

Mr. ROGERS. Well, maybe he did identify him, but I never saw this man. No. That's when this happened? Mr. Garner did, but I didn't. No, I—if he did come around, I wasn't there. If I did, I would tell you, you know.

Mr. LIEBELER (handing picture to witness). I show you a picture that has been marked "Pizzo Exhibit No. 453-A," and ask you if you recognize that man.

Mr. ROGERS. No. I seen plenty people, but I don't know him either. If I did, I would tell you.

Mr. LIEBELER. All right. Thank you very much, Mr. Rogers.

Mr. ROGERS. Under oath, I tell you just exactly what I tell you, the same thing. As far as the boy is concerned, you know, he never spoke to anybody. Go in and out, eat and clean. Didn't nobody knew his business.

Mr. LIEBELER. He kept pretty much to himself?

Mr. ROGERS. Yes.

TESTIMONY OF JAMES LEHRER

The testimony of James Lehrer was taken at 10:45 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Will you please stand and take the oath? 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. LEHRER. I do.

Mr. LIEBELER. My name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by President Johnson's Executive Order 11130, dated November 29, 1963, and joint resolution of Congress, No. 137. Under the Commission's rules governing the taking of testimony, you are entitled to 3 days' notice and to have an attorney here if you want to, and you are entitled to the usual privileges and rights concerning self incrimination and that sort of thing as far as answering my questions are concerned. I know that you have not had 3 days' notice of this, but I understand that you are here voluntarily and that you are prepared to proceed without an attorney; is that correct?

Mr. LEHRER. Yes, sir.

Mr. LIEBELER. Please state your name.

Mr. LEHRER. James Lehrer [spelling], L-e-h-r-e-r.

Mr. LIEBELER. When and where were you born?

Mr. LEHRER. May 19, 1934, Wichita, Kans.

Mr. LIEBELER. Where do you live?

Mr. LEHRER. Dallas; 3709 West Beverly.

Mr. LIEBELER. Would you outline your educational background for us, please?

Mr. LEHRER. High school, graduate of Victoria College, University of Missouri.

Mr. LIEBELER. What did you major in at the university?

Mr. LEHRER. Journalism.

Mr. LIEBELER. Are you presently employed by the Dallas Times Herald?

Mr. LEHRER. Yes.

Mr. LIEBELER. How long have you worked with them?

Mr. LEHRER. Nearly 3 years.

Mr. LIEBELER. What is your job over there?

Mr. LEHRER. I am a reporter.

Mr. LIEBELER. Do you cover a specific beat?

Mr. LEHRER. I cover the Federal beat, labor, and politics—some politics.

Mr. LIEBELER. What did you do before you went to work with the Dallas Times Herald?

Mr. LEHRER. I was with the Dallas Morning News about 2 years.

Mr. LIEBELER. Before that?

Mr. LEHRER. I was in the Marine Corps. I went there directly from school into the service.

Mr. LIEBELER. And then you came to work for the Dallas Morning News?

Mr. LEHRER. I did.

Mr. LIEBELER. Then you went to work for the Dallas Times Herald and you are employed by them now?

Mr. LEHRER. Yes, sir.

Mr. LIEBELER. I have received information that you were in the office of the Dallas Times Herald on the morning of November 28, 1963; is that correct?

Mr. LEHRER. Yes.

Mr. LIEBELER. Would you tell us when you got there and what you did that morning and what you saw?

Mr. LEHRER. Well, it was Thanksgiving and I got there about 7 or 7:30, something like that, and I don't remember specifically any stories that I worked on on that day. It was just a routine day, not a routine day—a holiday is not routine, because you don't work the whole day on a holiday, so I only worked until around noon that day.

Mr. LIEBELER. You got to the office about 7 o'clock?

Mr. LEHRER. About 7 or 7:30—something like that.

Mr. LIEBELER. Do you know Hunter Schmidt, Jr.?

Mr. LEHRER. Yes; I do.

Mr. LIEBELER. Is he also employed as a reporter by the Dallas Times Herald?

Mr. LEHRER. Yes.

Mr. LIEBELER. And he was at that time?

Mr. LEHRER. Right.

Mr. LIEBELER. Did you see him in the office that morning?

Mr. LEHRER. Yes, sir.

Mr. LIEBELER. Are you familiar with the fact that a story appeared in the Dallas Times Herald on this day concerning a gunshop in Irving, Tex., at which Oswald was supposed to have had some work done on a rifle?

Mr. LEHRER. Right.

Mr. LIEBELER. Were you aware of how that story came into the office of the newspaper?

Mr. LEHRER. Yes; in a general way. The desk, or the city desk, which consists of the city editor and the assistant city editor or the rewrite staff—somewhere they got a tip that there was a fellow in Irving who had mounted the sight or knew something about it. It was given to Hunter to check out. I happened to be sitting over there. I do not normally work physically on the city desk, but all of us had been working on the assassination aspects and it had been a lot of my responsibility in particular, because so much of it was on my beat at that time, and somebody said they got this guy and they gave it to Hunter to check out and I was sitting right next to Hunter and when he checked it out—in other words—when he called.

Mr. LIEBELER. What did he do—do you remember?

Mr. LEHRER. Well, he just—he was talking to somebody on the telephone and he was given the checkout and he had the man's name before he called and he called somebody on the phone and I was doing something myself—I wasn't writing a story, but I was sitting there and he was talking to this guy, talking to somebody on the telephone, let's put it that way, and when he got through he said something about, "Yeah—this is it; that's right."

Or, it was words to that effect, and then I looked at his notes, you know, and said, "That's a hell of a story," or something like that, and about that time somebody said, "Don't talk about it, write it." So he gave it to. I think it was—I'm not sure about this, but I think it was in a general story of the assassination developments of that day, which we were running every day, and I think a rewrite man may have taken the notes and written the story. I don't recall seeing Hunter write the story.

Mr. LIEBELER. Do you know the name of the man that Schmidt was talking to?

Mr. LEHRER. I can only assume it was Ryder.

Mr. LIEBELER. What leads you to that assumption?

Mr. LEHRER. Well, it was just circumstantially—I believe it was. I mean, he was given this name and the information that this man is supposed to have mounted the sight on Oswald's rifle.

Mr. LIEBELER. And the name he was given was Dial Ryder; is that right?

Mr. LEHRER. That's right; that's right.

Mr. LIEBELER. And he was told to check that story?

Mr. LEHRER. That's right.

Mr. LIEBELER. And he proceeded to do it?

Mr. LEHRER. He proceeded to do it. He dialed a number and got somebody on the line and started talking and when he got through, he said, "That's right." I looked at his notes—I don't have a specific recollection of what the notes said, but I remember that he had some quotes there, I mean, he had some information in the notes that verified the story, and at that time—one of the reasons I was interested in it—I was working on the story we finally ran the next day on the FBI looking for where Oswald might have possibly test fired this rifle, so that was one of the reasons I was particularly interested in it, because I wasn't coordinating our assassination coverage, but I was vitally involved in it, I would say, at that time, and I was working on this, and I think he gave the notes to a rewrite man. I'm not sure, but I don't know what happened after that.

Mr. LIEBELER. In any event, you have the specific recollection that Schmidt engaged in a conversation over the telephone for some period of time at a time when he was supposed to be checking out this story of the gunsmith in Irving?

Mr. LEHRER. That's right.

Mr. LIEBELER. After this conversation was over, he indicated to you that the story checked out?

Mr. LEHRER. That's right.

Mr. LIEBELER. Subsequently that day the story, in fact, appeared in the newspaper, indicating that there was evidence to show that Oswald had taken his rifle to this particular gunshop.

Mr. LEHRER. Right.

Mr. LIEBELER. Have you discussed this situation with Schmidt recently?

Mr. LEHRER. No; actually, I talked to him about it briefly this morning.

He was somewhat—he didn't recall who was sitting next to him and I told him I had, because I didn't think there was any problem, and I just mentioned that. Now, the FBI—one thing—as far as that's concerned—and as far as the fact that somebody might think that Hunter and I got together on this—the day the FBI got this, and apparently it was sent down by the Commission who said, "Check this out"—that Ryder apparently—there was some question about it—and the FBI came up there and a guy by the name of—well, there were two agents from Oklahoma City who were working a special on the assassination at that time—just the assassination story. It was Petrakis and some other guy—I don't remember the other guy's name, but they came up and talked to Ken Smart. You see, there was no byline on the story and they said, "Who wrote the story?" and Smart apparently said he didn't know and they went back and looked in the files and that indicated who wrote it and so Ken came over to me and showed me the story with Petrakis and this other guy there, and he said, "Did you write the story?" And I said, "No, Hunter Schmidt wrote the story"; that's how they found out Hunter even wrote it—where he got the information was when I told him and so then we talked about this thing briefly, you know, and Ken said, "Apparently Ryder is saying that he didn't talk to anybody at the time," and I told Smart and Petrakis and this other fellow here that I was sitting right next to the fellow and that he was talking to somebody and I assumed it was Ryder and then I hadn't even mentioned it to Hunter, because Hunter was not in the office that day and Petrakis finally got ahold of him at home on the phone, I believe, or talked to him later and Hunter didn't even know until this morning.

As I say, then Hunter told me that—it was you, I believe, that told him that

there was a witness who could verify that there was such a conversation and he said, "Who is that, what are you talking about?" And he said, "Why didn't you tell me before?" I said I didn't think there would be any problem—I just mentioned it to Martha Jo in passing here one day.

Mr. LIEBELER. You say this morning Schmidt told you he had been over here last night and he had been questioned?

Mr. LEHRER. Yes.

Mr. LIEBELER. Did he tell you the details of his experience last night?

Mr. LEHRER. A little bit.

Mr. LIEBELER. He told you that Mr. Ryder had been in here?

Mr. LEHRER. Yes; that Ryder was here.

Mr. LIEBELER. But in point of fact and indicating for the record, the way the information came most recently to my attention, that you had overheard this, because Mrs. Martha Jo Stroud, an assistant U.S. attorney in this office, told me that you had come over here after we had asked Schmidt to come over and testify.

Mr. LEHRER. Right.

Mr. LIEBELER. And you mentioned to her in passing that you thought probably we wanted Schmidt to come over so we could ask him about this newspaper story that was written in connection with the Irving Sports Shop; isn't that right?

Mr. LEHRER. Well, specifically, when Martha Jo called Hunter and told him that somebody from the Warren Commission wanted to talk to him on a certain day, Hunter came over to me and said, "Somebody from Washington is coming in," and you know, I didn't know that anybody was coming in. You know, you are unannounced on your trips here and this is part of my responsibility to cover Warren Commission people when they come and I try to do it, and I said—we discussed, "Maybe they want to talk to you about this deal, because the FBI had talked to you before," and so the next day when I was down talking to Martha Jo, we were talking about it and I indicated to her this was probably what it was. I told her what it was probably about and I said there was no problem—I was just sitting there and just sitting there very casually.

Mr. LIEBELER. You don't have any doubt in your mind whatsoever that Schmidt actually talked to Ryder that morning, do you?

Mr. LEHRER. No.

Mr. LIEBELER. You are aware of the fact, of course, that Ryder denies talking to this man?

Mr. LEHRER. That's what I understand.

Mr. LIEBELER. And you have no information that would suggest any reason why Ryder would deny this?

Mr. LEHRER. I can't think of any reason unless he denies the information, if he just denies the technicality that he didn't talk to a newspaperman or didn't talk to Schmidt specifically, that's one thing; if he's denying the whole bit, that's conceivable.

Mr. LIEBELER. No; he doesn't deny the whole bit, he just denies that he was the one that gave that story out.

Mr. LEHRER. I see; I don't know what it could be in that.

Mr. LIEBELER. Can you think of any reason why Schmidt might be lying about it?

Mr. LEHRER. No; he had nothing to gain by it. It was just a story, and my goodness, we were working—I mean—there were a multitude of stories and a multitude of checking out and we were deluged just like everybody was with rumors and things of this and that and he would have no reason to write something that wasn't true. The fact is, he didn't even have his name on it, so he didn't have anything to gain by it.

Mr. LIEBELER. All right, thank you very much.

Mr. LEHRER. Thank you.

Mr. LIEBELER. We appreciate your cooperation.

Mr. LEHRER. All right.