saying how mad I was?"

I said, "I just don't remember that particular moment." That's how he was trying to get me to remember that particular time when he took him for a ride. I said, "I just really don't remember that night—that much of it."

Now, I'll tell you how I think I recognized the man—this was after they had him on television and they showed him on television which was Monday or Tuesday or something like that—it was a few days after.

Mr. JENNER. You mean a rerun?

Mr. PIZZO. No; of the Oswalds—when they showed him on television—the first pictures of him on television, I saw that.

Mr. JENNER. And do you recall what day that was?

Mr. PIZZO. It was past a weekend. It was not Saturday—it might have been

Sunday and probably it was Monday, but it wasn't Friday or Saturday, and I'm not sure it was Sunday, but I think it was on a Monday, and of course—the seed planted—I got to thinking about it and I looked at him and he looked familiar to me, and at that time I could have sworn it was him, because I remember a man in a T-shirt. I don't mean the open T-shirt but a full T-shirt.

Mr. JENNER. Like the kind you wore in the Marines?

Mr. PIZZO. Well, it wasn't green, but that type—the full T-shirt with a sleeve.

Mr. JENNER. About a half sleeve?

Mr. PIZZO. Yes; and his face. And he just looked the type. He just looked like the type of guy that I was talking to that day, and when I came back to work the next day, of course we were all in there talking about it, and we talked about different incidences that reminded me of him. I only had a few seconds look at the man. He never said a word. I never heard him talk.

Mr. JENNER. The customer never said a word?

Mr. PIZZO. The customer never said a word—whether it would be him or not—but to me, it looked like it was, only from the pictures.

Mr. JENNER. I will exhibit to you Commission Exhibits 451 and 453 through 456 and ask you to examine them.

Does the man depicted there bear a resemblance to what you might possibly recall as the prospective customer you now have in mind?

Mr. PIZZO. [Examining photographs referred to.] It wouldn't be fair to say this one, because I think this was in the television or the newspaper with a fat lip—I remember that.

Mr. JENNER. Mr. Pizzo has refused Commission Exhibit 455.

Mr. PIZZO. Possibly these two.

Mr. JENNER. It might possibly be Commission Exhibit 453 or 451?

Mr. PIZZO. And I will refuse these two.

Mr. JENNER. The witness also refused Commission Exhibits Nos. 454 and 456.

Mr. PIZZO. I'm not too positive on these either.

Mr. JENNER. And he is uncertain even as to Commission Exhibits Nos. 453 and 451.

(An instrument is marked by the reporter as Pizzo Exhibit 453-A, for identification.)

Mr. JENNER. Showing you that exhibit, do you see any person depicted on that exhibit that resembles or is the prospective customer that was brought to your office door by Mr. Bogard or the day you have testified about?

Mr. PIZZO. One of these two men seems like it. This one—it seems like it because his nose is too big—one of these two here.

Mr. JENNER. Using this green marker, will you put an "X" on the two men?

Mr. PIZZO. I am not positive.

Mr. JENNER. Of course you are not positive.

Mr. PIZZO. Do you want me to put it right here?

Mr. JENNER. Let's pick out the two that most closely resemble the man of which you speak?

Mr. PIZZO. [Witness at this point marked instrument referred to.]

Mr. JENNER. Now, which of those two that you marked with the little green mark most closely resembles the man you saw?

Mr. PIZZO. Right here—but he seems older here—he was a little short guy, the way I figure.

Mr. JENNER. Put an "X" above him. The witness has put a cross—a horizontal cross line, through the other line as indicating the man who appears most like the person he saw. Your feeling is that the man you have indicated with an "X" seems somewhat taller than the man you recall as having seen at the door of your office prior to November 22, 1963; is that correct, sir?

Mr. PIZZO. That's correct—about 5 feet 8 inches, something like that, what I recall—or maybe 5 feet 8½ inches. Bogard is pretty tall and it seemed like the fellow was a lot shorter than he was.

Mr. JENNER. And that's what led you to put the marker over the head of the man on the extreme right shown in that picture, Pizzo Exhibit 453-A?

Mr. PIZZO. Yes—that's right—it's a downhill photo.

Mr. JENNER. I have one that's taken more at a level. We will mark it Pizzo Exhibit 453-B.

(Instrument referred to marked by the reporter as Pizzo Exhibit No. 453-B, for identification.)

Mr. JENNER. Exhibiting that photograph, does there appear on it anybody who closely resembles the person you recall as having been at the door of your office on the occasion you have described, and if there is, put a mark on it.

Mr. PIZZO. Gosh, the man I saw—I want you to know—didn't have that much hair, nor did he have as much hair as these boys in this picture.

Mr. JENNER. The man you saw did not have as much hair as is shown on Pizzo Commission Exhibit 453-A, which you have marked with a cross?

Mr. PIZZO. That's right, nor as this picture right here—right there.

Mr. JENNER. Or the man on Pizzo Exhibit 453-B—appears to have more hair than the man you saw at the door of your office?

Mr. PIZZO. That's right.

Mr. JENNER. And the men depicted on Commission Exhibits Nos. 453 and 451 also, in each instance, has more hair than the man you saw at the door of your office?

Mr. PIZZO. Yes.

Mr. JENNER. What about the man over whose head you placed a cross on Pizzo Exhibit 453-A, that is, in respect to the amount of hair?

Mr. PIZZO. This is more or less the hairline.

Mr. JENNER. Now, the witness is pointing to the man over where there is a single vertical stripe, over his head—green, and has dark glasses on. It is his hairline to which you have now adverted?

Mr. PIZZO. Yes.

Mr. JENNER. Now, the other man has the cross over his head—you wanted to say something about that?

Mr. PIZZO. You said it exactly—that resembles—the face resembles him more than the hairline—it's sort of a "V" hairline.

Mr. JENNER. So, your problem has been that the hairline and the man with the single stripe above his head more resembles him than the man you saw at the door of your office, but the physiognomy or the facial features of the man over whose head you have placed the cross more resembles the man you saw?

Mr. PIZZO. Yes. I had just wondered if the pictures that I have seen of Oswald might have—

Mr. JENNER. Might have colored your judgment now?

Mr. PIZZO. Yes.

Mr. JENNER. It's always possible, you know.

Mr. PIZZO. But that hairline is a thing—that's the thing that hit me first when I saw his picture on television.

Mr. JENNER. When you saw Oswald's picture on television?

Mr. PIZZO. Yes; and in the paper. It was the hairline and the physical features of it—a clean face with the high forehead and the "V" shaped hairline, and it's easy to remember that because of the T-shirt, the bare look he had because of the tight T-shirt.

Mr. JENNER. Mr. Davis has come in and he is representing the attorney general's office of the State of Texas. This is Mr. Robert Davis. They are conducting a court of inquiry on this subject.

Mr. PIZZO. I see, sir.

Mr. JENNER. Mr. Davis, the witness has just emphasized the thing he recalls most about the appearance or physiognomy of the man he saw at the door of his office a week or 10 days prior to November 22 when one of the employees he was supervising, Mr. Bogard, brought a prospective customer who seemed to be interested in a Comet Caliente, Mr. Pizzo was then the general sales manager of McAllister Downtown Lincoln-Mercury.

Mr. PIZZO. I was assistant sales manager.

Mr. JENNER. You are now the sales manager?

Mr. PIZZO. I—of Hamilton Chrysler.

Mr. JENNER. I have shown him some photographs. He was impressed, he said, that the man he now recalls having seen on the occasion—he was impressed particularly with his hairline.

Mr. PIZZO. That's right.

Mr. JENNER. And that the hairline of the man indicated on Pizzo Exhibit

453-A, over whose head he has put the green vertical stripe, has the hairline, but the man over whose head he has placed the cross has more of the facial likeness.

The person or persons depicted on Commission Exhibits Nos. 453 and 451, he says have a resemblance, but it is in his opinion not the man, and in any event the man on those two exhibits has more hair and does not have the particular hairline that impressed you on this occasion?

Mr. PIZZO. That's right.

Mr. JENNER. Am I fairly stating your testimony?

Mr. PIZZO. That's right.

Mr. JENNER. I am just trying to summarize for Mr. Davis.

Mr. PIZZO. Thank you.

Mr. JENNER. I now show you a document we will mark as Pizzo Exhibit 453-C.

(The instrument referred to was marked by the reporter as Pizzo Exhibit No. 453-C, for identification.)

Mr. JENNER. This is a picture of Lee Harvey Oswald that I'm about to show you and before I show it to you, may I say that the important thing to us—it is necessary for us to have your very best judgment, and if this isn't the person, we want to know it and to carry yourself back as best you can to that particular occasion when you saw this man at the door of your office, and if this isn't the man, tell us, and if it is—tell us, one way or the other.

Mr. PIZZO. All right. That I will do. [Examining instrument referred to.]

Mr. JENNER. The greatest service you can give to us and to the country and to yourself is to just be as fair as you possibly can.

Mr. PIZZO. He certainly don't have the hairline I was describing—it isn't the hairline I was describing.

Mr. JENNER. This was taken the afternoon of November 22 in the Dallas City Police showup.

(Discussion off the record.)

(Discussion between Counsel Jenner and Counsel Davis and the witness, Mr. PIZZO, off the record.)

Mr. JENNER. Back on the record. You recall him as being more in the neighborhood of what—5 feet 8 inches, 5 feet 7 inches, more or less, or more or less?

Mr. PIZZO. Between 5 feet 7 inches and 5 foot 8½ inches with sort of a round forehead and that V shape is the thing that I remember the most.

Mr. JENNER. A widow's peak?

Mr. PIZZO. Yes; but very weak.

Mr. JENNER. Very weak.

Mr. PIZZO. Very weak—not the bushy type that I see in the picture. Well, if I'm not sure—then—I have to say that he is not the one—if you want the absolute statement.

Mr. JENNER. I just want your best judgment—I don't want you to say he isn't because you feel you are compelled to state the ultimate. It is better for me to have your rumination about it, as you have been giving us—as to what you looked for, or didn't find and what you did look for in the photographs—what you did find and what you didn't find. Now, you don't find the hairline?

Mr. PIZZO. No; I don't. From that picture I don't.

Mr. JENNER. Yes; from any of the three pictures, except the one with the man with the stripe over his head?

Mr. PIZZO. That's right—he has the sort of a hairline that I recollect.

Mr. JENNER. That's the man with the one stripe over his head?

Mr. PIZZO. I'll have to take a look again—this is the face—it resembles.

Mr. JENNER. The witness is now pointing to the man that has the cross over it.

Mr. PIZZO. This is the hairline that I remember.

Mr. JENNER. That is the man on the extreme right with the dark glasses, having a single vertical stripe above his head?

Mr. PIZZO. Right.

Mr. JENNER. And that picture of Mr. Oswald that I showed the witness, Pizzo Exhibit 453-C, in that picture, he does not have the hairline; is that correct?

Mr. PIZZO. That's correct.

Mr. JENNER. What about his facial expression—features?

Mr. PIZZO. There's resemblance there. May I say something?

Mr. JENNER. Surely.

Mr. PIZZO. All the time that I have been thinking about it—because the FBI did tell me that they would call me sometime later and would I appear, and I said—yes, I would. I thought about it and the thing that stuck in my mind was always that hairline—the kind of balding right here—the smooth line.

Mr. JENNER. Above each temple?

Mr. PIZZO. And that face resembles. Now, I'll tell you, if he has—I've never seen the man in person, but if he has a small mouth it would fit about the description that I would give. I couldn't say absolutely sure that this was the man that was standing in front of my door.

Mr. JENNER. And the witness is now referring to Pizzo Exhibit 453-C. I offer Pizzo Exhibits 453-A, 453-B, and 453-C in evidence.

Mr. PIZZO. May I say something else?

Mr. JENNER. Yes; please.

Mr. PIZZO. I have called Al Bogard into the office after the first interview by the FBI, and I have asked him—I says, "Now, it is easy for me to start imagining things because of the emotional situation right now, Al. I want you to tell me the truth. Am I right when I say I do remember that situation?" He says, "Yes," and then he went into some more detail—"of course, don't you remember?" I didn't only ask him once, I asked him again a week later, and he said the same thing and that might have had some influence on it. Now, whether that's the man he brought to my door—right now looking at that picture I couldn't swear to it—I wouldn't want to do that.

Mr. JENNER. Well, that's a fair type of an appraisal that we want. We want your best judgment. You don't recall the incident that Bogard related to you later that sought to stimulate your recollection about somebody who drove this automobile wildly—you don't recall that having been said to you on the afternoon?

Mr. PIZZO. No; I don't—no; I don't. I asked him about it and he told me. I'm the one that was after him to tell me—to help me remember. You see, I'm the one that kept asking him about, "Would you help me remember the situation." The more he talked about it, the more I remember that particular situation, but only to the point of "He needs \$200 or \$300," and he didn't have it at the time but he will have it in a couple of weeks. That's the things that I do remember at the door.

Mr. JENNER. And you do remember this man had a white T-shirt on—the half-sleeve type?

Mr. PIZZO. Yes. Sleeve type.

Mr. JENNER. With which you are familiar and wore yourself in the Marines except yours was colored green?

Mr. PIZZO. It was green—that's right.

Mr. JENNER. Mr. Davis, he has already related to us the effort he made when this incident came to his attention late in the day on the 22d of November of seeking to find Bogard's card on which he is alleged to have written Oswald's name on the reverse side and was to attempt to obtain a writeup sheet, which is what the salesmen normally write up with respect to a prospect, even to the extent of his climbing into the large refuse container in which all paper and waste paper baskets are thrown the following day, and he was not able to find either of those, though they made two examinations and emptied out the large container twice—you did it yourself?

Mr. PIZZO. I did it myself and once with the FBI. I believe it was the man from Louisiana—one of the FBI men.

Mr. JENNER. You were interviewed by Carter Hayden and Griffin on January 8, was it either one of those? On January 8, 1964?

Mr. PIZZO. I was interviewed by two pairs of FBI men—it was immediately after the assassination, which was probably Monday or Tuesday.

Mr. JENNER. The first time?

Mr. PIZZO. The first time; but it wasn't January 8.

Mr. JENNER. Was that the last one—the last interview—January 8?

Mr. PIZZO. This might have been the last one, although I remember two other men came in from Chicago—one was from Chicago—one—I believe there were three, no, I'm sorry, it was the same two twice and then another team.

Mr. JENNER. Could I ask you this—knowing Mr. Bogard as you do, is he a man who on occasion departed from his usual practice of making out a prospect sheet?

Mr. PIZZO. Yes.

Mr. JENNER. He sometimes departed from that practice?

Mr. PIZZO. Yes; he would write them on just about anything—especially business cards and put them in his desk.

Mr. JENNER. Even though, as you recall, he had this man at the customer's booth, where there would be a supply of these writeup sheets, I assume?

Mr. PIZZO. He would ordinarily write the man up after the demonstration ride.

Mr. JENNER. He would not?

Mr. PIZZO. He would—he would ordinarily bring the man in and write him up after a demonstration ride if you can sell him a car. We never did find a writeup sheet—he said he never had one and he said he just wrote the prospect's name on the back of a card and I asked him, "How come, you usually write the thing on an order pad?" And we tried to work from there, and he said, "I just didn't."

Mr. JENNER. I have attempted to locate Mr. Bogard, just by calling around this morning, but I haven't been able to run him down yet. If you get any lead on where I might reach him, I would appreciate your telling me. I don't mean to suggest that he is trying to escape or anything, but quite the contrary. I just haven't been able to reach him.

Mr. PIZZO. He's working around here somewhere. I believe, according to his application when he gave it to me, he was a sales manager in Louisiana and he owned a liquor store.

Mr. JENNER. Well, he was the owner of the Bent Elbow, wherever that is, here.

Mr. PIZZO. Yes; and his name isn't used—one of the salesmen sold him the place, the salesman that's still working there sold him the place. I guess he wanted out from under it and just found Bogard to do so, and when Bogard was bound to own a beer place, my boss immediately fired him. He won't have it. You cannot have outside interests with a dealer development company because factory and dealer development won't stand for it. You have to work primarily for the dealership, and he was fired for that and many other reasons, little reasons that, believe me, have no concern with this.

Mr. JENNER. Mr. Davis, do you have any questions for Mr. Pizzo?

Mr. DAVIS. No.

Mr. JENNER. Mr. Pizzo, we appreciate very much your coming in and I know it was of considerable inconvenience at the month end and you have a lot of salesmen who want their money or pay.

Mr. PIZZO. I told my boss today—he says, "Do you have to go?" I said, "I have to go, but really, if I wasn't so patriotic, they would have to come after me, I told him."

Mr. JENNER. We appreciate it very much. You have a right, Mr. Pizzo, to read over your deposition if you wish and to sign it—this deposition I have taken of you, and if you care to exercise that right and make any corrections you wish, Miss Oliver will have this probably near the end of the week and you can call in and ask Mr. Sanders, the U.S. attorney, or for one of us if we are around—they will refer you to us anyhow, or you have a right to waive that, as you see fit. It is a privilege you may exercise if you wish to.

Mr. PIZZO. You mean what I have said here today?

Mr. JENNER. Yes.

Mr. PIZZO. I believe everything I have said today—I will be glad to sign it.

Mr. JENNER. You don't have to—it is entirely up to you, if you see fit.

Mr. PIZZO. When would I get this deposition?

Mr. JENNER. Well, it will be ready for you to read—Miss Oliver will have it toward the end of the week.

Mr. PIZZO. All right, sir.

Mr. JENNER. If you will call in, she can tell you if it is ready and advise you if it isn't ready and then when it will be ready.

Mr. PIZZO. Well, I wish you gentlemen a lot of luck.

Mr. JENNER. Thank you very much.