

or what, I just said, "Where were you standing?" In an effort to prove there was some shots fired, and after seeing the way it struck the curb at an angle—which it came down on the curb—it was almost obvious that it either came from this building or this building [indicating] the angle it struck the curb at.

Mr. LIEBELER. When you say this building or this building you are talking about the School Book Depository Building or the building immediately east thereof, across Houston Street?

Mr. WALTHERS. Yes; and I ran right then back up along in here and that would be right at the corner of Elm and Houston, where I ran into one of our deputies, Allan Sweatt, and told him—everybody still at this time was just—I don't know what you would call it—just running around in circles you might say, and I told him, I said, "A bullet struck that curb. It's fresh—you can see a fresh ricochet where it had struck," and I said, "From the looks of it, it's probably going to be in this School Book Building," and immediately then everybody started surrounding the School Book Building and then I got off and come up the street here that runs in front of the School Book Depository Building and started gathering up a bunch of witnesses and started taking them over and put them in our office so we could get some statements before they got all jumbled up together with their stories.

I continued to take witnesses across the street here and locked them up and got our secretaries to start taking depositions from them before they had a chance to get their stories messed up, and I don't remember who it was now that came—as I was coming out the back door of the jail, out of the office building here and said an officer had been killed in Oak Cliff and there wasn't anybody over there, everybody was down here, and I got a couple of our civil deputies and put them in a car and went to Oak Cliff, and left all this area where the shooting was—where the shooting had taken place—and just at the time I reached Zangs and Jefferson in Oak Cliff, I had a little transistor radio in my car, and that's the first time I knew the President was actually shot. They announced the fact that he was actually dead on the Citizens radio and immediately after that we got a call that a suspect that was supposed to have shot Officer Tippit was in the library building on Marsalis and Jefferson, and everybody that had made it to Oak Cliff then went to that library and we bailed out and surrounded it and found out that it was no good. It was not the suspect, and then we got back in the car and got the call to go to the Texas Theatre, that the suspect was in the balcony of the Texas Theatre on Jefferson, and I parked there just east of the entrance and out in the traffic lane, and I had a sawed off shotgun that I took with me inside the building and went up the steps to the landing there and got hold of the manager and asked him to turn on the house lights, and he said, "I'll go get some flashlights." I said, "No, you can turn on the house lights, we're looking for a man," and I went on into the balcony and there wasn't anybody in the balcony. It was vacant. I ran to the rail then and looked downstairs and the house lights had just came on and it wasn't too bright, even with them on, and we seen some confusion down in the center section close to the back of the center section of the seats and I hollered to another bunch of officers that were still pouring in the balcony, "He must be downstairs," or, "He is downstairs," or something to that effect and I ran back down the steps then and I laid my shotgun down there across a couple of seats there and went into the aisle where a scuffle was taking place and seen two hands wrapped around a pistol. Like I say, it was dark even above the seats and down between the seats it was pretty much of a mess to tell what was really happening.

Mr. LIEBELER. This man that had both hands up was down there between the seats?

Mr. WALTHERS. Well, there were two different hands wrapped around the gun holding onto it.

Mr. LIEBELER. Two different people fighting for it? -

Mr. WALTHERS. Yes; and there were a lot of officers jumping over the seats coming back to where it was happening, and Mr. B. K. Carroll that works up at the city was coming right in on the same row I was in from the opposite side facing me and I grabbed abold of the hands that had the gun and about that time two or three other officers piled into the scuffle there in between the seats and