

TESTIMONY OF HAROLD B. HOLLY, JR.

The testimony of Harold B. Holly, Jr., was taken at 8 p.m., on March 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 Mr. Harold B. Holly, Jr. Mr. Holly, my name is Leon D. Hubert. I am a member of the staff of the general counsel to the President's Commission on the Assassination of President Kennedy.

Under the authority of the Presidential Proclamation 11130, dated November 29, 1963, a joint resolution of Congress No. 137, and rules of procedure that have been adopted by the Commission, I have been authorized to take your deposition under oath. Now, the general nature of the inquiry of the Commission is to ascertain the facts concerning the death of President Kennedy and the death of Lee Harvey Oswald.

In particular as to you, the inquiry is to determine what facts you know concerning these events, or anything related to them.

I advise you that under the rules adopted by the Commission, you have a right to a 3-day written notice prior to being asked to come for a deposition, but the rules also provide that a witness may waive that right if he wishes to do so.

You have been asked to come because Mr. J. Lee Rankin, the general counsel of the Commission, wrote a letter to Mr. J. E. Curry asking that he make you available. But I repeat, you may either waive the 3-day notice, or if you wish you may insist on the 3-day notice. Do you wish to waive that notice?

Mr. HOLLY. No; I would like to go ahead.

Mr. HUBERT. You mean yes, you wish to waive? You would rather go ahead?

Mr. HOLLY. Yes.

Mr. HUBERT. Then I will ask you to stand and raise your right hand. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLLY. I do.

Mr. HUBERT. What is your full name, sir?

Mr. HOLLY. Harold B. Holly, Jr.

Mr. HUBERT. How old are you?

Mr. HOLLY. Forty-seven.

Mr. HUBERT. Where do you live?

Mr. HOLLY. 3429 Antilles, Mesquite.

Mr. HUBERT. Mesquite, it is not in Dallas?

Mr. HOLLY. No; it is Mesquite, Tex., a suburb.

Mr. HUBERT. Now, you are actually a reserve officer of the Dallas police?

Mr. HOLLY. Yes.

Mr. HUBERT. How long have you been connected with the reserves?

Mr. HOLLY. Five years, going on six.

Mr. HUBERT. What is your occupation in civilian life?

Mr. HOLLY. General contractor and cabinetwork.

Mr. HUBERT. Do you own your own business?

Mr. HOLLY. Yes, sir. Nineteen years.

Mr. HUBERT. In that business?

Mr. HOLLY. Yes, sir.

Mr. HUBERT. I know that you performed some services as a reserve officer on the 22d and 23d, but our inquiry now is as to the functions you performed on the 24th, or perhaps you didn't perform?

Mr. HOLLY. Let's say the 23d and the 24th. The assassination took place the 23d, right?

Mr. HUBERT. No, 22d.

Mr. HOLLY. 22d and 23d.

Mr. HUBERT. That was a Saturday. I am asking about Sunday the 24th.

Mr. HOLLY. I was up here all day Saturday. Sunday, I didn't participate, as well as I can remember.

Mr. HUBERT. You had not anticipated being called?

Mr. HOLLY. No.

Mr. HUBERT. Were you, in fact, called on Sunday?

Mr. HOLLY. I don't recall now. It is pretty vague there. The day of assassination I was called, and the day Oswald was shot, I was called.

Mr. HUBERT. Well, that was the 24th of November, a Sunday.

Mr. HOLLY. Sunday.

Mr. HUBERT. All right, how were you called?

Mr. HOLLY. I beg your pardon, I was here Friday. Friday, Saturday, and Sunday; I sure was.

Mr. HUBERT. And at what time were you called on Sunday the 24th, the day Oswald was shot?

Mr. HOLLY. It was the morning. I believe it was around 9 o'clock and they called and said for me to report downtown. They were going to try to move him out around 2 o'clock. I immediately come to town.

Mr. HUBERT. You got into uniform?

Mr. HOLLY. Yes; and at the present time, I don't recall, because I got down about 5 minutes after he was shot. I reported for duty at the entrance of the Main Street entrance to the city hall.

Mr. HUBERT. He had already been shot?

Mr. HOLLY. Yes.

Mr. HUBERT. To whom did you speak who gave you that information?

Mr. HOLLY. Lieutenant Kriss.

Mr. HUBERT. Did you receive any assignment?

Mr. HOLLY. Yes. I was assigned to direct traffic and keep traffic from bogging down in front of the city hall entrance. And I stayed there approximately 30 minutes, and then I was reassigned out at Parkland Hospital.

Mr. HUBERT. How did you go out there?

Mr. HOLLY. By the convenience of the city. We was hauled out in a squad car.

Mr. HUBERT. Did you go out with any group?

Mr. HOLLY. Yes; I went out with a group. There were five in our group.

Mr. HUBERT. How long were you out there?

Mr. HOLLY. I was there approximately 3 hours.

Mr. HUBERT. Who was with you in that group?

Mr. HOLLY. Well—

Mr. HUBERT. Do you remember the names?

Mr. HOLLY. No; I don't. I don't recall none of the names, because I wasn't familiar with any of the boys.

Mr. HUBERT. Now, do you remember that during the time that you were out at Parkland Hospital another reserve officer approached you and stated that he had seen the man who shot Oswald coming down the ramp?

Mr. HOLLY. No; he didn't approach me, because I approached him. I went over to find where I could get some water. I was stationed where the entrance is where the Governor was, and he told me there was some coffee and water if I wanted, and I went in and when I came back I struck up a conversation with the man, and we were talking about—

Mr. HUBERT. Was he a reserve officer?

Mr. HOLLY. Yes; he was a reserve. And in the conversation he said that he either knew or he saw Ruby down in the city hall, knew of him getting down in there.

Mr. HUBERT. Was he speaking, from what you could tell, of Ruby being down in there on the morning that Oswald was assassinated?

Mr. HOLLY. Yes. I asked him—the conversation went like, well, how in the world could they ever let him in. Everybody knew him, which most reserves do know him.

Mr. HUBERT. You knew him?

Mr. HOLLY. Oh, yes; I knew him. I did business with him. And I would know him if I saw him. But I wasn't stationed down there, so therefore, I don't know.

And he said he saw him down there, or did see of him, or he in someway, one of the reserves had let him in, and he had a lapel pass on.

Mr. HUBERT. Now, do you know who he was, this reserve?

Mr. HOLLY. No. I tried to go through the photographs of who I thought it was. I never have learned if it was him.

Mr. HUBERT. You did pick out a person?

Mr. HOLLY. Yes.

Mr. HUBERT. Do you know the name of the man you picked out?

Mr. HOLLY. No. Captain Solomon mentioned his name, but I don't recall it.

Mr. HUBERT. Does the name Newman refresh your memory?

Mr. HOLLY. Newman? It's been so long ago, I wouldn't say.

Mr. HUBERT. Was there any doubt about your identification?

Mr. HOLLY. Well, other than I described the man to him, and, of course, I went over the photographs with Captain Solomon on Sunday.

Mr. HUBERT. A week later?

Mr. HOLLY. On that following Sunday after the date. No; it was a week later. I beg your pardon. It was a week later, and I met him up there Sunday, and we went over the photographs with men in their uniforms, and the boy I picked out, Captain Solomon said, "Well, that is one of the men that is down in the basement," and that is the only one I could think it could have been.

And he contacted the man and the man was hunting at that time, and I never hear of any more of it.

Mr. HUBERT. Well, what I mean is, the man you did pick out, is there any doubt in your mind that you picked out the man you spoke to at the hospital who told you he had seen Ruby?

Mr. HOLLY. There is a little doubt there, yes. I wouldn't be too positive of it. But I feel—

Mr. HUBERT. Have you seen this man since?

Mr. HOLLY. No; I haven't seen him since. I didn't know him and never had seen him before that. But I am pretty positive I picked out the right man, the one that I did see and talk to.

Mr. HUBERT. Let me see if I can get you straight. You say that you are pretty positive that you did pick out the right man, but a little while before you said that you weren't quite sure? There is a little difference between the two?

Mr. HOLLY. I went over several photographs with Captain Solomon and he is the only one that resembles him.

The photographs he showed me were old photographs, so there was a little doubt there, and that is the only part I can be doubted on.

I think he said the photographs he showed me were maybe 3 years old.

Mr. HUBERT. But he didn't get the man and confront you with him?

Mr. HOLLY. No.

Mr. HUBERT. Was this man that you saw a youngish man or middle age or what?

Mr. HOLLY. I would say he was in his thirties, about 37 years old or 36 years old.

Mr. HUBERT. Was he a little husky?

Mr. HOLLY. He was about 165 or 170, about 5'8" or 9", and blue eyes and bald headed.

Mr. HUBERT. He had on a cap?

Mr. HOLLY. Had a cap on, and didn't wear any glasses.

Mr. HUBERT. He had on a hat?

Mr. HOLLY. Had a cap on, and didn't wear any glasses.

Mr. HUBERT. So, the way I see it, among those pictures that Captain Solomon showed you, you picked out the man you thought was the man?

Mr. HOLLY. I still think it was the same man that Captain Solomon—he didn't tell me prior, but after I picked him out, he said that is the only man it could have been, because he was down in the basement, and the way I described it, it fitted the description I had given. He did explain after it was over that the photographs were about 3 years old.

Mr. HUBERT. Now, I think that you passed on the information that this reserve officer had given you to someone, did you not?

Mr. HOLLY. How was that?

Mr. HUBERT. You reported to someone that a reserve officer had told you?

Mr. HOLLY. Yes; I did.

Mr. HUBERT. Who did you report it to?

Mr. HOLLY. I reported it to the CID officer, I guess it was, down on the first or second floor of the city hall.

Mr. HUBERT. Do you remember who it was?

Mr. HOLLY. No; it was lieutenant someone, through one of the detectives.

Mr. HUBERT. Which detective was that?

Mr. HOLLY. Detective Eberhardt. I gave the information to one of the stenographers up in burglary and theft division, and I typed it out and sent it on down to the lieutenant. Offhand, I don't recall his name. It was one of the investigators on the case.

Mr. HUBERT. Were you contacted to make a statement about your activities?

Mr. HOLLY. The subject, how it come up, one of the detectives was out at the house, and the subject came up that they were trying to find out how in the world Ruby ever got down in the basement. And I said, "Well, my Lord, one of the reserves let him in."

Mr. HUBERT. When was that?

Mr. HOLLY. I would say that was on about a Wednesday or Thursday after the accident. And he said, "Will you make a statement?" And I said, "I will be glad to."

Mr. HUBERT. Did you make a written statement, or was it just oral?

Mr. HOLLY. Oral statement and I signed.

Mr. HUBERT. Did they write it up in the form of an interview, or did he write it for your signature as a letter to the chief?

Mr. HOLLY. A letter to the—it went through—I don't know what procedure it did go through. I just don't know the hand it went into.

Mr. HUBERT. For the purpose of identification, we will see if we can determine whether the written reports you have just been speaking of is one of these, one that I have here. And also in order to get the contents of these two reports into the record, I am going to identify them by marking the first one as "Dallas, Tex., March 26, 1964, Exhibit No. 5109, Deposition of H. B. Holly, Jr.," and I am signing my name on the margin. I notice that it has a second page with two lines, and I am putting my initials in the lower right-hand corner.

The other document is a document consisting of five pages, being an interview, or the report of an interview by two FBI agents, Mr. Dallman and Mr. Quigley. I am marking that as "Dallas, Tex., March 26, 1964, Exhibit No. 5110, Deposition of H. B. Holly, Jr." I am signing my name on the first page and putting my initials on the second, third, fourth, and fifth pages. I would like you, Mr. Holly, if you will, please to read all these, and I want to ask you about the correctness of each one. So I would like you to read it carefully and after you have done so, I will ask you to make any comments you want as to the correctness, make any changes you want, if it is not correct, because neither of these are your own statements. This is what other people said you said. Then I want to find out, too, if there is another report that you, yourself, signed, because they don't purport to be signed by you. So, would you do that, please?

Mr. HOLLY. [Reads report.]

Mr. HUBERT. Now, Mr. Holly, I have shown you, and I think you have read now the exhibits which I have identified as No. 5109, being a report of an interview of you by Jack Revill, said report being made to Chief of Police Curry in a letter dated December 1, 1963. Does that substantially represent what you said?

Mr. HOLLY. Yes, sir.

Mr. HUBERT. Is anything wrong about it?

Mr. HOLLY. The only thing I can see wrong is, the report wasn't made right after the assassination. It was about 5 days afterwards. That is the only thing I can see.

Mr. HUBERT. Well, of course, this doesn't say when the report was made. Oh, you mean the report about having heard that?

Mr. HOLLY. To Lieutenant Revill there. I believe he corrected that, but it wasn't made right after. Statement says that I made a statement to Sergeant Eberhart.

Mr. HUBERT. I don't see anything in 5109 that indicates you made this report about talking to that man the next day. As a matter of fact, I don't see where

this report of an interview by Revill attempts to indicate the day on which you reported that this reserve officer had said these things to you.

I think the other document does that. Well, let's look at 5110, which is the FBI report of interview, I think.

Mr. HOLLY. I believe it was in the FBI report there.

Mr. HUBERT. Yes; on the third page there is of Exhibit 5110, in the last paragraph, there is the following language. "He relayed this information to a close personal friend of his, Detective Gus Eberhardt, who is a regular officer assigned to the burglary and theft bureau. He believed he told Eberhardt this on the following day." Is that the part you think is not correct?

Mr. HOLLY. No; that is not correct.

Mr. HUBERT. When did you, then?

Mr. HOLLY. It was about the Sunday. It was about Thursday of that week, approximately Thursday of that week, he come out to the house, and I was going to ride with him that night, and he made the statement that he was trying to find out as to how Ruby entered the city hall, and I said, "Well, the information you have there I passed on to him." And he said, "Will you make a signed statement to that effect." And I said, "I would be glad to."

Mr. HUBERT. Did you then and there—

Mr. HOLLY. I immediately rode to the city hall and made a report, made a statement to the secretary there in the burglary and theft division.

Mr. HUBERT. Well, now, let me get another book and perhaps we can get that in too.

(Discussion off the record.)

I am now marking for identification a document which is Commission Document 81A.48. It is apparently a copy of a letter dated November 29, 1963, addressed to Mr. J. E. Curry, Chief of Police, by A. M. Eberhardt, Detective. The copy seems to be signed in ink by A. M. Eberhardt. For identification, I am marking that document, although I am not removing it from this file, and "Dallas, Tex., March 26, 1964, Exhibit No. 5111, Deposition of H. B. Holly." I am signing my name, Leon D. Hubert, Jr. That document consists of only one page.

Now, going back for a moment to 5110, that is the FBI report, I think you said that you had read it and that you found it correct, that it is probably a correct record of the interview you had with the FBI agents, except that it was in error when it stated that you had conveyed this information to Eberhardt on the day after Oswald was shot. Your recollection was that it was Thursday of that week?

Mr. HOLLY. Yes.

Mr. HUBERT. This letter indicates, Exhibit 5111, indicates that that information was passed on to Eberhardt on November 29, which I believe was a Thursday.

Mr. HOLLY. Yes; I don't remember if that is dated or not.

Mr. HUBERT. That is dated November 29.

Mr. HOLLY. That was a Wednesday or Thursday after the shooting?

Mr. HUBERT. The 29th or November 1963, was a Friday night. Could it have been Friday night?

Mr. HOLLY. Yes; it could have been.

Mr. HUBERT. In any case, this Exhibit 5111, you think, is the report that you were speaking of a little while ago in your deposition?

Mr. HOLLY. Yes; that is the only report that I made to Detective Eberhardt.

Mr. HUBERT. I think you said you thought you had signed it.

Mr. HOLLY. I thought I signed that. That is the one right there.

Mr. HUBERT. Exhibit 5111 is the one you were talking about?

Mr. HOLLY. Yes.

Mr. HUBERT. But you had the recollection of having signed it? Of course, here we have only a copy of it.

Mr. HOLLY. Yes.

Mr. HUBERT. It may be that you did sign the original, but it doesn't indicate that there was a space for you to sign.

Mr. HOLLY. I was thinking I signed it.

Mr. HUBERT. There was no other report than this one here?

Mr. HOLLY. No; no other report other than the one that I talked to Lieutenant Revill about.

Mr. HUBERT. Have you any other statements or comments to make concerning any part of this?

Mr. HOLLY. No; I have covered it pretty well, I think.

Mr. HUBERT. Have you had any interviews with any others than this deposition today?

Mr. HOLLY. No, sir; this is the first time I ever met or seen you.

Mr. HUBERT. Have you had any interviews with any other members of the President's Commission, do you know?

Mr. HOLLY. No; other than the FBI, two FBI officers.

Mr. HUBERT. I am talking about persons who identified themselves as members of the Commission?

Mr. HOLLY. No; none whatsoever.

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

Mr. HOLLY. That is all right. I am glad to be of service.

TESTIMONY OF HARRY M. KRISS

The testimony of Harry M. Kriss was taken at 7:30 p.m., on March 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 Mr. Harry Kriss. Mr. Kriss, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the Commission. Under the provisions of the President's Executive Order 11130, dated November 23, 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 a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Kriss, the nature of the inquiry today is to determine the facts that you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, Mr. Kriss, you have appeared here tonight by virtue of a general request made by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission to Mr. J. E. Curry, the chief of police, who was asked to make all of you gentlemen available to us. Under the rules adopted by the Commission, however, you were entitled to a 3-day written notice prior to the taking of this deposition, but the rules also provide that a witness may waive this 3-day notice if he wishes to do so. Are you willing to waive?

Mr. KRISS. Yes; I will waive.

Mr. HUBERT. Will you stand so as to be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KRISS. So help me God.

Mr. HUBERT. Will you please state your full name?

Mr. KRISS. Harry M. Kriss [spelling] K-r-i-s-s. M is the initial.

Mr. HUBERT. Your age, please? Your age?

Mr. KRISS. Fifty-three.

Mr. HUBERT. Where do you reside, sir?

Mr. KRISS. 6906 Merrilee Lane.

Mr. HUBERT. In Dallas?

Mr. KRISS. In Dallas.

Mr. HUBERT. Now, you are a reserve officer, are you not?

Mr. KRISS. Yes, sir; in Dallas.

Mr. HUBERT. What is your occupation in general?

Mr. KRISS. Occupation in general, manufacturer of sportswear, men's, and manufacturer of neckwear.