

thinking, just because of the fact that we have never touched upon that in any of our conversations.

Mr. HUBERT. Did you know a boy by the name of Larry Crafard who worked for Ruby for awhile?

Mr. HALLMARK. Now, when was that?

Mr. HUBERT. Just before the assassination of the President last year?

Mr. HALLMARK. No; I do not recall that name. I did not ever try to strike up an acquaintance with any of Ruby's employees.

Mr. HUBERT. Actually, your duties cause you to move around from one place to the other?

Mr. HALLMARK. Yes.

Mr. HUBERT. How many places did you have under your supervision?

Mr. HALLMARK. I'm in charge of about eight downtown garages, specifically.

Mr. HUBERT. You were then?

Mr. HALLMARK. Yes. When Ruby first moved into the Carousel it was the Sovereign Club, and I was the manager at that one specific garage then and that was Nichols Garage, and I don't remember exactly at what point I was made general manager and moved out, as you have described.

Mr. HUBERT. Did you have sort of a headquarters office?

Mr. HALLMARK. Yes; I headquartered—in other words, I usually parked my car there at 1320 Commerce, probably out of habit, but that was usually the first place in the morning and the last place in the evening. I generally called that headquarters at the time.

Mr. HUBERT. But you didn't know any of the people who worked there as entertainers?

Mr. HALLMARK. I knew them by sight only. I never tried to strike up a conversation with any of them or any acquaintance.

Mr. HUBERT. All right, is there anything else you would like to add, sir?

Mr. HALLMARK. I don't think so—I can't think of anything that I would want to add.

Mr. HUBERT. Now, I don't believe there has been any conversation between us except that which has been recorded, is that correct?

Mr. HALLMARK. I believe that's correct.

Mr. HUBERT. Thank you very much. I appreciate your coming down.

Mr. HALLMARK. All right.

Mr. HUBERT. And I appreciate your taking the time to do so—thank you very much.

Mr. HALLMARK. All right, thank you, Mr. Hubert.

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### TESTIMONY OF ALFRED DOUGLAS HODGE

The testimony of Alfred Douglas Hodge was taken at 2:55 p.m., on June 26, 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.

Mr. HUBERT. This is the deposition of Alfred Douglas Hodge.

Mr. Hodge, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Hodge, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his operations and associates and so forth.

Now, you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, isn't that correct?

Mr. HODGE. Yes.

Mr. HUBERT. I think that letter was probably dated the 22d of June and you received it yesterday or the day before?

Mr. HODGE. The day before.

Mr. HUBERT. Under the rules adopted by the Commission all witnesses are entitled to a 3-day written notice before their depositions may be taken, dated from the date of the letter, which rule may have been complied with here, but in any case the rules also provide that any witness may waive that 3-day notice and I ask you now if you are willing to testify at the present time?

Mr. HODGE. Oh, yes.

Mr. HUBERT. Will you stand so I may administer 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?

Mr. HODGE. Yes; I do.

Mr. HUBERT. What is your name, please?

Mr. HODGE. Alfred Douglas Hodge.

Mr. HUBERT. Where do you live, sir?

Mr. HODGE. At 6573 Kenwood.

Mr. HUBERT. How old are you?

Mr. HODGE. Fifty-five.

Mr. HUBERT. What is your occupation?

Mr. HODGE. I have a gunshop.

Mr. HUBERT. Does it bear any trade name?

Mr. HODGE. Buckhorn Trading Post.

Mr. HUBERT. Where is it located?

Mr. HODGE. 215 South Ervay.

Mr. HUBERT. Is that also connected with a bar?

Mr. HODGE. That's 213—it's the bar next door to it.

Mr. HUBERT. You operate both businesses?

Mr. HODGE. Yes, sir.

Mr. HUBERT. Both called "Buckhorn"—one is the Buckhorn Bar and the other is the Buckhorn Trading Post?

Mr. HODGE. Yes, sir.

Mr. HUBERT. And the Trading Post sells guns?

Mr. HODGE. Yes, sir.

Mr. HUBERT. Are you officially licensed to do so under the laws of the State of Texas?

Mr. HODGE. Yes.

Mr. HUBERT. I have previously today shown you a document which I have marked for identification in the right-hand margin as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 1 of the Deposition of A. D. Hodge", and I have signed my name below that. That document purports to be the report of an interview of you by FBI Agents Anderton and Hardin on November 24, 1963, and I ask you if that report of the interview is substantially correct?

Mr. HODGE (read instrument referred to). Well, now—this—the Dallas Police Department—

Mr. HUBERT. What line are you talking about?

Mr. HODGE. Right here—"The Dallas Police Department wanted him to check all of his records concerning the sale of the assassinator's weapon"—I don't recall the Dallas Police did that. I did that on my own and I called the FBI and they came down and he kind of went over the books with me, you see.

Mr. HUBERT. I think you are speaking, Mr. Hodge, of the last three lines of the second paragraph of this document, right?

Mr. HODGE. Yes.

Mr. HUBERT. Where it indicates that the Dallas Police asked you to do that,

and the fact is, you said you made that investigation yourself and reported what you had found to the FBI and to the Dallas police?

Mr. HODGE. I might have reported it to the Dallas police—I do that.

Mr. HUBERT. Let's put it this way: I understand from the conversations we had prior to the beginning of this interview that this interview does not contain the entire story?

Mr. HODGE. Yes.

Mr. HUBERT. It does not contain the entire story of your participation in this matter, and I'm going to get that in just a moment by asking you to give the entire story as you gave it to me a moment ago, but this document as far as it goes, is correct, I take it?

Mr. HODGE. Now, he didn't ask me, "Have they arrested you?" He didn't say that. He says, "What are you doing up here?"

Mr. HUBERT. I think perhaps if I question you, the differences between what this Exhibit No. 1 says and what your testimony is will become manifest, and to what extent your testimony differs from Exhibit No. 1, then of course Exhibit No. 1 will be in error, is that correct?

Mr. HODGE. Well—

Mr. HUBERT. Suppose we do it this way: Let me question you and then we will talk a little while about Exhibit No. 1. What was your first contact with the entire matter of the assassination of President Kennedy?

Mr. HODGE. When it came in over the radio that he had been killed with a 7-millimeter rifle, my wife and myself—we got our book and started checking to see who we had sold a 7-millimeter rifle to.

Mr. HUBERT. Did you sell a 7-millimeter rifle?

Mr. HODGE. Yes; several of them—yes.

Mr. HUBERT. When did you first hear this report?

Mr. HODGE. Oh, it must have been right after the—I don't even know what time it was—it was right after dinner.

Mr. HUBERT. On the 22d of November, is that it?

Mr. HODGE. I guess so.

Mr. HUBERT. It was right after the President was shot, I take it—some time right after?

Mr. HODGE. That was the day he was shot.

Mr. HUBERT. You heard over the radio that he had been shot with a 7-millimeter rifle?

Mr. HODGE. Yes.

Mr. HUBERT. And you and your wife proceeded to check your records to see whether you had sold any such rifle to anyone?

Mr. HODGE. And then I called the FBI and they came down. They sent an agent down and we showed him who we had sold them to, and I think later that afternoon another one came back and wanted to know who we sold the ammunition to, and I told him about three fellows that had uniforms on with a bread truck—uniforms, you know, and they took those descriptions and wasn't going to check into that.

Mr. HUBERT. What happened next?

Mr. HODGE. Well, that night I went home—that afternoon at 6 o'clock and Capt. Will Fritz called me and asked me to come—if I could come by or he would send a squad car out and pick me up.

Mr. HUBERT. Did you know Captain Fritz?

Mr. HODGE. Oh, I know them all well.

Mr. HUBERT. What time was it that he called you?

Mr. HODGE. It was approximately 11:30.

Mr. HUBERT. That night? That was 11:30 at night?

Mr. HODGE. Yes, sir.

Mr. HUBERT. What did he want you to do?

Mr. HODGE. He wanted me to come down and look at the guns and see if I could identify them, or if I had ever seen them before.

Mr. HUBERT. I understand you to say that he offered to send a squad car for you?

Mr. HODGE. Yes; and I told him I had to go down and close the bar down and

I was on my way to town and that that would be unnecessary and I would come by, and he told me to park my car down in the basement, and I said "The police may not want me to," and he said, "Tell them I said so," so I pulled down in the basement and I couldn't find a place to park, and I parked in front of some cars, detectives' cars—plain cars, and I went up on the elevator.

Mr. HUBERT. I think you said something about having a dog in your car?

Mr. HODGE. I have a Dalmatian dog, watchdog.

Mr. HUBERT. You left him in the car?

Mr. HODGE. I left him in the car.

Mr. HUBERT. You then proceeded from the basement to what floor?

Mr. HODGE. The third floor.

Mr. HUBERT. How did you go?

Mr. HODGE. On the elevator.

Mr. HUBERT. Were you escorted by anyone?

Mr. HODGE. No; not until I got in.

Mr. HUBERT. You took the elevator in the basement?

Mr. HODGE. Yes, sir.

Mr. HUBERT. When you got off, what happened?

Mr. HODGE. When I stepped out, three policemen stepped in front of me and said, "What do you want up here?" and I said, "Captain Fritz sent for me" and one of them went into Captain Fritz' office and came back and two of Captain Fritz' detectives—they were.

Mr. HUBERT. In plain clothes?

Mr. HODGE. In plain clothes, and they got me and escorted me into his office.

Mr. HUBERT. Captain Fritz' office?

Mr. HODGE. Yes, sir; and we had just sat down and the lady on the desk that answered the phone and she said, "Mr. Hodge, your dog will not let the detectives get their car, would you mind going back down and moving it?" and two of the detectives escorted me back down.

Mr. HUBERT. What time was it then?

Mr. HODGE. That was about 11:45.

Mr. HUBERT. Captain Fritz called you at about 11:05?

Mr. HODGE. A little after 11.

Mr. HUBERT. How do you fix the time of that initial call by Fritz?

Mr. HODGE. Well, I left my house at 11:30 and I usually get down to my store—it takes me about 20 minutes, and we close the place down at 12, the bar, and so it gives me about 30 minutes from my home to the bar, and I was finishing shaving and getting ready to leave to come back to my bar.

Mr. HUBERT. So you left your house about what time?

Mr. HODGE. About 11:30.

Mr. HUBERT. And that means that you got to the jail about what time?

Mr. HODGE. About 11:45 or 11:50.

Mr. HUBERT. Then, by the time you got the call to go back out again to move your car it was near 12 o'clock?

Mr. HODGE. It was around 12 o'clock. Yes; probably 5 minutes until 12; I would say.

Mr. HUBERT. Who was in Captain Fritz' office when you went in first?

Mr. HODGE. Well—

Mr. HUBERT. Was Oswald there?

Mr. HODGE. I didn't see Oswald. I have never seen him except on TV, but Captain Fritz has one office—I don't know which office is his, but the one on the left has a glass window in it, and when I went in this hallway, out in the hallway where all the TV cameras was, there was another hallway, and Captain Fritz waved at me—he seen me through this glass and there was several people in there with him, and I went on in a little office not quite as big as this and sat down. There was four or five people there, and the lady on the desk—the phone rang, and she said, "Mr. Hodge, you left a dog down in your car and the detectives wants to move that car and they can't move it, and would you go down and move it," and two of the detectives got up and went with me to the elevator and got on the elevator.

Mr. HUBERT. They were in plain clothes?

Mr. HODGE. Yes.

Mr. HUBERT. You don't know their names?

Mr. HODGE. No; so several other people came in on the elevator and this fellow who turned out to be Jack Ruby was right up against me and he turned around and he said, "Hello, there, Hodge, how are you getting along?" and shook hands, and I looked at him and I knew I knew him but it didn't dawn on me who he was. I couldn't think of his name although it had been 3 or 4 years since I'd seen him.

Mr. HUBERT. How had you known him in the past?

Mr. HODGE. Well, when he first got to Dallas, I guess, he took over his sister's lounge, which is further down Ervay Street, and a lot of nights you know, he would come up there after he closed his place up, which would be 1 or 2 o'clock, you know, and I would still be cleaning up and he would visit, being down below me there, and he would ask me my opinions how to operate a bar and so forth and all.

Mr. HUBERT. So you had known him what—10 or 15 years?

Mr. HODGE. Yes, about that, but I hadn't seen him in the last 4 or 5 years.

Mr. HUBERT. All right, so you got on the elevator with the two detectives who were escorting you down and some other people got on and among the other people was a man you now identify as Jack Ruby?

Mr. HODGE. Yes; and the next day—Sunday—

Mr. HUBERT. Wait a minute—let's not get to that yet. So, he turns around and what did he say—did he address you or you address him?

Mr. HODGE. He addressed me.

Mr. HUBERT. What did he say to you?

Mr. HODGE. He stuck out his hand and I took his hand and shook hands with him.

Mr. HUBERT. And then what was said?

Mr. HODGE. He said, "What are you doing up here?"

Mr. HUBERT. He asked you that?

Mr. HODGE. The very words, and I said, "They've got me arrested"—just like that.

Mr. HUBERT. You said, "They've got me arrested"?

Mr. HODGE. Yes; and I felt that that would be all of it—I didn't want to tell him why or go into any details as to what I was doing up there because it wasn't none of his business, and he said, "You're kidding. You fellows don't have him arrested, do you?"

Mr. HUBERT. Who did he say that to?

Mr. HODGE. To the two detectives. He said, "You fellows don't have Hodge arrested, do you?" And, they just laughed—they didn't answer back, and he turned around to me and he said, "What do you know about it?" And I said, "It's a long story." By that time he was at the main floor, so he gets off on the main floor and we go on to the basement and move my car and these two detectives escort me back up to Captain Fritz' office. We went back in there, waded back through these TV cameras back into his office, and Mr. Baker—I didn't even know it was Baker until today, and he called me and told me, he said, "Mr. Hodge, I'm the man that took you from Captain Fritz' office up to the fourth floor and showed you the guns", and when I looked at them, I said, "I'd never seen those guns before," and so that was all of it and I left.

Mr. HUBERT. In other words, after you moved your car and went on up with the same two detectives who brought you down, you went to the third floor—you went back to Captain Fritz' office, and then you went to the fourth floor where the guns were?

Mr. HODGE. Baker took me up there.

Mr. HUBERT. Then you looked at the guns and you didn't identify them. How did you get out?

Mr. HODGE. I just come back and got on the elevator and went on down in the basement.

Mr. HUBERT. Did anybody have to identify you to get out?

Mr. HODGE. No.

Mr. HUBERT. Did Baker come with you?

Mr. HODGE. I believe he did. He come back to the elevator and he got off, I think, on the—I'm not positive about that, but he could have gotten off on

the third floor, and this FBI agent and I want to say his name is Wilson, but I'm not positive, who I had called that day and he had been down to the store and checked the books with me—he was on the elevator too and I spoke to him.

Mr. HUBERT. This was when you were going down to go home?

Mr. HODGE. That's right.

Mr. HUBERT. What time was it when you left the police station?

Mr. HODGE. Well, I didn't go home—I went to my store.

Mr. HUBERT. What time was it when you left the police station?

Mr. HODGE. Well, I think I got to the store approximately 12:15. There was two FBI agents waiting there for me when I got there, and so they told me they wanted to see me, and we walked on into the bar, I mean, into the gunshop and they said, "Mr. Hodge," and they showed me their badges and all that about themselves—identified themselves, and they said, "there's an operator in Fort Smith, Arkansas that got an anonymous call this afternoon stating 'If you want to know who killed the President, check with the manager of the Buckhorn Bar.'" I said, "That could be one of my bartenders or it could be he probably throwed some drunk out and he just wanted to be important and wanted to get back at the bartender," and they said, "Well, don't think nothin' about it." They said, "We got one call this afternoon, Mr. Hodge, from a woman that told us that her husband just confessed to killing the President," and so that was that.

Mr. HUBERT. What was the purpose of the FBI visit to you—to check out this call, you say?

Mr. HODGE. Yes; yes, that was their purpose, I guess. That's what they said.

Mr. HUBERT. Did they ask you whether you knew Oswald?

Mr. HODGE. Oh, yes; they did.

Mr. HUBERT. Had you ever in fact seen Oswald?

Mr. HODGE. I have never seen him in my life that I know of.

Mr. HUBERT. Had you sold a gun to Ruby?

Mr. HODGE. No.

Mr. HUBERT. You never sold a gun to Ruby?

Mr. HODGE. I think Ray's Hardware sold that gun, so I've been told.

Mr. HUBERT. What time was it, when you saw Ruby on the elevator?

Mr. HODGE. It was right within 10 minutes, I'd say 10 minutes till 12 or 12 minutes to 12.

Mr. HUBERT. And he got off on the main floor?

Mr. HODGE. Yes.

Mr. HUBERT. And you went down one level further?

Mr. HODGE. Yes; we went on to the basement.

Mr. HUBERT. Do you know anything about an assembly room meeting where Oswald was first shown to all the press who congregated in the assembly room of the police department?

Mr. HODGE. That's the first time I had been up there and the last time to Captain Fritz' office—and I don't know when I have ever been up to Captain Fritz' office.

Mr. HUBERT. You don't know anything about this showing of Oswald to the newsmen assembled in the assembly room downstairs about this time?

Mr. HODGE. No, sir.

Mr. HUBERT. Did the police seem to know Ruby, that is, the ones who were escorting you?

Mr. HODGE. They just laughed—that's all that was said. They never answered him.

Mr. HUBERT. In other words, he asked them, "Is it true that you've got him under arrest?"

Mr. HODGE. He said, "You fellows don't have Hodge under arrest, do you?" and they just laughed.

Mr. HUBERT. Did he seem to catch the joke or understand or did he seem to believe that you were under arrest?

Mr. HODGE. Well, he was standing to my side and I didn't turn around and look at him. I didn't notice the expression on his face. When he looked across over to these detectives, they was over on the right-hand side and I was in the

back—in the back of the elevator and it didn't dawn on me who he was until the next day when I was out at Red Jackson's.

Mr. HUBERT. You mean was the 24th?

Mr. HODGE. Yes; on Sunday. Yes—on Sunday, the following Sunday when Ruby is supposed to have shot Oswald, when this Congressman called and asked Mr. Jackson and said that Jack Ruby shot him, I said, "My God, that's who rode the elevator down with me. I knew I knowed him but I didn't recognize him" and I said, "I didn't recognize him until now."

Mr. HUBERT. All right—a couple more questions—

Mr. HODGE. Pardon me—that same Sunday that this had happened, that afternoon I had some friends from Waco come up and they were gun collectors and they had an auction out here and after I left Mr. Jackson I went by the auction and went back to the gunshop and they went with me and we were in the gunshop and there was two more FBI agents came in and we walked back to the back and they showed me a picture of a striptease girl that had worked for Jack Ruby and wanted to know if I knew her and if I knew her whereabouts and I had never seen the girl before, because I don't visit those places, and I had never been in one of Jack Ruby's places, because I've got my hands full tending to my own business, and also, they wanted to know if I ever seen Jack Ruby and Oswald together, and I'd never seen Jack Ruby for 4 years or longer.

Mr. HUBERT. Now, returning to your statement, which has been identified as Exhibit No. 1, it appears that the third paragraph of that statement is completely at variance with what you have just testified to. That is to say, that paragraph indicates that he asked you "whether they had arrested you," whereas your testimony is that you in a semiserious manner indicated to him that you were under arrest and he asked you whether you weren't kidding and then turned to the police—

Mr. HODGE. No; he didn't say, "Are you kidding." Yes; he did—he said, "You're kidding," but I said it low, I didn't want to go into detail why I was up there and it wasn't none of his business and I knew I knew him but I didn't know just who he was at the moment, and I just—I don't know why you would say those things, but I did.

Mr. HUBERT. Well, in any case, the point I'm trying to make is that this third paragraph is deficient in two ways: One is that it has him asking you whether you were under arrest, whereas, you, in fact, told him in the manner you have described, that you were under arrest, and then he asked you whether you were kidding or not, and you told him "No," and he asked you what you had to do with it, and you said, "It's a long, long story" and all of which is not in this paragraph, nor is there in this paragraph the portion about his turning to the police and asking them if it was true, and their laughing about it. That's not in here either?

Mr. HODGE. Well, I told those agents just like I've told you.

Mr. HUBERT. Yes; I understand that, but in any case—all I'm trying to do is to reconcile Exhibit No. 1 with your testimony, and in order to do so I have to bring out that this third paragraph of Exhibit No. 1 and as it is here is incorrect and incomplete—both; is that correct?

Mr. HODGE. Yes.

Mr. HUBERT. And that the statement you have given us here is what is the truth and is what you say you did tell the FBI agents?

Mr. HODGE. Yes, sir.

Mr. HUBERT. All right. Prior to the beginning of your testimony, you had conversed with me a bit along the lines that I have questioned you about, and is it not a fact that all of the matter that we talked about prior to the beginning of this deposition has now been brought out in the course of the deposition? To put it another way, that we have not—that we did not discuss prior to the taking of this deposition anything which has not been covered in the deposition?

Mr. HODGE. I believe that's right.

Mr. HUBERT. Because—if you can think of anything that we talked about that has not been put down in the record, I want to get it in. I can't think of anything, but I'm asking you?

Mr. HODGE. Well, now, yesterday and today I called Captain Fritz and also

Mr. Baker and they both promised to get the names of those two detectives that took me downstairs on that elevator and get them to verify the fact that—

Mr. HUBERT. That Ruby was there?

Mr. HODGE. Yes; that Jack Ruby was there, and that he said those words, and I didn't recognize Jack Ruby on that elevator until the next day out at Mr. Jackson's and when they said Jack Ruby had shot Oswald.

Mr. HUBERT. Now, you say that you did say to the FBI people when they interviewed you on the 24th that you had gone down on the elevator with two detectives and with Ruby? You told them that, although it doesn't appear in this exhibit?

Mr. HODGE. Now, which is the 24th?

Mr. HUBERT. The 24th is Sunday.

Mr. HODGE. Yes; I told them that Sunday afternoon.

Mr. HUBERT. You told them Sunday afternoon that you had gone down the elevator in the company of two detectives and Jack Ruby?

Mr. HODGE. Yes.

Mr. HUBERT. Have you told that to anyone else since?

Mr. HODGE. Oh, I've told it to several people—the detectives, Captain Fritz, and all of them, they knew that.

Mr. HUBERT. Have you heard from Captain Fritz about who those two men were?

Mr. HODGE. No; he hasn't called me. He had Baker to call me and Baker told me, he said, "Mr. Hodge, now"—

Mr. HUBERT. That's today—Baker called today?

Mr. HODGE. Yes; Baker called this morning. He said, "I'm the one that took you from Captain Fritz' office up to the fourth floor and showed you the gun," and he said, "I'll find out who the two boys was that escorted you back down to the basement to move your car."

Mr. HUBERT. Did you ever tell Captain Fritz that you had gone down the elevator with Ruby and two detectives?

Mr. HODGE. I told him that day before yesterday.

Mr. HUBERT. No; I mean prior to that time?

Mr. HODGE. No; I don't think I had. No, sir.

Mr. HUBERT. But you had told the FBI people?

Mr. HODGE. I sure did. I told them the whole story. I said—I guess this is the same—is this the two that questioned me about the telephone call?

Mr. HUBERT. I don't know, sir. This is the interview by Agents Anderton and Hardin.

Mr. HODGE. I used to know practically all those agents down there—the FBI agents—when Murphy was there and the agent in charge before him, and I used to keep their file in my place.

Mr. HUBERT. These are the agents who interviewed you on Sunday, not on Friday or Saturday?

Mr. HODGE. Yes; you see, that was Sunday afternoon after I found out—it dawned on me who Jack was—and it was about 5 o'clock in the afternoon, I'd say, when they came in the gunshop.

Mr. HUBERT. Were you ever interviewed thereafter, after Jack Ruby shot Oswald, by the Dallas police?

Mr. HODGE. No.

Mr. HUBERT. The only other interview you had was with the FBI?

Mr. HODGE. That's right, but I told all those detectives with homicide, the different ones that have been in my place, and I repeated just what I've told you, that it was Jack Ruby that rode down on the elevator and asked me those questions.

Mr. HUBERT. And that there were two Dallas Police Department detectives with you and him, Ruby, on the elevator at the time?

Mr. HODGE. That's right.

Mr. HUBERT. You have told that to others?

Mr. HODGE. To numerous others.

Mr. HUBERT. Can you mention any names?

Mr. HODGE. No.

Mr. HUBERT. Now, when you spoke to Captain Fritz about it the other day, that was the first time you had talked to Captain Fritz about that aspect; is that correct?

Mr. HODGE. Yes.

Mr. HUBERT. Did he seem to be surprised?

Mr. HODGE. No. He was on the telephone.

Mr. HUBERT. But he said he would try to find out who those people were?

Mr. HODGE. Yes.

Mr. HUBERT. And then you've had a call from Baker and who identified himself as having escorted you to the fourth floor and Baker said he would try to find out who the other two men were and let you know, but he has not done so up until now; is that right?

Mr. HODGE. That's right.

Mr. HUBERT. What was it that suggested to you that you ought to have the names of those men?

Mr. HODGE. Well, it would verify that he did ride the elevator down with us and that the conversation did take place.

Mr. HUBERT. In other words, it was after you got the letter from Mr. Rankin asking you to appear here today that it occurred to you that you ought to have the names of those men so that you could tell me those names if I asked you about it; is that correct?

Mr. HODGE. That's correct.

Mr. HUBERT. And that's when you called Captain Fritz just yesterday, Thursday, June the 25th?

Mr. HODGE. That's right and he told me, he said, "I'll tell you, I've got a bunch that works days and nights and I'll have to question all of them, but I'll find out which one it was."

Mr. HUBERT. Do you think you could recognize those men if you saw them?

Mr. HODGE. You know, I thought it was Potts and Baker, but they say Potts works burglary and theft, but they could have had some of the burglary and theft men over there.

Mr. HUBERT. Baker is the one that took you up on the fourth floor?

Mr. HODGE. Yes; that's what he verified today.

Mr. HUBERT. But Baker was not one of the men who took you downstairs?

Mr. HODGE. I wouldn't swear to it—of course, they may not want to come forth and tell it, you see, but there's nothing to hide, and if it will help, I think that they should do it.

Mr. HUBERT. Do you expect to hear from Captain Fritz still?

Mr. HODGE. I'm going to call him back and see what he's found out, but they agreed to call me back.

Mr. HUBERT. Did he know what time you were going to appear here today?

Mr. HODGE. I told him today at 2:30—told Baker.

Mr. HUBERT. All right, sir. I think that's all, and I thank you very much.

Mr. HODGE. I only hope this will be of some help to you. If you're down that way on Ervay Street, stop by my gunshop.

Mr. HUBERT. Well, I'll tell you, I have depositions all tonight and tomorrow in the day and it's very unlikely I'll be able to do it.

Mr. HODGE. I have a lot of antique guns and modern guns too, although you may not be interested in them.

Mr. HUBERT. Well, I don't know much about guns. Frankly, I would like to say I would accept your invitation, but I know I am going to be busy tonight and tomorrow with these depositions.

Mr. HODGE. I'm not throwing myself no bouquets, but I have always cooperated with the FBI, and as I say, they fingerprinted me, they took my life history and everything and they turned their file over to me. I had several agents I was good friends to in the past, and you can find out by talking to two or three, and of course, they move them about, but you can find out that there were some criminals, you know, that would be in that bar, and I opened up this gunshop and it's just around the corner from the bus station and these drifters come in and going through, and they will verify what I told you.

And, I'll tell you—some people call you a stool pigeon and it looks to me like

you can be a good citizen, but the courts won't protect you on these things. This fellow that killed this man and woman out here—if you've got a minute?

Mr. HUBERT. Yes.

Mr. HODGE. Well, Captain Fritz' men came by with a shell, a Peters Wad Cutter, and that's this man and woman that got killed a few days ago out here and it has no concern with this case, but anyway, I checked my book and I found where I sold that man a gun and a box of ammunition, and they couldn't find nobody else that had that particular kind of ammunition, they said, so I called Captain Fritz and gave them that information and they went out and called me back in 2 hours and they said, "Boy, you're just as right as rain," and I give them a list of all the .45 automatics I had sold, and so they went out and picked up this bloody uniform and got a confession from him and he admitted everything and got the gun and the amount of ammunition that they found at the scene plus what was in the box, and so I cooperate fully with them, but you stick your neck out. Some of those characters—if this man gets out on bond, what's to keep him from coming down there and killing me? But I believe it's being a good citizen if you know anything, to come forth with it and tell it.

Mr. HUBERT. Now, do you know anything other than what you've said to me or anybody else that you would like to say about this matter?

Mr. HODGE. Everybody's got an opinion and it's talked around—of course—there's pro and con, but they all seem to think that—I have heard different ones talking and they seem to think that there is a connection there between those two, Oswald and Ruby, and that probably Ruby was—I guess you know about him, that they found a bunch of money—about \$10,000 in his apartment, and people talking say it's payoff money, but I don't know nothing. That's the first time I'd seen that Jack Ruby in 4 or 5 years and it didn't dawn on me who he was, and I just thought I'd just shut him up, and when he asked me that, I just said in a low voice, "They've got me arrested," and he said, "Oh, you fellows don't have Hodge arrested, do you?"

Mr. HUBERT. No; what I was trying to get at—is there anything you have not stated to anyone, any facts or knowledge that you have concerning Ruby or Oswald or the assassination of the President that you haven't told anybody that you want to take advantage of this occasion to say it?

Mr. HODGE. If there is, I don't recall what it is, because I've told you just straight down the middle of what had happened.

Mr. HUBERT. Well, I didn't know what you were leading up to awhile ago and perhaps it was nothing at all, but as I say, if there's anything you want to say, you could say it now, you know?

Mr. HODGE. Yes; and I would, but that's it.

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

Mr. HODGE. Thank you a lot. Thank you.

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## TESTIMONY OF DAVID L. JOHNSTON

The testimony of David L. Johnston was taken at 2 p.m. on June 26, 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.

Mr. HUBERT. This is the deposition of David L. Johnston.

Mr. Johnston, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137 and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you. I state to you that the general nature of the Commission's inquiry