

Mr. LIEBELER. Did you see Oswald on the morning of November 22 at any time?

Mrs. BAKER. No, sir.

Mr. LIEBELER. Do you know Billy Lovelady?

Mrs. BAKER. Yes, sir.

Mr. LIEBELER. I show you Commission Exhibit No. 203, and I call your attention to a man standing in the doorway of the Texas School Book Depository Building?

Mrs. BAKER. Yes.

Mr. LIEBELER. Do you recognize him?

Mrs. BAKER. That looks like Billy.

Mr. LIEBELER. That looks like Billy Lovelady?

Mrs. BAKER. Yes.

Mr. LIEBELER. And that man you pointed to is immediately as we face the picture to the right of the mark "A" in the picture?

Mrs. BAKER. Yes.

Mr. LIEBELER. And is standing directly against the side of the doorway of the building—of the Texas School Book Depository Building?

Mrs. BAKER. Yes.

Mr. LIEBELER. Thank you. If you don't have anything else you would like to tell us about this that you think we should know and that I haven't asked you, I have no other questions at this point.

Mrs. BAKER. Thank you.

TESTIMONY OF JAMES W. ALTGENS

The testimony of James W. Altgens was taken at 12:45 p.m., on July 22, 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. ALTGENS. I do.

Mr. LIEBELER. Mr. Altgens, my name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission on 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 No. 11130, dated November 29, 1963, and the joint resolution of Congress No. 137. Under the rules of the Commission's proceedings you are entitled to have an attorney present if you want one. If you don't think you need one, it's perfectly all right. You are entitled to 3 days' notice and you may actually have gotten 3 days' notice, but if you did not, I presume you are prepared to go ahead, since you are here?

Mr. ALTGENS. Yes; as a matter of fact I had more than 3 days' notice because the time that was originally set up was postponed for almost an additional week, so I had plenty of time.

Mr. LIEBELER. Would you state your full name for the record, please?

Mr. ALTGENS. James W. Altgens [spelling], A-l-t-g-e-n-s.

Mr. LIEBELER. Where do you live, sir?

Mr. ALTGENS. 6441 Pemberton [spelling], P-e-m-b-e-r-t-o-n Drive.

Mr. LIEBELER. Here in Dallas?

Mr. ALTGENS. Yes; Dallas.

Mr. LIEBELER. Are you employed here in Dallas at the present time?

Mr. ALTGENS. Yes.

Mr. LIEBELER. In what capacity?

Mr. ALTGENS. Officially, I am hired as a wire photo operator, but they use me in three different classifications. I am a photographer and a news photo editor as well as a wire photo operator.

Mr. LIEBELER. By whom are you employed?

Mr. ALTGENS. The Associated Press, Dallas Bureau.

Mr. LIEBELER. How long have you been employed by the AP?

Mr. ALTGENS. Approximately 26½ years.

Mr. LIEBELER. So one might say you are an experienced photographer and have a little experience in the area of photographic work?

Mr. ALTGENS. I would assume so.

Mr. LIEBELER. When were you born, sir?

Mr. ALTGEN. April 28, 1919.

Mr. LIEBELER. Here in Dallas?

Mr. ALTGENS. Here; yes, sir.

Mr. LIEBELER. Have you lived most of your life here in Dallas?

Mr. ALTGENS. All except my service connected time.

Mr. LIEBELER. We have been advised that on November 22, 1963, you were assigned to take pictures of the Presidential motorcade; is that correct?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Did you do that?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Would you tell us the circumstances surrounding the taking of the picture or pictures that you did take and just what happened, where you were and all that you know about the events of November the 22d?

Mr. ALTGENS. Would you like for me to take it from the time that I arrived on the scene up until the time of the shooting?

Mr. LIEBELER. Yes, sir.

Mr. ALTGENS. I arrived on the triple overpass at approximately 11:15 a.m.

Mr. LIEBELER. When you say the triple overpass, you mean the railroad tracks that cross over Elm, Commerce, and Main Streets?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. As they run near the Texas School Book Depository Building?

Mr. ALTGENS. As well as in the opposite direction.

Mr. LIEBELER. Yes, sir.

Mr. ALTGENS. My original assignment was to make a pictorial scene of the caravan with the Dallas skyline in the background and the triple overpass was selected as the site for making that picture, and when I arrived on the triple overpass there was no one up there but two uniformed policemen and one of the uniformed policemen came over to me and asked me if I was a railroad employee and I told him, "No," and I showed him my press tag and told him I had a Department of Public Safety ID card showing I was connected with the AP—Associated Press, and he said, "Well, I'm sorry, but this is private property. It belongs to the railroad and only railroad employees are permitted on this property." And, I explained to him that this was a public event and I thought I would be privileged to make a picture from that area, and he says, "No. This is private property and no one but railroad personnel are permitted in this area."

This is a little extraneous but I wanted to point this out, and I said, "Well, it looks like you have got it pretty well protected from this area because I see you two uniformed policemen on this overpass and I see you have another uniformed policeman on the overpass on Stemmons," and he said, "Yes, and no one is permitted over on that overpass." So, then, I had to decide on another location for shooting my pictures, so I proceeded on across the triple overpass into the parking lot which is just behind the Book Depository Building and proceeded on down to Elm to the corner of Elm and Houston, crossed Elm going—is that east or south—I guess it is south on Houston. Yes; south on Houston over to Main and Houston. That seemed to me to be the most likely spot to make any pictures. Then I could, by advance planning, get away from that spot after I had made a picture or two and run across the Dealey Plaza and catch the caravan again down on Elm as it proceeded toward the triple overpass and probably get some more pictures, and that was my planning.

Well, I was at that site when the Presidential caravan arrived at that intersection.

Mr. LIEBELER. That intersection being the intersection of Houston and Elm Streets?

Mr. ALTGENS. Houston and Main.

Mr. LIEBELER. Houston and Main?

Mr. ALTGENS. Yes; Houston and Main. When the caravan reached Houston and Main I made at least one shot—one picture—I don't have the roll of film with me now so I don't know exactly, but I know I had made an additional one or two pictures of the caravan coming down Main Street prior to that, but I got the one picture with the President waving into the camera. Mrs. Kennedy was looking at me at the time, just as I got ready to snap it the north wind caught her hat and almost blew it off, so she raised her left hand to grab her hat and I did not get her looking into the camera, but I got the Governor and Mrs. Connally and the President with the President waving into the camera.

Mr. LIEBELER. This was as they turned?

Mr. ALTGENS. This was as they turned into the sunlight.

Mr. LIEBELER. Turning into Houston Street; is that right?

Mr. ALTGENS. Turning right—headed toward the Book Depository Building.

Mr. LIEBELER. All right.

Mr. ALTGENS. I thereupon grabbed my gadget bag that I carry my extra lenses in and ran fast down across the Dealey Plaza to get down in front of the caravan for some additional pictures and I took this one picture—

Mr. LIEBELER. Wait just a minute now—at this point, as you ran across, you were along Elm Street; is that correct?

Mr. ALTGENS. Well, I ran across and reached up into—well, the curb area on the west side of Elm Street.

Mr. LIEBELER. Across Elm Street from the Texas School Book Depository Building?

Mr. ALTGENS. Yes, sir; and if I had a picture I could probably show you exactly where I was standing. I did show it to Agent Switzer, if that would be of any help to you.

Mr. LIEBELER. Yes; I would like to locate that spot. I show you Exhibit No. 354, which is an aerial view of the area that we have been discussing.

Mr. ALTGENS. This is the Book Depository Building, correct?

Mr. LIEBELER. Yes.

(The witness points to the School Book Depository Building.)

Mr. ALTGENS. This would put me at approximately this area here, which would be about 15 feet from me at the time he was shot in the head—about 15 feet from the car on the west side of the car—on the side that Mrs. Kennedy was riding in the car.

Mr. LIEBELER. You have indicated a spot along the side of Elm Street which I have marked with a No. 3; is that correct?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Is that approximately where you were standing?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Now, when you took the picture of the caravan turning from Main Street to the right on Houston Street, you then ran across this Dealey Plaza?

Mr. ALTGENS. Down this way; yes, sir.

Mr. LIEBELER. Along the lawn part.

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. To the point marked No. 3 on Commission Exhibit No. 354?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. And at that point did you take another picture?

Mr. ALTGENS. I made one picture at the time I heard a noise that sounded like a firecracker—I did not know it was a shot, but evidently my picture, as I recall, and it was almost simultaneously with the shot—the shot was just a fraction ahead of my picture, but that much—of course—at that time I figured it was nothing more than a firecracker, because from my position down here the sound was not of such volume that it would indicate to me it was a high-velocity rifle.

Mr. LIEBELER. Did you have any idea where the sound came from when you were standing there at No. 3 on Commission Exhibit No. 354?

Mr. ALTGENS. Well, it sounded like it was coming up from behind the car from my position—I mean the first shot, and being fireworks—who counts fireworks explosions? I wasn't keeping track of the number of pops that took place, but

I could vouch for No. 1, and I can vouch for the last shot, but I cannot tell you how many shots were in between. There was not another shot fired after the President was struck in the head. That was the last shot—that much I will say with a great degree of certainty.

Mr. LIEBELER. What makes you so certain of that, Mr. Altgens?

Mr. ALTGENS. Because, having heard these shots and then having seen the damage that was done on this shot to the President's head, I was aware at that time that shooting was taking place and there was not a shot—I looked—I looked because I knew the shot had to come from either over here, if it were close range, or had to come from a high-powered rifle.

Mr. LIEBELER. When you say "over here," you indicate what?

Mr. ALTGENS. The left side of the car.

Mr. LIEBELER. That would be approximately the intersection of Elm Street and the little street that runs down in front of the Texas School Book Depository Building; isn't that right?

Mr. ALTGENS. Somewhere in that direction, yes, sir. But if it were a pistol it would have to be fired at close range for any degree of accuracy and there was no one in that area that I could see with any firearms, so I looked back up in this area.

Mr. LIEBELER. Indicating the buildings surrounding the intersection of Houston Street and Elm Street; is that correct?

Mr. ALTGENS. Yes. What made me almost certain that the shot came from behind was because at the time I was looking at the President, just as he was struck, it caused him to move a bit forward. He seemed as if at the time—well, he was in a position—sort of immobile. He wasn't upright. He was at an angle but when it hit him, it seemed to have just lodged—it seemed as if he were hung up on a seat button or something like that. It knocked him just enough forward that he came right on down. There was flesh particles that flew out of the side of his head in my direction from where I was standing, so much so that it indicated to me that the shot came out of the left side of his head. Also, the fact that his head was covered with blood, the hairline included, on the left side—all the way down, with no blood on his forehead or face—suggested to me, too, that the shot came from the opposite side, meaning in the direction of this Depository Building, but at no time did I know for certain where the shot came from.

Mr. LIEBELER. Because you didn't see who fired it?

Mr. ALTGENS. Because I didn't see who fired it. After the Presidential car moved a little past me, I took another picture—now, just let me back up here—I was prepared to make a picture at the very instant the President was shot. I had refocused to 15 feet because I wanted a good closeup of the President and Mrs. Kennedy, and that's why I know that it would be right at 15 feet, because I had prefocused in that area, and I had my camera almost to my eye when it happened and that's as far as I got with my camera.

Because, you see, even up to that time I didn't know that the President had been shot previously. I still thought up until that time that all I heard was fireworks and that they were giving some sort of celebration to the President by popping these fireworks. It stunned me so at what I saw that I failed to do my duty and make the picture that I was hoping to make.

The car never did stop. It was proceeding along in a slow pace and I stepped out in the curb area and made another picture as the Secret Service man stepped upon the rear step of the Presidential car and went to Mrs. Kennedy's aid and then after that I immediately crossed the street and once again I was looking to see if I could find anything in this area of Elm and Houston Streets that would suggest to me where the shot came from.

Moreover, I was interested in knowing whether or not somebody else had been struck by a bullet or one of the bullets in this area. I saw that no one else had been hit. I did notice after I got on this side of the street, that would be on the opposite side of the Presidential car from where I was standing originally, which would be the left side of the car from where I was standing—looking up toward the building—I saw people looking out of windows. I saw a couple of Negroes looking out of a window which I later learned was the floor below where the gun—where the sniper's nest was supposed to have been,

but it didn't register on me at the time that they were looking from an area that the bullet might have come from. There was utter confusion at the time I crossed the street. The Secret Service men, uniformed policemen with drawn guns that went racing up this little incline and I thought—

Mr. LIEBELER. When you speak of "little incline" that means the area—the little incline on the grassy area here by this concrete structure across Elm Street toward the School Book Depository Building, is that part of Dealey Plaza too over in here, this concrete structure, or is Dealey Plaza only the name ascribed to this area here between Elm Street and Commerce Street?

Mr. ALTGENS. I really don't know, sir—I don't know whether this is considered part of the Dealey Plaza or whether this is just something extra as you might have for dressing.

Mr. LIEBELER. The part we are referring to that we are not just sure if it is a part of Dealey Plaza lies between Elm Street and the railroad tracks that run behind it over here and from the railroad tracks that go over the triple underpass, and this little grassy area that you have just mentioned is just between the area formed by Elm Street and the street that runs directly in front of the School Book Depository Building; is that correct?

Mr. ALTGENS. Yes, sir.

I started up the incline with—or, after the officers, because they were moving well ahead of me and I was moving behind them thinking perhaps if they had the assassin cornered I wanted a picture, but before I had gotten over one-quarter of the way up the incline, I met the officers coming back and I presumed that they were just chasing shadows, so to speak, because there was no assassin in the area apparently, but I didn't learn the location of the sniper's nest until I was en route out to Parkland Hospital to continue my assignment and I heard it on the radio, that the assassin's nest was in the sixth floor window of the Book Depository Building.

After that I made a good look through this area to see that no one else had been hit. I noticed the couple that were on the ground over here with their children, I saw them when they went down and they were in the area and laid there some time after the Presidential car had disappeared.

Mr. LIEBELER. They threw themselves on the ground in this grassy area that I have just described previously where you ran across after this last shot?

Mr. ALTGENS. Yes; but they were not hit. I looked at them and they weren't hit by a bullet, so I took another long look around before I started my dash back to the office, and as it turned out, my report was the first that our service had on the assassination and my pictures were the only pictures we had available for a period of about 24 hours.

Mr. LIEBELER. I have a picture here which has been marked as Commission Exhibit No. 203 and I ask you if that is not the first picture that you took after you left the intersection of Main and Houston and crossed Dealey Plaza and stood on the side of Elm Street across from the Texas School Book Depository Book Building?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Do you recognize that as the picture which you took?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Do you know any of the individuals depicted in that picture?

Mr. ALTGENS. No, sir; I do not.

Mr. LIEBELER. You testified previously, I believe, that the first shot that was fired had just been fired momentarily before you took the picture, is that right?

Mr. ALTGENS. Yes, sir; it was so close you could almost say it was simultaneous because it was coincidental but nevertheless that's just the way it happened.

Mr. LIEBELER. When you first heard this shot, did you see any reaction either on the part of the President or anyone else that indicated they might have been hit by this shot?

Mr. ALTGENS. No, sir; and as a matter of fact, I did not know that Governor Connally had been hit until one of our reporters got the information out at Parkland Hospital.

Mr. LIEBELER. As the Presidential car went down Elm Street, did you observe Governor Connally's movements at all, did you see what he was doing?

Mr. ALTGENS. No, sir; my attention was primarily on the President and Mrs. Kennedy and I just wasn't paying too much attention about the other people in the car after what I saw happen. Of course, my concern was about the President and I just wasn't paying too much attention to others in the car.

Mr. LIEBELER. You are quite sure in your mind, however, that there were no shots, a noise that sounded like shots, prior to the time at which you took the picture that has been marked Commission Exhibit No. 203; is that correct?

Mr. ALTGENS. No, sir; I did not—you see—all of these shots sounded the same. If you heard one you would recognize the other shots and these were all the same. It was a pop that I don't believe I could identify it any other way than as a firecracker and this particular picture was made at the time the first firecracker noise was heard by me.

Mr. LIEBELER. Now, you don't think that there could have been any other shots fired prior to that time that you wouldn't have heard, you were standing right there and you would have heard them, would you not?

Mr. ALTGENS. I'm sure I would have—yes, sir.

Mr. LIEBELER. You also testified that you were standing perhaps no more than 15 feet away when the President was hit in the head and that you are absolutely certain that there were no shots fired after the President was hit in the head?

Mr. ALTGENS. Yes, sir; that's correct.

Mr. LIEBELER. Could you tell us approximately how many shots there were between the first and the last shot—as you well know—there were supposed to have been three shots, but how many shots did you hear?

Mr. ALTGENS. Well, I wouldn't want to say—I don't want to guess, because facts are so important on something like this. I am inclined to feel like that there were not as many as I have heard people say. I think it's of a smaller denomination, a smaller number, but I cannot—I can really only vouch for the two. Now, I know that there was at least one shot in between.

Mr. LIEBELER. At least one?

Mr. ALTGENS. I would say that—I know there was one in between. It is possible there might have been another one—I don't really know, but two, I can really account for.

Mr. LIEBELER. And that's the first one and the last one?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Do you have any recollection as to the spacing of these shots?

Mr. ALTGENS. They seemed to be at almost regular intervals and they were quick.

Mr. LIEBELER. How much time do you think elapsed between the first and the last shot?

Mr. ALTGENS. Well, let's see—I would have to figure it out on a speed basis because they were going at approximately 12 to 15 miles per hour downhill and I would say that all the shots were fired within the space of less than 30 seconds. That's an estimate.

Mr. LIEBELER. How far away was the Presidential car when you took the picture that has been marked Commission Exhibit No. 203—you must have had your camera focused?

Mr. ALTGENS. Yes, sir; it was about 30 feet.

Mr. LIEBELER. Looking at Commission Exhibit No. 354, we have placed you at No. 3 on that picture.

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. In looking at Commission Exhibit No. 203, does it appear to you that 203 could have been taken from position 3 on Commission Exhibit No. 354 and only be 30 feet away from the Presidential car at that time—I'm not saying it wasn't—I mean, just what does it look like to you? The question I'm driving at, of course, is—I want to know—did you move from the time you took the first picture, which is Commission Exhibit No. 203, and the time you saw the President's head hit, did you move down the street at all?

Mr. ALTGENS. May I ask you a question in return?

Mr. LIEBELER. Sure.

Mr. ALTGENS. I have no reason to doubt that by relating other testimony, that you have come up with this figure 1 as being an exact location as to when the Presidential car was struck by the bullet—the first bullet.

Mr. LIEBELER. You mean on Commission Exhibit No. 354?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Oh, no; not at all. These figures numbers 1, 2, and 3 don't indicate where the shots hit. They are for entirely different purposes. Figure No. 1 on this picture, Commission Exhibit No. 354, indicates where someone was standing—that's all that indicates.

Mr. ALTGENS. Well, I will have to ask you this question, then, sir, because as you will know by looking at this picture—

Mr. LIEBELER. Commission Exhibit No. 203?

Mr. ALTGENS. Excuse me—picture 203—there is a tree way behind the Presidential car. Now, figure 1 is placed up in front of this tree, which means that figure 1 would have been behind the car at the time the President received the first shot.

Mr. LIEBELER. Yes; referring to Exhibit No. 354.

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Of course, that has no significance because these numbers have nothing to do with the place where the car was when the President was hit.

Mr. ALTGENS. I'm sorry—I just misinterpreted it.

Mr. LIEBELER. I can see why you could assume that, because as you look here at Commission Exhibit No. 354, you see 1, 2, 3, and 4 spaced down Elm Street and you did infer that that's the location the President's car was when it was hit.

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Which is not right because those numbers do not indicate that in any way whatsoever—they are not related to that notion at all.

Mr. ALTGENS. Yes, sir; I did not move from fixed position 3. If I moved at all, it would be to step into the curb area to make a picture and back upon the curb because there were motorcycle policemen on either side of the Presidential car and I didn't want to get in their way, but if you will look at this picture—

Mr. LIEBELER. Referring to Exhibit No. 203.

Mr. ALTGENS. You will see by then referring to picture No. 354, that the Presidential car was well down Elm Street in front of a tree that is located in a grassy area which is just off of Elm Street and just off of the street that runs down in front of the Book Depository Building, which would indicate that the point at which he was struck, the location of the car, would be approximately 30 feet in front of the position from which I made this picture. Does that make sense?

Mr. LIEBELER. Yes; what you are saying is that picture 203 was taken at a time when the President's car had actually gone down Elm Street to a point past this tree that stands at the corner here, in the grassy area, outlined by Elm Street and a little street that runs down by the Texas School Book Depository Building?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Now, the thing that is troubling me, though, Mr. Altgens, is that you say the car was 30 feet away at the time you took Commission Exhibit No. 203 and that is the time at which the first shot was fired?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. And that it was 15 feet away at the time the third shot was fired.

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. But during that period of time the car moved much more than 15 feet down Elm Street going down toward the triple underpass?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. I don't know how many feet it moved, but it moved quite a ways from the time the first shot was fired until the time the third shot was fired. I'm having trouble on this Exhibit No. 203 understanding how you could have been within 30 feet of the President's car when you took Commission Exhibit No. 203 and within 15 feet of the car when he was hit with the last shot in the head without having moved yourself. Now, you have previously indicated that you were right beside the President's car when he was hit in the head.

Mr. ALTGENS. Well, I was about 15 feet from it.

Mr. LIEBELER. But it was almost directly in front of you as it went down the street; isn't that right?

Mr. ALTGENS. Yes.

Mr. LIEBELER. Am I wrong, or isn't it correct that under that testimony the car couldn't have moved very far down Elm Street between the time you took Exhibit No. 203, which you took when the first shot was fired, and the time that you saw his head being hit, which was the time the last shot was fired?

Mr. ALTGENS. Well, I have to take into consideration the law governing photographic materials and the use of optics in cameras—lenses—and while my camera may have been set on a distance of 30 feet, there is a plus or minus area in which the focus still is maintained. I figure that this is approximately 30 feet because that's what I have measured on my camera.

Mr. LIEBELER. And you say Exhibit No. 203 was taken about 30 feet away?

Mr. ALTGENS. But it might be 40 feet, but I couldn't say that that's exactly the distance because while it may be in focus at 40 feet, my camera has it in focus 30 feet. It's the same thing—if I focus at 15 feet, my focus might extend 20 feet and it might also be reduced to 10 feet, but my focusing was in that general area of 30 feet. I believe, if you will let me say something further here about this picture—

Mr. LIEBELER. Go ahead.

Mr. ALTGENS. Possibly I could step this off myself from this position, this approximate position where I was standing and step off the distance, using as a guidepost the marker on this post here or some marker that I can find in the area and I can probably step it off or measure it off and get the exact footage. I was just going by the markings on my camera.

Mr. LIEBELER. The important thing is—it's not all that important as to how far you were away from the car at the time you took the picture—the thing that I want to establish is that you are absolutely sure that you took Exhibit No. 203 at about the time the first shot was fired and that you are quite sure also in your own mind that there were no shots fired after you saw the President hit in the head.

Mr. ALTGENS. That is correct; in both cases.

Mr. LIEBELER. So, it is clear from your testimony that the third shot—the last shot, rather—hit the President?

Mr. ALTGENS. Well, off and on we have been referring to the third shot and the fourth shot, but actually, it was the last shot, the shot did strike the President and there was no other sound like a shot that was made after that. I was just going to make a conclusion here, but that's not my place to do that, so I'll just forget it—what I was going to say.

Mr. LIEBELER. Well, what were you going to suggest—go ahead.

Mr. ALTGENS. Well, it seems obvious now, when you think back on it—of course, at the time you don't reason these things out in a state of shock, but it seemed obvious to me afterwards that there wouldn't be another shot if the sniper saw what damage he did. He did enough damage to create enough attention to the fact that everybody knew he was firing a gun. Another shot would have truly given him away, because everybody was looking for him, but as I say, that's an obvious conclusion on my part, but there was not another shot fired after the President was struck in the head.

Mr. LIEBELER. Now, of course, you are aware of the fact that there is an individual portrayed in Exhibit No. 203, standing right in the door of the School Book Depository Building?

Mr. ALTGENS. Yes.

Mr. LIEBELER. Just to the right of the No. A in the picture?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. You are aware that he has been thought to resemble Lee Harvey Oswald by certain people and it has been my understanding that a newspaper reporter by the name of Bonafede called you and discussed this picture with you?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Do you have any information as to whether or not that man might be Lee Oswald or some other man?

Mr. ALTGENS. No, sir; I have never seen the man before in my life and have seen no one that looks like him since.

Mr. LIEBELER. Did this newspaper reporter tell you that it was Oswald, or that it was somebody else—did you have any conversations with him about that?

Mr. ALTGENS. Oh, yes, sir; as a matter of fact I had two calls from him. I never met the man Bonafede, personally, but I had two calls from him and he indicated to me he was writing a story around this picture which showed this controversial figure standing in the doorway of picture No. 203. He was asking me if I knew him, if I had any information that I might be able to give him in connection with this, inasmuch as he was doing a story on it, and naturally I had no information to give him in that connection, but I don't know the man and I have never had an assignment down at the bookstore before or after the shooting so I have had no occasion to meet anyone down there in the building either before or after.

Mr. LIEBELER. I don't think I have any more questions at this point, Mr. Altgens. Can you think of anything else you think might be significant—let me ask you this—while you were standing there alongside of Elm Street and you heard this noise that you later deduced was a shot, after that time did you have any occasion to look up at the School Book Depository Building?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Did you see anything up there?

Mr. ALTGENS. Well, as I said earlier—when I crossed the street, my vision prior to that was sort of obstructed because of the growth of trees in that area and me being down in a low spot, I couldn't see the whole building too well, but after crossing the street, I looked up to that building as well as the other buildings back on Houston Street.

Mr. LIEBELER. Yes; I remember you testified about that and you said you saw those two Negroes?

Mr. ALTGENS. I saw the two Negroes but I at that time lent no significance to that until I later heard where the shots were coming from and also since that time I have heard other people say they saw them too.

Mr. LIEBELER. Do you know which window they were in, approximately, where on the fifth floor?

Mr. ALTGENS. Well, they looked to me to be on the floor below, but they were leaning out as though they were looking for something. I do remember that, but since they had nothing in their hands I didn't feel that the shot was coming from their particular area. I saw no rifle at any time although I was looking for one and I reported it to my Associated Press that the President was apparently shot by a high-powered rifle, that's the way we carried it on the wire—credited to my statement.

Mr. LIEBELER. When you saw these Negroes up there, were they in the center of the building or toward the part of the building closer to the triple underpass or toward Houston Street, or just where were they on the face here of the School Book Depository Building as it faces out on Elm Street? And Main Street?

Mr. ALTGENS. Well, as I recall, they were down here close to Houston Street. They weren't directly under the window that was later described as being the area of the assassin's nest, but I think they were in a pair of windows that was maybe the next set of windows over, which was a floor below.

Mr. LIEBELER. When you say "over," you mean down towards the triple underpass?

Mr. ALTGENS. Yes.

Mr. LIEBELER. So that they were closer to the corner of the building that is near the intersection of Elm and Houston than they were towards the triple underpass end of the building?

Mr. ALTGENS. Yes; there were also a number of people looking out of—I believe this building here [indicating on photograph].

Mr. LIEBELER. Indicating the building immediately across Houston Street from the School Book Depository?

Mr. ALTGENS. But—they were scattered and once again, I couldn't see anything over there that suggested to me that they might have a rifle, and, of course, the buildings here which are the county records and courthouse buildings—those windows—I think had nobody in them because I believe they are closed and locked. I'm not real certain of that, but I don't recall seeing anyone at those windows over there.

Mr. LIEBELER. And you indicate then the building that it catercornered across the street on Houston Street toward Main Street from the School Book Depository?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Right at the intersection of Houston Street and Elm as it comes down and goes past the School Book Depository Building?

Mr. ALTGENS. Yes.

Mr. LIEBELER. At any time after you went back up here and to the intersection on Elm and Houston and after the motorcade came, did you have occasion to look down toward the railroad tracks going across the triple underpass?

Mr. ALTGENS. Yes, sir.

Mr. LIEBELER. Did you see anybody down there?

Mr. ALTGENS. Yes, sir; as a matter of fact—let me go back to my position at Houston and Main. I was at that intersection approximately at 11:30, which meant I had close to an hour wait before the caravan was due in that area, and along about noon—of course, there were some other things that happened—there was a man who had an epileptic fit along about that area there, a young fellow approximately 19 or 20 years old, and I was standing over here at the intersection next to a sergeant's motorcycle—it was a tricycle motorcycle.

Mr. LIEBELER. This was the intersection of Main and Houston that you were standing near?

Mr. ALTGENS. Yes, sir; and the time was approximately 12:15, I would imagine—I say 12:15 and as I relate the events you will see why I say that, because this sergeant at the motorcycle called for an ambulance and an ambulance came and picked the man up and as the ambulance was leaving through the triple overpass, underneath the triple overpass, I saw the Presidential caravan, the red lights and so on that lead the caravan, coming on to Main Street off of Harwood.

Mr. LIEBELER. Further up Main Street from where you were standing?

Mr. ALTGENS. Yes; clear up at the other end of town because Main Street goes uphill and that made it easy for me to spot the red lights indicating the Presidential caravan then was starting down Main Street, and along about the time the sergeant called for the ambulance, I was looking back up here at the triple overpass and I remarked to the sergeant, I said, "Look at all those people up there on the triple overpass." I would estimate about a dozen were up there.

Mr. LIEBELER. On the railroad tracks immediately over Elm—immediately over the triple underpass?

Mr. ALTGENS. Yes, sir; and I said, "I wonder what the heck all those people are doing up there when they wouldn't let me up there to make pictures?" And he said, "Well, I suppose they are railroad people." I said, "Well, if they are permitted up there, it seems like they would let me up there just to make a picture." He said, "Well, you know we've got our orders too." So, I just dropped it at that time, but there were at that time—now, this was prior to the Presidential arrival in the Main-Houston Street area that I noticed these people up here.

Mr. LIEBELER. Up on the triple underpass?

Mr. ALTGENS. Yes; I keep forgetting that we are taking the testimony down here. After the Presidential caravan had proceeded down Elm Street, this was approximately 12:25, then, after the President was shot—the car passed in front of me—I stepped into the curb area and made a picture of the Secret Service man going to the assistance of Mrs. Kennedy. I made a picture at that time which shows part of the triple overpass but it does not show the people up on it.

Mr. LIEBELER. Did you notice whether there were still people on it at that time?

Mr. ALTGENS. Yes, sir; there were people up on it and I looked in that direction, but not for a firearm—I didn't really expect any.

Mr. LIEBELER. Why was that?

Mr. ALTGENS. Because as I said before—the way the bullet impact hit the President, it had to come from behind or beside the automobile in order to cause him to move forward a little bit and I didn't expect to find anything up in that area, so that is why I was concentrating my observation back in this part, back in the Main—excuse me—back in the Houston-Elm intersection area to see if I could find the rifle.

Mr. LIEBELER. And you didn't see anybody standing on the overpass with a fire-arm of any kind?

Mr. ALTGENS. No, sir.

Mr. LIEBELER. I don't think I have any more questions, Mr. Altgens, unless you can think of something else that you think would be significant that I haven't thought to ask you about, I think we can terminate the deposition.

Mr. ALTGENS. No, sir; I can't think of anything—it seems like we have covered it pretty well.

Mr. LIEBELER. Thank you very much for coming in.

Mr. ALTGENS. You are welcome, sir—I was glad to do it and I hope that whatever I've had to say will be of some help.

Mr. LIEBELER. I think it will.

Mr. ALTGENS. Let me tell you this off the record, because it doesn't matter, but you notice Mr. Switzer, the FBI agent that came out—he and his partner—and talked with me, he brought up this Bonafede to me—the name and then he asked me if I knew somebody else, a woman columnist in a Chicago newspaper.

Mr. LIEBELER. Yes?

Mr. ALTGENS. And then showed me a clipping where she too had referred to me in the taking of a picture and I also received a telephone call from a John Gold who is, I guess, a correspondent connected with the London Daily News. I got a call from him on the Thursday night about 11 or 11:30 at night, asking me what that story was all about because—

Mr. LIEBELER. The Magy Daley story or the Bonafede story?

Mr. ALTGENS. No; this was the Bonafede story, because they had put it on television—as a teaser to sell publications and the public on the upcoming Sunday—the Sunday publication.

Mr. LIEBELER. Yes; the New York Tribune.

Mr. ALTGENS. And gee, I didn't know what to tell the guy because I didn't know Bonafede had written, but Bonafede talked with me. I asked him and I said, "Are you going to quote me on anything I say?" And, he says, "Well, if I do quote you, I'll call you back and ask you for your permission," and I said, "Swell."

Mr. LIEBELER. Of course, he did quote you and he didn't call you back?

Mr. ALTGENS. Well, I got a copy of the thing—I didn't gather from the article he was quoting me on anything in particular other than to say that I was a witness and I hadn't been called to testify before the Commission or questioned by the FBI or the Secret Service, but I don't think that he really tied any information to me in the course of writing the story, but it was real strange the way the thing unfolded. I had tried previously to get my bureau chief to give me permission to notify the Warren Commission or someone to let them know I had been in the area, not that my testimony would be of much value, but still if it could be of just a little bit of help I wanted to do what I thought was right, and my boss never got permission for me to do that, and that's why I never did step forward, because I had no authority. Really, I didn't feel that I could act on my own. I wanted to wait until someone gave me authority to do it.

Mr. LIEBELER. Well, your testimony has been helpful to the extent that it helps to establish the timing of the shots and I'm glad you gave it to us.

Mr. ALTGENS. Well, I wish I had been able to give this information to you the next day when it was fresh on my mind because 6 months or so later, sometimes the facts might be just a little bit off and I hate to see it that way.

Mr. LIEBELER. All right. Thank you very much for coming.

TESTIMONY OF HARRY D. HOLMES

The testimony of Harry D. Holmes was taken at 2 p.m., on July 23, 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.